Open Enrollment Application-Directions/Definitions

2014-2015 School Year

The deadline for filing an open enrollment application for the 2014-2015 school year is March 1, 2014. If the student will be entering school for the first time as a kindergarten student, the deadline is September 1, 2014.

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 2014-2015 Open Enrollment Application.

Continuation – Students in a family moving from District A to District B after March 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, 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) Home school students may open enrollment. 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.

Good Cause

In order to qualify for open enrollment after the March 1 deadline, the applicant must meet one of the conditions specified in # 17 on the application.

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.
E. **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).

F. **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 2012-2013 was $470 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.