

Berkeley USD

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. Students who reside within district boundaries may apply for enrollment in any district school. Students who reside within a given attendance zone will have priority to the schools in their attendance zone. Intradistrict students will be considered only after in-zone students are assigned. In accordance with law, no student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area.

(cf. 5116 - School Attendance Boundaries)

The Board shall annually review this policy. (Education Code 35160.5, 48980)

Enrollment Priorities

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. (20 USC 6316)

(cf. 6171 - Title I Programs)

A student may be given priority for attendance outside her/his current attendance area when special circumstances exist that may be harmful or dangerous to that particular student. Harmful or dangerous special circumstances shall be identified pursuant to law and administrative regulations.

Schools receiving requests for admission shall give priority for attendance to siblings of children already in attendance in that school.

The district shall be obligated to provide transportation for students who transfer out of Title I program improvement schools to attend schools within the district, outside their attendance area. (20 USC 6316)

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 REGULATIONS, TITLE 5
11992-11994 Definition of 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
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:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Public School Choice, December 4, 2002

Unsafe School Choice Option, July 23, 2002

WEB SITES

CSBA: <http://www.csba.org>

CDE: <http://www.cde.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

Policy BERKELEY UNIFIED SCHOOL DISTRICT
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