Open Enrollment of Students Who Reside Outside the District

The Board of Trustees recognizes that some of its patrons may want to enroll their children in a different school than the school that serves the attendance area in which they reside. The Board also recognizes that some out-of-District parents/guardians may want to send their child to a District school. Therefore, this policy is adopted to allow all in-District and out-of-District patrons to choose among this District's schools under specified conditions. In making a decision on a student's open enrollment application, the District shall consider the needs of the student requesting the transfer as well as the other students affected by the transfer and will accept students if capacity allows.

The District will prioritize applications from students who live within the District and may deny students for one or more of the following reasons:

1. The student was expelled, or disenrolled in lieu of discipline by the previous District;
2. The student has a conviction or adjudication of offenses outlined in I.C. 20-252A(5) or other criminal offenses listed in chapter 9,61 or 66 in title 18, Idaho Code. Such convictions or adjudications are required to be disclosed by the student's parent or legal guardian at the time of applying for open enrollment, and failure to disclose will result in a denial of open enrollment to the student.
3. The student has a documented history of significant disciplinary issues or history of chronic absenteeism. However, students applying who have a 504 plan or IEP may not be denied enrollment or have enrollment revoked if the behavior resulting in disciplinary action or chronic absenteeism is a manifestation of the student's disability.
4. The receiving school within the District does not have space available according to the capacity limits set by the Board of Trustees.

The process outlined in this policy is required for admission to any school within the District, and shall be initiated again when a change in grade warrants a change in school - such as when the pupil wishes to continue open enrollment into middle school or high school.

Due process for all students remains the same regardless of which school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy.

Transportation

Parents/guardians of a student accepted under this policy will be responsible for transporting the accepted student. If bus space is available, then students accepted under the open enrollment policy may be transported from an appropriate, established bus stop within District boundaries. However, this may not apply to students with disabilities who have transportation identified in their IEP as a related service need.

Sports

Eligibility rules for participating in extracurricular activities shall apply to students who request to attend a different school as described in this policy and any related procedures.

It is recommended that a student who is considering submitting an open enrollment application to this District and who anticipates participating in a sport governed by the Idaho High School Activities Association (IHSAA) review IHSAA rules prior to submitting their open enrollment application. Certain school transfers could lead to a student being ineligible to play at the varsity level for one year.

Application/Approval Process

Applications will be accepted on a form provided by the District until February 1 of each year for enrollment in the subsequent school year. This deadline shall be waived in the case of students who move out of their 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 Policy 3010P. 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 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 student 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 Homedale School District during the school year must initiate an Open Enrollment request to stay in Homedale School District.

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 the 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 of 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.

~~3.~~4. The student is convicted or adjudicated, or their parent/guardian failed to disclose conviction or adjudication at time of enrollment, of offenses outlined in I.C. 20-252A(5), or other criminal offenses listed in chapter 9, 61, or 66 in Title 18, Idaho Code.

~~4.~~5. The number of resident students exceeds the capacity limits set in Procedure 3010P. 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 revocations 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 References:	Policy 2240	Class Size
	Policy 3080	Attendance by Out of State Students

Legal References:	I.C. § 33-512	Governance of Schools
	I.C. § 33-1401	Transfer of Pupils - Definitions
	I.C. § 33-1402	Enrollment Options
	I.C. § 33-1404	Districts to Receive Pupils
	I.C. § 33-1409	Measuring and Reporting Capacity
	I.D. § 33-1410	Student Appeals
	I.C. § 33-2001	Education of Exception Children - Definitions

Policy History:

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(Replaces part of Policy 8.02 Non-Resident Student Admission Policy)