

## BOARD POLICY 5111: ADMISSION

### Comparison Chart

Section: Students

#### SUMMARY OF UPDATE

**Summary of Update:** Policy updated to reflect the distinction between compulsory education for students starting at age six and the requirement for districts to offer and admit students who are eligible for transitional kindergarten, delete the requirement for district enrollment applications to include information about health care options as the law requiring such information has self-repealed, and clarify that a student's residence is a location within the district that may be verified as part of school admission requirements.

CSBA NOTE: Pursuant to Education Code 48200, all children ages 6-18 years are subject to compulsory full-time education, unless specifically exempted. See BP/AR 5112.1 - Exemptions from Attendance for further information about such exemptions.

Pursuant to Education Code 234.7, districts are mandated to adopt policy, equivalent to a model policy developed by the California Attorney General, which prohibits the solicitation or collection of information regarding the immigration or citizenship status of students and their families, unless otherwise required by law. See the Office of the Attorney General's publication "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues," available on its web site. These requirements are addressed in the following policy and BP/AR 5111.1 - District Residency.

In Plyler v. Doe, the U.S. Supreme Court ruled that, under the Fourteenth Amendment to the U.S. Constitution, students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. As discussed in a Dear Colleague Letter and fact sheet, "Information on the Rights of All Children to Enroll in School," jointly issued by the U.S. Department of Justice's Civil Rights Division and U.S. Department of Education's Office for Civil Rights, it may be a violation of federal law for districts to adopt a policy or procedure that prohibits or discourages children from enrolling in school because they or their parents/guardians are not United States citizens or are undocumented. For further discussion of these issues, see CSBA's Legal Guidance "Providing All Children Equal Access to Education, Regardless of Immigration Status." Also see CSBA's sample board resolution "Providing All Children Equal Access to Education, Regardless of Immigration Status," available on its web site, that may be used to inform students, parents/guardians, and the community of students' rights under current law to attend a district school regardless of their citizenship or immigration status.

PARA	Section	Sub-Section	August 7, 2018 CURRENT VERSION	March 2022 REVISED VERSION	CSBA MODIFICATIONS and/or NOTES
1			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 students entering a	The Governing Board encourages the enrollment and appropriate placement of all children who are eligible for enrollment in school. The Superintendent or designee shall inform parents/guardians of children seeking	

		district school at any grade level about admission requirements and shall assist them with enrollment procedures.	admission to a district school about admission requirements and shall assist them with enrollment procedures.	
2		The Superintendent or designee shall verify the student’s age, residency, and any other admission criteria specified in law and in Board policies and administrative regulations.	The Superintendent or designee shall announce and publicize the timeline and process for registration of students at district schools. Applications for intradistrict or interdistrict enrollment shall be subject to the timelines specified in applicable Board policies and administrative regulations.	CSBA NOTE: The following optional paragraph may be revised to reflect district practice. The district should align the application windows for various attendance options in a manner that will allow the district to meet legal requirements pertaining to admissions priorities. See BP/AR 5116.1 - Intradistrict Open Enrollment and AR 5117 - Interdistrict Attendance for application windows applicable to those options.
3		All appropriate staff shall receive training on district admission policies and procedures, including information regarding the types of documentation that can and cannot be requested.	No change	
4		The Superintendent or designee shall immediately enroll a homeless student, foster youth, student who has had contact with the juvenile justice system, or a child of a military family regardless of outstanding fees or fines owed to the student's last school, lack of clothing normally required by the school, such as school uniforms, or his/her inability to produce previous academic, medical, or other records normally required for enrollment.	Delete/Moved	
5		All resident students who are enrolling either in the school in their attendance area or in another district school shall be subject to the timelines established by the Board in BP/AR 5116.1 – Intradistrict Open Enrollment. Nonresident students may apply for interdistrict attendance in accordance with	Delete	

		the timelines specified in applicable Board policies and administrative regulations.		
6		The Superintendent or designee may admit to the ninth grade only those students who have graduated from eighth grade or who are recommended in writing by their eighth-grade principal as capable of profiting from high school instruction.	Delete	
		<b><u>Inquiries Regarding Immigration Status, Citizenship Status, and National Origin Information</u></b>	<b><u>Verification of Admission Eligibility</u></b>	
1		The Superintendent or designee shall not inquire specifically about a student's citizenship, immigration status, the student's social security number or the last four digits of the social security number; or the citizenship or immigration status of a student's parents or guardians; nor shall District personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status (e.g., green card, voter registration, passport, citizenship papers, etc.).	Delete	
2		However, such information may be collected when required by state or federal law or to comply with requirements for special state or federal programs. In any such situation, the information shall be collected separately from the school enrollment process and the Superintendent or designee shall explain the limited purpose for which the information is collected. Enrollment in a district school shall not be denied on the basis of any such information of the student or his/her parents/guardians obtained by the district, or	Delete	

		the student's or parent/guardian's refusal to provide such information to the district.		
3		Where any law requires the submission of information relation to national origin in order to satisfy the criteria of any special program, District personnel shall solicit such documentation or information in a process distinct from the school enrollment process.	Delete	
4		If the law permits, the Superintendent or designee shall enumerate alternative means for a student to establish residency, age, or other eligibility criteria for enrollment or program. These alternative means shall include documentation or information available to individuals regardless of immigration status, citizenship status, or national origin, which must not reveal information related to citizenship or immigration status.	Delete/Moved	
5		Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this Policy, the District's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this Policy.	Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residence within the district, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.	CSBA NOTE: Admission requirements include age criteria for Transitional Kindergarten-1; see the accompanying administrative regulation and BP 6170.1 - Transitional Kindergarten. Other admission requirements are addressed in AR 5111.1 - District Residency, BP/AR 5141.31 - Immunizations, and AR 5141.32 - Health Screening for School Entry.
			The district shall not inquire into or request documentation of a student's social security number or the last four digits of the social security number or the citizenship or immigration status of the student or the student's family members.	<b>New paragraph added</b> CSBA NOTE: Although a district may require proof that a student's residence is within the district (e.g., utility or phone bill, property tax payment receipt, rental property lease agreement, etc.), inquiring into the citizenship or immigration status of students and their families is prohibited, pursuant to Education

					<p>Code 234.7. Consequently, consistent with the Attorney General's model policy developed pursuant to Education Code 234.7, districts may not request a student's or parent/guardian's green card, visa, passport, voter registration, or other documentation that indicates citizenship status, except when collection of such information is required to comply with state or federal reporting requirements for special programs, such as language instruction programs for English Learners. Even for those limited purposes, the information should not be collected during the admission process to avoid discouraging immigrant children from enrolling in school, in violation of law. Also see BP/AR 5111.1 - District Residency.</p> <p>In addition, pursuant to Education Code 49076.7, a district is prohibited from soliciting or collecting social security numbers or the last four digits of social security numbers of students or their parents/guardians, unless otherwise required to do so by state or federal law. One such exception is the collection of the last four digits of the social security number for the purpose of establishing eligibility for a federal benefit program. Also see BP/AR 5125 - Student Records.</p>
				<p>However, such information may be collected when required by state or federal law or to comply with requirements for special state or federal programs. In any such situation, the information shall be collected separately from the school enrollment process and the Superintendent or designee shall explain the limited purpose for which the information is collected. Enrollment in a district school shall</p>	<p><b>New paragraph added</b></p>

			not be denied on the basis of any such information of the student or the student's parents/guardians obtained by the district, or the student's or parent/guardian's refusal to provide such information to the district.	
			School registration information shall list all possible means of documenting a child's age for entry into grades K-1 as authorized by Education Code 48002 or otherwise prescribed by the Board. Any alternative document allowed by the district shall be one that all persons can obtain regardless of immigration status, citizenship status, or national origin and shall not reveal information related to citizenship or immigrant status.	<p><b>New paragraph added</b></p> <p>CSBA NOTE: The following paragraph is for use by districts that maintain grades K-1. In addition to the methods specified in Education Code 48002 for documenting a child's age for admittance to kindergarten or first grade, as listed in the accompanying administrative regulation, the Governing Board is authorized to prescribe alternative means for proof of a child's age. The following paragraph may be revised to reflect any such alternative means approved by the Board. The following paragraph also reflects the Attorney General's model policy requiring that such alternative means be available to all persons regardless of immigration status, citizenship status, or national origin.</p>
			The Superintendent or designee shall immediately enroll a homeless student, foster youth, student who has had contact with the juvenile justice system, or a child of a military family regardless of outstanding fees or fines owed to the student's last school, lack of clothing normally required by the school, such as school uniforms, or an inability to produce previous academic, medical, or other records normally required for enrollment.	<p><b>New paragraph added</b></p> <p>CSBA NOTE: State and federal law require the immediate enrollment of homeless youth (Education Code 48850, 48852.7; 42 USC 11432), foster youth (Education Code 48853.5), and former juvenile court school students (Education Code 48645.5) regardless of their ability to provide the school with records normally required for enrollment; see BP/AR 6173 - Education for Homeless Children, AR 6173.1 - Education for Foster Youth, and AR 6173.3 - Education for Juvenile Court School Students. In addition, Education Code 49701 requires the district to facilitate the enrollment of children of military families</p>

						and to ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school districts and/or variations in entrance or age requirements; see BP/AR 6173.2 - Education of Children of Military Families.
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