

Berkeley USD

Administrative Regulation

Intradistrict Open Enrollment

AR 5116.1

Students

Selection Procedures

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of these schools and open enrollment applications shall be available at all school offices.
2. Students who submit applications to the district by the deadline for first round of student assignments shall be eligible for admission to their school of choice the following school year under the district's open enrollment policy.
3. Enrollment in a school of choice shall be determined by lottery from the eligible applicant pool, and a waiting list shall be established to indicate the order in which applicants may be accepted as more openings occur. Late applicants shall be added to the waiting list.
4. The Superintendent or designee shall inform applicants in writing by mail as to whether their applications have been approved or denied.
5. Applicants who receive approval must confirm their enrollment with the assigned school within the district's specified timeline.
6. Admission to a particular school shall not be influenced by a student's academic or athletic performance except insofar as academic standards are required for admission to specialized schools or programs such as programs for gifted and talented students. Such standards shall be uniformly applied to all students. (Education. Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

Any complaints regarding the selection process should be processed using the Uniform Parent Complaint Procedure.

(cf. 1312 - Complaints Concerning the Schools)

Harmful or Dangerous Special Circumstances

Any decision to grant priority for attendance outside a student's current

attendance area because of harmful or dangerous special circumstances shall be based upon the following: (Education Code 35160.5)

1. A district finding that the student has been threatened with bodily harm; and/or threats to the emotional stability of the pupil.
2. A written statement from a representative of an appropriate state or local agency, including but not limited to a law enforcement official, social worker, or properly licensed or registered professional psychiatrist, psychologist, marriage, family and child counselor, or other professional; and in the case of threats to the emotional stability of the pupil with the recommendation and concurrence of the student study team.
3. A court order, including a temporary restraining order and injunction

Upon making such a finding, the Superintendent or designee may approve the student's transfer to a district school that is at capacity and otherwise closed to transfers. (Education. Code 35160.5)

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, including: (Education. Code 48980)

1. All options for meeting residency requirements for school attendance

(cf. 5111.1 - District Residency)

(cf. 5111.11 - Residency of Students with Caregiver)

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

(cf. 5111.13 - Residency for Homeless Children)

2. Program options offered within local attendance areas

3. A description of any special program options available on both an interdistrict and intradistrict basis

(cf. 5117 - Interdistrict Attendance)

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 California Department of Education

(cf. 5145.6 - Parental Notifications)

Regulation BERKELEY UNIFIED SCHOOL DISTRICT
approved: May 21, 2003 April 2002 Berkeley, California