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OPEN ENROLLMENT

The Catalina Foothills Unified School District (CFSD) has an open enrollment program pursuant to A.R.S. [15-816](#) and A.R.S. [15-816.01](#) *et seq.*, to provide educational options for both resident and nonresident students. The primary driver for admitting nonresident students to CFSD is to achieve and maintain a system-wide student enrollment that supports the efficient operation of all CFSD schools. The open enrollment program described in this policy shall be placed on the CFSD website.

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](#).

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 District.

The 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 the 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 waitlist and of the details regarding the process prescribed in A.R.S. [15-816.01](#)(E).

Pupils shall be selected as seats become available.

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

The 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.

The 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.

If a school remains open as part of a boundary change and capacity is available, students assigned to a new attendance area may stay enrolled in their current school.

The 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 District.
- B. Resident transfer pupils and their siblings.
- C. Pupils who meet additional criteria established and published by the CFSD Governing Board.

If remaining capacity at a school, as determined by the CFSD Governing Board, is insufficient to enroll all pupils who submit a timely request, the school or 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 the 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

Resident transfer pupil means a CFSD resident pupil who is enrolled in or seeking enrollment in a school that is within CFSD but outside the attendance area of the pupil's residence.

Nonresident pupil means a pupil who resides in this state, but not in CFSD, and who is seeking enrollment in a CFSD school.

Enrollment Options

Resident transfer pupils and non-resident pupils may enroll in schools within CFSD, subject to the procedures that follow.

Information and Application

The Superintendent shall prepare information concerning the District's application process, standards for acceptance or rejection, and policies, regulations, and procedures for open enrollment. Information for the next school year will be made available beginning November 1.

The information shall include the enrollment application form and shall advise applicants that they must submit enrollment applications before February 1 of each year to be considered for

the first round of decision-making for enrollment during the following school year.

Capacity

The Superintendent shall annually estimate how much excess capacity may exist to accept transfer pupils. The estimate of excess capacity shall be made subject to the class size limit established for the school and/or its grade levels and the availability of specialized programs needed by individual applicants, and shall take into consideration:

- A. CFSD resident pupils in assigned school attendance areas, including those issued certificates of educational convenience and those required by statute to be admitted.
- B. The enrollment of eligible children of employees for whom there are open enrollment applications. In order to encourage qualified employees - those who are employed at least twenty (20) hours per week - to join the staff, children of employees will be given enrollment preference. Such staff members must be in a current employment status (current notice of appointment, contract, or Board-approved LOA).
- 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.

Enrollment Priorities

If 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 who:

- A. Submitted completed applications; and
- B. Meet admission standards.

Enrollment priorities and procedures for selection shall be in the following order. In each case if capacity is not sufficient to enroll all of the pupils, they shall be selected through the process defined in Regulation JFB-R.

- A. Resident transfer pupils who were enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils.
- B. Nonresident pupils who were enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils.
- C. Resident transfer pupils who were not enrolled in the school the previous year.
- D. Nonresident pupils who were not enrolled in the school the previous year.

Note: The Superintendent may authorize the intra-District transfer of any resident student enrolled in another CFSD school if extenuating circumstances exist involving the safety or well-being of the student that are sufficient to merit such individual treatment. If so, an application for transfer under the open enrollment program is not required. Such special assignments must be recommended by the sending and receiving building principals.

Admission Standards

The following circumstances may result in denial of admission or permission to transfer, or revocation of previously granted admission or permission to transfer, of an open enrollment student:

- A. The student, or his or her parent or guardian, has engaged in misconduct by providing false or misleading information to CFSD or to any CFSD employee, including information requested or required on any open enrollment or admission application;
- B. The student, in CFSD or as a result of attendance in any other public or private school, is currently under suspension or expulsion, has in the past been suspended or expelled, or has been involved in a series of disciplinary problems;
- C. The student, in CFSD or any other public or private school, withdrew from school to avoid possible suspension or expulsion;
- D. The student, in CFSD or any other public or private school, has a record of excessive absences or trancies;
- E. The student is not in compliance with any condition of disciplinary action imposed by CFSD or by any other public or private school, or with any condition imposed by a juvenile court pursuant to A.R.S. [8-301](#) *et seq.*;
- F. The student has been adjudicated delinquent or convicted of a crime.

Eligibility Guidelines

Students who apply for open enrollment status in CFSD must:

- A. Submit a completed open enrollment application before February 1 of the school year preceding the year in which open enrollment status is sought for consideration in the first round of decision-making;
- B. Agree to provide their own transportation, except for students with disabilities whose individualized education program specifies that transportation is necessary for the fulfillment of the program;
- C. Agree to abide by CFSD student conduct policies and the individual school's rules;
- D. Agree to regular and punctual attendance; and
- E. Agree that violation of the admission standards set forth in this policy or of CFSD's student conduct policies and the individual school's rules will be cause for revocation of their open enrollment status.

Notification

During the first round of decision-making, CFSD shall notify the emancipated pupil, parent, or legal guardian in writing by March 1 whether the applicant has been accepted, placed on a waiting list pending the availability of capacity, or rejected. If the applicant is placed on a waiting list, the notification shall inform the emancipated pupil, parent, or legal guardian of the date when it will be determined whether there is the capacity for additional enrollment in a school. If the pupil's application is rejected, the reason for the rejection shall be stated in the notification.

As provided by A.R.S. [15-816.07](#), CFSD and its employees are immune from civil liability for decisions relative to the acceptance or rejection of the enrollment of a nonresident student when the decisions are based on good faith application of this policy and the applicable statutory requirements and standards.

Exception

Should there be excess capacity remaining after the first round of decision-making for which no applications were submitted by the date established, the Superintendent may authorize additional enrollment of nonresident pupils:

- A. Up to the determined capacity.
- B. On the basis of the order of the completed applications submitted after the notification date established in this policy. Note: Applications may be submitted and considered throughout the school year for which applicants seek admittance.
- C. Without regard to enrollment preference.
- D. As long as admission standards and eligibility guidelines are met.

Transportation

Transportation of open enrolled students is the responsibility of the parent/guardian. However, the District may allow open enrollment pupils to use District transportation services at existing routes and stops to the extent capacity exists after the transportation needs of resident pupils have been met. When the number of open enrollment transportation requests exceeds capacity, priority for such services will be based on this order:

- A. Resident transfer pupils.
- B. Nonresident pupils requesting the same bus and bus stop as previously approved at their current school in the prior school year, and any sibling who would be enrolled in the same school with such pupils.
- C. Nonresident pupils requesting bus service who were not approved at their current school in the prior school year.

Adopted: September 14, 2021

LEGAL REF.:

A.R.S.

[8-371](#)

[15-341](#)

[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

[JFB-R](#) - Open Enrollment

[JG](#) - Assignment of Students to Classes and Grade Levels