

## MUSCATINE COMMUNITY SCHOOL DISTRICT BOARD POLICY

### **501.8 OPEN ENROLLMENT TRANSFERS**

#### *Procedure as a Sending District - Transfers Out*

The school district will participate in open enrollment as a sending district. As a sending district, the Board will allow resident students who meet the requirements to open enroll to another school district.

Parents requesting open enrollment out of the school district for their student will notify the sending and receiving school district. The notice is made on forms provided by the Department of Education. The forms are available at the central administrative office.

Parents of children who will begin kindergarten and prekindergarten children enrolled in special education programs and included in the district's basic enrollment will file in the same manner set forth above.

The receiving district will approve open enrollment requests according to the timelines established by law. The parents may withdraw the open enrollment request prior to the start of the school year. The receiving district's superintendent will notify the parents and sending school district within five days of the school district's action to approve or deny the open enrollment request.

The Board may consider a student's request to allow the receiving district to enter the school district for the purposes of transportation.

An open enrollment request out of the school district for a special education student is reviewed on a case-by-case basis. The determining factor for approval of such an open enrollment request will be whether the special education program available in the receiving district is appropriate for the student's needs. The area education agency director of special education serving the receiving district will determine whether the program is appropriate. The special education student will remain in the school district until the final determination is made.

#### *Procedures as a Receiving District - Transfers In*

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## MUSCATINE COMMUNITY SCHOOL DISTRICT BOARD POLICY

The school district will participate in open enrollment as a receiving district. As a receiving district, the Board will allow nonresident students, who meet the legal requirements, to open enroll into the school district. The Board will have complete discretion to determine the attendance center of the students attending the school district under open enrollment.

The superintendent will take action on all timely filed applications including kindergarten applications.

The superintendent will notify the sending school district and parents within five days of the school district's action to approve or deny the open enrollment request. The superintendent will also forward a copy of the school district's action with a copy of the open enrollment request to the Iowa Department of Education.

Open enrollment requests into the school district will not be approved if insufficient classroom space exists. Open enrollment requests into the school district will not be approved for students who have been suspended or expelled by the administration or Board of the school district the student is or was attending until the student has been reinstated into the school district from which the student was suspended or expelled. Once the student is reinstated, the student's open enrollment request will be considered in the same manner as other open enrollment requests provided the required timelines are met.

Open enrollment requests into the school district that, if denied, would result in students from the same nuclear family being enrolled in different school districts, will be given highest priority. The Board, in its discretion, may waive the insufficient classroom space reason for denial for students of the same nuclear family to prevent the division of a nuclear family between two school districts. Other open enrollment requests into the school district are considered in the order received by the school district with the first open enrollment request given a higher priority than the second open enrollment request and so forth.

Generally, students in grades nine through twelve open enrolling into the school district will be eligible for participation in varsity interscholastic athletics only, in accordance with applicable laws.

Parents are responsible for providing transportation to and from the receiving school district without reimbursement unless the parents qualify for transportation assistance. Upon a parent's request, the Board may consider providing transportation into the sending district. The transportation is limited to within two miles of the district boundary/current bus route. The Board's approval is subject to the sending district's approval.

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An open enrollment request into the school district from parents of a special education student is reviewed on a case-by-case basis. The determining factors for approval of such an open enrollment request will be whether the enrollment of the special education student will cause the class size to exceed the maximum allowed. The area education agency director of special education serving the school district will determine whether the program is appropriate. The special education student will remain in the sending district until the final determination is made. For children requiring special education, the receiving district will complete and provide to the resident district the documentation needed to seek Medicaid reimbursement for eligible services.

The policies of the school district will apply to students attending the school district under open enrollment.

It is the responsibility of the superintendent to maintain open enrollment request applications and notice forms. It will also be the responsibility of the superintendent to develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

Legal Ref: Iowa Code §§139A.8, 274.1; 279.11; 282; 299.1; 299.1.  
281 I.A.C. 17.