

Minidoka County Joint School District # 331 requires that prior to consideration of a request for transfer to a school located outside of the designated zone in-district or admission of a non-resident student from out-of-district, an Open Enrollment application form must be submitted by the student's parent/guardian or appropriate designee if such is required, and approved by the building principal and superintendent.

The Board of Trustees or superintendent shall not be prohibited from prescribing nondiscriminatory preconditions or standards for admission where necessary to protect the health, safety, and welfare of existing students and/or protect the educational processes.

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.

The district may deny out-of-district student enrollment for circumstances that constitute a hardship, or fall within the scope of any Hardship Declaration including, but not limited to, enlarged student-teacher ratios; overcapacity of any program such as special education, classes, as well as overcapacity of any grade level, or building; or any other factors pertaining to staffing, student-teacher ratios, case load and/or to protect the health, safety, and welfare of its existing students and/or its educational processes.

Open Enrollment application forms can be picked up at the individual schools, obtained on the district website at www.minidokaschools.org, or picked up at the District Service Center.

When reviewing any open enrollment application principals will consider: 1) enrollment capacities based upon available staff and space; 2) the behavioral records of applying non-resident students; 3) adequacy of transportation arrangements.

Guidelines: Out of District Open Enrollment

The following guidelines will assist in the enforcement of the policy:

1. The primary responsibility to deliver the district's educational program is foremost to the resident students of the district. The District encourages open enrollment and parental choice as long as the admission of non-resident students is not detrimental to the education of resident students. These circumstances may include but are not limited to a lack of space and /or staff in a school, grade or program such as special education.
- ~~2. Any student wishing to transfer in-district to a school located out of his/her zone of attendance must have parent/guardian or other designee make application. ALL IN-DISTRICT OPEN ENROLLMENTS MUST BE RENEWED ANNUALLY.~~
- ~~3.2. For both in-district and out-of-district applications principals will consider: 1) enrollment capacities based upon available staff and space; 2) the behavioral records of applying non-resident students; 3) adequacy of transportation arrangements.~~

- 4.3. Out-of-district or non-resident Open Enrollment applications and approvals must be renewed annually. The out-of-district application accompanied by the pupil's accumulative record, must be submitted to the District by February 1 for enrollment during the following year, and notice of such application given to the home district.
4. Whenever an out-of-district pupil enrolls in and attends a school within the District, the parent or guardian shall be responsible for transporting the pupil to and from the requested school or an appropriate bus stop within the District.
5. The Board will not admit any student prior to viewing that student's records from the student's previous school districts.
6. The District has the option of accepting a nonresident 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.
7. If a student applies and is accepted in this district from out of district, but fails to attend, that student will be ineligible to apply again for an enrollment option in this district.
8. The Board will not admit any student who is expelled from another school district.
9. New or continued enrollment of such open enrollment students will be subject to the District's discretion and such students may be denied enrollment, re-enrollment, or continued enrollment in accordance with the District's Open Enrollment Policy, this District's Hardship Declaration and/or other factors.
10. An open enrollment out-of-district student who becomes eligible for special education during the school year will be allowed to complete the school year as an open enrollment student, however, the student may be re-evaluated and/or his or her enrollment status may be reviewed prior to enrollment for the following year, and depending upon circumstances, such enrollment may be denied in accordance with the District's Open Enrollment Policy, this District's Hardship Declaration and/or other factors.

In District Open Enrollment

1. Any student wishing to transfer in-district to a school located out of his/her zone of attendance must have parent/guardian or other designee make application. ALL IN-DISTRICT OPEN ENROLLMENTS MUST BE RENEWED ANNUALLY.
2. Whenever an in-district pupil enrolls in and attends a school located out of his/her zone of attendance, the parent or guardian shall be responsible for transporting the pupil to and from the requested school or an appropriate bus stop within the District. The District will transport an in-district pupil if such transportation is part of regularly scheduled routes that do not necessitate early release of students.
- ~~1. Open Enrollment application forms can be picked up at the individual schools, obtained on the district website at www.minidokaschools.org, or picked up at the District Service Center.~~

Open Enrollment Approval

1. After the application has been reviewed by the appropriate district personnel, and a decision has been reached, the applicant will be notified by mail of the decision made with a written explanation within sixty (60) days if the application is denied.
- ~~2. The Board of Trustees or superintendent shall not be prohibited from prescribing nondiscriminatory preconditions or standards for admission where necessary to protect the health, safety, and welfare of existing students and/or protect the educational processes.~~
- 3.2. Principals will recommend admission or denial of admission for all in-district and out-of-district Open Enrollment applications and forward their recommendations to the superintendent for approval. A student under suspension or expulsion will not be eligible for out-of-district enrollment.
- ~~4. Whenever an out-of-district pupil enrolls in and attends a school within the District, the parent or guardian shall be responsible for transporting the pupil to and from the requested school or an appropriate bus stop within the District.~~
- ~~5. Homeless children and youth in transition will remain at their schools of origin, unless that is against the parent or youth's wishes. Students may remain at their schools of origin the entire time they are in transition and until the end of any academic year in which they become permanently housed. The same applies if a child or youth loses his or her housing during the summer.~~

Idaho Youth Rehabilitation/Child Protective Act

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

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.

Homeless children and youth in transition will remain at their schools of origin, unless that is against the parent or youth's wishes. Students may remain at their schools of origin the entire time they are in transition and until the end of any academic year in which they become permanently housed. The same applies if a child or youth loses his or her housing during the summer.



LEGAL REFERENCE: Idaho Code 33-1402, 33-1403, 33-1404, 33-506

ADOPTED: September 1993

**AMENDED/REVISED: March 2001; September 19, 2011; November 16, 2015;
June 19, 2017**