

Book Neola Policy Templates for Catch Up  
Section Board Approved Policies 5000s  
Title INTRA-DISTRICT OPEN ENROLLMENT  
Code po 5113.01  
Status

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Policy Manual

Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 Revised INTRA-DISTRICT OPEN ENROLLMENT

Code

po5113.01

Status

From Neola

Adopted

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### **Revised Policy - Vol. 42, No. 1**

#### **5113.01 - INTRA-DISTRICT OPEN ENROLLMENT**

##### **~~[ ] [OPTION #1]~~**

~~In as much as the educational program for each grade level is housed in only one (1) building, the Board of Education does not believe that the requirement to provide for open enrollment at each grade level is applicable to this District. However, should at any time in the future an educational program at any grade level be made available at more than one (1) location, the Board shall establish a policy whereby students may attend the program at any such locations.~~

##### **☒ [OPTION #2]**

The Board of Education shall permit any eligible, elementary or middle school student in the District to apply for enrollment in any District program or school, provided the student's application meets the requirements of the State and the conditions established in District guidelines.

## **~~[END OF OPTIONS]~~**

The following definitions shall apply:

### **Home School**

The school to which the student has been assigned prior to any request for transfer.

### **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. Intra-district open enrollment permits the admission of students to any appropriate school or program in the District.

### **Home-School Student**

A District student who resides in the home-school attendance area.

### **Nonhome-School Student**

A District student who enrolls (seeks to enroll) in a program or school in another attendance area within the District.

### **Program**

Any one (1) of the specific course offerings of this District.

### **Program Size**

The restrictions on ~~the~~ number of students in a program due to circumstances unique to that specific program, a collectively-bargained, negotiated agreement, 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 racial 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/Administration 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.

### ~~[ ] [OPTION #1]~~

~~Should a concern arise regarding racial balance in one (1) 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. ( ) It should be noted that as of \_\_\_\_\_, [insert date policy adopted or revised] there are no racially isolated buildings within the School District school district.~~

### ~~[ ] [OPTION #2]~~

~~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. ( ) (i.e., to appropriately apply the requirements of maintaining appropriate racial balance to the racially isolated building(s) in the District) [END OF OPTIONS]. The Superintendent shall then make the appropriate recommendations to the Board.~~

### ~~[END OF OPTIONS]~~

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 ~~the 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.
- B. Application procedures including the criteria by which applications from non-home-school students shall be reviewed and prioritized. Home-school students shall be given priority over nonhome-school students. Further, a student shall submit an application only if ~~the students/he~~ wishes to attend an alternate school in the District.
- 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 shall comply with State regulations and the provisions set forth by the Ohio High School Athletic Association.
- F. Any transportation provided by the District for a nonhome-school 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 Superintendent shall annually review the level of diversity existing within the District's programs, grades, and/or schools to assess whether the application of this policy has resulted in an adverse effect on racial balance. As a part of ~~the his/her~~ review, the Superintendent will be responsible for determining whether there is a legal basis for the Board to use the "maintenance of appropriate racial balance" language of R.C. 3313.97(C). Should this review indicate that the racial balance in one (1) or more of the District's programs, grades, and/or schools has been adversely affected, the

Superintendent shall consult with legal counsel to determine what, if any, appropriate steps should be ~~taken~~<sup>taken</sup>, including, but not limited to, policy revisions or other actions necessary to comply with State and Federal law.

The Superintendent shall report to the Department of Education and Workforce (DEW) the number of students attending a school in the District that is not the school to which the student would normally be assigned to attend.

~~[?] If an enrollment lottery is utilized for intra-district enrollment, the lottery shall be conducted on the second Monday of June in the year prior to the school year in which students seek intra-district enrollment.~~

R.C. 3313.97(C)

R.C. 3313.984

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Legal

R.C. 3313.97(C)

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