

Students

Intradistrict Open Enrollment

The Board of Education desires to provide enrollment options that meet the diverse needs and interests of District students and parents/guardians. 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 residence within the District. (Education Code 35160.5)

The Board shall annually review this policy. (Education Code 35160.5, 48940)

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, including a charter school, outside of his/her attendance area for any of the following reasons:

- If a District school receiving Title I funds is identified for program improvement, corrective action or restructuring, all students enrolled in that school shall be provided an option to transfer
- Any student enrolled in a District school that has been identified on the state's Open Enrollment List. (Education Code 48354)
- Any student enrolled in a District school designated by the California Department of Education as "persistently dangerous." (20 USDC 7912; 5 CCR 11992)
- Any student who is a victim of a violent crime while on school grounds (20 USC 7912)
- Siblings of student already in attendance at that school
- Students whose parent/guardian is assigned to that school as his/her primary place of employment
- Students of parent/guardian who submit applications to the District during the designated open enrollment period

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.

BP 5116.1(b)

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, such as a law enforcement official, social worker, or a properly licensed or registered professional, such as a psychiatrist, psychologist, or marriage and family therapist
- b. A court order, including a temporary restraining order and injunction

Application and Selection Process

In order to ensure that priorities for enrollment in District schools are implemented in accordance with law, applications for intradistrict open enrollment shall be submitted during the first two weeks of March, 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

For all other applications for enrollment outside a student's school attendance area, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever a school receives admission requests that are in excess of the school's capacity.

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.

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)

Transportation

Except as required by 20 USC 6316, for transfers out of Title I program improvement schools, the District shall not be obligated to provide transportation for students who attend school outside their attendance area. However, upon request, the Superintendent or designee may authorize transportation contingent upon available space and funds.

(Legal reference next page)

Legal Reference:

EDUCATION CODE

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

48980 Notice at beginning of term

UNITED STATES CODE, TITLE 20

6316 Transfers from program improvement schools

7912 Transfers from persistently dangerous schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.36 Dissemination of information

200.37 Notice of program improvement status, option to transfer

200.39 Program improvement, transfer option

200.42 Corrective action, transfer option

200.43 Restructuring, transfer option

200.44 Public school choice, program improvement schools

200.48 Transportation funding for public school choice

Adopted: (7-88 4-94 9-97 6-07 2-09) 8-12

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California