

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. 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.

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)

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)

The Superintendent or designee shall grant priority to any district student to attend another district school, outside of his/her attendance area as follows:

1. Any student enrolled in a district school designated by the California Department of Education as "persistently dangerous" (20 USC 7912; 5 CCR 11992)
2. Any student who is a victim of a violent crime while on school grounds (20 USC 7912)
3. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances include, but are 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:
 - a. A written statement from a representative of an appropriate state or local agency, including, but not necessarily limited to, a law enforcement official, social worker, or a properly licensed or registered professional such as 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
4. Any sibling of a student already in attendance in that school.
5. Any student whose parent/guardian is employed as a contracted benefitted employee at the school or within the district.

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 according to the following timelines:

All LMSV school sites, including Transitional Kindergarten sites, shall accept applications for transfer between December 1, and February 15 of the preceding school year for which a transfer is requested. If the specified date falls on a weekend, the opening/closing date for transfer applications shall fall on the Monday immediately following that date. Late requests may be accommodated based on space and program capacity.

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 who 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)

Other than as specified above for district specialized schools and programs, enrollment decisions are made in a non-arbitrary manner and are not based upon a student's previous academic achievement, physical condition, proficiency in the English language, family income, or any individual characteristic set forth in Education Code section 200. Students attending a district school other than their school of residence are expected to have good attendance,

maintain consistent attendance and good behavior and compliance with the district's code of conduct for student behavior. Failure to do so may result in denial or revocation of the transfer application. Poor attendance and/or behavior incidents are cause for a transfer to be revoked and/or not approved.

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, as defined in Education Code 46600.
