

Campbell Union ESD

Board Policy

Intradistrict Open Enrollment

BP 5116.1

Students

The Governing Board offers parent preference to provide enrollment options for parents and students to meet the diverse needs and interests of district students, while also maximizing 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.

Transitional Kindergarten (TK) is for those students whose fifth birthday falls between September 2 and December 2 of the school year in which they will be enrolled in a Transitional Kindergarten program. To the extent that this legislation and related funding remain in place, it is a goal to place these students in a Transitional Kindergarten program within students resident boundaries. If there is not a Transitional Kindergarten program at the student's school of residence, or if the Transitional Kindergarten at the school of residence is beyond capacity, the district will attempt to place the student in a Transitional Kindergarten near the student's residence. Placement at a school other than the resident school for Transitional Kindergarten will not guarantee a placement at that school for Kindergarten. However, the student will have an opportunity to participate in Open Enrollment when advancing from Transitional Kindergarten to Kindergarten.

(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 the resident 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*)

Intradistrict Open Enrollment (continued)

The Board will regularly review school attendance boundaries. This review will consider:

- School capacities and enrollment data;
- Geographic features;
- Student safety and transportation;
- Racial and ethnic balance;
- Educational programs; and
- Community input.

(Education Code [35160.5](#), [48980](#))

Enrollment Priorities

Students who reside within district boundaries may apply for enrollment in any district school. The Superintendent or designee shall determine the minimum and maximum enrollment capacity of each district school and establish a random, unbiased selection process for the admission of students from outside a school's attendance area. In accordance with law, the Superintendent shall undertake reasonable efforts such that no student currently residing within a school's attendance area shall be displaced by another student.

Enrollment priorities shall be set by the Superintendent or designee and defined through AR 5116.1 and be provided to parents and guardians requesting Open Enrollment information.

1. Any student enrolled in a district school that has been identified on the state's Open Enrollment Act list (Education Code [48354](#))

(cf. [5118](#) *Open Enrollment Act Transfers*)

2. Any student enrolled in a district school designated by the California Department of Education as "persistently dangerous" (20 USC [7912](#); 5 CCR 11922)

(cf. [0450](#) *Comprehensive Safety Plan*)

3. Any student while on school grounds, becomes the victim of a violent crime, as defined by the State Board of Education. (20 USC [7912](#))

(cf. [0450](#) - *Comprehensive Safety Plan*)

Intradistrict Open Enrollment (continued)

4. The Superintendent or designee may approve a student's transfer to a district school that is at capacity and otherwise closed to transfers upon finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student. To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code [35160.5](#))
 - a. A written statement from a representative of an appropriate state or local agency, including but not limited to a law enforcement official or social worker, or a properly licensed or registered professional, including, but not limited to, a psychiatrist, psychologist or marriage and family therapist
 - b. A court order, including a temporary restraining order and injunction
5. Priority may be given to current students enrolled in the school through prior Open Enrollment transfer.
6. Priority may be given to siblings of students currently enrolled and continuing attendance in that school.
7. Priority may be given to students whose parent/guardian works in the district as his/her primary place of employment (20 hours or more weekly).

The Superintendent or designee shall calculate each school's capacity in a nonarbitrary manner using student enrollment and available space. (Education Code 35160.5)

For all other applications for enrollment outside a school's attendance area, 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](#))

Intradistrict Open Enrollment (continued)

(cf. [6172](#) - *Gifted and Talented Student Program*)

No student who currently resides within the attendance area of a school shall be displaced by students transferring from outside of the attendance area. (Education Code [35160.5](#)(b)(2)(C))

Transportation

The district shall not be obligated to provide transportation for students who attend school outside their attendance area. However, upon request, the Superintendent or designee may authorize transportation contingent upon available space and funds. Priority for any such transportation shall be based on demonstrated financial need.

(cf. [3250](#) - *Transportation Fees*)

(cf. [3540](#) - *Transportation*)

Open Enrollment-Dual Immersion and Parent/Guardian Participation**1. Sherman Oaks, Dual Immersion School**

Enrollment for Sherman Oaks School will be processed at the Campbell Union School District office. Registration forms and enrollment information can be obtained from either the Sherman Oaks School office or the Campbell Union School District Office.

As part of the Dual Immersion focus of the school, as much as is possible, an enrollment percentage of no more than 2/3 English language learners and 1/3 English only students, with a goal of having 1/3 English only students, 1/3 Bilingual (English and Spanish) students and 1/3 Spanish will be maintained to allow for appropriate modeling for Spanish and English.

Students wishing to enroll after the second semester of first grade will be assessed to determine the student's ability to participate successfully in a dual immersion curriculum. Assessment results will determine eligibility for the dual immersion program.

2. Village, Parent/Guardian Participation School

Village School students have many opportunities to work in multi-aged environments. The developmentally appropriate practices at Village School take into account those aspects of teaching and learning that change with the age and experience of the learner.

Intradistrict Open Enrollment (continued)

Based on capacity and grade level space considerations, students currently enrolled in Village School will be assured continued enrollment as long as their parents meet their participation guidelines as outlined in the Village School Parent Handbook. Students may participate in Open Enrollment for grades other than Kindergarten. The same lottery process will be followed as defined for Kindergarten.

Village School classes are multi-aged and work very closely with each other. Parent participation and support of the multi-aged structure is required.

3. Campbell School Of Innovation

In an effort to provide a variety of educational options, CUSD also offers families the choice of a TK-8 school for their child(ren)'s entire CUSD school experience. A desire of the district is to have Campbell School Of Innovation's student body be reflective of the overall district's population.

As capacity allows, children enrolled in Campbell School Of Innovation's Transitional Kindergarten will be enrolled in Kindergarten at Campbell School Of Innovation.

4. Placement Process

A priority and lottery system will determine the order in which students will be admitted to Sherman Oaks, Village School and Campbell School of Innovation if there are more applicants than space available.

*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*

Intradistrict Open Enrollment (continued)

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 5

11992-11994 Definition of persistently dangerous schools

UNITED STATES CODE, TITLE 20

7912 Transfers from persistently dangerous schools

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:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Public School Choice FAQ's

Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev.

May 4, 2016

Unsafe School Choice Option, May 2004

WEB SITES

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

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

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

Policy

adopted: December 17, 1998

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CAMPBELL UNION SCHOOL DISTRICT

Campbell, California

Campbell Union ESD

Administrative Regulation

Intradistrict Open Enrollment

AR 5116.1

Students

To implement annual intradistrict open enrollment pursuant to Education Code 35160.5:
The Superintendent or designee shall identify those schools, which may have space available for additional students.

Open Enrollment Period

An Open Enrollment period will be held prior to the end of February of each year. Only during this period, students may apply to attend district schools outside their residence attendance area.

Open Enrollment Application

Application forms will be available at central locations, which will be designated and publicized each year. The applications must be submitted to one of the locations during the Open Enrollment period.

Each applicant will be notified of his/her placement.

Available Space

Available space is determined by the Superintendent or designee according to:

1. Defined enrollment capacity based on the minimum and maximum enrollment of each school
2. Projected staffing entitlement
3. Physical space
4. Safety of students

Attendance for Grades Kindergarten - Eight:

A priority and lottery system will determine the order in which students will be admitted to those schools that have more applicants than space available.

Intradistrict Open Enrollment (continued)

Priorities will determine the order in which students are assigned to schools.

1. First Priority: Students who live in the school's attendance area. (Education Code 35160.5(b)(3)(C))
2. Second Priority: Current students enrolled in the school through Open Enrollment transfer. (Not applicable to Kindergarten)
3. Third Priority: Siblings of students who reside in the district and who are currently attending the requested school.
4. Fourth Priority: Students whose parents or legal guardians have their primary place of employment (20 hours or more weekly) at that school. Such employees may reside within or outside of district boundaries.
5. Fifth Priority: All students who are residents of the district, but are not included in any of the first five priorities.
6. Sixth Priority: Children of district employees who work 20 hours or more weekly for the district.
7. Seventh Priority: Students residing outside the Campbell Union School District (CUSD) boundaries.

Middle School

Students entering middle school desiring to attend a school other than their resident middle school should apply through the Open Enrollment process.

All Rosemary students entering middle school will have the option to select any of the middle schools based on capacity. If a preference is not specified, the district will place the student to maintain enrollment capacity and balance among the schools.

Lottery

If the number of applications exceeds the available space in the school or in a grade level within a school, a lottery will determine which students are to be admitted from the total applicants within each separate priority. Waiting lists will be developed indicating the order in which students will be admitted as openings occur. The first lottery name drawn from a priority will be the first admitted, as openings occur until October 15.

Intradistrict Open Enrollment (continued)

The lottery will be a random computerized selection process on or before the last week in April.

A written result of the individual student's rank according to the lottery will be sent to involved families no later than 20 working days after the close of the lottery.

(Education code 35160.5)

To protect the privacy of all involved students, no document will be distributed listing the names of these students.

If space is not available in the preferred school through Open Enrollment, the student will be placed in his/her attendance area school.

Multiple Child Provision

If a family participating in Open Enrollment has twins, triplets, etc., a number will be pulled for the family and assigned for the siblings. For instance, if there are twins and the number 10 is selected for the family in the lottery, they will be assigned 10 and 11, with the next number drawn being designated as 12. The parent must inform the district that they have more than one student participating in Open Enrollment.

Waiting Lists

All waiting lists established by a lottery will be terminated on October 15th of each school year.

Return Rights - All Grade Levels

It is the desire of the Governing Board to allow students to remain at their attending school should they wish to remain. Once enrolled through Open Enrollment, students will not have to reapply for admission during their continuous enrollment in that school.

Open Enrollment students have the rights of all resident area students and will only be displaced if the grade level for which they are attending is impacted with resident students (Priority 1).

(Education Code 35160.5(b)(3)(C))

Students placed through Open Enrollment relinquish their right to attend their attendance area school until the next Open Enrollment period. Requests for placement at the student's attendance area school must be made in writing and submitted to the district during the annual Open Enrollment period. Transfer requests to an attendance area school made at times other than during the Open Enrollment period must be requested through the Student Services Department.

Intradistrict Open Enrollment (continued)

Transitional Kindergarten (TK)

Transitional Kindergarten is for students whose fifth birthday falls between September 2 and December 2 of the school year in which they will be enrolled. To the extent that this legislation and related funding remain in place, it is a goal to place these students in a Transitional Kindergarten program in their resident boundaries. If there is not a Transitional Kindergarten program at the student's school of residence, or if the Transitional Kindergarten at the school of residence is beyond capacity, the district will attempt to place the student in a Transitional Kindergarten near the student's residence. Placement at a school other than the resident school for Transitional Kindergarten will not guarantee a placement at that school for Kindergarten. However, the student will have an opportunity to participate in Open Enrollment when advancing from Transitional Kindergarten to Kindergarten.

Transportation

District transportation will not be provided.

Special Education

Special Education students will be assigned to a school according to the Individualized Education Plan (IEP). As capacity allows, Special Education Resource students will be placed according to the above mentioned priority system.

Transfers After Open Enrollment

Once a student has been placed in a school through the Open Enrollment process, transferring to another school, including the school of residence, will go through the same process as per any other student transfer within the district.

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 determining whether a student has been a 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.

Intradistrict Open Enrollment (continued)

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 practicable.

(cf. 5118 - Transfers)

Enrollment-Sherman Oaks, Dual Immersion School; Village, Parent/Guardian Participation School; and Campbell School of Innovation, Transitional Kindergarten - Eighth Grade Program

Sherman Oaks, Dual Immersion School-Enrollment

In an effort to provide a variety of educational options, CUSD offers families the choice of a Spanish Dual Immersion education. In order to provide effective language modeling, a goal of the program is to have 1/3 of each grade level to be composed of English language learners and 1/3 of each grade level to be composed of English speaking students and 1/3 of each grade level be Bilingual (English and Spanish). Three priority lists will be followed to enable such enrollment. The priorities will be the same as those listed above. Due to the commitment of the dual immersion education, if there is a Transitional Kindergarten program at Sherman Oaks, parents of Transitional Kindergarten students may select Sherman Oaks as an option for their child. If enrollment requests exceed capacity, the priority and lottery system will be followed. As capacity allows, children enrolled in Sherman Oaks Dual Immersion Transitional Kindergarten will be enrolled in Sherman Oaks for Kindergarten.

Village, Parent Participation School-Enrollment

Village School students have many opportunities to work in multi-aged environments. The developmentally appropriate practices at Village School take into account those aspects of teaching and learning that change with the age and experience of the learner.

Village School classes are multi-aged and work very closely with each other. Parent participation and support of the multi-aged structure is required.

Priorities for Kindergarten Enrollment:

1. First Priority: Siblings of Students
2. Second Priority: Students whose parents or legal guardians have their primary place of employment (20 hours or more weekly) at Village School. Such employees may reside within or outside of the district boundaries.
3. Third Priority: Students residing within CUSD

Intradistrict Open Enrollment (continued)

4. Fourth Priority: Children of district employees who work 20 hours or more weekly for the district
5. Fifth Priority: Students who aren't included in any of the first four priorities

Campbell School of Innovation (CSI), TK-8 School- Enrollment

In an effort to provide a variety of educational options, CUSD also offers families the choice of a TK-8 school for their child(ren)'s entire CUSD school experience. In order to offer this option to all families throughout the district, a goal of the program is to have students from outside of the Campbell School of Innovation boundaries be able to opt into this program. It is the intent of the district to have no more than 10 percent of students from any one school within the district school's boundary area in Campbell School Of Innovation. Multiple Priority Lists from each school, for each priority level will be followed to enable such enrollment. Until Campbell School Of Innovation is fully enrolled as TK-8 school, the priority process will be the same as those for all other district schools excluding Sherman Oaks and Village. If enrollment requests exceed capacity, the random, computerized lottery system will be followed.

As capacity allows, children enrolled in Campbell School of Innovation's Transitional Kindergarten will be enrolled in Campbell School of Innovation for Kindergarten.

Parents/Guardians may request enrollment in grades other than TK or Kindergarten for Campbell School of Innovation. A desire of the district is to have Campbell School of Innovation's student body be reflective of the overall district's population. Therefore, students who are eligible for the National School Lunch Program (NSLP) will have priority over those students not eligible for the NSLP until the school has reached the district NSLP average.

The boundaries for CSI will only exist until the school is fully enrolled as a TK-8 program. Once full enrollment is reached, the boundaries for CSI will cease to exist and the school will become a non-boundary school. The enrollment process will then follow the same priority process as Village School.

Availability of Space

If space is not available at Sherman Oaks, Village School or Campbell School of Innovation, the student will be placed on a waiting list for the preferred school and will be enrolled in the school within his/her attendance area. For students within Campbell School of Innovation (CSI) for which there is not available space at that school, they will be placed at the nearest school where there is space available. Waiting list students will be notified when a space becomes available until October 15.

Intradistrict Open Enrollment (continued)

The Board will regularly review school attendance boundaries. This review will consider:

1. School capacities and enrollment data;
2. Geographic features;
3. Student safety and transportation;
4. Racial and ethnic balance;
5. Educational programs and
6. Community input.

Return rights and transfers after Open Enrollment will be the same for Sherman Oaks, Village and Campbell School of Innovation (CSI) as for other schools in the district.

Regulation
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