

Open Enrollment Guidelines

Deadline: Applications must be sent to the resident and receiving districts by March 1st for grades 112 and September 1st for kindergarten and Preschool special education students.

Good Cause Exemptions to the March 1st deadline: The following circumstances are considered "good cause" and are acceptable conditions for a timeline waiver if the change occurred after March

1. 281-IAC 17.4

- Change in family district of residence
- Change in the marital status of the student's parents resulting in a change in resident district □ Placement of the child in foster care resulting in a change of residence □ Adoption
- Participation in a foreign exchange program
- Participation in a substance abuse or mental health treatment program resulting in a change of residence
- Serious health need (see criteria below)
- Pervasive Harassment (see criteria below)
- Failure of district negotiations to reorganization or rejection of a proposed reorganization plan after March 1. Open enrollment request must be filed within 45 days of the last board action or within 30 days of certification of an election, whichever is applicable. This is only applicable to affected students.
- Failure of district negotiations for whole grade sharing or rejection of a whole grade sharing agreement after March 1. Open enrollment request must be filed within 45 days of last board action or within 30 days of certification of an election, whichever is applicable. This is only applicable to affected students.
- Loss of accreditation or permanent closure of a private school after March 1.

Pervasive Harassment after the March 1st deadline: 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.

- 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.
- 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.

The evidence must show that the harassment is likely to continue despite the efforts of school officials to resolve the situation. Changing the student's school district will alleviate the situation. *In re Hannah T.*, 25 D.o.E. App. Dec. 26 (2007).

Severe Health Need after the March 1st deadline- 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 healthcare provider, and the diagnosis has been provided to the district of residence.