

Policy 5116.1: Intradistrict Open Enrollment

Status: ADOPTED

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The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also maximizing the efficient use of district facilities and resources. 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)

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)

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. Is a sibling of another student already attending that school

7. Has a parent/guardian whose primary place of employment is that school

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 October (*insert application window dates*) November 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 staffing of teacher – student ratio, 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)

Open Enrollment Student Applicant Priorities Student Selection Priorities:

1. Socioeconomic balance goals for each school as outlined in the Napa Valley Unified School District's Voluntary Desegregation Plan.
2. Students residing within the attendance area of a charter school who do not wish to attend a charter school.
3. Program alignment from elementary to middle school and middle school to high school for:

- a. Dual Language Immersion
- b. International Spanish Academy (ISA)
- c. Leadership Academy Youth Leaders in Action (LAYLA)

4. Siblings of students already in attendance in a school, and who will be attending the school the same year a new sibling is entering the school.

5. Students attending a school that has been designated by the Board to close at the end of the current school year; and who either: (a) are currently attending the school designated for closure, or (b) in the following school year will be entering the earliest grade level of the school designated for closure. This priority only applies to students who reside within the boundaries of Napa Valley Unified School District. Students who attend a District school pursuant to an inter-district transfer are not eligible for lottery priority.

6. Students whose parent/guardian is assigned to that school as his/her primary place of employment. Primary place of employment means an annual assignment at that school as a permanent or probationary employee of the district.

7. For all other applications for open enrollment outside a school's attendance area, the Superintendent or designee shall use a random, unbiased selection process (e.g., a lottery) to determine who shall be admitted whenever a 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*)

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)