

Mt. Diablo USD

Administrative Regulation

Intradistrict Open Enrollment

AR 5116.1

Students

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

(cf. 5116.2 - Involuntary Student Transfers)

Enrollment Priorities

Enrollment

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)

~~No student who is currently enrolled in his/her school of residence shall be displaced by another student who subsequently moves into or transfers to his/her school from outside the attendance boundary.~~

The Governing Board retains the authority to maintain appropriate racial and ethnic balance among district schools.

The process of selecting students under this open enrollment policy shall prohibit any student from being enrolled based on his or her academic or athletic performance.

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, w~~With the exception of the September 15~~With the exception of the ~~displacement process noted described~~ below, Intradistrict Transfers, once approved, shall be valid through grade 5 for elementary students, grade 8 for middle school students, and students enrolled in K-8 schools, and grade 12 for high school students. Students admitted on an Intradistrict Transfer to a particular school, shall be considered residents of that attendance area for the duration of their Intradistrict Transfer. Students on Intradistrict Transfers can be displaced ~~prior to September 15 of each~~ within the first 15 days of the school year by students who reside in the school's attendance area. ~~The September 15 is~~ displacement does not apply to students who are victims of violent criminal offense or attend a school designated by the state as persistently dangerous.

Students shall be enrolled in schools using the following priority system:

1. First Priority: Students currently residing within a school's attendance area (Education Code 35160.5)
2. Second Priority: Intradistrict Transfer Requests from siblings of students currently enrolled in school of request, and who will share a year at the same school.
3. Third Priority: Students whose parent/guardian is a resident of the District and a district employee and works a minimum of 10 hours a week at the school of request or at another a district site. This priority will apply only to schools located within the feeder pattern in which the employee's work location is situated and does not apply to Monte Gardens, Sequoia Elementary or Sequoia Middle Schools. This applies only to regular employees. Priority criteria will only apply for the duration of the parent/guardian's employment with the district. Students whose parent/guardian is a district resident and employed at the requested district school. Priority criteria will only apply for the duration of the parent/guardian's employment at the school
4. Fourth Priority: Students attending Monte Gardens Elementary and Sequoia Elementary Schools requesting to attend Sequoia Middle School. Priority criteria will only apply to students who are currently enrolled and completing their 5th-grade year at Monte Gardens Elementary or Sequoia Elementary Schools.
5. ~~Fourth-Fifth~~ Fifth Priority: Cohorts moving from one school level to another. A cohort is a group of students matriculating from one school level to another. For example, El Dorado to Concord High/Mt. Diablo High, Valley View to College Park/Mt. Diablo High, and Foothill to Northgate High/Ygnacio Valley High. It also includes various feeder patterns from elementary schools to middle schools. Students residing in a neighborhood where attendance has been established by agreement.
6. ~~5.~~ Fifth-Sixth Priority: Students wishing to enroll in specialized academic programs such as International Baccalaureate (IB) or Two Way Dual Immersion (TWDD) programs.
7. Seventh Priority: All students who are residents of the district not described above.

These are based on space availability and only resident status is guaranteed.

Public Lottery Process

After the enrollment priorities have been applied in accordance with Board policy, if there are more requests for a particular school than there are spaces available, a random drawing shall be held from the applicant pool.

For each priority, where there are fewer spaces available than the number of requests for transfer, a random public lottery determines the order of acceptance.

Parents/guardians are welcomed to observe the lottery. Each school that will

~~participate in the lottery process will select a parent representative from their parent club to witness the public lottery.~~

Should a student wish to return to his/her school of residence during the school year, he/she shall be considered a new student with a new enrollment date. ~~These students shall have priority status #4, above.~~

Under the open enrollment policy, the following exceptions prevail:

- 1) Students wishing to enroll in alternative schools or programs shall not be subject to the district's open enrollment policy.
- 2) Students who are enrolled in Special Education Special Day Classes have a district-wide attendance area and will be placed based on program recommendation in the Individualized Education Plan (IEP) process.
- 3) Students enrolled in a district school designated by the California Department of Education (CDE) as "persistently dangerous"(20 USC 7912; 5 CCR 11992).
- 4) Student is a victim of a violent crime while on school grounds (20 USC 7912).
- 5) Students 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 this exception 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
- 6) The district retains the right to assign a student to a school or program if the student requires a legally mandated program or accommodation that is available at the school such as a special education or bilingual program.
- 7) The district retains the right to assign a student to a school for disciplinary reasons or for the protection of the health and safety of that student or other students. (Education Code 35160.5 (b)(3)(A))

~~Safety Reasons~~

Request for Transfers due to Harmful or Dangerous Special Circumstances, Persistently Dangerous Schools, or Students Who Are Victims of a Violent Criminal Offense are accepted

year round and granted on a case-by-case basis.

~~A decision to grant priority for attendance outside a student's current attendance area because of harmful or dangerous special circumstances, persistently dangerous schools, or students who are victims of a violent criminal offense will be considered based upon one of the following: (Education Code 35160.5) (Title 20 Section 7912(a)):~~

- ~~1. A written statement from a representative of an appropriate state or local agency, including but not limited to a law enforcement official, social worker, or properly licensed or registered professional psychiatrist, psychologist, marriage, family and child counselor, physician, or other professional.~~
- ~~2. A court order, including a temporary restraining order and injunction.~~
- ~~3. Parents/guardians may submit a written request to change their child's school for safety reasons.~~
- ~~4. All requests must have written documentation and be forwarded to the Director of Student Services.~~

~~The Director of Student Services may approve or deny the student's transfer to a district school that is impacted and otherwise closed to transfers.~~

~~Appeals must be made under separate application and will only be considered under special circumstances as identified in 1, 2, or 3 above.~~

~~No Child Left Behind Act — School Choice~~

~~Parents and guardians are given the choice for their child to attend a Non-Program Improvement School at Mt. Diablo Unified School District in accordance with the federal No Child Left Behind (NCLB) law. The NCLB also affords that students receive transportation to the school of choice. The Mt. Diablo Unified School District designates Non-Program Improvement Schools for those parents/guardians that choose to have their child removed from a Program Improvement School. The Mt. Diablo Unified School Intradistrict form must be submitted between October 1 and January 15 to the Student Services Office to determine placement. The district criteria for approving Intradistrict is based on availability of space at Non-Program Improvement Schools, with priority given to the lowest achieving students with low income status. Students who have Individualized Education Program (IEP) must first have an IEP meeting to determine if the student's Intradistrict transfer to a Non-Program Improvement School is appropriate.~~

~~Transfer Procedures~~

~~The Assistant Superintendents or designee shall identify those schools which may have space available for additional students. The Intradistrict transfer online forms will be available on the district website. A list of these schools and Intradistrict Transfer~~

~~Request applications shall be available at all schools.—Capacity for the following school year will be determined by the second Board Meeting in September, using information from the district's Annual Facility Plan.—By October 1, the Superintendent will confirm which schools are "Impacted" after reviewing the capacity of a school in consultation with the school principal.~~

Schools identified as "Impacted" shall be exempt from the open enrollment policy. Impacted is defined as a school's projected student population exceeding its maximum capacity. In the event that a school has a projected student enrollment at a grade level that exceeds the available number of class spaces, it shall be defined as impacted at that grade level.

The definition of projected student enrollment is the official district-developed estimated enrollment for the following year. The number may be adjusted in response to confirmed enrollment data which has been reviewed and approved by the Superintendent.

~~Online applications for secondary schools Intradistrict open enrollment shall be submitted between October 15 and November 15 of the school year preceding the school year for which the transfer is requested. Online applications for elementary schools intradistrict open enrollment shall be submitted between February 10 and March 10 of the school year preceding the school year for which the transfer is requested. Intradistrict Transfer Request applications will be accepted annually between October 1 and January 15. Notice of this open enrollment period will be provided through school and media publications. Students who submit applications to the district at the Student Services Office by January 15 shall be eligible for admission to their school of choice for the following school year, under the district's open enrollment policy.~~

~~All Intradistrict Transfer Requests will be date stamped and numbered when received at the Student Services Office.~~

~~Parent/guardian may apply to designated schools that are not impacted. Only one Intradistrict Transfer Request per student will be approved. Parent/guardian may only apply for one transfer per student during a school year. If parent/guardian applied for an Intradistrict Transfer (a transfer within MDUSD), then a subsequent Interdistrict transfer (a transfer between MDUSD and another school district) will not be accepted. Students may apply to only one school.—Only one Intradistrict Transfer Request per student will be approved.~~

If student applications to enroll in a school are fewer than the openings available, all students requesting admission shall be enrolled.

~~All Intradistrict Transfer Requests will be submitted to the Student Services Office.—~~
When more requests are received than there is space available to attend a specific

school, the Student Services Office will conduct a public lottery among the applicants to fill any vacancies that may exist. The public lottery will be held by February 15 for grades ~~6~~-12 and April 1-March 15 for ~~entering Kindergarten students~~ grades K-5.

- Parents/guardians shall be notified by April ~~15-30~~ for secondary students and ~~in August~~ by May 30 for elementary students. Parents/guardians shall be notified by mail as to whether their applications have been approved or denied. If the application is denied, the reasons for denial shall be stated and the district appeal procedure explained. Parents/Guardians must notify Student Services within two weeks if they elect not to accept their approved transfer.

~~Students must take the Approval Letter, within two weeks, to their school of request to initiate the enrollment process. The receiving school will then notify the home school to disenroll the student.~~

~~Parents/guardians shall be notified by mail as to whether their applications have been approved or denied. If the application is denied, the reasons for denial shall be stated and the district appeal procedure explained.~~

Appeals and Revocation

Parents may appeal the denial of an Intradistrict transfer request to the Superintendent or designee. The decision by the Superintendent or designee is final.

Any transfer may be revoked if the student fails to demonstrate good attendance, satisfactory behavior and/or satisfactory academic progress. All Intradistrict Transfer appeals will be forwarded to and considered by the Assistant Superintendent, Pupil Services and Special Education.

Yearly Notifications

Notifications shall be sent to parents/guardians at the beginning of each year, describing all current statutory attendance options and local attendance options available in the district, including:

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 an Intradistrict basis.
4. A description of the procedure for application for Intradistrict Transfers and the appeal process available when an Intradistrict Transfer is denied.
5. The explanation of attendance options under California law as provided by the

California Department of Education.

Transportation

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)

Regulation: MT. DIABLO UNIFIED SCHOOL DISTRICT

approved: October 10, 2006

revised: February 2010

Revised: December 2015

Revised: October, 2020