

**OAKLAND UNIFIED SCHOOL DISTRICT**  
**Office of Board of Education**

**June 11, 2008**

TO: Board of Education

FROM: Special Committee on School Admissions, Attendance and Boundaries  
Kerry Hamill, Chair  
Gary Yee, Member  
Christopher Dobbins, Member

Staff to the Special Committee  
Vincent Matthews, State Administrator (Superintendent of Schools)  
Kirsten Vital, Chief of Community Accountability  
Juwen Lam, Demographer

SUBJECT: Approval of Amended Board Policies 5116 - School Attendance Boundaries and  
5116.1 - Intradistrict Open Enrollment

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**ACTION REQUESTED**

Approval of proposed Amended Board Policies 5116- School Attendance Boundaries and 5116.1 - Intradistrict Open Enrollment effectively providing a redirection remedy to enrollment overcrowding at Hillcrest K-8 School, any similarly situated District school and preserving the integrity of current School Attendance Boundaries and Open Enrollment consistent with legal requirements, respectively.

**DISCUSSION**

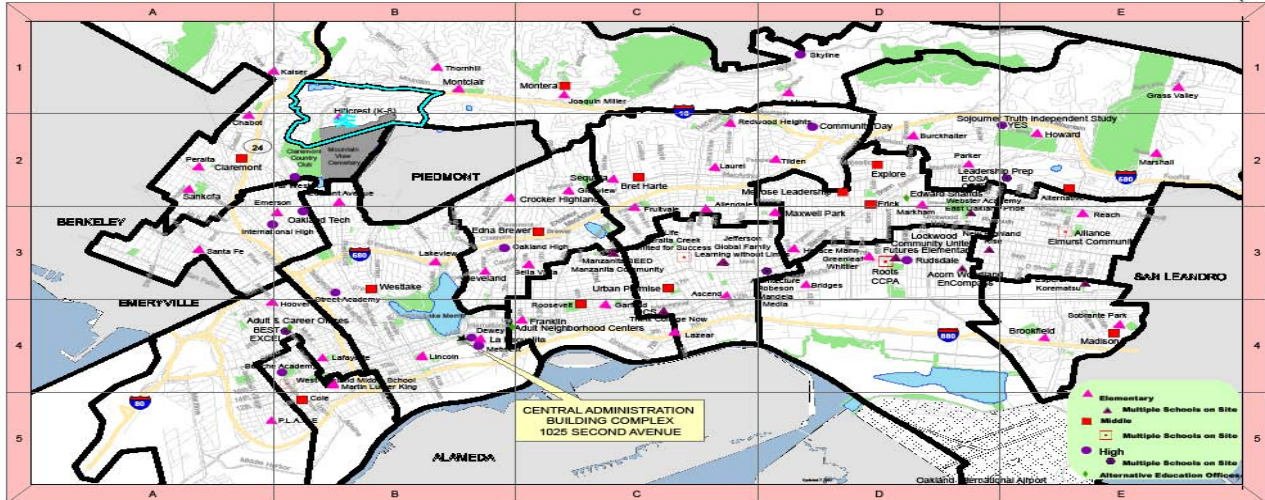
The Board Special Committee on Admissions, Attendance and Boundaries was established pursuant to Resolution 0708-0140 with the specific charge to investigate, review and make policy recommendations to the Governing Board on the stated subject matter and other matters as subsequently assigned.

The Special Committee on School Admissions, Attendance and Boundaries is recommending the amendment of the two stated policies to relieve overcrowding at Hillcrest School while preserving the integrity of school boundaries and open enrollment district wide consistent with legal requirements.

Board adoption of the amended policies, as recommended by the Committee, will have the effect or impact for the Hillcrest K-8 School as follows: a) Preserve competitive Open Enrollment and Open Enrollment priorities for Hillcrest neighborhood families through the annual Open Enrollment Process up to the maximum capacity of the school; b) Upon the school reaching maximum enrollment capacity a pupil not admitted from the Hillcrest neighborhood under the competitive Open Enrollment process will be redirected to an elementary school within the North Oakland Middle Schools Boundary: i.e., Chabot, Emerson, Peralta, Santa Fe, Kaiser and Sankofa Schools.

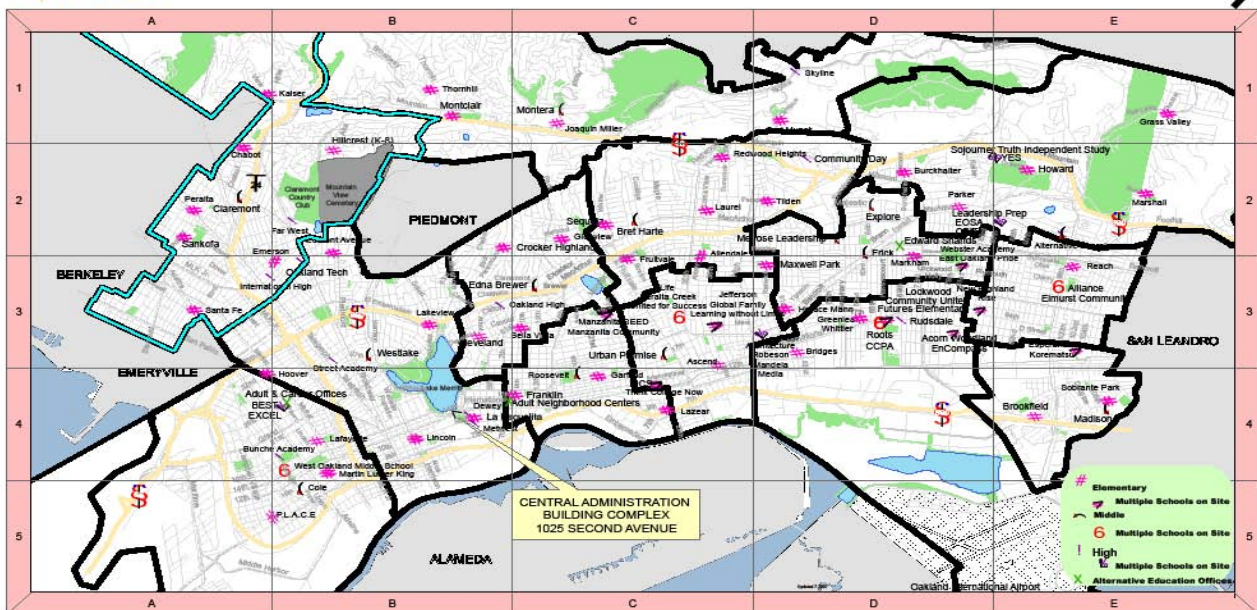
District current middle school boundaries, including Hillcrest, are drawn as illustrated in the following map:

### Oakland Unified School District: 2008-2009 Middle School Boundaries



The middle school boundaries, if the proposed amendment of policies is adopted, will be adjusted for Hillcrest overcrowding, as drawn and illustrated in the map below, to accommodate redirection of Hillcrest elementary pupils, not admitted to Hillcrest when the school has reached maximum enrollment capacity under the competitive Open Enrollment and Open Enrollment Priorities process, to one of the named other elementary schools in the North Oakland Middle Schools Boundary.

### Middle Boundaries Including Proposed Hillcrest Adjustment



Once a student is admitted into Hillcrest, or any other District elementary school, his/her siblings will have admissions priority pursuant to the Intradistrict Open Enrollment Policy.

### **BUDGET IMPACT**

Adoption of the recommended Amended Policies will have limited budget impact. The attendance is projected to remain stable at Hillcrest. There is potential for some families to be less satisfied with the policy and opt not to attend an elementary school within the North Oakland Middle Schools boundary.

**LEGAL IMPACT**

Adoption of the Amended Policies, as recommended herein, will have the same effect and impact for enrollment of pupils District wide under the Open Enrollment and Open Enrollment Priorities process. As such, the changes in policy, if adopted, are expected to withstand any legal challenges that may arise.

**RECOMMENDATION**

Approval of proposed Amended Board Policies 5116 - School Attendance Boundaries and 5116.1 - Intradistrict Open Enrollment effectively providing a redirection remedy to enrollment overcrowding at Hillcrest K-8 School, any similarly situated District school and preserving the integrity of current School Attendance Boundaries and Open Enrollment consistent with legal requirements, respectively.

Attachments: Proposed Amended Board Policy – Students – BP 5116 – School Attendance Boundaries  
Proposed Amended Board Policy – Students – BP 5116.1 – Intradistrict Open Enrollment

**OAKLAND UNIFIED SCHOOL DISTRICT  
Board Policy**

BP 5116  
**Students**

**School Attendance Boundaries**

The Governing Board is committed to maintaining an Open Enrollment policy which:

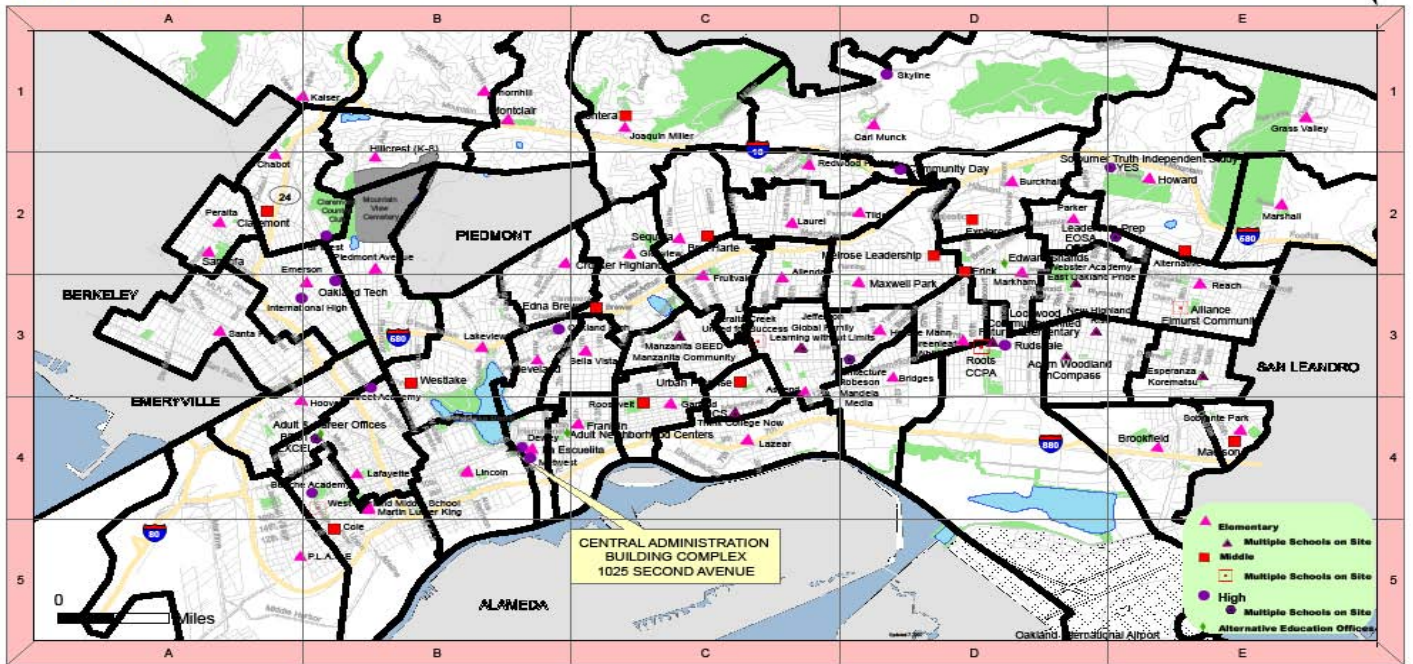
- Supports keeping families and siblings together
- Recognizes that strong schools build strong neighborhoods
- Values and supports schools that reflect diversity

(Open Enrollment Board Policy)

The Governing Board shall establish and regularly review school attendance boundaries taking into account school capacities and enrollment data, geographic features, student safety and transportation, diversity, educational programs and community input. Boundaries are outlined below, and shall be posted, as outlined below, on the District website and available at the Student Assignment and Bilingual Testing Office or successor office.



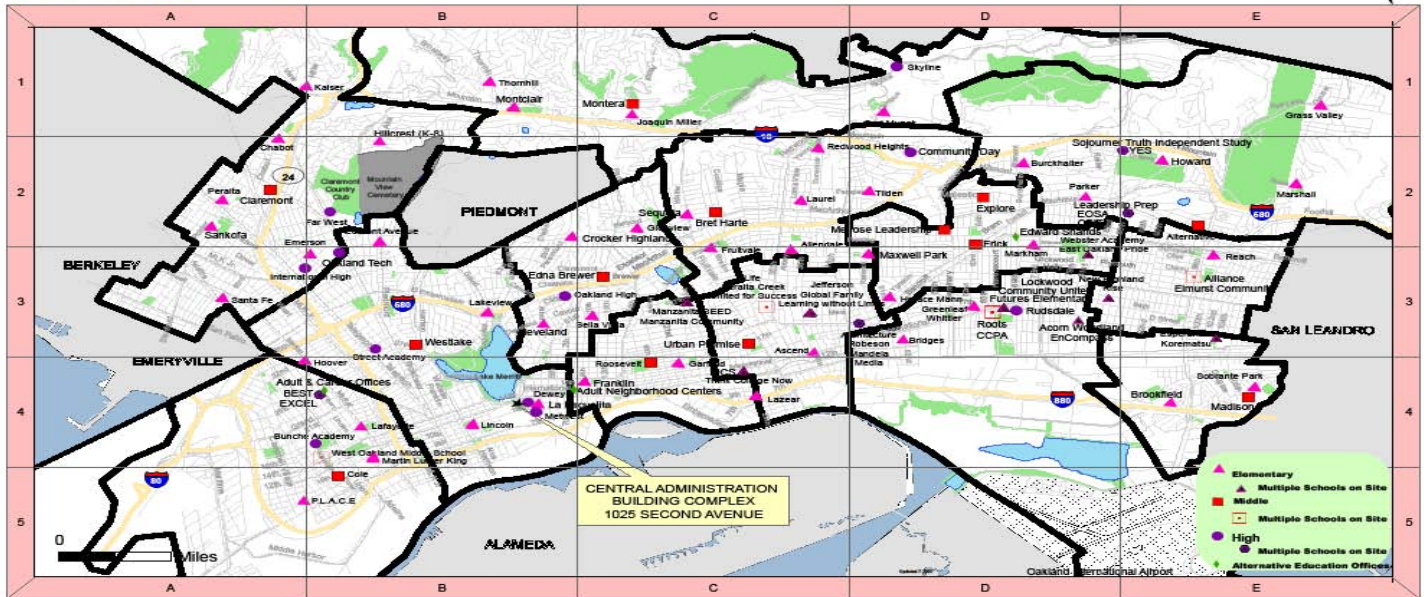
### Oakland Unified School District: Elementary Boundaries



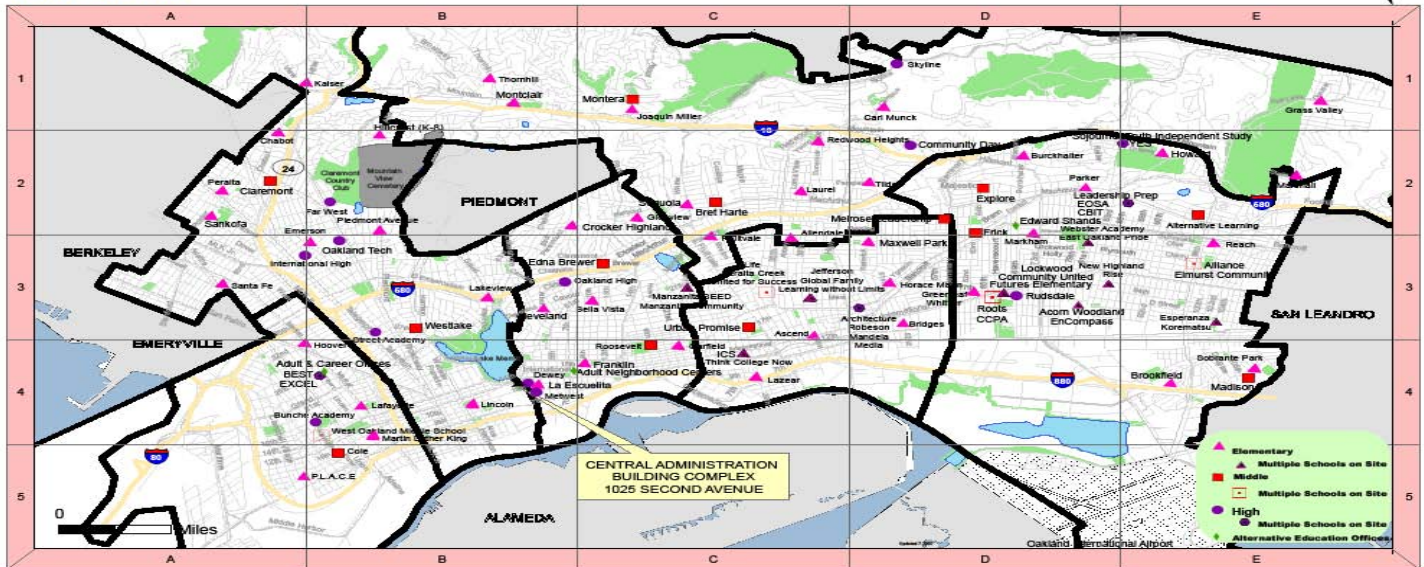
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### Oakland Unified School District: Middle Boundaries



### Oakland Unified School District: High Boundaries



The Superintendent or designee shall periodically review school attendance boundaries and, as necessary, make recommendations to the Board for boundary adjustments.

- (cf. [7160](#) - Charter School Facilities)
- (cf. [5116.1](#)- Intradistrict Open Enrollment)
- (cf. [5117](#) - Interdistrict Attendance)

In order to alleviate overcrowding, the Superintendent or designee may place some students in a school outside of their attendance area. Parents/guardians of students who are attending schools outside of their attendance area shall be notified of the school their child will be attending as soon as possible. If available, transportation shall be provided for such students.

- (cf. [3541](#) - Transportation Routes and Services)

Legal Reference:

EDUCATION CODE

[35160](#) Authority of governing boards

[35160.1](#) Broad authority of school districts

[35160.5](#) District policies; rules and regulations

[35291](#) Rules

[35350](#) Transportation of students

[35351](#) Assignment of students to particular schools

GOVERNMENT CODE

[53311-53317.5](#) Establishment of community facilities district

CALIFORNIA CONSTITUTION

Article I, Section 31 Discrimination based on race, sex, color, ethnicity

COURT DECISIONS

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

Crawford v. Board of Education (1976) 17 Cal.3d 280

Jackson v. Pasadena City School District (1963) 59 Cal.2d 876

Management Resources:

WEB SITES

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

6/25/08