

# Santa Barbara Unified School District

## Administrative Regulation

Students

AR 5116.1

### INTRADISTRICT OPEN ENROLLMENT

#### Enrollment under the No Child Left Behind Act

Within a reasonable amount of time, after a student becomes 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. The superintendent or designee shall consider the student's needs and parent/guardian preferences in making the school assignment. If the parents/guardians choose to transfer their child, the transfer shall be completed as soon as practicable.

In a timely manner, after learning that a school has been designated as "persistently dangerous," the superintendent or designee shall notify parents/guardians of the school's designation. In a timely manner, after learning of the school's designation, the superintendent or designee shall notify parents/guardians of their option to transfer.

*(cf. 0450 - Comprehensive Safety Plan)*

Parents/guardians who desire to transfer their child out of a "persistently dangerous" school or one identified for program improvement shall provide written notification to the superintendent or designee and shall rank-order their preferences from among all schools identified by the superintendent or designee as eligible to receive transfer students. The superintendent or designee may establish a reasonable timeline for the submission of parent/guardian requests.

The superintendent or designee shall notify parents/guardians of their school assignment and of the date that submissions are due. The superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. Upon assignment, the transfer shall be completed as soon as practicable. If parents/guardians decline the assigned school, the student may remain in his/her current school.

The transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous." The superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

The superintendent or designee shall cooperate with neighboring districts to develop an interdistrict transfer program in the event that space is not available in a district school.

#### Other Intradistrict Enrollment

To implement intradistrict open enrollment pursuant to Education Code 35160.5:

1. By the first school day following January 1 of each year, the superintendent or designee shall identify those schools, by grade levels which may have space available for additional students. This list of schools will include those identified for the following year's overflow sites for program improvement transfers. The list of schools and open enrollment applications shall be

available at all school offices by the beginning of the open enrollment period of the first school day following January 1 through February 15. A deadline date falling on a Saturday or Sunday will be extended to the following Monday by the end of the workday. Parents/guardians must visit their attendance area school to receive an initial intradistrict transfer application and the school administrator's signature for release of the student(s).

2. Students of parents/guardians who submit applications to the district by February 15 shall be eligible for admission to their selected school the following school year under the districts' open enrollment policy.
3. Enrollment shall be determined by priority order, and as necessary, a random, un-biased lottery. Separate lottery categories may be established to reflect transfer requests from students who qualify based upon multiple priority criteria and such categories will be rank ordered based upon priorities delineated in Board Policy 5116.1. Lotteries will be held at the district office by the school principals and the superintendent or designee. A waiting list, by grade levels shall be established to indicate the order in which applicants may be accepted if openings occur. Late applicants, after February 15, shall not be accepted, except in the case of students of newly hired district employees and students who move into the attendance area of a district program improvement school after February 15. In such cases, proof of relocation shall be provided to the district.
4. Students applying for transfer under the Open Enrollment Act will be eligible for admission pursuant to Board Policy 5118 – Open Enrollment Act Transfers.
5. The superintendent or designee shall inform applicants by mail as to whether their applications have been approved, denied or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.
6. Approved applicants must confirm their enrollment within 5 school/work days. Transfers may be revoked due to excessive enrollment of students residing in a school's attendance area.

### **Terms and Conditions**

The student may be subject to displacement due to excessive enrollment. The last accepted transfer student in the impacted grade level or subject area will be the first to be displaced. In the case of more than one student having the same date of approval for a transfer, a lottery will be held. Once enrolled, a student shall not be required to apply for readmission.

Each intradistrict attendance permit shall stipulate the terms and conditions under which the permit may be revoked. Schools may require positive behavior and attendance contracts. Intradistrict attendance permits may be revoked mid-year for behavior or attendance reasons.

Any complaints regarding the selection process shall be submitted to the superintendent or designee.  
(*cf. 1312 - Complaints Concerning the Schools*)

### **Transportation**

Except as required by 20 USC 6316 for transfers out of Title I program improvement schools to schools that have not been identified for program improvement, the district shall not be obligated to provide transportation for students who attend school outside their attendance area. In the case of transfers out of Title I program improvement schools, transportation will only be provided during the period that the school continues to be designated as a program improvement school.

**Notifications**

Notifications shall be sent to parents/guardians describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (Education Code 48980)

A. all options for meeting residency requirements for school attendance;

*(cf. 5111.1 - District Residency)*

*(cf. 5111.13 - Residency for Homeless Children)*

B. program options offered within local attendance areas;

C. a description of any special program options available on both an interdistrict and intradistrict basis;

D. a description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied;

E. a district application form for requesting a change of attendance; and

F. the explanation of attendance options under California law as provided by the California Department of Education.

Regulation: SANTA BARBARA UNIFIED SCHOOL DISTRICT  
Approved: November 18, 2008 Santa Barbara, California  
Revised: July 30, 2010 (Board Brief); March 1, 2011; November 8, 2011