

Board Office Use: Legislative File Info.	
File ID Number	23-2388
Introduction Date	10/25/23
Enactment Number	23-1926
Enactment Date	11/16/2023 er



Board Cover Memorandum

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Preston Thomas, Chief Systems and Services Officer
Kilian Betlach, Executive Director, Enrollment

Meeting Date October 25, 2023; November 8, 2023; November 16, 2023

Subject Amendments - Board Policy 5116.1 - Open Enrollment and Interdistrict Enrollment

W/BACHELOR AND HUTCHINSON AMENDMENTS AS DEEMED FRIENDLY BY THE
MAKER AND SECONDER OF MAIN MOTION (CLEAR COPY)

Ask of the Board Approve amendments to Board Policy 5116.1 – Open Enrollment and Interdistrict Enrollment, as delineated.

Background The proposed amendments to existing Board Policy BP 5116.1 has the following impact: make changes to the open enrollment priority system to give greater access to District schools for current school staff. Currently, the open enrollment system assigns a priority to each application based on a number of different factors. These priorities are in turn ranked so that the higher priority provides greater likelihood of being offered a seat at a given school. In this instance, the priority system would be revised to move the “Staff with students at the applying school” priority below siblings and above neighbors. In addition, it would create a new priority “general staff” positioned below neighbors and above Oakland residents.

Discussion Amendments will increase access to current staff, honoring the work of District employees, promoting community schools, and seeking to grow enrollment generally.

Fiscal Impact There is no cost associated with these changes; however, if the proposed changes to the enrollment policies are enacted and are successful in increasing enrollment of children of staff and increase staff retention, the District should expect a minor positive fiscal gain in both enrollment and retention of staff.

Attachment(s)

- Proposed amendments to BP 5116.1 - Open Enrollment and Interdistrict Enrollment (clean)
- Proposed amendments to BP 5116.1 - Open Enrollment and Interdistrict Enrollment (redlined)

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Students

BP 5116.1

Open Enrollment and Interdistrict Enrollment

OPEN ENROLLMENT

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.

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of District students and parents/guardians, while also maximizing the efficient use of District facilities. The Superintendent or designee shall establish procedures for the enrollment in District schools in accordance with law, Board Policies, and Administrative Regulation. The Board shall annually review this policy. (Education Code 35160.5, 48980)

The Superintendent or designee shall calculate each school's capacity in a non-arbitrary manner using student enrollment, available space, and live birth rates where appropriate. (Education Code 35160.5) In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for Open Enrollment shall be submitted timely within the District's Open Enrollment Options window which is typically between Fall and Late Winter of the school year preceding the school year for which a family is applying. These dates can be found on the District's website at <https://www.ousd.org/enroll> or by calling the District's Welcome Center at 510-879-4600.

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

RESERVING SEATS FOR STUDENTS WITH INDIVIDUALIZED EDUCATION PLANS (IEPS)

Every school year, seats shall be identified and set aside in the enrollment projections process for students with an Individual Education Plan that requires instruction outside of the general education setting. In consultation with staff from the Special Education department, the number of reserved seats shall be determined prior to the beginning of the open enrollment window, so that the seat inventory accounts for and accommodates the needs of special education students. In addition, a number of "late-arriving" seats shall be set aside, so as to allow for the appropriate inclusion of students enrolling after Census Day.

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ENROLLMENT PRIORITIES

The parents/guardians of any student who submits an application will be granted an enrollment priority in the enrollment process as described below, based on verification of residency documentation, 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 any District school as follows:

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) Foster Youth Priority: This priority is given to students in a documented foster youth placement.

3) Sibling Priority: In recognition of the Governing Board’s stated policy goal of keeping families and siblings together, siblings of students who are enrolled in the school, and who will be enrolled in the school concurrently with their sibling in the same school in the following year, will be granted this enrollment priority. (Education Code 35160.5) Siblings that attend two different schools that are physically located on the same campus, will be afforded sibling priority.

4) Children of School Staff Priority: Similar to the sibling priority (above) this priority shall be applied when a parent/guardian's primary place of employment is at the school site or the same campus as the school to which they are applying. (Education Code 48204)

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). This applies only to students who attend District schools in Oakland. The enrollment priority helps families affected by these major changes to select a new school that they deem suitable for their children. This priority will be skipped in the event that no students meet the criteria described above.

6) 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.

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 permitted by Equitable Enrollment Initiatives section or another portion of this policy.

7) Sojourner Truth (Independent Study) Priority: A student enrolled in Sojourner Truth (Independent Study) will be granted enrollment priority only to return to the OUSD school in which they were enrolled immediately prior to enrolling in Sojourner Truth (Independent Study). This priority does not apply in the following situations:

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8) All Staff Priority: In recognition of the commitment and contribution of district employees, this priority shall be granted to the children of all OUSD staff regardless of their assigned work location or place of residence, including staff who have committed to employment in OUSD for the next school year.

9) Pre-K Priority (for TK/Kindergarten Enrollment only): Students who are currently **enrolled in an OUSD Pre-K program will be granted an enrollment priority for TK and/or Kindergarten** to the elementary school, if any, located on the same campus as the Pre-K program; if no elementary school is located on the same campus as the Pre-K program, enrollment priority will be granted for TK and/or Kindergarten to the closest elementary school to the student's Pre-K program.

10) Oakland Resident Priority: 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.

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35291 Rules

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WEB SITES

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From Kyla Johnson-Trammell, Superintendent
Preston Thomas, Chief Systems and Services Officer
Kilian Betlach, Executive Director, Enrollment

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- OUSD students for whom the OUSD school in which they were enrolled immediately prior to enrolling in Sojourner Truth (Independent Study) does not serve the necessary grade level (e.g., a student in sixth grade cannot return to a K-5 school)

8) All Staff Priority: In recognition of the commitment and contribution of district employees, this priority shall be granted to the children of all OUSD staff employed full-time or its equivalent, regardless of their assigned work location or place of residence.

9) Pre-K Priority (for TK/Kindergarten Enrollment only): Students who are currently enrolled in an OUSD Pre-K program will be granted an enrollment priority for TK and/or Kindergarten to the elementary school, if any, located on the same campus as the Pre-K program; if no

elementary school is located on the same campus as the Pre-K program, enrollment priority will be granted for TK and/or Kindergarten to the closest elementary school to the student's Pre-K program.

10) Oakland Resident Priority: 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.

PLACEMENT AT DUAL LANGUAGE IMMERSION SCHOOLS

Placement at Dual Language Two Way Immersion Schools will be determined based on dual immersion entrance criteria and through the open enrollment process. Once entrance eligibility is determined, the enrollment priorities outlined above will be used in the enrollment process.

EQUITABLE ENROLLMENT INITIATIVES

In recognition of the District's interest in improving equitable access to high-demand schools, the Board may approve, via separate resolution, a different set of enrollment priorities at individual schools that may remain in place for up to three years at a time.

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OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Students

BP 5116.1

Open Enrollment and Interdistrict Enrollment

OPEN ENROLLMENT

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.

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of District students and parents/guardians, while also maximizing the efficient use of District facilities. The Superintendent or designee shall establish procedures for the ~~selection and transfer of students among~~enrollment in District schools in accordance with law, Board Policies, and Administrative Regulation. The Board shall annually review this policy. (Education Code 35160.5, 48980)

The Superintendent or designee shall calculate each school's capacity in a non-arbitrary manner using student enrollment ~~and~~, available space, and live birth rates where appropriate. (Education Code 35160.5) In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for Open Enrollment shall be submitted timely within the District's Open Enrollment Options window which is typically between Fall and Late Winter of the school year preceding the school year for which ~~the transfer~~a family is requested and applying. These dates can be found on the District's website at <https://www.ousd.org/enroll> or by calling the District's Welcome Center at 510-879-4600.

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

RESERVING SEATS FOR STUDENTS WITH INDIVIDUALIZED EDUCATION PLANS (IEPS)

Every school year, seats shall be identified and set aside in ~~each Strategic Regional Analysis Region (SRAR)~~the enrollment projections process for students with an Individual Education Plan ~~that requires instruction outside of the general education setting~~. In consultation with staff from ~~Programs for Exceptional Children~~the Special Education department, the number of reserved seats ~~in each SRAR~~ shall be determined prior to the ~~fall lottery~~beginning of the open enrollment window, so that the seat inventory accounts for and accommodates the

needs of special education students.

~~SAFETY TRANSFERS~~

~~These priorities ensure that~~ In addition, a number of “late-arriving” seats shall be set aside, so as to allow for the appropriate inclusion of students ~~may transfer out of their neighborhood school to a different District school under the circumstances listed below.~~ Although a family’s school enrolling after Census Day.

preferences will be considered in selecting a school, these priorities do not guarantee a particular school.

- ~~4. Any student enrolled in a district school designated by the California Department of Education as "persistently dangerous" (20 USC 7912; 5 CCR 11992) (cf. 0450 – Comprehensive Safety Plan)~~
- ~~5. Any student who is a victim of a violent crime while on school grounds (20 USC 7912)~~
- ~~6. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code 35160.5) (a) A written statement from a representative of an appropriate state or local agency, including, but not necessarily limited to, a law enforcement official, social worker, or a properly licensed or registered professional such as a psychiatrist, psychologist, or marriage and family therapist or (b) A court order, including a temporary restraining order and injunction~~

RESERVING SEATS FOR NEWCOMER STUDENTS

Every school year, seats shall be identified and set aside the enrollment projections process for Newcomer students in grades 6-12. In consultation with staff from the English Language Learner and Multilingual Achievement office (ELLMA), the number of reserved shall be determined prior to the beginning of the open enrollment window, so that the seat inventory accounts for and accommodates the needs of Newcomer students. In addition, a number of "late-arriving" seats shall be set aside, so as to allow for the appropriate inclusion of students enrolling after Census Day.

RESERVING SEATS FOR ALTERNATIVE EDUCATION STUDENTS

Every school year, seats shall be identified and set aside the enrollment projections process for alternative education students in grades 6-12. In consultation with staff from the High School Network, the number of reserved shall be determined prior to the beginning of the open enrollment window, so that the seat inventory accounts for and accommodates the needs of alternative education students. In addition, a number of "late-arriving" seats shall be set aside, so as to allow for the appropriate inclusion of students enrolling after Census Day.

ENROLLMENT PRIORITIES

The parents/guardians of any student who ~~resides within District boundaries~~ submits an application will be granted an enrollment priority in the ~~lottery~~ enrollment process as described below, based on verification of residency documentation, 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 any District school as follows:

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) Foster Youth Priority: This priority is given to students in a documented foster youth placement.

3) Sibling Priority: In recognition of the Governing Board's stated policy goal of keeping families and siblings together, siblings of students who are ~~Oakland residents~~, enrolled in the school, and who will be enrolled in the school concurrently with their sibling in the same school in the following year, will be granted this enrollment priority ~~in the lottery process~~. (Education Code 35160.5) Siblings that attend two different schools that are physically located on the same campus, will be afforded sibling priority.

4) Children of School Staff Priority: Similar to the sibling priority (above) this priority shall be applied when a parent/guardian's primary place of employment is at the school site or the same campus as the school to which they are applying. (Education Code 48204)

5) Opportunity Ticket Priority: The Opportunity Ticket grants enrollment priority to the following groups of students: students from closing District or charter schools, students from District or charter 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 or charter school (e.g., eliminating the middle school portion of a K-8 school). This applies only to ~~Oakland residents~~

students who attend District schools or charter schools physically located in Oakland. The enrollment priority helps families affected by these major changes to select a new school that they deem suitable for their children. ~~The relevant priorities and the goals of the Opportunity Ticket shall be incorporated into a comprehensive Enrollment and/or Student Assignment Policy. This priority will be skipped in the event that no students meet the criteria described above.~~

6) 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.

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 permitted by Equitable Enrollment Initiatives section or another portion of this policy.

7) Sojourner Truth (Independent Study) Priority: A student enrolled in Sojourner Truth (Independent Study) will be granted enrollment priority only to return to the OUSD school in which they were enrolled immediately prior to enrolling in Sojourner Truth (Independent Study). This priority does not apply in the following situations:

- OUSD students seeking to enroll in a different OUSD school than the OUSD school in which they were enrolled immediately prior to enrolling in Sojourner Truth (Independent Study)
- OUSD students seeking to enroll in OUSD but not currently enrolled in OUSD (even if they were previously enrolled in OUSD)
- OUSD students for whom Sojourner Truth (Independent Study) has been the only OUSD school in which they ever enrolled
- OUSD students for whom the OUSD school in which they were enrolled immediately prior to enrolling in Sojourner Truth (Independent Study) does not serve the necessary grade level (e.g., a student in sixth grade cannot return to a K-5 school)

~~**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~~8) All Staff Priority: In recognition of the commitment and contribution of district employees, this priority shall be granted to the children of all OUSD staff employed full-time or its equivalent, regardless of their assigned work location or place of residence.

~~9) (Education Code 48204)~~

Pre-K Priority (for TK/Kindergarten Enrollment only): Students who are currently enrolled in an OUSD Pre-K program will be granted an enrollment priority for TK and/or Kindergarten to the elementary school, if any, located on the same campus as the Pre-K program; if no elementary school is located on the same campus as the Pre-K program, enrollment priority will be granted for TK and/or Kindergarten to the closest elementary school to the student's

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Name: Mike Hutchinson
Position: President, Board of Education

Sign:  Date: 11/17/2023

Name: Kyla Johnson-Trammell
Position: Superintendent and Secretary, Board of Education

Sign:  Date: 11/17/2023