

1 **Nampa School District No. 131**

2  
3 **STUDENTS**

3010

4  
5 Open Enrollment

6  
7 The Board recognizes the desire of some parents/legal guardians to enroll their children in a  
8 school which is other than their residence school, either within or outside the District. In  
9 addition, the Board believes that the needs of neighborhood school students should be considered  
10 along with the needs of those requesting the transfer. To the extent possible, the Superintendent  
11 or designee will attempt to balance these desires and needs in consideration of the defined class  
12 capacities identified below:

|    |  |   |
|----|--|---|
| 13 |  |   |
| 14 | Kindergarten, Grades 1-3                   | 20  |
| 15 | Grade 4-5                                  | 25  |
| 16 | Grades 6-8                                 | 27  |
| 17 | Grades 9-12                                | 150 per teacher per day in core subject areas   |
| 18 |  |   |
| 19 | Special Education Resource Room            | Case load of no more than 20                    |
| 20 | Special Education Secondary ERR            | No more than 10 per room                        |
| 21 | Special Education Elementary Specialty ERR | No more than 5 per room                         |
| 22 | D/HH                                       | Not available for Open Enrollment. Placement is |
| 23 |  | addressed by interlocal contract with Districts |
| 24 | 18-21 Transition Program                   | No greater than 6 students per room             |
| 25 | Behavior Programs                          | No greater than 5 students per room             |
| 26 | PreK                                       | No greater than 5 students per room             |

27  
28 Residence

29  
30 Residence, for the purposes of this policy, is defined as the residence of the student’s parent/legal  
31 guardian. This is further defined as the address that is used by the parent/legal guardian that is  
32 secured by a signed purchase agreement, deed of trust or rental agreement as the address for  
33 mail, telephone, registration for voting and attendance zone for other school-aged family  
34 members.

35  
36 Homeless youth, as defined by the McKinney-Vento Homeless Assistance Act, may attend any  
37 school within the District without completing an open enrollment application, when it is  
38 determined to be in the best interest of that youth. (*Idaho Code §33-1404*)

39  
40 Application/Approval Process

42 Open enrollment applications will be available and may be submitted at any time throughout the  
43 year. However, those applications submitted by the dates indicated in the procedures will receive  
44 first consideration for open enrollment in the indicated grade.

45  
46 In situations where openings are limited, and applicants have met the prescribed deadlines, the  
47 Superintendent or designee may give priority to certain students. Priorities include, but are not  
48 limited to, the following:

- 49 • Students enrolled the prior year under open enrollment at the requested school and  
50 residing within the District boundaries, but outside the attendance zone;
- 51 • Students whose siblings currently attend the requested school.
- 52 • Students whose parent/legal guardian is employed by the District.

53  
54 The Superintendent or designee may deviate from the above priorities in order to take into  
55 consideration unique circumstances or extraordinary factors.

56  
57 Parent or Guardian must provide written notice to the district on an annual basis of the intent  
58 for the pupil to re-enroll in the elementary, middle or high school where they were are currently  
59 open enrolled. Once a pupil has been enrolled at the same school for a second consecutive  
60 year, the pupil may complete his education at such a school, unless the pupil's approved  
61 transfer has been revoked pursuant to this section.

62  
63 Parent or Guardian of open enrolled students must reapply for open enrollment when moving  
64 from elementary to middle and high school levels.

65  
66 In the event that a student's residence changes from being within the school's attendance area to  
67 being out of the attendance area, continued enrollment may be permitted through the conclusion  
68 of the school year, pending approval of an open enrollment application.

69  
70 Open enrolled students who withdraw from their transfer school, then wish to re-enroll, must  
71 complete a new open enrollment application, and go through the normal approval process.

72  
73  
74 If an application is denied or revoked, the parent/legal guardian may appeal the decision through  
75 a written request within 5 days of written notice of the denial/revocation to the Superintendent or  
76 designee. If not satisfied with the decision of the Superintendent or designee parent/guardian  
77 may appeal the revocation/denial to the school board in writing within 5 days of the notice of  
78 denial. If not satisfied with the decision of the school board the parent or guardian may appeal a  
79 revocation of open enrollment to the State Board of Education.

#### 80 81 Denial of Open Enrollment

- 82
- 83
- 84 • Student was expelled from the previous district
- 85 • Student has a documented history of significant disciplinary infractions
- 86 • Student has a documented history of chronic absences

- 87       • Receiving District does not have space available pursuant to the above referenced student to  
88       teacher ratios and program capacity limitations.  
89       • Specialized schools or programs that are exclusively available to students with Disabilities based  
90       on the IEP team placement decisions are not subject to open enrollment requirements.  
91

92 If the student is in Special Education- Manifest Determination from previous District identified the  
93 behavior and/or absenteeism is not a manifestation of the student’s disability.  
94

95 Revocation of Open Enrollment -A pupil who applies and is accepted in a nonresident school  
96 district is subject to the policy of the receiving school district and shall be ineligible to again  
97 apply for an enrollment option or the transfer approval may be revoked in that nonresident  
98 district if  
99

- 100       • Student is chronically absent  
101       • Student commits repeated, serious disciplinary infractions  
102       • Student commits disciplinary infractions that result in expulsion  
103       • The school in which the student is enrolled exceeds the maximum enrollment of resident pupils  
104       due to growth.

105 The student’s receiving school shall inform the parent or guardian of any circumstances that  
106 jeopardize the student’s status at a transfer school  
107

108 If the student is in Special Education- Manifest Determination identified the behavior was not a  
109 manifestation of the student’s disability.  
110  
111  
112

### 113 Transportation

114  
115 The Nampa School District is not responsible for transporting open enrolled students.  
116

### 117 IHSAA Sports/Activities Eligibility

118  
119 A student who plans to participate in a varsity sport and/or activity governed by the Idaho High  
120 School Activities Association (IHSAA) should review IHSAA rules prior to submitting an open  
121 enrollment application form. Certain school transfers will lead to a student being ineligible to  
122 participate at the varsity level for one calendar year (365 days).  
123

124 IHSAA rules apply to grades 6-12. Both IHSAA and Intervalley League rules apply to middle  
125 school activities.  
126

### 127 Co-curricular Activities

128  
129 A student who has been approved for open enrollment is limited to participating in co-curricular  
130 activities at their school of open enrollment only (band, choir, orchestra, speech, and debate).

131 CTE courses are programs that are offered at individual campuses and are not considered co-  
132 curricular activities.

133

134 Preventing or Recruiting Potential Open Enrollment Students

135

136 District employees will take no action to prohibit or prevent application by its students to attend  
137 school in another school district or to attend another school within the District. In no case is an  
138 employee of the district to recruit students outside of their attendance area. Discipline for  
139 violation of this policy may involve actions up to and including dismissal.

140

141 Legal Reference: I.C. §33-512 Governance of Schools

142 I.C. §33-1401 Definitions

143 I.C. §33-2001 Definitions

144 I.C. §33-1402 Enrollment Options

145

146 Policy History:

147 Adopted on: November 14, 2017

148 Revised on: November 20, 2023

149 Reviewed on: November 20, 2023

150

151