

# **SAN LORENZO UNIFIED SCHOOL DISTRICT BOARD POLICY**

**Students**

BP 5118

## **Open Enrollment Act (Romero Bill) Board Policy**

In compliance with the Open Enrollment Act, the San Lorenzo Unified School District Governing Board desires to offer enrollment options in order to provide pupils 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 and Board policy.

In January of 2010, the California legislature adopted the Open Enrollment Act (Romero Bill), codified as Education Code sections 48350-48361. The Open Enrollment Act (Romero Bill) allows students attending the 1,000 lowest achieving schools in California to apply for enrollment in higher performing schools within their current district or in other districts, regardless of residence. The San Lorenzo Unified School District Governing Board will only accept or deny enrollment based upon program capacity, class capacity, grade level capacity, school building capacity, or adverse financial impact. Application denial may also occur if it results in the displacement of a resident student or a student currently enrolled in the applicant's desired school. In accordance with law, the Governing Board will not deny student enrollment through the Romero Bill for discipline, academic performance, attendance, physical condition, proficiency in the English language, family income, gender, nationality, race/ethnicity, religion, or sexual orientation. Any student from another district of origin who enrolls in a San Lorenzo Unified School District (SLZUSD) school under the Open Enrollment Act, is eligible to remain in that school through the highest grade it serves without the need to reapply, even if the school of origin is no longer identified on the list of 1,000 underperforming California public schools. Despite the Academic Performance Index (API), Open Enrollment Act applications from districts outside SLZUSD requesting Hillside Elementary School or Edendale Middle School will not be approved because both schools are on the list of 1,000 underperforming California public schools.

**SLZUSD Open Enrollment Act Window:** *(Statutory deadline for all received applications is January 1 of every school year or the first day students return from winter break)*

Unless the new annual list of 1,000 underperforming California public schools is published after November or no SLZUSD schools are on the list, all SLZUSD families will be notified of their Open Enrollment Act options, during the month of November. The notification will include letters for students to take home, application access information, and posted downloadable information to the district website under the Student Support Services page. SLZUSD maintains the state of California statutory deadline of January 1, which will be actualized as the first day students return in January from Winter Break. Applications received after the deadline will not be considered for enrollment. The application deadline does not apply if the parent requesting a transfer for a student who resides with that parent is

enlisted in the military and was relocated by the military within 90 days prior to submitting the application. All timely submitted applications will be responded to in writing within 60 days of the date it was received, regarding approved enrollment or denial of enrollment. SLZUSD will also respond in writing within 60 days of the date the application was received to every district of origin for approved applications.

**Appeal Process:**

All Open Enrollment Act transfer appeals will be forwarded to and considered by the Director of Student Support Services. In cases where the request is denied, the parent/guardian may appeal the district's denial of a transfer application to the Superintendent and Governing Board. In the event the Superintendent denies a transfer request on appeal, the request will be heard and acted upon by the Governing Board. Parents/guardians shall be notified in writing of the reasons for the denial and the entire appeal process shall not exceed 30 school days. For the Open Enrollment Act, there is no appeal process to the Alameda County Office of Education. The Open Enrollment Act provides that “no exercise of discretion by a district of enrollment in its administration of this article shall be overturned absent a finding as designated by a court of competent jurisdiction that the district governing board acted in an arbitrary and capricious manner” (Education Code 43561).

**2012-2013 Capacity & Impact:**

**Elementary School**

SLZUSD endures difficult k-5 enrollment challenges because 6 of the 9 elementary schools are under program improvement, resulting in school choice options for students attending Colonial Acres, Del Rey, Grant, Hillside, Hesperian, and Lorenzo Manor. As a result, capacity and space is impacted at the three elementary schools that are not under program improvement (Bay, Corvallis, & Dayton). Based upon projections each applicable elementary school is listed below and the amount of students they can enroll by grade (should there be applicants), under the Open Enrollment Act for the 2012-2013 school year:

**Table 1. Elementary Open Enrollment Act Capacity**

<b>School</b>	<b>K</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>	<b>4<sup>th</sup></b>	<b>5<sup>th</sup></b>	<b>Total</b>	
Bay	0	0	0	0	1	1	2	
Corvallis	4	0	0	0	0	0	4	
Dayton	1	0	0	0	0	0	1	
Hesperian	0	0	0	0	0	0	0	
Del Rey	0	0	0	0	0	3	3	
Grant	0	0	0	0	2	0	2	
Lorenzo Manor	0	0	0	3	0	0	3	
Colonial Acres	0	3	3	1	2	0	9	
							Elementary Total	24

**Middle School**

SLZUSD endures difficult middle school enrollment challenges because 2 of the 3 middle schools are under program improvement, resulting in school choice options for students attending Edendale and Bohannon. Washington Manor is the only school choice middle

school option for the 2012-2013 school year and based upon projections for the 2012-2013 school year, Washington Manor Middle School is impacted at every grade level and cannot accommodate any Open Enrollment Act transfers. Edendale Middle School is omitted from receiving Open Enrollment Act transfers because it is on the (2011-2012 school year) list of 1,000 underperforming California public schools. Based upon projections, each applicable middle school is listed below and the amount of students that can be enrolled by grade (should there be applicants), under the Open Enrollment Act for the 2012-2013 school year:

**Table 2. Middle School Open Enrollment Act Capacity**

<b>School</b>	<b>6<sup>th</sup></b>	<b>7<sup>th</sup></b>	<b>8<sup>th</sup></b>	<b>Total</b>
Washington Manor	0	0	0	0
Bohannon	0	0	5	5
			Middle School Total	5

### **High School**

Every year SLZUSD endures difficult high school enrollment challenges regarding Arroyo High School and limited capacity. East Bay Arts High School is omitted from receiving Open Enrollment Act transfers because it is on the (2012-2013 school year) list of 1,000 underperforming California public schools. Based upon projections, each applicable high school is listed below and the amount of students that can be enrolled by grade (should there be applicants), under the Open Enrollment Act for the 2012-2013 school year:

**Table 3. High School Open Enrollment Act Capacity**

<b>School</b>	<b>9<sup>th</sup></b>	<b>10<sup>th</sup></b>	<b>11<sup>th</sup></b>	<b>12<sup>th</sup></b>	<b>Total</b>
Arroyo	0	0	5	10	15
San Lorenzo	0	0	10	10	20
EBA					
				High School Total	35

The SLZUSD Open Enrollment Act board policy will be updated annually regarding capacity. This current policy only reflects the ability of SLZUSD to approve or deny Open Enrollment Act applications by school and grade for the 2012-2013 school year.

Board Adopted: February 1, 2011

Revised: January 17, 2012