

Minidoka County Joint School District # 331 requires that prior to consideration of a request for transfer to a school located outside of the designated zone in-district or admission of a non-resident student from out-of-district, an Open Enrollment application form must be submitted by the student's parent/guardian or appropriate designee if such is required, and approved by the building principal and superintendent.

**Guidelines:**

The following guidelines will assist in the enforcement of the policy:

The primary responsibility to deliver the district's educational program is foremost to the resident students of the district. The District encourages open enrollment and parental choice as long as the admission of non-resident students is not detrimental to the education of resident students. These circumstances may include but are not limited to a lack of space and /or staff in a school, grade or program such as special education. [Students with disabilities are not treated differently from non-disabled students with respect to consideration for placement in the school of their choice, unless the District has made an individual determination that disability-related needs of a particular student with a disability cannot be reasonably met at the school of their choice due to appropriate consideration of teacher and staff, resources, program availability, hardship to the District, Declaration of Hardship and/or other factors.](#)

1. Any student wishing to transfer in-district to a school located out of his/her zone of attendance must have parent/guardian or other designee make application. ALL IN-DISTRICT OPEN ENROLLMENTS MUST BE RENEWED ANNUALLY.
- 2.1. For both in-district and out-of-district applications principals will consider: 1) enrollment capacities based upon available staff and space; 2) the behavioral records of applying non-resident students; 3) adequacy of transportation arrangements.
2. Out-of-district or non-resident Open Enrollment applications and approvals must be renewed annually. The out-of-district application accompanied by the pupil's accumulative record [special education file, IEP, 504 or other applicable documents, if any](#), must be submitted to the District by February 1 for enrollment during the following year, and notice of such application given to the home district. [Upon agreement between the resident and the nonresident school boards the deadlines for application may be waived.](#)
3. Open Enrollment application forms can be picked up at the individual schools, obtained on the district website at [www.minidokaschools.org](http://www.minidokaschools.org), or picked up at the District Service Center.
4. After the application has been reviewed by the appropriate district personnel, and a decision has been reached, the applicant will be notified by mail of the decision made with a written explanation within sixty (60) days if the application is denied. [The district](#)

may deny out-of-district student enrollment for circumstances that constitute a hardship, or fall within the scope of any Hardship Declaration including, but not limited to, enlarged student-teacher ratios; overcapacity of any program such as special education, classes, as well as overcapacity of any grade level, or building; or any other factors pertaining to staffing, student-teacher ratios, case load and/or to protect the health, safety, and welfare of its existing students and/or its educational processes.

5. The Board of Trustees or superintendent shall not be prohibited from prescribing nondiscriminatory preconditions or standards for admission where necessary to protect the health, safety, and welfare of existing students and/or protect the educational processes.

6. Principals will recommend admission or denial of admission for all in-district and out-of-district Open Enrollment applications and forward their recommendations to the superintendent for approval. A student under suspension or expulsion will not be eligible for out-of-district enrollment. New or continued enrollment of such open enrollment students will be subject to the District's discretion and such students may be denied enrollment, re-enrollment, or continued enrollment in accordance with the District's Open Enrollment Policy, this District's Hardship Declaration and/or other factors.

~~6.7.~~ Whenever an out-of-district pupil enrolls in and attends a school within the District, the parent or guardian shall be responsible for transporting the pupil to and from the requested school or an appropriate bus stop within the District.

~~7.8.~~ Homeless children and youth in transition will remain at their schools of origin, unless that is against the parent or youth's wishes. Students may remain at their schools of origin the entire time they are in transition and until the end of any academic year in which they become permanently housed. The same applies if a child or youth loses his or her housing during the summer.

~~8.9.~~ An open enrollment out-of-district student who becomes eligible for special education during the school year will be allowed to complete the school year as an open enrollment student, however, the student may be re-evaluated and/or his or her enrollment status may be reviewed prior to enrollment for the following year, and depending upon circumstances, such enrollment may be denied in accordance with the District's Open Enrollment Policy, this District's Hardship Declaration and/or other factors



**LEGAL REFERENCE:** Idaho Code 33-1402, 33-1403, 33-1404, 33-506

**ADOPTED:** September 1993

**AMENDED/REVISED:** March 2001; September 19, 2011; November 16, 2015; June 19, 2017

**CROSS REFERENCE:** Policy 200.00 Curriculum and Instruction

