

**OPEN ENROLLMENT TRANSFERS-PROCEDURES
AS A RECEIVING DISTRICT**

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 requirements set by the board, to open enroll into the school district. The board shall have complete discretion to determine the attendance center of the students attending the school district under open enrollment. The board authorizes the superintendent to approve, but not deny applications or placement in the Iowa Virtual Academy placement center.

The superintendent shall notify the sending school district within five days of the board's action to approve or deny the open enrollment request. The superintendent shall notify the parents within fifteen days of the board's action to approve or deny the open enrollment request. The superintendent shall also forward a copy of the board's action with a copy of the open enrollment request to the Iowa Department of Education.

Open enrollment requests into the school district will not be approved if insufficient classroom space exists. Insufficient class space in the Iowa Virtual Academy is the decision of the school superintendent. The superintendent shall consider the following factors; student-teacher ratios, special education caseloads, available instructional staff, instructional method (i.e., mastery learning within time constraints), finances available, sharing agreements (if any), laws and rules governing special education and the virtual schools in Iowa, and board adopted district goals and objectives. 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.

Approved: Nov. 14, 2013 Reviewed: November 10, 2022 Revised: Nov 10 2022

Code No. 501.15

Open enrollment requests into the school district that, if denied, would result in students from the same nuclear family being enrolled in different school district, 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 shall be 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.

Generally, students in grades ten through twelve open enrolling into the school district shall not be eligible for participation in interscholastic athletics during the first ninety days of open enrollment into the school district. Such students may be eligible to participate if:

- a. The school district and the sending district participate jointly in the sport;
- b. The sport in which the pupil wishes to participate is not offered in the sending district;
- c. The sending district was dissolved and merged with one or more contiguous school districts for failure to meet the accreditation standards;
- d. The student is open enrolling because the sending district has entered into a whole grade sharing agreement with another school district for the student's grade;
- e. The student's parent is an active member of the armed forces and resides in permanent housing on government property provided by a branch of the armed services;
- f. The student paid tuition for one or more years to the school district prior to open enrolling into the school district; or
- g. The student attended the school district under a sharing or mutual agreement between the school district and the sending district for one or more years prior to open enrolling into the school district.

Parents of students whose open enrollment requests are approved by the (board or superintendent) shall be responsible for providing transportation to and from the receiving school district without reimbursement unless the parents qualify for transportation assistance. Upon a parent's request, the board may approve transportation into the sending district. The board's approval is subject to the sending district's approval.

Code No. 501.15

Open Enrollment Into the School District as an Alternative Receiving District

The board shall take action on the open enrollment request to the school district as an alternative receiving district within fifteen days of receipt of the open enrollment request. The superintendent shall notify the parents of the board's action to approve or deny the open enrollment request at the next regular meeting of the board. If the open enrollment request is approved, the Iowa Department of Education will be notified.

Open enrollment requests into the school district as an alternative receiving district shall be considered by the board in the same manner as open enrollment requests into the school district as a receiving district.

Approved open enrollment requests into the school district as an alternative receiving district shall be effective the following semester or at the beginning of the next school year. It shall be within the discretion of the board to make the open enrollment request into the school district as an alternative receiving district effective immediately based upon the circumstances of the open enrollment request and with the mutual agreement of the board of the school district the student is attending. The superintendent shall notify the parents of the effective date of the open enrollment into the school district as an alternative receiving district within fifteen days of the mutual agreement.

Attendance center assignments, athletic eligibility and transportation of students open enrolling into the school district as an alternative receiving school district shall be handled in the same manner as students open enrolled into the school district as a receiving district.

An open enrollment request into the school district from parents of a special education student shall be reviewed on a case-by-case basis. The determining factor 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 shall determine whether the program is appropriate. The special education student shall remain in the sending district until the final determination is made.

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

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

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Legal Reference: Iowa Code ** 139.9; 274.1; 279.11; 282.1, .3, .8, .18, 299.1 (1995)
281 I.A.C. 17
1990 Op. Att’y Gen. 75.

Cross Reference: 501.6 Student Transfers In
7. Student Transfers Out or Withdrawals
14. Open Enrollment Transfers – Procedures as a Sending District.
506. Student Records
507. Student Health and Well-Being
606.6 Insufficient Classroom Space

