

The School 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 request that their children attend certain schools in the District 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 open enrollment transfer as well as the other students affected by the open enrollment transfer. A student currently under suspension or expulsion in this District or another district is not eligible for Open Enrollment under this policy.

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.

Transportation

Parents or guardians of a student accepted under this open enrollment 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.

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) 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. Applications will be accepted from January 1 to February 1 of each year for enrollment in the subsequent school year. It is the School Board's intent to allow waiver of the application acceptance period for continuous acceptance of open enrollment applications when classroom space is available. This deadline shall be waived in the case of students who move out of their attendance zone during the school year.

The student's parent or guardian must apply annually for admission to a school outside the zone in which they reside. A student who has previously been accepted for open enrollment will not automatically be reenrolled.

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 Superintendent or designee has established a procedure (see 3010P) for:

- the method of determining which students are chosen when classroom space is limited;
- notifying parents of the action taken on the open enrollment application;
- the factors which may possibly 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.

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

Revocation of an Open Enrollment Transfer

1. 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.
2. 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.
3. The Superintendent must render a decision to the parent/guardian's request for review within five (5) school days. The decision of the Superintendent may be appealed to the School Board of Trustees.

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 attendance area. Violation of this policy may involve disciplinary action up to and including dismissal.



Cross Reference: 2240 Class Size
3010P Open Enrollment
3080 Nonresident Student Attendance by Out of State Students

Legal Reference: I.C. §33-512 Governance of Schools
I.C. §33-1401 Transfer of Pupils - Definitions
I.C. §33-1402 Enrollment Options
I.C. §33-2001 Education of Exceptional Children - Definitions

Policy History:
ADOPTED: 12/9/13

ISBA

REVISED: 8/11/14
9/12/16
11/11/19
3/9/20
10/12/20
7/12/21

Date Received _____

Time Received _____

3010F

Twin Falls School District 411 Student Open Enrollment Request

This application is to be completed by a parent or guardian requesting that a student be transferred from another school district, or a school in one residential attendance zone within the district to another school within the district. This application must be complete for the transfer to be considered. **No applications for transfer will be accepted before January 1 for the subsequent school year.** NOTE: For out-of-district applicants, a copy of the applicant student's cumulative record must be attached to this application. The cumulative record may be obtained by the parent/guardian from the student's current school.

Type of Request: <input type="checkbox"/> In-District (live in TFSD) <input type="checkbox"/> Out-of-District (live outside TFSD boundaries)				
Student Name: Last First		Current Grade:	Requested Grade:	School year for requested transfer:
Current Address:		Age:	Date of Birth:	
		Home Phone:		
Name of Father/Stepfather/Guardian:		Work Phone:	Cell Phone:	
Name of Mother/Stepmother/Guardian:		Work Phone:	Cell Phone:	
Currently living with: <input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Guardian		Is the student's parent or guardian a Twin Falls School District Employee <input type="checkbox"/> Yes <input type="checkbox"/> No		
Currently living in school boundary of:	School currently attending:	Requested school:		
Special services being provided at current school: <input type="checkbox"/> Special Education <input type="checkbox"/> Elem GT <input type="checkbox"/> ELL <input type="checkbox"/> 504 <input type="checkbox"/> Other:				
Has this student ever been suspended or expelled: <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe the circumstances including dates and duration				
Reason for Request				
<input type="checkbox"/> Parent/guardian is a district employee <input type="checkbox"/> Pending acquisition of another home (move to be completed within the semester); necessary documentation is attached (building permit or contractor agreement, proof of occupancy) <input type="checkbox"/> Participation in academic program at receiving school – program _____ <input type="checkbox"/> To allow sibling to attend the same school that another sibling currently attends <input type="checkbox"/> Serious medical/mental/psychological health condition documented by appropriate medical personnel creates needs that cannot be met at the home campus <input type="checkbox"/> Documented, unresolved student conflicts exist that cannot be addressed at the home campus <input type="checkbox"/> Day Care <input type="checkbox"/> Other _____				

This request is made with full agreement to the following:

- I certify that the information provided is accurate and complete.
- I understand that approval of this request shall be dependent upon the acceptance and rejection standards stated in the district’s policy, and revocation of this transfer may occur in accordance to the conditions listed in the district’s policy.
- I understand that students will only be allowed one transfer during the school year.
- I understand that the granted transfer does not guarantee specific classes/courses.
- I understand that initial approval must occur with the receiving school principal; the receiving principal determines a) grade level enrollment, b) the intended education program, and/or c) capacity and class loads in accordance with district policy.
- I understand that state and district athletic eligibility rules and regulations govern participation in athletic and activity programs.
- I understand that my student must continue to attend the resident school until the effective start date of the transfer and that nonattendance is subject to truancy procedures.
- I understand that I am responsible for providing transportation to and from school for my student.
- I understand that requests are approved for one school year only, and it is my responsibility to complete an Open Enrollment Application Form each year until my student moves to the next school level.
- I understand that the transfer can be revoked at any time if there are attendance or discipline issues.

Parent/Guardian

In signing this form, the parent/guardian confirms that he/she has read and understands the information listed on this form and that the information is accurate.

Parent/Guardian Signature

Date

Steps:

1. **Submit this form to the requested school.**
2. **The principal will contact the student’s home school to verify information. Expelled students will be referred to the Superintendent.**
3. **Parents will be notified no later than 60 days after the close of the application period or 60 days after the application is made, if outside of the normal application period. If the request is made after the start of school for the current school year, parents will be notified of a decision within five (5) school days. Approved forms will be sent to the student’s home school for a signature.**
4. **The form will be returned to the requested school and kept on file.**

Receiving Principal’s Comments:	
Transfer Request (Receiving Principal): <input type="checkbox"/> Approved <input type="checkbox"/> Denied If denied due to space, this request will be kept on file for the requested year should space become available.	
Receiving Principal’s Signature:	Date:
Home Principal’s Signature:	Date:

ADOPTED: 8/11/08
 TFSD
REVISED: 11/11/19
 10/12/20
 7/12/21

Open Enrollment Application forms are available at any Twin Falls District school. 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, should be submitted to the District no later than February 1 for enrollment during the following school year. The School Board may waive this deadline so that the District may continually accept open enrollment applications when classroom space is available. The Board or designee will not admit any student prior to viewing that student's records from the student's 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 attends a non-resident school under the State's Enrollment Options Program.

Application for District Students

1. For students who reside in the Twin Falls School District, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of the school they wish to attend (receiving school). The receiving school principal will notify the home school principal.

Application for Out-of-District Students

2. For students who reside outside the Twin Falls School District boundary, the parent/guardian completes the Open Enrollment Application form and submits it to the principal of the school they wish to attend (receiving school) and the parent/guardian must give notice to the home school.

Decision Regarding Application

Once the receiving school principal receives the application from an in-District or out-of-District parent/guardian, the principal makes a determination to approve or not approve the transfer by completing the appropriate section of the Open Enrollment Application. Approval or denial will happen on a case-by-case basis, utilizing and applying the factors noted below. The receiving school principal, if possible, should be knowledgeable and/or review the applicable records concerning:

1. The student;
2. The student's academic history;
3. The student's disability evaluation data, if any; and/or
4. The placement options

Applications will normally be considered on a “first-come first-served” basis. However, in situations where openings are limited, the Principal may give priority if a student:

- has a parent employed by the District (excluding temporary employees and contractors);
- was previously enrolled at the requested school in a prior year;
- has a brother or sister enrolled at the requested school;
- resides in the attendance area of another District school; or
- has a unique situation or extraordinary circumstances.

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 such homeless child.

The Superintendent or designee will notify the parent/guardian of his or her decision within 60 days of the close of the application period or of the application, if submitted outside of the application period.

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.

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. State law requires reapplication on an annual basis;
3. Inappropriate behavior in violation of District policies may be grounds for removing the student during the school year; and
4. Special education, English Language Learners (ELL), or alternative school students must meet the requirements and the procedures established for those programs.

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:

<u>Grade</u>	<u>Class/Teacher Load Size</u>
K-1	21
2-3	21
4-5	27
6-12	161 students per teacher per day
Special Education Resource	17
Developmental Preschool	15
Spec. Ed. Self-Contained	An average of 7 students per classroom
English Language Learners (ELL)	21 per full-time ELL teacher
Alternative Schools	13 students per classroom

Exceeding such levels shall constitute a hardship to the District. The enrollment of a student from another District or attendance zone shall also be deemed to constitute a hardship if it would

- a. Require the hiring of additional staff, the provision of educational services not currently provided in the school, or the crowding of existing classes;
 - b. Cause an excessive number of students in a particular building.
2. The student has been suspended or expelled, or has committed a disciplinary violation for which he/she could be suspended or expelled,
 3. The student has a history of other documented disciplinary infractions or would cause a disruption of the education process. Factors to be included in making this determination may include:
 - a. Whether the student is in good standing with the most recently attended school in terms of conduct and attendance;
 - b. Whether the student demonstrates a record free of truancy;
 - c. Whether the student demonstrates a clean behavior record in the school last attended for a period of at least one year;
 - d. Whether the student's presence poses a detriment to the health and safety of other students and/or staff; or
 - e. It is determined that information on the Open Enrollment Application has been misrepresented or was incomplete.

Revocation of an Open Enrollment Transfer

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

If a student's transfer is revoked, the parent/guardian may request an administrative review by the Superintendent of the transfer school. The parent/guardian must request the review within five school days of receiving notice that their child's open enrollment transfer has been revoked.

The Superintendent of the transfer school must render a decision to the parent/guardian request for review within five school days. The decision of the Superintendent may be appealed to the Board.

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.

Students with Disabilities

In-District and out-of-district 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 consideration of teacher and staff resources, program availability, hardship to the District, Declaration of Hardship, and/or other factors.



Legal Reference: I.C. §33-1402 Enrollment Options

Policy History

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