

Placer Un HSD

Board Policy

Intradistrict Open Enrollment

BP 5116.1

Students

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also balancing enrollment in order to maximize 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 regulations.

(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 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 to any district student to attend another district school, including a charter school, outside of his/her attendance area as follows:

1. Any student enrolled in a district school that has been identified on the state's Open Enrollment Act List. (Education Code 48354)

(cf. 5118 - Open Enrollment Act Transfers)

2. Any student enrolled in a district school designated by the California Department of Education as "persistently dangerous." (20 USC 7912; 5 CCR 11992)

(cf. 0450 - Comprehensive Safety Plan)

3. Any student who is a victim of a violent crime while on school grounds. (20 USC 7912)

4. Any sibling of a student who will be concurrently enrolled in that school.
5. Any student whose parent/guardian is assigned to that school as his/her primary place of employment.
6. To participate in Colfax High School's International Baccalaureate Program or to participate in Foresthill High School's Information & Communication Technology Pathway.
7. Beginning with the 2017/2018 school year, any student where hardship exists. Hardship is defined as an unforeseeable, unavoidable and uncorrectable act, condition or event, outside of the student's or family's control, which causes the imposition of a severe burden, unrelated to any curricular or co-curricular activity in which the student wishes to participate.

Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for intradistrict transfer shall be submitted between January 1 and January 31st 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 non-arbitrary manner using student enrollment and available space. (Education Code 35160.5)

Except for priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the 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, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

Once the transfer is granted and a student enrolled, a student shall not be required to reapply each year. However, the transfer may be revoked at the conclusion of any semester if the student does not maintain satisfactory grades, attendance, and behavior.

Transportation

Except as required for students who transferred out of a Title I program improvement school, the district shall not be obligated to provide transportation for students who attend school outside their attendance area.

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

Appeals

Students and parents/guardians may appeal a denial of an intradistrict transfer request based on hardship. The written appeal shall be filed with the Superintendent's office within ten business days of denial of the transfer request. The written appeal will be reviewed by an Administrative Panel consisting of administrators not directly involved in the transfer and will allow the opportunity to provide any additional written information concerning the hardship. The Administrative Panel will provide the decision in writing.

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

48350-48361 Open Enrollment Act

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 7912 Transfers from persistently dangerous schools

CODE OF FEDERAL REGULATIONS, TITLE 34

11992-11994 Definition of 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 2016-17 School Year Transition Plan, April 2016

U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE

Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016
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.cde.gov>

Policy PLACER UNION HIGH SCHOOL DISTRICT

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2016/**Revised: November 14, 2017**