

## OPEN ENROLLMENT

The Bonneville Joint School District No. 93 Board of Trustees establishes school attendance zones to ensure efficient and balanced use of District facilities. The Board recognizes the adverse impact that overcrowding has on schools and staff and expects parents and guardians to enroll their children in their home school to maintain the integrity of approved attendance zones. However, when parent(s) or guardian(s) determine that it may be in the best interest of their child to attend a school other than the home school designated by their attendance zone, they may apply to open enroll in a school outside of their attendance zone. This provision applies to both in-district as well as out-of-district students under the conditions identified in this policy.

### 1. Magnet Schools

Certain schools in District 93 are designated as magnet schools which offer special instruction and programs not available in other schools in the district.

- a. Students who wish to enroll in magnet schools must apply by submitting an initial open enrollment application according to the guidelines in this policy; however, once students are accepted and enroll in a magnet school, they are not required to submit applications each year to continue enrollment at the school.
- b. Students who are currently enrolled in a magnet school will not be required to complete an open enrollment application to transfer to their home school, and it will be the responsibility of the students' parents / guardians to notify both the magnet school and the home school of their intent to enroll at the home school.
- c. Students who enroll in a designated magnet school may have their application revoked or denied subject to the Students Denial or Revocation of Transfer section of this policy.
- d. Eligibility of students who enroll in designated magnet schools to participate in extracurricular activities is governed by the rules of the Idaho High School Activities Association.
- e. Notwithstanding the provisions of the Recruiting Potential Open Enrollment Students section below, District employees may recruit students to attend designated magnet schools.

### 2. Preventing or Recruiting Potential Open Enrollment Students

- a. District employees shall not take any action to prohibit or prevent application by a student to attend another district or another school within this District.
- b. District employees shall not recruit students outside of their attendance area.
- c. Violation of the provisions of this policy regarding preventing open enrollment application by a student or recruiting students to open enroll in a school may result in disciplinary action up to and including dismissal.

### 3. Participation in IHSAA Activities

- a. Students who plan to participate in an activity governed by the Idaho High School Activities Association (IHSAA) should review all IHSAA rules related to eligibility before submitting their open enrollment application as transferring schools could make a student ineligible to play at the varsity level for one year.

#### 4. Application and Approval Process

- a. If the parents/guardians of a student determine that it is in their child's best interest to enroll in a different school than their designated home school, they must initially submit an [Open Enrollment Application](#) form (3010F) to the school and District. Pursuant to Idaho Code 33-1402, this requirement only applies to students who are not currently enrolled at the school on an approved open enrollment application.

The District's Open Enrollment Application form (3010F1) shall be continuously posted on the School District homepage ([www.d93schools.org](http://www.d93schools.org)).

- b. Applications received by the first day of February will be given priority consideration for enrollment for the following school year.
- c. Applications received after February 1st will still be considered; however, these applications will typically only be accepted when teacher class sizes are below the limits identified in the Class Sizes table below or in extraordinary circumstances, as identified below.
- d. Prior to submitting the application for open enrollment, the student's parent / guardians must:
  - i. Give notice to the student's home school of the proposed transfer and request a copy of their child's complete academic record, including attendance and discipline.
  - ii. For an application to be considered, the parent/guardian must include the complete academic record when they submit the Open Enrollment Application form #3010F1.

#### 5. Determination of Acceptance or Denial of Open Enrollment Applications

- a. When making the determination on whether to accept or deny an open enrollment application, only the following factors may be considered by the principal and Superintendent / designee:
  - i. the student's record of attendance,
  - ii. the student's record of discipline, and
  - iii. class and program sizes at the school as shown in the table below.

- b. However, when considering these factors, students shall not be discriminated against based on any of the following conditions:
  - i. family, social, or economic status, race,
  - ii. religious background,
  - iii. gender or sexual orientation,
  - iv. age,
  - v. athletic or extra-curricular ability,
  - vi. disability, or
  - vii. proficiency in the English language.
- c. All applications, regardless of when they are submitted, shall initially be evaluated based on the student's attendance and discipline records. Principals should only consider for approval applications from students who have satisfactorily met both of the following conditions:
  - i. An attendance record showing class attendance at least 90% of the time;
  - ii. A discipline record showing that the student does not have a history of significant disciplinary issues including suspensions, expulsions, or incidents that would be considered Level 3 or Level 4 violations of the Student Code of Conduct.
- d. Applications that have satisfied the attendance and discipline requirements will be considered based on the availability of classroom space.
  - i. Applications received prior to February 1 for the following school year shall be approved if the projected enrollment for the school is less than the maximum capacity of the school as defined below and as shown on the report published on the District website.
    - 1. If the total number of open enrollment applications submitted before February 1 would cause the school to exceed the maximum enrollment of the school, then applications will be approved based on the criteria established in Section 6. Application Priorities below.
  - ii. Applications received after February 1st and prior to the first day of school shall be considered based on projected class sizes at each grade level in the school.
  - iii. Applications received after the first day of school shall be considered based on actual class sizes at each grade level in the school.

- iv. When class sizes fall below the Optimal Class size identified in Section 1 of Board Policy 2240 Class Size, as shown in the table below, principals shall approve open enrollment applications until class sizes reach the maximum specified below.
1. Principals may deny open enrollment applications if there is an exigent reason to deny open enrollment applications that is applied universally to all students seeking open enrollment, except those with qualifying extraordinary circumstances, as defined below.
- v. When class sizes fall between the Optimal Class Size and Overload Class Size identified in Board Policy 2240 Class Size, as referenced in the table below, principals may choose to either accept or deny open enrollment applications based solely on the criteria identified in the Application Priorities section below.
1. However, a school principal may elect to deny all open enrollment applications after February 1st if enrollment in the school has exceeded its published maximum capacity.
  2. Once any application for open enrollment has been denied on the basis of the school exceeding its published maximum capacity, no other application shall be approved for that school until the school's enrollment falls below its published maximum capacity or a student meets one of the conditions identified in Section 7. Extraordinary Circumstances.
- vi. When class sizes reach the overload class sizes identified in Board Policy 2240 as referenced in the table below, principals should deny all open enrollment applications unless an application meets one of the conditions identified in the Extraordinary Circumstances section below.

General Education	Students per Teacher		Average Class Size*	
	Optimal	Overload	Optimal	Overload
Kindergarten - 3rd	23	27	23	27
4th - 6th	26	32	26	32
7th - 12th (core classes)	24	29	29	36
Alternative	15	18	15	18

	Teacher Caseload			
	Elementary		Secondary	
	Optimal	Overload	Optimal	Overload
Special Education				
General Resource	30	36	32	38
ERR	15	18	20	24
DRR / medical	10	12	15	18
Autism or Behavior DRR	10	12	12	14
English Language Learner	17	20	17	20

\*Average class size is based on teachers teaching 5 of 6 class periods on a trimester schedule.

- e. Principals shall make a determination regarding whether to accept or deny an open enrollment application
- f. Notwithstanding the provisions above, if it is determined that information on the [Open Enrollment Application](#) or has been misrepresented or was incomplete, the application may be denied and the student's open enrollment application revoked.

## 6. Application Priorities

When the number of applications that can be accepted are limited by class or program sizes, the principal should give priority to individual students based on the following conditions:

- a. Students who reside in the boundaries of Bonneville School District will be given priority consideration before nonresident students.
- b. Children of current Bonneville School District 93 employees will be given priority consideration over children who do not have a parent who is an employee.

- c. Students who are currently enrolled in Bonneville School District will be given priority consideration over new applicants.
- d. Students with siblings who are enrolled in the same school will be given priority consideration.
- e. Principals may use the following chart to help determine how to prioritize open enrollment applications. This chart provides applicants with a score that ranges between zero and ten to prioritize open enrollment applications.

Criteria	Priority	Points
Resides within D93 boundaries	High	3
Currently enrolled in same school	High	3
Currently enrolled in feeder school	Medium	2
Siblings or step-siblings enrolled in same school	Medium	2
Parent / guardian is an employee of the same school	Medium	2
Parent / guardian is an employee of the District	Low	1

#### 7. **Extraordinary Circumstances**

Students who meet one or more of the following circumstances should be given priority consideration over class sizes or other priorities identified above:

- i. The student has followed Board Policy to report being the target of behavior that violates the District's Bullying, Harassment and Intimidation Policy or Sexual Harassment policy, and the Superintendent / designee has approved a request to open enroll at another school as a supportive measure to protect the student's health or safety.
- ii. A legal protection order has been issued that prohibits one student from being within 1,0000 feet or less of another student who is legally enrolled in the same school if the protection order will be in place for more than ten (10) school days.
- iii. The parent / guardian provides a signed contract and affidavit attesting that they are in the process of constructing or purchasing a home or a lease agreement for a rental property with a term of at least one year within the designated school's boundaries with a closing date prior to March 1 of the school year.
- iv. The student qualifies for protections afforded by the McKinney-Vento Act as defined in Board Policy 3060.

**8. Maximum Capacity Calculation:** The maximum capacity of the school shall be calculated by multiplying the number of permanently constructed general education classrooms in each school by the optimal class size identified in Board Policy 2240.

- a. For middle schools and high schools, the optimal and overload class size numbers shall be multiplied by 85% to account for designated teacher planning time.
- b. Modular and temporary classroom structures will not be included when determining each school's maximum capacity.
- c. The use of specialized teaching spaces such as special education classrooms, gymnasiums and others will be considered when counting available classrooms.

**9. Approval/Denial Process**

- a. The receiving school principal/designee will compare applications for open enrollment transfer against the projected student enrollment for the class or program requested.
- b. If there are more applications than available space, the school principal will use the criteria identified in the Application Priorities section above to determine those students who will be approved for open enrollment.
- c. After the February 1<sup>st</sup> deadline, the receiving school principal/designee will make a recommendation to approve or disapprove an open enrollment transfer by completing the appropriate section of the [Open Enrollment Application](#) form #3010F1.
- d. The open enrollment application will be forwarded to the appropriate District level administrator if the student is enrolled in a Special Program to determine whether there is sufficient space in the program to receive the child.
- e. New out-of-district open enrollment forms will be forwarded to the Superintendent/designee to either approve or deny the transfer request. The completed application form will be forwarded to the family and to the school principal.

**10. Parent Notification**

- a. When open enrollment transfer applications have been received by the February 1<sup>st</sup> deadline, parents/guardians will be notified of their student's transfer acceptance or denial within 60 days of submitting no later than the last working day of March.
- b. When the application is submitted outside of the open enrollment time period, notification must be made within sixty (60) days after the application is received by the principal of the receiving school.

c. Enrollment Denial

- i. If the application for open enrollment is denied, the administrator denying the application will provide specific reasons for the denial in the Comments section of the form.

d. Enrollment Approval

- i. A letter (3010F3) approving the request will inform the parents/guardians of the following:

**11. Re-enrollment Process**

- a. Once a student is accepted on an open enrollment basis at a school, they will be permitted to remain enrolled at that school unless they fail to comply with the attendance requirements set forth in Board Policy 3050 Attendance or commit repeated, serious disciplinary infractions as contained in the Code of Student Conduct,.
- b. After the first year of enrollment at a school, the student may also be denied enrollment for the following school year if the projected class sizes exceed those identified in the Overload column above. After enrolling at a school for two or more consecutive years, the students' enrollment application cannot be revoked due to excessive enrollment at that school.

**12. Student and Family Rights and Responsibilities**

- a. All students on a waiver must be living at home or with a legal guardian, unless of legal age and living alone.
- b. Parents/guardians must provide transportation for their children. If bus space is available, they may transport their child to the nearest established District bus stop where a bus is traveling to and from the receiving school.
- c. Out-of-district open enrollment transfer students are required to comply with all Bonneville Joint School District No. 93 policies.
- d. Due process for all students remains the same regardless of what school they attend within the District and regardless of where the student resides.
- e. Students who move out of their District school attendance zone during the school year must initiate an Open Enrollment Application to request to stay in their current school.

**13. Denial or Revocation of Transfer**



- a. A student may be denied a transfer or a transfer may be revoked if his/her attendance record is excessive, behaviors are unacceptable, or if false or misleading information is provided on the open enrollment application.
- b. Any student currently under suspension or expulsion in this District or another District will be subject to a review by the District Discipline Review Committee (DDRC) before a denial or revocation.
- c. A written explanation shall be included when notifying the applicant if the transfer is denied or revoked.

**DEFINITION:**

**Home School:** the school within the student's attendance boundary where they would normally attend.

**Magnet School:** Certain designated schools that offer special instruction and programs not available in other schools in the district. These schools are limited to Bonneville Online Elementary School, Bonneville Online High School, Praxium Mastery Academy, Technical Careers High School, and Lincoln Alternative High School.

**Receiving School:** the school out-side the student's attendance boundary that they wish to attend.

**Residency:** the place, especially the house, in which a student lives or resides; the fact of living in a place.

**School Days:** include only those days when school is in session.

Adopted:	06-08-2005	Reviewed:	Revised:	12-14-2005
				08-14-2013
				08-31-2015
				01-08-2020
				10-11-2023

Cross Reference:	Class Size #2240
	Transfer of Credit #2615 and #3025

Legal Reference::	Idaho Code §33-512: Governance of schools
-------------------	-------------------------------------------

Idaho Code §33-1401 Transfer of pupils definitions

Idaho Code §33-1402 Enrollment options

Idaho Code §33-1403 Transfer of pupils by initiative of the board of trustees

Idaho Code §33-1404 Districts to receive pupils

Idaho Code §33-2001 Education of exceptional children definitions