

# Downey Unified School District

## STUDENTS

### OPEN ENROLLMENT ACT TRANSFERS (Romero Bill)

BP 2109

The Governing Board desires to offer enrollment options in order to provide children with opportunities for academic achievement and that meet their diverse needs. Such options shall also be provided to children who reside within another district's boundaries in accordance with law, Board policy, and administrative regulation.

Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

A parent/guardian whose child is attending a district school on the Open Enrollment List and who wishes to have his/her child attend another school within the district shall apply for enrollment using BP/AR 2108 – Intradistrict Open Enrollment.

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, the Board hereby waives the January 1 deadline in Education Code 48354 for all applications for transfer from nonresident parents/guardians of children attending a school on the Open Enrollment List in another district. Transfer applications shall be submitted between April 1 and April 15 of the preceding school year for which the transfer is requested.

### Acceptance or Standards for Rejection of Transfer Applications

Pursuant to Education Code 48356, the Board has adopted the following standards for acceptance and rejection of transfer applications submitted by a parent/guardian of a student attending a school in another district on the Open Enrollment List. The Superintendent or designee shall apply these standards in accordance with Board policy and administrative regulation and shall ensure that the standards are applied uniformly and consistently.

As applicable, the Superintendent or designee may deny a transfer application under any of the following circumstances:

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Acceptance or Standards for Rejection of Transfer Applications - continued

1. Upon a determination that approval of the transfer application would negatively impact the capacity of a program, class, grade level, or school building, including:
  - a. The class or grade level exceeding the district's limits pursuant to the state Class Size Reduction Program
  - b. The site, classroom, or program exceeding the maximum student-teacher ratio specified in the District's collective bargaining agreement
  - c. The site or classroom exceeding the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document
  - d. The class or grade level exceeding capacity pursuant items a-c above in subsequent years as the student advances to other grade levels at the school
2. Upon a determination that approval of the transfer application would have an adverse financial impact on the district, including:
  - a. The hiring of additional certificated or classified staff
  - b. The operation of additional classrooms or instructional facilities
  - c. Expenses incurred by the district that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students
3. If the applicant has been expelled for any amount of time, regardless of whether the expulsion was suspended, or if the applicant has been cumulatively suspended for more than 10 schooldays or suspended on more than three separate occasions (regardless of duration of the suspensions), within the previous two school years.

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Appeals Process for Denials of Transfer Applications

A parent/guardian may appeal the denial of a transfer application to the District by filing a written request of appeal with the Superintendent or designee within 10 days of the receipt of the written notification of denial. The Superintendent or designee shall respond to the appeal within 10 days.

The Superintendent or designee shall collect data regarding the number of students who transfer out of the District pursuant to the Open Enrollment Act. He/she also shall collect data regarding the number of students who apply to transfer into the District, the number of requests granted, denied, or withdrawn, and the District schools and programs receiving application.