

Regulation 5116.2: Involuntary Student Transfers

Status: DRAFT

Original Adopted Date: 01/13/2000 | Last Revised Date: 05/03/2012 | Last Reviewed Date: 05/03/2012

At the elementary school level this process will rely on a combination of attendance boundary school, program availability, Magnet School choices, and voluntary transfers that will aid socio-economic integration and diversity. At the middle and high school level, the student assignment system will be based on a combination of attendance boundary school, voluntary transfers that will aid socio-economic integration and diversity, and choice.

School Selection

Participation in the student assignment process occurs when the student enrolls in the district at an Information and Enrollment Center and when a student changes from one school-level to another (elementary to middle school; middle to high school):

Elementary School Level

New enrollments of transitional kindergarten, kindergarten students and first through fifth grade students will be assigned to their attendance boundary elementary school, as space allows:

1. Students who are not enrolled in their attendance boundary school may be placed on a wait list for their attendance boundary school on a first-come first-served basis.
2. Students moving into the district will be placed on the wait list at their attendance boundary school if space is not available at the time of enrollment.

Students may qualify for three additional options:

1. Voluntary Integrative Transfer that aids socio-economic diversity

a. Students may transfer out of their attendance boundary school when their residence address and attendance boundary school are designated as low socio-economic status. These students may transfer into a school that is designated high socio-economic status.

b. Students may transfer out of their attendance boundary school when their residence address and attendance boundary school are designated high socio-economic status. These students may transfer into a school that is designated as low socio-economic status.

c. If a student meets the low socio-economic criteria, but the geocode in which the student resides does not, an exception is possible to allow the student to transfer to a school designated as high socio-economic status.

2. The Exception process will require evidence of low socio-economic status as delineated in the Application for Free and Reduced-Price Meals.

3. The Request for an Exception should be completed during the enrollment process.

4. Grandfathered* Students/Grandfathered Siblings

Families affected by boundary changes in the 2000/2001 school year may remain in their present school of attendance and may elect that a sibling also attend that school, as long as a grandfathered sibling is attending at the same time. The opportunity to elect this sibling option must be made by March first of each year.

Parents/Guardians of students grandfathered into a school may request a transfer to the new attendance boundary school through the transfer process (Administrative Regulation 5116.2).

*Grandfathered students are those students who attend a school that, through the boundary realignment process, is no longer their attendance boundary school, but elect to remain at the school of attendance.

Sibling Exception for those students who's sibling entered a school through a Voluntary Integrative Transfer that aids socio-economic diversity and the qualification no longer applies. The family may elect that a sibling also attend that school, as long as a grandfathered sibling is attending at the same time. The opportunity to elect this sibling option must be made by March first of each year.

5. Magnet school assignments

a. Magnet schools will have an initial enrollment process each year.

b. District elementary magnets will be available to all students through a random computer selection process to promote voluntary integration. If more students apply for a magnet school than that school is able to serve, first priority will be to siblings of students who are enrolled at the school during the school year of assignment. Students will be randomly assigned to the magnet schools to reflect the socio-economic makeup of the district to the extent possible.

c. Students who are not enrolled in their first choice school will be redirected to their attendance boundary or voluntary integration transfer school and placed on a wait list for the magnet school of choice.

d. After the initial enrollment process, students will be enrolled or wait listed on a space available, first-come, first-served basis.

e. Magnet school wait lists will be eliminated at the end of each year. Parents/guardians will need to reapply for the Magnet School if they wish their student to be reconsidered for enrollment.

Secondary School Level

Middle and high school assignments will be based on a voluntary choice process. This process will have a Phase I and II timeline for student registration and will ask parents/guardians to indicate three choices for school attendance. During Phase I, under this voluntary choice process, assignments to schools will be made according to the following priorities:

1. First Priority – Students who reside in the attendance area boundary of the school.

2. Second Priority – Students who choose a voluntary integrative transfer that aids socio-economic diversity as described earlier in the section entitled "Voluntary Integrative Transfer that aids socio-economic diversity".

3. Third Priority – Students who choose a school where a sibling is enrolled.

4. Fourth Priority – Students whose choice of schools does not satisfy criteria 1-3 above.

District students who have participated in an identified district program strand and who do not live within the attendance boundary of the next school (grade level) providing the curriculum for the program strand will be given priority for assignment prior to the fourth priority of the VIP enrollment process.

Enrollment process for program strand consideration:

1. Fifth and Eighth grade students need to participate in the annual Choices Enrollment Process (February).

2. A program application needs to be submitted by students who have participated in an identified district program strand and who do not reside in the attendance boundary of the next school in the program strand.

3. The Director of Student Assignment will assign those students who meet the requirements for the program strand priority if they previously were not assigned based the 2nd priority (VIP) or the 3rd priority (sibling).

Requirement for program strand consideration:

* For each year of enrollment in the district the student needs be enrolled in at least one course per semester identified as part of program strand.

* In the event the number of students selecting a particular middle or high school exceeds that school's programmatic or physical capacity, the district will redirect students on a random basis utilizing the above priorities.

* During Phase I, redirected students will be placed on a wait list of their first choice school on a random basis. Phase II students will be assigned to a school on a space available, first-come, first-served basis and may request placement on a wait list. Placement from the wait list will be on a first come, first-served basis based upon school capacity.

Wait List Process

A student, who is unable to be assigned to their attendance boundary school because of the school's closure, may

remain on the school's wait list until the end of first attendance register month regardless of whether the student is enrolled in the district.

* Elementary:

Elementary students can only be wait listed at their attendance boundary school, a school for which they qualify under the grandfathering criteria, or a magnet school. The elementary school wait list will be moved as space becomes available.

* Secondary:

Whenever possible, the secondary wait list will be moved during the first three weeks of school and at the end of each semester. Secondary students will be wait listed at their first choice school.

Appeal Process

Parents/guardians have the right to both the review and appeal of their student's school assignment through the appeal process. An appeal may be approved if it is based upon extreme health or emotional problems of the student. An appeal will not be granted if it is based on the health of other family members, transportation issues, school location/program, school/job-related issues, or baby-sitting/day care difficulties. (For all requests, documentation must be provided.)

Transfer Within the District

Parents/Guardians may wish to have their student attend a school other than the present school assignment. Therefore, the parent/guardian may request a transfer from one school to another. Transfer requests for the following school year may be filed at the Information and Enrollment Centers February through August of each year. Transfer approvals will be granted based upon space availability and the following criteria:

Elementary

1. Voluntary integrative transfer that aids socio-economic diversity (see AR 5116.2[a])
2. Magnet School Transfer
3. Transfer to an attendance boundary school
4. Transfer under the grandfathering criteria

Secondary

1. First Priority – Students who reside in the school attendance boundary;
2. Second Priority – Students who choose a voluntary integrative transfer that aids socio-economic diversity;
3. Third Priority – Students who choose a school where a sibling is enrolled;
4. Fourth Priority – Students whose choice of schools does not satisfy criteria 1-3 above.

The effective date of the approved transfer will be the first day of school in September of the following year. Students will be wait listed for attendance boundary and magnet schools that are at capacity. Transfer Request Forms will be available between May and August each year at the Information and Enrollment Center. No transfers will be made during the school year.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 234.1

Description

[Monitoring, review, and assessment of antidiscrimination, antiharassment, anti-intimidation, and antibullying requirements](#)

State References

Ed. Code 35146
 Ed. Code 48430-48438
 Ed. Code 48432.5
 Ed. Code 48660-48666
 Ed. Code 48662
 Ed. Code 48853.5
 Ed. Code 48900
 Ed. Code 48915
 Ed. Code 48929
 Ed. Code 48980
 Ed. Code 48981
 Ed. Code 48985
 Ed. Code 52164
 Pen. Code 29805
 Pen. Code 667.5
 W&I Code 224.1
 W&I Code 300

Description

[Closed sessions; student matters](#)
[Continuation classes](#)
[Involuntary transfer to continuation school](#)
[Community day schools](#)
[Involuntary transfer to community day school](#)
[Foster children; notice of educational rights; educational liaison; duties; continuation at school of origin; complaint of noncompliance](#)
[Grounds for suspension or expulsion](#)
[Expulsion](#)
[Transfer of student convicted of violent felony or misdemeanor](#)
[Parent/Guardian notifications](#)
[Timing and method of parent/guardian notifications](#)
[Notices to parents in language other than English](#)
[Census of pupils of limited English proficiency](#)
[Misdemeanors involving firearms](#)
[Definition of violent felony](#)
[Indian child; definition](#)
[Minors subject to jurisdiction](#)

Management Resources References

California Department of Education Memorandum
 Court Decision
 Website
 Website
 Website

Description

[Overuse and Improper Use of Voluntary and Involuntary Transfers, September 2023](#)
[Nathan G. v. Clovis Unified School District \(2014\) 224 Cal.App.5th 1393](#)
[CSBA District and County Office of Education Legal Services](#)
[California Department of Education](#)
[CSBA](#)

Cross References

0410
 3515
 5113.1
 5113.1
 5116.1
 5116.1
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Description

[Nondiscrimination In District Programs And Activities](#)
[Campus Security](#)
[Chronic Absence And Truancy](#)
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[Intradistrict Open Enrollment](#)
[Intradistrict Open Enrollment](#)
[Bullying](#)
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[Discipline](#)
[Discipline](#)
[Suspension And Expulsion/Due Process](#)
[Suspension And Expulsion/Due Process](#)
[Suspension And Expulsion/Due Process \(Students With Disabilities\)](#)

Cross References

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Description[Nondiscrimination/Harassment](#)[Parent/Guardian Notifications](#)[Parent/Guardian Notifications](#)[Continuation Education](#)[Continuation Education](#)[Community Day School](#)[Community Day School](#)