

## Students

### Open Enrollment

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 making a decision on a student's open enrollment application, the District shall consider the needs of the student requesting the transfer as well as the other students affected by the transfer and will accept students, if capacity allows.

Applications received for in-district students will have priority over out-of-district applications. Any student may be denied enrollment for one or more of the following reasons:

1. The student was expelled by the last District they were enrolled in.
2. The student has a documented history of significant disciplinary issues or history of chronic absenteeism. *Students applying who have a 504 plan or IEP may not be denied enrollment or have enrollment revoked if the behavior resulting in disciplinary action or chronic absenteeism is a manifestation of the student's disability.*
3. The receiving school within the District does not have space available according to the capacity limits set by the Board of Trustees.
4. The out-of-district student's returning school does not have space available after the first year of acceptance. The District may not deny or revoke an approved application for an out-of-district student to a returning school after two (2) consecutive years of attendance.

A student currently under suspension or expulsion in this District or another district is not eligible for open enrollment under this policy.

The process outlined in this policy is required for admission to any school within the District and shall be initiated again when a change in grade warrants a change in school. When a student transfers from elementary to middle school or from middle school to high school, a new open enrollment application for an out-of-district student must be submitted for approval.

Due process for all students remains the same regardless of which school they attend within the District and regardless of where the student resides once accepted under the open enrollment policy.

District reported grade level requirements cannot exceed the following capacity limits for each classroom provided:

<b>Grade</b>	<b>Class Size</b>
K	<b>22 students</b>
1st	<b>22 students</b>
2nd	<b>22 students</b>
3rd	<b>22 students</b>
4th	<b>26 students</b>
5th	<b>26 students</b>
6th	<b>28 students</b>
7th	<b>28 students</b>
8th	<b>28 students</b>
9th	<b>28 students</b>
10th	<b>28 students</b>
11th	<b>28 students</b>
12th	<b>28 students</b>
Alternative School Grades 7 - 12	<b>15 students per teacher</b>
Special Education classroom, Self-Contained	<b>432 students (currently 659=15%)</b>
English Language Learners (ELL)	<b>20 per full-time ELL teacher</b>

### Transportation

Parents/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.

A student who considers 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.

### Application/Approval Process

An open enrollment application must be submitted annually for admission to a specific school

no later than February 1, for enrollment for the following school year. This deadline shall be waived upon an agreement between the resident and nonresident Board of Trustees, or between the two schools affected within the same district.

The District will only accept an open enrollment student if the grade level and/or programs they require are below the capacity limits specified in 3010P. The District shall report, at least four times during the school year, the space available at each grade level, by school, using these capacity limits and will post it prominently on the District website.

The Superintendent shall establish a procedure for:

1. The process for determining which students are approved;
2. Notifying parents of the action taken on the open enrollment application;
3. The factors which may cause an open enrollment application to be denied; and
4. The process for removing a student from a transfer school, including the grounds for removal, parent notification, and the appeal process.

### Re-enrollment

When a student's open enrollment application has been accepted into the same school for two consecutive years, the student shall not have to reapply for enrollment within that specific school. However, if the student chooses to change schools, a new open enrollment application shall be required. Additionally, when a student transfers from elementary to middle school or from middle school to high school, a new open enrollment application for an out-of-district student must be submitted for approval.

As long as a transfer student continues to reapply for enrollment, the Superintendent shall treat that student as if he or 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.

Students who reside in the District and move out of their school attendance zone during the school year must complete an open enrollment application to stay in their school.

The Superintendent may deny an open enrollment application when such enrollment would negatively impact the efficient use of the District resources as described in 3010P. 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:

1. Resides in the District and seeks enrollment in another district school under the provisions of Every Child Succeeds Act;
2. Was previously enrolled at the requested school during the prior year;
3. Has a family member enrolled at the requested school;
4. Resides in the attendance area of another District school;
5. Has a parent/guardian employed by the District;
6. Has a unique situation or extraordinary circumstances; or
7. Seeks full-time enrollment rather than part-time enrollment

## Revocation of Open Enrollment

Open enrollment students are required to comply with all District policies. Unacceptable behaviors by a student or false or misleading information on the open enrollment application are grounds for the District to revoke an open enrollment application at any time.

## Student Appeals

If an open enrollment application is denied or revoked, a parent/guardian may request an administrative review by the Board of Trustees. The parent/guardian must request the review within five school days of receiving the written denial notice. The Board shall consider the appeal at its next regularly scheduled meeting, and issue its decision in writing.

## 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.

## Preventing or Recruiting Potential Open Enrollment Students

Neither the District nor its employees will interfere with or 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.

## Limitations

Students requesting more than one zone transfer in a school calendar year are subject to a review with the Superintendent, the Board, or the open enrollment team prior to an additional request being granted (Policy 3010P).

## Evaluation of Policy

The Board shall annually review this policy. The Superintendent shall report the effects of this policy based on the number of open enrollment applications accepted, denied, or revoked by each school, reasons for denials or revocations.

Cross Reference:

2240 Class Size

3010P Open Enrollment Procedures

3010F Open Enrollment Application

3080 Nonresident Student Attendance by Out of State Student

## IHSAA Rule 8 Individual Eligibility

### Legal Reference:

[IC §33-512](#) Governance of Schools

[IC §33-1401](#) Transfer of Pupils - Definitions

[IC §33-1402](#) Enrollment Options

[IC §33-1404](#) Districts to Receive Pupils

[IC § 33-1409](#) Measuring and Reporting Capacity

[IC § 33-1410](#) Student Appeals

[IC §33-2001](#) Education of Exceptional Children - Definitions

[IDAPA 08.02.01.803](#) Statewide Average Class Size

### Policy History:

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