

## NON-RESIDENT OPEN ENROLLMENT

**Board Policy**

The Board recognizes the desire of some parents/guardians to enroll their children in a school which is other than their residence school either within or outside the District. This policy is established to allow out-of-district parents/guardians, under specified conditions, to apply for enrollment in the Shelley School District.

**Guidelines**

A primary consideration for approval of an open enrollment application shall be to meet both the needs of the student requesting the transfer as well as the other students affected by the transfer. However, during the initial approval process, the Board's intent is to give the highest priority to the students who live within school district boundaries.

**Definition**

School Days: include only those days when school is in session.

**Transportation**

Parents/guardians are responsible for transporting students accepted under open enrollment. If bus space is available, open enrollment students may be transported from an appropriate, established bus stop within the District's boundaries.

**Application/Approval Process**

As per Idaho Code 33-1402, a student's parent/guardian must apply for admission to Shelley School District by February 1 for enrollment during the following school year. This timeline may be waived by mutual agreement of the Superintendent and the district in which the parent/guardian resides. The Board's intent is to allow waivers of the timeline for continuous acceptance of open enrollment applications when space is available.

The Superintendent or designee shall establish a procedure for:

- The method of determining who is chosen when openings are limited;
- The requirements for notifying parents of the action taken on the open enrollment request;
- The factors which may cause an open enrollment application to be denied;
- The process for removing a student from a transfer school, including the grounds for removal, parent notification and the appeal process.

**Re-enrollment**

As long as a transfer student applies for re-enrollment, the Superintendent or designee shall treat that student as if he/she resides in that school's attendance area, except in the circumstances described below. To the extent possible, the Superintendent or designee shall expedite the enrollment process.

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Each year the Superintendent will review the number of out-of-district students. In situations where openings are limited, the Superintendent or designee may give priority to certain students. Priorities may include, but are not limited to situations where a student:

- Is already enrolled at the requested school or at a feeder school for the requested school;
- Has a sibling enrolled at the requested school;
- Resides in the attendance area of another District school;
- Has parents employed by the District; or
- Has unique circumstances or extraordinary factors.

The Superintendent or designee may deny an open enrollment request when such enrollment would have a negative impact on the efficient use of District resources. The Superintendent or designee may set numerical limits defining hardship for schools, grade levels, or programs to provide for appropriate and efficient use of facilities and staff. The student to teacher ratios shall not exceed the overloaded class/teacher limits.

#### Revocation of a Waiver

The District reserves the right to remove a transfer student at any time because of unacceptable behavior or because of false or misleading information on the open enrollment application.

The Superintendent, principal, or designee shall inform the parent/guardian of behavior that jeopardizes the student's status at the transfer school. If a student's open enrollment is revoked, the parent/guardian may request an administrative review by the Superintendent. That decision may be appealed to the school board.

#### Preventing or Recruiting Potential Open Enrollment Students

The District will take no action to prohibit or prevent application by its students to attend school in another school district or to attend another school within the District. In no case is an employee of the District to recruit students outside of their attendance area. Discipline for violation of this policy may involve actions up to and including dismissal.

#### Evaluation of Policy

Upon request from the board, the Superintendent or designee shall report to the Board the results of this policy. The report should include the number of open enrollment requests accepted or denied by each school, the reasons for denial, and any unanticipated effects of this policy.

#### Procedures

1. Submitting the Form
  - A. Varsity Sport Participation - A student who plans to participate in a varsity sport governed by the Idaho High School Activities Association (IHSAA) should review IHSSA rules prior to submitting an Open Enrollment Application. Certain school transfers will lead to a student being ineligible to play at the varsity level for one year.

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- B. Open Enrollment Application forms are available at the district office. Based on mutually agreed upon waivers, Open Enrollment Applications will be accepted at any time throughout the school year, although the general period for accepting applications will be January 1 to February 1 for the following school year.
2. Review Approval Process
- A. Factors which may cause an Open Enrollment Application to be denied or pulled for the upcoming school year include:
- 1) A school, grade, or program(s) lack available space and/or staff.
  - 2) The current enrollment is at or above the following:
 

Grade	Class/Teacher Load Size
K-1	21
2-3	24
4-6	29
7-12	150 students per teacher per day
Special Education	An average of 6 students per classroom Caseload of 20 students
Title I	20 per full-time paraprofessional teacher 10 per half-time paraprofessional teacher
Self-Contained	
English Language Learners (ELL)	20 per full-time ELL teacher
  - 3) The student has been suspended or expelled from school.
  - 4) The student has a history of documented disciplinary infractions within the past 3 years; or
  - 5) Information on the Open Enrollment Application has been misrepresented or was incomplete.
3. Parent Notification
- A. When the application is submitted during the enrollment time period (January 1-February 1), the administrator will notify the parent/guardian of his/her decision by March 31.
- B. When the application is submitted outside of the open enrollment time period, notification must be made within 30 days after an application is accepted.
- C. If the request for open enrollment is denied, the denial will include a written explanation.
- D. The letter approving the request will inform the parents of the following:
- 1) Parents must provide transportation or get student to nearest District bus stop, based on available space.
  - 2) State law requires reapplication on an annual basis; and
  - 3) Inappropriate behavior may be grounds for removing the student during the school year.

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- 4) Special education, English Language Learners (ELL) or alternative school students must meet the requirements and the procedures established for those programs.
4. Re-enrollment  
As long as a transfer student applies for re-enrollment, the Superintendent or designee shall treat that student as if he/she resides in that school's attendance area, except in the circumstances described below.
5. Revocation of a Transfer
  - A. The principal or designee shall inform the parent/guardian of the student behavior which jeopardizes the student's status at the transfer school.
  - B. If a student's transfer is revoked, the parent/guardian may request an administrative review by the Superintendent. The parent/guardian must request the review within five (5) school days of receiving notice that their child's transfer has been revoked.
6. Student Rights and Responsibilities  
Due process will be afforded all students regardless of where the students reside.

Legal Reference: IC 33-512

IC 33-1401

IC 33-2001

IC 33-1402

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