

PUBLIC EDUCATION ENROLLMENT APPLICATION

AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel Hemmert

House Sponsor: Adam Robertson

LONG TITLE

General Description:

This bill amends provisions related to local school board rules governing acceptance or rejection of an enrollment request.

Highlighted Provisions:

This bill:

- ▶ enacts language related to local school board standards for accepting or rejecting an application for enrollment; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53G-6-403, as renumbered and amended by Laws of Utah 2018, Chapter 3

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53G-6-403** is amended to read:

53G-6-403. Rules for acceptance and rejection of applications.

(1) (a) A local school board shall adopt rules governing acceptance and rejection of applications required under Section **53G-6-402**.

30 (b) The rules adopted under Subsection (1)(a) shall include policies and procedures to
31 assure that decisions regarding enrollment requests are administered fairly without prejudice to
32 any student or class of student, except as provided in Subsection (2).

33 (2) Standards for accepting or rejecting an application for enrollment may include:

34 (a) for an elementary school, the capacity of the grade level;

35 (b) for a secondary school, the capacity of a comprehensive program;

36 ~~[(b)]~~ (c) maintenance of heterogeneous student populations if necessary to avoid
37 violation of constitutional or statutory rights of students;

38 ~~[(c)]~~ (d) not offering, or having capacity in, an elementary or secondary special
39 education or other special program the student requires;

40 ~~[(d)]~~ (e) maintenance of reduced class sizes:

41 (i) in a Title I school that uses federal, state, and local money to reduce class sizes for
42 the purpose of improving student achievement; or

43 (ii) in a school that uses school trust money to reduce class size;

44 ~~[(e)]~~ (f) willingness of prospective students to comply with district policies; and

45 ~~[(f)]~~ (g) giving priority to intradistrict transfers over interdistrict transfers.

46 (3) (a) Standards for accepting or rejecting applications for enrollment may not
47 include:

48 (i) previous academic achievement;

49 (ii) athletic or other extracurricular ability;

50 (iii) the fact that the student requires special education services for which space is
51 available;

52 (iv) proficiency in the English language; or

53 (v) previous disciplinary proceedings, except as provided in Subsection (3)(b).

54 (b) A board may provide for the denial of applications from students who:

55 (i) have committed serious infractions of the law or school rules, including rules of the
56 district in which enrollment is sought; or

57 (ii) have been guilty of chronic misbehavior which would, if it were to continue after

58 the student was admitted:

- 59 (A) endanger persons or property;
- 60 (B) cause serious disruptions in the school; or
- 61 (C) place unreasonable burdens on school staff.

62 (c) A board may also provide for provisional enrollment of students with prior
63 behavior problems, establishing conditions under which enrollment of a nonresident student
64 would be permitted or continued.

65 (4) (a) The State Board of Education, in consultation with the Utah High School
66 Activities Association, shall establish policies regarding nonresident student participation in
67 interscholastic competition.

68 (b) Nonresident students shall be eligible for extracurricular activities at a public
69 school consistent with eligibility standards as applied to students that reside within the school
70 attendance area, except as provided by policies established under Subsection (4)(a).

71 (5) For each school in the district, the local school board shall post on the school
72 district's website:

- 73 (a) the school's maximum capacity;
- 74 (b) the school's adjusted capacity;
- 75 (c) the school's projected enrollment used in the calculation of the open enrollment
76 threshold;
- 77 (d) actual enrollment on October 1, January 2, and April 1;
- 78 (e) the number of nonresident student enrollment requests;
- 79 (f) the number of nonresident student enrollment requests accepted; and
- 80 (g) the number of resident students transferring to another school.