

## **STUDENTS**

### **Series 500**

Policy Title Open Enrollment Transfers - Procedures as a Receiving District Code No. 501.15

The school district will participate in open enrollment as a receiving district. As a receiving district, the board will allow nonresident students, who meet the legal requirements, to open enroll into the school district. The board will have complete discretion to determine the attendance center of the students attending the school district under open enrollment.

The board will take action on the open enrollment request at the next regular board meeting.

The superintendent will notify the sending school district and parents within five days of the school district's action to approve or deny the open enrollment request.

Open enrollment requests into the school district will not be approved if insufficient classroom space exists. Open enrollment requests into the school district will also not be approved for students who have been suspended or expelled by the administration or the board of the school district the student is or was attending until the student has been reinstated into the school district from which the student was suspended or expelled. Once the student is reinstated, the student's open enrollment request will be considered in the same manner as other open enrollment requests provided the required timelines are met.

Open enrollment requests into the school district that, if denied, would result in students from the same nuclear family being enrolled in different school districts, will be given highest priority. The board, in its discretion, may waive the insufficient classroom space reason for denial for students of the same nuclear family to prevent the division of a nuclear family between two school districts. Other open enrollment requests into the school district are considered in the order received by the school district with the first open enrollment request given a higher priority than the second open enrollment request and so forth.

Students in grades nine through twelve open enrolling into the school district will be eligible for participation in interscholastic athletics, at the varsity level, in accordance with applicable law.

Parents of students whose open enrollment requests are approved by the board or superintendent, are responsible for providing transportation to and from the receiving school district without reimbursement. The board will not approve transportation into the sending district.

An open enrollment request into the school district from parents of a special education student is reviewed on a case-by-case basis. The determining factors for approval of such an open enrollment request will be whether the special education program available in the school district is appropriate for the student's needs and whether the enrollment of the special education student will cause the class size to exceed the maximum allowed. The area education agency director of special education serving the school district will determine whether the program is appropriate. The special education student will remain in the sending district until the final determination is made.

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The policies of the school district will apply to students attending the school district under open enrollment.

It is the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

**NOTE:** This policy reflects Iowa's open enrollment law. The board needs to determine whether it will delegate authority to the superintendent to approve timely filed open enrollment requests. The 30 days for approval by the superintendent is a recommended practice intended to align with the general timeframe boards have to place a request on the next regular school board meeting agenda, and not a legal requirement. These applications should be timely handled as appropriate for the needs of the families and the district. This option is the first set of options on page one of the policy. There are three options available to the board:

- board retains all approval authority over requests.
- board delegates all approval authority over requests.
- board delegates only some approval authority over requests.

#### **Legal Reference:**

Iowa Code §§ 139.9; 274.1; 279.11; 282.1, .3, .8, .18;  
299. (2013).  
281 A.C. 17.  
1990 Op. Att'y Gen. 75.

#### **Cross Reference:**

501.6 Student Transfers In  
501.7 Student Transfers out or Withdrawals  
501.14 Open Enrollment Transfers - Procedures as a  
Sending District  
506.00 Student Records  
507.00 Student Health and Well-Being  
606.06 Insufficient Classroom Space

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