



StateNotes

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Open Enrollment: 50-State Report

To one degree or another, open-enrollment policies allow a student to transfer to the public school of his or her choice. There are two basic types of open-enrollment policies in place in the states – intradistrict and interdistrict. Intradistrict open-enrollment policies allow a student to transfer to another school within his or her school district. Interdistrict open-enrollment policies allow a student to transfer to a school outside his or her home district, but often require both the sending district and the receiving district to agree to participate. Open-enrollment policies are either mandatory or voluntary in nature, depending on the state. Mandatory policies require districts to participate in the program, often depending on the availability of space. Voluntary policies allow districts to choose whether to participate, again often depending on available space.

	Intradistrict or Interdistrict? Mandatory or Voluntary School District Participation?	Transportation Costs?	Desegregation Provisions?	Citation?
Alabama	Alabama has not enacted an open enrollment policy.	Alabama has not enacted an open enrollment policy.	Alabama has not enacted an open enrollment policy.	Alabama has not enacted an open enrollment policy.
Alaska	Alaska has enacted an intradistrict/mandatory policy. With preference given to low-income students, this regulation allows students in low-performing schools, as designated by the state, to attend a different school within their school district.	The district shall provide the student transportation to the other school unless the school is more than 50 miles from the student's home or student's home and the school are not connected by road.	Not Addressed	4 AAC 06.855
Arizona	Arizona has enacted an intradistrict/mandatory and interdistrict/mandatory policy. This statute allows students to enroll in any school within the school district in which they live or in any school located within other school districts in the state.	The student's parent or guardian is responsible for paying the cost of transportation. A receiving district, however, may provide transportation to nonresident low-income students for up to 20 miles each way and must provide transportation to nonresident special education students for up to 20 miles each way.	A school must admit pupils who reside in the attendance area of a school that is under a desegregation court order or that is a party to an agreement with the U.S. department of education's office for civil rights directed toward remediation of alleged or proven racial discrimination, unless notice is received from the resident school that the admission would	ARS 15-816 – 15-816.07

			violate the court order or agreement. If a school admits a pupil after notice is received that the admission would constitute such a violation, the school's district is not allowed to include in its student count the pupils wrongfully admitted. A school is not required to admit nonresident or resident transfer pupils if the admission would violate the provisions of the court order or agreement.	
Arkansas	<p>Arkansas has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy.</p> <p>(2) The second one is an interdistrict/mandatory policy. This statute allows a student to apply for admission to a school in any district beyond the one in which the student resides, provided that the transfer by this student would not adversely affect the desegregation of either district.</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) According to the interdistrict/mandatory policy, the student's parent or guardian is responsible for paying the cost of transportation. A sending or receiving district, however, may provide transportation to students.</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) According to the interdistrict/mandatory policy, no student may transfer to a district where the percentage of enrollment for the student's race exceeds that percentage in his resident district, except if: all districts within a county have voted to participate in the program; the transfer is between two districts within the county; and racial balance percentages remain within an acceptable range. A transfer is exempt from these restrictions if each district within a county does not have a critical mass of minority students of more than 10% of any single race. In instances when these provisions result in a conflict with a desegregation court order or a district's court-approved desegregation plan, the terms of the order or plan govern.</p>	<p>(1) Intradistrict/Mandatory: ASA 6-18-227</p> <p>(2) Interdistrict/Mandatory: ASA 6-18-206</p>
California	California has enacted two open enrollment	(1) In the intradistrict/mandatory	(1) According to the intradistrict/mandatory	(1) Intradistrict/Mandatory:

	<p>policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This statute includes a selection policy for any school that receives requests for admission in excess of the capacity of the school that ensures that selection of students to enroll in the school is made through a random, unbiased process that prohibits an evaluation of whether any pupil should be enrolled based upon his or her academic or athletic performance.</p> <p>(2) The second one is an interdistrict/voluntary policy.</p>	<p>policy, the student's parent or guardian is responsible for paying the cost of transportation. Upon the request of the pupil's parent or guardian and demonstration of financial need, however, each district must provide transportation assistance to the extent that the district otherwise provides transportation assistance to pupils.</p> <p>(2) In the interdistrict/voluntary policy, the student's parent or guardian is responsible for paying the cost of transportation. Upon request of the student's parent or guardian, however, each receiving school district must provide transportation assistance within the boundaries of the district to the extent that the district otherwise provides transportation assistance to pupils.</p>	<p>policy, districts retain the authority to maintain appropriate racial and ethnic balances among their respective schools at the districts' discretion or as specified in applicable court-ordered or voluntary desegregation plans.</p> <p>(2) According to the interdistrict/voluntary policy, either the sending or receiving district may prohibit the transfer of a pupil if the transfer negatively affects the court-ordered desegregation plan of the district, the voluntary desegregation plan of the district or the racial balance of the district.</p>	<p>CEC 35160.5</p> <p>(2) Interdistrict/Voluntary: CEC 48209 – 48209.17</p>
<p>Colorado</p>	<p>Colorado has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory and interdistrict/mandatory policy. This statute gives preference to "applicant[s] with proficiency ratings of unsatisfactory in one or more academic areas who attend an unsatisfactory school."</p> <p>(2) The second one is an intradistrict/mandatory and interdistrict/voluntary policy. This law allows low-income students</p>	<p>(1) The intradistrict/mandatory and interdistrict/mandatory policy does not address transportation costs.</p> <p>(2) Under the intradistrict/mandatory and interdistrict/voluntary policy, the state board of education determines a monetary value for the transportation tokens issued at each public school that receives an academic performance rating of "low" or "unsatisfactory." The money for the tokens is kept by the state department of</p>	<p>(1) Under the intradistrict/mandatory and interdistrict/mandatory policy, any district may deny any of its resident pupils or any nonresident pupils from other districts within the state permission to enroll in particular programs or schools within such district because a desegregation plan is in effect for the district, and such denial is necessary in order to enable compliance with such desegregation plan.</p> <p>(2) The intradistrict/mandatory and</p>	<p>(1) Intradistrict/Mandatory and Interdistrict/Mandatory: CRS 22-36-101 – 22-36-106</p> <p>(2) Intradistrict/Mandatory and Interdistrict/Voluntary: CRS 22-1-122</p>

	<p>in grades 1-8 in low-performing schools, as designated by the state, to use transportation tokens to attend a different school within their school district or a school within another school district, if the other school district agrees to accept such students.</p>	<p>education through a fund established by the state treasury and maintained through annual appropriations appropriated by the general assembly and through all other gifts, grants, donations, and other moneys obtained by the department to provide transportation assistance to parents and legal guardians of eligible students.</p>	<p>interdistrict/voluntary policy does not address desegregation.</p>	
Connecticut	<p>Connecticut has enacted three open enrollment policies.</p> <p>(1) The first one is an intradistrict/voluntary policy. This statute allows parents to select the public school that their child will attend provided the school is in the school district in which the child resides.</p> <p>(2) The second one is an intradistrict/voluntary and interdistrict/voluntary policy. This statute allows local and regional boards of education to offer intradistrict and interdistrict public school choice programs for the purpose of increasing awareness of the diversity of individuals and cultures.</p> <p>(3) The third one is an interdistrict/mandatory policy. In the 1998-99 school year, the state began phasing in this open-enrollment program to improve academic achievement, reduce racial, ethnic and economic isolation, and to provide a choice of educational programs for students. During the 2001-02 school year, the</p>	<p>(1) The intradistrict/voluntary policy states that The student's parent or guardian is responsible for paying the cost of transportation. Boards of education, however, may provide transportation services to students participating in the program.</p> <p>(2) The intradistrict/voluntary and interdistrict/voluntary policy does not address transportation costs.</p> <p>(3) The interdistrict/mandatory policy states that the state department of education is required to provide grants to regional educational service centers or local or regional boards of education for the reasonable cost of transportation for students participating in the program.</p>	<p>(1) The intradistrict/voluntary policy does not address desegregation.</p> <p>(2) Under the intradistrict/voluntary and interdistrict/voluntary policy, on a biennial basis, local and regional board of educations must report to the regional educational service center for its area on the programs and activities, including open enrollment, undertaken in its district to reduce racial, ethnic and economic isolation, including (1) information on the number and duration of such programs and activities and the number of students and staff involved, and (2) evidence of the progress over time in the reduction of racial, ethnic and economic isolation. One of the purposes of the program is to reduce racial, ethnic and economic isolation or preserve racial and ethnic balance.</p> <p>(3) One of the purposes of the interdistrict/mandatory policy is to reduce racial, ethnic and economic isolation or</p>	<p>(1) Intradistrict/Voluntary: CGS 10-221e</p> <p>(2) Intradistrict/Voluntary and Interdistrict/Voluntary: CGS 10-226h</p> <p>(3) Interdistrict/Mandatory: CGS 10-266aa</p>

	<p>program became operational in every priority district in the state.</p>		<p>preserve racial and ethnic balance.</p>	
<p>Delaware</p>	<p>Delaware has enacted three open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory statute. This statute was established to increase access to educational opportunity for all children; any parent of a school age child may apply to enroll his or her child in a school or program in a receiving district by submitting a written application.</p> <p>(2) The second one is an intradistrict/mandatory regulation. Through this policy, schools classified as "Under Improvement Year 1" or more must allow their students to attend a higher-performing school, as required by the No Child Left Behind Act.</p> <p>(3) The third one is an interdistrict/mandatory statute.</p>	<p>(1) The intradistrict/mandatory statute states that the parent of any child participating in the program is responsible for transporting the child without reimbursement to and from a point on a regular bus route in the district. Low-income students are entitled to receive from the state a payment equal to the average cost per student of transportation within the district. Eligible students in grades 9 through 12 may receive passes entitling the student to free public transportation on regular bus routes on school days between the student's home and a point on a regular bus route of the district.</p> <p>(2) The intradistrict/mandatory regulation does not address transportation costs.</p> <p>(3) The interdistrict/mandatory statute states that the parent of any child participating in the program is responsible for transporting the child without reimbursement to and from a point on a regular bus route of the receiving district. Low-income students are entitled to receive from the state a payment equal to the average cost per student of transportation within the sending district. Eligible students in</p>	<p>(1) The intradistrict/mandatory statute states that If approval of all of the applications for transfer in a district will result in the district being out of compliance with any applicable court-ordered desegregation plan, the district is required to establish the number of majority and minority group pupils who may transfer in a district.</p> <p>(2) The intradistrict/mandatory regulation does not address desegregation.</p> <p>(3) The interdistrict/mandatory statute states that if approval of all of the applications for transfer into or out of a district will result in the district being out of compliance with any applicable court-ordered desegregation plan, the district is required to establish the number of majority and minority group pupils who may transfer into or out of the district.</p>	<p>(1) Intradistrict/Mandatory Statute: 14 Del. C. 414</p> <p>(2) Intradistrict/Mandatory Regulation: DE ADC 103 6.0</p> <p>(3) Interdistrict/Mandatory Statute: 14 Del. C. 401 - 413</p>

		grades 9 through 12 may receive passes entitling the student to free public transportation on regular bus routes on school days between the student's home and a point on a regular bus route of the receiving district.		
District of Columbia	The District of Columbia has not enacted an open enrollment policy.	The District of Columbia has not enacted an open enrollment policy.	The District of Columbia has not enacted an open enrollment policy.	The District of Columbia has not enacted an open enrollment policy.
Florida	<p>Florida has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This statute allows students in low-performing schools, as designated by the state, to use an opportunity scholarship to attend a higher-scoring public school, a private school or a parochial school.</p> <p>(2) The second one is an interdistrict/voluntary policy. This statute allows school districts to offer controlled open enrollment in order to allow school assignments using parents' indicated preferential school choice as a significant factor.</p>	<p>(1) Under the intradistrict/mandatory policy, if the parent requests that the student be enrolled in a higher performing public school, transportation costs shall be the responsibility of the school district.</p> <p>(2) Under the interdistrict/voluntary policy, the student's parent or guardian is responsible for paying the cost of transportation. Each district's system of priorities for its open-enrollment program must include consideration of the availability of transportation.</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) Under the interdistrict/voluntary policy, districts are required to adhere to federal desegregation requirements. No open-enrollment plan that conflicts with federal desegregation orders may be implemented. Each district's system of priorities for its open-enrollment program must include consideration of the procedures to maintain socioeconomic, demographic and racial balance.</p>	<p>(1) Intradistrict/Mandatory: FS 1002.38</p> <p>(2) Interdistrict/Voluntary: FS 1002.31</p>
Georgia	<p>Georgia has enacted three open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This statute allows students in low-performing schools, as designated by the state, to attend a different school within their school district.</p> <p>(2) The second one is an</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) The intradistrict/mandatory and interdistrict/mandatory policy states that the responsibility for and cost of transporting the student to a school to which the student has been reassigned</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) The intradistrict/mandatory and interdistrict/mandatory policy states that nothing in this program shall be construed to interfere with desegregation plans in effect or any</p>	<p>(1) Intradistrict/Mandatory: OCGA 20-14-41</p> <p>(2) Intradistrict/Mandatory and Interdistrict/Mandatory: OCGA 20-2-294 and 160-5-4-.09</p> <p>(3) Interdistrict/Voluntary: OCGA 20-2-293</p>

	<p>intradistrict/mandatory and interdistrict/mandatory policy. This statute allows the parent or guardian of a student enrolled in a public school to request reassignment to a public school within the school district if the school to which the student has been assigned does not have available permanent classroom space. It also allows the parent or guardian to request reassignment to a public school located in another school district if the student's place of residence is located closer to such school, regardless of the school district in which the closer school is located.</p> <p>(3) The third one is an interdistrict/voluntary policy. This statute allows the state board of education to permit students to enroll in a school in another school district. Grant or refusal of permission for students to attend such schools, for the purpose of permitting state funds to follow such students, is entirely discretionary with the state board. School districts can contract with each other for the care, education, and transportation of students and for such other activities as they may be authorized by law to perform.</p>	<p>shall be that of the student.</p> <p>(3) The interdistrict/voluntary policy does not address transportation costs.</p>	<p>subsequent implement thereof.</p> <p>(3) The interdistrict/voluntary policy does not address desegregation.</p>	
<p>Hawaii</p>	<p>Hawaii has enacted an intradistrict/voluntary policy. The law states that all persons of school age shall be required to attend the school of the district in which they reside,</p>	<p>Not Addressed</p>	<p>Not Addressed</p>	<p>HRS 302A-1143</p>

	<p>unless it appears to the state department to be desirable to allow the attendance of pupils at a school in some other district, in which case the department may grant this permission.</p>			
Idaho	<p>Idaho has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy.</p> <p>(2) The second one is an intradistrict/mandatory and interdistrict/voluntary policy. This statute states that no district shall take any action to prohibit or prevent application by resident pupils to attend school in another school district or to attend another school within the home district. By resolution of the board of trustees, any district may opt not to receive pupils in the enrollment options program.</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) The intradistrict/mandatory and interdistrict/voluntary policy states that for intradistrict transfers, parents or guardians are responsible for transporting pupils to and from an appropriate bus stop. For interdistrict transfers, parents or guardians are responsible for transporting the pupil to and from the school or to an appropriate bus stop within the receiving district.</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) The intradistrict/mandatory and interdistrict/voluntary policy does not address desegregation.</p>	<p>(1) Intradistrict/Mandatory: IDAPA 08.02.03</p> <p>(2) Intradistrict/Mandatory and Interdistrict/Voluntary: IC 33-1401 – 33-1408</p>
Illinois	<p>Illinois has enacted an intradistrict/mandatory policy. With certain restrictions, this statute allows the transfer of a student from one attendance center to another within the school district upon the request of the student's parent or guardian.</p>	Not Addressed	Not Addressed	105 ILCS 5/10-21.3a
Indiana	<p>Indiana has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This statute allows parents in the Indianapolis school district to choose the school within the</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) The interdistrict/voluntary policy does not address transportation costs.</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) The interdistrict/voluntary policy does not address desegregation.</p>	<p>(1) Intradistrict/Mandatory: ICA 20-3.1-4-1 – 20-3.1-4-2</p> <p>(2) Interdistrict/Voluntary: ICA 20-8.1-6.1-2 – 20-3.1-6.1-3</p>

	<p>school district that their child will attend.</p> <p>(2) The second one is an interdistrict/voluntary policy. This statute allows the parents of any student, regardless of the student's age, or the student after the student has reached eighteen years of age, to request a transfer from a school in which the student has a legal settlement to a transferee school in Indiana or another state. In some cases, the parents are responsible for paying tuition to the transferee school.</p>			
Iowa	<p>Iowa has enacted an interdistrict/mandatory policy. This statute allows a parent or guardian residing in a school district to enroll his or her child in a public school in another school district.</p>	<p>The parent or guardian is responsible for transporting the pupil without reimbursement to and from a point on a regular school bus route of the receiving district. If the pupil meets economic eligibility requirements, the sending district is responsible for providing transportation or paying the pro rata cost, up to the average transportation cost per pupil for the sending district, of the transportation to a parent or guardian for transporting the pupil to and from a point on a regular school bus route of a contiguous receiving district.</p>	<p>The superintendent of a district subject to voluntary or court-ordered desegregation may deny a request for transfer if the superintendent finds that enrollment or release of a pupil will adversely affect the district's implementation of the desegregation court order or plan. If, however, a transfer request would facilitate a voluntary or court-ordered desegregation plan, the district shall give priority to granting the request over other requests.</p>	<p>IC 282.18 and IAC 281-17</p>
Kansas	<p>Kansas has enacted an interdistrict/voluntary policy. This statute allows the boards of education of any two or more unified school districts to make and enter into agreements providing for the attendance of pupils</p>	<p>Not Addressed</p>	<p>Not Addressed</p>	<p>KSA 72-8233</p>

	residing in one school district at school in kindergarten or any of the grades one through 12 maintained by any such other school district. The boards of education may also provide by agreement for the combination of enrollments for kindergarten or one or more grades, courses or units of instruction.			
Kentucky	Kentucky has enacted an intradistrict/mandatory and interdistrict/mandatory policy. This regulation allows students in low-performing schools, as designated by the state, to attend a different school within their school district or a school within another school district.	The student's resident district is responsible for transportation costs.	Not Addressed	703 KAR 5:120
Louisiana	<p>Louisiana has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory and interdistrict/mandatory policy. This regulation allows students in low-performing schools, as designated by the state, to attend a different school within their school district or a school within another school district.</p> <p>(2) The second one is an interdistrict/voluntary policy. This statute allows local school boards to, by mutual agreement, provide for the admission to any school of pupils residing in adjoining parishes and for transfer of school funds or other payments by one board to another for,</p>	<p>(1) The intradistrict/mandatory and interdistrict/mandatory policy does not address transportation costs.</p> <p>(2) The interdistrict/voluntary policy does not address transportation costs.</p>	<p>(1) The intradistrict/mandatory and interdistrict/mandatory policy does not address desegregation.</p> <p>(2) The interdistrict/voluntary policy does not address desegregation.</p>	<p>(1) Intradistrict/Mandatory and Interdistrict/Mandatory: 2006.11</p> <p>(2) Interdistrict/Voluntary: LRS 17:105</p>

	or on account of, such attendance.			
Maine	Maine has enacted an interdistrict/voluntary policy. This statute allows an elementary or secondary student to attend an approved private school or a public school in any school administrative unit with the consent of the receiving school's school board.	Generally, the student's parent or guardian is responsible for paying the cost of transportation. In some cases, the sending district is responsible for paying the cost of transportation.	Not Addressed	MRSA 20-A-5203 - 20-A-5205
Maryland	Maryland has not enacted an open enrollment policy.	Maryland has not enacted an open enrollment policy.	Maryland has not enacted an open enrollment policy.	Maryland has not enacted an open enrollment policy.
Massachusetts	<p>Massachusetts has enacted four open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This statute is designed to address racial imbalances in Massachusetts' schools.</p> <p>(2) The second one is an interdistrict/voluntary policy.</p> <p>(3) The third one is an interdistrict/voluntary policy. This statute is designed to address racial imbalances in urban and suburban school districts.</p> <p>The fourth one is an interdistrict/voluntary policy.</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) This interdistrict/voluntary policy does not address transportation costs.</p> <p>(3) This interdistrict/voluntary policy states The state is responsible for paying the cost of transportation.</p> <p>(4) This interdistrict/voluntary policy states taht the student's parent or guardian is responsible for paying the cost of transportation. In certain cases, however, the state reimburses the transportation costs of students from low-income families.</p>	<p>(1) The intradistrict/mandatory policy states that any non-white pupil attending any public school in which racial imbalance exists shall have the right to be transferred to and to attend any other school, except an exempt school, of his parents' or guardian's choice for his grade level and under the jurisdiction of the same school committee or regional district school committee if racial isolation exists in such other school; and any white pupil attending any public school in which racial isolation exists shall have the right to be transferred to and to attend any other school, except an exempt school, of his parents' or guardian's choice for his grade level and under the jurisdiction of the same school committee or regional district school committee if racial imbalance exists in such other school.</p> <p>(2) This interdistrict/voluntary policy does not address transportation</p>	<p>(1) Interdistrict/Mandatory: MAL 71-37D</p> <p>(2) Interdistrict/Voluntary: MAL 76-12</p> <p>(3) Interdistrict/Voluntary: MAL 76-12A</p> <p>(4) Interdistrict/Voluntary: MAL 76-12B - 76-12C</p>

			<p>costs.</p> <p>(3) This interdistrict/voluntary policy states that the school committee of any city, town or regional district may adopt a plan for attendance at its schools by any child who resides in another city, town or regional district in which racial imbalance exists in a public school.</p> <p>This interdistrict/voluntary policy does not address transportation costs.</p>	
Michigan	<p>Michigan has enacted three open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This statute allows students in low-performing schools, as designated by the state, to attend a different school within their school district.</p> <p>(2) The second one is an interdistrict/voluntary policy.</p> <p>(3) The third one is an interdistrict/voluntary policy. This statute allows a district to determine whether or not it will accept applications for enrollment by nonresident applicants residing within the same intermediate district for the next school year.</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) This interdistrict/voluntary policy does not address transportation costs.</p> <p>(3) This interdistrict/voluntary policy states that the student's parent or guardian is responsible for paying the cost of transportation.</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) This interdistrict/voluntary policy does not address desegregation.</p> <p>(3) This interdistrict/voluntary policy states that If a district is subject to a court-ordered desegregation plan, and if the court issues an order prohibiting pupils residing in that district from enrolling in another district or prohibiting pupils residing in another district from enrolling in that district, this policy is subject to the court order.</p>	<p>(1) Intradistrict/Mandatory: MCL 380.1280</p> <p>(2) Interdistrict/Voluntary: MCL 380.140</p> <p>(3) Interdistrict/Voluntary: 388.1705-388.1705c</p>
Minnesota	<p>Minnesota has enacted an interdistrict/mandatory policy. This statute establishes an enrollment options program to enable any pupil to attend a school or program in a</p>	<p>The student's parent or guardian is responsible for paying the cost of transportation from the student's residence to the border of the receiving district. If requested</p>	<p>A sending or receiving district that has a desegregation plan approved by the chief state school officer must accept or reject each individual application in a manner that will</p>	<p>MS 124D.03</p>

	<p>district in which the pupil does not reside, subject to certain limitations.</p>	<p>by the student's parent or guardian, the receiving district will then provide transportation from the border to the school. Also, if a student is from a low-income family, he or she may be reimbursed by the receiving district for the costs of transportation from the student's residence to the border of the receiving district.</p>	<p>enable compliance with its desegregation plan.</p>	
Mississippi	<p>Mississippi has enacted an interdistrict/mandatory policy. This law allows students living in one school district to transfer to another school district by the mutual consent of the school boards of all school districts concerned.</p>	<p>Any such agreement by school boards for the legal transfer of a student shall include a provision providing for the transportation of the student. In the absence of such a provision the responsibility for transporting the student to the transferee school district shall be that of the parent or guardian.</p>	<p>Not Addressed</p>	<p>MCA 37-15-31</p>
Missouri	<p>Missouri has enacted four open enrollment policies.</p> <p>(1) The first one is an interdistrict/mandatory policy. This law allows students whose districts of residence constitute an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance to attend another district and allows students in districts that do not maintain an accredited school, as designated by the state, to attend a school within another district in the same county or in an adjoining county.</p> <p>(2) The second one is an interdistrict/voluntary</p>	<p>(1) This interdistrict/mandatory policy states that transportation for pupils whose tuition the district of residence is required to pay by section 167.131 or who are assigned as provided in section 167.121 shall be provided by the district of residence; however, in the case of pupils covered by section 167.131, the district of residence shall be required to provide transportation only to districts accredited by the state board of education and those districts designated by the board of education of the district of residence.</p> <p>(2) This</p>	<p>(1) This interdistrict/mandatory policy does not address desegregation.</p> <p>(2) This interdistrict/voluntary policy states that whenever there is a federal court-ordered desegregation directive for a school district, enrollment options pursuant to this policy are subject to the approval of the court of continuing jurisdiction and the court order shall govern.</p> <p>(3) This interdistrict/voluntary policy was enacted to continue the voluntary, interdistrict open-enrollment programs that were in</p>	<p>(1) Interdistrict/Mandatory: MRS 167.121 and 167.131</p> <p>(2) Interdistrict/Voluntary: MRS 162.1040 - 162.1059</p> <p>(3) Interdistrict/Voluntary: MRS 162.1060</p> <p>(4) Interdistrict/Voluntary: MRS 167.151</p>

	<p>policy. This statute is a statewide policy, although it does not apply to any district in a county of the first classification having a charter form of government or to any district within the city of St. Louis. In total, 42 districts in 3 counties are exempted from this policy.</p> <p>(3) The third one is an interdistrict/voluntary policy. This statute creates a voluntary, interdistrict open-enrollment program in the St. Louis metropolitan area.</p> <p>(4) The fourth one is an interdistrict/voluntary policy. This statute allows the school board of any district, in its discretion, to admit to the school pupils not entitled to free instruction and prescribe the tuition fee to be paid by them, except for certain exemptions.</p>	<p>interdistrict/voluntary policy does not address transportation costs.</p> <p>(3) This interdistrict/voluntary policy states that the Voluntary Interdistrict Choice Corporation, which operates the program, is responsible for paying the transportation costs.</p> <p>(4) This interdistrict/voluntary policy does not address transportation costs.</p>	<p>place upon settlement of the federal desegregation case affecting the St. Louis School District.</p> <p>(4) This interdistrict/voluntary policy does not address desegregation.</p>	
Montana	<p>Montana has enacted two open enrollment policies.</p> <p>(1) The first one is an interdistrict/voluntary policy.</p> <p>(2) The second one is an interdistrict/mandatory policy.</p>	<p>(1) For the interdistrict/voluntary policy, an attendance agreement between sending and receiving school districts must set forth the financial obligations, if any, for tuition and for the costs incurred for transporting the child.</p> <p>(2) For the interdistrict/mandatory policy, an attendance agreement between sending and receiving school districts must set forth the financial obligations, if any, for tuition and for the costs incurred for transporting the child.</p>	<p>(1) The interdistrict/voluntary policy does not address desegregation.</p> <p>(2) The interdistrict/mandatory policy does not address desegregation.</p>	<p>(1) Interdistrict/Voluntary: MCA 20-5-320, 20-5-322 - 20-5-324</p> <p>(2) Interdistrict/Mandatory: MCA 20-5-321 - 20-5-324</p>
Nebraska	<p>Nebraska has enacted an Interdistrict/mandatory</p>	<p>The student's parent or guardian is responsible for paying</p>	<p>A sending or receiving district that has a desegregation plan</p>	<p>NRS 79-232 - 79-246</p>

	<p>policy. This statute establishes an enrollment options program to enable any pupil to attend a school or program in a district in which the pupil does not reside, subject to certain limitations.</p>	<p>the cost of transportation. Parents or guardians of students who qualify for free lunches are eligible for transportation reimbursement.</p>	<p>must accept or reject each individual application in a manner that will enable compliance with its desegregation plan. Districts with desegregation plans may adopt standards for acceptance or rejection of applications for transfer into or out of the district that are designed to make desegregation easier to maintain or improve.</p>	
Nevada	<p>Nevada has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy.</p> <p>(2) The second one is an interdistrict/voluntary policy. This statute allows the board of trustees of any school district to admit to the school district any pupil or pupils living in an adjoining school district within this state or in an adjoining state when the school district of residence in the adjoining state adjoins the receiving Nevada school district. It also allows the board of trustees of any school district to pay tuition for pupils residing in the school district but who attend school in an adjoining school district within this state or in an adjoining state when the receiving district in the adjoining state adjoins the school district of Nevada residence.</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) The interdistrict/voluntary policy states that transportation costs must be paid by the board of trustees of the school district in which the pupil or pupils reside if any are incurred in transporting a pupil or pupils to an adjoining school district within the State and if any are incurred in transporting a pupil or pupils to an adjoining state, as provided by the agreement.</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation provisions.</p> <p>(2) The interdistrict/voluntary policy does not address desegregation provisions.</p>	<p>(1) Intradistrict/Mandatory: S.B. 1 (2003 Session)</p> <p>(2) Interdistrict/Voluntary: NRS 392.010</p>
New Hampshire	<p>New Hampshire has enacted an intradistrict/voluntary and</p>	<p>For intradistrict transfers, the district is responsible for providing</p>	<p>Not Addressed</p>	<p>NHRSA 194-B:1 - 194-B:22</p>

	<p>interdistrict/voluntary policy. With certain restrictions, this statute allows students to transfer from their assigned school to another school within their resident district or to a school in another district.</p>	<p>transportation. For interdistrict transfers, the student's parent or guardian is responsible for paying the cost of transportation.</p>		
New Jersey	<p>New Jersey has enacted two open enrollment policies.</p> <p>(1) The first one is an interdistrict/voluntary policy. This statute creates a limited five-year pilot program that allows for the voluntary establishment of 21 choice districts, with one per county. Students within a 20-mile radius of the established choice district may apply to attend the choice district.</p> <p>(2) The second one is an interdistrict/voluntary policy.</p>	<p>(1) This interdistrict/voluntary policy states that transportation, or aid in lieu of transportation, shall be provided to an elementary school pupil who lives more than two miles from the receiving district's school of attendance and to a secondary school pupil who lives more than two and one-half miles from the receiving district's school of attendance, provided the receiving district's school is not more than 20 miles from the residence of the pupil. Transportation, or aid in lieu of transportation, shall be the responsibility of the receiving district.</p> <p>(2) This interdistrict/voluntary policy does not address transportation costs.</p>	<p>(1) This interdistrict/voluntary policy states that the chief state school officer may take appropriate action to provide that student population diversity in all districts is maintained. The actions may include, but are not limited to, directing a receiving district to take appropriate steps to successfully implement the district's plan for maintaining student population diversity, restricting the number of choice program students from a sending district or the authority of a receiving district to accept choice program students in the future and revoking approval of the receiving district as a choice district.</p> <p>(2) This interdistrict/voluntary policy does not address desegregation.</p>	<p>(1) Interdistrict/Voluntary: NJSA 18A:36B-1 - 18A:36B-17</p> <p>(2) Interdistrict/Voluntary: NJSA 18A:38-3</p>
New Mexico	<p>New Mexico has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This statute allows students in low-performing schools, as designated by the state, to attend a different school within their school district.</p> <p>(2) The second one is an intradistrict/voluntary</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) The intradistrict/voluntary and interdistrict/voluntary policy does not address transportation costs.</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) The intradistrict/voluntary and interdistrict/voluntary policy does not address desegregation.</p>	<p>(1) Intradistrict/Mandatory: NMSA 22-1-4</p> <p>(2) Intradistrict/Voluntary and Interdistrict/Voluntary: NMSA 22-12-5</p>

	and interdistrict/voluntary policy. This statute allows local school boards to admit students who do not live within the school district to the public schools within the school district when there are sufficient school accommodations to provide for them. Local school boards can also permit students to transfer to a school outside their attendance zone but within the school district when there are sufficient school accommodations to provide for them.			
New York	<p>New York has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This regulation allows students in low-performing schools, as designated by the state, to attend a different school within their school district.</p> <p>(2) The second one is an interdistrict/voluntary policy.</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) The interdistrict/voluntary policy does not address transportation costs.</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) The interdistrict/voluntary policy does not address desegregation.</p>	<p>(1) Intradistrict/Mandatory: NYCRR 100.2 (p), 120.3</p> <p>(2) Interdistrict/Voluntary: NYCLS 3202</p>
North Carolina	North Carolina has not enacted an open enrollment policy.	North Carolina has not enacted an open enrollment policy.	North Carolina has not enacted an open enrollment policy.	North Carolina has not enacted an open enrollment policy.
North Dakota	North Dakota has enacted an interdistrict/voluntary policy. This statute allows a parent who wishes to enroll a student in a North Dakota school district other than the student's district of residence to file an application for approval with the board of the student's district of residence. With few exceptions, the board of a	A student's parent or guardian is responsible for paying the cost of transportation. A sending district may provide transportation to a student. A receiving district may provide transportation to a student, and is then entitled to state payments for the transportation of a student.	Not Addressed	NDCC 15.1-31-01 – 15.1-31-07

	<p>student's school district of residence may deny an application only if the application will result in a reduction of the number of students enrolled in the district by more than twenty percent of the average daily membership the previous school year.</p>			
Ohio	<p>Ohio has enacted three open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This statute allows students in low-performing schools, as designated by the state, to attend a different school within their school district.</p> <p>(2) The second one is an intradistrict/mandatory policy.</p> <p>(3) The third one is an interdistrict/voluntary policy. This statute requires districts to enact a resolution determining whether it will admit nonresident pupils to its schools.</p>	<p>(1) This intradistrict/mandatory policy states that the district is required to spend twenty per cent of the funds it receives under Title I, Part A of the "Elementary and Secondary Education Act of 1965" to provide transportation for students who enroll in alternative buildings under this law, unless the district can satisfy all demand for transportation with a lesser amount. If twenty per cent is insufficient to satisfy all demand for transportation, the district shall grant priority over all other students to the lowest achieving students.</p> <p>(2) This intradistrict/mandatory policy states that a student's parent or guardian is responsible for transporting the student. If, however, either a student can be picked up and dropped off at a regular bus stop designated in accordance with the district's transportation policy or the district is required to provide additional transportation to the student in accordance with a court-approved desegregation plan, then the district is responsible for transporting the</p>	<p>(1) This intradistrict/mandatory policy does not address desegregation.</p> <p>(2) This intradistrict/mandatory policy states that each district's intradistrict open-enrollment policy must include procedures for ensuring that an appropriate racial balance is maintained in the district's schools.</p> <p>(3) The interdistrict/voluntary policy states that Each district's interdistrict open-enrollment policy must include procedures for ensuring that an appropriate racial balance is maintained in the district's schools. Also, a district may object the enrollment of a resident student in another district in order to maintain an appropriate racial balance in the district.</p>	<p>(1) Intradistrict/Mandatory: ORCA 3302.04</p> <p>(2) Intradistrict/Mandatory: ORCA 3313.97</p> <p>(3) Interdistrict/Voluntary: ORCA 3313.98 - 3313.981</p>

		<p>student.</p> <p>(3) The interdistrict/voluntary policy states that with certain exceptions, a student's parent or guardian is responsible for transporting the student.</p>		
Oklahoma	<p>Oklahoma has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This statute allows students in low-performing schools, as designated by the state, to attend a different school within their school district.</p> <p>(2) The second one is an interdistrict/mandatory policy. This statute allows students to transfer to schools in other districts with the approval of the receiving district.</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) The interdistrict/mandatory policy does not address transportation costs.</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) The interdistrict/mandatory policy does not address desegregation.</p>	<p>(1) Intradistrict/Mandatory: 70 OS 1210.541 and 210:10-13-18</p> <p>(2) Interdistrict/Mandatory: 70 OS 8-101.1 – 8-112</p>
Oregon	<p>Oregon has enacted two open enrollment policies.</p> <p>(1) The first one is an interdistrict/voluntary policy.</p> <p>(2) The second one is an interdistrict/voluntary policy.</p>	<p>1) This interdistrict/voluntary policy does not address transportation costs.</p> <p>(2) This interdistrict/voluntary policy does not address transportation costs.</p>	<p>1) This interdistrict/voluntary policy does not address desegregation.</p> <p>(2) This interdistrict/voluntary policy does not address desegregation.</p>	<p>(1) Interdistrict/Voluntary: ORS 339.125</p> <p>(2) Interdistrict/Voluntary: ORS 339.133</p>
Pennsylvania	<p>Pennsylvania has enacted an interdistrict/voluntary policy.</p>	Not Addressed	Not Addressed	24 PS 13-1316
Puerto Rico	<p>Puerto Rico has enacted an intradistrict/mandatory and interdistrict/mandatory policy.</p>	Not Addressed	Not Addressed	18 LRPA 911-911n
Rhode Island	<p>Rhode Island has enacted an interdistrict/voluntary policy. This statute states that whenever the school committee</p>	Not Addressed	Not Addressed	RIGL 16-2-19

	<p>of any city or town finds that it is more convenient or expedient for any child residing in the city or town to attend school in an adjoining city or town, the committee may arrange with the school authorities of the city or town for the attendance of the child at their schools.</p>			
South Carolina	<p>South Carolina has enacted two open enrollment policies.</p> <p>(1) The first one is an interdistrict/voluntary policy.</p> <p>(2) The second one is also an interdistrict/voluntary policy. This statute allows any student that is better accommodated at the school of an adjoining school district to transfer to that school with the consent of the board of trustees of the school district in which the school is located.</p>	<p>(1) This interdistrict/voluntary policy does not address transportation costs.</p> <p>(2) This interdistrict/voluntary policy does not address transportation costs.</p>	<p>(1) This interdistrict/voluntary policy does not address desegregation.</p> <p>(2) This interdistrict/voluntary policy does not address desegregation.</p>	<p>(1) Interdistrict/Voluntary: SCCA 59-63-45</p> <p>(2) Interdistrict/Voluntary: SCCA 59-63-490</p>
South Dakota	<p>South Dakota has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory and interdistrict/mandatory policy.</p> <p>(2) The second one is an interdistrict/mandatory policy. This statute allows for interdistrict enrollment as long as it can be done without injuring or overcrowding the school.</p>	<p>(1) Under the intradistrict/mandatory and interdistrict/mandatory policy, a student's parent or guardian is responsible for transporting the student. Either the sending district or the receiving district may provide transportation to the student. A receiving district may charge a reasonable fee if the student elects to use the transportation services offered by the receiving district.</p> <p>(2) The interdistrict/mandatory policy does not address transportation costs.</p>	<p>(1) The intradistrict/mandatory and interdistrict/mandatory policy does not address desegregation.</p> <p>(2) The interdistrict/mandatory policy does not address desegregation.</p>	<p>(1) Intradistrict/Mandatory and Interdistrict/Mandatory: SDCL 13-28-30 - 13-28-49</p> <p>(2) Interdistrict/Mandatory: SDCL 13-28-21 - 13-28-23</p>

<p>Tennessee</p>	<p>Tennessee has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy. This statute allows students in low-performing schools, as designated by the state, to attend a different school within their school district.</p> <p>(2) The second one is an intradistrict/voluntary and interdistrict/voluntary policy.</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) The intradistrict/voluntary and interdistrict/voluntary policy does not address transportation costs.</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) The intradistrict/voluntary and interdistrict/voluntary policy states that student transfers must be exercised within the limitations of any existing court order or plan developed to comply with the state or federal constitution.</p>	<p>(1) Intradistrict/Mandatory: TCA 49-1-602</p> <p>(2) Intradistrict/Voluntary and Interdistrict/Voluntary: TCA 49-6-3104 - 49-6-3105</p>
<p>Texas</p>	<p>Texas has enacted three open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory and interdistrict/voluntary policy. This statute allows students in low-performing schools, as designated by the state, to attend a different school within their school district or a school within another school district, if the other school district agrees to accept such students.</p> <p>(2) The second one is an intradistrict/voluntary policy.</p> <p>(3) The third one is an interdistrict/voluntary policy.</p>	<p>(1) The intradistrict/mandatory and interdistrict/voluntary policy states that the school district in which a student resides shall provide each student attending a school in another district transportation free of charge to and from the school the student would otherwise attend.</p> <p>(2) The intradistrict/voluntary policy does not address transportation costs.</p> <p>(3) The interdistrict/voluntary policy does not address transportation costs.</p>	<p>(1) The intradistrict/mandatory and interdistrict/voluntary policy states that a school district chosen by a student's parent is entitled to accept or reject the application for the student to attend school in that district but may not use criteria that discriminate on the basis of a student's race, ethnicity, academic achievement, athletic abilities, language proficiency, sex, or socioeconomic status.</p> <p>(2) The intradistrict/voluntary policy does not address desegregation.</p> <p>(3) The interdistrict/voluntary policy does not address desegregation.</p>	<p>(1) Intradistrict/Mandatory and Interdistrict/Voluntary: TEC 29.201 - 29.204</p> <p>(2) Intradistrict/Voluntary: TEC 25.031 - 25.034</p> <p>(3) Interdistrict/Voluntary: TEC 25.035 - 25.039</p>
<p>Utah</p>	<p>Utah has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy.</p> <p>(2) The second one is an</p>	<p>(1) The intradistrict/mandatory policy states that, with some exceptions, the student's parent or guardian shall arrange for the student's transportation to and from school, except that the district shall</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) The interdistrict/mandatory policy does not address</p>	<p>(1) Intradistrict/Mandatory: UCA 53A-2-207 - 53A-2-212</p> <p>(2) Interdistrict/Mandatory: UCA 53A-2-213</p>

	interdistrict/mandatory policy.	<p>provide transportation on the basis of available space on an approved route within the district to the school of the student's attendance if the student would be otherwise eligible for transportation to the same school.</p> <p>(2) The interdistrict/mandatory policy states that a student's parent or guardian is responsible for transporting the student. The sending district or the receiving district may provide bus transportation on any approved route. A receiving district must provide transportation for a student on the basis of available space on an approved route within the district to the school of attendance if the receiving district's students are eligible for transportation to the same school from that point on the bus route and the student's presence does not increase the cost of the bus route. The sending district of residence may not claim any state transportation costs for students enrolled in other school districts.</p>	desegregation.	
Vermont	Vermont has enacted an interdistrict/voluntary policy.	Not Addressed	Not Addressed	VSA 16-1093
Virginia	Virginia has not enacted an open enrollment policy.	Virginia has not enacted an open enrollment policy.	Virginia has not enacted an open enrollment policy.	Virginia has not enacted an open enrollment policy.
Washington	<p>Washington has enacted two open enrollment policies.</p> <p>(1) The first one is an intradistrict/mandatory policy.</p>	<p>(1) The intradistrict/mandatory policy does not address transportation costs.</p> <p>(2) The</p>	<p>(1) The intradistrict/mandatory policy does not address desegregation.</p> <p>(2) The</p>	<p>(1) Intradistrict/Mandatory: RCW 28A.225.270</p> <p>(2) Interdistrict/Mandatory: RCW 28A.225.220 -</p>

	<p>open enrollment program.</p> <p>(2) The second one is an intradistrict/voluntary and interdistrict/voluntary policy. The primary goal of this statute is to promote racial integration in the Milwaukee school district and its surrounding suburban districts.</p>	<p>apply to the state for reimbursement of their transportation costs. Either the receiving district or the sending district may provide transportation to students. The receiving district, however, is prohibited from picking up or dropping off a student within the boundaries of the sending district. Only the receiving district may receive state categorical transportation aid for transporting students.</p> <p>In the intradistrict/voluntary and interdistrict/voluntary policy, transportation for a pupil attending a public school in a receiving district shall be provided pursuant to agreement between the sending district and the receiving district. If either the sending district or the receiving district operates a program of intradistrict transfers, that district shall be responsible for the cost of transportation. The district may meet this responsibility either by contracting directly for provision of transportation or by reimbursing another district for the cost of such a contract. The district may provide transportation for a pupil attending a public school outside his or her attendance area of residence.</p>	<p>district.</p> <p>(2) In the intradistrict/voluntary and interdistrict/voluntary policy, pupil transfers resulting from a plan implemented by a district to reduce racial imbalance in a district or attendance area are eligible for state aid under this policy.</p>	<p>Interdistrict/Voluntary: WS 121.85</p>
<p>Wyoming</p>	<p>Wyoming has enacted an intradistrict/voluntary policy.</p>	<p>Not Addressed</p>	<p>Not Addressed</p>	<p>WS 21-4-502</p>