

## **JFB**

### **OPEN ENROLLMENT**

The District has an open enrollment program as set forth in A.R.S. [15-816](#) et seq. The open enrollment program described in this policy shall be placed on the District website and made available to the public on request.

No tuition shall be charged for open enrollment, except as authorized by applicable provisions of A.R.S. [15-764](#), [15-797](#), [15-823](#), [15-824](#), and [15-825](#).

#### Definitions

Resident transfer pupil means a resident pupil who is enrolled in or seeking enrollment in a school that is within the school district - but outside the attendance area - of the pupil's residence.

Nonresident pupil means a pupil who resides in this state and who is seeking enrollment in a school district other than the school district in which the pupil resides.

#### Enrollment Options

District resident pupils may enroll in another school district or in another school within the District. Resident transfer pupils and nonresident pupils may enroll in schools within the District, subject to the procedures that follow.

#### Information and Application

The Superintendent shall prepare a written information packet concerning the District's application process, standards for acceptance or rejection, and policies, regulations, and procedures for open enrollment. The packet will be made available to everyone who requests it.

The information packet shall include the enrollment application form and shall advise applicants that they must submit enrollment applications on or before May 15 of each year to be considered for enrollment during the following school year.

#### Late Application

In the event applications are received after May 15 or there is excess capacity remaining for which no applications were submitted by May 15, at the discretion of the Superintendent or school principal applications for enrollment shall be considered based upon the following:

- Consideration on the basis of the order of the completed applications submitted after May 15.
- Determination of capacity as defined in this policy.
- Enrollment preferences, provided hereafter, do not apply.
- Admission standards are met.
- Applications for the current year must be submitted by the end of the third (3rd) quarter or grading period.

## Admission Criteria

The Superintendent or the Superintendent's designee shall determine if nonresident students and resident transfer students will be admitted without tuition, in accordance with the following criteria:

- 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. The Superintendent shall annually estimate how much excess capacity may exist to accept transfer pupils and advise the Governing Board regularly. Factors to be considered in making this determination include, but are not limited to, the following:
  - Physical capacity of the school building and classrooms.
  - Availability of staff personnel (i.e., administrators, teachers, other certificated employees, related service providers).
  - Capacity of grade levels, core and elective courses, and in the relevant special programs.
  - Availability of other resources.
- The estimate of existing capacity shall also take into considerations:
  - District resident pupils in assigned school attendance areas, including those issued certificates of educational convenience and those required to be admitted by statute.
  - The enrollment of eligible children of employees. (In order to encourage qualified employees to join the staff, children of employees will be enrolled without payment or tuition.)
  - Children requesting transfers from underperforming or schools needing improvement as determined by the Arizona Department of Education pursuant to the No Child Left Behind Act.
- The student's prior status in the educational and juvenile court systems, including:
  - Whether the student has been expelled by another school or is in the process of being expelled by another school.
  - Whether the student is in compliance with any conditions imposed by a juvenile court.

Failure to disclose the above on the District's open-enrollment application may result in revocation of the student's acceptance for open enrollment.

- The student's admission does not violate the provisions of a court order or agreement of desegregation in the student's resident district.

## Enrollment Priorities

If it has been determined that there is excess capacity to enroll additional pupils, such pupils shall be selected on the basis of designated priority categories from the pool of pupils:

- Who have properly completed and submitted applications; and
- Who meet admission standards.

Enrollment priorities and procedures for selection shall be in the order and in accordance with the following:

- Enrollment preference shall be given to resident pupils who are enrolled in a school that is within the School District - but outside the attendance area - of the pupil's residence.
- Enrollment preference shall be given to resident pupils who are seeking enrollment in a school that is within the School District - but outside the attendance area - of the pupil's residence.
- Enrollment preference shall be given to nonresident pupils that are enrolled in a school that is within the School District and are applying for "continuing enrollment" (as hereafter defined) in the school.
- Enrollment preference shall be given to siblings of resident transfer pupils who were enrolled in the school the previous year and who would be enrolled concurrently with such pupils in kindergarten.
- Enrollment preference shall be given to siblings of nonresident pupils who were enrolled in the school the previous year and who would be enrolled concurrently with such pupils in kindergarten.
- Enrollment preference shall be given to resident transfer pupils who were not enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils in kindergarten.
- Enrollment preference shall be given to nonresident pupils who were not enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils in kindergarten.

If capacity is not sufficient to enroll pupils in any of the above categories, they shall be selected through a random selection process adopted by regulation of the Superintendent.

#### Conditions of Admission

The admission of a resident or nonresident transfer student is subject to the following conditions:

- Admission is for one (1) year only. Enrolled resident and nonresident transfer students must reapply for admission each year for the following school year. (See Enrollment Criteria for Continuing Students.)
- The student must agree to comply with all school rules and regulations, including standards for academic effort, conduct, and attendance. By signing the District's open enrollment application form, the student and parent agree to comply with all policies and regulations of the District and all school rules, including standards for academic effort, conduct, and attendance.

Failure to comply with all policies and regulations of the District and school rules may result in the student's reassignment to another school in the District. Before any reassignment, the following procedures will be observed:

- The principal will consult with the Assistant Superintendent for Administrative Services to schedule an informal hearing with the student, parent, and any other

appropriate person(s) for the purpose of determining whether reassignment is appropriate.

- At the hearing, the Assistant Superintendent for Administrative Services will verbally inform the student/parent of the alleged conduct that is considered a violation of the rules/regulations, and the student/parent will be given an opportunity to respond.
  - After the informal hearing is completed, the Assistant Superintendent for Administrative Services will decide whether reassignment is appropriate.
  - The decision of the Assistant Superintendent for Administrative Services is subject to review by the Superintendent upon request of the student/parent.
  - An approved reassignment will be effective when the student is administratively withdrawn from the school.
- The parent and student must accurately disclose all information required in the open enrollment application. Admission may be revoked upon finding that the student or parent withheld or misrepresented information on or related to the application.

### Transportation

Transportation will be the responsibility of the parent unless the transportation is required by the Individuals With Disabilities In Education Act, McKinney Vento Act or No Child Left Behind Act.

### Notification

The District shall notify the emancipated pupil, parent, or legal guardian in writing as promptly as possible whether the applicant has been accepted, placed on a waiting list pending the availability of capacity, or rejected.

As provided by A.R.S. [15-816.07](#), the District and its employees are immune from civil liability for decisions relative to the acceptance or rejection of the enrollment of a nonresident student when the decisions are based on good faith application of this policy and the applicable statutory requirements and standards.

### Enrollment Criteria for Continuing Students

Students enrolled under the open enrollment policy must submit an enrollment application form each year in order to be considered for "continuing enrollment" (defined as previously accepted without a break in attendance). The District will give enrollment priority to continuing open enrollment students and their siblings, as long as the enrollment of such students may be accomplished in accordance with the District's admission criteria. In addition to the capacity considerations previously described, the following criteria shall be used to evaluate continued open enrollment eligibility and may result in the denial of open enrollment for subsequent years:

- The student, or the student's parent or guardian, has engaged in misconduct by providing false or misleading information to the District or to any District employee, including information requested or required on any open enrollment application;
- The student is currently under long-term suspension or expulsion or has been involved in a series of five (5) or more short-term suspensions during the current school year;

- The student withdrew from school to avoid possible long-term suspension or expulsion;
- The student has a record of excessive absences, truancy and or tardy arrival to school (for purpose of this policy excessive absences shall be defined as ten (10) or more unexcused absences and/or for tardy arrival, ten (10) or more tardies in any school year);
- The student is not in compliance with any condition of disciplinary action imposed by this District or with any condition imposed by a juvenile court pursuant to A.R.S. [8-301](#) et seq.; or
- The student has been adjudicated delinquent or convicted of a crime.

School principals will notify parents if their student will be denied admittance for the following school year. The letter of notification will include reasons for denial and the data upon which the decision was based.

#### Budgetary Impact of Open Enrollment

Application of this policy and corresponding administrative regulations is intended to accommodate open enrollment students within District staffing allocations. It is not intended to permit over enrollment which requires additional expenditures for staffing.

Adopted: June 28, 2012

#### LEGAL REF.:

A.R.S.

[15-764](#)

[15-797](#)

[15-816](#) et seq.

[15-823](#)

[15-824](#)

[15-825](#)

[15-922](#)

#### CROSS REF.:

[EEAA](#) - Walkers and Riders

[IIB](#) - Class Size

[JF](#) - Student Admissions

[JFAA](#) - Admission of Resident Students

[JFAB](#) - Admission of Nonresident Students

[JFABD](#) - Admission of Homeless Students

[JG](#) - Assignment of Students to Classes and Grade Levels

## JFB-R

### REGULATION

#### OPEN ENROLLMENT

##### Applications

##### ***Initial applications for open enrollment or applications submitted after a break in attendance for enrollment in the current school year:***

- The student's parent/guardian completes the open enrollment application and submits it to the school in which the student seeks to enroll.
- The principal/designee determines whether the student's admission would be in conformity with the criteria set forth in Policy JFB.
- Application for all students with special program needs, i.e., gifted, special education, and 504 students, must be forwarded to the program director.
- The student's parent/guardian shall be notified of the decision as promptly as possible.

##### ***Initial applications for open enrollment or applications submitted after a break in attendance for enrollment in the following school year:***

- The student's parent/guardian completes the open enrollment application and submits it to the school in which the student seeks to enroll during the enrollment period commencing the first Tuesday in February and ending May 15. Late applications will be accepted and enrollment consideration will be given as provided for in Policy JFB.
- The principal/designee determines whether the student's admission would be in conformity with the criteria set forth in Policy JFB.
- Application for all students with special program needs, i.e., gifted, special education, and 504 students, must be forwarded to the program director.
- The student's parent/guardian shall be notified of the decision as promptly as possible. If no decision has been made by August 1, the student's parent/guardian shall be notified in writing of the status of the application by the Principal at the school in which the student seeks to enroll.

##### ***Continuing open-enrollment students and their siblings:***

- On or before January 30, the Principal of each school shall provide by mail, an open enrollment application for the next school year to the parent(s)/guardian(s) of students currently enrolled on open enrollment status.
- The student's parent/guardian completes the applicable portion of the open-enrollment application and submits it to the school in which the student seeks to enroll during the enrollment period commencing the first Tuesday in February and ending May 15. Late applications will be accepted and enrollment consideration will be given as provided for in Policy JFB.

- The principal/designee determines whether the student's admission would be in conformity with the criteria set forth in Policy JFB.
- The student's parent/guardian shall be notified of the decision as promptly as possible. If no decision has been made by August 1, the student's parent/guardian shall be notified in writing of the status of the application by the principal at the school in which the student seeks to enroll.
- Enrollment priority will be given to continuing open enrollment students and their siblings, as long as the enrollment of such students may be accomplished in accordance with the District's admission criteria as provided for in Policy JFB.

### **Waiting Lists**

If the parent/guardian submits an open enrollment application and the application is denied because of insufficient capacity (as described in Policy JFB), the parent/guardian may request that the principal/designee place the student on a waiting list for open enrollment. The principal/designee shall keep a separate log of waiting-list applicants. The principal/designee shall ensure that the District office is regularly provided with current waiting-list information. Applications for students on the waiting list will be considered on a first-come, first-served basis.