

# Santa Barbara Unified School District

## Administrative Regulation

AR 5111.12

### Students

#### RESIDENCY BASED ON PARENT/GUARDIAN EMPLOYMENT

Because of negative fiscal impacts, the district does not grant district residency status when a parent/guardian is physically employed within district boundaries except in the case of children of district employees subject to the application procedure set forth below.

*(cf. 5111.1 - District Residency)*

*(cf. 5117 - Interdistrict Attendance)*

*(cf. 5117.1 - Interdistrict Attendance Agreements)*

#### **Applications for Admission by District Employees**

District employees who otherwise do not meet district residency requirements and who wish to enroll their children in a district school may do so but with no guarantee of placement at a preferred school site.

Certificated employees who wish to enroll their children may do so on the first day of school following their date of hire with the district if they are in a position that qualifies them for benefits and they must remain employed by the district for the children to continue enrollment.

Classified employees who wish to enroll their children may do so upon satisfactory completion of their six-month probationary period with the district if the employee occupies a position that qualifies the employee to receive benefits. The employee must remain employed by the district for the children to continue enrollment.

If for any reason the Certificated or Classified employee is released or resigns from the district, children of the employee will be released from the district within 30 calendar days. The Superintendent has the authority to extend the release date to the end of the school year in cases where, in the discretion of the Superintendent, circumstances warrant.

District employees whose children have been admitted under this policy do not have to apply for readmission for succeeding school years and their children may continue to attend a district school for as long as the employee remains employed by the district.

#### **District Students Transferring to Other Districts Based on Parent/Guardian Employment**

When a student's parent/guardian requests that the student be transferred to another district based on the parent/guardian's physical employment within that other district, the Board may deny the request if the percentage of district students admitted to other districts on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204. A transfer may also be denied if the Board determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan. (Education Code 48204)

The student's parent/guardian shall be notified in writing of the Board's decision to deny the transfer to the school district in which the parent/guardian's employer is situated. The notice shall include specific reasons for the denial.

*Legal Reference:*

EDUCATION CODE

46601            *Failure to approve interdistrict attendance*

48200-48204   *Compulsory education law; especially:*

48204            *Residency based on parent/guardian employment*

ATTORNEY GENERAL OPINIONS

84 *Ops. Cal. Atty. Gen.* 198 (2001)

*Management Resources:*

WEB SITES

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

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

Regulation: SANTA BARBARA UNIFIED SCHOOL DISTRICT

Adopted: November 25, 2008 Santa Barbara, California

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