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## CLOVIS UNIFIED SCHOOL DISTRICT

### STUDENTS

Admissions Residency and School Attendance

### **INTRA-DISTRICT TRANSFERS/OPEN ENROLLMENT**

#### A. INTRA-DISTRICT TRANSFERS DURING THE SCHOOL YEAR

The Superintendent or designee is authorized to approve intradistrict transfers and to implement this administrative regulation.

The Intradistrict Transfer Application (Exhibit No. 5116.1(1)) is available at all school sites, the Office of Student Services and School Attendance (SSSA), and at [www.cusd.com](http://www.cusd.com) for parents who wish to request a transfer for their child(ren) to a school other than the school of residence.

1. All intradistrict transfers will be issued pursuant to provisions of the Education Code.
2. Intradistrict transfer applications shall be submitted in writing and signed by the parent or guardian.
3. A student shall be deemed a current resident of the attendance area of the receiving school for one school year when the intradistrict transfer is approved by SSSA. Once an intradistrict transfer is approved, the student no longer has residential rights to their home school and may not return to that school without approval by SSSA.
4. Approval for all Intradistrict Transfer Applications is subject to space availability at the receiving school. A student who is not a resident in the attendance area of the receiving school shall not attend said school in place of a student who currently resides within that school's attendance area or has established residency through employment or has been approved for an open enrollment transfer. (See Board Policies No. 5111.1 and 5116.1.)

For the purpose of capping and busing, the approval date of the transfer will be used as the student's enrollment date or the date of enrollment if the student has attended the requested school, without breaks, in enrollment, whichever date is the earliest.

5. Applicants eligible for an intradistrict transfer into the District must be in good standing as defined by:
  - a. A grade point average of 2.0 or higher. If the request is in between semesters or quarters, the student must have a "C" average or satisfactory drop grades.
  - b. An attendance rate of 90% or better. A student cannot be defined as chronically absent by the State of California (10% absenteeism rate or higher).
  - c. Lack of excessive tardies, excessive early pickups, or excessive late pickups.

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- d. Behavior history does not indicate chronic behavior issues and/or suspensions.
6. Intradistrict transfers are deemed justifiable when the request is based upon:
    - a. Provisions for childcare during non-school hours (grades TK – 8<sup>th</sup> grade).
    - b. Parent employment or volunteerism within the attendance area of the requested school.
    - c. Physiological or psychological reasons verified by a physician.
    - d. To remain at the current school of attendance after a change of address.
    - e. Intent to move within the attendance area of the requested school, when verified by third party documentation or affidavits.
    - f. To maintain family continuity by keeping siblings together.
    - g. To access curriculum or an educational program not available or accessible at the school of attendance.
    - h. The student being a victim of an act of bullying as described in Education Code section 46600(d)(2).
    - i. Other reasons deemed pertaining by SSSA that are unique to the student or family welfare.
  7. Intradistrict transfers shall be denied, when:
    - a. The student does not meet eligibility requirements.
    - b. Results in a foreseeable student safety concern.
    - c. Requires the District to add a special program, service, or class.
    - d. Approval would displace a student who is a current resident of the attendance area or who is currently attending the school of requested attendance.
    - e. Approval would result in a foreseeable displacement of a current resident student.
    - f. Reason for the transfer request does not meet Board criteria.
  8. Intradistrict transfer shall be waitlisted when:
    - a. There is no space available at the school requested, grade level required, or specialized program, service, or class.

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- b. When space becomes available during the school year and the student is next on the waitlist, the student will be approved.
9. Authorization or approval by the District of a student's intradistrict transfer does not result in the student obtaining eligibility for District interscholastic athletics. Following a student's intradistrict transfer into a new District school, the determination of the student's eligibility for interscholastic athletics will be in accordance with Board Policy and Administrative Regulation No. 6145 – Co-Curricular and Extra-Curricular Activities.
10. Any appeals regarding the denial of an intradistrict transfer application shall be submitted to SSSA in writing for final determination.
11. A change of residence by a student, other than the moving of the parents or legal guardian, requires an affidavit of transfer of custody, a court order, or a public agency placement to constitute a change of residence.
12. All transfers are subject to the student maintaining proper attendance, deportment, and academic achievement and are subject to termination at any time conditions may warrant as determined by SSSA.
13. Intradistrict transfers are valid for the remainder of the current year and may not be renewed. To obtain long term attendance or school residency at the school of choice, parents must use the open enrollment transfer application process set forth in Section B below.
14. In the event of an attendance boundary change, the District may authorize a priority intradistrict transfer window to support the needs of students and their families. Consideration will be given to students requesting an intradistrict transfer to allow them to continue attending their current school or to remain within their current attendance area. The District may define qualifying conditions regarding transportation, space availability, specific groups of students, and/or other parameters as needed.

### B. OPEN ENROLLMENT WITHIN THE DISTRICT

The Open Enrollment Transfer Application (Exhibit No. 5116.1(2)) is available at all comprehensive (non-alternative education) schools, SSSA, and at [www.cusd.com](http://www.cusd.com) for those parents/guardians who desire to transfer their child(ren) to a school other than the school of residence. Open enrollment transfers are available only to students whose home dwelling is located within the District's boundaries. As required by the Education Code, parents/guardians cannot use the open enrollment transfer process for a transitional kindergartener or kindergarten child but must use the intradistrict transfer process for their child's kindergarten year. An open enrollment transfer may be requested for students enrolling in first through 12th grade during the requested school year.

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The principal or designee will ensure at the beginning of each school year or at the time of enrollment that parents/guardians are notified of the District's open enrollment policy (Board Policy No. 5116.1 and this administrative regulation) which allows the parents/guardians to select the school their child(ren) will attend within the District, as provided in District board policies.

Authorization or approval by the District of a student's open enrollment transfer does not result in the student obtaining eligibility for District interscholastic athletics. Following a student's open enrollment transfer into a new District school, the determination of the student's eligibility for interscholastic athletics will be in accordance with Board Policy and Administrative Regulation No. 6145 – Co-Curricular and Extra-Curricular Activities. However, a student who is granted an open enrollment transfer under the sibling rule (Board Policy No. 5116) may apply for athletic eligibility as a hardship based on California Interscholastic Federation Central Section Bylaw 214 – Hardship Waivers and Board Policy and Administrative Regulation No. 6145.

1. Applications. Parents/guardians must submit the Open Enrollment Transfer Application (Exhibit No. 5116.1(2)) to a comprehensive school site or SSSA, between the first day of school and November 1 of the school year preceding the school year of desired attendance. School sites shall retain copies and will forward all original Open Enrollment Transfer Applications to SSSA on a regular basis during the open enrollment window. SSSA will enter all Open Enrollment Transfer Applications into a web-based management program. School sites will have access to view applications on the web-based management program.
2. Review Process. SSSA shall evaluate whether a student meets eligibility requirements can be approved, denied, or waitlisted.
  - a. An application will be denied if:
    - (1) The student does not meet eligibility criteria which includes the approval will create a negative impact on the requested school due to a documented school safety issue; and/or
    - (2) Not be possible due to a specific program limitation.
  - b. Remaining Open Enrollment Transfer Applications will be reviewed by SSSA and will be approved or denied according to the following criteria and procedures:
    - (1) The capacity of each District school is set forth in Exhibit No. 7110.2(1) – Enrollment Capacity and Exhibit No. 7110.2(3) – Permanent Design Capacity.
    - (2) The total number of Open Enrollment Transfer Applications to enter and exit each school by grade level.
  - c. Placement of students at a new District school shall occur in accordance with the following:

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- (1) Place students until the enrollment capacity of the school is reached. Students who are residents and currently attend the school of request will not be displaced for an open enrollment student.
  - (2) If Open Enrollment Transfer Applications exceed the enrollment capacity at a given grade level, the application will be placed in a randomized lottery.
  - (3) Lottery students are placed by SSSA as openings occur at the school.
  - (4) The lottery process will not evaluate the academics or athletic performance of the student applicant.
  - (5) Intradistrict and interdistrict transfer students are not placed ahead of open enrollment students unless placement is mandated by the Education Code.
3. Notification of Approval or Denial of Open Enrollment Transfer Application
- a. Open Enrollment Transfer Application Approved
    - (1) Parents/guardians will be notified of approval of an Open Enrollment Transfer Application no later than March 1 preceding the school year of requested attendance. SSSA will send an approval letter to the parents/guardians which will serve as authorization to enroll their child(ren) in the requested school of attendance. Parents/guardians must complete an Open Enrollment Acceptance of Transfer Approval Form 5116.1(3) (Exhibit No. 5116.1(3)) and submit it to the receiving school site by the date provided on their approval notification in order to complete the Open Enrollment transfer process and enroll their child(ren).
    - (2) Parents/guardians whose applications for their child(ren) are approved but who fail to submit an Open Enrollment Acceptance of Transfer Approval (Exhibit No. 5116.1(3)) and complete the enrollment of their child(ren) by the assigned date of the year preceding the school year of requested attendance shall be revoked.
    - (3) Parents/guardians whose Open Enrollment Transfer Applications for their child(ren) are approved will be notified that transportation for students shall be provided pursuant to Board Policy No. 3250 – Transportation Fees.
    - (4) Once a student is approved for open enrollment transfer, the student becomes a resident of that school and the date of approval will be treated as the enrollment date of that student. Students will follow the enrollment track (elementary, intermediate school, high school) of the school for which they received approval through the 12<sup>th</sup> grade.
    - (5) SSSA will provide the school sites with information of their new students, of students on the waiting list, and names of students exiting from their sites.

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- (6) Open enrollment students are subject to capping and busing. For capping and busing purposes, the approval date of the Open Enrollment Transfer Application is considered the enrollment date or the date of the student's initial enrollment into the school, which ever came first.
- b. Open Enrollment Transfer Application Denied/Waitlisted.
  - (1) Parents/guardians whose applications for their child(ren) are denied will be notified no later than March 1 of the year preceding the year of requested attendance.
  - (2) Parents/guardians whose applications for their child(ren) are denied due to insufficient school capacity will be notified by SSSA of their placement on a waiting list.
4. School Capacity. School capacity for purposes of this regulation for each school in the District is as listed on Exhibit No. 7110.2(1) – Enrollment Capacity and Exhibit No. 7110.2(3) – Permanent Design Capacity.
5. Specialized Programs and Classes. Existing entrance criteria for admission to specialized schools, programs or classes will be enforced. When a student requires a specialized program or a class that is not available at the requested school of attendance or the student does not qualify for admission to such school, program or class, the Open Enrollment Transfer Application shall be denied. If a specialized program or class is at capacity as defined by the program director, the student will be placed on a randomized waitlist.
6. Duration of Open Enrollment Transfers. Once an Open Enrollment Transfer Application is approved, the open enrollment transfer remains in effect until one of the following events occurs:
  - a. The end of the student's twelfth grade year.
  - b. The student's home residence changes/moves out of the high school attendance area in which the student resided in when the Open Enrollment Transfer Application was approved.
  - c. Another open enrollment or an intradistrict transfer is approved.
  - d. The student disenrolls/drops, either involuntarily or voluntarily, from the District and/or the approved District school.
  - e. The student's educational program requires a specialized program that is not offered or available at the requested school.

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- f. The specialized program required for the student becomes impacted or is moved to another school.
- g. The student was approved while eligible for a specialized program and no longer requires that program.
- h. If the initially approved enrollment track changes due to secondary school boundary shifts, a student must apply for a new open enrollment transfer if the student wishes to continue on the originally designated secondary enrollment track. The enrollment track is defined by the approved boundaries in place at the time of transition to an intermediate or high school.
- i. In the case of elementary boundary changes, approved open enrollment students attending or living in an affected area may need to reapply at the District's discretion.

Adopted: 03/09/1994

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03/30/2012, 01/18/2013, 01/14/2015, 08/15/2024 (AR 2208 renumbered as AR  
5116.1; all contents of AR 2209 moved to AR 5116.1)

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