

# ASPEN ACADEMY

*Adopted:*

*Revised: March 9, 2010 January 17, 2017*

*Reviewed:*

## 509 ENROLLMENT OF STUDENTS

### I. PURPOSE

It is the purpose of this policy to set forth the application and exclusion procedures used by the school in making enrollment determination.

### II. GENERAL STATEMENT OF POLICY

A. Eligibility. Applications for enrollment will be approved provided that acceptance of the application will not exceed the capacity of a program, class, grade level, or school building as established by school board resolution and provided that:

1. the applicant is not otherwise excluded by action of the school because of previous conduct in another school, except as noted in Section B below.

B. Standards that may be used for rejection of application. In addition to the provisions of Paragraph II.A., the school may refuse to allow a pupil who is expelled under Section 121A.45 to enroll during the term of the expulsion if the student was expelled for:

1. possessing a dangerous weapon, including a weapon, device, instruments, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, with the exception of a pocket knife with a blade less than two and one-half inches in length, at school or a school function;
2. possessing or using an illegal drug at school or a school function;
3. selling or soliciting the sale of a controlled substance while at school or a school function; or
4. committing a third-degree assault involving assaulting another and inflicting substantial bodily harm.

C. Standards that may not be used for rejection of application. The Director shall establish lottery and enrollment procedures consistent with Minnesota State Law 124D.10. The school may not use the following standards in determining whether to accept or reject an application for open enrollment:

1. previous academic achievement of a student;
2. athletic or extracurricular ability of a student;
3. disabling conditions of a student;
4. a student's proficiency in the English language;
5. the student's place of residence; or
6. previous disciplinary proceedings involving the student. This shall not preclude the school from proceeding with exclusion as set out in Section E. of this policy.

D. Application. The student and parent or guardian must complete and submit an Aspen Enrollment application.

E. Exclusion

1. Administrator's initial determination. If a school administrator knows or has reason to believe that an applicant has engaged in conduct that has subjected or could subject the applicant to expulsion or exclusion under law or school policy, the administrator will transmit the application to the Director with a recommendation of whether exclusion proceedings should be initiated.
2. Director's review. The Director may make further inquiries. If the Director determines that the applicant should be admitted, he or she will notify the applicant and the school board chair. If the Director determines that the applicant should be excluded, the Director will notify the applicant and determine whether the applicant wishes to continue the application process. Although an application may not be rejected based on previous disciplinary proceedings, the school reserves the right to initiate exclusion procedures pursuant to the Minnesota Pupil Fair Dismissal Act as warranted on a case-by-case basis.

F. Termination of Enrollment

1. The school may terminate the enrollment of a student enrolled pursuant to Minn. Stat. § 124D.03 or 124D.08 at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy under Minn. Ch. 260A, and the student's case has been referred to juvenile court. A "habitual truant" is a child under 16 years of age who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one

or more class periods on seven school days if the child is in middle school, junior high school or high school, or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days and who has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.

2. The school may also terminate the enrollment of a student over 16 years of age if the student is absent without lawful excuse for one or more periods on 15 school days and has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.