

**LAGUNA BEACH UNIFIED SCHOOL DISTRICT**

Board Policy No. 5036

**INTRA-DISTRICT ATTENDANCE**

- A. This policy is pursuant to Education Code section 35160.5(b) and covers enrollment in the two elementary schools of the District:
1. The District has an open enrollment policy regarding the two elementary schools subject to their capacities and the legal requirement that no student who currently resides in an attendance area shall be displaced by a student transferring from outside the attendance area.
  2. Each student shall be enrolled in the school of their attendance area, as established by the District, in which the student resides unless all of the following conditions are met:
    - The student's parent or guardian submits an official District application to the school of residence not later than June 1, and
    - There is sufficient capacity at the school in which enrollment is sought to accommodate the student (if there are more requests than capacity for a particular school, a lottery shall be conducted by the District on or about August 15 of each year; applicants already enrolled at the site shall make up the first round), and
    - No student who currently resides in the attendance area of the school in which enrollment is sought is displaced by students transferring from outside the school attendance area, and
    - The parent or guardian understands that the District does not provide transportation or transportation assistance for the student.
    - If a grade level reaches or exceeds capacity, students on Intra-District transfers may be returned to school of residence.
  3. The Board retains the right to determine the capacity of each school in the District and the attendance boundaries of each school in the District.
  4. The Board annually shall determine the appropriate number of vacancies for each elementary school that are available for intra-district student transfers. The Board retains the right to adjust such numbers at any time.
  5. The Superintendent or designee shall notify each applicant by mail of the granting or denial of the requested enrollment by September 1. The decision of the Superintendent or designee shall be final.
  6. Open enrollment decisions shall be based solely upon the above process and shall not include an evaluation of whether any student should be enrolled based upon academic or athletic performance.

7. At other times parents or legal guardians may petition a school for an intra-district transfer. Such a petition may be granted if both principals agree (current and desired schools), the transfer is in the best educational interests of the student, the receiving school is not over any attendance cap, any other students on any waiting list for transfers are not adversely affected, and the Superintendent or designee agrees.

Legal Reference:

Education Code section 35160.5(b)

Date Policy Adopted By The Board: September 10, 2002

Date Policy Revised By The Board: January 24, 2006; May 28, 2013