

## **Open Enrollment**

The School Board of Trustees recognizes that some of its patrons may want to enroll their children in a school that is located within a district other than where their primary residence is located, 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 deciding on a student's open enrollment application, the Principal shall consider the needs of the student requesting the transfer as well as the other students affected by the transfer. **A student currently under expulsion in this district or another district is not eligible for Open Enrollment under this policy.**

### Non-Discrimination

It is the policy of the District to treat all open enrollment applicant, whether in-District or out of District, fairly and equally. According, no applicant will be discriminated against and denied enrollment based on his or her race, national origin, color, religion, or disability, whether actual or perceived.

### Transportation

Parents or guardians of a student accepted under this open enrollment policy will be responsible for transporting their child or ward. If bus space is available, then students accepted under the open enrollment policy may be transported from an appropriate, established bus stop within the District's boundaries.

### Varsity Sports

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) should 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

An open enrollment application must be submitted annually for admission to a specific school. Parents are encouraged to submit the application by May 1<sup>st</sup> for enrollment in the subsequent school year

### Re-enrollment

As long as a transfer student continues to reapply for enrollment, the Superintendent 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 shall expedite the enrollment process.

In situations where class size is limited, the Superintendent may give priority to certain students. Priorities may include, but are not limited to situations where a student:

- a. was previously enrolled at the requested school during the prior year;
- b. has a brother or sister enrolled at the requested school;
- c. resides in the attendance area of another District school;
- d. has parents employed by the District; or
- e. has unique situation or extraordinary circumstances.

The Superintendent may deny an open enrollment request when such enrollment would negatively impact the efficient use of the District resources. The Superintendent may set numerical limits defining hardship for schools, grade levels, or programs to provide for appropriate and efficient use of facilities and staff.

#### Revocation of a Transfer

Transfer students are required to comply with all District policies. **Unacceptable behaviors by a transfer student or false or misleading information on their open enrollment application are grounds for the District to remove a transfer student at any time.**

#### 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. **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, he or she shall be ineligible to apply again for open enrollment in this district.**

#### Preventing or Recruiting Potential Open Enrollment Students

The District or its employees will not take any action to prohibit or prevent application by students 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 attendance area. Violation of this policy may involve disciplinary action up to and including dismissal.

## **Open Enrollment Procedures**

### **A. Submitting the Form**

1. 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.
2. Open Enrollment Application forms are available at any Madison District school. Open Enrollment Applications will be accepted at any time throughout the school year, although parents are encouraged to submit the application by May 1<sup>st</sup> for the following school year. 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.
3. For students who reside in the Madison District, the parent/guardian completes the Open Enrollment Application form, marking "In-District Transfer" and submits it to the District Office.
4. For students who reside outside the Madison District boundary, the parent/guardian completes the Open Enrollment Application form, marking "Out-of-District" and submits it to the District Office.

### **B. Review Approval Process**

1. Limited Opening - Applications will normally be considered on a "first-come first-serve"

- basis. However, in situations where openings are limited, the Superintendent may give priority if a student:
- a. was previously enrolled at the requested school in a prior year;
  - b. has a brother or sister enrolled at the requested school;
  - c. resides in the attendance area of another District school;
  - d. has a parent employed by the District; or
  - e. has unique situation or extraordinary circumstances.
2. Factors which may cause an Open Enrollment Application to be denied may include but are not limited to:
- a. a school, grade, or program(s) has lack of available classroom space and/or staff;
  - b. the current enrollment is at or above the following:
 

<u>Grade</u>	<u>Class/Teacher Load Size</u>
K-1	21
2-3	21
4-6	27
7-12	161 students per teacher per day
Alternative Schools	12 students per classroom
  - c. the student has been expelled, has committed a disciplinary violation for which he/she could be expelled,
  - d. the student has a history of documented disciplinary infractions; or
  - e. it is determined that information on the Open Enrollment Application has been misrepresented or was incomplete.

**Special Education Students, Student on an IEP and/or 504 Plan**

The District reviews all applications equally, and its review process is designed to ensure that students with disabilities are not treated differently from non-disabled students with respect to consideration for placement in the school of their choice, and denial shall occur only where it is determined, following an individualized review of the student’s application, that the disability-related needs of the disabled student cannot be met at the school of their choice. Consistent with this requirement, the following procedure shall be followed when reviewing the application of a student who is on an IEP and/or 504 Plan:

Each school shall have a review team consisting of the school’s special education teacher, the principal and the District’s Special Education Director. This team shall review all applications from students on an IEP and/or 504 Plan for the purpose of analyzing the applicant’s special education file to identify the applicant’s disability evaluation data, and determine placement options at the school. Following the team’s review and analysis of the student’s disability and placement needs, the application shall be approved unless the team determines that the disability-related needs of the applicant cannot be reasonably met at the school of their choice based on the team’s considerations of teachers and staff, resources, program availability, and/or other factors, and shall adhere to the following staffing limitations:

The Madison School District adheres to the following guidelines for staffing its special education programs which is consistent with maximum allowable caseloads that are considered “exceptionally high” special education caseloads, and cannot be exceeded:

DAC Room (Developmentally Appropriate Classroom) - 5 IEP Students per Teacher

Pre-K - 4<sup>th</sup> Grade - 12 Students with an IEP for one Teacher  
5<sup>th</sup> - 12<sup>th</sup> Grade - 16 Students with an IEP for one Teacher  
Madison Academy - 5 Students with an IEP for one Teacher  
Central High School - 12 Students with an IEP for one Teacher  
18-21-Year-Old Program - 5 Students with an IEP for one Teacher

In addition, when receiving an open enrollment request from an out of district student on an IEP or 504 Plan, the District will follow the procedures set forth at page 104, Chapter 7, of *Idaho's Special Education Manual in (2018)*, which states:

*Transfer to Another District* – When a student is no longer a legal resident of the district, the district will forward the student's special education records electronically or by mail within five (5) calendar days of the request from the new district. The records shall include, at least, the student's most recent individualized education program (IEP) and eligibility documentation. The sending district will retain copies or originals of the most recent five (5) years of programmatic and fiscal records, including IEPs and eligibility documentation. During an audit, Child Count verification, or monitoring, this documentation may be needed to demonstrate that the student was eligible for special education and received special education services from the district.

3. District resident approval process: (In-District Transfer)
  - a. The receiving school principal makes a recommendation to approve or not to approve the Open Enrollment request.
  - b. The Superintendent, or designee approves or denies the Open Enrollment request by completing the appropriate section of the Open Enrollment Application Form.
4. Out-of-district approval process:
  - a. Based on the criteria set forth in this Policy, the receiving school principal makes a recommendation to approve or not approve the transfer.
  - b. The Superintendent, or designee approves or denies the Open Enrollment Application by completing the appropriate section of the Open Enrollment Form.
5. Records: Administration shall ensure that the details regarding acceptance, denial and placement decisions of applicants on an IEP and/or 504 Plan are maintained and include identification all persons involved in making the placement decision, are documented and recorded as part of the District's open enrollment record-keeping.

### **C. Parent Notification**

1. 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 may include information about other schools in the district that are below capacity. The parent notification letter to denied applicants on an IEP and/or 504 Plan shall inform the parents that 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 considerations of teacher and staff, resources, program availability, and/or other factors.
2. The letter approving the request will inform the parents of the following:
  - a. Parents must provide transportation or get student to nearest District bus stop, if

space is available;

- b. State law requires reapplication on an annual basis; and
- c. Inappropriate behavior in violation of district policies may be grounds for removing the student during the school year.

**D. Re-enrollment**

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

**E. Revocation of a Transfer**

As long as a transfer student applies for re-enrollment, the Superintendent shall treat that student as if he/she resides in that school's attendance area. **However, the District reserves the right to remove a transfer student at any time because of unacceptable behavior in violation of school district policies or because of false or misleading information on the open enrollment application.**

**F. Student Rights and Responsibilities**

Due process for all students remains 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. **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, he or she shall be ineligible to apply again for open enrollment in this district.**

**DEFINITION**

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

Legal Reference:	I.C. §33-512	Governance of Schools
	I.C. §33-1401	Definitions
	I.C. §33-2001	Definitions
	I.C. §33-1402	Enrollment Options

Policy History

Adopted on: November 13, 2012

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