

Students

INTRADISTRICT OPEN ENROLLMENT/SCHOOL CHOICE

BP 5116.1

PUSD SPECIFIC

The Pasadena Unified School District has assigned students to school by geographic attendance zones based on residence. The Governing Board believes in the concept of neighborhood schools. The Board also desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians. The Governing Board shall regularly review school attendance boundaries, taking into account school capacities and enrollment data, geographic features, student safety, and educational programs.

PUSD SPECIFIC

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)

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 their residence within the district. (Education Code 35160.5)

(cf. 5111.1 - District Residency)

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

PUSD SPECIFIC

The district may convene an Open Enrollment-School Choice Advisory Committee each year to advise on the Open Enrollment-School Choice process. Members may include district staff from affected departments, school site staff and parent stakeholders.

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)

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall grant priority to any district student to

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attend another district school, including a charter school, outside of his/her attendance area as follows:

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 11992)

(cf. 0450 - Comprehensive Safety Plan)

3. Any student who is a victim of a violent crime while on school grounds (20 USC 7912)

4. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances include, but are 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, social worker, or a properly licensed or registered professional such as a psychiatrist, psychologist, or marriage and family therapist

- b. A court order, including a temporary restraining order and injunction

PUSD SPECIFIC

5. Any sibling of a student already in attendance in that school provided parent/guardian completes registration during the Sibling & Priority Registration phase of Open Enrollment-School Choice.

6. Preference may be given to a student whose parent/guardian is assigned

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to a school or district offices as his/her primary place of employment.

7. Priority may be given to a fifth grade student attending a district International Baccalaureate Programme (IB) elementary school to transition to an IB middle school.
8. Priority may be given to a Dual Language Immersion Program (DLIP) fifth grade student to transition to a DLIP middle school offering the same language and to an eighth grade student to transition to a DLIP high school offering the same language.

Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for intradistrict open enrollment shall be submitted between Fall and Winter of the school year preceding the school year for which the transfer is requested.

PUSD SPECIFIC

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

Except for priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the 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)

After the main placement process, applications for remaining open seats shall be submitted by early spring.

(cf. 6172 - Gifted and Talented Student Program)

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The Board will be notified of all exceptions to the Open Enrollment-School Choice guidelines that are received by staff and that are granted in order to provide accountability for the fairness and equity of the system.

Transportation

Except as required for students who transferred out of a Title I program improvement school, the district shall not be obligated to provide transportation for students who attend school outside their attendance area.

(cf. 3250 - Transportation Fees)

(cf. 3540 - Transportation)

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

6311 - State plans

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 FAQs

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

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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

PASADENA UNIFIED SCHOOL DISTRICT

Adopted: January 23, 1996

Pasadena, California

Revised: 11/09; 11/12; 9/13; 2/14; 10/14; 6/16; 10/16; 10/17