

# Bellevue City School District

## Bylaws & Policies

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### **5113 - INTER-DISTRICT OPEN ENROLLMENT**

The Board of Education shall permit the enrollment of students from any Ohio district in a school or program of this District, provided each enrollment is in accordance with laws and regulations of the State concerning Inter-District Open Enrollment, the provisions of this policy, and the administrative guidelines established to implement this policy.

The following definitions shall apply:

#### **Adjacent District**

A school district whose border is contiguous to a border of this District.

#### **Adjacent-District Student**

A resident student of an adjacent district who enrolls, or seeks to enroll, in this District.

#### **Home District**

The school district from which the student emanates.

#### **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. Inter-district open enrollment permits the admission of students to this District from adjacent districts or any other district in Ohio.

#### **District Student**

A student who resides in this District and is referred to in the statute as a Resident Native Student.

#### **Other-District**

Any school district in Ohio.

#### **Other-District Student**

A resident student of any other district who enrolls, or seeks to enroll, in this District.

#### **Tuition Student**

A nonresident student who is enrolled in this District on a tuition basis.

#### **Program**

Any one of the specific course offerings of this District.

## **Program Size**

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

Should a concern arise regarding racial balance in one 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 there are no racially isolated buildings within the School District.

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 his/her home school, except for a suspension or expulsion for ten (10) consecutive days or more that occurs in the current semester or the semester immediately preceding the application. If the District does not currently provide services required for a disabled, adjacent-district student, his/her application may be denied.
- B. Application procedures including the criteria by which applications from adjacent-district and other-district students shall be reviewed and prioritized. District students and any adjacent-district or other-school district students previously enrolled under the provisions of this policy shall be given priority.
- 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 complies with State regulations and the provisions set forth by the Ohio High School Athletic Association.
- F. Any transportation provided by the District for an adjacent-district or other-district 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 Board reserves the right to object to the Open Enrollment of a District student to another district in order to maintain an appropriate racial balance. If the Board of a student's home school district objects to a transfer of one of its students to this District for the same reason, this Board will deny the transfer unless the tuition fee is paid for the student.

This policy shall be reviewed annually by the Board to determine whether to adopt a resolution to continue the policy or to rescind Inter-District Open Enrollment. Additionally, 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 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. 3313.98. Should this review indicate that the racial balance in one 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, including, but not limited to, policy revisions or other actions necessary to comply with State and Federal law. The Board reserves the right to modify the conditions under which Inter-District Open Enrollment would continue for any particular program, classroom, or school.

R.C. 3313.98