

JFB OPEN ENROLLMENT

Pinal County Schools' Program has an open-enrollment program as set forth in A.R.S. 15-816 and A.R.S.15-816.01 et seq. The open enrollment program described in this policy shall be placed on the District website and made available to the public on request.

No tuition shall be charged for open enrollment, except as authorized by applicable provisions of A.R.S. 15-764, 15-797, 15-823, 15-824, and 15-825.

School District policies shall include the information required by A.R.S. 15-816.01 (I) that is needed to request enrollment and that is consistent with guidance and state and federal law regarding pupil privacy and civil rights, and information regarding the provision of transportation or resources for transportation.

The policies must be easily accessible from the home page on each school's website and be available in English and in Spanish or in any other language used by a majority of the populations served by the school or School District.

A school district shall update on each school's website the school's capacity and whether the school is currently accepting open enrollment students, by grade level, at least once every twelve (12) weeks unless there are no changes to report for the individual school.

If a school has any other separate capacity by specialized program, the information required pursuant to this subsection shall also be posted by specialized program.

Schools shall accept pupils throughout the school year as capacity allows. Pupils who are denied access due to capacity shall be informed that they are on a wait list and of the details regarding the process prescribed in A.R.S. 15-816.01(E).

Pupils shall be selected as seats become available.

A school district shall enroll at any time any resident pupil who applies for enrollment to the school district.

A school district shall give enrollment preference to and reserve capacity for all of the following:

- A. Resident pupils
- B. Pupils returning to the school from the prior year
- C. Siblings of pupils already enrolled.

A school district may give enrollment preference to children who:

- A. Are in foster care.

B. Meet the definition of unaccompanied youth prescribed in the McKinney-Vento Homeless Assistance Act (P.L. 100-77; 101 Stat. 482; 42 United States Code Section 11434a).

C. Attend a school that is closing.

A school district may give enrollment preference to and reserve capacity for all of the following:

A. Pupils who are children of persons who are employed by or at a school in the Pinal County Schools Program.

B. Resident transfer pupils and their siblings

C. Pupils who meet additional criteria established and published by the School District Governing Board.

If remaining capacity at a school, as determined by the County School Superintendent, is insufficient to enroll all pupils who submit a timely request, the school or School District shall select pupils through an equitable selection process such as a lottery (but not limited to a lottery), except that preference shall be given to the siblings of a pupil selected through an equitable selection process such as a lottery.

Except as provided in A.R.S. 15-816.01, a school that is operated by a school district may not limit admission based on any of the following:

- A. Ethnicity or race.
- B. National origin
- C. Sex.
- D. Income level.
- E. Disability.
- F. Proficiency in the English language
- G. Athletic ability.

Definitions

Nonresident pupil means a pupil who resides in this state and who is seeking enrollment in a school district other than the school district in which the pupil resides.

Enrollment Options

Program resident pupils may enroll in another school district or in another school within this program. Resident transfer pupils and nonresident pupils may enroll in schools within this program, subject to the procedures that follow.

Information and Application

The program administrator shall prepare a written information packet concerning the program's application process, standards for acceptance or rejection, and policies, regulations, and procedures for open enrollment. The packet will be made available to everyone who requests it.

The information packet shall include the enrollment application form and shall advise applicants that they must submit enrollment applications on or before _____(TBA_____ of each year to be considered for enrollment during the following school year.

Capacity

The program administrator shall annually estimate how much excess capacity may exist to accept transfer pupils. The estimate of excess capacity shall be made for each school and grade level and shall take into consideration:

- A. Program resident pupils including those issued certificates of educational convenience and those required to be admitted by statute.
- B. The enrollment of eligible children of persons who are employed by the program.
- C. Resident transfer pupils who were enrolled in the school the previous year.
- D. Nonresident pupils who were enrolled in the school the previous year with appropriate behavior and attendance records.

The County School Superintendent shall make the final determination of excess capacity and may require resident transfer pupils and/or nonresident pupils to be subject to the enrollment priorities and procedures found below. The excess-capacity estimates shall be made available to the public.

Enrollment Priorities

If the County School Superintendent has determined that there is excess capacity to enroll additional pupils, such pupils shall be selected on the basis of designated priority categories from the pool of pupils:

- A. Who have properly completed and submitted applications; and
- B. Who meet admission standards.

Enrollment priorities and procedures for selection shall be in the order and in accordance with the following:

Resident pupils shall be enrolled and served first. Resident pupils are those that live within the unincorporated area that serves as the "program

boundaries." This unincorporated area is centered around the Pinal County Housing Project at Eleven Mile Corner.

If remaining capacity exists within the guidelines recommended by each school principal and approved by the County School Superintendent and an appropriate, in-District program is available, nonresident pupils will be enrolled based on the following priorities:

A. The first level of enrollment preference shall be for nonresident county pupils whose parent is employed at one (1) of the program schools or with other Pinal County School Superintendent sponsored programs.

B. The second level of enrollment preference shall be to nonresident county pupils who were enrolled in the program the previous year with appropriate behavior and attendance records.

C. The third level of enrollment preference shall be to any sibling who would be enrolled concurrently with the non-resident pupil.

D. The fourth level of enrollment preference shall be to nonresident county pupils who were not enrolled in the school the previous year.

E. The fifth level of enrollment preference shall be for nonresident/noncounty pupils whose parent is employed at one (1) of the program schools or with other Pinal County School Superintendent sponsored programs.

If the capacity is not sufficient to enroll all of the students requesting the enrollment, the program shall accept these students to the extent of available capacity through a selection process adopted by the County School Superintendent.

Admission Standards

The Mary C. O'Brien Accommodation School District retains the right to decline enrollment of a student who has been suspended/expelled by another school district in this state during the period of suspension/expulsion or who is not in compliance with a condition of disciplinary action imposed by any other school or school district or with a condition imposed by the juvenile court pursuant to A.R.S. 8-301. Acceptance for enrollment may be revoked upon finding the existence of any of these conditions.

The Mary C. O'Brien Accommodation School District shall not admit a non-resident pupil if the program has been notified by the resident school district that the admission of the student would violate a court order of desegregation or an agreement with the United States Department of Education Office of Civil Rights directed toward the remediation of alleged or proven racial or ethnic discrimination.

The Mary C. O'Brien Accommodation School District may provide transportation for students. Nonresident pupils may request that the program provide transportation services. Such requests are subject to approval by the principal of each school and the Transportation Director for Pinal County Schools.

Revocation

An approved open enrollment may be revoked at any time if it is determined that the provided information has been falsified or if information has been omitted from the open enrollment application. Additionally, open enrollment may be revoked due to poor attendance or failure to follow school rules, District policies and procedures, and/or disruptions by the student or parent that interfere with the day to day running of the school. If an open enrollment for a District student is revoked, the student will transition to the successor school at the end of the natural grading period or at a time otherwise designated by the District. If the student is in jeopardy of having his/her open enrollment revoked, the District will, when circumstances permit, send a warning letter to the parent.

Adopted 9/7/2021

LEGAL REF.:
A.R.S.
[8-371](#)
[15-764](#)
[15-797](#)
[15-816](#) et seq.
[15-823](#)
[15-824](#)
[15-825](#)
[15-841](#)
[15-922](#)
42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,
as amended by the Every Student Succeeds Act (ESSA) of 2015

CROSS REF.:
[EEAA](#) - Walkers and Riders
[IIB](#) - Class Size
[JF](#) - Student Admissions
[JFAA](#) - Admission of Resident Students
[JFAB](#) - Admission of Nonresident Students
[JFABD](#) - Admission of Homeless Students
[JFABDA](#) - Admission of Students in Foster Care
[JG](#) - Assignment of Students to Classes and Grade Levels