

# **Martinez USD**

## **Board Policy**

### **School Attendance Boundaries**

BP 5116  
**Students**

The Board of Education shall establish school attendance boundaries in order to maximize the efficient use of district facilities and effective administration of district schools. The Superintendent or designee shall periodically review school attendance boundaries and, as necessary, make recommendations to the Board for boundary adjustments.

When reviewing school attendance boundaries, the Superintendent or designee shall consider the following factors:

1. School enrollment data, including declining enrollment patterns
2. Facility capacity and design, including potential commercial and residential developments
3. School feeder patterns, including maintaining, to the extent practicable, continuity of student attendance
4. Federal, state, or court mandates
5. Community input
6. Student safety
7. Transportation capacity
8. Community and neighborhood identity
9. Geographic features of the district, including traffic patterns
10. Educational programs, such as magnet schools and charter schools

(cf. 7160 - Charter School Facilities)

11. Consistency between municipal boundaries and high school boundaries
12. Other factors

(cf. 5116.1- Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

In order to alleviate overcrowding, the Superintendent or designee may place some students in a school outside of their attendance area. Parents/guardians of students who are attending schools outside of their attendance area shall be notified of the school their child will be attending as soon as possible.

Students will be enrolled in schools using the following priority system:

1. Intradistrict Transfers

Students who currently reside within the school's attendance area shall have priority based upon the date of registration. Intra-district transfers, once approved, shall be valid through grade 5 for a student who has attended a particular school annually from kindergarten through grade 4.

The following priority order will be followed for enrolling students in Martinez Unified School District schools:

a. Students whose parents/guardian are a district resident and employed at the requested school. Employee cases will be handled on a case-by-case basis. Priority only applies for the duration of the parent/guardian's employment at the school. As a benefit to employees, a student of an employee who resides in the district, and who has been accepted, will have the intra-district become permanent and maintain continuous enrollment at the school as long as the parent continues employment at the school.

b. Intra-district transfer requests from siblings of students currently enrolled in school of request.

c. All students who are residents of the district not described above.

2. Lottery

Where there are fewer spaces available than the number of requests for transfer, a random, public lottery determines the order of acceptance. The lottery is held at the district office under the supervision of the student services director following the close of the intra-district transfer application period and no later than August 1<sup>st</sup>.

~~a. Date: Before first board meeting in August.~~

~~Time: Board Meetings begin at 6:30 p.m.~~

Administrative Placement

The Superintendent or designee may approve a student's transfer (Administrative Placement) to a district school even if it is otherwise closed to transfers upon finding that special circumstances exist that might be harmful or dangerous to the student in his or her current attendance area,

including, but not limited to, threats of bodily harm or threats to the emotional stability of the student. An Administrative Placement shall be granted and does not imply any obligation on the part of the district to furnish transportation in any form.

Administrative Placement shall not be granted for extra-curricular participation at a particular school.

An Administrative Placement will be in place for a child for the duration of their years at the school in which they are placed, unless otherwise specified by the Superintendent or designee.

To grant priority under these circumstances, the Superintendent or designee must have received at least one of the following: (Education Code 35160.5):

1. 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 a properly licensed or registered professional, including, but not limited to, a psychiatrist, psychologist or marriage and family therapist.
2. Medical requirements (i.e. proximity to treatment centers, specialized programs for the physically impaired, medical transportation accessibility, etc.). A physician's recommendation must be attached to the application specifically indicating the medical reason for attendance in a particular school.
3. A court order, including a temporary restraining order and injunction.
4. A recommendation from the Director of Student Services that an alternative placement is in the best interest of the student due to extenuating circumstances and/or for alternative placement due to disciplinary reasons.
5. Best interest of the student as determined by the Superintendent or designee.

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

35160.5 District policies; rules and regulations

35291 Rules

35350 Transportation of students

35351 Assignment of students to particular schools

GOVERNMENT CODE

53311-53317.5 Establishment of community facilities district

CALIFORNIA CONSTITUTION

Article I, Section 31 Discrimination based on race, sex, color, ethnicity

COURT DECISIONS

Crawford v. Huntington Beach Union High School District (2002) 98 Cal.App.4th 1275  
Crawford v. Board of Education (1976) 17 Cal.3d 280  
Jackson v. Pasadena City School District (1963) 59 Cal.2d 876

Management Resources:

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

Policy MARTINEZ UNIFIED SCHOOL DISTRICT

adopted: October 9, 2006     Martinez, California

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