

RESOLUTION LIMITING AND CLOSING OPEN ENROLLMENT

Member _____ introduced the following Resolution and moved its adoption:

WHEREAS, Minnesota Statutes section 124D.03, subdivision 6, requires the School Board to adopt specific standards for acceptance and rejection of open enrollment applications;

WHEREAS, Minnesota Statutes section 124D.03, subdivision 2 states that a school board may, by resolution, limit the enrollment of nonresident pupils in its schools or programs to a number not less than the lesser of: (1) one percent of the total enrollment at each grade level in the district; or (2) the number of district residents at that grade level enrolled in a nonresident district according to this section;

WHEREAS, the School Board has adopted district Policy 509, which states that open enrollment applications will be approved provided that acceptance of the application will not exceed the capacity of a program (excluding special education services), class, grade level, or school building as established by school board resolution and provided that space is available for the applicant under enrollment cap standards established by school board policy or other directive; and

WHEREAS, the District has reached capacity in fifth grade and sixth grade, but with sufficient advance notice and an adequate number of additional students the District could hire additional staff to allow for additional open enrollment;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 197 as follows:

1. As of this date, open enrollment into fifth and sixth grade far exceeds the lesser of: (a) one percent of the total enrollment at each grade level in the school district; or (b) the number of school district resident students at that grade level enrolled in a nonresident school district.
2. Subject to Paragraphs 3 and 4, below, the District has reached capacity for fifth and sixth grade and hereby closes open enrollment into fifth and sixth grade for the 2025-2026 school year. No additional students may open enroll into fifth or sixth grade unless the conditions Paragraph 3 are met for fifth grade or the conditions in Paragraph 4 are met for sixth grade.
3. If the District receives at least twenty-five open enrollment applications for fifth grade by August 1, 2025, the District will accept open enrollment applications for fifth grade up to a cap of 400 students, meaning that the total number of resident and non-resident students enrolled in fifth grade may not exceed 400 students for the 2025-2026 school year.
4. If the District receives at least twenty-five open enrollment applications for sixth grade by August 1, 2025, the District will accept open enrollment applications for sixth grade up to a cap of 400 students, meaning that the total number of resident and non-resident students enrolled in sixth grade may not exceed 400 students for the 2025-2026 school year.

5. If the number of applications received by August 1 exceeds the cap that is established for fifth grade or sixth grade, the District will accept the applications in the order in which they were received until the cap is met. The requirement to hold an impartial lottery does not apply.
6. The enrollment caps that are established in this Resolution exceed the limits established by law—that is, the lesser of one percent of the total enrollment at each grade level in the school district, or the number of school district resident students at that grade level enrolled in a nonresident district. Therefore, the district will deny any open-enrollment applications that are received for a grade once the cap for that grade has been met.
7. The District reserves the right to determine which school in the district an open enrolled student will attend.
8. To the extent permitted by law, this Resolution does not impact the district’s right to accept or reject non-resident students who seek to enroll in the district pursuant to a non-resident tuition agreement and in compliance with Minnesota Statutes section 124D.08. This Resolution also does not impact the district’s right to reject applications of non-resident students for the reasons stated in section 124D.08, subdivision 1(b).

The motion for the adoption of this Resolution was duly seconded by _____ and upon a vote being taken, the following voted in favor of this resolution:

And the following voted against this Resolution:

WHEREUPON the resolution was declared duly passed and adopted the 16th day of June 2025.

School Board Clerk