

# STDNT3.1 - Open Enrollment

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## S - Student

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### OPEN ENROLLMENT

Open enrollment enables Arizona students to attend public schools outside their attendance area. In accordance with state law, the District has established an open enrollment policy and implemented an open enrollment program without charging tuition for nonresident students and resident transfer students.

#### *Student Definitions:*

- A. "Nonresident student" is a student who resides outside of the District's boundaries who seeks to enroll in the District.
- B. "Resident transfer student" is a student who resides in the District who seeks to enroll in a school outside of the student's attendance area.
- C. "Resident pupil" means a pupil whose residence is within the attendance area of a school.

#### *General Information*

Open enrollment applications are available online. The online application contains the information needed to request enrollment and is consistent with guidance and state and federal law regarding pupil privacy and civil rights. There is also information regarding the provision of transportation or resources for transportation. This policy shall be accessible from the District's home page and will be made available in English and in Spanish or in any other language used by a majority of the populations served by the school or District.

The District shall update on each school's website the school's capacity and whether the school is currently accepting open enrollment students, by grade level. Updates will be provided at least once every twelve (12) weeks unless there are no changes to report for the individual school.

If a school has any other separate capacity by specialized program, the information shall also be posted by specialized program. If a school remains open as part of a boundary change and capacity is available, students assigned to a new attendance area may stay enrolled in their current school.

#### *Admission Criteria*

The District shall accept pupils throughout the school year as capacity allows. Pupils who are denied access due to capacity shall be informed that they are on a wait list and of the details regarding the process. Pupils shall be selected as seats become available. The District shall enroll at any time any resident pupil who applies for enrollment to a school in which the resident student resides within the attendance boundaries. Except as provided in A.R.S. 15-816.01, the District shall not limit admission based on any of

the following:

- A. Ethnicity or race.
- B. National origin.
- C. Sex.
- D. Income level.
- E. Disability.
- F. Proficiency in the English language.
- G. Athletic ability.

The District shall determine if nonresident students and resident transfer students will be admitted in accordance with the following criteria:

A. The school in which the student seeks to enroll has the capacity to serve the student without adversely impacting educational opportunities for resident students attending their resident school. Factors to be considered in making this determination include, but are not limited to, the following:

1. Physical capacity of the school building and classrooms. Excess capacity for open enrollment is estimated on or before date to be determined. If no excess capacity exists, then applicants will be placed on a waiting list. If excess capacity is anticipated, the applications will be reviewed.

2. Availability of staff members to service students at each site.

3. Capacity in relevant special programs.

4. Availability of other resources.

B. The student's prior status in the educational system, including: Whether the student is in compliance with a condition of disciplinary action imposed by any other school or school district or who is not in compliance with a condition of disciplinary action imposed by any other school or school district. Acceptance for enrollment may be revoked upon finding the existence of any of these conditions.

C. A school district may refuse to admit any pupil who has been expelled from another educational institution or who is in the process of being expelled from another educational institution.

D. Failure to disclose the above information on the Open Enrollment application may result in revocation of the student's acceptance for open enrollment.

E. The student's admission does not violate the provisions of a court order or agreement of desegregation in the student's resident district. Acceptance is on a year-by-year basis and subject to re-application and review each year.

#### *Enrollment Priority Groups*

The Superintendent will develop the enrollment priority for applicants, as long as their enrollment can be accomplished in accordance with the District's admission criteria.

The District shall give enrollment preference to and reserve capacity for all of the following:

A. Resident pupils.

B. Pupils returning to the school from the prior year.

C. Siblings of pupils already enrolled.

**Application Procedures for Schools that have Attendance Boundaries** The student's parent/guardian who desires to open enroll a student must complete the Open Enrollment application and submit online or deliver to the front office. Acceptance is on a year-by-year basis and subject to re-application and review each year. The Superintendent will develop a timeline for the acceptance of applications. If the number of applicants exceed capacity, the District will use a lottery system to generate admission. Names of applicants that cannot be admitted will be placed on a waiting list established for each enrollment priority group.

The District will determine whether the student's admission would be in conformity with its admission criteria. Notification of admission status will depend on the timeline and capacity. **Application Procedures for Schools that do not have Attendance Boundaries** The District may establish schools that do not have attendance boundaries. Student attendance for such schools shall be based upon Open Enrollment applications.

The Superintendent will develop a timeline for the acceptance of applications. Schools without attendance boundaries may exempt from the application process students who are resident transfer students who currently attend the school and their siblings, and children who are in foster care or who meet the definition of unaccompanied youth prescribed in the McKinney Vento Homeless Assistance Act. For all other students the Superintendent will establish a selection process and procedure.

#### *Compliance with Rules*

Once students are accepted and attending the school of choice, the students must comply with school rules. Those rules and regulations may include standards of conduct, attendance, or family volunteer

requirements. Failure to comply with school rules is a breach of agreement and a cause for open enrollment revocation.

### *Transportation of Students Admitted Through Open Enrollment*

A resident transfer student is eligible for District transportation on routes within the attendance boundaries of the school to which the student has been accepted for open enrollment transfer. It is the responsibility of the parents or guardians of the resident transfer student to have the student at a designated pickup point within the receiving school's transportation area. Nonresident open enrollment students are eligible for District transportation from a designated pickup point on the bus route serving the attendance area of the school to which the student has been admitted, or as may be otherwise determined by the District.

The District may provide transportation for open enrollment nonresident students who meet the economic eligibility requirements established under the national school lunch and child nutrition acts for free or reduced price lunches:

of not more than thirty (30) miles to and from:

1. the school of attendance, or
2. a pickup point on a regular District transportation route, or
3. for the total miles traveled each day to an adjacent district.

The District shall provide transportation for nonresident transfer students with disabilities whose individualized education program (IEP) specifies that transportation is necessary for fulfillment of the program:

of not more than thirty (30) miles to and from:

1. the school of attendance, or
2. a pickup point on a regular District transportation route, or
3. for the total miles traveled each day to an adjacent district.

LEGAL REF.:

A.R.S.

8-371

15-341

15-764

15-797

15-816 et seq.

15-823

15-824

15-825

15-841

15-922

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,

as amended by the Every Student Succeeds Act (ESSA) of 2015