

Davis School District Policy and Procedures

Subject: 5S-001 Enrollment Options for Students
Index: Student Services – *Enrollment and Registration*
Revised: May 3, 2022

Effective for early enrollment permits for the 2022-2023 school year.

1. PURPOSE AND PHILOSOPHY

- 1.1. The Board of Education of Davis School District (Board) desires to provide enrollment options that meet the diverse needs and interests of Davis School District (District) students. The Board provides such enrollment options through:
 - 1.1.1. open enrollment permit, providing parents a choice of schools to attend within the public school system that is not limited by District boundaries;
 - 1.1.2. dual enrollment of students simultaneously in a public school and in a home school, or a regularly established private school.
- 1.2. The purpose of this policy is to establish procedures for the selection and transfer of students among District schools and enrollment or re-enrollment after attending a charter school, in accordance with state law, administrative rule, and Board policy.

2. OPEN ENROLLMENT PERMITS

This section outlines procedures for parents, students, and staff members to follow in designating which schools and programs will be available for open enrollment during the coming school year and the process for open enrollment applications and review of open enrollment permits consistent with the definitions and timelines of Utah Code Ann. Title 53G, Chapter 6, Part 4 to assure that decisions regarding open enrollment permit request are administered fairly without prejudice to any student or class of student.

2.1. Definitions for Open Enrollment Permit

For purposes of this policy, the next definitions apply:

- 2.1.1. **“Appeals”** a written request from a custodial parent to the District Case Management Team for reconsideration of a denied early enrollment permit.
- 2.1.2. **“Closed school”** mean a school that has reached its maximum capacity of student enrollment and has accepted the additional 1.5% into its student population for the upcoming school year.
- 2.1.3. **“Early enrollment”** means application November 15 through the first Friday in February for admission for the next school year to a school that is not a student’s school of residence. Early enrollment allows for 1.5% enrollment above a school’s capacity. Applications received during early enrollment will also create a school’s permit Waiting List.
- 2.1.4. **“Late enrollment”** means application March 1 through the end of first semester of the upcoming school year for admission a school that is not the student’s school of residence. Schools that are deemed CLOSED, after the early enrollment process **will not** be available for permit application. Only schools that have not filled to capacity will remain OPEN for permit application.

- 2.1.5. **"Nonresident student"** means a student who lives outside the boundaries of the school attendance area.
- 2.1.6. **"Open enrollment permit"** means out of boundary/out of District permission to enroll in a designated school. Permit types include - Elementary K-6, Junior High 7-9, and High School 9-12.
- 2.1.7. **"Open school"** means a school that has not reached its maximum capacity in student enrollment nor the 1.5% additional allotment for the upcoming school year.
- 2.1.8. **"Random Number Selection"** means a computer automation process that occurs after the first Friday in February. It selects the early enrollment permits and the early enrollment waiting lists.
- 2.1.9. **"School of residence"** means the school to which a student is assigned to attend based on the student's place of residence.
- 2.1.10. **"Serious infraction of the law or school rules"** means chronic misbehavior by a student which is likely, if it were to continue after the student was admitted, to endanger persons or property, cause serious disruptions in the school, or to place unreasonable burdens on school staff.
- 2.1.11. **"Waiting list"** means the list generated from the early enrollment period of those students not selected in the random number selection process, which will be updated daily to ensure permit permission is continuing if school capacity decreases.

2.2. OPEN ENROLLMENT

2.2.1. Early Enrollment Application Process

Parents or guardians may apply for an early enrollment permit for admission for the next school year to a school that is open for enrollment that is not a student's school of residence as follows:

- [a] The student's parent shall apply electronically through **myDSD** on the District's website between November 15 and the first Friday in February.
- [b] A one-time, non-refundable five-dollar (\$5.00) processing charged at the time of the application.
- [c] Upon receiving a completed request form applications will go through a random number selection process.
- [d] The random number selection process generates a list of students that will receive approved permits and a list of students that will receive denies permits. The principal or designee shall notify the student's parent of acceptance or rejection of the request as soon as reasonably possible but in no event later than March 31.
- [e] The names of those students not being granted a permit through the random selection process shall be placed on a waiting list at the school. The order of names on the waiting list shall be determined by a continuation of the random selection process. Students whose name is on the waiting list need not submit an additional application under the Late Enrollment Period.

- [f] A parent or guardian may appeal the denied permit on the basis of an extreme hardship. Appeals will be reviewed by the District's Case Management Team
- [g] If at any time during the school year a student attending on an open enrollment permit withdraws from that school, the principal may fill that opening with the next name on the waiting list.

2.2.2. Late Enrollment Application Process

Parents may apply for a late enrollment permit for admission to a school that is not the student's school of residence as follows:

- [a] The student's parent shall apply electronically through *myDSD* on the District's website for schools that are deemed OPEN after the enrollment period. CLOSED schools are full and therefore, permits are no longer available.
- [b] A one-time, non-refundable five-dollar (\$5.00) processing charge payable to the District will be charged at the time of the application.
- [c] There is no waiting list or appeals for applications received during the late enrollment process.

2.3. Notice of Policy and Designations

The Director of Planning shall post on the District's website for each school in the District:

- 2.3.1. the school's maximum capacity;
- 2.3.2. the school's adjusted capacity;
- 2.3.3. the school's projected enrollment used in the calculation of the open enrollment;
- 2.3.4. actual enrollment on October 1, January 2, and April 1;
- 2.3.5. the number of nonresident student enrollment requests;
- 2.3.6. the number of nonresident student enrollment requests accepted; and
- 2.3.7. the number of resident students transferring to another school.

2.4. Standards for acceptance and rejection of open enrollment applications

2.4.1. Standards for accepting or rejecting an open enrollment application may include:

- [a] for an elementary school, the capacity of the specific grade level
- [b] maintenance of heterogeneous student populations if necessary to avoid violation of constitutional or statutory rights of students;
- [c] not offering, or having capacity in, an elementary or secondary special education or other special program the student requires;
- [d] maintenance of reduced class sizes in a Title I school that uses federal, state, and local monies to reduce class sizes for the purpose of improving student achievement, or in a school that uses school trust monies to reduce class size;
- [e] willingness of the applicant student to comply with district and school policies; and
- [f] giving priority to intradistrict transfers over interdistrict transfers.
- [g] giving priority to a child of a military servicemember.

2.4.2. Standards for acceptance of an open enrollment application shall not include:

- [a] previous academic achievement;
- [b] athletic or other extracurricular ability;
- [c] the fact that the student requires special education services for which space is available;

- [d] proficiency in the English language; or
- [e] previous disciplinary proceedings, except that an application may be denied for a student who has committed serious infractions of the law or school rules, including rules of the District; or has been guilty of chronic misbehavior which would, if it were to continue after the student was admitted:
 - (i) endanger persons or property;
 - (ii) cause serious disruptions in the school; or
 - (iii) place unreasonable burdens on school staff.

2.4.3. The school shall take into consideration the fact that an applicant's sibling is attending the school.

2.4.4. A principal may allow provisional enrollment of students with prior behavior problems, establishing conditions under which enrollment of a nonresident student would be permitted or continued.

2.4.5. When considering acceptance or rejection of an early enrollment application, the principal or designee may exclude requests that would exceed the capacity of a particular program, class, or grade level.

2.5. Students Impacted by School Boundary Changes

In the school year a secondary school boundary change will be implemented, the District shall give preference in the open enrollment process to secondary students impacted by a boundary change and requesting an open enrollment permit to remain in their current school.

2.6. Delay

Notwithstanding the dates established in this policy for submitting applications and notifying parents of acceptance or rejection of an application, the District may delay the dates if the Director of Planning is not able to make a reasonably accurate projection of the early enrollment school capacity or late enrollment school capacity of a school due to:

- 2.6.1. school construction or remodeling;
- 2.6.2. drawing or revision of school boundaries; or
- 2.6.3. other circumstances beyond the control of the local board.

A delay under this section may extend no later than four (4) weeks beyond the date the Director of Planning is able to make a reasonably accurate projection of the early enrollment school capacity or late enrollment school capacity of a school.

2.7. Revocation or Termination

2.7.1. A student with an open enrollment permit shall be permitted to remain in the school until the student has completed the highest grade in the school subject to the same rules and standards as resident students, without renewed applications in subsequent years unless one of the following occurs:

- [a] the student graduates;
- [b] the student is no longer a Utah resident;
- [c] the student commits a serious infraction of the law or school rules, is suspended or expelled from school; or

- [d] except for a student described in subsection 2.7.1[e], the District determines that enrollment within the school will exceed the school's open enrollment threshold; or
- [e] for a child of a military servicemember, as the term is defined in Utah Code Ann. §53B-8-102, who moves from temporary to permanent housing outside of the relevant school district boundaries following a permanent change of station:
 - (i) in kindergarten through grade 10, the student completes the current school year; or
 - (ii) in grades 11 and 12, the student graduates.

- 2.7.2. Students with a permit who will not be allowed to continue their enrollment shall be notified no later than March 15 of the current school year.
- 2.7.3. A student with an open enrollment permit shall be allowed to remain the school until the student has completed the highest grade in the school, unless revoked by the school principal, the director of admissions, or the Case Management Team for serious infractions of the law or school rules (see section 2.1.13 of this policy). Students who desire to attend a school other than their school of residence when moving from one school level to the next (i.e., elementary, junior high, high school) must apply as outlined in this policy.
- 2.7.4. Falsification or intentional misrepresentation of information by the parent or student on the application will result in cancellation of the open enrollment permit request granted under this policy.

2.8. Eligibility for Extracurricular Activities

Granting of an open enrollment application does not assure eligibility for participation in extracurricular activities. Eligibility for extracurricular activity participation shall be determined as outlined in the Utah High School Activities Association Handbook, Utah Administrative Rules, District Policy 5S-200 Minimum Standards of Eligibility for Extracurricular Participation, and District Policy 5S-201 9th Grade Participation in High School Sports.

2.9. Appeals Process Early Enrollment Application

- 2.9.1. A written appeal from a custodial parent outlining an extreme hardship will be reviewed by the District's Case Management Team (Team).
- 2.9.2. Appeals will be reviewed by the Team, March 15th through April 30th of the current year.
- 2.9.3. The Team shall issue a final written opinion within ten (10) school days following a review of the matter. The written decision shall be mailed to the parent, legal guardian, or emancipated youth.
- 2.9.4. The Team shall not hear appeals for extracurricular activities decisions, special education transfer decisions, or on permit request received during the late enrollment period.
- 2.9.5. Confidentiality shall be carefully maintained.

2.9.6. The Team has the authority to place students beyond the open enrollment threshold limit if placement is deemed appropriate for a student and such placement does not unduly burden the staff or building capacity.

2.9.7. The decision of the Team is a final administrative decision.

2.10. Transportation

The transferring student's parent is responsible for transportation to and from the receiving school. The District shall provide transportation on the basis of available space on an approved route within the District to the school of the student's attendance if the student would be otherwise eligible for transportation to the same school from that point on the bus route and the student's presence does not increase the cost of the bus route.

3. CHARTER SCHOOL STUDENTS ENROLLMENT OPTIONS

3.1. The District shall enroll a student who is a resident of the District, who desires to transfer from a charter school to the student's school of residence at any time during the school year. Open enrollment application and fee are not required when enrolling in school of residence.

3.2. The parent of a student who desires to transfer from a charter school to enroll in a District school other than their school of residence must follow the open enrollment permit procedures as outlined in this policy.

3.3. Charter school students may be denied enrollment in a District school if they have been expelled, or if they leave a charter school with disciplinary procedures pending at the previous school until previous allegations have been resolved.

4. DUAL ENROLLMENT OPTIONS

4.1. A student who is exempt from compulsory public school education for instruction in a regularly established private school or a home school, may enroll in the District school within whose boundaries a student's custodial parent resides as a dual enrollment student and participate in a course, co-curricular activity, or program at the student's resident school.

4.2. A dual enrollment student is eligible to participate in a course, co-curricular activity, or program consistent with the eligibility standards for a full-time student.

4.3. A dual enrollment student is subject to the same behavior and discipline rules and requirements of the full-time student and is subject to administrative scheduling and teacher discretion of the public school.

4.4. A school shall waive a student participation fee for a dual enrollment private or home school student if the student is eligible; and the parent provides required documentation under Utah Law, Utah Administrative Code R277-407, and District Policy *6F-101 School Fee and Fee Waivers*.

4.5. A student with disabilities may participate as a dual enrollment student consistent with Utah Law, Utah Administrative Code R277-438, and 34 CFR §§ 300.450 through 300.455.

- 4.5.1. A public school that enrolls a dual enrollment student with a disability shall prepare an Individualized Education Program (IEP) prior to the student's participation in dual enrollment using comparable procedures to those required for identifying and evaluating public school students.
- 4.5.2. A student with a disability seeking dual enrollment is entitled to services for the time, or for the number of courses, the student is enrolled in the public school, based on the decision of the student's IEP team.
- 4.5.3. Decisions about the scheduling and manner of services provided is the responsibility of the enrolling school and District personnel.

DEFINITIONS

See section 2.1 for definitions related to Open Enrollment Permits

REFERENCES

[Utah Code Ann. Title 53G, Chapter 6, Part 4](#) – School District Enrollment.

[Utah Code Ann. §53G-6-503](#) – Charter school students – Admissions procedures – Transfers.

[Utah Code Ann. §53G-6-702](#) – Dual enrollment.

[Utah Code Section §53G-6-306](#) – Enrollment for students of military servicemembers

[Utah Administrative Code R277-437](#) – Student Enrollment Options.

[Utah Administrative Code R277-438](#) – Dual Enrollment.

[Utah Administrative Code R277-472](#) – Charter School Student Enrollment and Transfers and School District Capacity Information.

RELATED DOCUMENTS

[Open Enrollment Permit Guidelines and Procedures](#)

[Open Enrollment Permit Webpage](#)

DOCUMENT HISTORY:

Adopted: September 16, 2008 – Adoption of this policy repeals sections 2.18 (enrollment options for nonresident students), 2.19 (Boundary variance for resident students) and 2.20 (Unsafe School Choice Transfer option) of policy 5S-403 Registration and Pupil Accounting. Updates open enrollment boundary variance in accordance with State law and administrative rule. Added section for Title I School Choice Enrollment Options.

Revised: October 21, 2008 – Added Charter School Students Enrollment Options and Dual Enrollment.

Revised: July 14, 2009 – Technical changes to comply with changes in State law. Added section 2.3.4 Allows enrollment In any public school if enrollment is necessary as determined by DCFS.

Revised: September 1, 2009 – No change to content, renumbered from 5S-407 to 5S-001 with reorganization of Policy Table of Contents.

Revised July 13, 2010 – Technical changes to comply with changes in State law and Administrative Code. Removed charter school and an online school student as dual enrollment students. Modified procedures for admitting students to charter schools and transferring from a charter school to a school district or another charter school.

Revised: February 1, 2011 – Changed enrollment options for charter schools to comply with changes in how capacity is defined in Utah Administrative Rule 277-472 for charter school students who wish to enroll in their district school of residence.

Revised: May 7, 2013 – Changed conduction of random selection process from March 1 to the first school day following the close of open enrollment

Revised: June 6, 2017 - Updates in dual enrollment section to comply with changes in Administrative Code. Suspended Unsafe School Choice Option. Updated Public School Choice section with ESSA. Stylistic non-substantive changes.

Revised: October 2, 2018 – Removed sections of policy that are no longer applicable under Federal Law: Unsafe School Choice Transfer Options & Title I Public School Choice. Added section on students impacted by school boundary changes.

Revised: October 6, 2020 on Consent - Removed language required written notification of boundary variance acceptance or requestion to be mailed.

Revised: May 3, 2022 – Updated early enrollment dates and enrollment for students of military servicemembers to comply with State law.HB380.
