

# **Pacifica SD**

## **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 and parents/guardians, while also balancing enrollment in order to maximize the efficient use of district facilities. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy and administrative regulation.

(cf. 5117 - Interdistrict Attendance)  
(cf. 5117.1 - Interdistrict Attendance Agreements)  
(cf. 5117.2 - Alternative Interdistrict Attendance Program)

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district.  
(Education Code 35160.5)

(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)

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

#### **Enrollment Priorities**

Priority for attendance shall be given as follows:

1. Any student enrolled in a district school receiving Title I funds that has been identified for program improvement, corrective action or restructuring. (20 USC 6316)

(cf. 0420.4 - Charter Schools)  
(cf. 0520.2 - Title I Program Improvement Schools)  
(cf. 6171 - Title I Programs)

2. Any student enrolled in a district school designated by the California Department of Education as persistently dangerous. (20 USC 7912, 5 CCR 11992)

(cf. 0450 - Comprehensive Safety Plan)

## Attachment R

3. Any student who is a victim of a violent crime while on school grounds. (20 USC 7912)
4. Priority shall be given to students whose parent/guardian is employed full-time by the district.
5. .Priority shall be given to siblings of students already in attendance in that school.

For all other applications for enrollment the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever a school receives admission requests that are in excess of the school's capacity. (Education Code 35160.5)

Enrollment decisions shall not be based on a student's academic or athletic performance, except that 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. (Education Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

No student currently residing within the district's attendance area shall be displaced by another student transferring from outside the district. (Education Code 35160.5)

(cf. 5116 - School Attendance Boundaries)

### Legal Reference:

#### EDUCATION CODE

200 Prohibition against discrimination

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance agreements

48200 Compulsory attendance

48204 Residency requirements for school attendance

48300-48316 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act

48980 Notice at beginning of term

#### CODE OF REGULATIONS, TITLE 5

11992-11994 Definition of persistently dangerous schools

#### UNITED STATES CODE, TITLE 20

6316 Transfers from program improvement schools

7912 Transfers from persistently dangerous schools

#### CODE OF FEDERAL REGULATIONS, TITLE 34

200.36 Dissemination of information

200.37 Notice of program improvement status, option to transfer

## Attachment R

- 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 NONREGULATORY GUIDANCE

Public School Choice, January 2009

Unsafe School Choice Option, May 2004

### WEB SITES

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

California Department of Education, Unsafe School Choice Option:

<http://www.cde.ca.gov/ls/ss/se/usco.asp>

U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>

### Policy PACIFICA SCHOOL DISTRICT

adopted: June 27, 2012 Pacifica, California