

## **SECTION 16: ADMISSION AND DISMISSAL PROCEDURES, INCLUDING SUSPENSION/EXPULSION**

### **Admission Policy**

Esperanza Elementary, as an open enrollment public charter school, aligns with the state law and policy regarding student admission. The governing board of Trustees supports a policy that prohibits discrimination based on race, creed, color, gender, religious affiliation, ancestry, disability, or need for special education services. The only category where preference is given is to siblings of admitted students and to children of founders, teachers and staff (up to five percent of total enrollment).

### **Dual Immersion Model Fidelity**

An ideal Spanish/English dual immersion school would have 50% of its enrollment at each grade level be dominant English speakers and 50% dominant Spanish speakers. We will strive to achieve this ideal (or at least a 60/40 ratio) through our marketing strategies. The purpose of this ratio is for students to have an almost equal number of role models for each language. Yet, the ratio does not affect our 90/10 Model which can still be implemented no matter what the ratio is. Plus, there will be some students who are bilingual who could be either a Spanish role model and/or an English role model allowing flexibility in the placement of students in our program. For these reasons we will use the usual lottery process. We will not hold separate lotteries for native-Spanish and native-English speaking students as is done by some dual immersion program schools.

### **Enrollment and Lottery**

Esperanza Elementary closely follows the admission procedures approved in legislation and by the Utah State Board of Education. Esperanza will admit all eligible pupils who submit a timely application. We will give enrollment preference to children of founding members and to children of teachers and staff (no more than five percent of the student population). Preference is also given to pupils returning to Esperanza in the second or any subsequent year of its operation and to siblings of pupils already enrolled in our school. If, by the application deadline, the number of applications exceeds the capacity of a class, grade level, or building, all applications for that class, grade level or building will be selected for the available slots through a lottery, except that preference as allowed in law shall be given. After the application deadline, pupils for any remaining slots will be accepted in order of their lottery position. If an opening in the school occurs mid-year and no students remain from the original lottery, a notice for applications will be announced and applicants enrolled on the same basis as outlined above. We will carry over the lottery lists from year to year.

A lottery is a random selection process by which Esperanza Elementary admits applicants. During a public meeting, an accepted lottery process will be used to select students. When a student is admitted to the school through the lottery process, all siblings of that student are admitted immediately, if space is available. If space is not available for a particular grade, that sibling will be placed on a waiting list. Students not selected by the lottery will remain on a

waiting list, preserving the order as determined by the lottery, giving preference to siblings of attending students. Esperanza Elementary will notify applicant of the lottery results within two weeks. Students placed on the waiting list will be given the opportunity to attend the school if openings become available during the school year. Families will be notified and students have three school days to accept the opening. Students who apply after the enrollment period will be admitted as space allows or will be added to the waiting list through subsequent lotteries.

Esperanza Elementary reserves the right to exclude an applicant if there is a prior history of safe school violations.

### **Dismissal procedure**

The two primary goals at Esperanza Elementary are:

- Keep Students and School Personnel Safe
- Maximize Student Learning

Discipline at Esperanza Elementary is based on the non-coercion philosophy of Dr. William Glasser's quality school and Brian Mendler's philosophy of fair is not equal. The approach to any problem within the school will be approached with a "solve it" attitude without threats or punishment.

There will be no more than three rules to help achieve Esperanza Elementary's goals and will be signed by everyone in the school. All will be expected to be accountable for abiding by these rules. When there is a problem a time out room can be used, if necessary, where a student can take time to find a solution. If a student is unable to resolve a problem in the time out room, he/she can be sent home for 3 days to come up with a plan. If the plan does not work, a student could be sent home again for another 3 days. After 3 three-day suspensions if the issue is still unresolved, a course of action would be determined through a meeting of the student, parents and appropriate Esperanza staff.

There is no set order of consequences for inappropriate behaviors as each student is different. Therefore, each student problem or incident will be treated individually with the goal of finding the appropriate solution for each particular student.

### **Suspension/Expulsion**

When violations of the safe and drug-free school policies occur due process will be afforded to the student before there is suspension or expulsion. Any student suspended for more than 10 days shall have the right to appeal the decision before the Executive Director and/or the School Board. Expulsions will be decided by the School Board. Students who are expelled shall have the right to appeal the decision before the Board. Esperanza Elementary adheres to state and federal law for students with IDEA or 504 plans.

### **Discipline Procedures for Students with Disabilities**

The Principal will be responsible for understanding the legal requirements for discipline in relation to students with disabilities. In most cases, behavioral expectations will be the same for all students at the school unless the behavior is a manifestation of a student's disability and/or special considerations have been made relative to a student's IEP. Ultimately, ensuring the safety of all students and school personnel will be a priority.

Esperanza Elementary adheres to state and federal law for students with IDEA or 504 plans. If the pupil qualifies as a disabled student under IDEA 2004 or 504, or if the student is currently being evaluated for special education services, suspension must follow all applicable state and federal laws regarding students with disabilities. The special education team (including parents, School Director, classroom teachers, and special education teachers) must ensure that any disciplinary or suspension procedures are aligned with the student's IEP and are carefully documented.

When making decisions on behavioral interventions for students receiving special education services, the IEP team shall refer to the *USOE Special Education Least Restrictive Behavior Interventions (LRBI) Guidelines* for information on research-based intervention procedures.

Esperanza Elementary adheres to the USOE recommended suspension/expulsion policy:  
[http://www.schools.utah.gov/law/DOCS/PAPERS/Model\\_Suspension-Expulsion\\_Policy.aspx](http://www.schools.utah.gov/law/DOCS/PAPERS/Model_Suspension-Expulsion_Policy.aspx)