

**MIDDLETON SCHOOL DISTRICT #134  
POLICY AND PROCEDURE MANUAL  
SECTION 600 – Educational Programs**

**ATTENDANCE OF NONRESIDENT STUDENTS.....POLICY #632**

The Middleton School District #134 is an institution, which provides assistance in the growth and development of young people. As a public school, it comes under the accreditation standards of the State of Idaho. It is the policy of the School District to work with all resident appropriately aged children without regard to family, social economic status, race, religious background, gender, age, academic achievement, athletic or extracurricular ability, disability, or English language proficiency.

It is also the practice in the Middleton School District #134 to accept a limited number of students who do not reside in the District. Although some state funding follows the child, District taxpayers support the schools beyond the amount received from the State. Therefore, the children of taxpayers residing within the District are given priority. To comply with Section 33-1404 and 33-1402 of the Idaho Code, this policy has been established.

The District reserves the right to transfer an open-enrollment student to another school within the District or to revoke an application at any time due to false, misleading or non-disclosure of information requested on the Open Enrollment application, lack of academic progress, poor attendance or unacceptable behavior.

Note: Special Education, English Language Learners (ELL), or alternative school students must meet all the requirements and procedures established for these respective programs. Special and/or unique instructional programs in which the applicant is currently enrolled or expects to enroll in, during the next school year must be described in full on the open-enrollment application (for example: special education, vocational, foreign language, remedial, gifted and talented, etc.). A current IEP must be submitted to the Building Principal prior to approval of open enrollment for non-resident students with special needs.

1. Middleton School District #134 will accept out-of-district pupils under the following conditions:
  - 1.1 That an Open Enrollment application is accurately completed and presented to the Principal of the school in which attendance is desired. The privilege of attending may be denied or revoked, if the application information is incomplete and/or inaccurate.
  - 1.2 That the school of requested attendance has not reached, nor is anticipated to reach, the capacity of the building, grade level, class or program needed for the applicant. These capacities will be reviewed and adjusted annually, as needed.
  - 1.3 That the student has not been previously admitted, but failed to attend. (IC 33-1404).
  - 1.4 That the student is not under a suspension or an expulsion. (IC 33-1404).

- 1.5 That satisfactory transportation arrangements have been made to provide consistent attendance. Transportation is not the responsibility of the Middleton School District #134.
2. Additional factors shall be used in the determination of OUT-OF-DISTRICT student admittance. The following shall apply:
  - 2.1 Out-of-district pupils whose parents are employed by the Middleton School District #134 shall have priority.
  - 2.2 Students currently enrolled in the Middleton Schools, shall be given priority to continue, unless they have been suspended or expelled.
  - 2.3 The date of application shall be considered in admitting new out-of-district students to the Middleton Schools. Students will be placed on an on-going waiting list according to the initial date of submission. When an opening(s) occurs and a position is offered but not accepted, the position will be offered to the subsequent applicant.
  - 2.4 Applications for each new school year, will be reviewed between March 15<sup>th</sup> and May 1<sup>st</sup>. Applications received after May 1<sup>st</sup> may be reviewed on an individual basis.
  - 2.5 Family background, social economic status, race, religious background, gender, age, academic achievement, athletic or extracurricular ability, handicapping condition or proficiency in the English language shall not be considered in the criteria for acceptance or rejection of out-of- district applicants, except to the extent that the District is unable to accommodate a particular applicant due to the fact that the capacity of the District's program, class, grade level or school building in which the applicant would enroll, has been met.
3. The following is the procedure required:
  - 3.1 A Middleton School District Open Enrollment Application must be obtained from any Middleton School or the District Office and submitted each year, admission is desired. It will consist of the state-approved application form.

If the application is not complete or if it is found that the student has been suspended or expelled, and it was not noted, the application will be denied. Cumulative records for all students (who would be new to the District) will be requested after the student has been accepted by the receiving school.
  - 3.2 The application must be submitted to the school in which the applicant desires to attend.

- 3.3 The decision to approve or deny is made by the building Principal for admissions of out-of-district students and will then be submitted to the District Office. Upon final approval by the District, notification of approval shall be sent to the parents within sixty (60) days after submission of the application. A copy of the application and notification of approval will also be on file in the respective school.
- 3.4 If the application is denied, the respective School Principal or Superintendent will provide a written explanation for the denial to the applicant within sixty (60) days after submission. These records will be maintained at both the Building level and District Office.
- 3.5 A record of all approved out-of-District student applications shall be maintained at the District level. A copy of the application and a complete list of participants will be forwarded annually to the appropriate Principals.

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References:

1. I.I. 33-1404

**ADOPTED: 08/27/84**  
**REVISED: 05/21/85**  
**REVISED: 11/16/87**  
**REVISED: 02/11/91**  
**REVISED: 10/96**  
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**REVISED: 11/10/09**  
**REVISED: 1/10/11**