

Hawaii Department of Education

Geographic Exceptions (GE) Guidelines

Legal Statutes

Under Hawaii law, Hawaii Revised Statutes (**HRS**) § 302A-1143, *Attending school in what service area*, “All persons of school age shall be required to attend the school of the district in which they reside, unless enrolled in a Hawaiian language medium education program, public charter school, or unless it appears to the 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.”

In accordance with Hawaii Administrative Rules (**HAR**) **Title 8, Chapter 13**, legal residence is established by the student's parents, legal guardian, or legal custodian. The Department shall presume that the student resides with the parents or legal guardian. In the event the student's parents do not reside together in the same school district, the department may presume that the student resides in the school district in which either parent resides. If the applicant disagrees with this presumption, then the applicant has the burden to prove the student's actual physical residence. Physical residence means where the student actually resides.

In accordance with Board of Education (**BOE**) **Policy 4155**, permission to attend another school may be granted by the Department of Education with the welfare of the child as a major consideration.

General Information

Governed by **BOE Policy 4155** and **HAR Chapter 13, §8-13-3**, the Hawaii Department of Education (HIDOE) is directed to establish procedures for the handling and approval of GE requests, including application process and timelines, criteria for selection, a public chance selection process (i.e., lottery) if requests exceed a school's established capacity, and an appeal procedure for denied requests.

These GE procedures were developed and the following key rules were created:

1. A student once granted a geographic exception, shall belong to the school for which it is granted and shall enjoy all rights, privileges, and responsibilities that are enjoyed by other students at the school until the student graduates, or otherwise transfers.
2. There shall be suitable consequences (including possible rescission of the geographic exception) if the information upon which the exception was granted is found to have been false.
3. The process established by HIDOE shall be equitable, widely publicized, and “user friendly” to parents and children.
4. There shall be timelines that permit reasonable projections of school enrollment so that new geographic exceptions shall not be the cause of a school exceeding the enrollment limits established by HIDOE
5. Pursuant to HAR, Chapter 13, §8-13-3, the Geographic Exception process does not apply to students eligible under the McKinney-Vento Act (MVA) of 2001 unless they seek enrollment at a school other than the school of origin or the home school. Please refer to the Homeless Concerns office for more MVA information.
6. It is also noted that the placement of a child with special needs shall conform to the laws, both Federal and State.

See Appendix for definition of key terms used throughout this document.

About GE Request Form

- GE Request Forms may be picked up at any HIDOE school.
- Parents/Guardians will fill out the GE Request Form and submit to the appropriate school (see charts on next page).
- GE applications for the next school year shall be submitted between January 1 and March 1 of the current school year which will facilitate a decision before the end of the school year.
- Applications for the current and next school year shall be accepted at other time periods whenever unforeseen circumstances arise.
- GE requests may be made to multiple schools by parents.
 - For applications received by March 1, notification of the decision shall be mailed no later than two weeks after March 1, unless the student is to be considered in a chance lottery selection process.
- Parents have ten (10) working days to confirm their student's enrollment to the receiving school.
 - **If notification is not received**, *"an alternate student may be selected by the principal if the student is not registered at the receiving school within ten working days from the postmarked date of mailing."* (HAR Chapter 13, §8-13-7)

Duration of Geographic Exception

- All GE applications accepted by a school are for the full duration of the grade levels that is serviced by that school, or until the student transfers, withdraws, or the GE is revoked.
- When a student exits their GE-approved school, then a new GE Request Form will be required.
- For terminal year GE students, who are non-MVA status, a new GE Request Form must be completed and approved to attend the next school (if that school is located outside of the student's geographic attendance area).
- For terminal year GE students, who are MVA status:
 - Homeless students have the right to remain within their GE complex and do not need to resubmit a new GE Request Form.
 - MVA students should be projected to the next school within the GE complex.

Notable Considerations for a GE Request

Notable Considerations are not ranked and each shall be given equal weight. An exceptional student may apply for a GE, including Notable Considerations, as long as the receiving school is capable of providing reasonable accommodations for that student. All other requests for geographic exceptions shall be considered only after the following Notable Considerations have been accommodated at the time of submission. The below Notable Considerations are:

- Authorized Physical Residence - In cases where the child's physical residence lies within the geographic service area boundary of the school (i.e., non-custody residence)
- Child of School Staff Member - The school staff member may apply for a GE so that the child may attend the same location where the parent is employed.
- Sibling of a Child Attending Same School - Parents may apply for additional children who become eligible to attend the same school as their GE-approved child. The GE-approved child must continue to be a student at the same school for the next school year.
- Program of Study - Parents may wish for their child to attend a special program of study not offered at their home school. This type of approval needs to be determined by a receiving school administrator. Space availability is not automatic qualification for approval but should be weighed against the child's academic and social needs.

Where Parents Submit the GE Request Forms

NEXT SCHOOL YEAR APPLICATIONS:

FROM the parent/legal guardian of:	SUBMIT TO:
<p>HIDOE student</p> <p>(includes Hawaiian Language Immersion Program (HLIP); Public Conversion Charter School (PCCS)*; Public Charter School (PCS) students)</p>	<p>Current HIDOE school</p>
<p>Non-HIDOE student</p> <p>(i.e. incoming kindergartener, private school, or out-of-state student)</p>	<p>Next year’s HIDOE home school</p>

CURRENT SCHOOL YEAR APPLICATIONS:

FROM the parent/legal guardian of:	SUBMIT TO:
<p>HIDOE student</p> <p>(includes Hawaiian Language Immersion Program (HLIP); Public Conversion Charter School (PCCS)*; Public Charter School (PCS) students)</p>	<p>Current HIDOE school</p>
<p>Non-HIDOE student</p> <p>(i.e. incoming kindergartener, private school, or out-of-state student)</p>	<p>Current year’s HIDOE home school</p>

* *Public conversion charter schools (PCCS) are the "home schools" for students who legally reside within the geographic service area boundary. These include: Kamaile Academy PCS, Kualapu'u EI NCPCCS, Lanikai EI PCS, Laupahoehoe Community PCS, Waialae EL PCS, and Waimea Middle PCCS. See HRS §302D-34, Public Charter Schools Enrollment.*

Note: The processing of geographic exceptions between certain schools and/or transitioning between levels may present unique circumstances and require specific considerations. Each scenario should be handled on a case-by-case basis. For additional assistance, please call the Customer Service Desk at 564-6000.

Timeline for the GE Process

Dates	
January 1 to March 1 <i>(If March 1 is a holiday or weekend, schools may use the following business day as the deadline to accept GEs)</i>	GE request window for the next school year.
March (Second business day)	Current HIDOE (i.e. DOE/PCS/PCCS) school or Home school is responsible to process and submit all request forms (received during the GE request window) to the (GE-requested) receiving school by this date. After March 1, GE requests received will then be processed according to date-stamp submission, prior to lottery selection.
No later than March 15 <i>(If March 15 is a holiday or weekend, schools may NOT use the following business day as the deadline)</i>	Deadline for receiving schools to mail GE decisions to parent (approval, denial, or lottery to be held). Within 10 working days after postmark of notification, parent will declare intent to enroll and submit completed enrollment packet.
April (First Friday)	Lottery (if needed) will be held on the first Friday of April. Parent will declare intent to enroll and submit completed enrollment packet.
March 2 – December 31	Applications for current and next school year may be accepted but these requests will be placed on a waitlist (for next year since GE window is not yet open) or approved if space is available (for the current year only).
Summer	If an application is received after the school year ends, the last school of enrollment is responsible to process the application until the student's records are forwarded to the next school. The next year's HIDOE home school is responsible to process the application if the student's records have been forwarded to the next year's HIDOE home school OR if the student has already been promoted to the middle or high school (for the next school year).

Exceptions to the Timeline

GE applications for the next school year shall be submitted between January 1 and March 1 to facilitate a decision before the end of the current school year. However, applications for the current and next school year can be submitted at other time periods, whenever unforeseen circumstances arise or as necessary.

Forwarding School - [Current or Home School]

Procedures

1. Upon receipt of the GE Request Form, date-stamp the form.
2. This information may be critical for future audits.
3. If application is delivered by mail, write the postmarked date on the application.
4. Review the McKinney-Vento Act (MVA) status of all GE student applicants by checking the current MV-1 form on file. Attach a copy of the current MV-1 form to the GE Request Form for any **current MVA** student seeking a GE. If a new HIDEOE student, then have parent complete the MV-1 form. If new student is determined to be MVA status, then attach the copy of the MV-1 form to the GE Request Form.
5. Review the Proof of Residence (POR) document(s) from the parent to ensure that the student is eligible to submit a GE request to a receiving school outside of the home school's geographic service area boundary (BOE Policy 4150/4155). If current student, check file for POR. If none is filed, then request copy of POR from parent and file it. If new student, have parent submit a copy of the POR. The same list of POR documents, as required for enrollment purposes, is acceptable.
6. Complete Section II of the GE Request Form and all applicable information in the Section I box **"For School Use Only."** Check Proof of Residence box when completed in Section II.
7. Send GE Requests Forms to the receiving school **within five business days**. For GE Request Forms received during the GE window, the forms are required to be at the receiving school by the 2nd business day of March.
8. Intra-Department mail or fax may be used to forward GE Request Forms to the receiving school by the deadline.

Handling Student Information for the GE Request Form

1. Check State Student Enrollment System (SSES) to see if the student has an existing SIS number. (used as Student ID#) <https://sses.k12.hi.us>
 - a. If none exists, issue the student a SIS ID number.
 - b. For those listed in SSES, use the existing SIS number.
2. Admit/Enroll a new student using the required enrollment documents* (see Appendix pg.9) and log in Gains/Losses folder.
 - a. For students requesting a GE for the current school year, register student for courses and inform parent of enrollment status.
 - b. For students requesting a GE for next year, release student in SIS system on the Pre-Transitions date that is established each year. Check eSIS Pre-Transition Dates document for pre-transition dates.
3. Complete the GE Request Form and send to receiving school.

Receiving School - [GE-Requested School]

Procedures

1. Upon receipt of the GE Request Form, date-stamp the form.
 - a. This information may be critical for future audits.
 - b. If application is delivered by mail, write the postmark date on the application.
2. Complete Section III of the GE Request Form for all applications:
 - a. Notable considerations for a GE request shall be filled first before all other geographic exceptions. See pg. 2 for a list of Notable Considerations.
 - b. For applications for the next school year that are received by March 1, the school must notify the parents of the GE decision NO LATER THAN March 15.
 - c. For current year applications, the school should render a decision **within five (5) business days** of the receipt of the GE Request Form and notify the parents.
 - d. For all denials, a Request for Review of Denial for Geographic Exception form (CHP 13-2) must be mailed with the denied GE Request Form. Parents have up to ten (10) business days to appeal the decision to the appropriate complex area superintendent. The decision made by CAS is final.
 - e. For denials that are based upon a lack of grade-level openings, a waitlist will be generated according to the date the application is received and parents will be notified if space becomes available.
 - f. For lotteries, the receiving school shall conduct the lottery (after 10 working days from postmark of notification) on the first Friday of April and a list will be made based upon grade-level availability.
 - g. For next year GE Request Forms submitted after the January 1-March 1 window, students will be placed on a waitlist. Parents will be notified if/when a grade-level space becomes available.
3. Distribute GE Request Form copies to all parties (e.g., requestor, current/home school, CAS, etc.).

For Approved GE Requests

1. Pursuant to **HAR Chapter 13, §8-13-7**, "*an alternate student may be selected by the principal if the student is not registered at the receiving school within ten working days from the postmarked date of mailing.*"
2. For current year GEs, notify parent to release the student from the current/home school and obtain a release packet to bring to receiving school.
3. For current year GEs, the parent has 10 working days to enroll student at the receiving school.
4. For next year GEs, inform the current/home school that the GE has been approved and confirmed by parent.
5. For terminal year students, current school should pre-transition the student to receiving school so that a student schedule can be created for next school year. Check eSIS Pre-Transition Dates document for pre-transition dates.
6. Admit/Enroll the student using the required enrollment documents and log in Gains/Losses folder.

Revocation of Geographic Exception

1. A geographic exception may be revoked if the information stated within Section I of the "Geographic Exception Request Form" CHP 13-1, is found to be false.
2. The receiving school principal requests a revocation of a GE to the CAS, by using the "Revocation of Geographic Exception and Principal's Recommended Action Form" CHP 13-3. Parent may request a conference to review revocation but the CAS will notify parent of final decision of revocation. See the CAS Responsibilities below.
3. Falsification of information on the original GE application is the only grounds for revocation.
4. Reasons NOT to revoke a GE:
 - a. A change in condition under which the original GE was approved (i.e., program of study is no longer available, student drops out of program of study, family moves out of the original home school attendance area.)
 - b. Student behavior or attendance (i.e. attendance record, discipline, or achievement)

Receiving CAS Responsibilities

- *If a lottery is conducted at one or more of the complex area schools, the CAS will ensure that the lottery process is maintained.*
- *Complete the necessary documentation for the appeal and/or revocation process.*
- *If a parent requests to review the denial of GE, the CAS must render a written decision within (10) business days of the postmarked date of the filing for the appeal.*
- *Principals can initiate revocation proceedings (see HAR §8-13-10), if applicable, by using the "Revocation of Geographic Exception and Principal's Recommended Action" Form CHP 13-3. If the parent requests a conference to review the geographic revocation, CAS will send the "Notice of Conference to Review Geographic Revocation" Form DLTSS-068-86, Rev. 5/00 to the parent. After the conference, the CAS will notify parent regarding final decision of revocation by sending the "Notice of Decision Regarding Revocation of Geographic Exception" Form DLTSS-069-86, Rev. 5/00.*

Additional Support

Enrollment:

School Process and Analysis Branch..... 564-6040

McKinney-Vento:

Homeless Concerns Toll Free Number: 1-866-927-7095

Public Charter Schools:

DOE Public Charter Schools Program Office.....305-3570

State Public Charter School Commission.....586-3775

Websites:

Hawaii Public School's Public GE website:

<http://www.hawaiipublicschools.org/ParentsAndStudents/EnrollingInSchool/Pages/Geographic-exceptions.aspx>

Hawaii Public School's Internal (Intranet) GE website:

<https://intranet.hawaiipublicschools.org/offices/oits/spab/ge>

School Site Locator website:

<apps.schoolsitelocator.com/index.html?districtCode=00005>

Appendix

*Enrollment documents:

- If the student is **NEW to HIDOE or a former HIDOE student**, have the parent/legal guardian complete the information on the **SIS10W form**. Parent/legal guardian must provide the students' **proof of residence, proof of birth and Health Record (Form 14)**.
- Documents are not required for McKinney-Vento students unless they seek enrollment at a school other than the school of origin or the home school.
- If the student is a foreign or mainland student and parents/legal guardians have already established legal residence here, the student may apply for GE. Parent must submit evidence of proof of residence, along with their GE Request Form.

DOE TERMS AND DEFINITIONS

TERM	DEFINITION
Authorized Physical Residence	In cases where the child's physical residence lies within the geographic attendance area of the school (i.e., non-custody residence)
Capacity of School	Administrative decision based on school staffing, enrollment trends, and mitigating circumstances.
Change in Conditions	Refers to a change in condition under which the original GE was approved. Some examples are: <i>Student drops out of the program of study under which the GE was approved; the family moves out of the home school's attendance area and now lives in another area that is not the receiving school's attendance area; etc.</i> A change in condition does not cause revocation of the GE. The student remains at the receiving school until the terminal grade year or until the parent voluntarily withdraws the student.
Current School	The school of a current HIDOE student or the HIDOE school that the student presently attends. (i.e., student attends a GE-approved school OR attends the school within their geographic attendance area)
Exceptional Student	Any student who is found eligible for special education and related services.
Falsification	Intentional and wrongful information to authorities to mislead a public servant in the performance of assigned duties. HRS §710-1063
GE-approved School	The receiving school that has approved the GE and parent has declared intent to enroll the student.
Geographic Exception (GE)	Permission to attend a school other than the student's home school as determined by the student's legal residence
Hawaii Department of Education (HIDOE) Student	Student whose school of enrollment is/was a HIDOE school, including charter schools.
Hawaiian Language Immersion Student	School of enrollment is a Hawaiian Language Immersion School or is a Hawaiian Language Immersion Program located at a HIDOE school site.

Home School	The school within the geographic attendance area which the student shall attend according to legal residence. This term applies to students new to HIDOE, incoming kindergarteners, and/or students from public charter schools.
Legal Residence	The residence of the student's parent(s), legal guardian, or legal custodian. The department shall presume that the student resides with the parents or legal guardian. In the event the student's parents do not reside together in the same school district, the department may presume that the student resides in the school district in which either parent resides. The applicant wishing to rebut the presumption has the burden of proving the student's residence.
Lottery	This is a chance selection process implemented by the receiving school if (1) there are more priority requests than there are spaces and (2) all priority requests are filled and there are still spaces for some but not all remaining requests. [HAR Ch. 13, §8-13-7(d)]
Next year's HIDOE Home School	A student in transition between levels (i.e., elementary to middle) will attend this school for the next school year (projected home school). This may also be the new home school for a student moving or establishing a new residence.
Non-HIDOE Student (first enrollment)	Last school of enrollment is a non-HIDOE school, i.e., incoming Kindergarten student, Private School student, Mainland (another state) student, or from another country (excluding foreign exchange student).
Notable Considerations	These are priority considerations over other GE applications. These considerations are not ranked and each shall be given equal consideration. All other requests for geographic exceptions shall be considered only after priority requests have been accommodated. [HAR Ch. 13, §8-13-7(c)]
Public Charter Student (PCS)	Student's school of enrollment is a Hawaii public charter school.
Public Conversion Charter Student (PCCS)	Last school of enrollment is a Hawaii public conversion charter school. Students who live within its geographic service area boundary have priority enrollment over GE applicants to the school.
Receiving School	The school for which a GE is requested and determines the acceptance or the denial of the GE application. It is also the school outside the geographic area of the student's legal residence.
Revocation	The return of a student, who attended a school on a geographic exception, to the student's home school.
Student ID Number	10-digit number assigned to the student and remains unchanged for the duration of enrollment in HIDOE. If returning to HIDOE, former HIDOE student will use the same ID number.
Terminating Grade Level	Last grade level available at the school and when duration of GE ends. The GE student remains at the receiving school until the terminal grade year or until the parent voluntarily withdraws the student. At the end of the terminal grade school year, parent must submit another GE Request Form, if requesting a GE to a projected school outside of the home school complex.