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Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent; Charles Wilson, Executive Director: Enrollment and Registration Management

Board Meeting Date August 8, 2018

Subject First Read of Proposed Changes to AR 5116.1: "Intradistrict Open Enrollment"

Action First Read

Background AR 5116.1 Intradistrict Open Enrollment outlines the the procedures used to process and prioritize student applications for enrollment. The administrative regulation provides guidance on how the "choice" process is operationalized; i.e how students and families who would like to attend schools outside of their neighborhood feeder patterns participate in the lottery process each year. The following revisions are proposed to AR 5116.1 Intradistrict Open Enrollment to align district policies and operation.

Discussion **Major changes proposed**

Enrollment under the No Child Left Behind Act

- Removes this section due to the expiration of the named act.



School Grounds that become dangerous for a student

- Removes a specific timeline for full resolution of related issues. This will allow time for application of possible remedies including conflict resolution and restorative justice.
- Describes in greater detail the factors to be considered by the Superintendent or designee in the resolution of related issues.

Enrollment Priorities

- Explicitly names the student groups that need to apply for enrollment annually. The new policy requires that all students in 5th or 8th grade apply for admission to the next grade, even in schools that offer grades TK-8 or 6-12. This is needed so that the District receives a positive affirmation from these parents of the intent to continue at a specific school for the next year; several of our TK-8 or 6-12 schools have difference in seat availability between spans and it behooves the District to receive this positive affirmation of intent.
- Moves a discussion of the various board-approved enrollment priorities towards the beginning of the policy. This section also clarifies the order in which applicant pools and enrollment priorities are applied.
- Names the use of the proposed Dual Language 2-Way Immersion Enrollment policy as a means of creating eligible applicant pools as needed.



- Continuing Student Priority: The District has always implicitly given priority to students moving from one grade to another (e.g. 3rd to 4th), and this policy makes the practice explicit. This is needed to respond to seat capacity issues between grades, especially in TK-8 and 6-12 schools. This will grant highest priority to those continuing students at 5th and 8th grades who make the positive affirmation that they plan to attend their same school the next year.
- Renames the "Family Priority" to "Sibling Priority" without changing the contents or nature of the priority.
- Neighborhood: Clarifies the process for identifying feeder patterns by neighborhood and address.
- Makes explicit a priority called "School Staff Priority". Previously this priority was included within the "Family Priority" category.
- Creates an explicit name for the last priority group; it is now called "Oakland Resident (General Lottery)". This name change encapsulates the prioritization of Oakland residents over non-Oakland residents.
- States that applicants will receive the highest-ranked priority for which they are eligible at the time of the selection lottery and discusses the permanence of the assigned priority.
- Discusses how returning students will be prioritized on a space-available basis.



- Discusses how future policy changes can be based on the analysis of historic enrollment data.

Placement outside of the attendance area

- States the right of the Superintendent or designee to make student assignments outside of an attendance area that are in the best interest of students' well-being.

Open Enrollment Process

- Renames and clarifies the processes and sequence of the section previously called "Other Intradistrict Open Enrollment".
- Explicitly names the student groups that need to apply for enrollment annually. The new policy requires that all students in 5th or 8th grade apply for admission to the next grade, even in schools that offer grades TK-8 or 6-12. This is needed so that the District receives a positive affirmation from these parents of the intent to continue at a specific school for the next year; several of our TK-8 or 6-12 schools have difference in seat availability between spans and it behooves the District to receive this positive affirmation of intent.
- Removes reference to No Child Left behind Act Program Improvement Schools due the expiration of the act.
- Clarifies the order in which priorities will be applied during the selection lottery, as well as naming the potential assignment to the neighborhood or



nearby school if no space is available at any of the schools named on a particular student enrollment application.

- Clarifies the means of notification that will be used by the Superintendent or designee to communicate the results of the assignment lottery or lotteries.
- Describes the way lower-ranked and higher-ranked school applications are treated once an offer has been made to a specific student, as well as clarifying the way that waitlists are established and maintained.
- Describes the way late applications will be considered and processed for both available spaces and placement on waitlists.
- Clarifies the way that families may elect to have all of their offers cancelled if they are dissatisfied with these offers and may apply as late applicants to receive new offers.

Fiscal Impact

There is no predicted financial impact of these changes to AR 5116.1

Attachment

AR 5116.1 –Intradistrict Open Enrollment Edit Tracking version.docx
Final AR 5116.1 –Intradistrict Open Enrollment docx

OAKLAND UNIFIED SCHOOL DISTRICT

Administrative Regulation

AR 5116.1 –Intradistrict Open Enrollment

~~Student Enrollment under the No Child Left Behind Act~~

~~The Intradistrict Open Enrollment window allows all students in program improvement, corrective action or restructuring schools an opportunity to transfer to another OUSD school. The application for Intradistrict Open Enrollment allows for specific mention of this provision.~~

School Grounds that becomes dangerous for a student

Within a reasonable amount of time, ~~not to exceed 10 days after notification~~ that a student becomes the victim of a violent criminal offense while on school grounds, the student's parents/guardians ~~the student's parents/guardians may request an option to transfer their child to an eligible school identified by the Superintendent or designee. shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee.~~ The Superintendent or designee shall consider the student's needs and parent/guardian preferences in making the school assignment. If the parents/guardians choose to transfer their child, the transfer shall be completed as soon as practicable.

~~After learning that a school has been designated as "persistently dangerous," within a reasonable amount of time, the Superintendent or designee shall notify parents/guardians of the school's designation and of their option to transfer.~~

~~(cf. 0450 – Comprehensive Safety Plan)~~

~~After learning that a school has been designated by the California Department of Education as "persistently dangerous," within a reasonable amount of time, the Superintendent or designee shall notify parents/guardians of the school's designation and of their option to transfer. 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. Upon assignment, the transfer shall be completed as soon as possible. If parents/guardians decline the assigned school, the student may remain in his/her current school.~~

~~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. Upon assignment, the transfer shall be completed as soon as possible. If parents/guardians decline the assigned school, the student may remain in his/ her current school.~~

~~This temporary transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous"~~

~~Siblings~~

~~Pursuant to district policy, all siblings have the priority to attend the school that their sibling is currently attending in order to keep families together. Pre K, 5th grade and 8th Grade families must participate in the Intradistrict Open Enrollment process for the following year by completing an application for their neighborhood schools within the open enrollment window. Upon assignment, they must confirm their enrollment at the school site by the May confirmation date or forfeit their assignment. Priority is given first to students who already have a sibling~~

~~attending the school. Second priority is given to neighborhood residents. Any schools that have available space after these priorities can receive additional students from outside of the neighborhood through the Intradistrict Open Enrollment process. Intradistrict Open Enrollment priorities will be considered after the siblings of the school's existing students, residents without siblings who live in the neighborhood and residents who reside within an elementary school's mega boundary as defined by Board policy who have been redirected from their overcrowded neighborhood school.~~

~~Other Intradistrict Open Enrollment~~

~~To implement Intradistrict Open Enrollment pursuant to Education Code 35160.5:-~~

- ~~1. Pre K, 5th grade, 8th grade students/families and those who wish to change schools complete applications during the Intradistrict Open Enrollment window. Our process emphasizes siblings first.~~
- ~~2. The Superintendent or designee shall identify those schools, which may have space available for additional students for the following school year. A list of these schools and open enrollment applications shall be available online and at the Student Assignment Center during the Intradistrict Open Enrollment Window period.~~
- ~~3. Students of parents/guardians who submit applications to the district shall be considered for admission to their school of choice the following school year under the district's open enrollment policy.~~
- ~~4. If the number of applicants exceeds the number of available spaces, a lottery process from the eligible applicant pool shall determine enrollment in a school of choice. The lottery will prioritize neighborhood and non neighborhood siblings first, neighborhood students without siblings second, students residing within the elementary school's mega boundary as defined by Board policy who have been re-directed from their overcrowded neighborhood school, PI status of the student's neighborhood school and random lottery for remaining applicants.~~
- ~~5. The Superintendent or designee shall inform applicants by mail their assignments from the lottery. The Student Assignment Center will manage the appeal process. Students can be placed on a waitlist by appealing after the lottery. Students will only be placed on a waitlist if he/ she lives in the neighborhood, has a sibling at the school, or has other extenuating circumstances that will be handled on a case by case basis. Those who appeal will be informed of their approval, denial or waitlisted status within three weeks. After the enrollment confirmations occur in May at the school sites, students on a waitlist will be placed at their desired school as space becomes available.~~
- ~~6. Late applications, including transfer requests after the open enrollment window, for the following year will be treated within the appeal process. Transfer requests for documented safety reasons, family relocation, or PI status during the academic year will be handled by the Student Assignment & Bilingual Testing Office pursuant to Board Policy. All other transfer requests will be determined by the school's supervising Network Executive Officer.~~

~~7. Assigned applicants must confirm their enrollment by registering at their assigned school within the published May specified timeframe. Failure to do so will forfeit their assignment and allow placement of those active on the waitlist.~~

~~Once enrolled, a student shall not be required to apply for readmission. Any complaints regarding the selection process shall be submitted to the Superintendent or designee.~~

~~(cf. 1312—Complaints Concerning the Schools)~~

Enrollment Priorities

Families new to OUSD at any grade, as well as Pre-K, 5th grade, 8th grade students/families and those who wish to change schools at other grade levels complete applications during the Open Enrollment window. Our enrollment priorities are applied in the order listed below (if applicable to a specific school, language requirements will be used to determine eligible pools of applicants. See draft Board Policy on OUSD Dual Language 2-Way Immersion Enrollment)

1. **CONTINUING STUDENT PRIORITY:** Priority is first given to continuing students who are currently enrolled at the school and who have not indicated plans to leave. A school exists under a defined CDS code.
2. **SIBLING PRIORITY:** If there are more applicants than available seats, priority will then be granted first to siblings of neighborhood students who already attend the school and will continue to attend the school in the coming year, and then siblings of other continuing non-neighborhood students who are currently enrolled at the school and who will continue to attend the school in the coming year; both siblings in these cases will be concurrently enrolled in the same school the following year if there is space available.
3. **NEIGHBORHOOD:** Next priority will be given to neighborhood students. 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, except as stipulated in the *Intra-district Transfers Outside Neighborhood Schools* section of this policy.
4. **SCHOOL STAFF PRIORITY:** When a parent/guardian's primary place of employment is at a school site, their child will also be granted neighborhood priority 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. The enrollment department will refer to OUSD employment documentation to verify that the applicant is the child's parent or guardian.

5. **OAKLAND RESIDENT (General Lottery):** Any schools that have available space can receive students from outside of the neighborhood through the Intradistrict Open Enrollment process. Residents who live within district boundaries will be prioritized first.

Given the priorities above, the enrollment department will assign each child the highest-ranked priority or priorities for which they qualify. Priorities are determined at the time of the lottery and can not be changed except in the case of error.

Other priorities may be given to students redirected from their schools that do not have sufficient seat capacity. Students who have moved out of the Oakland Unified School District and who return later may be permitted to enroll in the Oakland school formerly attended provided that there is space at the aforementioned school. If there is not space at the selected school, students will be redirected in accordance with the procedure described above.

With the continuing enrollment technology upgrades, to protect the economic interest of the district and educational well-being of students, the district shall have the ability to test and determine the impact of other priorities, based on place of residence, language proficiency, socioeconomic status, state Pre K status, environmental stress factors, feeder patterns, and other considerations. All proposed changes to enrollment policies will be tested in a "data sandbox" environment prior to making recommendations to the board.

Placement outside of the attendance area

The Superintendent or designee reserves the right to consider placement outside the school attendance area of residence. Before special placement is made for any of these students, the appropriate Network Superintendent for the school area shall be informed of the student's name and placement plan. Except for placements approved by the Executive Director of Programs for Exceptional Children, other completed transfers in the following categories shall be referred to the Network Superintendent and the Enrollment office for approval. These categories include, but are not limited to:

1. Students recommended by the school psychologist for emotional adjustment and psychosocial problems.
2. Students returning from institutions, probationers, parolees, foster home placements and specific agency requests for preventative and rehabilitative purposes.
3. Handicapped and exceptional students for whom the Department of Programs for Exceptional Children has screening, placement, and follow up responsibilities, with the recommendation and approval of the Programs for Exceptional Children.
4. Discipline Hearing Panel referrals.
5. Other individual cases requiring study or special consideration.

Open Enrollment Process:

Pursuant to Education Code 35160.5:

1. Families new to OUSD at any grade, as well as Pre-K, 5th grade, 8th grade students/families and those who wish to change schools at other grade levels complete applications during the Open Enrollment window.

1. The Superintendent or designee shall identify those schools which may have space available for additional students for the following school year. A list of these schools and open enrollment applications shall be available online and at the Student Enrollment Welcome Centers during the Open Enrollment Window period.

1. If the number of applicants exceeds the number of available spaces, a lottery process from the eligible applicant pool shall determine enrollment in a school of choice. All applications received during the Open Enrollment time window will be placed in a lottery. The lottery will prioritize continuing students first, siblings second, neighborhood students third, children of site staff fourth, then remaining applicants. Within each of these categories, a lottery will determine both the order of potential offers for applicants as well as the order of placement on waitlists.

1. If no space is available, per the application of the lottery results, at any of the schools named on a specific application, an assignment will be made to the neighborhood school or another school nearby school.

1. The Superintendent or designee shall inform applicants their assignments from the lottery. The Student Enrollment Welcome Centers will manage the notification / waitlist process. Assigned applicants must confirm or reject the assignment by a specific date. Failure to complete the process will forfeit the assignment and allow placement of those active on the waitlist. Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district.(cf. 5145.6 - Parental Notifications) Such notification shall include all options for meeting residency requirements for school attendance, programmatic options offered within the local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis. This notification component also shall include a description of all options, a description of the procedure for application for alternative attendance areas or programs, an application form from the school district for requesting a change of attendance, and a description of the appeals process available, if any, for a parent or guardian denied a change of attendance. The notification component also shall include an explanation of the existing statutory attendance options, including, but not limited to, those available under Section 35160.5, Chapter 5 (commencing with Section 46600) of Part 26, and subdivision (b) of Section 48204. (Education Code 35160.5, 48980.) Once enrolled, a student shall not be required to apply for readmission except for students in 5th and 8th grades.

1. Students receiving an offer at a school will have all of their applications to their lower-ranked schools cancelled. These students will automatically be placed on the waitlists for all of the schools they have ranked higher than the one to which they received an offer. This is the only means by which students may be placed on a waitlist during the on-time open enrollment process. For applicants placed on any waitlist(s) by the Open Enrollment deadline, the original lottery order is used to determine their placements on waitlists; late applicants are placed at the bottom of the list within their respective category on the basis of their assigned priorities. Students on waitlists will be offered seats at their desired school as space becomes available. After the 10th day of school, all waitlists are permanently dissolved.

1. Assigned applicants must confirm their enrollment by at their assigned school or with the Student Welcome Center within the published time frame. Failure to do so will forfeit their school assignment and waitlist assignments and allow placement of those active on the waitlists.

1. Applications received after the Open Enrollment deadline for the following year are placed during Late Enrollment application windows of time (specific dates to be determined and announced each year) based on a lottery using the same methods and priorities outlined above. Late enrollment applications will be placed automatically on waitlists at the bottom of their respective priority group.

1. Families that are dissatisfied with their enrollment offers from the Open Enrollment or Late Enrollment process may elect to have all of their offers and waitlist placements invalidated and may submit a new application during the subsequent Late Enrollment application windows. These applications will be considered late and will be processed and prioritized as such.

(cf. 5145.6 - Parental Notifications)

12/6/07; 12/19/07A; 6/25/08A,
A: 8/18/18

OAKLAND UNIFIED SCHOOL DISTRICT

Administrative Regulation

Students

AR 5116.1 Intradistrict Open Enrollment

School Grounds that becomes dangerous for a student

Within a reasonable amount of time that a student becomes the victim of a violent criminal offense while on school grounds, the student's parents/ guardians the student's parents/guardians may request an option to transfer their child to an eligible school identified by the Superintendent or designee.. The Superintendent or designee shall consider the student's needs and parent/guardian preferences in making the school assignment. If the parents/guardians choose to transfer their child, the transfer shall be completed as soon as practicable.

After learning that a school has been designated by the California Department of Education as "persistently dangerous," within a reasonable amount of time, the Superintendent or designee shall notify parents/guardians of the school's designation and of their option to transfer. 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. Upon assignment, the transfer shall be completed as soon as possible. If parents/guardians decline the assigned school, the student may remain in his/her current school.

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3. **NEIGHBORHOOD:** Next priority will be given to neighborhood students. 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, except as stipulated in the *Intra-district Transfers Outside Neighborhood Schools* section of this policy.

4. **SCHOOL STAFF PRIORITY:** When a parent/guardian’s primary place of employment is at a school site, their child will also be granted neighborhood priority 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. The enrollment department will refer to OUSD employment documentation to verify that the applicant is the child’s parent or guardian.

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Given the priorities above, the enrollment department will assign each child the highest-ranked priority or priorities for which they qualify. Priorities are determined at the time of the lottery and cannot be changed except in the case of error.

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1. Students recommended by the school psychologist for emotional adjustment and psychosocial problems.
2. Students returning from institutions, probationers, parolees, foster home placements and specific agency requests for preventative and rehabilitative purposes.
3. Handicapped and exceptional students for whom the Department of Programs for Exceptional Children has screening, placement, and follow up responsibilities, with the recommendation and approval of the Programs for Exceptional Children.
4. Discipline Hearing Panel referrals.
5. Other individual cases requiring study or special consideration.

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Pursuant to Education Code 35160.5:

1. Families new to OUSD at any grade, as well as Pre-K, 5th grade, 8th grade students/ families and those who wish to change schools at other grade levels complete applications during the Open Enrollment window.
2. The Superintendent or designee shall identify those schools which may have space available for additional students for the following school year. A list of these schools and open enrollment applications shall be available online and at the Student Enrollment Welcome Centers during the Open Enrollment Window period.
3. If the number of applicants exceeds the number of available spaces, a lottery process from the eligible applicant pool shall determine enrollment in a school of choice. All applications received during the Open Enrollment time window will be placed in a lottery. The lottery will prioritize continuing students first, siblings second, neighborhood students third, children of site staff fourth, then remaining applicants. Within each of these categories, a lottery will determine both the order of potential offers for applicants as well as the order of placement on waitlists.
4. If no space is available, per the application of the lottery results, at any of the schools named on a specific application, an assignment will be made to the neighborhood school or another school nearby school.
5. The Superintendent or designee shall inform applicants their assignments from the lottery. The Student Enrollment Welcome Centers will manage the notification / waitlist process. Assigned applicants must confirm or reject the assignment by a specific date. Failure to complete the process will forfeit the assignment and allow placement of those active on the waitlist. Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district.(cf. 5145.6 - Parental Notifications) Such notification shall include all options for meeting residency requirements for school attendance, programmatic options offered within the

local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis. This notification component also shall include a description of all options, a description of the procedure for application for alternative attendance areas or programs, an application form from the school district for requesting a change of attendance, and a description of the appeals process available, if any, for a parent or guardian denied a change of attendance. The notification component also shall include an explanation of the existing statutory attendance options, including, but not limited to, those available under Section 35160.5, Chapter 5 (commencing with Section 46600) of Part 26, and subdivision (b) of Section 48204. (Education Code 35160.5, 48980.) Once enrolled, a student shall not be required to apply for readmission except for students in 5th and 8th grades.

6. Students receiving an offer at a school will have all of their applications to their lower-ranked schools cancelled. These students will automatically be placed on the waitlists for all of the schools they have ranked higher than the one to which they received an offer. This is the only means by which students may be placed on a waitlist during the on-time open enrollment process. For applicants placed on any waitlist(s) by the Open Enrollment deadline, the original lottery order is used to determine their placements on waitlists; late applicants are placed at the bottom of the list within their respective category on the basis of their assigned priorities. Students on waitlists will be offered seats at their desired school as space becomes available. After the 10th day of school, all waitlists are permanently dissolved.

7. Assigned applicants must confirm their enrollment by at their assigned school or with the Student Welcome Center within the published time frame. Failure to do so will forfeit their school assignment and waitlist assignments and allow placement of those active on the waitlists.

8. Applications received after the Open Enrollment deadline for the following year are placed during Late Enrollment application windows of time (specific dates to be determined and announced each year) based on a lottery using the same methods and priorities outlined above. Late enrollment applications will be placed automatically on waitlists at the bottom of their respective priority group.

9. Families that are dissatisfied with their enrollment offers from the Open Enrollment or Late Enrollment process may elect to have all of their offers and waitlist placements invalidated and may submit a new application during the subsequent Late Enrollment application windows. These applications will be considered late and will be processed and prioritized as such.

(cf. 5145.6 - Parental Notifications)

12/6/07; 12/19/07A; 6/25/08A; 8/18/18A (if adopted)