

Millcreek-West Unity Local School District

Bylaws & Policies

5113 - INTER-DISTRICT OPEN ENROLLMENT

The Board of Education shall permit the enrollment of students from any Ohio district in a school or program of this District, provided each enrollment is in accordance with laws and regulations of the State concerning Inter-District Open Enrollment, the provisions of this policy, and the administrative guidelines established to implement this policy.

Open Enrollment students attend our school only because of State law and that the Board of Education has adopted a policy to accept these students. The Superintendent either accepts or rejects these applicants at the beginning of each year.

Our school system has establishes high standards in academics, discipline, expected attitudes towards all staff and for participation in extra-curricular activities. Since Open Enrollment student(s) attend at our pleasure, if any of these standards are not being met or are challenged by Open Enrollment participants, the Superintendent will at the end of any grading period reject the Open Enrollment application. The Superintendent will notify the student, parents and the home school that this student is not longer enrolled at our school and would be enrolling in the home school.

Thank you for your cooperation with this matter. If you feel these guidelines are too strict, please fell free to contact your home school and register in their system.

The following definitions shall apply:

Home District

The school district from which the student emanates.

Open Enrollment

State-mandated options, policies, and regulations concerning the Board's authority to adopt resolutions regarding intra-district and inter-district enrollment policies and guidelines. Inter-district open enrollment permits the admission of students to this District from all other Districts.

District Student

A student who resides in this District and is referred to in the statute as a Resident Native Student.

Program

Any one of the specific course offerings of this District.

Program Size

The restrictions on a number of students in a program due to circumstances unique to that specific program, the terms of a collectively-bargained, negotiated agreement, and/or financial or operating conditions of the District.

Racial Balance

"Racial" refers to minorities classified as African-American, Asian-American, Hispanic-American, or Native-American students. "Balance" refers to the percentage of "racial" students in a District program, classroom, or school.

Racially Isolated Building

A racially isolated building refers to a School District building in which the racial composition of the students varies significantly from the overall composition of the School District.

Maintaining Appropriate Racial Balance

Given our diverse society and the importance of preparing students for education, work, and citizenship, the Board is committed to providing students with equal educational opportunities, promoting educational diversity in the District, and providing students with the educational benefits of a diverse student body. To that end, the Board will give individual consideration to each applicant seeking enrollment under this policy, so that all factors that may contribute to student body diversity are meaningfully considered in admissions decisions. It is the intent of the Board to maintain an appropriate racial balance as required by law.

Should a concern arise regarding racial balance in one or more of the District's schools, the Superintendent shall consult with legal counsel to determine the appropriate steps that should be taken, including, but not limited to, any necessary policy revisions and other actions necessary to comply with State and Federal law. The Superintendent shall then make the appropriate recommendations to the Board.

The Superintendent shall prepare guidelines for the implementation of this policy in ways that comply with relevant State laws and guidelines and establish procedures that provide for the following:

- A. Nondiscrimination on the basis of grade level, including preschool disabled; academic ability; English language proficiency; or any level of artistic, athletic, or extra-curricular skills. A student's application cannot be denied because of disciplinary action in his/her home school, except for a suspension or expulsion for ten (10) days or more that occurs in the current semester or the semester immediately preceding the application. If the District does not currently provide services required for a disabled, adjacent-district student, his/her application may be denied.
- B. Application procedures including the criteria by which applications from adjacent-district and other-district students shall be reviewed and prioritized. District students and any adjacent-district or other-school district students previously enrolled under the provisions of this policy shall be given priority.
- C. Maintenance of appropriate racial balance in District schools, classrooms, and programs.
- D. Communications with applicants and their parents concerning this policy and the District's guidelines, including the timelines for application and notification of acceptance or rejection.
- E. Athletic eligibility complies with State regulations and the provisions set forth by the Ohio High School Athletic Association.
- F. Any transportation provided by the District for an adjacent-district or other district student takes place within established bus routes and bus stops within the District.
- G. Set District capacity limits by grade level, school building, and educational program.

The Board reserves the right to object to the Open Enrollment of a District student to another district in order to maintain an appropriate racial balance. If the Board of Education of a student's home school district objects to a transfer of one of its students to this District for the same reason, this Board will deny the transfer unless the tuition fee is paid for the student.

Open Enrollment Policy

The Board resolves to permit the enrollment of students, admitted under R.C. 3313.98, tuition free, from all districts subject to the policies, rules, regulations, and conditions contained hereafter:

- A. This resolution permitting inter-district open enrollment shall become effective July 1st of the next school calendar year and end June 1st of the next school calendar year.
- B. Students/Parents accepted into the inter-district open enrollment program shall be accepted for one (1) school year.
- C. Native students (school residents of the District) shall have priority to all programs, buildings, and grade levels over inter-district open enrollment applicants.
- D. Students from all other districts, enrolled in the District for the current school year shall have priority over inter-district open enrollment students.
- E. Special education students from those districts in the special education consortium in which the District is a participant shall have priority over inter-district special education open enrollment applicants.
- F. No student shall be accepted under the inter-district open enrollment program into a class, course, or program that is

not housed within the District's property. The District shall not be required to create or add any education program or units to serve inter-district open enrollment students. Additionally, enrollment limits for special education and vocational units shall not be exceeded.

- G. Any student accepted into the inter-district open enrollment program who is a special education student shall be required to attend the school within the district where services specified in the students' IEP are currently available.
- H. No student shall be accepted into the District under the inter-district open enrollment program who has been suspended or expelled from school for at least ten (10) consecutive days in the current semester or immediately preceding semester. In addition, no student shall be accepted into the District under the inter-district open enrollment program who has been convicted and/or ruled a delinquent student for committing any of the crimes listed below:
 - 1. conveying deadly weapons or dangerous ordinance
 - 2. possessing deadly weapons or dangerous ordinance
 - 3. carrying a concealed weapon on school property or at a school function
 - 4. trafficking in drugs
 - 5. murder or aggravated murder
 - 6. voluntary or involuntary manslaughter
 - 7. assault or aggravated assault
 - 8. rape, gross sexual imposition, or felonious sexual penetration
 - 9. sexual harassment of a student or teacher
 - 10. complicity in any of the above offenses
- I. Inter-district open enrollment program students must provide their own transportation to a bus stop within the District (designated by the Superintendent).
- J. It is the responsibility of each student/parent who is accepted in the inter-district open enrollment program and who desires to participate in interscholastic athletic competition to take all necessary steps and present evidence of such to the Superintendent that they have met all standard/eligibility criteria of the Ohio High School Athletic Association.
- K. In order for an open enrollment candidate to be accepted into the District under this policy, the following conditions shall be met:
 - 1. The District must have available space and teacher(s) for the applicant.
 - 2. An applicant will not be accepted if his/her acceptance shall exceed the building capacities set forth by the Superintendent.
 - 3. In addition to meeting the conditions of building capacity, an applicant will not be accepted if doing so would result in class sizes that exceed a student/teacher ratio that violates State minimum standards. More restrictive class sizes may be established by the Superintendent.

Application Process

The following shall be the process for applying for and processing applications to the open enrollment program:

- A. The District shall provide information outlining the policies, rules, and regulations pertaining to the inter-district open enrollment program including the application process during the month of March of every year.
- B. Applicants entered in the inter-district open enrollment plan must enter at the beginning of the school year or be approved by the Superintendent's of both School District's. No student shall be accepted in the program after the school year begins.
- C. Student/Parents wanting to enroll in the inter-district open enrollment program must submit a completed written application and have it on file in the Superintendent's office no earlier than March Board meeting of current year and no later than the last Friday in July of each school year.
- D. Students/Parents accepted or rejected into the inter-district open enrollment program shall be notified by letter no later than the last Friday of June in the current school year. All decisions granting acceptance into the program shall be based upon conditions and facts as they exist on the last day of current school year.
- E. Once the Superintendent has determined the student openings available for the next school year pursuant to the

policy, s/he shall place the applications of all applicants seeking assignment to available opening(s) on a first come, first served basis. Applications will be considered as they arrive at the Superintendent's office and be ranked by date and time of receipt. This process will be used for all grade level openings where there are more applicants for the opening than there are openings available.

- F. Students moving out of the District after the last Friday in July deadline may apply for an inter-district open enrollment transfer subject to space availability after the initial applications have been processed. Such requests will be acted upon within three (3) days after they are received.
- G. Following notification of acceptance, parents will be requested to return an "AN ACCEPTANCE OF TRANSFER" form to complete the transfer process.
- H. If the application of the parent/guardian has not been received before the established deadline, the request to enter the nonresident school district could be denied. However, if the two (2) school districts agree that it would benefit the student, the deadline date may be waived to allow the student to attend the other school district.

This policy shall be reviewed annually by the Board to determine whether to adopt a resolution to continue the policy or to rescind Inter-District Open Enrollment. The Board reserves the right to modify the conditions under which Inter-District Open Enrollment would continue for any particular program, classroom, or school.

R.C. 3313.98

Revised 5/12/98
Revised 12/19/00
Revised 6/10/02
Revised 6/21/04
Revised 5/15/06
Revised 3/12/07