



Schools of Choice

Administrative Procedure 1.A.140

1.0 School Administration
1.A Foundations

Board Governance Policy Cross Reference: 1, 2, 3, 16

Legal Reference: Manitoba Public Schools Act

Related Administrative Procedures:

Professional References:

Date Adopted: December 1998

Date Amended: September 2012, March 2016, June 2017, June 2018, July 2024

Introduction

With the provisions of the Schools of Choice initiative, students may apply for admission to any school in the province.

Please read the following information carefully in order that you understand schools of choice which applies only to K to 12 students.

A. Schools of Choice

1. What is the basic right to attend?

Every school board shall designate a school to which a resident student is entitled to attend. A student may choose not to attend his or her designated school.

2. What is a “designated school”?

A designated school is generally the closest school to the student’s residence within their home school division which offers the most appropriate education required by the student and which has available space. Parents will still have the ability to choose a school other than the one designated by the school board. A few conditions may apply, as outlined in this guide.

3. What is “choice”?

Choice means the ability to choose a school to be attended inside or outside of the home school division. If a student wishes to attend a school other than the designated school because it is, for example, more convenient for parents for after-school childcare purposes, this could be considered a reason to exercise school choice.

4. What is a “sending” or “home” school division?

The sending or home school division is the division in which the student’s reside (or age of majority student resides), where school taxes are paid and where the student would ordinarily attend school.

5. What is a “receiving” school division?

The receiving school division is the division, other than the home division, where a student chooses to attend.

6. Where do parents find information to help them choose a school?

School boards will publish or make available to parents and students information about their schools, programs, and enrollment procedures.

7. If a student does not want to exercise school choice, will this affect his or her right to attend the designated school?

No. Divisions must give priority to students identified to attend the designated school.

8. Is there priority of admissions under schools of choice?

Yes. Schools will enroll students in the following order of priority:

- 1. Students designated to attend that school,*
- 2. Students residing in the school division, and*
- 3. Other Manitoba students*

Students (K – 12) who have had School of Choice applications previously approved are considered “designated to attend” and do not have to reapply annually (see 21).

9. Is a school required to accept a student who wishes to exercise his choice?

Yes. A school will enroll a student unless:

- Space is not available,*
- Special equipment or physical facilities required by the student are not available,*
- Enrolling the student would be detrimental to the continuity of his or her education,*
- The program is not suited to the age, ability, or aptitude of the student,*
- Enrolling the student would be detrimental to order, discipline and well-being of the students in the school, or*
- Proper notification is not provided by the parent or student.*

10. Who decides if there is space?

The school decides if space is available using 1.A.150 Schools of Choice Admission Guidelines Administrative Procedure.

11. If there are more applications than vacant seats, how are the vacant seats filled?

Vacant seats will be filled according the following criteria:

- a) Students residing in the school division will be given priority*
- b) Once a) is applied, if there are still more applications than vacant seats, the date in which application was received will be used to prioritize applications. Applications will only be received in the school year prior to the year of registration at the school.*

12. Who decides if a program is suitable for a student?

The school, in consultation with parents and students, will determine if a program is suitable for the learning requirements of students.

13. Can a student be refused admission to a school of choice on the basis of past academic performance?

No, except where the student is applying for specialized programming that has criteria or prerequisites that have been met by students already enrolled in that program.

14. Can a student be refused on the basis of past disciplinary problems?

Yes. A request can be denied if, in the opinion of the receiving division, disciplinary problems can be addressed only through additional support, which is available in the home division, and if the home division chooses not to pay for such support outside its boundaries.

15. How does a student apply for school of choice? Are there any forms to fill out?

- *Yes, there is an application form to fill out and submit to the school of choice.*
- *See: 1.A.140A Schools of Choice: In Division Application*
- *See: 1.A.140B Schools of Choice: Out of Division Application*
- *These applications are also available at the school.*
- *Applications will only be received in the school year prior to the year of registration at the school.*
- *Parents must apply to potential receiving schools no later than May 15.*

16. Can a student apply to more than one school at a time?

Yes, provided that proper notification to potential receiving schools is given and that application deadlines are met in all cases. It is the responsibility of parents to ensure that all forms are filled out correctly and completely and are submitted on time to receiving schools. Parents must decide on the school to be attended as soon as is reasonably possible and notify the schools involved.

17. When are students notified if they have been accepted into their school of choice?

The receiving school must advise the parents and sending school no later than June 30 whether or not the student has been accepted. See 1.A.140 C: Schools of Choice: Sample Letter.

18. Can parents still apply to a school of choice after May 15 notification deadline?

Yes, but the school can refuse to accept a student because of the missed deadline.

19. Can choice be exercised after the May 15 deadline has passed?

The exercise of school choice after the May 15 deadline has passed will be considered on a case by case basis by the school divisions involved. Parents are advised to consult with home division and receiving division officials about whether admission will be considered and whether transfer fees will be paid on their behalf. The home division is not obligated to send the transfer fee after the deadline, parents may be responsible for paying this fee to the receiving division for the first year in order to exercise school choice. (For further information, please see Part B of this guide.)

20. If a school of choice does not work out, or if a parent changes his or her mind, can a student return a) to his or her former school division and b) to his or her former school?

- a) *Yes. A student who has chosen to attend a school of choice may withdraw from that school and return to the home division. The home school board shall, at that time, designate a school for the student.*
- b) *Generally yes, however, there is no guarantee that the designated school will be the school previously attended by the student. If the student chooses a different school in the home division from the one designated, his or her enrollment is subject to space and programming considerations, as noted in item 9, above.*

21. Does a student have to reapply every year to continue to attend the school of choice?

School of Choice applications approved in K – 12 are considered continuous i.e. once a student has exercised choice and is accepted into that school, he or she is entitled to attend that school. The student is assumed to be in attendance at that school year after year unless he or she wishes to exercise choice and leave. School boards will keep track of local demographic trends so that schools can enroll designated and non-designated students alike. Boards are permitted to slow or stop movement of non-designated students into division schools so that designated students can be accommodated.

22. Does this mean that the brothers and sisters of a student exercising choice will be accepted into the same school?

Not necessarily. Admission of a student because of choice does not guarantee that brothers and sisters will have access to the school.

23. If a school denies a parent's request for admission under choice, is there an avenue of appeal?

Yes, to the school board. Within the framework of legislation and regulation, school boards have the final authority in the decision to admit students to a school. Parents are encouraged to consult and work with school divisions should they have any concerns.

B. Fees

1. Will parents pay fees to exercise school choice?

No, not in most cases, provided that deadlines have been met. Parents will not be required to pay a fee to enroll their child(ren) in one of the four programs recognized by Manitoba Education and Training in a school of choice inside or outside the home division. (The four recognized programs are English, Francais, Immersion or Technology Education.) Instead, the home division will pay an annual transfer fee to the receiving division in an amount to be determined by the department.

2. Are transfer fees automatically sent to the receiving school division on parents' or students' behalf?

Yes. Once choice has been exercised within deadlines, a transfer fee is paid by the home division. If a student returns to the home division during the year the transfer fee, or a portion of it, may be returned to the home division at the discretion of the receiving division. The sending division is not obligated to pass on the transfer fee to the receiving division if the parental confirmation date is missed.

C. Transportation

1. Will students receive transportation to their designated school?

Yes, if a student is eligible based on distance, the school division will transport or provide student transportation. Transportation funding is given to the school division if the student is eligible and is transported to school on a school bus on an approved route. An eligible student lives at least 1.6 kilometers away from their designated school and is in any of grades K-54 in rural areas or in any of grades K-6 in urban areas.

A designated school will be identified for the purpose of determining eligibility for transportation funding. The designated school is the closest school that has space and offers the appropriate education required by the student, as determined by the board, that is accessible via an approved school bus route.

2. Will a student receive transportation to a school of choice within the home school division?

If the student is eligible to be transported to the original designated school, then the school division must provide transportation to that school. Evergreen School Division will provide transportation to the school of choice if transportation is provided on an existing approved route, there is room on the bus and the school of choice is more than 1.6 km from the student's place of residence.

3. Will a student be transported to a school of choice outside the school division?

Not in urban settings and generally, not in rural settings. Only in rural settings where a student lives closer to an out of division school than to the designated school in the home division by road route, chooses to attend out of division and is eligible for transport will a student be considered for transport to a school of choice outside the school division.

The receiving division may transport the student and if it does so may claim a transported pupil grant from the Department.

4. What is a grant-in-lieu?

A grant-in-lieu is money equivalent to the per pupil transportation grant normally given to a school division by the Department.

5. Will grants-in-lieu be paid to support transportation to schools of choice?

Only in rural settings, as noted in Point 3, above. If the receiving rural division chooses not to transport, and the student wishes to attend the out of division school, the parent or student will be entitled to a grant-in-lieu paid by the receiving division.

6. Who sets the amount of the grant-in-lieu and who can claim it?

The grant-in-lieu amount is set by the Province of Manitoba and is claimed by the receiving division and then turned over to the parent or student.

7. If the home school division does not offer a program and the student must go out of the division, is this student eligible for transportation?

Yes. This is a situation where a program is not offered locally and is different from choice. Transportation support and eligibility for room and board does not change from the current situation under this example ("program not offered locally").

D. Taxation and Election Issues

1. If a student goes to school in another division, do their parents/legal guardians still have to pay school taxes to the school division where they live?

Yes, parents/legal guardians will still be required to pay the school tax levied by the division where they live.

2. If a student goes to school in another division, can their parents/legal guardians vote in school board elections in the division where they live?

Yes, all residents in a school division are allowed to vote in school board elections.

3. If a student goes to school in another division, can their parents/legal guardians vote in that division's school board elections?

No, the parents/legal guardians must be residents of the school division to be able to vote in board elections.

4. If a student goes to a school other than their designated school either in the home division or in another school division, can their parents/legal guardians be members of the choice school's Advisory Council on School Leadership?

Yes, all parents/legal guardians of students in a school can put their names forward for election as members of the school's Advisory Council.