

Open Enrollment Act Transfers

Students

Definitions

District of enrollment means the district, other than the district in which the student's parent/guardian resides, in which the parent/guardian intends to enroll his/her child. (Education Code 48352)

District of residence means the district in which the parent/guardian of a student resides and in which the student would otherwise be required to enroll pursuant to Education Code 48200. (Education Code 48352)

(cf. 5111.1 - District Residency)

Open enrollment school means a "low-achieving" school identified by the Superintendent of Public Instruction (SPI) pursuant to Education Code 48352 and 5 CCR 4701. (Education Code 48352; 5 CCR 4701)

Transfer Applications into a District School

Enrollment priority shall be available to students who reside within this district. No student who resides within a school's attendance area or who is currently enrolled in a school shall be displaced by a student who is transferring pursuant Education Code 48350-48361 or 5 CCR 4700-4703. (Education Code 48354, 48356)

Students who do not reside within the district will be admitted based on the following priority order:

1. The parent/guardian is employed by the San Marino Unified School District or the City of San Marino.
2. The parent/guardian is a registered business owner with a valid business license issued by the City of San Marino.
3. The parent/guardian is "physically" employed a minimum of 20 hours per week in a commercial space within the boundaries of the San Marino Unified School District.
4. The parent/guardian of a child in a "low-achieving" school identified by the Superintendent of Public Instruction (SPI) pursuant to Education Code 48352 and 5 CCR 4701, and as defined in

1 5. The parent/guardian of a child who has successfully obtained an
2 interdistrict “release” from the district of residence.

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4 (cf. 5111.12 – Residency Based On Parent/Guardian Employment)

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6 Applications shall be submitted between May 1 and June 15 of the preceding
7 school year for which the transfer is requested.

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9 (cf. 5118 – Open Enrollment Act Transfers)

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11 However, the application deadline shall not apply to an application requesting a
12 transfer if the parent/guardian with whom the student resides is enlisted in the
13 military and was relocated by the military within 90 days prior to submitting the
14 application. (Education Code 48354)

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16 (cf. 6173.2 - Education of Children of Military Families)

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18 The parent/guardian's application may request enrollment of his/her child in a
19 specific school or program. Requests for admission to a magnet school or
20 program designed to serve gifted and talented students shall be subject to the
21 usual admission requirements established by the district for district students.
22 Except for such specialized admission requirements, the Superintendent or
23 designee shall not consider the student's previous academic achievement,
24 athletic performance, physical condition, English language proficiency, family
25 income, or any of the prohibited bases for discrimination listed in Education Code
26 200. (Education Code 48354, 48356)

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28 (cf. 0410 - Nondiscrimination in District Programs and Activities)

29 (cf. 6172 - Gifted and Talented Student Program)

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31 Students applying for open enrollment transfers shall be assigned priority for
32 approval as follows: (Education Code 48356):

- 33
- 34 1. First priority for the siblings of students who already attend the desired
35 school
 - 36
 - 37 2. Second priority for students transferring from a program improvement
38 school ranked in decile 1 on the Academic Performance Index (API)
 - 39

40 If the number of students who request a particular school exceeds the number of
41 spaces available at that school, the Superintendent or designee shall conduct a
42 lottery, in the group priority order identified in items #1 and #2 above, to select
43 students at random until all of the available spaces are filled. (Education Code
44 48356)

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46 When appropriate, a lottery shall be conducted in a public setting within 10 days

1 following the June 15 application deadline.

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 3 Within 60 days of receiving the application, the Superintendent or designee shall
 4 provide written notification to the parent/guardian and the student's district of
 5 residence as to whether the application has been accepted or rejected. If the
 6 application has been rejected, the notice shall state the reasons for the rejection.
 7 If the application has been approved, the notification shall specify the particular
 8 school site and the school's address to which the student has been admitted.
 9 (Education Code 48357; 5 CCR 4702)

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 11 An application may be denied when the student's new enrollment creates a
 12 situation where reasonable class sizes or service case-loads exceed the
 13 standards set by the Board of Education. Limits described below are
 14 determined to be reasonable by the Board with the expectation that new resident
 15 students historically enroll and become eligible for services over the course of the
 16 school year.

Level	K-3	4-5	6-8 English/ Social Studies	6-8 Math/ Science	9- English or Science	10-12 English & Social Science	10-12 & Math and Science
Mainstream	18*	24**	25	26	20	26	26
RSP	Average 23		Average 25 Caseload		Average 25 Caseload		
PEP	5 Caseload						
SDC	Average 12 Caseload		Average 12		Average 12 Caseload		
Adaptive PE	45 K-12 inclusive						
Speech & Language Services	Average of 45 across the district that is pre-K-12 inclusive and 40 for those serving more than 5 severely disabled students						
GATE/Honors	26		30		30		

18
 19 * During periods of economic uncertainty and budget reductions, the class size target for grades K-3 is 24.
 20 **The class size reduction target for grades 4 and 5 is 26 as provided for in supplementary funding by a local
 21 parcel tax and federal class size reduction grant.
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23 (cf. 5117 b – Interdistrict Related Attendance)

24
 25 As applicable, the Superintendent or designee may also deny a transfer
 26 application under any of the following circumstance:

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 28 1. Upon determination that approval of the transfer application would negatively
 29 impact the capacity of a program, class, grade level, or school building, including
 30 without limitation:

- 31
 32 a. The class or grade level exceeding the district's limits pursuant to
 33 the state Class Size Reduction Program or the Morgan/Hart Class
 34 Size Reduction Program for Grades 9-12
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 36 b. The site, classroom, or program exceeding the maximum student-
 37 teacher ratio specified in the district's collective bargaining
 38 agreement

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- c. The site or classroom exceeding the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document
- d. The class or grade level exceeding anticipated capacity pursuant to items a-c above in subsequent years as the student advances to other grade levels at the school

(cf. 6151 - Class Size)
 (cf. 7110 - Facilities Master Plan)

- 2. Upon a determination that approval of the transfer application would have an adverse financial impact on the district, including without limitation:
 - a. The hiring of additional certificated or classified staff
 - b. The operation of additional classrooms or instructional facilities
 - c. Expenses incurred by the district that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students

Terms of Approval

The Superintendent or designee shall ensure that the school to which the student is transferring has a higher API than the school in which the student was previously enrolled. (Education Code 48356)

The parent/guardian shall enroll his/her child on or before the first day of instruction or within 14 calendar days of receipt of the district's notice of approval of the application, whichever is later. If the parent/guardian fails to enroll his/her child within this timeframe, the district may decline to enroll the student. (5 CCR 4703)

Upon enrollment, the district shall grant the student any credits towards graduation that he/she received from his/her district of residence. The student shall be eligible for graduation from district schools upon completion of state and district graduation requirements. (Education Code 48358)

(cf. 6143 - Courses of Study)
 (cf. 6146.1 - High School Graduation Requirements)
 (cf. 6146.5 - Elementary/Middle School Graduation Requirements)
 (cf. 6162.52 - High School Exit Examination)

1 A student admitted to a district school through this process shall be deemed to
2 have fulfilled district residency requirements pursuant to Education Code 48204
3 and shall not be required to reapply for enrollment in that school, regardless of
4 whether his/her school of residence remains on the Open Enrollment List.
5 (Education Code 48356; 5 CCR 4702)

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7 Parents/guardians are responsible for transporting their children to school.

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