



## Administrative Procedure 6020

### *Assignment to Schools*

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**Board Governance Policy Cross Reference:** [1](#), [12](#)

**Administrative Procedures Cross Reference:**

[Admission of Non-Resident Students](#)

**Form Cross Reference:**

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**Legal/Regulatory Reference:**

[The Public Schools Act](#) Section 259(1)

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**Date Adopted:** September 2008

**Amended:** April 2019

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The Brandon School Division authorizes, at the discretion of the Superintendent/CEO or designate, the establishment of school catchment areas, variations thereto to be permitted only if adequate accommodation is available and the Brandon School Division does not incur additional costs to support the attendance of the student at the requested school.

The Board of Trustees is responsible for the establishment of school catchment areas. If changes occur to catchment areas, consideration will be given to requests made for students to remain in their current school subject to the establishment of administrative guidelines.

Assignment to Schools occurs through one of the following 3 categories:

#### **1. Resident Pupils**

All resident pupils of the Division for Kindergarten to Grade 8 will be assigned to the catchment areas as identified on maps approved by the Division as established by the Board of Trustees

All resident pupils of the Division registering in Grade 9 to Grade 12 will be permitted to register in the high school of choice provided appropriate program accommodation is present, space is available in the program of choice and the student or the student's parent/guardian is prepared to provide transportation if school bus transportation is not provided under existing provisions for busing. Space availability shall be governed by the procedures as outlined and acceptance shall be subject to receipt of registration prior to the annual declared deadline date.

The Superintendent/CEO or designate may assign any student to any school irrespective of the place of residence of the student, if, in their judgement, the welfare of the child or of other children, requires such assignment.

## 2. **Non-Resident Students**

Non-resident students are identified as: International Students, Exchange Students and Non-Supportable Students. Students in these categories will be accepted and assigned in accordance with *Administrative Procedure 6010 – Admission of Non-Resident Students*.

## 3. **School of Choice**

### **Assignment of Students**

The assignment of pupils eligible to register in schools within the Division shall be at the discretion of the Superintendent/CEO or designate 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 these administrative procedures.

### **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 must be submitted directly to the school of choice no later than May 15th 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 Division.

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 30th whether or not the pupil has been accepted.

### **Pupils wishing to exercise school choice will:**

1. be considered in the following order of priority:
  - i. resident pupils with siblings currently attending the school of choice;
  - ii. pupils previously approved to attend the school in accordance with these procedures;

- iii. resident pupils residing outside the catchment area of the school wishing to attend the school as a school of choice with consideration given to proximity; and
  - iv. non-resident pupils wishing to attend the school as a school of choice.
2. be considered for admission only if:
- i. space is available in the program of choice and/or the classroom(s) under consideration;
  - ii. the school has available all special equipment or physical facilities required by the pupil;
  - iii. the School Leader of the school is satisfied that enrolling the pupil will not be detrimental to the continuity of the pupil's education;
  - iv. 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;
  - v. the School Leader 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
  - vi. the school is not required to establish a new program or classroom to meet the educational needs of the pupil.

For the purpose of defining space availability, the School Leader shall consider the following circumstances:

- the number of catchment area and previously approved pupils already enrolled in the program or grade level concerned as of May 15th and the change of enrollment experienced in the identified program or grade level in the previous two school years between the dates May 15th and September 30th;
- 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 behavioural difficulties and anticipated range in academic abilities; and
- safety considerations such as, but not limited to those associated with laboratory and vocational programs.

Notwithstanding the above, and to protect potential needs for pupils moving into the catchment area prior to the commencement of classes, the 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:

- the requested school is at or above 90% capacity with forecasted school enrolment
- 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:
  - K-4 grade level, 23 pupils or more;
  - 5-8 grade level, 25 pupils or more;
  - 9-12 grade level, 27 pupils or more;
  - vocational, industrial arts or home economics classroom, 16 pupils or more.
- 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 Brandon School Division.
- the pupil was expelled from attendance in the home or previous school division/district.

### **Appeal of School of Choice Decisions**

The Division recognizes that within the guidelines provided by these Administrative Procedures, the School Leader of the school has the responsibility to make decisions with respect to school of choice requests. Notwithstanding the School Leader's responsibility, refusal by a School Leader to admit a pupil to a school of choice may be appealed by the parent/guardian in writing to the Superintendent of Schools/CEO or designate. Final authority in the decision to admit pupils to a school shall rest with the Board of Trustees if the decision of the Superintendent/CEO is appealed.

### **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.

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

## Definitions

**Capacity** – maximum total enrolment for a school as set by the Division in consultation with the Public Schools Finance Board and reported annually in the Brandon School Division Facilities Report.

**Eligible Pupil** - a pupil who is 6 years of age or older on December 31 of the year of attendance and a resident of Manitoba (Section 259(1) of *The Public Schools Act*).

(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.)

**Home School Division** - 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.

**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 Brandon School Division.

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