OPEN ENROLLMENT POLICY

The Rio Rancho Public School District Board of Education adopts this policy pursuant to the terms of NMSA 1978, Section 22-1-4 as amended, also known as the Open Enrollment Act:

1. The attendance area of the school district is defined by current district boundaries. In that there is only one school unit for each grade level, individual school boundaries do not apply.

2. Students shall be enrolled or re-enrolled in each school unit according to the following priorities:
   a. First, persons residing within the attendance area of the school district, whether there is space available or not.
   b. Second, students enrolled in a school ranked as a school that needs improvement or a school subject to corrective action.
   c. Third, persons who attended RRPS the previous year, if there is space/program available. “Space/Program availability” means that there must be a program currently offered and that class size limits have not or will not be exceeded. The following factors may be used by the Building Principal in order to determine priority for enrollment for third priority applicants:
      ● Children of RRPS employees;
      ● Siblings of students already attending RRPS
      ● Child care for siblings of students attending RRPS
      ● After school care for students;
      ● Extreme hardship; and,
      ● Student safety
   d. Fourth, all other applicants will be considered, if there is space/program available, according to the factors set forth in section 2.c. above
3. Applications for third and fourth priority parties will be accepted at the District Central Office throughout the school year for current year enrollment. The District will take all the factors described under section 2.c of this Policy under consideration if there is space and/or program available in the applicant’s current grade/program at the time of the application. Applications for the subsequent year will be taken beginning on May 1st.

4. Other than space/program availability factors, the District shall also deny enrollment to any applicant if that applicant has been expelled from any public or private school within the preceding 12 months of the application or if the applicant has exhibited behaviors in the previous school (within the preceding 12 months) that are considered detrimental to the safety/welfare of RRPS students and/or personnel.

5. First priority students shall be enrolled at any time during the school year, even if their enrollment causes class size maximums to be exceeded; however, in the event that local class sizes would exceed the State Standard maximums, the district would then proceed with the specific remedies for exceeding class size as per applicable State Regulations. A student initially enrolled as a first priority student on the basis of residency may be dis-enrolled if the student is found to have provided invalid residency information or has not complied with conditional enrollment requirements. The District will comply with the procedures in 6.10.4.7 through 6.10.4.9 NMAC in determining whether a student’s enrollment is invalid. If a student’s enrollment on the basis of residency is found to be invalid, but is otherwise eligible to enroll, the student may reapply as an out-of-district student in a second or third priority. Enrollment by other than first priority students shall be on the basis of space and program availability subject to the following local class sizes:

Class Sizes per grade/teacher (as per SDE maximum size requirements)

<table>
<thead>
<tr>
<th>Grade/Teacher</th>
<th>Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kindergarten</td>
<td>20</td>
</tr>
<tr>
<td>1st Grade</td>
<td>22</td>
</tr>
<tr>
<td>2nd &amp; 3rd Grade</td>
<td>24</td>
</tr>
<tr>
<td>4th through 6th Grade</td>
<td>24</td>
</tr>
<tr>
<td>7th &amp; 8th Grades</td>
<td>135/27</td>
</tr>
<tr>
<td>9th through 12th Grade</td>
<td>Not to exceed 160, except in Language Arts, where 150 applies.</td>
</tr>
<tr>
<td>Special Education</td>
<td>As defined by Level/Program.</td>
</tr>
</tbody>
</table>
Preschool is not covered by the Open Enrollment Act, and those class sizes will remain as per State Standard requirements.

6. Each school shall establish a waiting list of second and third priority students seeking enrollment based upon each priority category and the date of each student’s application. As classroom space becomes available in each school students within the appropriate grade level or program shall be offered enrollment on the basis of (1) the student’s priority category, and (2) the order of the student’s application on the waiting list.

Note: Home School and Non-Accredited Private School transfers fall under the Open Enrollment Act under the same provisions as public school students. However, for the purpose of grade placement(s), see the District Policy on Home School / Private School Transfers.

7. Transportation shall be provided by the district for transportation-eligible students who reside within the district’s boundaries. Transportation of students residing outside the boundaries of the district shall be the primary responsibility of the parent or guardian; however, depending on school bus space availability, students may be transported once they are within the district boundaries at an approved bus stop.

8. No second or third priority student, once having been enrolled and in attendance, will be disenrolled on the basis of space for the remainder of the school year; however, the student may be disenrolled at the end of the school year. The student may re-apply as a second or third priority student for the following year. Non-renewal of second and third priority students on the basis of space will be made within each category in reverse order based on the original application date (“Last in, First out”).

9. **Hearing and Appeal of Denial of Enrollment or of Re-Enrollment**: A student or the student’s parents may appeal a denial of enrollment or of re-enrollment pursuant to paragraph 4, above, through the procedures established for long-term suspensions and expulsions of students, provided, that when the denial of enrollment or re-enrollment was based upon the student’s prior expulsion from another New Mexico school district within the preceding twelve month period, the admission of evidence of such expulsion shall shift the burden of proof to the student or parents to show that the student should be admitted despite such expulsion. In proceedings regarding denials under all other circumstances provided under paragraph 2, 3 and 8 above, the burden of sustaining the denial shall remain with the school.

Rio Rancho Public Schools
Adopted: October 13, 2008