INTRADISTRICT OPEN ENROLLMENT BP 5116.1

The Pasadena Unified School District has assigned students to school by geographic attendance zones based on residence. The Governing Board believes in the concept of neighborhood schools. The Board also desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians. The Governing Board shall regularly review school attendance boundaries, taking into account school capacities and enrollment data, geographic features, student safety, and educational programs.

The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

(cf. 5116.2 - Involuntary Student Transfers)
(cf. 5117 - Interdistrict Attendance)

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of their residence within the district. (Education Code 35160.5)

(cf. 5111.1 - District Residency)

The Board shall annually review this policy. (Education Code 35160.5, 48980)

The district will use varied means each year to engage diverse stakeholders regarding the Open Enrollment process. Members may include district staff, school site staff, students, parents, and community stakeholders.

Enrollment Priorities

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (Education Code 35160.5)

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall grant priority for the enrollment of a student in a district school outside of the student's attendance area, if the student:

1. Is enrolled in a district school designated by the California Department of

Education (CDE) as "persistently dangerous" (20 USC 7912; 5 CCR 11992)

(cf. 0450 - Comprehensive Safety Plan)

2. Is a victim of a violent crime while on school grounds (20 USC 7912)

3. Is a victim of an act of bullying committed by another district student, as determined through an investigation following the parent/guardian's submission of a written complaint with the school, district, or local law enforcement agency pursuant to Education Code 234.1 (Education Code 46600)

   If the district school requested by the student is at maximum capacity, the Superintendent or designee shall accept an intradistrict transfer request for another district school. (Education Code 46600)

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 5131.2 - Bullying)

4. Is currently enrolled in a district school identified by CDE for comprehensive support and improvement, with priority given to the lowest academically achieving students from low-income families as determined pursuant to 20 USC 6313(a)(3) (20 USC 6311)

(cf. 0520.1 - Comprehensive and Targeted Support and Improvement)

5. Is experiencing special circumstances that might be harmful or dangerous to the student in the current attendance area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code 35160.5)

   a. A written statement from a representative of an appropriate state or local agency, including, but not necessarily limited to, a law enforcement official or a social worker, or a properly licensed or registered professional, including, but not necessarily limited to, a psychiatrist, psychologist, marriage and family therapist, clinical social worker, or professional clinical counselor

b. A court order, including a temporary restraining order and injunction

6. Any sibling of a student already in attendance in that school provided the parent/guardian completes registration during the Priority Enrollment phase of Open Enrollment. Sibling priority may be honored in subsequent phases of open enrollment if school/grade/program capacity permits. There is no "legacy" priority or priority for siblings of pupils who have or will have already been promoted out of the school.

7. Preference may be given to a student whose parent/guardian is assigned to a school or district offices as his/her primary place of employment.

8. Students who have made a commitment to a specific theme or specialized/signature program are given priority to continue the same theme/program when the student changes levels/articulates (elementary to middle school; middle school to high school) provided parent/guardian completes registration during the Priority Enrollment phase of Open Enrollment. Program priority may be honored in subsequent phases of open enrollment if school/grade/program capacity permits.

9. Preference may be given to a student whose parent/guardian is employed full time with the City of Pasadena.

Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law and Board policy, applications for intradistrict open enrollment shall be submitted between Fall and Spring of the school year preceding the school year for which the transfer is requested.

The Superintendent or designee shall calculate each school's capacity in a nonarbitrary manner using student enrollment and available space. (Education Code 35160.5)

Except for the enrollment priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine which students shall be admitted whenever a district school receives admission requests that are in excess of the school's capacity. (Education Code 35160.5)

Enrollment decisions shall not be based on a student's academic or athletic

performance. However, existing entrance criteria may be used for enrolling students in specialized schools or programs, provided that the criteria are uniformly applied to all applicants. In addition, academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

The Board will be notified of all exceptions to the Open Enrollment guidelines that are received by staff and that are granted in order to provide accountability for the fairness and equity of the system.

Transportation

In general, the district shall not be obligated to provide transportation for students who attend school outside their attendance area.

However, upon parent/guardian request, the district shall provide transportation assistance to any student who is eligible for free or reduced-price meals and whose enrollment in a district school outside the student's attendance area is a result of being a victim of bullying. (Education Code 46600)

(cf. 3250 - Transportation Fees)
(cf. 3540 - Transportation)

Legal Reference:

EDUCATION CODE
200 - Prohibition against discrimination
35160.5 - District policies; rules and regulations
35291 - Rules
35351 - Assignment of students to particular schools
46600-46611 - Interdistrict attendance agreements
48200 - Compulsory attendance
48204 - Residency requirements for school attendance
48300-48316 - Student attendance alternatives, school district of choice program
48980 - Notice at beginning of term
CODE OF REGULATIONS, TITLE 5
11992-11994 - Definition of persistently dangerous schools
UNITED STATES CODE, TITLE 20
6311 - State plans
6313 - Eligibility of schools and school attendance areas; funding allocation
7912 - Transfers from persistently dangerous schools

COURT DECISIONS
Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275
ATTORNEY GENERAL OPINIONS
85 Ops.Cal.Atty.Gen. 95 (2002)

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Public School Choice FAQs
Every Student Succeeds Act - Update #8, July 14, 2017
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Unsafe School Choice Option, May 2004
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
U.S. Department of Education: http://www.ed.gov

Policy **PASADENA UNIFIED SCHOOL DISTRICT**
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