



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 10.1k

Meeting Date : May 5, 2016

Subject : New Board Policy No. 5111.1: District Residency

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: May 19, 2016)
- Conference/Action
- Action
- Public Hearing

Division : Enrollment Center; Legal Services

Recommendation : Approve new policy on District Residency, BP 5111.1.

Background/Rationale : Education Code Section 48204.2 was revised this past year to require that the District adopt a new policy regarding conducting residency investigations of students or prospective students. The proposed District policy provides that a trained District employee may conduct an investigation. The proposed policy follows the requirements of Ed. Code 48204.2 regarding appropriate conduct of such an investigation prohibiting surreptitious photographing or videotaping and requiring truthful identification of the investigator.

Financial Considerations : NA

LCAP Goal(s) : Family and Community Engagement

Documents Attached:

1. Executive Summary
2. Board Policy 5111.1, District Residency

Estimated Time of Presentation : N/A
SMCI/2016-05-05 10:00 AM Approved by Superintendent

Board of Education Executive Summary

Legal Services Office

New Board Policy 5111.1, District Residency

May 5, 2016



I. OVERVIEW / HISTORY

Education Code Section 48204.2 was revised this past year to require that the District adopt a new policy regarding conducting residency investigations of students or prospective students. The proposed District policy provides that a trained District employee may conduct an investigation. The proposed policy follows the requirements of Ed. Code 48204.2 regarding appropriate conduct of such an investigation prohibiting surreptitious photographing or videotaping and requiring truthful identification of the investigator.

The associated AR requires revisions in order to align it with the new policy on various topics. Included in the revised AR is the new requirement of Ed. Code 48204 that qualifies a student for residency if the student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. Lastly, the AR clarifies the immediate enrollment for Homeless and Foster Youth.

Board of Education Executive Summary

Legal Services Office

New Board Policy 5111.1, District Residency

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VII. LESSONS LEARNED / NEXT STEPS

Continued enforcement and monitoring of new and existing requirements regarding conducting residency investigations and District admission requirements.

Sacramento City USD

Board Policy

District Residency

BP 5111.1

Students

The Governing Board desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into a student's citizenship or immigration status. No student seeking residency shall be denied enrollment based on race, religion, ethnicity, gender, gender identity, gender expression, sexual orientation, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220.

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

Investigation of Residency

When the Superintendent or designee reasonably believes that a student's parent/guardian has

determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)

exchange program under the sponsorship of a government-approved agency.

(cf. 5111.2 - Nonresident Foreign Students)

(cf. 6145.6 - International Exchange)

The district may enroll a nonresident student living in an adjoining state or foreign country in accordance with Education Code 48050-48052.

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)

(cf. 6178.2 - Regional Occupational Center/Program)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

35160.5 Intradistrict open enrollment

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance permits

48050-48054 Nonresidents

48200-48208 Compulsory education law, especially:

48204 Residency requirements

48204.1-48204.2 Evidence of residency

48300-48316 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act transfers

48852.7 Education of homeless students; immediate enrollment

48853.5 Education of foster youth; immediate enrollment

48980 Notifications at beginning of term

52317 Regional occupational program, admission of persons including nonresidents

FAMILY CODE

6550-6552 Caregivers

GOVERNMENT CODE

6205-6210 Confidentiality of residence for victims of domestic violence

CODE OF REGULATIONS, TITLE 5

432 Retention of student records

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-

OFFICE FOR CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Information on the Rights of All Children to Enroll in School: Questions and Answers for States,
School Districts and Parents, 2012

WEB SITES

CSBA: <http://www.csba.org>

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

California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

Adopted: