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Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Sonali Murarka, Executive Director – Enrollment

Board Meeting Date March 11, 2020

Subject Opportunity Ticket: Update to Board Policy 5116.1 to Clarify Eligibility of Charter School Students

Action Requested and Recommendation First Read

Background

The District has been making changes as part of the Citywide Plan to reduce our footprint in the city and increase academic achievement and excellence. As a result, there have been decisions to merge, close, and move some schools in the city. We must ensure throughout the process that our students have a welcoming school equipped to support every child in attaining an excellent education. We know this will take time and we need to commit to keeping our students at the center, especially those who will be directly impacted.

The Opportunity Ticket provides these most impacted families with an opportunity that prioritizes their placement at the schools they deem most suitable for their children.

The inclusion of the Opportunity Ticket in Board Policy 5116.1 was approved by the Board on March 4, 2019. The following language was added to BP 5116.1:

Opportunity Ticket Priority: *Previously, prioritization in the enrollment process was limited to siblings and neighborhood residents. There was an absence in prioritization for families*

In September 2019, the Opportunity Ticket Working Group provided recommendations on the following three questions for discussion by the Board:

- Q1: What percent of seats should be allocated at receiving schools for students who receive an Opportunity Ticket?



- Q2: Does the Opportunity Ticket apply to all students at moving/closing sites AND receiving sites?
- Q3: Should students from closing charter schools receive an Opportunity Ticket?

Discussion

The Opportunity Ticket Working Group and the Superintendent have recommended that students from closing charter schools receive an Opportunity Ticket. At the time of the Board discussion in September 2019, the Board expressed a desire to re-consider the issue once there was an actual case of a charter school planning to close.

Fiscal Impact

There is the potential for a positive fiscal impact since families from a closing Charter school are slightly more likely to receive a preferred offer to a District school because of the Opportunity Ticket. However, this positive impact may be neutralized depending on the “domino” effect of where students enroll who no longer receive a spot at the District school (if the District school fills up).

Attachments

BP 5116.1 Red-Lined to Include Students from Closing Charter Schools
BP 5116.1 Red-Lined to Exclude Students from Closing Charter Schools

**INCLUDE
CHARTER STUDENTS**

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Students

BP 5116.1

Open Enrollment

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(cf. 6172 - Gifted and Talented Student Program)

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Students

BP 5116.1

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be granted enrollment priority in the lottery process. (Education Code 35160.5)

Opportunity Ticket Priority: The Opportunity Ticket grants enrollment priority to the following groups of students: students from closing district schools, students from district schools that move to a new location to be part of a merger with another school, and students who are part of a grade band truncation at a district school (e.g., eliminating the middle school portion of a K-8 school). The enrollment priority helps families affected by these major changes to select a new school that they deem suitable for their children. Details regarding the implementation of the Opportunity Ticket can be found in Administrative Regulation 5116.1.

Neighborhood School Priority (Neighborhood Priority): Attendance boundaries are established by the Governing Board. A family's permanent residence falls within the geographic boundaries of an elementary, middle and high school within the District, and these schools are referred to as the "neighborhood schools" for that location. The neighborhood schools for a particular residential address can be found at: <https://oaklandfinder.schoolmint.net/school-chooser> or by calling the District's Welcome Center at 510-879-4600. The Superintendent or designee shall grant enrollment priority in the lottery to any Oakland resident to attend their neighborhood District school, except as stipulated in the *Intra-district Transfers Outside Neighborhood Schools* section of this policy.

No student shall be displaced from his or her neighborhood school by another student transferring from outside the neighborhood school/ attendance boundary area. (Education Code 35160.5) (cf. 5116 - School Attendance Boundaries), except as stipulated in the *Intra-district Transfers Outside Neighborhood Schools* section of this policy.

School Staff Priority: When a parent/guardian's primary place of employment is at a school site, their child will be granted enrollment priority, in the lottery process, to attend the school at which their parent/guardian works, a school physically adjacent to their parent/guardian's school site, or on the same campus as their parent/guardian's school site.

Prioritization in High-Demand Schools (Oakland Resident Priority): In some circumstances, the number of students seeking to enroll in a school will exceed the available space in the school. Students with a parent/guardian with a permanent residence within the City of Oakland will be granted enrollment priority over non-residents in the lottery process.

Intra-District Transfers Outside Neighborhood School: The parents/guardians of any student who resides within District boundaries may apply to enroll their child in any District school, regardless of which schools are identified as their "neighborhood schools" or the location of their residence within the district. (Education Code 35160.5) The Superintendent or designee shall grant priority to any District student to attend another District school outside of his/her attendance area as follows:

ASSIGNMENT LOTTERIES

For a discussion of the Open Enrollment Lottery and Late Enrollment Lottery processes, please see AR 5116.1

Legal Reference:

EDUCATION CODE

200 Prohibition against discrimination

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance agreements

48200 Compulsory attendance

48204 Residency requirements for school attendance

48300-48316 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act

48980 Notice at beginning of term

CODE OF REGULATIONS, TITLE 5

11992-11994 Definition of persistently dangerous schools

UNITED STATES CODE, TITLE 20

6311 State plans

7912 Transfers from persistently dangerous schools

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 95 (2002)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Public School Choice FAQs

Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016

Unsafe School Choice Option, May 2004

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

7/14/04; 8/9/06A; 6/25/08A; 10/11/17A; 8/22/18A; 3/4/19A