

# Open Enrollment Application-Directions/Definitions

## 2017-2018 School Year

**The deadline for filing an open enrollment application for the 2017-2018 school year is March 1, 2017 for grades 1-12 and September 1, 2017 for kindergarten student.**

Open Enrollment applications must be submitted to the resident **AND** to the receiving districts. Students that open enroll in Grades 9-12, **shall not be eligible** to participate in **varsity** contests and competitions during the first ninety (90) school days of transfer. Please contact the Iowa Girls High School Athletic Union at (515) 288-9741 or the Iowa High School Athletic Association at (515) 432-2011 for questions regarding eligibility.

**The following guidelines are applicable to the 2017-2018 Open Enrollment Application.**

**Continuation** – Students in a family moving from District A to District B after March 1<sup>st</sup> qualify for open enrollment and are not subject to provisions of a diversity plan or eligibility for extra-curricular activities.

**Diversity Plan and Sibling Preference**-The following districts have a diversity plan on file with the Department of Education: Davenport, Des Moines, Postville, Waterloo, and West Liberty.

If an applicant lives in one of the districts with a diversity plan and has a sibling open enrolled to another district, the applicant qualifies for “sibling preference”: the student is given preference to open enroll, but does not automatically qualify for approval. The name(s) of the sibling (s) and the district to which they are open enrolled is needed to verify enrollment.

**Home School (Private Instruction)** students may open enroll. The deadline for applications is March 1. Dual enrollment for academics, extra-curricular, and Home School Assistance Programs are available to students open enrolling from one district to another. Students may open enroll for home school without dual enrollment.

**Filing after March 1<sup>st</sup>.** In order to qualify for open enrollment after the March 1 deadline, the applicant must meet one of the conditions specified in # 18 on the application.

### **I. Good Cause**

- A. A change in resident district is required for the first five circumstances.
- B. A foreign exchange student qualifies for open enrollment.
- C. If a district has negotiated with another district to whole grade share or to reorganize and the negotiations fail after March 1, students from the affected grades qualify for open enrollment.
- D. If a school accreditation is revoked or surrendered or if a school is closed after March 1, students enrolled in the school qualify for open enrollment. This does **not** apply to the closing of a **building** within a district.

### **II. Pervasive Harassment**

The **resident** district determines if the applicant qualifies under the criteria of pervasive harassment. The following guidelines are used to determine if an applicant qualifies under the "good cause" provision. A parent or guardian who files an application for open enrollment after the

March 1 deadline and alleges repeated acts of harassment is entitled to a hearing before the resident school board to try to prove that the application should be granted.

1. The harassment must have occurred after March 1 or the student or parent is able to demonstrate that the extent of the harassment could not have been known until after March 1.
2. The harassment must be specific electronic, written, verbal, or physical acts or conduct toward the student which created an objectively hostile school environment that meets one or more of the following conditions:
  - a. Places the student in reasonable fear of harm to the student's person or property.
  - b. Has a substantially detrimental effect on the student's physical or mental health.
  - c. Has the effect of substantially interfering with a student's academic performance.
  - d. Has the effect of substantially interfering with the student's ability to participate in or to benefit from the services, activities, or privileges provided by a school.
3. The evidence must show that the harassment is likely to continue despite the efforts of school officials to resolve the situation.
4. Changing the student's school district will alleviate the situation. *In re Hannah T.*, 25 D.o.E. App. Dec. 26 (2007).

**III. Severe Health Need** - An applicant may qualify under the severe health need provision if one of the following exists. An official in the **resident** district determines if the applicant qualifies under the criteria of severe health need:

1. The serious health condition of the child is one that has been diagnosed by an appropriate health care provider, and the diagnosis has been provided to the district of residence.
2. The serious health condition is neither short-term nor temporary.
3. The district has been provided with the specifics of the child's health needs caused by the serious health condition and knows, or should know, what specific steps its staff must take to meet the child's needs.
4. School officials, upon notification of the serious health condition and the steps to be taken to meet the child's needs must have failed to implement such steps or, despite the district's efforts, its implementation of the steps was unsuccessful.
5. A reasonable person could not have known before March 1 that the district could not, or would not, adequately address the child's health needs.
6. It can be reasonably anticipated that a change in the child's school district will improve the situation.

### **Transportation assistance**

Parents are responsible for transporting children open enrolled to another district. This applies to all students, including those with an IEP. As a general rule, if the need for transportation as a related service is stated in the IEP, the parent is responsible for this obligation under open enrollment. If a child open enrolls to a district that is contiguous (borders) to the home district, and the parents' income meets economic eligibility requirements, the family may receive a stipend for transportation or be provided transportation by the district. The stipend for 2015-2016 was \$487 annually per student up to three (3) elementary and one (1) secondary (Grades 9-12) student. Income verification must be provided to the **resident** district.



19. Is the application being filed due to pervasive harassment or severe health? Circle one: Yes or No  
If yes, briefly describe events occurring after March 1 and provide the name of a district employee familiar with the student on a separate sheet.
20. Will you request transportation assistance? Circle one: Yes or No  
If yes, attach proof of income and number in household to the application sent to the resident district.

**I certify the above information is true and I have sent a copy of this form to my resident district and to the district I want my child to attend.**

\_\_\_\_\_  
Signature of Parent or Guardian

\_\_\_\_\_  
Date

**\*CAUTION: Knowingly providing false information on this form will invalidate the application.\***

**Receiving District**

The receiving district has the authority to take action on all applications (before or after March 1) except:

- a) Those **alleging harassment** or **severe health need condition** that cannot be accommodated in resident district.
- b) Resident district has a **diversity plan**.
- c) Resident district's numerical caps for the virtual schools at have been reached.

**In these cases the resident district must act first.**

Date application was received: \_\_\_\_\_

Approved: \_\_\_\_\_  
Date Signature of Superintendent

Denied: \_\_\_\_\_  
Date of School Board Action Signature of Superintendent

If denied, indicate reason:

- \_\_\_\_\_ Request was not filed by March 1 and does not meet good cause.
- \_\_\_\_\_ Insufficient classroom space
- \_\_\_\_\_ Student under suspension or expulsion
- \_\_\_\_\_ Appropriate special education program is not available.

**Resident District**

Resident district is taking action on this application because of the following:

- \_\_\_\_\_ Resident district has a diversity plan on file with Department of Education.
- \_\_\_\_\_ Student alleges pervasive harassment that began or escalated after March 1.
- \_\_\_\_\_ Student has a severe health condition that began or escalated after March 1.
- \_\_\_\_\_ Application filed late with no good cause
- \_\_\_\_\_ Application is for the virtual school at CAM or Clayton Ridge and is exempt from numeric limitation because (a) a sibling attends or (b) attendance is in the student's best interest due to physically or emotionally fragile designation.

Date application was received: \_\_\_\_\_

Approved: \_\_\_\_\_  
Date Signature of Superintendent

Denied: \_\_\_\_\_  
Date of School Board Action Signature of Superintendent

If denied, indicate reason:

- \_\_\_\_\_ Does not meet diversity plan criteria \_\_\_\_\_ Does not meet criteria for pervasive harassment
- \_\_\_\_\_ Does not meet criteria for severe health condition \_\_\_\_\_ Application filed late

\_\_\_\_\_ Application is for virtual school at CAM or Clayton Ridge and does not meet one of the exceptions (sibling attends and/or physical or emotionally fragile designation) to numeric limitations.