

POLICY JFB

Board of Education Las Cruces Public Schools

Related Entries: JFB-R, JFA, JFA-R, JFAB, JFAB-R

Responsible Office: Associate Superintendent for Instruction

OPEN ENROLLMENT / TRANSFERS

I. PURPOSE

The purpose of policy JFB is to allow students to attend a school of their choice within the guidelines of state or federal law.

II. BACKGROUND

A. The Board of Education believes that transfers made available through open enrollment should be accommodated to allow students and their parents a choice when selecting academic programs, interscholastic activities or other factors that enhance the child's educational needs. Therefore, the School Board supports a school district policy of open enrollment of students that follows federal and New Mexico state law.

III. DEFINITIONS

1. "NMAA" means the New Mexico Activities Association.
2. "Open enrollment" means an option to attend a school outside of the student's home attendance zone as determined by school boundaries.

IV. POSITION

- A. The LCPS Superintendent of Schools shall promulgate a regulation for the enforcement of an open enrollment policy that is in full compliance with state statute (§22-1-4 NMSA 1978).
- B. Students shall attend the school within their residential boundaries unless approval of a transfer has been obtained. Requests for transfers shall be submitted on the appropriate district form (JFB-E1) to the school principal for students in kindergarten through 8th grades, or to the Director of High School Instruction for high school students.
- C. Open enrollment transfers may be requested at specified periods as determined by the school district, or during other times during the school year for extenuating circumstances.
- D. Acceptance shall be based on the priorities as listed in state statute and by the Las Cruces Public Schools (See Regulation JFB-R).

- E. Administrators shall approve transfer applications unless maximum allowable class sizes as determined by state statute would be exceeded by the acceptance of additional transfer students (§ 22-1-4.G NMSA 1978). Administrators shall also approve transfer applications only if the permanent school building has the physical space to enroll additional students from outside the school's attendance zone and if the building is not over capacity.
- F. Once an enrollment transfer has been obtained, the transfer is in place for all subsequent years that the student remains in the transferred school. This provision can be reversed based on space or class size requirements, with the approval of the Superintendent or designee.
- G. Transportation of transfer students shall be the responsibility of the parent/guardian or student.
- H. Once accepted, transfer students shall be entitled to the same due process rights as all other students (*Policy JI: Student Rights and Responsibilities*).

V. NMAA GUIDELINES

- A. The transfer process shall not be utilized by any student or adult to give any school or team a competitive advantage. In addition, the transfer process shall not be used for recruiting purposes.
- B. Student athletes applying for a transfer must indicate on the transfer application form whether they participate, or intend to participate, in athletics or any other NMAA-designated interscholastic activities in their transfer school.

Prior to any transfer approval, student athletes must be advised by the Director of Athletics as to all applicable rules and guidelines established by the Las Cruces Public Schools and the NMAA that relate to their athletic participation. Failure to indicate athletic participation on the district transfer application could result in a student's transfer being reversed or denied.

- C. Students (non-athletes) applying for a transfer must indicate on the transfer application form whether they participate, or intend to participate, in NMAA-sanctioned interscholastic activities in their transfer school.

Prior to any transfer approval, students must be advised by the Director of Secondary Instruction as to all applicable rules and guidelines established by the Las Cruces Public Schools and the NMAA that relate to their interscholastic participation. Failure to indicate their participation on the district transfer application could result in a student's transfer being reversed or denied.

VI. REVIEW

This policy shall be reviewed in accordance with the Board of Education policy review process.

Maria A. Flores

December 13, 2016

BOARD OF EDUCATION, PRESIDENT

DATE OF APPROVAL

History: Formerly Policy 303; revised 10.04.05; revised 10.13.09; 03.16.2010; revised Dec. 13, 2016

Legal Ref: 22-1-4 and 22-12-5, NMSA 1978; 20 USC 6319 2008