

attendance zone during the school year. The District may also consider other applications submitted after February 1.

At the time of application, the District will provide the student's parent/guardian a list of eligible reasons for denial or revocation of open enrollment.

Maximum Capacity

The District will only accept an open enrollment student if the grade level and/or programs they require are below the capacity limits specified in this policy. The District shall report, at least four times during the school year, the space available at each grade level, by school, using these capacity limits and will post it prominently on the District website.

The Superintendent/Designee shall establish a procedure for:

1. Determining which students are chosen when classroom space allows the admission of some, but not all, qualified applicants;
2. Notifying parents/guardians of the possible reasons for denial or revocation;
3. Notifying parents of the action taken on the open enrollment application, including the reasons for the denial of any application;
4. Removing a student from a transfer school, including the grounds for removal, parent notification, and the appeal process; and
5. Notifying parents/guardians of the appeal process available to them in the event their student's application is denied.

Re-enrollment

Open Enrollment students do not need to re-apply to maintain their enrollment at the school in which they're enrolled; However, the parent/guardian shall notify the District of their intention to re-enroll on an annual basis no later than February 1. The District will provide a form for parents/guardians that will serve as a notice of

intent to re-enroll.

Students who reside in the District and move out of their school attendance zone during the school year must initiate an Open Enrollment request to stay in their school.

Revocation of Open Enrollment

Open enrollment students are required to comply with all District policies. Unacceptable behaviors by a student or false or misleading information on their open enrollment application are grounds for the District to remove an open enrollment student at any time. The District may revoke a student's enrollment if one or more of the following occurs:

1. The student is chronically absent.
2. The student commits repeated, serious disciplinary infractions.
3. The student has been expelled.
4. The student is convicted or adjudicated, or their parent/guardian failed to disclose conviction or adjudication at the time of enrollment, of offenses outlined in IC 20-252A(5), or other criminal offenses listed in chapter 9, 61, or 66 in Title 18, Idaho Code.
4. The number of resident students exceeds the capacity limits set this policy. A student's open enrollment cannot be revoked on these grounds if a student has attended the receiving school for more than two consecutive school years. If a student's enrollment is revoked for this reason, the District shall offer information about other District schools that may be accepting open enrollment students.

Students under consideration of revocation who have a 504 plan or IEP may not have enrollment revoked if the

behavior resulting in disciplinary action or chronic absenteeism is a manifestation of the student's disability.

Student Appeals

If an open enrollment application request is denied or revoked, a parent/guardian may request an administrative review by the Board. The parent/guardian must request the review within five school days of receiving the written denial notice. The Board shall consider the appeal at its next regularly scheduled meeting, and issue its decision in writing.

Student Rights and Responsibilities

All student's rights and responsibilities remain the same regardless of what school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy.

Preventing or Recruiting Potential Open Enrollment Students

Neither the District nor its employees will take any action to prohibit or prevent application by a student to attend school in another school district or to attend another school within the District. In no event is the District, or an employee of the District to recruit students outside of their attendance area. Violation of this policy may involve disciplinary action up to and including dismissal.

Evaluation of Policy

Annually, the Superintendent shall report to the Board the effect of this policy. The report should include the number of open enrollment requests accepted or denied by each school, the reasons for denial, and any unanticipated results of this policy.

Cross Reference:**2240 Class Size****3080 Nonresident Student Attendance by Out of State Students****Legal Reference:**

IC §33-512	Governance of Schools
IC §33-1401	Transfer of Pupils - Definitions
IC §33-1402	Enrollment Options
IC §33-1404	Districts to Receive Pupils
IC § 33-1409	Measuring and Reporting Capacity
IC § 33-1410	Student Appeals
IC §33-2001	Education of Exceptional Children - Definitions

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