Merchantville Board of Education 130 South Centre Street Merchantville, NJ 08109	File Code : 5118.1 Adopted : 09/09/2014 Revised : Reviewed : 06/03/2024

School Choice Program

The Merchantville School District shall admit choice students on a space available basis.

The board of education shall not prevent or discourage students from participating in the school choice program who meet the criteria as detailed in the district's application for participation in the choice program. The district may establish reasonable criteria to evaluate prospective choice students, including:

A. The student's interest in the program offered;

B. All criteria outlined in the board of education's application for choice program participation

The district may not impose admission criteria upon prospective choice program students other than those used to determine admission of the residents of this district. No applicant to become a choice student of this district shall be discriminated against on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a student with disabilities, proficiency in the English language, or any other basis prohibited by State or Federal law. This district shall not prohibit the enrollment of a student based upon a determination that the additional cost of educating the student would exceed the amount of additional State aid received as a result of the student's enrollment.

All students enrolled on a tuition basis in this district at the time of approval by the Commissioner as a choice district, shall be entitled to remain enrolled in the district as a choice program student. No additional students may be admitted on a parent-paid tuition basis as long as the district participates in the school choice program.

All students enrolled in the choice program shall not be required to reapply and shall be guaranteed enrollment in the district through all the grades offered by the district. The student shall be permitted to transfer back to a school of the sending district or may apply to a different choice district during the next application period.

Preferences for Enrollment

A. The district shall prioritize all Tier 1 applicants for the spaces available in the School Choice program.

   A Tier 1 student shall be enrolled in a NJ public school in his or her resident school district for the entire year immediately preceding enrollment in the Choice Program. If applying for kindergarten, a student must be attending his or her resident district's public preschool or, if

that district does not offer preschool, have a sibling currently attending the Choice Program to be considered Tier 1.

B. Enrollment may be prioritized for

1. Students with siblings in the district,;
2. Students from send-receive or limited purpose regional districts; or
3. Resident students of the Choice district who moved during the school year.

C. If space remains in the Choice Program the district shall accept Tier 2 students

Tier 2 students include NJ residents who have not attended their resident public school for the entire year immediately prior to enrollment in the desired Choice district and do not otherwise meet the requirements for Tier 1.

NOTE: not all Choice districts accept applications from Tier 2 students. Contact the desired Choice districts to find out if they will accept applications from Tier 2 students.

Special Education Students

An application for enrollment of a student who has been classified as eligible for special education services pursuant to N.J.S.A. 18A:46 may be rejected:

A. If the student's individualized education program can not be implemented in this district; or

B. If the enrollment of that student would require the district to fundamentally alter the nature of its educational program; or

C. If the enrollment of that student would create an undue financial or administrative burden on the district.

Application

The district shall adhere to the notification, application, and reporting deadlines established annually by the NJDOE and found at http://www.state.nj.us/education/choice/apptimes.htm. The following steps shall be implemented for notifications, applications and report submissions:

A. The student's parent or legal guardian must submit the Notice of Intent to Particpate in a School Choice Program to the chief school administrator of their resident district no later than the deadline established by the NJDOE);

B. The resident district shall notify the parent/guardian no later than the deadline established by the NJDOE confirming or denying the students eligibility to participate in the School Choice Program. Students may be denied eligibility if the board has resolved and the Commissioner has approved a limit on the number of students who may leave the district to enroll in a school choice program. Students shall be confirmed on a first come first serve basis;

C. The student's parent or legal guardian must submit the application for the choice program no later than application deadline established by the NJDOE;

D. The Merchantville School District shall notify the parent or legal guardian in writing no later than deadline established by the NJDOE, whether the application for participation in the choice program has been conditionally accepted or rejected. If an application is rejected, the district shall state the reason for rejection in the notification and shall provide applicable information regarding the student's position on the waiting list;

E. The parent or legal guardian shall then provide written notification to this district no later than deadline established by the NJDOE whether the student applicant intends to enroll in the choice program. This notification shall be binding;

F. In the event that parent/guardian is notified that the application has been accepted, but the parent/guardian fails to provide the written binding notice of intent to enroll, the Merchantville School District shall accept applicants from the waiting list. The district shall notify the parent or legal guardian from the waiting list that the student(s) is accepted no later than deadline established by the NJDOE;

G. The Merchantville School District shall notify the sending districts in writing of each student's enrollment within 10 days of the student's notification of the intention to attend this choice program.

Unfunded School Choice Students

The district may enroll students for all approved seats available in accordance with the approved district application for the School Choice Program and board policy after the application deadline and the enrollment data has been sent to the NJDOE. However, when a student is enrolled after the enrollment data submission deadline (from the waiting list or from a late application) the student shall be an unfunded choice student in the subsequent school year. The unfunded student's enrollment will be automatically converted to a funded choice student the following year if he/she remains in the choice program.

An application for the Choice Program may be accepted late and the student enrolled during the ongoing school year, for resident students who move out of the district and wish to complete the year or continue as a Choice Program student. In such a case the district will obtain a deadline waiver from the Commissioner. The student shall be unfunded in the subsequent school year. The unfunded student's enrollment will be automatically converted to a funded choice student the following year if he/she remains in the choice program.

The enrollment data to the NJDOE shall be accurate and reflect the number of accepted applications as well as the actual number of students reporting the intention to enroll. If however, a student defaults and creates a vacancy for a funded space, the district may fill the vacancy and it shall be funded.

The district shall use the waitlist and select students according to the policy and regulations governing the development and use of the waitlist for all available seats and/or vacancies that occur before accepting late applications.

Late applications may be accepted for existing funded spaces, only after the applicants from the waiting list have been contacted and offered the spaces available.

Lottery Selection Process

When there are more applications than space available in the choice program, the district shall hold a public lottery to determine the selection of students for participation in the choice program. The district shall:

A. Hold a public lottery to determine the selection of students for participation in the choice program;

B. Notify the parent or guardian of every student who has submitted notice of intent to participate in the choice program of the date and time of the lottery;

C. Assign a number to each student participating in the lottery and notify the parent or guardian of the number assigned to their child(ren); and

D. Develop a waiting list based on the lottery.

Before conducting the lottery, the district may give preference to siblings of students already enrolled in a school choice program. "Sibling" shall be defined as a brother or sister living in the same household of the sibling student.

Having elected to give preference to siblings of students already enrolled in and attending the choice program and there are no spaces available in the choice program for the sibling, the district shall conduct the lottery for the remaining applicants in order to assign them a place on the waiting list.

Having elected to give preference to siblings of students already enrolled in and attending the choice program and there are more sibling applicants than there are available spaces, the district shall conduct a lottery first for the siblings only, in order to determine the selection of students for participation and for placement on the waiting list. If there are spaces available in the program after all siblings are placed, a lottery shall be conducted for any remaining applicants to determine their placement on the waiting list behind the siblings on the waiting list.

Waiting List

When the number of student application for the choice program exceeds the available space in the choice program a waiting list will be established to be used in the second enrollment cycle.

The list shall be comprised of applicants selected by lottery and listed in the numerical order in which the name was drawn. As space becomes available for participation in the school choice

program, students will be contacted in the order in which their name appears on the list. Siblings of existing students shall be offered admission first.

The school waiting list shall expire annually and all waiting applicants subject to reapplication.

Key Words

Choice, School Choice, School Choice Program, Application, Lottery, Waiting List

Legal References:

N.J.S.A. 18A:7F-45	Definitions
N.J.S.A. 18A:11-1	General mandatory powers and duties
N.J.S.A. 18A:36B-1 et seq.	Interdistrict Public School Choice Program Act of 1999

See particularly:

N.J.S.A. 18A:36B-20, -21

N.J.S.A. 18A:38-1 et seq.	Attendance at school free of charge

See particularly:

N.J.S.A. 18A:38-2, 38-3, 38-8, 38-9

N.J.S.A. 18A:46-20	Receiving pupils from outside district; establishment of facilities
N.J.S.A. 18A:54-20	Powers of board (county vocational schools)
N.J.A.C. 6A:12-1.3 et seq.	Inter-district Public School Choice

See Particularly

N.J.A.C. 6A:12-4.1, -4.2, -4.3

N.J.A.C. 6A:17-1.1 et seq.	Students at Risk of Not Receiving a Public Education
N.J.A.C. 6A:22	Student residency

See particularly:

N.J.A.C. 6A:22-3	Eligibility to attend school
N.J.A.C. 6A:22-3.1	Students domiciled within the school district
N.J.A.C. 6A:23-5.2	Method of determining the district of residence
N.J.A.C. 6A:23-5.3	Address submission for determining the district of residence

Illegal Immigrant and Immigration Responsibility Act of 1997, 8 U.S.C. § 1101

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References:

3240	Tuition income
*5111	Admission
*5118	Nonresidents
*6151	Class size

*Indicates the policy is included in the Critical Policy Reference Manual.