

Fresno Unified Administrative Regulation (AR) 5116

Voluntary Intradistrict and Interdistrict Transfer Policy

I. Purpose

To establish the process and procedures for the transfer of students who reside in the district to schools other than the school to which they are assigned in Fresno Unified School District ("FUSD") and for the transfer of students to school districts other than the one in which they reside.

II. Background

A There are two types of transfers in the district that may be initiated by parents/guardians intradistrict and interdistrict transfers.

Intradistrict Transfers. The parents/guardians of a school-age child who are residents in the district may request a transfer to a school other than the school to which their child is assigned. The Board retains the authority to grant or deny such a transfer pursuant to the process and procedures outlined in Section III of this regulation. In the absence of an approved transfer, students are expected to attend the school in the attendance area in which they reside.

Interdistrict Transfers. The parents/guardian of a school-age child who are residents in the district may request a transfer to another school district. The Board retains the authority to "release" a FUSD student to attend another school district pursuant to the process and procedures outlined in Section V of this regulation. Similarly, the parents/guardians of a school-age child who are a resident of another district may request a transfer to the FUSD. The FUSD Board retains the authority to grant or deny a request for an interdistrict transfer to FUSD pursuant to the process and procedures to outlined in Section V of this regulation. In the absence of an approved interdistrict transfer, students are expected to attend the school in the school district in which they reside.

B The Superintendent or designee has the authority to transfer students from one school to another within the district. The reasons and process for such transfers are outlined in Sections III, IV and V of this regulation.

III. Intradistrict Transfers

The district allows intradistrict transfer requests for Magnet programs, Admission Criteria programs, Enrollment Choice options and family related requests that may be initiated by parents/guardians. Each of these transfers is explained below.

A. Intradistrict Transfers Process for Magnet and Admission Criteria programs, and Enrollment Choice

1. Parents/guardians who are requesting a transfer for their child must submit a completed transfer application request to the Student Transfers Office by the deadline established. The deadline for submitting completed applications shall be published in the Parent Notification and Information Handbook ("Handbook"). The Handbook is provided in August of each school year to parents/guardians of all students enrolled in the district.

2. By January of the preceding school year, the district's Systems Planning Committee shall review and confirm the operating capacity for each school and program for the upcoming fall semester. In addition, and consistent with the district's Diversity policy, the committee shall develop a report that includes the enrollment for each school for the last three years, desegregated by the diversity factors included in the FUSD's Diversity policy, and the projected enrollment for each program and school for the upcoming school year. Based on the operating capacity of each school and the enrollment report, the committee, in consultation with the appropriate principal, may recommend the closure of a school or program to transfers due to lack of operating capacity in a program or in a school or to diversity factors in a program or a school. Generally, a school or program may be closed to open enrollment intradistrict transfers if the school or program is projected to be at or above operating capacity or a school or program may be closed to transfers out if the school or program is projected to be significantly below operating capacity. The results of any decisions to close schools to open enrollment transfers, shall be published in the Parent Notification and Information Handbook.

3. The Student Transfers Office shall sort or "batch" all requests for intradistrict transfers that were submitted by the application deadline according to the "sending" and "receiving" schools so that as many requests can be granted as possible. The office will then review the intradistrict transfer applications giving consideration to the total number of requested transfers and the effect of the requests on both the sending and receiving school. If a school or program within a school receives requests for transfers in excess of the program's or school's operating capacity, the office shall use a computerized random lottery to select the intradistrict requests that will be granted. The office may give consideration to a request to a school or program if the transfer will maintain or promote diversity, as defined in the district's Diversity policy.

When there are more applicants than seats in a school or program, the FUSD will prioritize applicants on the basis of the following eligibility groups:

a. Resident FUSD students living within the attendance boundaries, students of FUSD employees who fulfill the district residency requirements through other means as allowed by law, and non-resident FUSD students currently attending a FUSD school with a valid interdistrict placement.

4. In accordance with the established timeline published in the Parent Notification and Information Handbook, the Student Transfers Office shall notify parents/guardians whether their request for an intradistrict transfer has been granted. A notification of approval will serve as authorization to enroll the child in the requested school. Parents/guardians whose applications are approved, but who fail to complete enrollment of their child within six school days following the date of the letter of notification shall have their transfer voided. Once a student has been selected to transfer to a particular school, that student will be "dropped" from the application pool whether the student has enrolled or not.

5. If additional seats become available in a given school or program after the initial lottery, the Student Transfers Office shall conduct additional lotteries for those applicants that meet the deadline published in the Parent Notification and Information Handbook and that were denied a transfer in the initial lottery.

6. Applications received after the stated deadlines in the Parent Notification and Information Handbook, will be considered “late” and offered placement only after those applications that met the deadlines in the Parent Notification and Information Handbook.

B. Family-Related Intradistrict Transfers Process

1. Parents/guardians may be granted a transfer request for a family-related intradistrict transfer for one of the following reasons: medical; childcare; and change of legal address. The district requires that parents/guardians provide verification for each of these reasons. The verification requirements for each reason are outlined below.

a. Medical (K-12) (Verification Required):

A transfer may be granted when a student in kindergarten through grade 12 is under regular and current care of a licensed health care provider, such as a physician, a psychologist, or a mental health agency, for a severe health condition or problem that affects the ability of the student to attend the school in the attendance area in which the student resides. A request for a transfer for medical reasons requires a doctor's recommendation. Parents/ guardians seeking a transfer for their child for medical reasons shall ensure that the doctor's recommendation is attached to a completed transfer application. The district may require additional verification from the doctor. Parents/guardians requesting such transfers annually must submit a transfer application and a doctor's recommendation.

b. Child Care (Verification Required):

When a child lives in one school attendance area, but is being cared for before, during, or after school hours by a child care provider who lives in or has a child care facility in another school's attendance area, parents/guardians may request that their child be given a transfer to attend the school in the attendance boundary in which the child care provider lives or operates a child care facility. A request for a transfer for childcare must include verification of childcare in the requested attendance area, including the name and address of the childcare provider. Parents/guardians requesting such transfers annually must submit a transfer application and the childcare provider verification.

c. Change of Legal Address (Verification Required):

When the parents/guardians of a student move after the start of a school year, or if they plan to move during the school year, a transfer may be granted to attend the school in the attendance zone in which the new home is located or to remain at the same school in the attendance zone in which the previous home was located. The district requires that verification of financial commitment to the move (i.e., purchase contract, building contract) be attached to the completed transfer application. If a transfer is granted to remain at the same school, it is only valid until the end of the school year in which the move occurs.

2. Parents/guardians requesting a family-related intradistrict transfer may request such a transfer anytime during the school year. To initiate a family-related intradistrict transfer, the parents/guardians must complete an intradistrict transfer request application and submit it to the Student Transfers Office.

3. As with intradistrict transfers, the district Systems Planning Committee may recommend the closure of, in consultation with the appropriate principal, a school or a program to transfers due to lack of operating capacity in a school or program. Generally, a school or program may be

closed to transfers if the program or school is projected to be at or above operating capacity or a school or program may be closed to transfers out if the program or school is projected to be significantly below operating capacity. The results of any decisions to close schools to transfers in or transfers out shall be published in the Parent Notification and Information Handbook.

4. Intradistrict transfers for family-related reasons may be granted when: (1) such reasons can be verified; (2) there is space available at the receiving school and (3) the transfer will not negatively affect the educational program offered at either the sending or receiving school.

5. The Student Transfers Office shall notify the parents/guardians in writing of the decision to approve or deny a request for a family-related intradistrict transfer request. If the decision is to approve the intradistrict transfer, the written notice to the parent/guardian will specify when the transfer becomes effective. The parents/guardians must enroll their child within six school days after approval. If the parents/guardians do not enroll their child within six school days, the transfer request shall be voided.

IV. Administrative and Safety Transfers

The Superintendent or designee may grant administrative transfers.

A. Transfers Initiated By Principals

1. Reasons for Adjustment Transfers

When a student is not benefiting from the educational program and has displayed inappropriate habits or behavior, a principal may request a voluntary adjustment transfer. When a principal believes that a student may benefit from such a transfer, the principal shall convene a School Site Study Team to review the records of the student and any pertinent information from other school personnel and from the parent/guardian. If, based on the review of this information, the School Site Study Team determines that an administrative transfer would be appropriate, the principal, in consultation with the Instructional Superintendent, shall contact the Student Transfers Office and provide the information considered by the School Site Study Team and the reasons for the School Site Study Team's decision. If an administrative transfer is recommended by the Student Transfers Office, in consultation with the Instructional Superintendent, the Office grant the transfer and shall determine the school where the student shall attend based on space available in the school. The Student Transfers Office shall contact both the sending and receiving principals.

B. Transfers Initiated by the Student Transfers Office

1. A transfer may be initiated by the designee in the Student Transfers Office, in consultation with the parents/guardians and the principal of the school that the student is attending, at any time for special circumstances. The approval or denial of such a transfer is the responsibility of the designee in the Student Transfers Office. Such special circumstances may include:

a. Within a reasonable amount of time, not to exceed 14 days, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. In making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident and consult with local law enforcement as

appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and their parent/guardian in making the offer. If the parent/guardian elects to transfer their child, the transfer shall be completed as soon as practicable.

b. Upon receipt of notification from the California Department of Education (CDE) that a district school has been designated as "persistently dangerous," the Superintendent or designee shall provide parents/guardians of students attending the school with the following notifications:

1. Within 10 days of receipt of the notification from CDE, notice of the school's designation
2. Within 20 days of receipt of the notification from CDE, notice of the option to transfer their child

(cf. 0450 - Comprehensive Safety Plan)

Parents/guardians who desire to transfer their child out of a "persistently dangerous" school shall provide a written request to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students. The Superintendent or designee may establish a reasonable timeline, not to exceed seven school days, for the submission of parent/guardian requests.

The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. For students whose parents/guardians accept the offer, the transfer shall generally be made within 30 school days of receiving the notice of the school's designation from the CDE. If parents/guardians decline the assigned school, the student may remain in their current school.

c. A written verification from a representative of the appropriate state or local agency, including, but not limited to, a law enforcement official or a social worker, or a properly licensed or registered professional, including, but not limited to, a psychiatrist, a psychologist, or a marriage, family or child counselor;

d. A court order, including a temporary restraining order and injunction, issued by a judge; or

e. A school has become overcrowded.

2. If the designee in the Student Transfers Office determines that special circumstances warrant a transfer, the designee shall determine the school where the student shall attend based on space available in the school. The office shall contact both the sending and receiving principals.

V. Interdistrict Transfers

A The parents/guardians of a student residing outside the district who desire to have their child attend a school in the FUSD may apply for an interdistrict transfer by submitting an

application for an interdistrict transfer to the district of residence. The district of residence may "release" the student by completing the appropriate section of the interdistrict transfer application. If the district of residence opts to release the student for a possible transfer to the FUSD, the district of residence shall submit the completed interdistrict transfer to FUSD's Student Transfers Office. The Student Transfers Office may grant the interdistrict transfer. Similarly, the parents/guardians of a student residing in FUSD who desire for their child to attend a school in another school district may apply by submitting an interdistrict transfer application to FUSD's Student Transfers Office. The office may "release" the student by completing the appropriate section of the interdistrict transfer application. If the student is released, the Student Transfers Office shall submit the completed application to the district to which the parents/guardians are requesting a transfer.

B. The parents/guardians of school-age children who are homeless are not required to request interdistrict transfers pursuant to state and federal law. Homeless students are not subject to the requirements in this regulation.

C. The Student Transfers Office shall coordinate with the Fresno County Office of Education regarding the administration of interdistrict transfers in compliance with California Education Code.

D. The Student Transfers Office may approve interdistrict transfers into or out of the FUSD for the following reasons:

1. Care giver (K-8) (Verification Required):

When a child enrolled in kindergarten through grade eight lives in one school attendance area, but is being cared for before, during, or after school hours by a child care provider who lives in or has a child care facility in another school's attendance area, parents/guardians may request that their child be given a transfer to attend the school in the attendance boundary in which the child care provider lives or operates a child care facility. A request for a transfer for child care must include verification, including the name and address of the child care provider. Parents/guardians requesting such transfers annually must submit a transfer application and the child care provider verification.

2. Change of Legal Address (Verification Required):

When the parents/guardians of a student in kindergarten through grade 12 plans to move into or out of the FUSD during the school year, the Student Transfers Office may grant a transfer into or out of the FUSD. The parents/guardians must provide verification of financial commitment to move (i.e., purchase contract, building contract) be attached to the completed transfer application.

3. Senior Privilege (Verification Required):

The Student Transfers Office may grant a transfer for a student who has earned sufficient credit in another school district to be classified as a senior and who has moved into the FUSD to complete high school in the other district. Similarly, the office may grant a transfer for a student who has earned sufficient credits in FUSD to be classified as a senior and who has moved to another school district to complete high school in the FUSD. The parents/guardians must provide an official transcript showing that the student has earned sufficient services to be classified as a senior with the completed interdistrict application.

E. The Student Transfers Office shall grant the request to transfer into the district unless in the judgment of the office:

1. The transfer will have a negative impact on school capacity;
2. The additional cost of educating the student will exceed the amount of additional state aid received as a result of the transfer; or
3. The transfer will have a negative impact on diversity, as defined in the district's Diversity policy.

F. When the Student Transfers Office has determined to grant an interdistrict transfer, the office shall assign students based on : (1) where space is available by grade level; (2) the transfer will not negatively affect the educational program; and (3) the transfer will not negatively impact diversity, as defined in the district's Diversity policy.

G. For a student who resides in a school district other than FUSD to be eligible for a FUSD thematic school or program, the student must have an approved interdistrict transfer for one of the reasons outlined above and that student must be enrolled in a FUSD school before submitting an application for admission to a thematic school or program. Students who reside in the FUSD or students who fulfill the district residency requirements through other means as allowed by law will be admitted to the thematic schools or programs before the FUSD admits students who reside outside of FUSD and who have a valid interdistrict transfer.

H. With the exception of interdistrict transfers approved for childcare the Student Transfers Office shall grant transfers into the district for one year.

VI. Athletic Eligibility

Athletic eligibility may not be transferred or granted by sending school or Student Services. See C.I.F. rules.

VII. Grade and School Progression

When a student who has been granted a transfer is ready to matriculate from elementary to middle school or from middle to high school and their parents/guardians wish for the child to attend a school other than the school in the attendance zone in which the child resides, the parents/guardians must apply for an intradistrict or interdistrict transfer. Such a request will be reviewed pursuant to the process and procedures outlined in this regulation.

VIII. Transportation

Transportation is provided to some schools and published annually in the Parent Handbook. Except where noted parents/guardians are responsible for transportation to the school to which the transfer is granted.

IX. Revocation of Transfers

A. The principal, in consultation with the Student Transfers Office, may revoke a transfer at the close of a reporting period or semester, if the student fails to meet any one of the conditions while in attendance at the receiving school:

1. Grades in keeping with the student's ability;
2. Satisfactory school citizenship; or
3. Satisfactory attendance, including promptness in arriving to school and classes during the day.

B. In addition, they may revoke a transfer if the parents/guardians have provided a false address or made any other misrepresentation in the application or appeal process.

C. The Student Transfers Office shall revoke a transfer if the student is expelled. The student's school assignment during a suspended expulsion or readmission will be as ordered by the Board of Education.

D. The Student Transfers Office, in consultation with the Instructional Superintendents, shall have the authority to revoke or reassign students with intradistrict or interdistrict transfers when their enrollment in a school or grade level causes the school to be over-capacity or out of compliance with District's class reduction plan.

X. Notification to Schools

The Student Transfers Office shall record all and interdistrict transfer requests that are granted in the computer database and shall notify both the receiving and sending schools.

XI. Voluntary Withdrawal

If a student voluntarily leaves the school or the district to which a transfer has been granted, the Student Transfers Office shall void the transfer. If the student continues to reside within the district, the student must enroll in the school in the attendance area in which they reside. If a student leaves the district and then returns, the student also must enroll in the school in the attendance area in which he resides.

XII. Appeals Process for Intradistrict and Interdistrict Transfers

A. Parents/guardians may not appeal a denial of an intradistrict transfer for Magnet programs, Admission Criteria programs or Enrollment Choice options. They, however, may appeal a denial of an intradistrict transfer for family-related reasons and a denial of interdistrict transfer from FUSD to another school district.

B. To appeal a denial of an intradistrict transfer for family-related reasons, the parents/guardians must make such a request in writing to the Student Transfers Office within five days of being notified of the denial of the transfer. The written request shall include the reason for the appeal.

C. Within five school days, the Student Transfers Office shall notify the parents/guardians in writing of the decision.

D. For denial of an appeal of a request for an interdistrict transfer from FUSD to another school district, the parents/guardians may appeal to the Fresno County Governing Board ("FCBE"). Parents/guardians must make an appeal to the FCBE within 30 days of being notified that the FUSD denied their transfer application.

Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or

regulation, in its educational program(s) or employment.

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