

## Enrollment of Students

California courts have established that children have a fundamental right to an education (*Serrano v. Priest*, 5 Cal.3d 584 (1971)). Compulsory education is required for all students aged 6-18. When a district offers kindergarten, kinder kids have the right to attend (EC sections 48000, 48002; Bulletin No. 1312). Accordingly, students must be immediately enrolled in school.

Students have the right to attend the school where their parent or legal guardian resides (EC section 48200). For students of divorce where parents have joint physical custody and live in different attendance areas, parents should agree to one school site for the child. For assistance with these situations, please contact the Office of General Counsel.

There are special circumstances under the law that all administrators should be aware of:

- **Homeless students** have the right to immediate enrollment regardless of missing paperwork. All families must complete the Student Residency Questionnaire as part of the enrollment process. This document will help the school identify homeless students and ensure their rights are safeguarded. Contact the Homeless Education Program at 213-202-7581 and see Bulletin No. 1570 for additional resources.
- **Foster students** have the right to immediate enrollment regardless of missing paperwork. If a foster parent or other adult who is not the parent or guardian is enrolling the child, request a copy of the most recent minute order from the juvenile court identifying who has educational rights for the child. Contact the Foster Care Unit at 213-241-3842 and see LAUSD Bulletin No. 787 for additional resources.
- **Kindergarten:** Currently, a child must be 5 years old on or before November 1 to enroll in kindergarten. By board policy, the District does not have an exception to this rule.

Pursuant to a change in EC section 48000, for 2012-13 and beyond, a child shall be admitted to a kindergarten maintained by the school district at the beginning of a school year, or at a later time in the same year if the child will have his or her fifth birthday on or before one of the following dates:

- (1) October 1 of the 2013-14 school year.
- (2) September 1 of the 2014-15 school year and each school year thereafter.

- **Vaccinations:** Pursuant to Assembly Bill 354, effective July 1, all students entering grades 7 through 12 are required to have the pertussis booster shot (Tdap). Please contact School Nursing for additional information about implementation. Parents and guardians seeking a public health location where the shots are available may call the L.A. County Information Line at 2-1-1. Information about county clinics is also available at: <http://www.publichealth.lacounty.gov/ip/IZclinics/clinics.htm>. For more general information, go to [www.shotsforschool.org](http://www.shotsforschool.org).
- **Special Education Students:** Special Education students must be immediately enrolled. For new student, schools must obtain a copy of the most recent IEP (from their prior school or even their prior school district) and begin implementing immediately. For both new and current students not on IEPs, if you suspect they might be eligible for special education, refer them for assessment. For those students you feel are not in the right placement, convene an IEP team meeting as soon as possible to discuss the issue.

This **LAUSD Legal Brief** is for information only and does not constitute legal advice. Please contact the Office of the General Counsel to determine how this information may apply to your school's specific facts and circumstances.