

Open Enrollment of Students Who Reside Outside the District

~~The Board of Trustees recognizes that some parents/guardians may want to enroll their children in a school that is located within a district other than where their primary residence is located. Therefore, this policy is adopted to allow all 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 Board of Trustees shall consider the needs of the student requesting the transfer as well as the other students affected by the transfer. A student currently under suspension or expulsion in this District or another district is not eligible for open enrollment under this policy, unless an exception is granted by the Board/Superintendent.~~

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 by the previous District;
2. 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.
3. 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 ~~open enrollment~~ 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 ~~non-resident~~ students who request to attend ~~this district~~ 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

~~An open enrollment application~~ Applications must be submitted annually for admission to a specific school will be accepted on a form provided by the District until February 1 of each year for enrollment in the subsequent school year. Applications for enrollment in the subsequent school year will be accepted until class sizes are met or exceeded. This deadline shall be waived in the case of students who move out of ~~the district~~ 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. The method of d~~ Determining which students are chosen when classroom space is limited allows the admission of some, but not all, qualified applicants;
2. Notifying parents/guardians of the possible reasons for denial or revocation;
- ~~2.3.~~ Notifying parents of the action taken on the open enrollment application, including the reasons for the denial of any application;
- ~~3. The factors which may cause an open enrollment application to be denied; and~~
4. The process for r ~~Removing a student from a transfer school, including the grounds for removal, parent notification, and the appeal process;~~ snf
- ~~4.5.~~ Notifying parents/guardians of the appeal process available to them in the event their student's application is denied.

Re-enrollment

~~As long as a transfer student continues to reapply for enrollment, the Superintendent shall treat that student as if he or she resides in that school's attendance area, except in the circumstances described below. To the extent possible, the Superintendent shall expedite the enrollment process.~~ 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.

~~In situations where class space is limited, the Superintendent may give priority to certain~~

~~students. Priorities may include, but are not limited to situations where a student:~~

- ~~1. Has parents employed by the District as a regular, non-temporary employee and are residents of the State of Idaho;~~
- ~~2. Was previously enrolled at the requested school during the prior year;~~
- ~~3. Has a brother or sister enrolled at the requested school;~~
- ~~4. Has a unique situation or extraordinary circumstances; or~~
- ~~5. A first-year enrolling transfer student.~~

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.

~~The Superintendent may deny an open enrollment request when such enrollment would negatively impact the efficient use of the District resources as described in Policy 3010P.~~

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.
4. 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

~~Behavior Requirements:~~

- ~~1. Satisfactory compliance with any rules, requirements, or policies outlined in the student handbook or in school district policy.~~
- ~~2. Satisfactory compliance with rules or requirements set by the school administration.~~
- ~~3. Satisfactory compliance with any city, state, or federal laws while on school property.~~
- ~~4. Maintain satisfactory progress in all classes, including serious effort to successfully complete assigned work.~~
- ~~5. Comply with all classroom rules and requirements and use class time wisely.~~
- ~~6. Maintain satisfactory attendance, with no truancies.~~

~~7. Parent/guardian will support the school rules, policies, and educational practices of the school and district.~~

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. ~~If a student who is a resident of another district applies to this District and is accepted under the terms of this policy and fails to attend, they shall be ineligible to apply again for open enrollment in this District.~~

~~Due process for all students remains 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 ~~not~~ 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. ~~His or her~~ 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:

Adopted on: 04-08-91 (Policy 8.02)
Revised on: 02-14-94
04-14-97
07-16-97
01-10-00
01-13-03
02-13-06
06-09-08
09-08-14
12-13-21 (Policy 3010)

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