

Open Enrollment by Students Who Reside Within and 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 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 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 State Department of Education (which must be substantially similar to the State's form) 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 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 students 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.

Students who reside in the District and move out of their school attendance zone during the school year must initiate an Open Enrollment request to stay in their school.

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 their 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 or 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 revocation 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

Open Enrollment Procedures

Open Enrollment Application forms are available ~~on~~ at any Jefferson School District 251 or on the District's website. Students who reside in the District and move out of their school attendance zone during the school year must initiate an Open Enrollment request to stay in their school. The application, together with the student's cumulative record, special education file, IEP, or other applicable documents, if any, shall be submitted to the receiving district no later than February 1 for enrollment during the following school year. The District will not admit any student prior to viewing that student's records from their previous school districts.

The District has the option of accepting a student who does not meet the criteria set forth herein, if the student agrees to special conditions of admission, as set forth by the District.

No tuition shall be charged when a student from another school attendance area or other Idaho school district attends a District school as described in this procedure and the related District policy.

Application for District Students

For students who reside in the District, the parent/guardian shall complete the Open Enrollment Application form and submit it to the principal of the school they wish to attend (receiving school).

Application for Out-of-District Students

For students who reside outside the District boundary, the parent/guardian shall complete the Open Enrollment Application form and submit it to the principal of the school they wish to attend (receiving school).

Decision Regarding Application

Once the receiving school principal receives the application from an in-District or out-of-District parent/guardian, along with the student's file from their home district, the principal or designee makes a recommendation to approve or not approve the transfer using the criteria set forth in Policy 3010.

The principal sends the form to the Superintendent, who shall: designate an administrator to evaluate data, if any, and/or the placement options. After reviewing the student's file, the designee has discretion to review and accept or deny the open enrollment applications on a case by case basis, considering and applying the factors noted above. The administrator, if possible, should be knowledgeable and/or review the applicable records concerning:

1. The student;
2. The student's disciplinary record;
3. The student's attendance record;
4. The student's disability, if applicable;
5. The placement options, given The student's academic history;
6. The student's disability evaluation data, if any; and/or
7. The placement options.

Applications will normally be considered on a “first-come first-serve” basis. However, in situations where openings are limited and applications are received in a similar timely fashion, the Superintendent may give priority if a student:

1. Resides in the Jefferson School District 251 and seeks enrollment in another District school;
2. Has a brother or sister enrolled at the requested school;
3. Has a parent/guardian who is employed by the District;
4. Has a unique situation or extraordinary circumstances; or
5. Seeks full-time enrollment rather than part-time enrollment.

Any non-resident student placed by court order under the Idaho Youth Rehabilitation Act or the Child Protection Act and residing in a licensed home, agency, or institution located within the District shall be enrolled and shall not be charged tuition.

Homeless children as defined by the Steward B. McKinney Homeless Assistance Act (P.L. 100-77), may attend any school district or school within a district without payment of tuition when it is determined to be in the best interest of the homeless child.

The Superintendent will notify the parent/guardian of their decision no later than March 31.

If the request for open enrollment is denied, the denial will include a written explanation. If the application is denied because classroom capacity has been reached at the school of choice, the denial will include information about other schools in the District that are below capacity. All parents/guardians whose open enrollment application for a student is denied shall be provided with notice of the denial and information about their options to appeal the denial.

If the request for open enrollment is approved, the notification will inform the parents of the following:

1. Parents must provide transportation or get student to the nearest District bus stop, if space is available;
2. Parents must notify the District by February 1 of each year regarding their intention to re-enroll their child under the Open Enrollment program;
3. That open enrollment may be revoked if the student presents issues of chronic absenteeism, commits serious disciplinary infractions, is expelled, or if the receiving school exceeds maximum capacity with resident students within their first two years of admission;

Grounds for Denial of Application

Factors which may cause an Open Enrollment Application to be denied include:

1. A school, grade, or program(s) has lack of available classroom space and/or staff, such as when the current enrollment is at or above the following capacity limits:

Grade	Class Size
K-1	20
2-3	20
4-6	26
7-12	Core classroom of 26
Special Education classroom, Self-Contained	An average of 6 students per teacher
English Language Learners (ELL)/Special Programs	20 per full-time ELL teacher or Special Program Teacher
Alternative Schools	18 students

2. The student has been suspended or expelled in their home district. The student has a documented history of repeated serious disciplinary infractions. This includes infractions which could be grounds for suspension or exclusion.
3. The student has issues of chronic absenteeism. A student is considered chronically absent if the student is absent 10% or more school days during the school year.
4. It is determined that information on the Open Enrollment Application has been misrepresented or was incomplete.

However, if the student has a 504 plan or IEP and the disciplinary or absenteeism issues are a manifestation of the disability, this shall not be grounds for denial of the application.

Revocation of Open Enrollment

As long as an open enrollment student's parent/guardian has, before the preceding February, notified the District of their intention to re-enroll the student the Superintendent shall treat that student as if they reside in that school's attendance area. However, the District reserves the right to remove an open enrollment student if:

1. The student has a documented history of chronic absenteeism;
2. The student has a documented history of repeated serious disciplinary infractions;
3. The student has been expelled.
4. The number of resident students exceeds the capacity limits set in this procedure. 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 may offer information about other District schools that may be able to accept open enrollment students.

If a student's open enrollment is revoked, the parent/guardian appeal the revocation to the Board within five school days.

The Board of the receiving school must render a decision to the parent/guardian at their next regular meeting, and the Board must issue their decision in writing. The decision of the Board may be appealed to the State Board of Education.

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.

Students with Disabilities

In-district and out-of-district students with disabilities are not treated differently from students without disabilities 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. Additionally, 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.

Procedure History

Adopted on: June 8, 2011

Revised on: August 9, 2023