

536 STUDENT OPEN ENROLLMENT

I. PURPOSE

The purpose of this policy is to set forth the application and procedures in making determinations about the enrollment of nonresident students through the state-wide Enrollment Options Program, pursuant to Minnesota Statutes §124D.03.

II. GENERAL STATEMENT OF POLICY

Alexandria Public Schools recognizes the value of various educational settings and opportunities for all learners. In accordance with this philosophy, the District is committed to working cooperatively with students and their parents/guardians to allow Minnesota nonresident students to apply for open enrollment in Alexandria Public Schools.

III. DEFINITIONS

“Resident students” are students who live with a parent(s) or legal guardian(s) within the boundaries of the Alexandria School District, or otherwise have been deemed by the District to be residents pursuant to the guidelines under Article IV of Policy 509 (Enrollment of Nonresident Students).

“Open enrolled students” are residents of another Minnesota school district who have been accepted for enrollment in the Alexandria School District pursuant to the procedures and criteria set forth in this Policy.

IV. GUIDELINES

A. Criteria and Procedures in Considering Open Enrollment Applications

The following criteria are applied in determining whether to accept or reject an application for open enrollment:

1. Program, class or building capacity

The District will not approve applications for open enrollment into a program, class or school building if capacity of the program (other than a special education program), class or school building has been reached.

- (a) The capacity of a program, class or school building is reached when the superintendent or designee has determined that acceptance of an additional student would require any of the following:

- (1) the addition of a staff person to adequately address the needs of the students in that program, class or building;
 - (2) the utilization of additional physical space for the program, class or school building to function properly or effectively; or
 - (3) a material change to the program, class or school building that would adversely affect the quality of the education provided in that program, class, or school building.
- (b) In determining whether the capacity of a program, class or school building has been reached, the superintendent or designee may consider any relevant information including, but not limited to:
- (1) staff-to-student ratios;
 - (2) current or projected enrollment;
 - (3) current or projected staffing;
 - (4) the size and other physical attributes of the facility; and
 - (5) other miscellaneous factors that affect the quality of education.

2. Additional Limitations That May Apply

At any time, the School Board may adopt a resolution limiting the number of nonresident students who may open enroll in its schools or programs to the lesser of:

- (a) 1% of the total enrollment at each grade level; or
- (b) the number of District residents at that grade level who have enrolled in a nonresident school district under the Enrollment Options Law.

3. Other Standards That May Be Used For Rejection of an Application

In addition to the provisions of Section IV.1, the District may refuse to allow a student who is expelled under state law to enroll during the term of the expulsion if the student was expelled for:

- (a) Possessing a dangerous weapon, including a weapon, device, instruments, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, with the exception of a pocket knife with a blade less than two and one-half inches in length, at school or a school function;
 - (b) Possessing or using an illegal drug at school or a school function;
 - (c) Selling or soliciting the sale of a controlled substance while at school or a school function; or
 - (d) Committing an act classified as third-degree assault or greater involving assaulting another and inflicting substantial bodily harm.
4. Standards That May Not Be Used For Rejection of an Application for Open Enrollment
- (a) Previous academic achievement of a student;
 - (b) Athletic or extracurricular ability of a student;
 - (c) Disabling conditions of a student;
 - (d) A student's proficiency in the English language;
 - (e) The student's district of residence;
 - (f) Previous disciplinary proceedings involving the student, except expulsion for reasons set forth in Article IV.3. Also, this provision does not preclude the District from proceeding with exclusion as set out in Section V of this policy.

B. Application

1. The student and parent or legal guardian must complete an application for open enrollment on the form developed by the Minnesota Department of Education. The application deadline is January 15, preceding the school year for which enrollment is desired.
2. If the number of open enrollment applicants exceeds the number of spaces available in a program, class, grade level or school building, an impartial lottery will be held following the January 15 deadline to determine which

students will be enrolled. Siblings of currently enrolled students will receive priority in the lottery. The District will notify the parent/guardian and the student's resident district if an application has been accepted or rejected, in most cases, by March 1 or 45 days after submission of the application. The parent/guardian must notify the superintendent's office of the student's commitment to attend Alexandria Public Schools by April 1.

V. EXCLUSION

A. Administrator's Initial Recommendation

If a school administrator knows or has reason to believe that an applicant for open enrollment has engaged in conduct that could subject the applicant to exclusion under law or District policy, the administrator will transmit the application to the superintendent or designee with a recommendation of whether exclusion proceedings should be initiated.

B. Superintendent's Review

The superintendent or designee may make further inquiries. If the superintendent or designee determines that the applicant for open enrollment should be enrolled, he or she will notify the applicant and the school administrator. If the superintendent or designee determines that the applicant should be excluded, the superintendent will notify the applicant and provide the applicant an opportunity to voluntarily withdraw the application for open enrollment. If the applicant does not voluntarily withdraw the application, the District may initiate exclusion proceedings in accordance with the Minnesota Pupil Fair Dismissal Act.

VI. TERMINATION OF ENROLLMENT

A. The District may terminate the enrollment of an open enrolled student at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy under Minnesota Chapter 620A and the student's case has been referred to Juvenile Court. A "habitual truant" is a child under 17 years of age who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class periods on seven school days if the child is in middle school, high school or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods of seven school days and who has not lawfully withdrawn from the school under state law.

B. The District may also terminate the enrollment of an open enrolled student over 17 years of age if the student is absent without lawful excuse for one or more periods on 15 school days and has not lawfully withdrawn from school under state law.

VII. TRANSPORTATION

The parent/legal guardian of an open enrolled student is responsible for transporting the student to the border of the District, unless transportation is provided for under a state or federal subsidy program, or the family lives in a District-approved transportation area. The District will transport an open enrolled student within its borders if the student's parent or legal guardian requests transportation. Any exceptions to the transportation obligations set forth in this section will be determined by the superintendent or designee.

LEGAL REFERENCES:

Minn. Stat. §120A.22, subd. 8 (Withdrawal from School)
Minn. Stat. §121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. §124D.03 (Enrollment Options Program)
Minn. Ch. 260A (Truancy)
Minn. Stat. §260C.007, subd. 19 (Habitual Truant Defined)

Cross References:

Policy 506 (Student Discipline)
Policy 517 (Student Recruiting)
Policy 510 (Pupil Fair Dismissal Act)

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