



Open Enrollment Guidelines & Information

The 1997 South Dakota Legislature established for students enrolled in grades KG-12 an "enrollment options" program, commonly referred to as **open enrollment**. The law, which can be found at SDCL 13-28-40 through 13-28-47, requires the Department of Education to provide application forms for open enrollment to local schools.

Handling The "Open Enrollment" Procedure In School Business Offices

By Nov. 1, 1997, all public school boards in South Dakota will have enacted specific, written policies to establish capacity standards for programs, classes, grade level and school buildings in their districts and/or set student-teacher ratios. The policies will have received official board action and must be available to the public upon request. School boards may modify these standards as circumstances change; however, only capacity standards may be used to determine a student's eligibility for open enrollment.

An application form for open enrollment may be available from any convenient public school district business office in South Dakota or may be downloaded and printed from this website.

The completed application form must be submitted by the parent/guardian to the non-resident (admitting) district. Open enrollment may only take place prior to the last Friday in September during the first semester of any school year and prior to the last Friday in January for the second semester of any school year. Approval of any applications after the September deadline will start at the beginning of the second semester and approval of any applications after the January deadline will occur at the start of the following school year.

The deadlines do not apply if:

- A student is seeking a transfer to an alternative school or specialized nonpublic education program;
- A student enrolls in a school district after the deadline in either semester; or
- The receiving district school board determines that special circumstances exist and allows the student to transfer after the deadline.

Upon receipt, the school staff should record the date and time that each application is received on Section IV of the form; the person who opens or records incoming mail should also sign or initial the form in the box provided. (The date and time of receipt is important since state law requires applications to be considered in the order received.)

If an application for transfer of a student in special education is received, the nonresident (or receiving) district must follow these steps:

- * Upon receipt of an open enrollment application, obtains copies of all relevant student education records on the student applying to open enroll from the resident district;
- * Completes a review of those relevant student education records; and
- * Directly communicates with the student's parent or guardian and representatives of the resident district regarding the student's special education or special education and related services needs.

If the nonresident district confirms, based upon the records review and communications with the student's parent or guardian and representatives of the nonresident district, that it can provide an appropriate instructional program and facilities, including transportation, if necessary, to meet the needs of the student, it may proceed with the open enrollment process (see § 13-28-43).

If the nonresident district is not able to make confirmation of an appropriate instructional program and facilities to meet the needs of the student, the nonresident district shall initiate an individual education program team meeting consisting of representatives from both the resident and nonresident districts to determine whether the nonresident district can provide an appropriate instructional program, facilities, and transportation, if necessary. After the determination is made, the nonresident district should proceed accordingly with regards to accepting or declining the student for open enrollment.

The school board of the non-resident district must act on the applications of students who want to transfer. (No action is required by the resident district from where the student plans to transfer; however, a copy of the application will be provided to the home district for informational and planning purposes.)

Once action is taken on the application, the school board president or designated school official must complete Section V of the form indicating the request has been APPROVED or DISAPPROVED. If disapproved, the reason(s) must be stated on the blank line at the bottom of Section V. The form must be signed and dated.

Within five days after school board action on the application (either to approve or deny), the non-resident district will retain a copy of the signed form and send copies to both the resident district and the parent/guardian.

For Families

Suggestions for selecting a school...making an informed decision

- visit the school, sit in on a class, observe the type of instruction used;
- study results of the school's standardized achievement test scores and other measures of student achievement over a period of several years;
- review the school's curriculum;
- look into the transportation situation and how it will impact your family;
- examine the school's discipline policy.

These suggestions are only a beginning to help you make the right educational choices for your child!

Other factors to consider:

- The parent or guardian of a student who has been accepted for transfer is responsible for transporting the student to school in the receiving district without reimbursement.
- Applications for open enrollment must be submitted prior to the last Friday in September for the first semester of the school year and prior to the last Friday in January for the second semester.
- Approved applications obligate the student to attend the choice district for the school year, an allowance to return to the resident district requires written approval of both school boards.

The Open Enrollment Process In South Dakota

All public school districts in South Dakota have available to the public, upon request, written policies setting the standards by which students may be accepted for open enrollment in that school district. The standards address capacity of programs, classes, grade level and school buildings and may set student-teacher ratios.

An application form for open enrollment is available from any convenient public school district business office in South Dakota or may be downloaded and printed from this website.

Parents or guardians must submit the completed application form to the "choice" district.

The school board of the "choice" district acts on the applications of students who want to transfer in. (No action is required by the resident district from where the student plans to transfer; however, a copy of the application will be provided to the home district for informational and planning purposes.) An application may be withdrawn by the applicant prior to the approval of the request. However once the application is approved the applicant is obligated to attend for the school year unless upon written permission of both the affected and resident school boards the student is allowed to return to the resident district.

Within five days after school board action on the application (either to approve or disapprove), the "choice" district sends a signed copy of the form back to the parent or guardian.

Families with students in need of special education who wish to transfer to another district through open enrollment should be aware of the requirements that must be addressed prior to be accepted for enrollment. The district in which the family is seeking to enroll must conduct review of relevant educational records of the student and speak with the family and sending district to determine if they have an appropriate educational program for the student. If the receiving district confirms they can provide appropriate services, the open enrollment process continues with board approval.

If the district is unable to confirm they can serve the student through the records review and consultation, a joint IEP team meeting with the sending and receiving district must be held. The intent of the joint IEP team meeting is to verify whether or

not the receiving district has an appropriate program for the student who is seeking to enroll. After the determination is made, the receiving district will proceed accordingly with regards to accepting or declining the student for open enrollment.

Once approved, the open enrollment application serves as the student's notice of intent to enroll in the desired school or district. The student is obligated to attend that school during the next school year, unless the affected school boards agree in writing to allow the student to transfer back to the resident district or assigned school, or unless the parents or guardians change residence to another district.

The Legislature created a special provision for children in the same family or household; if one child can be admitted within the "choice" district's capacity standards, all children from the family will be admitted, if the family wishes them to be educated in the same district.

The parent or guardian of the open enrolled student is responsible for transporting the student without reimbursement. However, either the admitting or the home district MAY agree to provide transportation.

Once enrolled in the new school, the student does not have to resubmit annual applications.

Intent To Enroll In Resident District Notification

Effective July 1, 2018, if after the conclusion of the school year a previously open enrolled student wishes to return to their resident district the student must notify their resident district of their intent to return. This notification must be provided to the resident district on or before August 1st on a form provided by the Department of Education. The notification form may be downloaded and printed from this website.

Although the statute prescribed an August 1st deadline, if the school board or boards determine that special circumstances exist, a student may be allowed to transfer to the resident district or assigned school after this deadline.

Cross-Border Enrollment

The State of South Dakota has entered into an agreement with the States of North Dakota, Iowa and Minnesota to allow enrollment for kindergarten through 12th grade students. It allows families to make choices based on their proximity to schools, their work situation and other important factors. Please review each State's agreement for specific eligibility requirements.



SOUTH DAKOTA OPEN ENROLLMENT APPLICATION

Parent / Guardian: complete Sections I, II, III & sign.

For athletic eligibility, contact school official or SD High School Activities Association

I. Parent/Guardian Information		
Parent/Guardian Name (Last, First, M.I.)	Home Telephone () -	
	Work Telephone () -	
	Fax Number () -	
Parent/Guardian Address:	City	Zip Code
School district in which family resides:		
II. Student Information		
Student Name (Last, First, M.I.) - List only one student per application	Does this student have an IEP? () Yes () No <i>If "yes," please note that transfer of special education student requires a combined placement meeting, so allow ample time by submitting open enrollment application as early as possible.</i>	
School Currently Attending District	Town	Current Grade Level
		Grade Level Next Yr.
List reason(s) for requesting open enrollment (OPTIONAL)	Are there any other children from this household/family also applying for admission to this district? () Yes () No	
Requested date for student to transfer _____ (month/day/year).		
III. School District Information		
Non-Resident (Admitting) School District to which student wants to transfer:	Preferred school building, if space is available:	
<p>The above information is true and correct to the best of my belief and knowledge. Once this request to transfer is approved, the above-named student is obligated to attend school in the non-resident (admitting) district unless the boards of both districts agree in writing to allow student to return to resident district.</p>		
_____	_____	
Signature of Parent/Guardian	Date	

IV. Date and Time Application Received By Non-Resident District		
Date Application Received	Time Application Received (Indicate AM or PM)	Received by: (Please sign)
V. Non-Resident District Approval/Disapproval		
<p>Following review of this application, with due consideration to the laws and rules applicable for the enrollment options program and the standards developed by this district, this application is hereby (check one):</p>		
<p>() APPROVED Within 5 days after action has been taken, the admitting district will send signed copies of this application to the resident district and the parent/guardian, The 3rd copy will be kept on file in the non-resident (admitting) district.</p>		
<p>() DISAPPROVED Within 5 days after action has been taken, the non-resident district, which did not approve this request for admittance, will send signed copies of this application to the resident district and the parent/guardian. The 3rd copy will be kept on file in the non-resident district. The application was disapproved for the following reason(s):</p>		
_____		_____
Signature of School Board President or Designated School Official		Date
Effective date of this application is _____ (month/day/year)		