



## AP 4-102 – SCHOOL OF CHOICE ADMINISTRATIVE PROCEDURES

### 1. ASSIGNMENT OF STUDENTS

In keeping with AP 4-101 the assignment of pupils eligible to register in schools within Western School Division shall be at the discretion of the Superintendent who shall identify for each school the appropriate catchment area and shall designate pupils within those areas to their respective schools. Variations to these assignments shall be permitted only in accordance with the provisions of this statement of administrative procedures and Board policy.

### 2. DEFINITIONS

**Choice** - Is defined as the ability of a parent, guardian or adult student to select, for attendance purposes, a school other than the closest catchment area school with space and suitable program, as that pupil's home school.

**Home School Division** - Is the Division in which a pupil's parents or legal guardian(s) reside, or if the pupil is of the age of majority the Division in which the pupil occupies a permanent residence.

**Eligible Pupil** - an eligible pupil is a pupil who qualifies under the regulations of Manitoba Education and Training for provincial support while in attendance at a public school.  
(Pupils sponsored by any educational authority which receives primary funding from anybody other than the Government of Manitoba are not considered to be eligible to exercise the provisions of these school of choice procedures as the provisions for transfer of funds are not available to them.)

**Resident Pupil** - a pupil who qualifies under Section 1 of the Public Schools Act of Manitoba as a resident of Western School Division.

**Non-Resident Pupil** - a pupil who is eligible to attend a public school in the Province of Manitoba but who does not meet the requirements of Section 1 of the Public Schools Act of Manitoba as a resident of the Western School Division.

### 3. SCHOOL INFORMATION

The Division shall undertake to provide a Handbook of Schools outlining basic information concerning the grade assignments, the facilities and the programs available at each school within the Division.

### 4. MAKING APPLICATION TO A SCHOOL OF CHOICE

All applications for a change of school must be made on the form authorized by Manitoba Education and Training and must be submitted directly to the school of choice no later than May 15<sup>th</sup> of the spring term for school assignment effective with the commencement of the next following fall term. A school shall have no obligation to consider late applications.

When a pupil/parent/legal guardian is applying for consideration at more than one school all schools shall be named on an attachment affixed to all applications.



When a school agrees to accept a non-resident pupil who has made late application to a school of choice, it shall do so only when the home division has agreed to send the transfer fee for the pupil, or the parents or legal guardians have agreed to pay an equivalent fee to the Western School Division.

## 5. CONSIDERATION PROCESSES FOR PUPILS WISHING TO EXERCISE SCHOOL CHOICE

For the purposes of these procedures all applications from pupils exercising choice of schools will be considered on a first-received first-reviewed and considered basis, except that applications from resident pupils shall be reviewed and considered for placement before those received from non-resident pupils.

Any school receiving an application for school of choice must advise the parent(s) or legal guardian(s), receiving/home School Division/District Office and the sending school no later than June 30<sup>th</sup> whether or not the pupil has been accepted.

### 5.1. Pupils wishing to exercise school choice will:

- a) be required to submit a request for admission to the school of choice on or before May 15<sup>th</sup> for the next ensuing school year. This request must be submitted on the Department of Education approved form of application.
- b) be considered in the following order of priority:
  - i) **first priority:** resident, catchment area pupils;
  - ii) **second priority:** pupils previously approved to attend the school in accordance with these procedures;
  - iii) **third priority:** resident pupils residing outside the catchment area of the school wishing to attend the school as a school of choice; and
  - iv) **fourth priority:** non-resident pupils wishing to attend the school as a school of choice.
- c) be considered for admission only if:
  - i) space is available in the program of choice and/or the classroom(s) under consideration ( see section 5.3);
  - ii) the school has available all special equipment or physical accommodations required by the pupil;
  - iii) the program of choice is suited to the age, ability and aptitude of the pupil, and the pupil has all necessary prerequisites for the program and/or grade level of choice;
  - iv) the principal of the school is satisfied that enrolling the pupil will not be detrimental to the continuity of the pupil's education;
  - v) the principal of the school is satisfied that enrolling the pupil will not be detrimental to order, discipline and the well-being of other pupils in the school; and the school is not required to establish a new program or classroom to meet the educational needs of the pupil.

### 5.2. For the purpose of defining space availability the principal shall consider the following circumstances:

- a) the number of catchment area and previously approved pupils already enrolled in the program or grade level concerned as of May 15<sup>th</sup>, and the change of enrollment experienced in the identified program or grade level in the previous two school years between the dates May 15<sup>th</sup> and September 30<sup>th</sup>;
- b) the special circumstances of the pupils already approved to the classroom or program. These may include, but are not limited to, the number and circumstances of special needs pupils, identified behavioral difficulties and anticipated range in academic abilities; and



- c) safety considerations such as, but not limited to, those associated with laboratory and vocational programs.

5.3. Notwithstanding the above, and to protect potential needs for pupils moving into the catchment area prior to the commencement of classes, the Western School Division reserves the right to refuse admission of out-of-school-catchment-area pupils to a classroom or program under the provisions of schools of choice when:

- a) on May 15<sup>th</sup> the number of pupils projected to be enrolled in a regular classroom, program of studies or a core subject within that program is at the:
  - i) K-3 grade level, 20 pupils or more;
  - ii) 4-8 grade level, 25 pupils or more;
  - iii) Grade 9 – Grade 12 level, 27 pupils or more;
  - iv) RRTVA program, 16 pupils or more.
- b) a non-resident pupil seeking school of choice is deemed to have disciplinary or behavioural problems which were previously addressed through additional support in the home school division and the home division chooses not to pay for such additional support in Western School Division.
- c) the pupil was expelled from attendance in the home or previous school division/district.
- d) the pupil does not meet program prerequisites required of the other pupils enrolled in the program.
- e) the request for choice of school involves placement in a special education or specially designed student at risk program. The principal and Student Services Administrator shall consult for the purposes of determining the needs of the pupils already approved to the class and shall be satisfied that the inclusion of another pupil will not be detrimental to those pupils. If the inclusion of an additional pupil is believed to be detrimental, the application shall be refused. The provisions of Section 5.3(a) shall not be applicable to such classes.

## 6. APPEAL OF SCHOOL OF CHOICE DECISIONS

Western School Division recognizes that within the guidelines provided by these Administrative Procedures the principal of the school has the responsibility to make decisions with respect to school of choice requests. Notwithstanding the principal's responsibility, refusal by a principal to admit a pupil to a school of choice may be appealed by the parent/guardian in writing to the Superintendent of Schools.

## 7. WITHDRAWAL FROM A SCHOOL OF CHOICE

A pupil who has been approved to attend a school of choice in the Division may withdraw from that school. However, under such circumstances the Division is not obligated to accept return to the previous school and reserves the right to designate the school to which the pupil shall be assigned. Such assignment shall be subject to all provisions identified in this administrative procedural document.

## 8. CONTINUANCE IN A SCHOOL OF CHOICE

Once a pupil has been accepted in a school of choice he or she shall be entitled to continue at that school, year after year, as if an approved pupil of that school.



## 9. TRANSPORTATION OF PUPILS ELECTING TO EXERCISE SCHOOL OF CHOICE

### 9.1. Western School Division Pupils

Western School Division pupils who exercise school of choice **within the Division** may be eligible for transport by school division buses only if:

- a) the pupil is eligible for transportation support under Provincial Regulation and/or transportation service under Board policy and there is space available on the bus; and
- b) the pupil's school of choice is a designated school for school bus transportation service and no change is required in the existing bus route; or
- c) the pupil's school of choice is not a school designated for school bus transportation, and the pupil's parents sign an indemnity form accepting responsibility for the pupil while walking to/from a designated school bus drop off/pickup point and the school of choice.

Western School Division pupils who choose to attend school **in another Division** may request consideration for transportation services. When such approvals are given the existing route(s) will not be altered so as to transport the pupil outside the boundaries of the Western School Division, but, where existing bus routing and timing permits, may be transported to a transfer point where a bus from the receiving division can be met and the pupil can transfer safely without unreasonable delay for the other pupils. Such arrangements shall be subject to the agreement of both school divisions on all associated matters including space availability, timing, convenience to other pupils and financial support for the costs incurred.

Parents of eligible transportable pupils who choose to transport their own children to a school of choice may apply to the receiving Division for an allowance in lieu of transportation. Payment of such an allowance shall be at the discretion of the Division or as required by Regulation. Generally, such grants will be available only when the school of choice is the closer school and the receiving Division declines to provide transportation by school bus.

### 9.2. Pupils From Other School Divisions

Non-resident pupils who exercise school of choice to attend a school in the Western School Division may be eligible for transportation on Western School Division buses only if:

- a) the pupil is eligible for transportation support under Provincial Regulations and/or transportation service under divisional policy or procedure and there is space available on the bus; and
- b) the pupil's school of choice in the Western School Division is closer than the pupil's home school, is a designated school for school bus transportation service and no change is required in the existing bus route; or
- c) arrangements satisfactory to the Western School Division can be made for the pupil(s) to be picked up/dropped off at any agreed upon location or at a transfer point if there is space on the bus and where said arrangement can be made safely without unreasonable delay for the other pupils on the bus. Such arrangements shall be subject to the agreement of both school divisions on all associated matters including space availability, timing, convenience to other pupils, and financial support for costs incurred in the form of a fee charged to the parents as established from time to time. Said pick-up/drop-off point may be outside the boundaries of the Western School Division if the foregoing conditions are met.



Parents of pupils whose school of choice in the Western School Division is closer to their residence than a designated school in their home division by road route and who do not receive transportation on a Western School Division bus may apply to the Western School Division for an allowance in lieu of transportation. The Division may pay such an allowance provided the circumstances meet the requirement for a grant in lieu from the province under Regulation.