

28 (1) (a) A local school board shall adopt rules governing acceptance and rejection of  
 29 applications required under Section 53G-6-402.

30 (b) The rules adopted under Subsection (1)(a) shall include policies and procedures to  
 31 assure that decisions regarding enrollment requests are administered fairly without prejudice to  
 32 any student or class of student, except as provided in Subsection (2).

33 (2) Standards for accepting or rejecting an application for enrollment may include:

34 (a) for an elementary school, the capacity of the grade level;

35 (b) for a secondary school, ~~§~~ → **[maintenance of comprehensive programs and efficient**

36 **allocation of resources;] the capacity of a comprehensive program; ←§**

37 ~~[(b)]~~ (c) maintenance of heterogeneous student populations if necessary to avoid  
 38 violation of constitutional or statutory rights of students;

39 ~~[(c)]~~ (d) not offering, or having capacity in, an elementary or secondary special  
 40 education or other special program the student requires;

41 ~~[(d)]~~ (e) maintenance of reduced class sizes:

42 (i) in a Title I school that uses federal, state, and local money to reduce class sizes for  
 43 the purpose of improving student achievement; or

44 (ii) in a school that uses school trust money to reduce class size;

45 ~~[(e)]~~ (f) willingness of prospective students to comply with district policies; and

46 ~~[(f)]~~ (g) giving priority to intradistrict transfers over interdistrict transfers.

47 (3) (a) Standards for accepting or rejecting applications for enrollment may not  
 48 include:

49 (i) previous academic achievement;

50 (ii) athletic or other extracurricular ability;

51 (iii) the fact that the student requires special education services for which space is  
 52 available;

53 (iv) proficiency in the English language; or

54 (v) previous disciplinary proceedings, except as provided in Subsection (3)(b).

55 (b) A board may provide for the denial of applications from students who:

56 (i) have committed serious infractions of the law or school rules, including rules of the  
 57 district in which enrollment is sought; or

58 (ii) have been guilty of chronic misbehavior which would, if it were to continue after