

LODI UNIFIED SCHOOL DISTRICT

Rule 5116.1

Students

Intradistrict Open Enrollment Policy

Intradistrict Open Enrollment Agreements are to be initiated at the school of residence. **Parents are to submit applications annually in K-6 and K-8 schools. In high schools and middle schools, once the application is approved, it is valid for the remaining years.**

Enrollment Priorities

1. No student currently residing within a school's attendance area shall be displaced by another student.
2. The Board of Education retains the authority to maintain appropriate racial and ethnic balances among district schools and may deny requests on this basis, as required under a court order, consent decree, or any federal program providing funds to the District.
3. **In K-6 and K-8 schools**, once a student is enrolled, they have priority for enrollment the following year. The parent or guardian of the student must, however, apply for readmission prior to February 1. A student may be subject to displacement due to excessive enrollment for the following school year. However, students will not be displaced once their school year has begun. Parents must be notified if students are to be returned to their attendance area school prior to June.
4. Within ten school days after learning that a school has been designated as "persistently dangerous," the Superintendent or designee shall notify parents/guardians of the school's designation. Within twenty days after learning of the school's designation, the Superintendent or designee shall notify parents/guardians of their option to transfer.

Parents/guardians who desire to transfer their child out of a "persistently dangerous" school 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, not to exceed ten school days, for the submission of parent/guardian requests.

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 they returned to the school of origin.

5. Students residing in a community facilities district shall have priority, to the extent provided by law, for attendance at schools financed in whole or in part by the community facilities district. (See Policy 5116- School Attendance Boundaries)
6. Students' athletic or academic performance may not be considered in determining admission or rejection of an Intradistrict Agreement request for a student. Students must meet the requirements of Policy 6145, Co-curricular Activities, to be eligible for participation on athletic teams.
7. Families with child care needs will be placed prior to random selection, where space is available, with verification of a licensed child care provider.

Selection Procedures:

1. All students who submit applications to the district by February 1 shall be eligible for admission to their school of choice if space is available at the appropriate grade level for the following school year. Space availability is determined by student enrollment for the upcoming year, future growth, and facility needs. (Kindergarten requests shall be accepted at the time of Kindergarten registration.) Applications received after the deadline may be considered only for the following extenuating circumstances:
 - a. To support licensed child care arrangements for primary (K-3) students of working parent(s).
 - b. To meet the mental or physical health needs of the child as certified by a physician, school psychologist or other appropriate school personnel and recommended by the Principal of the school.
 - c. To complete a school year when the parents have moved out of the attendance area.
 - d. To attend the school designated for the attendance area where a family is purchasing or building a home and expects to take occupancy within 60 days.
 - e. To allow a high school student to complete his/her high school education at the current school of attendance when the parents have moved out of the attendance area into another Lodi Unified School District attendance area.
 - f. To provide for social and/or educational adjustment as recommended by the Principal.
 - g. Other reasons that are recognized as compelling by the Principal.
2. Enrollment in a school of choice shall be determined by lot from the eligible applicant pool, and shall be chosen in a random and unbiased manner. ("First Come, First Served," is not considered as random selection.)

Exceptions to the random selection requirement are:

- a. The district retains the authority to maintain racial/ethnic balance among their schools, or as specified in court-ordered or voluntary desegregation plans, and
 - b. The district may continue to use special selection criteria for specialized schools.
 - c. The Principals determine that an extenuating circumstance exists that warrants special consideration.
3. The Superintendent or designee (site principal) shall inform applicants by mail as to whether their applications have been approved or denied, by May 15. If the application is denied, the reasons for denial shall be stated.
 4. The district will hold approximately 10% of the seats in each classroom for projected enrollment of new attendance area students pursuant to Board Policy 5116, School Attendance Areas, which articulates the establishment of neighborhood schools.
 5. When an Intradistrict Open Enrollment request is denied, parents must enroll students in their attendance area school when their child's school year begins, and can reapply the following year. In order to provide continuity for the students and the least disruption to classroom teachers, Intradistrict agreements will not be approved after February 1, unless the Principals of both schools determine that an extenuating circumstance exists.
 6. Applicants who receive approval must confirm their enrollment within two weeks of the mailing of the notification. Failure to respond will result in the denial of the request.

Notifications

Notifications shall be sent to parents/guardians at the beginning of each school year (i.e. in parent news-letters and student handbooks) describing all current statutory attendance options and local attendance options available in the district. Such notification shall include:

1. All options for meeting residency requirements for school attendance.
2. Program options offered within local attendance areas.
3. A description of any special program options available on both an inter-district and intradistrict basis.
4. 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.
5. A district application form for requesting a change of attendance.
6. The explanation of attendance options under California law as provided by the California Department of Education. Any complaints regarding the selection process should be taken to the Superintendent or designee through the Constituent Complaint Process.

Enrollment under the No Child Left Behind Act

Transfers for Victims of a Violent Criminal Offense

Within a reasonable amount of time, not to exceed 14 school 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 making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident 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.

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.

Transfers from a "Persistently Dangerous" School

Upon receipt of notification from the California Department of Education (CDE) that a district school has been designated as "persistently dangerous," the Superintendent or designee shall provide parents/guardians of students attending the school with the following notifications:

1. Within 10 days of receipt of the notification from CDE, notice of the school's designation
2. Within 20 days of receipt of the notification from CDE, notice of the option to transfer their child

Parents/guardians who desire to transfer their child out of a "persistently dangerous" school shall provide a written request 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, not to exceed seven school days, for the submission of parent/guardian requests.

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. For students whose parents/guardians accept the offer, the transfer shall generally be made within 30 school days of receiving the notice of the school's designation from the CDE. 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.

Intradistrict Permit

To remain on an Intradistrict Agreement the student and parent must agree to the following conditions:

1. The student will maintain a minimum attendance rate of ninety percent (90%) for each grading period. Exceptions may be granted with medical verification.
2. The student will attend school on time and have no truancies or unexcused absences during the year
3. The student will maintain appropriate school behavior as outlined in the Student Code of Conduct Handbook. If a student commits an offense that is subject to suspension under Education Code Section 48911 and District Policy 5116.1, the student may be returned to the home school at the end of the term of suspension.

Secondary students on an Intradistrict Agreement are expected to maintain a cumulative grade point average of 2.0 each grading period.

Rule

approved: 06/02/98
revised: 07/03/01
revised: 11/04/03
revised: 09/05/06
revised: 01/15/08
revised: 02/07/12
revised: 12/11/12