

INTRADISTRICT OPEN ENROLLMENT

~~Schools shall not accept students who reside in another school's attendance area without an approved intradistrict attendance permit. Approval of intradistrict enrollment requests will be subject to site capacity limitations and the following selection procedures. No student who is enrolled in a school in the attendance area where s/he resides as of April 1 will be displaced by a transferring student.~~

Application and Selection Process

- ~~1. Each year by March 1, the Board of Education or its designee shall identify those schools that may have space available for additional students. School capacity will be calculated in a nonarbitrary manner that uses student enrollment, available space, the district-adopted staffing ratio and class size ratios.~~
- ~~2. Students whose intradistrict enrollment requests are submitted to the school of residence by March 15 will be eligible for consideration. Requests will be accepted for only one school.~~
- ~~3. Parents/guardians will be notified by June 1 whether the application is approved, denied, or subject to a public lottery, also referred to as a "transfer lottery."~~
 - ~~a. If requests to enroll are fewer than the openings available at the requested site/grade level, all students requesting enrollment shall be enrolled.~~
 - ~~b. If student applications to enroll in a school or at the applicable grade level are greater than the openings available, a transfer lottery will be held at the district office on June 1 or the first working day after June 1, if June 1 is not a working day. The transfer lottery may also include interdistrict renewal requests.~~
 - ~~c. School site administrators will create class lists per grade level for those classes with capacity for additional students. As student names are drawn from the lottery, the names will be given a numerical rank on the appropriate class list. Students whose names are drawn after the appropriate class reaches its capacity shall be placed on a waiting list in the order that their names are drawn, and admitted beginning August 1, as space becomes available and after new resident students have enrolled in schools in their attendance areas, space permitting.~~
 - ~~d. Only one transfer lottery will be held. Students applying after the transfer lottery date will be added to the bottom of the appropriate list in the order that completed applications are received.~~
- ~~4. Applicants who receive approval must confirm their intent to transfer to the new school within two weeks of the date of notification, or the right to transfer will be forfeited.~~

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5. ~~Approval or denial of intradistrict attendance requests will be made by the Superintendent or designee. Appeal of a denial may be made to the Board of Education. The Board's decision will be final. Complaints regarding the selection process should be taken to the Superintendent or designee.~~

Exceptions to the Transfer Lottery Process

Exceptions may be made to the random, unbiased selection process based on the following, which are listed in priority order:

1. ~~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.~~
2. ~~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 to another district school or charter school.~~
3. ~~If while on school grounds a student becomes a victim of a violent criminal offense, as defined by the California Department of Education (CDE), or attends a school designated by the CDE as persistently dangerous, he/she shall be provided an option to transfer to another district school or charter school.~~
4. ~~Priority will be given to siblings of students already in attendance at a school, if the currently attending student will continue to attend that school the following year.~~
5. ~~Priority will be given to a student who applies for a transfer at the same time as a sibling, and whose sibling is granted a transfer through the transfer lottery process.~~
6. ~~Priority will be given to students whose parent or legal guardian is assigned to a school as his/her primary place of employment.~~
7. ~~Priority will be given to students who were involuntarily transferred from schools in their attendance areas the previous year.~~

~~Once enrolled in a school pursuant to an approved intradistrict attendance request, a parent/guardian is not required to re-submit a new request in subsequent years, provided continuous enrollment is maintained.~~

INTRADISTRICT OPEN ENROLLMENT (continued)

~~Intradistrict Enrollment under the Open Enrollment Act ("Romero Bill")~~

~~The Romero Bill and California regulations allow students attending a school designated by the California Superintendent of Public Instruction as an "Open Enrollment School" to submit an application for enrollment in a higher performing school in the district. Applications for an intradistrict transfer under the Romero Bill are subject to the timelines and criteria established in the District's Administrative Regulation 5117.1.~~

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 determining ~~whether~~ that a student has been the victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident ~~on a case-by-case basis~~ 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 is practicable.

Transfers from a "Persistently Dangerous" School

~~Within a reasonable amount of time, not to exceed ten school days after receiving notification from the California Department of Education that a school has been designated as "persistently dangerous," the Superintendent or designee shall notify parents/guardians of the school's designation. Within ten school days after this notification has been provided to parents/guardians, the Superintendent or designee shall notify parents/guardians of their option to transfer their child.~~

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

Upon receipt of notification from the California Department of Education (CDE) that a district school has been designated as "persistently dangerous," the Superintendent or designee shall provide parents/guardians of students attending the school with the following notifications:

1. Within 10 days of receipt of the notification from CDE, notice of the school's designation
2. Within 20 days of receipt of the notification from CDE, notice of the option to transfer

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their child

(cf. 0450 - Comprehensive Safety Plan)

Parents/guardians who desire to transfer their child out of a "persistently dangerous" 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. The Superintendent or designee may establish a reasonable timeline, not to exceed seven school days, for the submission of parent/guardian requests.

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. 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 open enrollment:

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of those schools and open enrollment applications shall be available at each school site, the district office, and on the district's web site.
2. After the enrollment priorities have been applied in accordance with Board policy, if there are more requests for a particular school than there are spaces available, a random drawing shall be held from the applicant pool. A waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Late applicants shall

not be added to the waiting list for the current year but shall instead wait for a subsequent lottery.

3. The Superintendent or designee shall provide written notification to applicants as to

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whether their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.

4. Approved applicants must confirm their enrollment within 10 school days.

Any student who, prior to the 2016-17 school year, was granted a transfer out of a Title I school that had been identified for program improvement shall be allowed to remain in the school of enrollment until he/she completes the highest grade offered at that school.

A student granted intradistrict enrollment under other circumstances shall not be required to reapply for readmission but may be subject to displacement due to excessive enrollment.

Any complaints regarding the open enrollment process shall be submitted in accordance with the applicable complaint procedure.

(cf. 1312.3 - Uniform Complaint Procedures)

Revoking an Intradistrict Attendance Request/Permit

~~The district retains the right to revoke an intradistrict attendance permit for reasons other than the student's academic or athletic performance. Reasons may include discovery that the application was falsified, or failure to comply with the provisions in the student's intradistrict attendance and behavior contract.~~

Notifications

Notifications shall be sent to parents/guardians ~~annually~~ at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district, ~~including:~~ 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; and

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6. The explanation of attendance options under California law provided by the California Department of Education.

(cf. 5145.6 - Parental Notifications)

Regulation

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SAN RAFAEL CITY SCHOOL DISTRICT

San Rafael, California