

Fresno Unified Board Policy (BP) 5116

Student Attendance Boundaries And Student Transfers

The Governing Board desires to assign students the opportunity to attend schools that meet the diverse educational needs, backgrounds and interest of students in the Fresno Unified School District (FUSD). In assigning students to schools, the Board shall utilize a variety of strategies, including drawing attendance boundaries, implementing magnet and special programs and granting transfers.

The Superintendent or designee shall review and recommend to the Board any necessary modifications to attendance boundaries in FUSD when: (1) a school is over or under capacity; (2) the district is opening or closing a new school; (3) changing the grade configuration of a school or (4) implementing a magnet program or other special program. In reviewing attendance boundaries and considering any modifications, the Superintendent or designee shall take into account a range of factors including: school capacities; current and projected enrollment; geographic features; transportation time and distance; educational programs, such as magnet schools; demographic factors, such as race/ethnicity, socio-economic status, and English Language Learners and special education status, and community input. In considering the Superintendent's recommendation, the Board shall take into consideration all of the above factors.

In order to alleviate temporary overcrowding at a school, the Superintendent or designee shall recommend to the Board that they may assign students to a school outside of their attendance area. In making such a temporary assignment, the Board shall take into account a range of factors at both the sending and receiving schools, including, school capacities; current and projected enrollment; geographic features; transportation time and distance; educational programs, such as magnet schools, and demographic factors, such as race/ethnicity, socio-economic status, and English Language Learners and special education status. For any students who are temporarily assigned, the FUSD shall provide transportation consistent with the FUSD's transportation policy (BP 3540).

The Superintendent or designee may grant or deny intradistrict and interdistrict student transfers consistent with state and federal law and other FUSD policies and regulations. The FUSD may allow such transfers for the following reasons: change of legal address, childcare, employment, magnet/specialized programs, medical hardship, open enrollment and senior privilege. With the exception of entrance criteria for magnet or specialty programs that have been approved by the Superintendent, the designee shall not base his or her decision on a student's academic or athletic performance. The Superintendent or designee shall develop procedures to implement intradistrict and interdistrict transfers consistent with state and federal law and FUSD policies and regulations.

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.

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards
35160.1 Broad authority of school districts
35160.5 District policies; rules and regulations
35291 Rules

35350 Transportation of students
35351 Assignment of students to particular schools

GOVERNMENT CODE

53311-53317.5 Establishment of community facilities district

CALIFORNIA CONSTITUTION

Article I, Section 31 Discrimination based on race, sex, color, ethnicity

COURT DECISIONS

Crawford v. Huntington Beach Union High School District (2002) 98 Cal.App.4th 1275

Crawford v. Board of Education (1976) 17 Cal.3d 280 Jackson v. Pasadena

City School District (1963) 59 Cal.2d 876

Management Resources:

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

Policy FRESNO UNIFIED SCHOOL DISTRICT

adopted: November 10, 1999 Fresno, California

revised: March 25, 2004

revised: September 6, 2006

reviewed: November 17, 2011

revised: December 18, 2019

Policy Section: 5000 Students