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**OAKLAND UNIFIED
SCHOOL DISTRICT**

Community Schools, Thriving Students

Memo

To Board of Education

From Jacqueline Minor, General Counsel
Nancy Talavera Herrera Student at Fremont High School

Board Meeting Date August 26, 2015

Subject Amendment to Board Policy – BP 5111 Admissions

Action Requested Approval of updates to the Oakland Unified School District Board Policy BP 5111 Admissions

Background Periodically modifications to board policies are recommended to align with changes in law or recommended best practices. The proposed modifications to the board policies reflect the District's standards.

Discussion In order to ensure that our policies are current, it is important for us to review and update our policies. The proposed changes are based upon the California Association of Schools Board's recommended model. The modifications have been reviewed and vetted by the General Counsel.

The changes to the policy are shown on the attachment. The proposed deletions are indicated with **blue strikeouts**. The recommended additions are shown in **red**.

Recommendation Approval of modification to the Oakland Unified School District Board Policy BP 5111 Admissions

Fiscal Impact No direct funding implications

Attachments Amendment to Board Policy BP 5111 Admissions

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Admission

BP 5111

Students

~~Admission~~

The Governing Board ~~believes that all children should have~~encourages the ~~opportunity to receive educational services.~~ Staff shall encourage parents/guardians to enroll all enrollment and appropriate placement of all school-aged children in school.

The Superintendent or designee shall ~~maintain~~inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures ~~which provide for the verification of all entrance requirements specified in law and in Board policies and regulations.~~

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

(cf. 5111.1 - District Residency)

~~(cf. 5111.11 - Residency of Students in Foster Care)~~

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

(cf. ~~5111.13 - Residency for Homeless Children~~)

~~(cf. 5119 - Students Expelled from Other Districts)~~

5125 - Student Records~~(cf. 5141.22 - Infectious Diseases)~~

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

The Superintendent or designee shall ensure that the enrollment of a homeless or foster child or a child of a military family is not delayed because of outstanding fees or fines owed to the child's last school or for his/her inability to produce previous academic, medical, or other records

normally required for enrollment.

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

(cf. 5119 - Students Expelled from Other Districts)

When enrolling in any district school, including a school in their attendance area, children whose parents/guardians reside within district boundaries shall be subject to the timelines established by the Board for open enrollment. Children whose parents/guardians do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for interdistrict attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5118 - Open Enrollment Act Transfers)

The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

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

Legal Reference:

EDUCATION CODE

46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten

46600 Agreements for admission of ~~pupils~~students desiring interdistrict attendance

48000 Minimum age of admission (kindergarten)

48002 Evidence of minimum age required to enter kindergarten or first grade

48010 Minimum age of admission (first grade)

48011 Admission from kindergarten or other school; -minimum age

48050-48053 Nonresidents

48200 Children between ages of 6 and 18 years (compulsory full-time education)

~~48211 Habits and disease~~

~~48221 Physical or mental condition~~

48350-48361 Open Enrollment Act

48850-48859 Educational placement of homeless and foster youth

49076 Access to records by persons without written consent or under judicial order

49408 Information of use in emergencies

49452.9 Health care coverage options and enrollment assistance

49700-49704 Education of children of military families

HEALTH AND SAFETY CODE

~~120325-120380 Immunization against communicable disease~~ Education and child care facility immunization requirements

121475-121520 Tuberculosis tests for ~~pupils~~ students

CODE OF REGULATIONS, TITLE 5

200 Promotion from kindergarten to first grade

201 Admission to high school

CODE OF REGULATIONS, TITLE 17

6000-6075 School attendance immunization requirements

UNITED STATES CODE, TITLE ~~20~~ 42

11431-11435 McKinney Homeless Assistance Act

Management Resources:

~~CDE MANAGEMENT ADVISORIES~~

~~0900.09 Changes in law concerning eligibility for admission to kindergarten~~

~~7/14/04~~

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter, May 6, 2011

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

~~7/14/04~~4/15

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Students

BP 5111

Admissions

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

- (cf. 5111.1 - District Residency)
- (cf. 5111.12 - Residency Based on Parent/Guardian Employment)
- (cf. 5125 - Student Records)
- (cf. 5141.3 - Health Examinations)
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7/14/04; 08/26/15A