***Sent via Registered Mail***

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Re: Application for Option Enrollment

Dear \_\_\_\_\_\_\_\_\_:

I am writing to inform you that, at its meeting on **[date]** the Board of Education considered your request that **[name of child]** be permitted to option into the school district. The board gave your request serious and thorough consideration. Ultimately, it decided to deny your application based on its option enrollment policy, a copy of which I have enclosed. Specifically, the board concluded that:

* The enrollment of your student would cause the district to exceed the capacity set by the board for the applicable program, class, grade level, or school building.
* The enrollment of your student would cause overcrowding in the relevant program, class, grade level or school building, or would significantly increase the operating costs of the school district, such as by requiring the hiring of new staff.
* The school district’s current staff and facilities are not sufficient to accommodate the needs of your student, without significantly increasing the operating costs of the school district.
* The school district has discovered that your option application contained false or substantively misleading information.

These were the primary considerations that led the board to reject your option application. We regret that this will preclude you from participating.

You have the right to appeal the board’s decision to the Nebraska Department of Education. Appeals are governed by Neb. Admin. R.& Regs. Title 92, chapter 61 (2006), a copy of which can be found on the internet at <http://www.nde.state.ne.us/LEGAL/RULE61.pdf>. Appeals are initiated by your filing a petition within the state board of education requesting a hearing. The petition is the initial document filed with the Board that sets forth a claim and request for Board action. A sample petition is included at the conclusion of Rule 61 as Appendix A. 004.02. You must include a copy of your option application and a copy of this letter when you file your petition. You may appear on your own behalf in the appeal or may be represented by an attorney or other representative as permitted by law.

I cannot provide you with legal advice on the appeal process. However, if you have questions about the board’s option enrollment policy or if I can be of further assistance, you may contact my office.

Sincerely,

Superintendent

***Sent via Registered Mail***

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Re: Application for Release from Resident District

Dear \_\_\_\_\_\_\_\_\_:

I am writing to inform you that, at its meeting on **[date]** the Board of Education considered your request that **[name of child]** be released to option into the **[name of option district]** school district. The board gave your request serious and thorough consideration. Ultimately, the board decided to deny your request for a release, based on its policy of denying all late release applications. Specifically, the board concluded that you did not meet the conditions and standards for late release contained in the policy.

You have the right to appeal the board’s decision to the Nebraska Department of Education. Appeals are governed by Neb. Admin. R.& Regs. Title 92, chapter 61 (2006), a copy of which can be found on the internet at <http://www.nde.state.ne.us/LEGAL/RULE61.pdf>. Appeals are initiated by your filing a petition within the state board of education requesting a hearing. The petition is the initial document filed with the Board that sets forth a claim and request for Board action. A sample petition is included at the conclusion of Rule 61 as Appendix A. 004.02. You must include a copy of your option application and a copy of this letter when you file your petition. You may appear on your own behalf in the appeal or may be represented by an attorney or other representative as permitted by law.

I cannot provide you with legal advice on the appeal process. However, if you have questions about the board’s option enrollment policy or if I can be of further assistance, you may contact my office.

Sincerely,

Superintendent