

## **LAGUNA BEACH UNIFIED SCHOOL DISTRICT**

### **ADMISSION**

#### **BP 5111**

##### Students

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

Each student between the ages of 6 and 18 shall be subject to compulsory full-time education. However, the Superintendent or designee may grant exemptions from compulsory attendance to a student as allowed by law and in the best interest of the student. Exemptions shall not be used to remove a student from the school for disciplinary purposes. As needed, the Superintendent or designee may require a student or his/her parent/guardian to submit written documentation that the student fulfills one of the conditions specified in law and administrative regulation for which exemption is authorized.

The Superintendent or designee shall ensure that the enrollment of a homeless or foster child or a child of a military family is not delayed because of outstanding fees or fines owed to the child's last school or for his/her inability to produce previous academic, medical, or other records normally required for enrollment.

In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

Children whose parents do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for interdistrict attendance in accordance with the timelines and regulations specified in Board Policy 5117.

The District's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in

learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

#### Residency Investigation Policy

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. (Education Code 48204.1)

The circumstances upon which the school district may initiate an investigation, which shall, at a minimum, require the school district employee to be able to identify specific, articulable facts supporting the belief that the parent or legal guardian of the pupil has provided false or unreliable evidence of residency, may include, but are not limited to mail returned as undeliverable or expired forwarding order, school personnel or police visit to address of record, excessive truancy or tardiness to first period class, staff observation of student coming to school from outside of the district, repetitive information that residence is outside the district from more than one source, student living with someone other than parent without a court order or caregiver affidavit, address outside the district without an approved inter-district transfer, home telephone number with other than Laguna prefix, or use of P.O. Box number without residence verification.

The Superintendent or designee will provide written notification to the pupil's parent or legal guardian when a pupil is identified as being subject to investigation under this section. The notification shall include the process for re-verifying residency including the required documentation for verifying residency. The notification of a pupil's parent or legal guardian shall occur at least five business days before the start of the investigation, and shall describe the investigatory methods that may be used by the school district in the conduct of the investigation and whether the school district will be employing a private investigator. The notice shall include school district contact information, which a pupil's parent or legal guardian may use to request information from or provide information to the school district regarding the investigation.

The school district may utilize employees and/or outside contractors when conducting residency investigations. Before hiring a private investigator, the Superintendent or designee shall make reasonable efforts to determine whether the pupil resides in the school district. All persons/agencies conducting residency investigations shall abide by all legal requirements pursuant to CA Education Code Section 48204.2.

Employees and contractors of the school district engaged in the investigation must identify themselves truthfully as such to individuals contacted or interviewed during the course of the investigation.

The surreptitious photographing or video-recording of pupils who are being investigated is prohibited. Surreptitious photographing or video-recording is defined as the covert collection of photographic or videographic images of person or places subject to an

investigation. The collection of images is not covert if the technology is used in open and public view.

If the Superintendent or designee, upon investigation, determines that a student's enrollment or attempted enrollment is based on false or unreliable evidence of residency, he/she shall deny or revoke the student's enrollment. Before any such denial or revocation is final, the parent/guardian shall be sent written notice of the facts leading to the decision. This notice also shall inform the parent/guardian that he/she may appeal the decision to deny or revoke the student's enrollment and/or provide new material evidence of residency, in writing, to the Superintendent or designee within 10 school days. The Superintendent or designee shall review any new evidence and make a final decision within 10 school days. If an appeal is made, the burden shall be on the appealing party to show why the decision of the school district should be overruled.

Legal Reference:

EDUCATION CODE

- 46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten
- 46600 Agreements for admission of students desiring interdistrict attendance
- 48000 Minimum age of admission (kindergarten)
- 48002 Evidence of minimum age required to enter kindergarten or first grade
- 48010 Minimum age of admission (first grade)
- 48011 Admission from kindergarten or other school; minimum age
- 48050-48053 Nonresidents
- 48200 Children between ages of 6 and 18 years (compulsory full-time education)
- 48350-48361 Open Enrollment Act
- 48850-48859 Educational placement of homeless and foster youth
- 49076 Access to records by persons without written consent or under judicial order
- 49408 Information of use in emergencies
- 49452.9 Health care coverage options and enrollment assistance
- 49700-49704 Education of children of military families

Date Policy Adopted by the Board: October 27, 2015  
(Replaced BP 5005)