

## STUDENTS

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## OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

This series of the board policy manual is devoted to the board's goals and objectives for assisting the students of the school district in obtaining an education. Each student will have an opportunity to obtain an education in compliance with the policies in this series.

It is the goal of the board to develop a healthy social, intellectual, emotional, and physical self-concept in the students enrolled in the school district. Each student attending school will have the opportunity to use it and its education program and services as a means for self-improvement and individual growth. In so doing, the students are expected to conduct themselves in a manner that assures each student the same opportunity.

The board supports the delivery of the education program and services to students free of discrimination on the basis of race, color, sex, marital status, national origin, creed, religion, sexual orientation, gender identity, socio-economic status or disability. This concept of equal educational opportunity serves as a guide for the board and employees in making decisions relating to school district facilities, employment, selection of educational materials, equipment, curriculum, and regulations affecting students.

In the delivery of the education program, students will treat the employees with respect and students will receive the same in return. Employees have the best interests of the students in mind and will assist them in school-related or personal matters if they are able to do so. Students should feel free to discuss problems, whether school-related or personal, with the guidance counselor or other employees.

Board policies, rules and regulations affect students while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district.

Board policy refers to the term "parents" in many of the policies. The term parents for purposes of this policy manual will mean the legal parents, the legal guardian or custodian of a student. Students who have reached the age of majority or are otherwise considered an adult by law.

Inquiries by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, are directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, East Sac County Community School District, 801 Jackson, Lake View, IA 51450, ph 712-664-5000.

Inquiries by students regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education 8930 Ward Parkway, Suite 2037, Kansas City, MO. 64114 (816) 268-0550 or Iowa Dept. of Education, Grimes State Office Bldg., Des Moines, IA. (515) 281-5294. This inquiry or complaint to the federal or state office may be done instead of, or in addition to, an inquiry or complaint at the local level.

OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office and the administrative office in each attendance center.

Approved: 10/07

Reviewed: 5/11, 11/14

Revised: 5/15

RESIDENT STUDENTS

Children who are residents of the school district community will attend the school district without paying tuition.

The residence of a student means the place, abode, or dwelling of the student. Generally, the legal dwelling of minors is the same as their parents. However, a student may establish a dwelling with someone other than the parents and attend public school in the school district without paying tuition if the primary purpose for residing in the school district is not for the purpose of obtaining a free public education. Further, students who have reached the age of majority and who are still eligible to attend an Iowa secondary school may declare their residence independent of the residence of the parents.

Each case involving the bona fide residence of a student will be decided upon its individual merits by the superintendent.

Legal Reference:        Lakota Cons. Ind. School v. Buffalo Center-Rake Comm. School, 334 N.W.2d 704 (Iowa 1983).  
                              Mt. Hope School Dist. v. Hendrickson, 197 N.W. 47 (Iowa 1924).  
                              Oshel v. Creston Comm. School Dist., DPI Admin. Doc. 570 (1981).  
                              33 D.P.I. Dec. Rule 80 (1984).  
                              Iowa Code §§ 257.6; 282.2, .6, .7; 285.4 (2005).  
                              1956 Op. Att'y Gen. 185.  
                              1946 Op. Att'y Gen. 197.  
                              1938 Op. Att'y Gen. 69.  
                              1930 Op. Att'y Gen. 147.

Cross Reference:        102     School District Instructional Organization  
                              501     Student Attendance

Approved:

Reviewed: 5/11, 11/14

Revised:

NONRESIDENT STUDENTS

Students who are eligible to attend an Iowa public school but who are not legal residents of the school district may be admitted into the school district at the discretion of the superintendent upon application and payment of tuition. The tuition rate is the current per-pupil cost of the school district as computed by the board secretary and as authorized by the Iowa Department of Education.

Resident students whose families move from the school district after the start of a semester and who wish to complete the semester in the school district may be permitted to attend without the payment of tuition at the discretion of the superintendent and approval of the board. Students who plan to open enroll to the nonresident district may complete the school year without approval of the superintendent or board. These students, other than students in grades eleven and twelve, must have the recommendation of the principal.

Students in grades eleven or twelve who are no longer residents of the school district, but were residents in the preceding school year, may continue to attend school until they graduate without the payment of tuition. These students may be required to identify an adult, who resides in the school district, identified for purposes of administration.

Nonresident students who are eligible to attend an Iowa public school and who have evidence they will become legal residents of the school district prior to October 1 may be allowed to attend without the payment of tuition.

Legal Reference:        Lakota Cons. Ind. School v. Buffalo Center-Rake Comm. School, 334 N.W.2d 704 (Iowa 1983).  
                              Mt. Hope School Dist. v. Hendrickson, 197 N.W. 47 (Iowa 1924).  
                              Oshel v. Creston Comm. School Dist., DPI Admin. Doc. 570 (1981).  
                              Iowa Code §§ 257.6; 282.1, .2, .6, .7, .24 (2005).

Cross Reference:        501        Student Attendance

Approved:

Reviewed: 5/11, 11/14

Revised:

## COMPULSORY ATTENDANCE

Parents within the school district who have children over age six and under age sixteen by September 15, in proper physical and mental condition to attend school, will have the children attend the school district at the attendance center designated by the board. Students will attend school the number of hours school is in session in accordance with the school calendar. Students of compulsory attendance age will attend school a minimum of 1080 hours. Students not attending the minimum hours must be exempted by this policy as listed below or, referred to the county attorney. Exceptions to this policy include children who:

- have completed the requirements for graduation in an accredited school or have obtained a high school equivalency diploma;
- are attending religious services or receiving religious instruction;
- are attending an approved or probationally approved private college preparatory school;
- are attending an accredited nonpublic school; or,
- are receiving competent private instruction.

It is the responsibility of the parent of a child to provide evidence of the child's mental and physical inability to attend school or of the child's qualifications for one of the exceptions listed above.

The principal will investigate the cause for a student's truancy. If the principal is unable to secure the truant student's attendance, the principal should discuss the next step with the school board. If after school board action, the student is still truant, the principal will refer the matter over to the county attorney.

The school will participate in mediation if requested by the county attorney. The superintendent will represent the school district in mediation. The school district will monitor the student's compliance with the mediation agreement and will report violations of the mediation agreement to the county attorney.

Legal Reference: Iowa Code §§ 239.5B; 259A; 279.10-.11; ch. 299; 299A (2005).  
441 I.A.C. 41.25(8).  
1978 Op. Att'y. Gen. 379.

Cross Reference: 501 Student Attendance  
601.1 School Calendar  
604.1 Competent Private Instruction

Approved:

Reviewed: 5/11, 11/14

Revised:



ENTRANCE - ADMISSIONS

Children in the school district community will be allowed to enroll in the school district's regular education program beginning at age five. The child must be age five on or prior to September 15 to participate in the school district's kindergarten program. The child must be age six on or prior to September 15 to begin the first grade of the education program.

The board will require evidence of age and residency in the form of a birth certificate or other evidence before the student may enroll in the school district's education program. It is within the discretion of the superintendent to determine what is satisfactory evidence for proof of age.

Prior to enrollment, the child must provide the administration with their health and immunization certificate. Failure to provide this information within the time period set by the superintendent is reason for suspension, expulsion or denying admission to the student.

Legal Reference: Iowa Code §§ 139.9; 282.1, .3, .6 (2005).  
1980 Op. Att'y Gen. 258.

Cross Reference: 501 Student Attendance  
507.1 Student Health and Immunization Certificates

Approved:

Reviewed: 5/11, 11/14

Revised:

ATTENDANCE CENTER ASSIGNMENT / PARENTAL REQUEST FOR TEACHER

The board will have complete discretion to determine the boundaries for each attendance center, to assign students to the attendance centers, and to assign students to the classrooms within the attendance center. Parental requests for a teacher or class will not be accepted at any grade level or building at East Sac County Community School District. Teachers, administration, interventionist, special education staff, and guidance counselors will work collaboratively in developing/assigning class lists. This collaborative group will consider individual academic, social, and demographic needs in making class assignments. Decisions of this collaborative team will be considered final.

The elementary school located geographically closest to the student's primary residence will be the attendance center. Only with verifiable extenuating circumstances will the school consider parent/guardian requests to attend a different elementary attendance center than assigned by the district. Requests for changing attendance centers must be approved first by the building principal, then by the superintendent.

Legal Reference: Iowa Code §§ 279.11; 282.7-.8 (2005).

Cross Reference: 501 Student Attendance

Approved:

Reviewed: 05/11, 5/13, 11/14

Revised: 05/11, 6/13

STUDENT TRANSFERS IN

Students who transfer into the school district must meet the immunization and age requirements set out for students who initially enroll in the school district.

The school district will request the student's cumulative records from the previous school district. If the student cannot offer proof of grade level, the superintendent will make the grade level determination. The superintendent may require testing or other information to determine the grade level. Students expelled or suspended from their previous school district will only be enrolled after approval of the board.

The superintendent will determine the amount of credits to be transferred. If the student has not previously attended an accredited school, it is within the superintendent's discretion to accept or reject credits or grades.

Any student declared ineligible under the prior school district's Good Conduct Rule, and then without having completed the full period ineligibility at that school transfers to East Sac County High School, will not be eligible for interscholastic competition at East Sac County High School, until the full period of ineligibility has been completed. Once that time period of ineligibility has been completed, the student is then immediately eligible for interscholastic competition at East Sac County High School as far as any Good Conduct Rule is concerned.

The board may deny admission if the student is not willing to provide the board with the necessary information.

Legal Reference: 20 U.S.C. § 1232g (1994).  
Iowa Code §§ 139.9; 282.1, .3, .4; 299A (2005).

Cross Reference: 501 Student Attendance  
505.4 Student Honors and Awards  
507 Student Health and Well-Being  
604.1 Competent Private Instruction

Approved:

Reviewed: 5/11, 11/14

Revised:

STUDENT TRANSFERS OUT OR WITHDRAWALS

If the student's parents wish to withdraw or transfer the student from school prior to completing and graduating from the education program, they should notify the superintendent in writing as soon as possible of the decision to withdraw or transfer the student from the education program. The student or parent should present this written notice at the office and receive instructions regarding the return of textbooks, library books, locker equipment, hot lunch tickets, etc.

The notice should state the student's final day of attendance. If the student is not enrolling in another school district, the school district will maintain the student's records in the same manner as the records of students who have graduated from the school district.

If the parents wish to have the student's cumulative record sent to the new school district, the parents must notify the superintendent in writing. This notice will include the name of the school district and the person at the new school district to whom the student's cumulative records should be sent. If the new school district requests the student's cumulative records, the school district will forward the cumulative records and notify the parents the records have been sent. The notice will inform the parents of their right to review the records sent.

If the student is of compulsory education age and not transferring to another public school district or an accredited nonpublic school, the parents will notify the superintendent that the student is receiving competent private instruction and file the necessary competent private instruction reports.

Legal Reference: 20 U.S.C. § 1232g (1994).  
Iowa Code §§ 274.1; 299.1-.1A (2005).

Cross Reference: 501 Student Attendance  
506 Student Records  
604.1 Competent Private Instruction

Approved:

Reviewed: 5/11, 11/14

Revised:

STUDENT ATTENDANCE RECORDS

As part of the school district's records, the daily attendance of each student is recorded and maintained on file with the permanent records of the board secretary.

It is the responsibility of the principals to ensure that such reports are filed with the board secretary, the custodian of school records.

Legal Reference: Iowa Code §§ 294.4; 299 (2005).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
506 Student Records

Approved:

Reviewed: 5/11, 11/14

Revised:

STUDENT ABSENCES - EXCUSED

Regular attendance by students is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students will attend school unless excused by the principal of their attendance center.

Student absences approved by the principal are excused absences. Excused absences will count as days in attendance for purposes of the truancy law. These absences include: family death or emergencies, medical appointments with a doctor's note, court appearance, college visit, family trips, school activities or field trips, and state level tournament games.

Students whose absences are approved will make up the work missed and receive full credit for the missed school-work. It is the responsibility of the student to initiate a procedure with the student's teacher to complete the work missed.

Students who wish to participate in school-sponsored activities must attend school the full day of the activity except for absences due to: school activities or field trips, medical or legal appointments, college visits, funerals, or family emergencies. Absences on a Friday will not affect participation on Saturday.

It is the responsibility of the parent to notify the student's attendance center as soon as the parent knows the student will not be attending school on that day. The principal may request evidence or written verification of the student's reason for absence.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code §§ 294.4; 299 (2005).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

Approved:

Reviewed: 5/11, 11/14

Revised:

TRUANCY - UNEXCUSED ABSENCES

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students will attend school unless excused by the principal of their attendance center.

Truancy is the failure to attend school for the minimum number of days established in the school calendar by the board. Truancy is the act of being absent without a reasonable excuse. These absences will include, but not be limited to, tardiness, shopping, hunting, concerts, preparation or participation in parties and other celebrations and employment. Truancy will not be tolerated by the board.

Students are subject to disciplinary action for truancy including suspension and expulsion. It is within the discretion of the principal to determine, in light of the circumstances, whether a student may make up work missed because of truancy. Students receiving special education services will not be assigned to supervised study hall, in-school suspension unless the goals and objectives of the student's Individualized Education Program are capable of being met.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. The administrative regulations will indicate the disciplinary action to be taken for truancy.

Legal Reference: Iowa Code §§ 294.4; 299 (2005).  
281 I.A.C. 12.2(4).

Cross Reference: 206.3 Secretary  
410.5 Truancy Officer  
501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

Approved:

Reviewed: 5/11, 11/14

Revised:

STUDENT RELEASE DURING SCHOOL HOURS

Students will be allowed to leave the school district facilities during school hours only with prior authorization from their parents, unless the parent appears personally at the student's attendance center to arrange for the release of the student during school hours, or with the permission of the principal.

Approved reasons for release of a student during the school day will include, but not be limited to, illness, family emergencies, medical appointments, religious instruction, classes outside the student's attendance center, and other reasons determined appropriate by the principal.

It is the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Iowa Code § 294.4 (2005).  
281 I.A.C. 12.2(4).

Cross Reference: 501 Student Attendance  
503 Student Discipline  
504 Student Activities  
506 Student Records

Approved:

Reviewed: 5/11, 11/14

Revised:



PREGNANT STUDENTS

The board encourages pregnant students to continue to attend the education program as long as they are physically able to do so. The pregnant student may notify the principal or the guidance counselor as soon as she is aware of the pregnancy. The school may require that a pregnant student provide the principal with a written note from her doctor relative to special conditions that might exist and specific suggestions as to how long the student may continue to attend classes. If the student is unable to attend school because of her pregnancy, the student may be excused and arrangements made to continue her studies during her absence. The student will resume classes upon the recommendation of her physician.

Legal Reference: Iowa Code §§ 216; 279.8; 280.3 (2005).

Cross Reference: 501 Student Attendance  
604.2 Individualized Instruction

Approved:

Reviewed: 5/11, 11/14

Revised:

STUDENTS OF LEGAL AGE

Students who have attained legal age may continue the education program without payment of tuition as long as they are eligible to attend an Iowa public school and are residents of the school district.

Parents will be allowed to access and view the student's records without written permission from the student if the student is still a dependent for tax purposes. In most cases, with the discretion of the principal or the superintendent, the student will be able to make decisions and sign documents rather than requiring parental permission or signature.

Legal Reference: 20 U.S.C. § 1232g (2004).  
Iowa Code §§ 22; 282.2, .6, .7; 285.4; 599.1; 622.10 (2007).  
281 I.A.C. 12.3(6).

Cross Reference: 501 Student Attendance  
506 Student Records

Approved:

Reviewed: 5/11, 11/14

Revised:

OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A SENDING DISTRICT

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 public school district.

Parents requesting open enrollment out of the school district for their student will notify the sending and receiving school district no later than March 1 in the school year preceding the first year desired for open enrollment. The notice is made on forms provided by the Department of Education. The forms are available at the central administration office.

Parents of children who will begin kindergarten in the school district are exempt from the open enrollment March 1 deadline. Parents of children who will begin kindergarten will file in the same manner set forth above by September 1. Parents who have good cause as defined by law for failing to meet the March 1 deadline may make an open enrollment request by September 1 unless another deadline applies.

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 by mail within five days of the school district's action to approve or deny the open enrollment request.

The board may approve 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 from parents of 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 school 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.

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 Reference: Iowa Code §§ 139.9; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2005).  
281 I.A.C. 17.  
1990 Op. Att'y Gen. 75.

Cross Reference: 501 Student Attendance  
506 Student Records

Approved:

Reviewed: 5/11, 11/14

Revised:

## OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A RECEIVING DISTRICT

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 the open enrollment request no later than March 1 in the year preceding the first year desired for open enrollment.

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 also not be approved for students who have been suspended or expelled by the administration or the 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 not be eligible for participation in interscholastic athletics, at the varsity level, during the first ninety days of open enrollment into the school district.

Parents are responsible for providing transportation to and from the receiving school district without reimbursement unless the parents qualify for transportation assistance.

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 special education program available in the school district is appropriate for the student's needs and 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.

OPEN ENROLLMENT TRANSFERS - PROCEDURES AS A RECEIVING DISTRICT

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 develop appropriate office procedures and administrative regulations necessary for open enrollment requests.

Legal Reference: Iowa Code §§ 139.9; 274.1; 279.11; 282.1, .3, .8, .18; 299.1 (2005).  
281 I.A.C. 17.  
1990 Op. Att'y Gen. 75.

Cross Reference: 501.6 Student Transfers In  
501.7 Student Transfers Out or Withdrawals  
501.14 Open Enrollment Transfers - Procedures as a Sending District  
506 Student Records  
507 Student Health and Well-Being  
606.9 Insufficient Classroom Space

Approved:

Reviewed: 5/11, 11/14

Revised:

HOMELESS CHILDREN AND YOUTH

The board will make reasonable efforts to identify homeless children and youth of school age within the district, encourage their enrollment and eliminate existing barriers to their receiving an education which may exist in district policies or practices. The designated coordinator for identification of homeless children and for tracking and monitoring programs and activities for these children are the districts counselors.

The education subtitle of the McKinney-Vento Homeless Assistance Act states the following [42 U.S.C. § 11434a(2)]:

The term “homeless children and youths”—

(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 11302 (a)(1) of this title); and

(B) includes—

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 11302 (a)(2)(C) <sup>[1]</sup> of this title);

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children (as such term is defined in section 6399 of title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii)

Legal Reference: No Child Left Behind, Title X, Sec. 722, P.L. 107-110 (2002).  
42 U.S.C. §§ 11431 *et seq.* (1994).  
281 I.A.C. 33 (2005).

Cross Reference: 501 Student Attendance  
503.3 Fines - Fees - Charges  
506 Student Records  
507.1 Student Health and Immunization Certificates  
603.3 Special Education  
711.1 Student School Transportation Eligibility

Approved:

Reviewed: 5/11

Revised: 5/15