

Open Enrollment Roadmap



yes. every kid. foundation.

Executive Summary

Across the country, states are adopting and expanding public school open enrollment policies to give families greater access to schools that meet their students' needs. While the policy concept of open enrollment is straightforward, its successful implementation is not. Open enrollment systems intersect with district-based funding formulas, capacity planning, enrollment processes, transportation, and special education obligations—making execution complex without clear guidance.

This Open Enrollment Implementation Roadmap is a comprehensive resource designed to support state agencies and school districts in translating open enrollment policy into durable, equitable, and administrable systems. The roadmap moves beyond high-level policy discussion to provide practical guidance on planning, designing, building, executing, and supporting open enrollment across attendance zones and district boundaries. It includes clear implementation guardrails, structured frameworks, curated checklists, and implementation insights drawn from real-world experience.

The roadmap is intended primarily for state policymakers, education agency staff, and district leaders responsible for adopting, administering, or refining open enrollment systems. Whether a state is implementing open enrollment for the first time or strengthening an existing framework, this resource breaks down the operational components of open enrollment into actionable steps that support consistency, transparency, and access.

Recognizing that open enrollment systems vary by state and local context, this roadmap does not prescribe a single model. Instead, it establishes foundational assumptions and implementation principles while allowing flexibility in local execution. The goal is to ensure that open enrollment policies operate as intended, so that families have real options, districts can plan responsibly, and public education systems can expand access without creating unnecessary barriers.

About yes. every kid. foundation.

We are devoted to unlocking the extraordinary potential of every kid. We promote education that empowers families, helps implement bottom-up solutions, and advances education freedoms.

Definitions

Address Discrimination:	A form of de facto exclusion in which a student's ability to enroll in a public school is determined by residential address rather than student eligibility, school capacity, or neutral enrollment criteria.
Capacity:	The maximum number of students a school can serve, as determined through an objective calculation method that accounts for physical space, scheduling, and applicable regulatory requirements.
Enrollment Priority Order:	A clearly defined, tiered sequence that determines the order in which students are offered enrollment when applications exceed available capacity.
Extraordinary Needs Fund:	State-allocated funds used to reimburse school districts for unusually high or unanticipated costs associated with serving students with disabilities beyond standard special education funding.
FAPE (Free Appropriate Public Education):	The legal standard under federal law requiring that students with disabilities receive special education and related services at no cost to their families, designed to meet their individual educational needs.
Funding Portability:	The principle that public education funding allocated for a student follows that student to the school or district they attend, rather than remaining with the student's district of residence.
IDEA (Individuals with Disabilities Education Act):	The federal law that guarantees students with disabilities access to a Free Appropriate Public Education (FAPE) tailored to their unique needs.
IEP (Individualized Education Program):	A legally binding document developed for a student with a disability that outlines educational goals, services, accommodations, and supports necessary to provide FAPE.
504 Plan:	A formal plan developed under Section 504 of the Rehabilitation Act of 1973 that provides accommodations and removes barriers to ensure students with disabilities have equal access to the learning environment.

Definitions

Interdistrict Open Enrollment:

An open enrollment framework that allows students to enroll in public schools outside their district of residence, subject to capacity and selection rules.

Intradistrict Open Enrollment:

An open enrollment framework that allows students to enroll in public schools outside their attendance zone but within their district of residence, subject to capacity and selection rules.

Lottery:

A random selection process used to offer enrollment when the number of eligible applicants exceeds available capacity after enrollment priorities have been applied.

Non-Resident Student:

A student who seeks enrollment in a public school located outside their district or school attendance boundary of residence.

Open Enrollment:

A K-12 public education policy that allows students to apply to and enroll in public schools outside their attendance zone or district of residence, subject to capacity and selection rules.

Resident Student:

A student whose primary residence is located within a school's or district's designated attendance boundary.

Receiving District:

The school district that accepts and enrolls a student through open enrollment.

Sending District:

The school district in which a student resides and from which the student transfers under an open enrollment policy.



Chapter:

Interdistrict Open Enrollment

Establishing Statewide Participation and Implementation Guardrails

Introduction

This roadmap assumes a statewide universal open enrollment framework, encompassing both interdistrict and intradistrict enrollment. For open enrollment to function as intended, families must be able to enroll in public schools across and within district boundaries rather than being limited to options within their district of residence.

Because public education systems are organized at the district level—for funding, staffing, accountability, and transportation - interdistrict enrollment introduces distinct implementation considerations that must be addressed explicitly. This section establishes the guardrails states and districts need to ensure interdistrict open enrollment operates predictably, fairly, and consistently statewide.

Operational Differences Between Intradistrict and Interdistrict Open Enrollment

Factor	Intradistrict Open Enrollment	Statewide Interdistrict Open Enrollment
Scope of Eligibility	Limited to schools within a student’s district of residence	Extends eligibility to public schools across district boundaries
Capacity Planning	Managed within a single district, or through state-established capacity planning standards	Requires consistent capacity definitions across districts
Funding Alignment	Typically remains within district	Requires funding portability between districts
Transportation	Often aligned to existing district routes	Requires explicit responsibility and coordination
Residency	Residency determines district eligibility	Residency determines entitlement but not school eligibility

Key Recommendations

- All districts participate in interdistrict and intradistrict open enrollment
- Enrollment decisions are based on statewide capacity and selection rules, not sending-district approval
- Nonresident applicants are treated consistently once resident enrollment obligations are met
- Funding, transportation, and enrollment systems align across district boundaries
- Receiving districts may not charge tuition, enrollment-related fees, or fees to which resident students are not also subject to nonresident public school students. Open enrollment operates within the tuition-free public education system.



Plan: Defining Statewide Scope

During the planning phase, states should explicitly define the scope of open enrollment participation.

Implementation experience shows that limiting open enrollment to intradistrict transfers constrains access and produces uneven opportunities based on geography rather than family choice. To avoid these outcomes, states should clearly establish:

- Whether interdistrict participation is mandatory for all districts
- Whether any districts or programs are exempt
- How interdistrict enrollment interacts with residency and entitlement rules

Clear statewide scope within the law or administrative rules, reduces ambiguity for districts and families, and supports consistent implementation across jurisdictions.



Design: Establishing Interdistrict Guardrails

Effective interdistrict open enrollment systems rely on a small number of clear design guardrails that prevent erosion during implementation.

Core Design Elements



Statewide Applicability

Interdistrict open enrollment should apply uniformly across all public school districts. Universal applicability promotes predictability and prevents uneven access based on local participation decisions.

Core Design Elements (cont.)

2

Enrollment Authority

Enrollment decisions should rest with the receiving school or district, based on published capacity and selection criteria. Sending districts should not approve, deny, delay, or condition student transfers.

3

Equal Treatment of Applicants

Once resident enrollment obligations have been met, nonresident applicants should be subject to the same published capacity limits and selection rules. Districts may not apply additional or discretionary criteria to nonresident applicants beyond those established in law or policy.

4

Funding Portability

State and local funding must follow students who enroll across district boundaries so receiving districts are not financially penalized for accepting nonresident students. (See Funding Portability and Tuition-Free Open Enrollment.)

5

Prohibition of Tuition and Fees

Receiving districts may not charge tuition, enrollment-related fees, or fees to which resident students are not also subject to nonresident public school students. Open enrollment operates within the tuition-free public education system.

IMPLEMENTATION INSIGHT:**Mandatory Participation Reduces Implementation Variability**

Florida's experience illustrates how participation rules affect implementation clarity. Prior to 2016, Florida's open enrollment framework allowed districts to opt out of interdistrict participation and to establish their own enrollment terms. As a result, enrollment rules, application processes, and capacity reporting practices varied significantly across districts, creating administrative complexity for families and inconsistent implementation statewide.

In 2016, Florida enacted House Bill 7045, which shifted the system to mandatory interdistrict participation. The statute required all districts to adopt open enrollment policies, prohibited arbitrary denial of nonresident students, and required districts to publicly report available seats by school. These changes clarified enrollment authority, standardized capacity reporting expectations, and reduced variation in local implementation.

Florida's transition highlights a broader implementation lesson: When interdistrict participation is voluntary, open enrollment systems tend to fragment. When participation is mandatory and supported by clear guardrails, enrollment, capacity, and application systems are more likely to operate consistently across districts.



Build: Aligning Systems Across Districts

Interdistrict enrollment requires coordination across multiple systems that are typically designed and managed at the district level. During the build phase, states and districts should align:

- Capacity definitions and reporting practices
- Application and selection processes
- Funding allocation and timing
- Transportation responsibility and planning
- Data sharing and enrollment verification

System alignment reduces administrative burden and helps districts implement interdistrict enrollment without duplicative or conflicting processes.



Execute: Implementing Interdistrict Enrollment

During execution, districts apply published capacity and selection rules consistently to all eligible nonresident applicants, after resident enrollment obligations have been met.

Effective execution ensures that:

- Interdistrict applicants are included in application and lottery processes on equal terms
- Capacity determinations are made before interdistrict applications are processed
- Enrollment timelines are clearly communicated across districts
- Families receive consistent information regardless of district of residence

Clear execution practices support fairness, transparency, and operational stability.



Support: State Oversight and Implementation Support

State agencies play an important role in supporting consistent interdistrict implementation by:

- Issuing clear guidance on interdistrict requirements
- Providing model policy and procedural language
- Supporting data exchange across districts
- Monitoring participation patterns to identify access barriers

State-level oversight helps ensure interdistrict open enrollment operates as a statewide system rather than varying by local interpretation.



Chapter:

Funding Portability for Open Enrollment

Introduction

Open enrollment operates within the public education system and must be implemented as tuition-free. Families should never be charged tuition or enrollment-related fees as a condition of attending a public school.

This section focuses on the funding design and oversight mechanisms states must establish to ensure districts can accept nonresident students without charging families and without experiencing financial shortfalls. When funding systems are aligned with enrollment policy, tuition does not arise as an implementation issue.

Key Recommendations

- Tuition and enrollment-related fees are explicitly prohibited
- Public funding follows students to the school they attend
- Receiving districts are not financially penalized for enrolling nonresident students
- Oversight mechanisms prevent informal or indirect tuition practices



Plan: Identifying Funding and Statutory Gaps

During the planning phase, states should review existing statutes and funding formulas to identify gaps that could undermine tuition-free open enrollment in practice.

Funding Readiness Review

States should assess the following implementation questions:

- Does state law clearly prohibit tuition and enrollment-related fees for nonresident public school students?
- Does the funding formula ensure that funding follows students to receiving schools in a predictable manner?
- Is there a clearly assigned state entity responsible for monitoring compliance and addressing violations related to tuition or fees?

Addressing these questions during planning helps identify gaps early and supports smoother implementation for districts.



Design: Aligning Funding with Enrollment

Tuition-free open enrollment depends on **funding portability**—the principle that public funding allocated for a student follows that student to the school they attend.

Core Design Principles

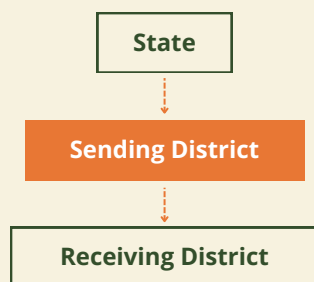
- 1 **Comparable Funding**
Resident and nonresident students should be funded at comparable levels. Funding disparities create incentives for districts to limit access and undermine enrollment neutrality.
- 2 **Direct and Predictable Funding Flows**
Funding systems function best when funds flow directly to the receiving school or district, rather than requiring transfers between districts after enrollment.
- 3 **Explicit Prohibition of Tuition and Fees**
Statutes and regulations should clearly prohibit charging tuition or enrollment-related fees to nonresident public school students. Clear prohibitions reduce misinterpretation and inconsistent local practices.

Funding Portability Models for Interdistrict Transfer

Indirect Transfer

(Higher Risk)

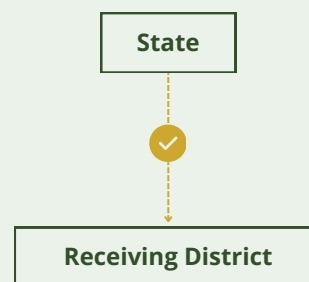
This approach increases administrative complexity and the likelihood of funding delays or gaps.



Direct Transfer

(Preferred)

Direct funding reduces administrative burden, improves predictability, and supports smoother implementation.



States may use a variety of administrative structures to distribute funds. Regardless of mechanism, funding should reach the receiving school without requiring district-to-district negotiation.



Execute: Preventing Tuition in Practice

Effective execution ensures districts are never placed in a position where charging tuition appears necessary to serve open enrollment students.

Execution practices include:

- Publishing clear guidance that tuition and enrollment-related fees are prohibited
- Ensuring funding adjustments occur automatically following enrollment
- Aligning enrollment timelines with funding allocation cycles
- Establishing clear points of contact for funding and compliance questions

When funding systems function as designed, tuition does not emerge as an operational consideration.



Support: State Oversight and Technical Assistance

State agencies play a critical role in preventing the need for tuition through oversight and support.

Support strategies may include:

- Issuing model language prohibiting tuition and fees
- Providing technical assistance on funding portability
- Monitoring enrollment and funding flows for anomalies
- Establishing clear processes for addressing compliance concerns

Consistent oversight reinforces the expectation that open enrollment operates within the tuition-free public education system.



Practical Example: Funding Misalignment and System Correction

In 2018, significant precedent was set in the consolidated lawsuit, *Yazzie/Martines v. State of New Mexico*. While this case was broad with regard to the state's failure to provide proper education for all, school fees and tuition with regard to transfer students (open enrollment) was a key component.

Before this lawsuit was settled, many schools in New Mexico were charging tuition for open enrollment students. A group of families and several school districts sued the state. They argued that the New Mexico Constitution guarantees a free public school education system for all.

Additionally, by allowing schools to charge tuition, “free public education” was potentially contingent on an individual family's wealth. This clearly affected lower-income families, creating a barrier to fair access to public education.

Ultimately, the courts ruled that the state was violating its constitution by not providing accessible, free education. It was identified that inadequate funding formulas and a lack of oversight caused a systemic failure to the system.

This ruling provides a confirmation that states are responsible for the oversight of tuition, as it relates to open enrollment students. Public education should be free and accessible for all families, regardless of financial status. Steps can and must be taken to prevent creating an open enrollment system that goes against the fundamental rights of families.



Chapter:

Capacity Determination

INSIGHT:**Why Capacity Exists — And Why It Shouldn't Have To**

Today's enrollment capacity system is largely an artifact of how American public education is financed. When school funding flows primarily through local property taxes, district boundaries become economic boundaries, and attendance zones become the mechanism that ties a child's school to their family's zip code. The result is a system where capacity is managed to preserve residential assignment rather than to serve families.

Open enrollment policies are an important step forward, allowing students to enroll outside their assigned boundaries and introducing meaningful choice into a residentially assigned system. But they do not go all the way. As long as there is residential assignment, enrollment is still being rationed rather than driven by demand.

The ideal policy is one in which enrollment follows student demand, funding follows the student, and no child's educational options are determined by where they can afford to live. Until residential assignment is eliminated and market demand drives enrollment, transparency is the most powerful tool families and policymakers have. This section is designed with practical implementation in mind, giving leaders the infrastructure they need today to move toward a system where families can choose without limitations.

Introduction

Capacity plays a central role in how open enrollment operates in practice. It determines when schools will accept additional students and how enrollment decisions are communicated to families. Because capacity sits at the intersection of facilities, staffing, scheduling, and student services, it is also one of the most complex elements for districts to manage.

When capacity is not clearly defined or consistently applied, districts may reach different conclusions about available seats even under similar conditions. These inconsistencies can create confusion for families and administrators alike and can limit access to open enrollment opportunities.

This section provides guidance to help state and district leaders establish clear, objective, and transparent approaches to defining and managing capacity so that enrollment decisions reflect both operational realities and student access goals.



Plan: Clarifying Capacity Expectations

During the beginning stages of implementation, state administrators should focus on clarifying what capacity means in practice and how it should be determined by districts at the school level. Districts routinely consider staffing models, instructional quality, facility constraints, and student services when planning enrollment. Without clear guidance, these reasonable considerations can lead to different interpretations of available capacity.

The goal of the planning phase is to identify where ambiguity or differing interpretations can lead to inconsistent outcomes and to replace that ambiguity with clear standards.

Two Approaches to Capacity Determination

In practice, capacity determinations generally fall into one of two categories: facility-based approaches and operations-based approaches.

Key Recommendations

- Establish a clear, objective definition of capacity grounded in physical building space
- Require districts to publish capacity information in advance of enrollment cycles
- Prohibit adjusting capacity based on student characteristics or anticipated service needs
- Establish transparent governance for mid-year capacity changes
- Support districts with clear implementation guidance and technical assistance

Facility-based approaches define capacity using objective measures such as building occupancy limits, instructional square footage, or historical enrollment averages. These methods provide clear, verifiable baselines that are difficult to manipulate and easier for families and states to understand.

Operations-based approaches define capacity based on staffing levels, class size targets, instructional models, or programmatic choices. While these considerations are relevant for day-to-day school management, they introduce discretion that can result in inconsistent or unverifiable capacity determinations when used as the primary basis for open enrollment.

Best practice open enrollment systems prioritize facility-based capacity definitions and limit operations-based adjustments to narrow, temporary circumstances subject to state review.

Common Practices That Limit Capacity Determinations

In the absence of a shared definition, districts may rely on different indicators of capacity, such as:

- Target class sizes that are not tied to room dimensions
- Program specific caps in special education
- Holding seats for anticipated enrollment changes
- Current staffing counts
- Informal or unpublished capacity determinations



Design: Defining Capacity Clearly and Objectively

To support consistent implementation, states should define capacity using an objective, building-based methodology that applies uniformly across districts. Anchoring capacity to physical space provides a common starting point while still allowing districts to plan staffing and programming responsibly.

States may select one or more facility-based methodologies to establish a uniform capacity baseline. Common approaches include:



Maximum building occupancy under fire or building code



Instructional space divided by a fixed square-foot standard (e.g., one student per 30 square feet)



Average audited enrollment over a defined multi-year period (e.g., three years)

Regardless of the method selected, the methodology should be applied uniformly across schools, publicly documented, and used consistently from year to year.

Capacity should be reported at the grade level for each school and not be adjusted based on:

- Disability status or anticipated special education services
- English learner status
- Academic performance
- Disciplinary history
- Perceived cost of serving a student
- Residential address

Capacity is reported by grade level to reflect how instructional space is organized within a school, as classrooms are typically structured by grade level. Grade-level capacity must be derived from the school's total facility-based capacity and reflect how seats are distributed across grades at the time capacity is published.

Because enrollment demand may vary by grade, districts should evaluate grade-level enrollment during and after the application window. When enrollment in a particular grade falls below projected levels and facility space remains available, districts should adjust grade-level seat offerings to ensure the school's full facility-based capacity is made available through open enrollment.




Execute: Managing and Publishing Capacity Transparently

Once capacity has been defined using the state-prescribed methodology, districts must operationalize that definition by determining capacity at the school level, publishing it publicly, and administering open enrollment applications against the published capacity.

Clear execution ensures that capacity determinations are consistently applied, understandable to families, and defensible when enrollment demand exceeds available seats.

Calculating Capacity by School

Capacity Component	Data Source	Count 
Maximum building capacity	Fire code / facility plan	#
Current student enrollment	Student information system	#
Required school staff	Staffing plan	#
Available capacity	Calculated	#

Notes:

- Capacity calculations should be documented and retained
- Changes should be supported by staffing or facility updates
- Published capacity should reflect this calculation

Publishing Capacity Information

Districts should publish school-level capacity information in advance of each open enrollment application window. Public posting supports families in making informed decisions and reduces administrative burden caused by individual inquiries or informal determinations.

Capacity information should be treated as a fixed input for the enrollment cycle once published.

Right: Example of published capacity by grade level for Achievement Prep PCS – Wahler Place. Source: www.myschooldc.org/schools/profile/129

Administering Applications Against Published Capacity

Open enrollment applications must be processed against the published school-level capacity. Districts should be prepared to:

- Accept applications up to the number of available seats
- Apply the prescribed selection process when applications exceed capacity
- Maintain waitlists consistent with published capacity
- Communicate outcomes clearly to families

Capacity may not be adjusted during an application cycle except through a documented and approved mid-year change process approved by the state and supported by a clear plan to restore capacity.

Operational constraints such as staffing shortages may affect the timing of enrollment, but should not permanently redefine capacity. Where staffing limitations prevent immediate accommodation of students, districts should demonstrate good-faith efforts to recruit, reallocate, or expand staffing and provide a timeline for restoring enrollment to the established capacity baseline.

Example of published capacity

Grade	Lottery Seats
PK3	80
PK4	30
K	50
1	25
2	25
3	25
4	40
5	40
6	0
7	0

See **Chapter 6: Application and Selection** for more information

Managing Mid-Year Capacity Changes

Operational conditions may change over time. Districts should establish clear procedures for reviewing and approving mid-year capacity adjustments.

Mid-year changes should:

- Be limited to defined circumstances (e.g., facility availability, safety requirements, program expansion)
- Be formally approved by the designated governing body
- Be documented and publicly noted
- Not retroactively affect applications already processed

Clear governance for changes protects both districts and families.

Posting Requirements

Capacity information should be:

- Posted on the district or school website by grade level
- Broken out by school
- Published at least 90 days prior to the opening of the open enrollment application window
- Clearly dated with a point of contact
- Available in multiple languages and accessible formats

District Implementation Checklist

- Designate a capacity lead and backup
- Inventory instructional space and applicable codes
- Apply the state-defined capacity formula
- Validate calculations prior to publication
- Publish capacity by school on a website that is easily accessible and user-friendly for parents
- Establish a documented process for mid-year changes
- Maintain records to support transparency and appeals

Capacity Verification and Auditing

To support consistent implementation across districts, states may establish processes to periodically review how capacity calculations are applied. These reviews help ensure capacity definitions are used consistently, published figures align with approved calculation methods, and enrollment decisions are based on accurate information.

Capacity reviews are most effective when they are routine and risk-based, rather than complaint-driven. Randomized audits, trend analysis, and targeted reviews based on anomalies can all serve as appropriate tools for system oversight.

Some states conduct randomized capacity audits, examining whether reported capacity aligns with physical space, staffing assumptions, and the state-defined formula. This approach reinforces consistency while minimizing administrative burden and avoiding the perception of enforcement targeting.

Capacity auditing should focus on:

- Alignment with the state-defined capacity formula
- Year-over-year consistency (absent material changes to facilities or staffing)
- Documentation supporting published capacity figures
- Alignment between published capacity and enrollment decisions

Clear audit expectations help districts apply capacity rules with confidence and help states maintain system integrity over time.



Practical Example: Capacity Reporting in Kansas

Kansas illustrates the risks of requiring capacity transparency without prescribing a calculation methodology. Kansas' open enrollment framework requires districts to publish available capacity by school and to accept non-resident students when seats are available. This structure reflects an important commitment to transparency and access.

However, the statute lacks a shared definition or methodology to uniformly calculate capacity. This omission has required districts to make their own determinations about available seats based on local assumptions and operational practices.

This flexibility, while well-intentioned, has resulted in wide variation in how capacity is calculated and reported across districts.

An analysis published in *Education Next* by Benjamin Scafidi examined enrollment trends and self-reported capacity data in six affluent Kansas districts. The analysis compared changes in enrollment over time with the number of seats districts reported as available for open enrollment.

Calculated vs. Reported Capacity in 2024

📍 District	📊 Enrollment-Based Capacity Estimate*	✍️ Self-Reported
Andover	165	344
Auburn-Washburn	468	0
Blue Valley	1,239	86
Olathe	2,580	590
Wichita	2,636	455
TOTAL	8,455	2,518

**Enrollment-Based Capacity Estimate: Fall 2019 Enrollment – Fall 2024 Enrollment = Open Enrollment Capacity*

The comparison suggests that, across these districts, available seats based on enrollment trends exceeded the number of seats the district reported for open enrollment. This nearly 6,000-seat gap highlights the challenge of relying on self-reported capacity in the absence of clear calculation standards.

As of 2025, Kansas districts remain required to report capacity, but no uniform methodology is prescribed. A building-based capacity framework, tied to physical instructional space and health and safety standards, would provide districts with clearer guidance and families with more consistent information.



Chapter:

Application and Selection

Introduction

Application and selection processes are where open enrollment policy becomes real for families and district staff. When applications exceed available seats, districts must make enrollment decisions that are predictable, fair, and legally sound while remaining operationally feasible. Clear guidance helps districts administer enrollment efficiently while ensuring families understand how decisions are made.

This section provides a step-by-step guide to developing an effective open enrollment application and selection process, drawing on principles from "[No More Lines: Opening Public Schools to All Families by 2030](#)" to maximize parental choice while ensuring compliance with federal and state laws.

Key Recommendations

- Establish clear, limited enrollment priority order in state law or guidance
- Develop accessible, user-friendly application processes
- Communicate timelines and procedures clearly and in advance
- Use objective, permissible selection criteria
- Apply transparent selection methods when demand exceeds capacity



Plan: Clarifying Requirements and Guardrails

Application and selection requirements vary by state, but all open enrollment systems operate within legal guardrails designed to ensure equal access and prevent discrimination.

The planning phase focuses on understanding these guardrails and identifying the elements that will shape system design.

During the planning phase, districts should:

- Review statutory requirements related to open enrollment
- Identify selection criteria that are required, permitted, or prohibited
- Understand obligations related to protected student groups
- Align enrollment processes with published capacity information



Design: Creating an Accessible and Aligned Application Process

A well-designed application process creates the foundation for fair and transparent selection. Clear, accessible applications help families participate fully while enabling districts to apply selection rules consistently and efficiently.

When application processes are easy to understand and navigate, they reduce barriers for families, limit administrative burden, and support accurate and consistent enrollment data. Conversely, overly complex or inaccessible processes can unintentionally advantage families with greater time, information, or resources.

Ensuring Accessibility for Families

Districts should design application processes with the assumption that families have varying levels of access to technology, language support, and familiarity with school systems.

Accessible application processes typically include:

- Clear, plain-language instructions
- Applications available in multiple languages
- Multiple submission options, such as online and paper
- Limited documentation requirements, focused on information necessary to process the application
- Support for families with disabilities
- Clear points of contact for assistance

The goal is to ensure that applying for open enrollment is not itself a barrier to participation.

Aligning Application Windows and Timelines

Alignment of application windows is a critical planning consideration, particularly in states where families may apply to multiple districts or schools.

When application windows vary widely across districts, families are often forced to make decisions with incomplete information or miss opportunities entirely. Misaligned timelines also increase administrative complexity and complicate state oversight.

During the planning phase, states and districts should consider:

- Whether state law establishes required application windows
- How district timelines align with neighboring districts
- Whether intradistrict and interdistrict application windows are coordinated
- How application timelines align with capacity publication requirements
- How timelines accommodate families with multiple children or multiple applications

In addition to fixed application windows, open enrollment systems should account for ongoing seat availability. When capacity remains available after an initial application and selection cycle, districts should allow for rolling enrollment so that seats are not left unfilled unnecessarily. Rolling enrollment supports efficient use of public resources and provides families with additional opportunities to access available seats throughout the year.

Where demand exceeds capacity, districts should maintain a waitlist generated through the lottery process. Waitlists should be used to offer seats as they become available due to declined offers, withdrawals, or changes in enrollment, and should be managed in a transparent and consistent manner consistent with published procedures.

Where state-mandated application windows exist, districts should align local processes accordingly. Where flexibility is permitted, states may encourage or require common windows paired with rolling enrollment and standardized waitlist practices to promote consistency, reduce confusion, and maximize access to available capacity.

Sample Enrollment Timeline



Collecting Information About Student Support Needs

Districts may need limited information to plan for timely service delivery once a student enrolls. If districts choose to ask whether a student has an existing IEP or 504 plan, this information must be handled carefully.

To ensure compliance and prevent discrimination:

- Disclosure of IEP or 504 status must be optional
- Information may not be used to determine eligibility, priority, or selection
- Information must be segregated from application review and lottery processes
- Enrollment decisions must be made without regard to disability status

Districts may also choose to collect this information only after a seat has been offered or accepted.

Continued Enrollment and Continuity

To support stability for students and families, open enrollment policies should clearly address how open-enrolled students are treated in future enrollment cycles.

Districts should treat open-enrolled students the same as resident students for purposes of continued admission to the school in which the student is enrolled and admission to the next school in the feeder pattern from that school.

This approach ensures that students who enter a school through open enrollment are not required to reapply annually and are not disadvantaged when transitioning to the next school level. Treating open-enrolled students equivalently to resident students for continuation and feeder admission promotes stability and continuity for families while supporting predictable enrollment planning for districts.

Districts should clearly communicate this policy in advance of the application window so families understand how open enrollment affects long-term enrollment and school transitions.



Design: Creating a Clear and Predictable Selection Structure

When applications exceed capacity, selection processes must be simple, transparent, and consistently applied.

States play an important role in providing guardrails by:

- Requiring objective selection processes
- Defining or constraining permissible priority categories
- Establishing enrollment priority order frameworks

Model Enrollment Priority Framework

Before determining the number of seats available for open enrollment, districts must account for students who are entitled to continued enrollment or guaranteed placement under state or federal law. Open enrollment capacity reflects the number of seats remaining after these students are accounted for.

Step A: Seats Allocated Before Open Enrollment Capacity Is Determined

The following students are enrolled prior to determining the number of seats available for open enrollment:

- 1. Students previously enrolled in the school**
- 2. Resident students entitled to attend the school under state law**
- 3. Students entitled to enrollment under federal law**

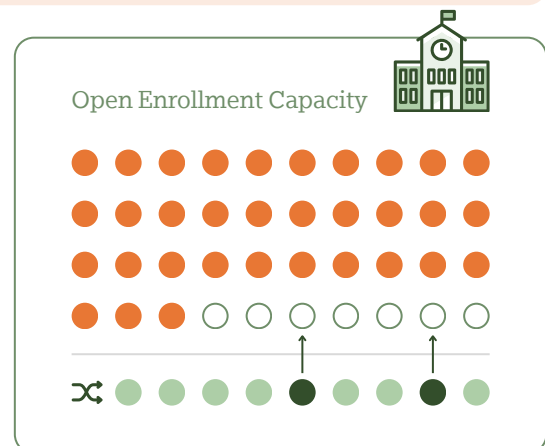
(e.g., students with IEP placement requirements, students experiencing homelessness, or other mandatory categories)

These students are not subject to the open enrollment lottery.

Step B: Allocation of Remaining Seats Through Open Enrollment

After accounting for the students above, remaining seats are made available for open enrollment applicants.

When applications for remaining seats exceed available capacity, districts should use a lottery to determine which applicants are offered seats.



Recommended Lottery Preferences

Within the lottery pool, states may permit limited preferences to support continuity and manageability. To preserve access and simplicity, the only preference recommended in this roadmap is sibling priority.

Siblings of students currently or previously enrolled in the school

Sibling preference supports family stability, reduces administrative complexity, and remains easy to verify.

All other eligible applicants should be considered through a random lottery process.

Once a student is enrolled through open enrollment, they should be guaranteed continued enrollment in subsequent years and should not be required to reapply, subject to standard district policies such as promotion, graduation, or voluntary withdrawal.

Limiting Priority Categories to Preserve Access

Open enrollment systems often include priority categories intended to support continuity, statutory obligations, or specific policy goals. While some priorities are appropriate and legally required, expanding the number or scope of priority categories can significantly reduce the number of seats available through open enrollment.

States should approach priority categories with restraint and clarity.

As a general principle:

- Priority categories should be limited in number
- Each category should have a clear statutory or policy rationale
- Priority structures should be easy for families to understand
- Priority categories should not be used to screen or exclude students

Commonly used priority categories may include previously enrolled students, or siblings. Some states also permit narrowly defined additional priorities, such as children of district employees or students in foster care, where required by law or policy.

When additional priority categories are permitted, states should:

- Define them explicitly
- Limit their scope
- Monitor their impact on open enrollment access

Clear limits help ensure that open enrollment remains meaningful while still supporting continuity and legal obligations.



Build: Preparing the Lottery System

Before applications are accepted, districts must ensure that the systems, procedures, and staff required to administer a lottery are in place and ready to operate.

At a minimum, districts should:

- Identify the system or platform that will be used to conduct lotteries
- Confirm that the system can apply required priority rules and random selection
- Ensure accessibility and language supports are enabled
- Establish internal controls and staff roles for administering the lottery
- Test the system using sample data prior to the application window

States may choose to set minimum requirements for lottery systems to support consistency and reduce risk.



Execute: Implementing Fair and Transparent Lotteries

When applications exceed a school's published capacity, districts must implement a lottery consistent with established rules and timelines. Clear, predictable execution builds confidence among families and reduces the likelihood of disputes.

As districts implement their lottery processes, the following attributes should be incorporated to ensure the system functions as intended.

Strong Lottery Attributes



Objective and Random Selection

Once required priority categories have been applied, lotteries must rely on objective criteria and random selection. All eligible applicants should have an equal chance of selection within the lottery pool.

Selection may not be influenced by academic performance, disability status, English learner status, disciplinary history, perceived cost of services, or other prohibited factors.



Transparent

Districts should clearly communicate lottery rules, timelines, and outcomes. Families should understand:

- When the lottery will occur
- How priority categories are applied
- How selection is determined
- When and how results will be communicated

Transparency supports family trust and reduces the likelihood of disputes.



Simple and Accessible

The lottery process should be easy for families to access and understand. Application materials and communications should be:

- Written in plain language
- Available in English, Spanish, and prevalent local languages
- Accessible on desktop and mobile devices
- Compatible with screen readers and assistive technologies

Districts should also provide non-digital options for families who may face barriers to online access.



Auditable and Verifiable

- Lottery execution must generate a secure, time-stamped record of applications, randomization, and results. These records protect both families and districts by providing a clear basis for responding to questions, appeals, or audits.
- States may require or conduct audits of lottery systems, particularly when concerns arise. Independent verification may also be used to ensure system integrity.

District Lottery Checklist



Pre-Lottery Preparation

- Capacity has been finalized and published
- Enrollment priorities have been applied consistently
- Eligible applicants have been clearly identified
- Lottery rules and timelines have been publicly posted



Lottery Administration

- Lottery is conducted using a random, objective method
- Lottery occurs after priorities are applied
- Process is documented and time-stamped



Post-Lottery Procedures

- Offers and waitlist placements are generated
- Families are notified using plain-language communication
- Acceptance deadlines are clearly stated
- Waitlists are maintained consistently

District Lottery Checklist (cont.)

- Documentation and Review**
 - Records are retained to support audits or appeals
 - Procedures exist for correcting administrative errors

An illustrative example of a comprehensive state lottery framework is included in the appendices.

Seat Acceptance Timelines and Communication

Once lottery results are issued, districts must provide families with a clear and reasonable period to accept or decline an offered seat. Clear acceptance timelines help ensure seats are filled efficiently while giving families adequate time to make informed decisions.

Acceptance timelines should be:

- Clearly defined in advance
- Applied consistently to all applicants
- Long enough to allow families to respond, but short enough to allow movement from waitlists

States may establish minimum or standard acceptance windows to promote consistency across districts.

Communicating Seat Offers

Districts should communicate seat offers and acceptance requirements using multiple methods to ensure families receive timely notice.

At a minimum, districts should:

- Clearly state the deadline to accept or decline the seat
- Explain how acceptance must be confirmed
- Describe what happens if no response is received
- Provide contact information for questions or assistance

Notifications should be provided in multiple languages and accessible formats.

Managing Non-Responses and Waitlists

If a family does not respond within the acceptance window, districts may treat the offer as declined and extend the seat to the next applicant on the waitlist.

Clear rules regarding non-response:

- Promote fairness across applicants
- Reduce administrative burden
- Help ensure available seats are filled

Districts should document acceptance and declination decisions and maintain records aligned with published capacity and lottery results.



Practical Example: Centralized Enrollment Systems

Centralized enrollment systems illustrate how thoughtful application and selection design can reduce barriers for families while simplifying administration for districts.

Prior to centralization, many districts allowed individual schools to manage applications, timelines, and selection practices independently. While often well-intentioned, these decentralized approaches created inconsistent rules, uneven access, and confusion for families applying across multiple schools.

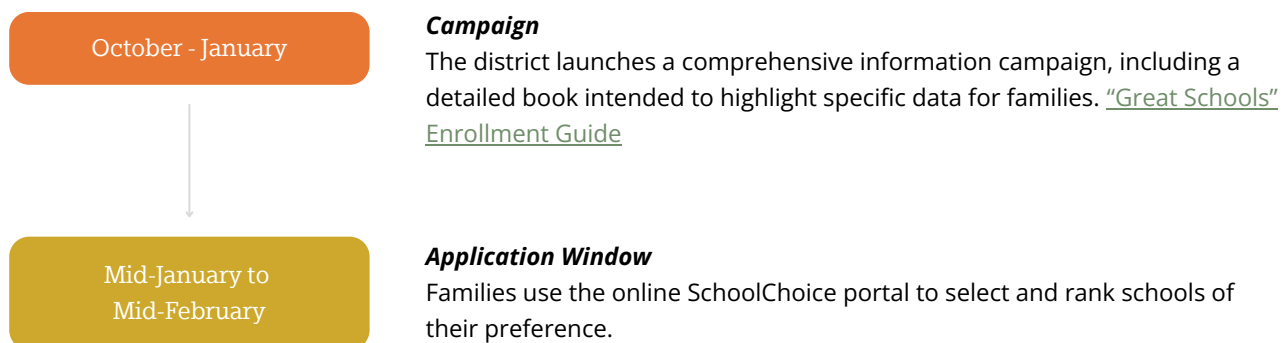
Denver Public Schools' SchoolChoice program provides one example of how centralization can address these challenges. By moving to a single application and a single lottery process, DPS created a more predictable and accessible system for families while reducing administrative complexity for schools.

Under a centralized model:

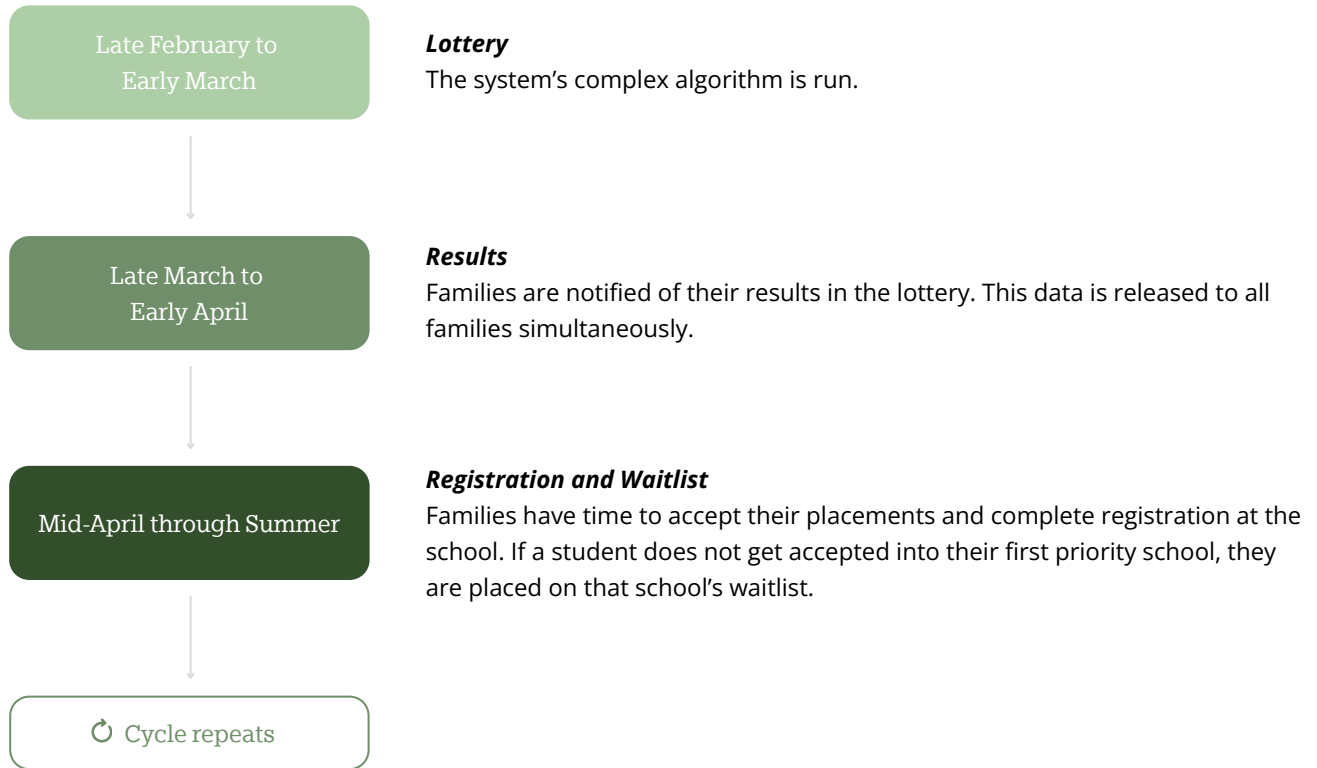
- Families submit one application and rank school preferences
- A single, transparent lottery allocates seats when demand exceeds capacity
- Timelines and communication are standardized across schools

This approach improved transparency, reduced variability in school-level practices, and helped ensure that enrollment decisions were applied consistently. The experience demonstrates how clear system design can advance access while supporting efficient implementation.

Denver Public Schools Annual Open Enrollment Cycle



Denver Public Schools Annual Open Enrollment Cycle (cont.)





Chapter:

Students with Special Needs

Introduction

Open enrollment policies apply to all students, including students with disabilities and students who require specialized support. Clear implementation guidance is essential to ensure that open enrollment systems comply with federal law, protect student rights, and provide districts with predictable, defensible processes.

Confusion often arises when enrollment decisions are conflated with determinations about services or placement. This section provides a roadmap for implementing open enrollment in a way that preserves access while maintaining compliance with the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act (ADA).

Key Recommendations

- Apply open enrollment policies to students with disabilities using the same application, admission, and lottery processes used for general education students
- Separate enrollment decisions from service determinations
- Define capacity based on physical space, not student needs
- Initiate special education processes promptly after enrollment
- Provide clear information to families about rights and timelines



Plan: Clarifying Legal Requirements

Federal law establishes clear protections for students with disabilities. These protections govern how services are provided, not whether students may enroll.

During the planning phase, states and districts should ensure that open enrollment policies are aligned with:

- IDEA requirements related to identification, evaluation, and provision of services
- Section 504 and ADA non-discrimination obligations
- State special education statutes and regulations

Importantly, none of these laws permit districts to deny enrollment based on disability status or anticipated service needs. Planning should focus on ensuring compliance through appropriate processes, not pre-enrollment screening.



Design: Separating Enrollment from Service Determination

Enrollment decisions and service determinations serve different purposes and occur at different points in time.

Open enrollment determines **whether a student may attend a school**. Special education processes determine **what services the student requires once enrolled**.

To support lawful and consistent implementation:

- Enrollment decisions should be based on capacity and selection rules only
- Disability status should not factor into enrollment or lottery processes
- IEP development, revision, or implementation should occur after enrollment
- Placement decisions should follow established IDEA procedures

Separating these processes helps protect student rights and provides clarity for district staff.



Build: Preparing for Service Delivery

Before enrollment cycles begin, districts should ensure they are prepared to serve students with disabilities who may enroll through open enrollment.

Preparation may include:

- Identifying points of contact for special education coordination
- Establishing procedures for timely record transfer
- Planning for evaluations and IEP meetings following enrollment
- Coordinating staffing and related services across schools
- Training enrollment and special education staff on roles and timelines

Build activities focus on readiness, not pre-screening.

Funding Readiness and Extraordinary Needs Support

In addition to base and supplemental special education funding that follows the student, some states provide extraordinary needs or high-cost services funding to support districts serving students with intensive or low-incidence needs.

Extraordinary needs funding is designed to:

- Address costs that exceed typical per-pupil allocations
- Reduce financial risk for small or under-resourced districts
- Support compliance with IDEA without creating disincentives to enrollment

Districts should understand the availability, eligibility criteria, and application timelines for extraordinary needs funding as part of their implementation planning. Access to extraordinary needs funding should support service delivery after enrollment and should not delay or condition enrollment decisions.



Execute: Enrolling Students and Initiating Services

Once a student with a disability enrolls through open enrollment, districts must promptly initiate applicable special education processes.

Execution includes:

- Enrolling the student consistent with published capacity and selection rules
- Transferring and reviewing existing IEPs or 504 plans
- Convening IEP or 504 meetings as required
- Providing comparable services during transitions, when applicable
- Documenting timelines and decisions

Enrollment should not be delayed or conditioned on service planning.



Support: Assisting Families

Families of students with disabilities often navigate both enrollment and special education systems simultaneously. Clear, neutral support helps families understand processes and timelines without influencing enrollment decisions.

Appropriate support may include:

- Plain-language explanations of enrollment and service processes
- Information about rights under IDEA and Section 504
- Clear timelines for evaluations and meetings
- Points of contact for questions or assistance

Support should be informational and accessible to all families.

State Role in Supporting High-Need Enrollment

State agencies play a critical role in ensuring that funding mechanisms support, rather than hinder, open enrollment for students with disabilities.

State responsibilities may include:

- Ensuring supplemental special education funding follows the student
- Administering extraordinary needs funding programs
- Providing technical assistance to districts serving high-cost students
- Monitoring enrollment patterns to identify potential access barriers

Clear funding pathways help ensure that districts can meet student needs without discouraging participation in open enrollment.



Practical Example: Enrollment and IEP Coordination

In states without clear guidance, districts sometimes request detailed service information before accepting an open enrollment application. While often well-intentioned, this practice can delay enrollment and create confusion about eligibility.

States that clarify the separation between enrollment and service determination reduce these risks. By requiring districts to enroll students first and then initiate IDEA processes, states help ensure compliance while allowing districts to plan services through established procedures.

This approach protects student access and provides districts with clear, defensible workflows.



Chapter:

Support and Oversight

Introduction

Open enrollment systems intersect with district-based funding, capacity planning, enrollment processes, transportation, and special education obligations. Clear statewide expectations help ensure these systems operate consistently across districts while preserving local implementation flexibility.

State agencies play an important role in establishing uniform rules, providing guidance, and ensuring transparency so families can understand and access available options. In most states, these responsibilities can be carried out through existing oversight functions, reporting systems, and public information channels rather than requiring new administrative structures.

This chapter outlines practical ways state agencies can support open enrollment as a durable statewide system by setting clear expectations, promoting transparency, and ensuring families and districts have access to consistent information.

Key Recommendations

- Establish uniform transparency requirements so families can easily understand available options across districts
- Align funding policies so resources follow students participating in open enrollment
- Provide clear, accessible processes for resolving disputes or appeals
- Offer statewide guidance and family-facing information using existing communication channels



Plan: Establishing a Support Framework

Open enrollment should be implemented as a systemwide access framework, not as a discrete or time-limited program. As such, state support planning should focus on long-term functionality rather than one-time compliance.

During the planning phase, states should clarify their role as system stewards responsible for ensuring that open enrollment policies remain accessible, transparent, and enforceable over time. This includes identifying where information gaps, administrative variability, or funding misalignment could undermine implementation.

Key planning considerations include:

- How families receive consistent information across districts
- How districts are supported in meeting implementation requirements
- How the state monitors compliance and resolves disputes

Translating Policy into Reviewable Implementation Criteria

Effective oversight depends on more than statutory clarity. State agencies must also translate legal requirements into clear, reviewable criteria that districts can understand, implement, and assess over time. Without this translation, even well-designed policies can be applied inconsistently or drift from legislative intent.

One approach used by states is the development of structured compliance checklists that map statutory requirements to specific implementation questions. These tools support consistent monitoring, help identify implementation gaps early, and provide districts with a transparent understanding of expectations. When used appropriately, compliance checklists function as technical assistance instruments as much as accountability mechanisms.

An example of a state-developed open enrollment compliance checklist is included in the appendices. This example demonstrates how statutory provisions can be operationalized into clear yes-or-no review questions across core implementation areas, including policy adoption, application processes, capacity calculation, enrollment decisions, transportation, reporting, and appeals.



Design: Building Support Infrastructure

This section outlines the core infrastructure states can steward to support consistent implementation.



Transparency

In decentralized systems where districts manage day-to-day implementation, transparency is essential to ensure families can understand their options and participate effectively.

States should move beyond requiring districts to “post their policies” and instead establish standardized transparency expectations, including:

- Uniform presentation of open enrollment information
- Predictable timelines for publication
- Consistent data definitions and reporting formats

Recommended Support Mechanisms

States can support consistent implementation of open enrollment by establishing clear expectations for how information is communicated and how families apply. In most cases, these practices rely on existing district communication systems and enrollment platforms rather than requiring new administrative structures.

Recommended practices include:

- Standardized information templates with required open enrollment information.

- District websites that clearly display open enrollment information and are mobile- and desktop-friendly
- Printed materials available at schools and district offices
- Information available in Spanish and other prevalent local languages
- Capacity published using the state-defined calculation method
- Clear non-discrimination statements indicating all students may apply
- Clear statements that participation is tuition-free
- Published transportation availability and eligibility
- Published timelines (e.g., information available at least 90 days prior to enrollment)

States may also consider providing a centralized open enrollment portal where families can view school capacity and submit applications across districts. A single, user-friendly platform can simplify the process for families applying to multiple schools and improve transparency around available seats. However, open enrollment systems can also operate successfully using district-level application systems when information is clearly published and easy for families to access.



Access

Districts may face uncertainty about serving students with varying needs, particularly when costs are unpredictable. To prevent resource-based barriers from limiting participation, states should pair enrollment mandates with aligned funding support.

Recommended Support Mechanisms

- Student funding portability across district boundaries
- An Extraordinary Needs Fund to reimburse high-cost services
- Dedicated transportation funding or family reimbursement mechanisms
- Streamlined funding and reimbursement timelines (e.g., defined review and disbursement windows)

Aligned funding reduces uncertainty and supports consistent acceptance decisions.



Accountability

In decentralized systems, families may need recourse when enrollment decisions conflict with policy requirements. A clear, neutral appeals process helps ensure consistency and reinforces public trust.

Recommended Support Mechanisms

- A formal, statewide open enrollment appeals process
- A designated ombudsman or state entity to review disputes
- Defined timelines for appeal resolution (e.g., 15 calendar days)
- Authority to issue binding determinations
- Proportionate enforcement mechanisms for persistent non-compliance

IMPLEMENTATION INSIGHT:**State-Supported Transparency in Practice (Arizona)**

Arizona's open enrollment framework illustrates how a state can support both districts and families through clear, standardized transparency requirements. The Arizona State Board of Education provides model open enrollment guidance that districts use to structure their policies and public-facing information. State law requires districts to make open enrollment policies easily accessible, publish capacity and acceptance information, and provide materials in English, Spanish, and other locally relevant languages.

In addition, the Arizona Department of Education administers a formal complaint process for families who believe open enrollment requirements have not been followed. This system provides families with a clear avenue for assistance while allowing the state to offer technical support and ensure consistent implementation across districts.

This approach demonstrates how states can move beyond policy adoption to active stewardship by pairing transparency requirements with guidance, accessibility standards, and enforcement mechanisms.

**Outreach and Awareness**

"If families do not know open enrollment exists or how it works, the system cannot operate as intended."

Open enrollment systems function only when families are aware of their options and understand how to participate. States play an important role in ensuring information reaches families beyond existing informal networks.

Recommended Support Mechanisms

- Ongoing public awareness efforts
- Dedicated outreach budgets
- Multi-channel communication strategies
- Plain-language family guides
- Statewide help lines and real-time support services

**Execute: Implementing the Support Strategy**

After establishing the support framework, states should implement a coordinated support strategy tailored to their open enrollment system's maturity and needs.

Sample Support Outcomes

(Illustrative – adapt to state context)

- 100% of districts publish capacity data using the approved state method at least 90 days prior to enrollment
- 100% of appeals resolved within [X] calendar days
- Extraordinary Needs fund reimbursements processed within [X] business days
- Statewide family guides published and distributed annually
- Public awareness campaigns launched prior to enrollment windows

Core Execution Actions

- 1 Standardize Transparency Mechanisms**
 Ensure consistent, accessible information statewide.
- 2 Operationalize Funding Support**
 Align funding systems with enrollment obligations.
- 3 Maintain Appeals Infrastructure**
 Ensure timely, neutral dispute resolution.
- 4 Launch Outreach and Family Support**
 Provide families with clear, accessible guidance and real-time assistance.
- 5 Monitor and Audit**
 Use data to identify implementation gaps and inform continuous improvement.

SUPPORT TEAM PRACTICES

To support effective oversight, state teams should be equipped to implement and monitor open enrollment consistently.

Recommended practices include:



Appendix A

Open Enrollment: Lotteries Best Practices

1. Introduction

What is an Open Enrollment Lottery?

A lottery is a random selection used only when applications exceed the available seats at a specific grade level in a school. If applications do not exceed capacity in that grade, a lottery is not conducted. This best-practice approach mirrors guidance used in other jurisdictions and helps ensure fairness when demand is higher than supply.

Statute requires that each district must adopt a system that lets pupils apply to attend a public school outside their zone if the school is not at capacity at the pupil's grade level; when there are more applicants than seats, the district's method must give priority to pupils zoned to a school that received one of the two lowest performance ratings in the prior year and may include a lottery for the remaining seats.

While statute does not require a lottery system for selection, it does state an open enrollment lottery as an equitable option that can be used by districts with capacity limitations.

While lotteries are equitable, they can be emotional for families. The more open, transparent, and accessible the process, the more families trust the outcome. Using plain language, visible randomization, and consistent adherence to repeatable procedures help reduce confusion and anxiety. Having a review of your procedures in advance can also surface issues before they occur.

2. Pre-Lottery Procedure

Preparation

Successful lotteries start months before the drawing. Districts must publish grade-level capacity for each school at least 90 days before accepting applications and must adopt a uniform capacity methodology (either maximum building occupancy or no more than one person per 30 sq. ft. of instructional space) that is documented and applied consistently. Once posted, capacity cannot be reduced during the application window unless an unforeseen, significant circumstance (e.g., a facility issue) necessitates it; if so, the district must post a written explanation at least 15 days before decisions are made.

Districts must also publish vacancies by grade each calendar quarter (district sites) while the Department of Education publishes statewide quarterly vacancies; applications and key policies must be available in the five most common non-English languages. Applications are required only for students seeking to attend a school outside their zone.

For best practice, consider a dry run with impartial observers, clear segregation of duties (one draws, one records, one announces), and early, broad communication (website, flyers, email). Protect privacy by using numbers instead of names during the draw and keeping a secure key list. Families should not be required to attend the lottery to receive an offer.

3. Conducting a Lottery

Lottery Procedure

A grade-specific lottery should be conducted only where applications exceed posted seats for that grade. Hold the event at an accessible time and location and explain the sequence:

1. Apply the state required priority (see Section 4);
2. Run a random drawing for remaining seats;
3. Continue the drawing to set the waitlist. Privacy is enhanced when the public sees numbers being drawn while staff use a confidential look-up list to match numbers to students names.

Statute prohibits using certain factors at any point in the application or selection: academic, artistic, or athletic ability; extracurricular participation/skill; disability status; English learner status; or a pupil's home address.

Additionally, statute requires that when a seat exists at the grade level, a school must enroll the approved pupil without considering the capacity of any specialized program, and once enrolled, the transfer is permanent, no annual reapplication is required.

Randomization

Either computerized (e.g., certified random number generator with results projected live) or human methods (e.g., thoroughly mixed ping-pong balls or sealed tickets) are acceptable. Thorough mixing and, where feasible, an independent drawer strengthens public confidence.

Planning for Breaks

Short breaks help staff verify counts and adherence to procedure and give families time to process results calmly before proceeding.

Maintaining Accurate Records

Assign at least two recorders to capture the draw order by grade and a third person to keep minutes. Some programs also videotape the event with prior notice to attendees and retain all artifacts for training and audit. Annual district reporting to the department of education must include counts of applications received/approved/denied and reasons for denials; the department publishes statewide vacancy and transfer data.

4. Enrollment Priorities

Pre-Lottery Enrollment Priorities

When applications exceed seats, districts must give priority to pupils who live in the zone of a public school that received one of the two lowest performance ratings (prior year) under the statewide accountability system. This priority applies before any lottery is conducted.

Defining “Sibling”

Statute does not list additional preferences, but a district may choose to define a sibling preference by policy so long as it does not conflict with the required low-rated-zone priority or re-introduce prohibited factors. If a district adopts a sibling preference, best practice is to define “sibling” clearly (e.g., include step, half, adopted, and guardianship relationships) and apply it consistently to avoid disputes.

Enrollment Priorities During the Lottery

Some systems implement a family unit drawing, one identifier for all applying siblings, so that the family’s outcome is not split, and larger families don’t gain multiple chances compared with smaller families. If a district does not use a family unit approach, it should publish how it will handle split outcomes.

5. Waitlists

Continue the Drawing Process

After seats are filled, continue drawing to set the waitlist order. Families should be able to learn their initial position at the end of the process.

Update the Waitlist and Maintain Accurate Records

Keep the list current as offers are accepted or declined and be able to provide a timely position update upon request. Remember that under state law, when a grade-level seat becomes available, the school enrolls the next approved applicant without regard to specialized program capacity; once enrolled, the transfer is permanent.

6. Post-Lottery Procedure

Discovering Errors After the Lottery

Publish remedial steps in advance. For single student errors (e.g., placed in the wrong grade lottery or omitted), remedies may include offering enrollment (even if briefly over capacity) or placing the student at the top of the waitlist. For multi student errors, a district may need to redo a grade-level drawing, with clear communication to all families.

Enrollment Offers

Send offers in writing with a clear accept/decline deadline and explain the consequences for no response. Maintain a separate log of acceptances/declinations to keep records and wait-list movements accurate.

Changes in Priority Status

If a student’s qualifying circumstance changes (e.g., a sibling withdraws), apply the pre-published rule for such cases, balancing timing and fairness to the family and those on the waitlist.

Midyear Enrollment

Continue accepting applications year-round. Late applicants typically join the end of the waitlist unless a published, lawful priority applies. Apply the same rules equitably to all similarly situated students.

Appeals

If an application is denied or not acted upon, the parent/guardian may appeal to the superintendent, who must promptly approve or deny the application; the superintendent's decision is final. District notices should clearly explain how to file an appeal and the timeframe.

7. Conclusion

A lottery is straightforward: publish capacity early and consistently, prioritize pupils zoned to lowrated schools, and select the remaining seats by a transparent random method, all while keeping complete, accessible records and communicating in plain language. Building privacy protections, neutral procedures, and clear remedies for errors will help districts run a calm, trusted process that meets both community expectations.

Appendix B

District Compliance Checklist

State Public School Open Enrollment Compliance	State Public School Open Enrollment Compliance	Public School Open Enrollment Compliance
Category	Statutory Reference	Compliance Question
Policy	“The board of trustees of each school district shall: (a) Adopt policies and procedures governing the attendance of pupils at schools outside the zone of attendance that a pupil is otherwise required to attend pursuant to paragraph (f) of subsection...”	Has the district adopted policies and procedures for open enrollment?
Policy	“(b) Ensure that any application of a school district for pupils to apply to attend a school outside the zone of attendance that the pupil is otherwise required to attend pursuant to paragraph (f) of subsection 2 is made available in the five most common languages other than English primarily spoken in households in this State as determined by the Superintendent of Public Instruction, which may include, without limitation, Spanish and Tagalog.”	Are application forms available in the five most common non-English languages?
Application	“(5) Not require a pupil to complete an application to attend a public school unless the pupil is requesting to attend a public school outside the zone of attendance that the pupil is otherwise required to attend...”	Does the district require applications only for students requesting to attend a school outside their zone?
Application	“(4) Include a procedure for pupils to apply to attend a public school outside the zone of attendance that the pupil is otherwise required to attend pursuant to paragraph (f) of subsection 2, including, without limitation, the date each year on which the school district will begin accepting applications and the annual deadline by which an application must be submitted...”	Are application start and deadline dates clearly defined and published?
Application	“5. The application process established by the board of trustees of a school district pursuant to subsection 4 must prohibit the consideration of any of the following factors in determining whether to approve an application: (a) The academic, artistic or athletic ability	Does the policy prohibit consideration of academic, artistic, or athletic ability?

District Compliance Checklist (cont.)

<p>Application</p>	<p>of a pupil; (b) The participation of a pupil in any extracurricular activity or the skill of a pupil in such an activity; (c) Whether a pupil is a pupil with a disability; (d) Whether a pupil is an English learner; (e) The address at which the pupil resides; or (f) Except as otherwise provided in this paragraph, whether a pupil has previously been subject to any disciplinary action. The board of trustees of a school district may deny the application of a pupil who, in the school year for which the application is submitted or in the immediately preceding school year, was suspended for 10 or more days or expelled.”</p>	<p>Does the policy prohibit consideration of academic, artistic, or athletic ability?</p>
<p>Application</p>	<p>“5. The application process established by the board of trustees of a school district pursuant to subsection 4 must prohibit the consideration of any of the following factors in determining whether to approve an application: (a) The academic, artistic or athletic ability of a pupil; (b) The participation of a pupil in any extracurricular activity or the skill of a pupil in such an activity; (c) Whether a pupil is a pupil with a disability; (d) Whether a pupil is an English learner; (e) The address at which the pupil resides; or (f) Except as otherwise provided in this paragraph, whether a pupil has previously been subject to any disciplinary action. The board of trustees of a school district may deny the application of a pupil who, in the school year for which the application is submitted or in the immediately preceding school year, was suspended for 10 or more days or expelled.”</p>	<p>Does the policy prohibit consideration of extracurricular participation?</p>
<p>Application</p>	<p>“5. The application process established by the board of trustees of a school district pursuant to subsection 4 must prohibit the consideration of any of the following factors in determining whether to approve an application: (a) The academic, artistic or athletic ability of a pupil; (b) The participation of a pupil in any extracurricular activity or the skill of a pupil in such an activity; (c) Whether a pupil is a pupil with a disability; (d) Whether a pupil is an English learner; (e) The address at which the pupil resides; or (f) Except as otherwise provided in this paragraph, whether a pupil has previously been subject to any disciplinary action. The board of trustees of a school district may deny the application of a pupil who, in the school year for which the application is submitted or in the immediately preceding school year, was suspended for 10 or more days or expelled.”</p>	<p>Does the policy prohibit consideration of disability status?</p>
<p>Application</p>	<p>“5. The application process established by the board of trustees of a school district pursuant to subsection 4 must prohibit the consideration of any of the following</p>	<p>Does the policy prohibit consideration of English learner status?</p>

District Compliance Checklist (cont.)

<p>Application</p>	<p>factors in determining whether to approve an application: (a) The academic, artistic or athletic ability of a pupil; (b) The participation of a pupil in any extracurricular activity or the skill of a pupil in such an activity; (c) Whether a pupil is a pupil with a disability; (d) Whether a pupil is an English learner; (e) The address at which the pupil resides; or (f) Except as otherwise provided in this paragraph, whether a pupil has previously been subject to any disciplinary action. The board of trustees of a school district may deny the application of a pupil who, in the school year for which the application is submitted or in the immediately preceding school year, was suspended for 10 or more days or expelled."</p>	<p>Does the policy prohibit consideration of English learner status?</p>
<p>Application</p>	<p>"5. The application process established by the board of trustees of a school district pursuant to subsection 4 must prohibit the consideration of any of the following factors in determining whether to approve an application: (a) The academic, artistic or athletic ability of a pupil; (b) The participation of a pupil in any extracurricular activity or the skill of a pupil in such an activity; (c) Whether a pupil is a pupil with a disability; (d) Whether a pupil is an English learner; (e) The address at which the pupil resides; or (f) Except as otherwise provided in this paragraph, whether a pupil has previously been subject to any disciplinary action. The board of trustees of a school district may deny the application of a pupil who, in the school year for which the application is submitted or in the immediately preceding school year, was suspended for 10 or more days or expelled."</p>	<p>Does the policy prohibit consideration of home address?</p>
<p>Application</p>	<p>"5. The application process established by the board of trustees of a school district pursuant to subsection 4 must prohibit the consideration of any of the following factors in determining whether to approve an application: (a) The academic, artistic or athletic ability of a pupil; (b) The participation of a pupil in any extracurricular activity or the skill of a pupil in such an activity; (c) Whether a pupil is a pupil with a disability; (d) Whether a pupil is an English learner; (e) The address at which the pupil resides; or (f) Except as otherwise provided in this paragraph, whether a pupil has previously been subject to any disciplinary action. The board of trustees of a school district may deny the application of a pupil who, in the school year for which the application is submitted or in the immediately preceding school year, was suspended for 10 or more days or expelled."</p>	<p>Does the policy prohibit consideration of disciplinary history (with exceptions)?</p>

District Compliance Checklist (cont.)

Capacity	"(f) Adopt a uniform methodology for calculating the capacity of each public school within the school district for the purposes of paragraph (c). The methodology must be publicly documented, applied consistently across all public schools within the school district and published on the Internet website maintained by the school district."	Has the district adopted and published a uniform methodology for calculating school capacity?
Capacity	"The methodology adopted by a school district must calculate the capacity of each public school within the school district based on: (1) Maximum building occupancy; or (2) An occupancy level of not more than 1 person per 40 square feet of instructional space."	Is capacity based on maximum building occupancy or one person per 40 sq. ft.?
Capacity	"(c) Determine the capacity for each grade level within each public school in the school district in accordance with the provisions of this section and annually publish such capacity on the Internet website maintained by the school district not later than 90 days before the date on which the school district will begin accepting applications from pupils to attend a public school outside the zone of attendance that a pupil is otherwise required to attend."	Are capacity figures published at least 90 days before application acceptance begins?
Capacity	"...If the capacity of a public school is reduced during the period in which the school district accepts such applications, the board of trustees shall ensure that, not later than 15 days before the earliest date on which decisions on such applications are to be made, there is published on the Internet website maintained by the school district a written explanation of the change in circumstances which necessitated the reduction in capacity."	If capacity is reduced, is a justification published at least 15 days before decisions are made?
Enrollment	"(2) Require all public schools within the school district, except for magnet schools, career and technical academies and dual enrollment high schools, to be open to the attendance of pupils pursuant to paragraph (f) of subsection 2, subject to capacity..."	Does the district policy require that all non-specialized schools be open to transfers, subject to capacity?
Enrollment	"(e) Allow a pupil whose application submitted in accordance with the policies and procedures adopted pursuant to paragraph (a) has been approved to permanently transfer to that public school without requiring an additional application in any subsequent school year."	Are approved applicants enrolled without further application in future years?

District Compliance Checklist (cont.)

<p>Appeals</p>	<p>"6. If an application to attend a public school outside the zone of attendance that a pupil is otherwise required to attend is denied or no action is taken on the application, the parent or legal guardian of the pupil may appeal the denial or lack of action to the superintendent of the school district and he or she shall promptly approve or deny the application. The decision of the superintendent of the school district is final."</p>	<p>Is there a clear process for appealing denied or unacted applications?</p>
<p>Appeals</p>	<p>"6. If an application to attend a public school outside the zone of attendance that a pupil is otherwise required to attend is denied or no action is taken on the application, the parent or legal guardian of the pupil may appeal the denial or lack of action to the superintendent of the school district and he or she shall promptly approve or deny the application. The decision of the superintendent of the school district is final."</p>	<p>Are appeals reviewed and decided by the district superintendent?</p>
<p>Reporting</p>	<p>"(g) Prepare and submit an annual report to the Superintendent of Public Instruction describing: (1) The number of applications to attend a public school outside the zone of attendance that a pupil is otherwise required to attend that were received by the school district and the number of such applications that were approved or denied; and (2) For each application that was denied, the reason the board of trustees of the school district denied the application."</p>	<p>Has the district submitted an annual report to the Superintendent of Public Instruction?</p>
<p>Transportation</p>	<p>"4. If the board of trustees of a school district furnishes transportation pursuant to this section, the board of trustees may elect not to provide transportation to pupils who attend a public school outside the zone of attendance that the pupil is otherwise required to attend pursuant to paragraph (f) of subsection 2 of N.R.S. 388.040."</p>	<p>Has the district clearly stated whether it provides transportation for out-of-zone students?</p>
<p>Transportation</p>	<p>"4. If the board of trustees of a school district furnishes transportation pursuant to this section, the board of trustees may elect not to provide transportation to pupils who attend a public school outside the zone of attendance that the pupil is otherwise required to attend pursuant to paragraph (f) of subsection 2 of N.R.S. 388.040." N.R.S. § 386.790</p>	<p>If applicable, has the district coordinated with the Department's transportation grant program?</p>
<p>Prioritization</p>	<p>"(7) Include a method to determine which pupils to enroll in any grade level within a public school for which applications exceed the capacity limits established pursuant to paragraph (c), which: (l) Must give priority</p>	<p>Do policies prioritize students from schools with the two lowest performance ratings?</p>

District Compliance Checklist (cont.)

<p>Prioritization</p>	<p>to pupils who live in the zone of attendance for a public school that received, in the immediately preceding school year, one of the two lowest ratings of performance pursuant to the statewide system of accountability for public schools; and (II) Except as otherwise provided in sub-subparagraph (I), may include, without limitation, a lottery.”</p>	<p>Do policies prioritize students from schools with the two lowest performance ratings?</p>
<p>Prioritization</p>	<p>“(7) Include a method to determine which pupils to enroll in any grade level within a public school for which applications exceed the capacity limits established pursuant to paragraph (c), which: (I) Must give priority to pupils who live in the zone of attendance for a public school that received, in the immediately preceding school year, one of the two lowest ratings of performance pursuant to the statewide system of accountability for public schools; and (II) Except as otherwise provided in sub-subparagraph (I), may include, without limitation, a lottery.”</p>	<p>Is a lottery used when applications exceed capacity (if not prioritized)?</p>

Acknowledgements

Jared Ocean, contributor/editor

Whitney Marsh, contributor/editor

Halli Faulkner, contributor/editor

Aiden Fleming, contributor/editor/project management

Jon Cook, project management

Heidie Nessel, editor

Danielle Trevino, editor/project management/test reader

Special Thanks to:

Matt Frendewey, test reader

Jude Schwalbach, test reader

Alex Graff, test reader

Lily Landry, test reader

Sam Duell, test reader

Jon Zalewski, legal

yes. every kid. foundation.