

**53A-2-206.5 Definitions.**

As used in Sections 53A-2-207 through 53A-2-213:

- (1) "Early enrollment" means:
  - (a) except as provided in Subsection (1)(b), application prior to the third Friday in February for admission for the next school year to a school that is not a student's school of residence; and
  - (b) application prior to November 1 for admission for the next school year to a school that is not a student's school of residence if:
    - (i) the school district is doing a district wide grade reconfiguration of its elementary, middle, junior, and senior high schools; and
    - (ii) the grade reconfiguration described in Subsection (1)(b) will be implemented in the next school year.
- (2)
  - (a) "Early enrollment school capacity" or "maximum capacity" means the total number of students who could be served in a school building if each of the building's instructional stations were to have the enrollment specified in Subsection (2)(b).
  - (b)
    - (i) Except as provided in Subsection (2)(b)(ii):
      - (A) for an elementary school, an instructional station shall have an enrollment at least equal to the school district's average class size for the corresponding grade; and
      - (B) for a middle, junior, or senior high school, an instructional station shall have an enrollment at least equal to the district's average class size for similar classes.
    - (ii)
      - (A) A local school board shall determine the instructional station capacity for laboratories, physical education facilities, shops, study halls, self-contained special education classrooms, facilities jointly financed by the school district and another community agency for joint use, and similar rooms.
      - (B) Capacity for self-contained special education classrooms shall be based upon students per class as defined by State Board of Education and federal special education standards.
- (3)
  - (a) "Instructional station" means a classroom, laboratory, shop, study hall, or physical education facility to which a local board of education could reasonably assign a class, teacher, or program during a given class period.
  - (b) More than one instructional station may be assigned to a classroom, laboratory, shop, study hall, or physical education facility during a class period.
- (4) "Late enrollment" means application:
  - (a) after the third Friday in February for admission for the next school year to a school that is not the student's school of residence; or
  - (b) for admission for the current year to a school that is not the student's school of residence.
- (5)
  - (a) "Late enrollment school capacity" or "adjusted capacity" means the total number of students who could be served in a school if each teacher were to have the class size specified in Subsection (5)(b).
  - (b)
    - (i) An elementary school teacher shall have a class size at least equal to the district's average class size for the corresponding grade.
    - (ii) A middle, junior, or senior high school teacher shall have a class size at least equal to the district's average class size for similar classes.

- (6) "Nonresident student" means a student who lives outside the boundaries of the school attendance area.
- (7) "Open enrollment threshold" means:
  - (a) for early enrollment, a projected school enrollment level that is the greater of:
    - (i) 90% of the maximum capacity; or
    - (ii) maximum capacity minus 40 students; and
  - (b) for late enrollment, actual school enrollment that is the greater of:
    - (i) 90% of adjusted capacity; or
    - (ii) adjusted capacity minus 40 students.
- (8) "Projected school enrollment" means the current year enrollment of a school as of October 1, adjusted for projected growth for the next school year.
- (9) "School attendance area" means an area established by a local school board from which students are assigned to attend a certain school.
- (10) "School of residence" means the school to which a student is assigned to attend based on the student's place of residence.

Amended by Chapter 67, 2012 General Session