



Book	Policy Manual
Section	5000 Students
Title	INTRADISTRICT OPEN ENROLLMENT
Code	5116.1 AR
Status	Active
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#### Transfers for Victims of a Violent Criminal Offense

Within a reasonable amount of time, not to exceed 14 days, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. In making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and his/her parent/guardian in making the offer. If the parent/guardian elects to transfer his/her child, the transfer shall be completed as soon as practicable.

#### Transfers from a "Persistently Dangerous" School

Upon receipt of notification from the California Department of Education (CDE) that a district school has been designated as "persistently dangerous," intradistrict transfers shall be granted as follows:

1. Within 10 days of receipt of the notification from CDE, the Superintendent or designee shall provide parents/guardians of students attending the school with notice of the school's designation. Along with this notification, or at least 14 calendar days before the start of the school year, the Superintendent or designee shall provide a list of other district schools to which any student of the school that is designated as persistently dangerous may transfer.

(cf. 0450 - Comprehensive Safety Plan)

2. Parents/guardians who desire to transfer their child out of the school shall provide a written request to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students.
3. The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. The Superintendent or designee shall notify the parents/guardians of the assigned school.
4. For students whose parents/guardians accept the offer, the transfer shall generally be made within 30 school days of receiving the notice of the school's designation from the CDE. If parents/guardians decline the assigned school, the student

may remain in his/her current school.

The transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous." The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

The Superintendent or designee shall cooperate with neighboring districts to develop an interdistrict transfer program in the event that space is not available in a district school.

(cf. 5117 – Interdistrict Attendance)

#### Other Intradistrict Open Enrollment

Except for transfers for victims of a violent crime and from a "persistently dangerous school," the following procedures shall apply to intradistrict enrollment:

1. Intradistrict applications shall be available at each school site, the District Office, and on the District's web site.
2. Once the enrollment priorities have been applied in accordance with Board policy, if there are more requests for a particular school, including specific grade level, than there are spaces available, a random drawing shall be held from the applicant pool.
3. The Superintendent or designee shall provide written notification in mid-April to applicants as to whether their applications have been approved or denied. If the application is denied, the reasons for denial shall be stated.
4. Approved applicants must confirm their enrollment within ten school days of the date of the approval notification. Offers will be rescinded on the 11th school day.

Once approved, the new school is designated as a student's School of Record and intradistrict transfer applications are not needed to remain at the school, including when a student matriculates to the next school that offers the student's next grade level. New intradistrict transfer requests are necessary to transfer to a different school.

The Superintendent or designee may revoke an intradistrict transfer agreement and return the student to the school of residence based on behavior, absenteeism, tardiness, early drop-offs or early and late pick-ups, poor academic performance, and if the status of employment changes under priority numbers 5 and 7.

Any complaints regarding the intradistrict transfer process shall be submitted in accordance with the applicable complaint procedure.

(cf. 1312.3 – Uniform Complaint Procedures)

#### Notifications

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (Education Code 35160.5, 48980)

1. All options for meeting residency requirements for school attendance

(cf. 5111.1 - District Residency)

(cf. 5118 - Open Enrollment Act Transfers)

2. Program options offered within local attendance areas
3. A description of any special program options available on both an interdistrict and intradistrict basis
4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied
5. A district application form for requesting a change of attendance

6. The explanation of attendance options under California law as provided by the CDE  
(cf. 5145.6 - Parental Notifications)