

## **5116.1 Intradistrict Open Enrollment**

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also maximizing the efficient use of district facilities and resources. 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.

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)

Intradistrict open enrollment as described in this policy applies to the district's TK-8 program only and is not applicable to other programs including, but not limited to, extended school year, summer school, preschool, and child care programs.

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

### Enrollment Priorities

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

The Superintendent or designee shall grant priority for the enrollment of a student in a district school, outside of the student's attendance area.

1. If the student is enrolled in a district school designated by the California Department of Education as "persistently dangerous". (20 USC 7912; 5 CCR 11992)
2. Is a victim of a violent crime while on school grounds. (20 USC 7912)
3. Is a victim of an act of bullying committed by another district student, as determined through an investigation following the parent/guardian's submission of a written complaint with the school, district, or local law enforcement agency pursuant to Education Code 234.1. (Education Code 46600)

If the district school requested by the student is at maximum capacity, the Superintendent or designee shall accept an intradistrict transfer request for another district school. (Education Code 46600)

4. Is experiencing special circumstances 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. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. 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 necessarily limited to, a law enforcement official, or a social worker, or a properly licensed or registered professional, including but not necessarily limited to, a psychiatrist, psychologist, marriage and family therapist, clinical social worker, or professional clinical counselor.
  - b. A court order, including a temporary restraining order and injunction.

## **5116.1 Intradistrict Open Enrollment (continued)**

5. Any student whose parent/guardian is a regular, non-short term, non-temporary employee of the Etiwanda School District. (Education Code 35160.5)
6. An Etiwanda School district resident seeking enrollment through an intradistrict permit with a sibling already in attendance at the school site.
7. An Etiwanda School district resident seeking enrollment through an intradistrict permit without a sibling enrolled at the school site.

### Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law and board policy, applications for intradistrict open enrollment shall be submitted between the first Monday in January and the first Friday in February of the school year preceding the school year for which the transfer is requested.

The Superintendent or designee shall calculate each school's capacity in a nonarbitrary manner using student enrollment and available space as capacity if defined in district Administrative Regulation 5117. (Education Code 35160.5)

Except for the enrollment priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine which students shall be admitted whenever a district 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, however, existing entrance criteria may be used for enrolling students in specialized schools or programs provided that the criteria are uniformly applied to all applicants. (Education Code 35160.5)

The District reserves the right to deny an intradistrict transfer request at any time. The District may, however, allow a student who submits a request after the commencement of the school year to remain at the school site of attendance through the end of that school year.

Intradistrict attendance is conditional upon compliance with this policy as it may be amended from time to time, and upon the student's conduct, punctuality, and attendance demonstrating compliance with the district's discipline and citizenship standards as established at each school site. The district, in its discretion, may revoke a permit if it determines that the pupil's conduct, punctuality and/or attendance are not satisfactory. Revocation is final, and is not subject to the appeal procedure for denial of permits.

### Transportation

The district shall not be obligated to provide transportation for students who attend school outside their attendance area.

## **5116.1      Intradistrict Open Enrollment (continued)**

Annual review of policy held on:

- ▶ July 22, 2021
- ▶ July 25, 2019
- ▶ July 25, 2018
- ▶ July 27, 2017
- ▶ November 10, 2016
- ▶ August 13, 2015
- ▶ August 21, 2014
- ▶ August 22, 2013
- ▶ September 13, 2012
- ▶ January 19, 2012
- ▶ September 9, 2010
- ▶ August 20, 2009
- ▶ August 24, 2008
- ▶ September 23, 2004

Board Approved Revisions:

July 23, 2020  
July 25, 2019  
July 27, 2017  
November 10, 2016  
January 19, 2012  
Effective Date: September 23, 2004