USD 261 Open Enrollment

Public Hearing

6:00 p.m.

November 13, 2023

Proposed Policy JBCC

"Kansas law requires the board to allow nonresident students to enroll in and attend the schools of the district if the board's capacity determination finds there are open seats for such students. In order to determine the district's capacity to accept nonresident students at each grade level in each district school, the board has adopted this policy."

Nonresident Student

"Nonresident student" means a student who is enrolled and in attendance at or seeking to enroll and attend a school located in a district where such student is not a resident.

Determining Capacity for Nonresident Enrollment

The superintendent or designee has the responsibility for studying capacity in each school of the school district and at each grade level within each school and for making recommendations to the board regarding the district's capacity to accept nonresident students.

K-8 Capacity

- Present classroom student-teacher ratios in each grade level in each school;
- projected enrollment shifts based on the resident student population, which may include a percentage adjustment for anticipated growth or decline based on documented enrollment trends; and
- maximum capacity of the classroom and associated learning, activity, and common area spaces

Grades 9-12

- Present building or program student-teacher ratios;
- projected enrollment shifts based on the resident student population, which may include a percentage adjustment for anticipated growth or decline based on documented enrollment trends;
- anticipated demand for particular courses or programming; and
- maximum capacity of the classroom and associated learning, activity, and common area spaces.

Timeline

- On or before May 1 of each year, the superintendent shall present the recommendations concerning capacity and student-to-teacher ratios to the board for adoption or modification, and the board shall determine, for each grade level in each school building of the school district for the next succeeding school year…
- On or before June 1 of each year, the district shall publish the number of open seats available to nonresident students in each grade level for each school building of the district for the next succeeding school year on the school district's website.
- From June 1 through June 30, district administration shall accept applications from nonresident students.

Enrollment Process for Nonresident Students

- If the number of applications for a grade level in a school building is less than the number of available seats for that grade level in the school building, the nonresident students shall be accepted for enrollment and attendance at the school district, except as provided below for nonresident students regarding continued enrollment.
- If the number of applications for a grade level in a school building is greater than the number of available seats for the grade level in the school building, district administration shall randomly select nonresident students using a confidential lottery process. This process shall be completed on or before July 15 of each year.

- The district shall provide to the parent or person acting as a parent of a nonresident student who was not accepted for or denied enrollment at such school district the reason for the nonacceptance or denial and an explanation of the nonresident student selection process.

“Priority” is Given when…

- Any sibling of a nonresident student who was accepted to enroll in and attend school in the district, with priority given when the nonresident student is first accepted and, if necessary, at any other time the district considers transfer applications; and
- Any nonresident student who is a military student as defined in K.S.A. 72-5139, with priority given when the student is first accepted and, if necessary, at any other time the district considers transfer applications.

Exempt Students

- any child who is in the custody of the Department for Children and Families and who is living in the home of a nonresident student who transfers to the district;
- any nonresident student who has a parent or person acting as parent employed by the district, while the parent or person acting as a parent remains employed by the district; or
- any child who is experiencing homelessness shall be permitted to enroll in and attend the school district of origin or the school district of residence

Prohibitions Regarding Open Enrollment Provisions of this Policy

- Charge tuition or fees to any nonresident student who transfers to the district pursuant to this policy, except fees that are otherwise charged to every student enrolled in and attending school in the district; or
- accept or deny a nonresident student transfer based on ethnicity; national origin; gender; income level; disabling condition; proficiency in the English language; or measure of achievement, aptitude, or athletic ability.

Transportation

- Not be required to provide transportation to nonresident students unless otherwise required to do so by state and/or federal law, as a related service through a student's individualized education program, or as an accommodation pursuant to the student's Section 504 plan.
- If space is available on district transportation vehicles, the district may assign nonresident students an in-district bus stop to and from which transportation may be provided by the district for nonresident students.
- The district shall ensure that transportation for nonresident homeless students is provided comparably to that of housed students.

Other

- KSHSAA
- Report to KSDE
- Nonresident Student Continued Enrollment

Student in Good Standing

- The nonresident student failed to maintain a 90% attendance rate in the last school year, excluding excused absences under board policy JBD and/or any relevant student handbook language;
- the nonresident student or the student's parent or person acting as a parent provided false or fraudulent information in the application process;
- the nonresident student is not a resident of Kansas;
- the student is currently under a period of suspension or expulsion from any Kansas school district, and such suspension or expulsion will not expire until after the next school year has begun.
- the student has had three or more out-of-school suspensions in the current school year, excluding suspensions a manifestation determination determined to be a manifestation of the student's disability or a failure on the part of school staff to implement an individualized education program, Section 504 plan, or behavior intervention plan; or
- the student has been given a long-term suspension or expulsion by the district in the current school year.

Notification of Parents

- Parents shall be informed of any administrative decision not to continue enrollment of a nonresident student no later than May 15.

Next Steps

- Community Input @ Nov. 13 Hearing
- Approve Policy by December 31, 2023
- Form committee
  - BOE
  - Supt.
  - Asst. Supt.
  - Building Principals
  - Facilities Staff
- Set Capacity by May 1, 2024



Questions, Comments, Concerns



Community Input