



Department of Education

Open Enrollment Handbook

Effective July 1, 2024

State of Iowa
Department of Education
Grimes State Office Building
400 E 14th Street
Des Moines, IA 50319-0146

Administration

McKenzie Snow, Director

PK-12 Learning Division

Tina Wahlert, Interim Division Administrator

Bureau of School Improvement

Tina Wahlert, Chief

Sara Nickel, Consultant

Bureau of School Business Operations

Kassandra Cline, Chief

Ted Bauer, Consultant

It is the policy of the Iowa Department of Education not to discriminate on the basis of race, creed, color, sexual orientation, gender identity, national origin, sex, disability, religion, age, political party affiliation, or actual or potential parental, family or marital status in its programs, activities, or employment practices as required by the Iowa Code sections 216.9 and 256.10(2), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d2000e), the Equal Pay Act of 1973 (29 U.S.C. § 206, et seq.), Title IX (Educational Amendments, 20 U.S.C. §§ 1681 – 1688), Section 504 (Rehabilitation Act of 1973, 29 U.S.C. § 794), and the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.). If you have questions or complaints related to compliance with this policy by the Iowa Department of Education, please contact the legal counsel for the Iowa Department of Education, Grimes State Office Building, 400 E. 14th Street, Des Moines, IA 50319-0146, telephone number: 515-281-5295, or the Director of the Office for Civil Rights, U.S. Department of Education, John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL 60604-7204, telephone number: 312-730-1560, FAX number: 312-730-1576, TDD number: 800-877-8339, email: OCR.Chicago@ed.gov

Contents

Introduction

- What is Open Enrollment? 5
- What Are the Open Enrollment Deadlines? 5
- What Circumstances Qualify as “Good Cause” to File After the Deadline? 5
 - The 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. 6
- What is the Difference Between a Resident and Receiving District? 6

Information for Parents and Guardians

- Application Information and Deadlines 7
 - Important Notes 8
 - Currently Open Enrolled Student Applications to an Alternate Receiving District 8
- “Good Cause” Exemptions to Deadlines 8
 - Open Enrollment and Truancy 9
- Appeal Process 9
 - Appeals Regarding Repeated Harassment or Serious Health Conditions 9
- Athletic Eligibility 10
- Transportation 10
- Additional Open Enrollment Guidance and Questions 10

Instructions for School Districts

- Board or Superintendent Actions 11
 - Which District Acts on an Open Enrollment Request? 11
 - What Are the Actions? 12
 - What if the receiving district approves a late-filed application that the resident district believes did not meet the definition of good cause? 14
 - Open Enrollment and Truancy 14
 - Students with IEPs 14
- Billing Instructions for School Districts 15
- Students in Foster Care 15
 - Chart of Authorized Applicant and Responsibility for Tuition 15
 - School of Origin and Transportation 16
- Open Enrollment Transportation Guidelines 16
 - House File 2278 16
- Record Keeping to Keep an Accurate Count of Open Enrolled Students 17

Frequently Asked Questions

- Procedural Questions 18
- Timelines, Deadlines, and “Good Cause” 19
- Eligibility and Qualifications 23
- Special Education 24
- Online or Virtual School 26

Contacts and Resources

Iowa Code and Administrative Rules

- Open Enrollment (Iowa Code § 282.18) 29
- Open Enrollment (Iowa Administrative Code 281—17) 29
- Enrollment (Iowa Code § 257.6) 29
- Special Education (Iowa Code § 256B.2) 29
- Confidential Records (Iowa Code § 22.7) 30
- Tuition (Iowa Code § 282.6) 30

Introduction

The purpose of the Open Enrollment Handbook is to provide parents, guardians, and school districts with updated information following several changes to Iowa law regarding open enrollment. This handbook is divided into the following sections:

- [Information for Parents and Guardians](#),*
- [Instructions for School Districts](#), and
- [Frequently Asked Questions](#)

*While this section is written for parents and guardians, school districts may find the included information to be useful in communicating with parents and guardians and in carrying out their open enrollment responsibilities.

What is Open Enrollment?

It is a cost-free option by which parents or guardians residing in an Iowa district may enroll their children into another Iowa school district under the terms and conditions of [Iowa Code section 282.18](#) and the administrative rules contained in [Iowa Administrative Code 281—17](#) as amended by Senate File 2435.

What Are the Open Enrollment Deadlines?

| Deadline | Explanation |
|---|--|
| Applications to Approved Online Schools | The deadline does not apply to parents/guardians applying for their student to attend a public school district with an approved online school by the Iowa Department of Education. |
| June 30, 2024 | Any application filed on or before June 30, 2024 will not require good cause for waiving the March 1 deadline. The receiving district may accept open enrollment applications for the 2023-2024 or 2024-2025 school year without approval from the resident school district. |
| July 1, 2024 | Senate File 2435 takes effect. Applications for <u>students grades 1 – 12</u> will be denied unless the parent or guardian is able to demonstrate good cause. |
| September 1 | Application deadline for <u>incoming preschool students who receive special education services requiring specially designed instruction (SDI)</u> to open enroll for the current school year. |
| September 1 | Application deadline for <u>incoming kindergarten students</u> to open enroll for the current school year. |
| September 2 | Applications for <u>incoming preschool students requiring SDI and kindergarten students</u> will be denied unless the parent or guardian is able to demonstrate “good cause.” |
| March 1 | Application deadline for <u>students in grades 1-12</u> to open enroll for the upcoming school year. |
| March 2 | Applications for <u>students grades 1-12</u> will be denied unless the parent or guardian is able to demonstrate good cause. |

What Circumstances Qualify as “Good Cause” to File After the Deadline?

The following circumstances are considered "good cause" and are acceptable conditions for a timeline waiver if the change occurred or began after March 1 (or September 1):

- Change in family district of residence
- Change in child’s residence from one parent or guardian to the residence of a different parent or guardian
- Change in the state in which the family residence is located
- Change in the marital status of the student's parents resulting in a change in resident district
- Change in guardianship or custody proceeding that results 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
- Initial placement of a preschool student in a special education program requiring SDI
- Participation in a substance abuse or mental health treatment program resulting in a change of residence
- Change in the status of a child’s resident district such as removal of accreditation by the Iowa State Board of Education (State Board), surrender of accreditation, or permanent closure of a private school after March 1
- Revocation of a charter school contract as provided in section 256F.8
- Failure of district negotiations for whole grade sharing or the rejection of a whole grade sharing agreement after March 1*
- Failure of district negotiations for reorganization or rejection of a proposed reorganization plan after March 1*
- Failure of district negotiations for a dissolution agreement after March 1*
- Loss of accreditation or permanent closure of a private school after March 1

Circumstances not defined above that would be considered good cause (and subject to the approval of the board of the resident district and the board of the receiving district) include:

- Repeated student harassment that the resident district cannot adequately address (see [Question 15](#)), or
- The child has a serious health condition that a school district cannot adequately address (see [Question 16](#)).

***The 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.**

What is the Difference Between a Resident and Receiving District?

- The *resident district* is the district where the student lives.
- The *receiving district* is the district that student open enrolls to.
- If the student is already open enrolled in a district but wishes to open enroll in a different district, this is the *alternate receiving district*.

Information for Parents and Guardians

The purpose of this section of the handbook is to provide parents and guardians with updated open enrollment information following several changes to related Iowa law. It is organized around the following topics:

- [Application Information and Deadlines](#),
- [Appeal Process](#),
- [Athletic Eligibility](#), and
- [Transportation Assistance](#).

Application Information and Deadlines

If a parent or guardian wishes to open enroll their child(ren), they must:

- Complete an application (available in any Iowa public school district’s central office and on the Iowa [Department of Education’s \[Department\] website](#)),
- Submit an application for each child in their family, and
- Send the application to both the resident and receiving school districts on or before the established deadline to be considered for approval (Iowa Code § 282.18(2), paragraphs a and b, as amended by Senate File 2435):

| Date | Deadline |
|--|--|
| Applications to Approved Online Schools | The deadline does not apply to parents/guardians applying for their student to attend a public school district with an approved online school by the Iowa Department of Education. |
| June 30, 2024 | Any application filed on or before June 30, 2024 will not require good cause for waiving the March 1 deadline. The receiving district may accept open enrollment applications for the 2023-2024 or 2024-2025 school year without approval from the resident school district. |
| July 1, 2024 | Senate File 2435 takes effect. Applications for <u>students grades 1 – 12</u> will be denied unless the parent or guardian is able to demonstrate good cause. |
| September 1 (of the current school year the student enrolls) | Application deadline for <u>incoming preschool students who receive special education services requiring specially designed instruction (SDI)</u> to open enroll for the current school year. |
| September 1 (of the current school year the student enrolls) | Application deadline for <u>incoming kindergarten students</u> to open enroll for the current school year. |
| September 2 (of the current school year the student enrolls) | Applications for <u>incoming preschool students requiring SDI and kindergarten students</u> will be denied unless the parent or guardian is able to demonstrate “good cause” (see the following “Good Cause” Exemptions to Deadlines section). |
| March 1 (of the preceding school year) | Application deadline for students in grades 1-12 to open enroll for the upcoming school year. |

March 2 (of the preceding school year)

Applications for students grades 1-12 will be denied unless the parent or guardian is able to demonstrate good cause.

If the student is currently open enrolled but would like to open enroll to a new school district, see the following [Currently Open Enrolled Student Applications to an Alternate Receiving District](#) section.

Important Notes

- Approval for one child in a family does not guarantee approval for other children in the same family. A parent or guardian must file an open enrollment request for each child in the family.
- A parent or guardian may apply to more than one school district at the same time.
- Notify (in writing) the districts concerned if there is any change in the residence of the student during the open enrollment period.
- If terminating the open enrollment, notify both districts involved.

Currently Open Enrolled Student Applications to an Alternate Receiving District

If a current open enrolled student would like to open enroll to a new school district, the parent or guardian:

- Files a new application with:
 - The district the student is currently attending and open enrolled into (receiving district),
 - The resident district, and
 - The district the student wants to attend (alternate receiving district) by the March 1 (or September 1) deadline.
- Should write on the application the child is currently open enrolled and would like to open enroll to a new school district.

The new district (alternate receiving district) will notify:

- The parent or guardian,
- The original district of residence, and
- The previous receiving district of acceptance or denial (Iowa Administrative Code rule 281— 17.8(4)).

“Good Cause” Exemptions to Deadlines

The following circumstances are considered "good cause" and are acceptable conditions for a timeline waiver if the change occurred or began after March 1 (or September 1):

- Change in family district of residence
- Change in child's residence from one parent or guardian to the residence of a different parent or guardian
- Change in the state in which the family residence is located
- Change in the marital status of the student's parents resulting in a change in resident district
- Change in guardianship or custody proceeding that results 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
- Initial placement of a preschool student in a special education program requiring SDI
- Participation in a substance abuse or mental health treatment program resulting in a change of residence
- Change in the status of a child's resident district such as removal of accreditation by the Iowa State Board of Education (State Board), surrender of accreditation, or permanent closure of a private school after March 1
- Revocation of a charter school contract as provided in section 256F.8
- Failure of district negotiations for whole grade sharing or the rejection of a whole grade sharing agreement after March 1
 - The 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.

- Failure of district negotiations for reorganization or rejection of a proposed reorganization plan after March 1
 - *The 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 a dissolution agreement after March 1
 - *The 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.*
- Loss of accreditation or permanent closure of a private school after March 1

Circumstances not defined above that would be considered good cause (and subject to the approval of the board of the resident district and the board of the receiving district) include:

- Repeated student harassment that the resident district cannot adequately address (see [Question 15](#)), or
- The child has a serious health condition that a school district cannot adequately address (see [Question 16](#); Iowa Code § 282.18(5), as amended by 2021 Iowa Acts, HF 847).

Open Enrollment and Truancy

Any student who has been absent from school, for any reason, for at least 20% of the days or hours in a grading period is considered truant (Iowa Code 299.8, as amended by Senate File 2435). If the student is participating in open enrollment and defined as truant, the receiving district school board may terminate the open enrollment agreement AND prohibit the student from re-enrolling in the receiving district.

If the receiving district has terminated the open enrollment agreement for the student, the resident district must enroll the student. A parent or guardian may apply for their child to open enroll to another school district, except the previous receiving district where the student was previously attending, they must follow the procedures outlined in the [Application Information and Deadlines](#) section..

Appeal Process

As a general rule, appeals of open enrollment decisions should be filed as an original court action in [Iowa District Court](#). Iowa District Court appeals should be filed in district court in the county in which the primary business office of the resident district is located (Iowa Admin. Code r. 281—17.8(9)).

Appeals Regarding Repeated Harassment or Serious Health Conditions

Appeals should only be filed with the Department for Iowa State Board of Education (State Board) action if the application:

- Has already been denied by the local board of directors and
- Involves one of the following:
 - Claims of repeated student harassment that the resident district cannot adequately address, or
 - The child has a serious health condition that the resident district cannot adequately address (Iowa Code § 282.18(5), as amended by 2021 Iowa Acts, House File 847).

In these three circumstances, a parent or guardian may file an appeal with the Department (for State Board action) within 30 days of the board decision (Iowa Admin. Code r. 281—17.5(2)). The appeal should be addressed to:

Administrative Law Judge
 Iowa Department of Education
 Grimes State Office Building
 400 East 14th Street
 Des Moines, Iowa 50319-0146

The letter of appeal must be postmarked within 30 days of the board decision. The appeal letter must contain the following information:

- Name, address, and daytime phone number of the person appealing
- Name and grade level of child(ren) involved in the appeal (e.g., in case of expulsion, open enrollment, suspension)
- Name of the school district making the board decision that is being appealed
- Date the local board decision was made
- Brief statement of reasons why the decision is being appealed
- Notarized signature of the person appealing the decision
- Other information may be included (if desired)

Athletic Eligibility

Students who open enroll in grades nine through 12 are not eligible to participate in varsity contests and competitions during the first 90 school days of transfer (not counting summer school) unless an exception applies allowing immediate eligibility.

A student is eligible if one of the following applies:

- If the student is entering 9th grade for the first time and did not participate in high school athletics for another school or school district during the summer after 8th grade
- If the district of residence and the other school district share the sporting activity
- If the sport is not available to the student in their resident district
- The open enrollment meets the definition of good cause
- If the resident district determines that the pupil was previously the subject of an incident of harassment or bullying (as defined in section 280.28);
- The board of directors or superintendent of the resident district issues or implements a decision that suspends the discontinuation or suspension of varsity interscholastic sports activities in the district of residence;
- The board of directors of the resident and receiving district agree to waive ineligibility;
- During the 2020-2021 school year, a student was enrolled in District A on the first day of school, enrolled in District B for a portion of the school year, and then re-enrolled in District A prior to July 1, 2021.

A student who is academically ineligible in their resident district remains ineligible in the receiving district for the remaining period of ineligibility declared by the resident district regardless of any of the circumstances above.

For other questions regarding eligibility, please contact the [Iowa Girls' High School Athletic Union](#) (IGHSAU) at 515-288-9741 or the [Iowa High School Athletic Association](#) (IHSAA) at 515-432-2011.

Transportation

Parents are responsible for transporting children open enrolled to another district. This applies to all students, including those with an individualized educational program (IEP). As a general rule, if the need for transportation is stated in the IEP as a related service, the parent is responsible for this obligation under open enrollment (Iowa Admin. Code r. 281—IAC 17.10).

If a child open enrolls to a district that is contiguous to (or borders) the home district and the parents' income meets economic eligibility requirements, the family may receive a stipend for transportation or be provided transportation by the resident district (Iowa Admin. Code r. 281—IAC 17.8). For additional information, see the [transportation assistance guidance](#) on the [Transportation Assistance webpage](#).

Additional Open Enrollment Guidance and Questions

For additional guidance, see the Department's [Open Enrollment](#) webpage.

Instructions for School Districts

The purpose of this section of the handbook is to provide school districts with updated open enrollment instructions following several changes to Iowa’s open enrollment law. It is organized around the following topics: This section of the handbook includes the following sections:

- [Board or Superintendent Actions](#)
- [Billing Instructions for School Districts](#)
- [Students in Foster Care](#)
- [Record Keeping to Keep an Accurate Count of Open Enrolled Students](#)

Board or Superintendent Actions

Which District Acts on an Open Enrollment Request?

In the cases where the resident district acts, the receiving district will act after the resident district.

| New Open Enrollment Request | Receiving District | Resident District |
|---|------------------------------------|-------------------|
| Open enrollment application filed for an approved online school at anytime during the school year | X | Does not act |
| Open enrollment filed by September 1 for incoming preschool students who receive special education services requiring SDI | X | Does not act |
| Open enrollment filed by September 1 for incoming kindergarten students | X | Does not act |
| Open enrollment filed by September 1 for incoming preschool students receiving SDI and incoming kindergarten students with “good cause” | X | Does not act |
| Open enrollment filed by March 1 for students grades 1-12 | X | Does not act |
| Open enrollment filed after March 1 for students grades 1-12 with “good cause” | X | Does not act |
| Applicant alleges pervasive harassment | Acts if resident district approves | X |
| Applicant alleges serious health need | Acts if resident district approves | X |
| Application filed after deadline with no good cause (see Question 4) | Acts if resident district approves | X |

What Are the Actions?

| Action | Receiving District Required Actions | Resident District Required Actions |
|--|---|--|
| <p>Notification (Iowa Admin. Code r. 281—17.3(2))</p> | <p>By September 30 of each school year, district must notify parents or guardians (including those who transfer into the district during the school year) of:</p> <ul style="list-style-type: none"> ● Open enrollment deadlines, ● Transportation assistance, and ● Possible loss of athletic eligibility for open enrollment of students. | <p>By September 30 of each school year, district must notify parents or guardians (including those who transfer into the district during the school year) of:</p> <ul style="list-style-type: none"> ● Open enrollment deadlines, ● Transportation assistance, and ● Possible loss of athletic eligibility for open enrollment of students. |
| <p>Application to a district with an approved online school at anytime during the school year</p> | <p>Required actions include:</p> <ul style="list-style-type: none"> ● The board may give the superintendent authority to approve but not deny applications. <ul style="list-style-type: none"> ○ Denial – A district school board can deny an application for the following reasons: <ul style="list-style-type: none"> ■ The district is not able to provide the appropriate special education program (see the following Students with IEPs section). ■ The student is under suspension or expulsion. ■ The district has insufficient classroom space to accommodate the student. ■ The student was previously open enrolled to the online school, was defined as truant and no longer permitted to open enroll back to the receiving district again by the receiving district school board. ■ The application would adversely affect the district's implementation of a court-ordered desegregation plan.¹ ● Within five days of board action, the superintendent must notify the parent or guardian and the resident district of whether the request was approved or denied. | <p>Superintendent must sign the application for receipt.</p> |

¹ At this time, this does not apply to any districts.

| | | |
|--|---|---|
| <p>Application Filed by March 1st (or September 1st) Deadline</p> | <p>Required actions include:</p> <ul style="list-style-type: none"> ● No later than June 1 of the school year preceding the school year for which the request is made, the board of the receiving district must act on an open enrollment request. The board may give the superintendent authority to approve but not deny applications. <ul style="list-style-type: none"> ○ Denial – A district school board can deny an application for the following reasons: <ul style="list-style-type: none"> ■ The district is not able to provide the appropriate special education program (see the following Students with IEPs section). ■ The student is under suspension or expulsion. ■ The district has insufficient classroom space to accommodate the student (see Question 10). ■ The student was previously open enrolled to the district, was defined as truant and not permitted to open enroll back to the receiving district again by the receiving district school board. ■ The application would adversely affect the district's implementation of a court-ordered desegregation plan (this does not apply to any districts at this time). ■ The application was filed after the deadline without good cause. <ul style="list-style-type: none"> ● The district is obligated to deny the application unless: <ul style="list-style-type: none"> ○ The applicant has good cause for filing late (see the following Application Filed After Deadline with Good Cause row) or ○ The resident district agrees to approve the request. ● Within five days of board action (but no later than June 1 of the preceding school year), the receiving district superintendent must notify the parent or | <p>None, unless the applicant claims:</p> <ul style="list-style-type: none"> ● Pervasive harassment or ● A severe health need <p>For information on these procedures, see the following Application Filed After Deadline for Serious Medical Condition or Pervasive Harassment row.</p> |
|--|---|---|

| | | |
|---|---|--|
| | guardian and the resident district of whether the request was approved or denied. | |
| Application Filed After the Deadline with Good Cause (Iowa Code 282.18, subsection 3A, paragraph a, as amended by Senate File 2435) | Required actions include: 1. Within 30 days of receiving the request, the receiving district board must act. 2. Within five days of board action, the receiving district superintendent must provide notification of either approval or denial of the request to the parent or guardian and to the resident district. | None, unless the applicant claims: <ul style="list-style-type: none"> ● Pervasive harassment or ● A severe health need For information on these procedures, see the following row. |
| Application Filed After Deadline for Serious Medical Condition or Pervasive Harassment (Iowa Code 282.18, subsection 3B, paragraph a, as amended by Senate File 2435) | <u>After</u> the resident district forwards the approved application, required actions include: 1. Within 30 days of receiving the approval notice from the resident district, the district board must act to approve/deny the request. <ul style="list-style-type: none"> ○ Denial – A parent or guardian may appeal this decision to the State Board (Iowa Admin. Code r. 17.5(2)). 2. Within 15 days of board action, the receiving district superintendent must notify the parent or guardian and the resident district of the approval or denial of the request. | Required actions include: 1. Within 30 days of its receipt, the resident district board must act to approve or deny the request. <ul style="list-style-type: none"> ○ Denial – Within 3 days following board action, the superintendent must notify the parent/guardian that their request was denied. <ul style="list-style-type: none"> ■ A parent or guardian may appeal this decision to the State Board (Iowa Admin. Code r. 17.5(2)). ○ Approval – The superintendent must: <ul style="list-style-type: none"> ■ Notify the parent or guardian within 3 days of the board’s approval. ■ Forward the approved application to the receiving district within 5 days following board action. |

What if the receiving district approves a late-filed application that the resident district believes did not meet the definition of good cause?

If the resident district believes that the receiving district's board approved a late-filed open enrollment request that did not meet the definition of good cause, the resident district may appeal the decision to the director of the Department (Iowa Code 282.18, subsection 3A, paragraph b and c, as amended by Senate File 2435). To do so, the majority of the resident district's board must vote in favor of the appeal. If the board votes in favor, the resident district must follow the established appeal process:

1. Within 30 days of being notified of the approval, the resident district files a written appeal to the director of the Department. The appeal must include:
 - The name and grade level of the affected student,
 - The name of the receiving district,
 - The date of receiving district's approval of the request,
 - The date the resident district was notified of the approval,
 - A brief explanation of why the board believes there is no good cause for the request,
 - A signature from the president of the resident district board,
 - A copy of the disputed open enrollment request, and
 - The minutes of the board meeting at which the resident district board voted to appeal.
2. The director attempts to mediate the dispute to reach approval by both parties.
3. If mediation is unsuccessful, the director conducts a hearing to hear testimony from both boards.
4. Within 10 days of the hearing, the director issues a written decision.
5. Within five days of a decision being issued by the director, the aggrieved board may appeal the decision to the State Board.

Open Enrollment and Truancy

Any student who has been absent from school, for any reason, for at least 20% of the days or hours in a grading period is considered truant (Iowa Code 299.8, as amended by Senate File 2435). If the student is participating in open enrollment and defined as truant, the receiving district school board may terminate the open enrollment agreement AND prohibit the student from re-enrolling in the receiving district after official notice and the opportunity to be heard has been provided to the student's parent/guardian.

If the receiving district has terminated the open enrollment agreement for the student, the receiving district must notify the resident district. The resident district must enroll the student. A parent or guardian may apply for their child to open enroll to another school district, except the previous receiving district where the student was previously attending under open enrollment, and must follow the procedures outlined in the [Application Information and Deadlines](#) section.

Students with IEPs

If a parent or guardian requests open enrollment for a pupil requiring special education, the receiving district must consider the following:

- Appropriateness of program (Iowa Admin. Code r. 17.10(1)) – The open enrollment request should only be granted if the receiving district can provide the appropriate special education program for the student within the district. This determination must be made by the receiving district (in consultation with the resident district and the appropriate area education agency(ies)), before approval of the application.
- Class size and caseload (Iowa Admin. Code r. 17.10(2)) – The provisions of the insufficient classroom space policy also apply to open enrollment requests for a child with a disability. The following conditions apply:

- The enrollment of the child in the receiving district’s program would not cause the size of the class or caseload in receiving district’s special education instructional program to exceed the maximum class size or caseload set forth in the district’s insufficient classroom space policy.
- If the child would be assigned to a general education class, there is sufficient classroom space (as established in the insufficient classroom space policy) for the child in the general education class.
- Transportation (Iowa Admin. Code r. 17.10(3)). District transportation requirements, parent or guardian responsibilities, and financial assistance for transportation (where applicable) as provided by rules 281—17.8 and 281—41.412 .
- Finance (Iowa Admin. Code r. 17.10(4)). The resident district must pay the receiving district for the actual costs incurred in providing the appropriate special education program.
 - It is the resident district’s responsibility to ensure that an appropriate special education program is maintained.
 - The receiving district and the receiving area education agency director must provide the resident district with evaluation reports and information for each open enrolled student in special education at least annually.
 - The receiving district must provide notice to the resident district of all staffings scheduled for each open enrolled student.

Billing Instructions for School Districts

Please see the [Open Enrollment](#) web page for billing instructions, tuition and pertinent open enrollment billing scenarios.

Students in Foster Care

Chart of Authorized Applicant and Responsibility for Tuition

| Student in Foster Care | Parental Rights | Who is Authorized to Open Enroll the Student? | Who is Responsible for Tuition or Expenses? |
|------------------------|---|--|--|
| IEP | Parents have rights | Parent | Parent’s resident district |
| IEP | Parents do not have rights (rights severed) | Department of Human Services (DHS) or designee | State of Iowa via TIB claim, unless a district counted the student for special education count |
| Non-IEP | Parents have rights | Parent | Foster care district |
| Non-IEP | Parents do not have rights (rights severed) | DHS or designee | Foster care district |

School of Origin and Transportation

The Every Student Succeeds Act (ESSA) requires that children in foster care remain in their school of origin (the school they were attending when entering foster care or when a change in foster care placement occurred) unless it is in the student’s best interest to be placed outside of the school of origin. ESSA also requires children in foster care to be transported to their school of origin unless a best-interest determination requires a school change.

If a child is participating in open enrollment when they enter foster care, the receiving school district is the school of origin. Transportation for those students is governed by ESSA. For more information, see the [Education of Children in Foster Care webpage](#).

The student continues to be identified as a resident student of the district where the student is attending if the student:

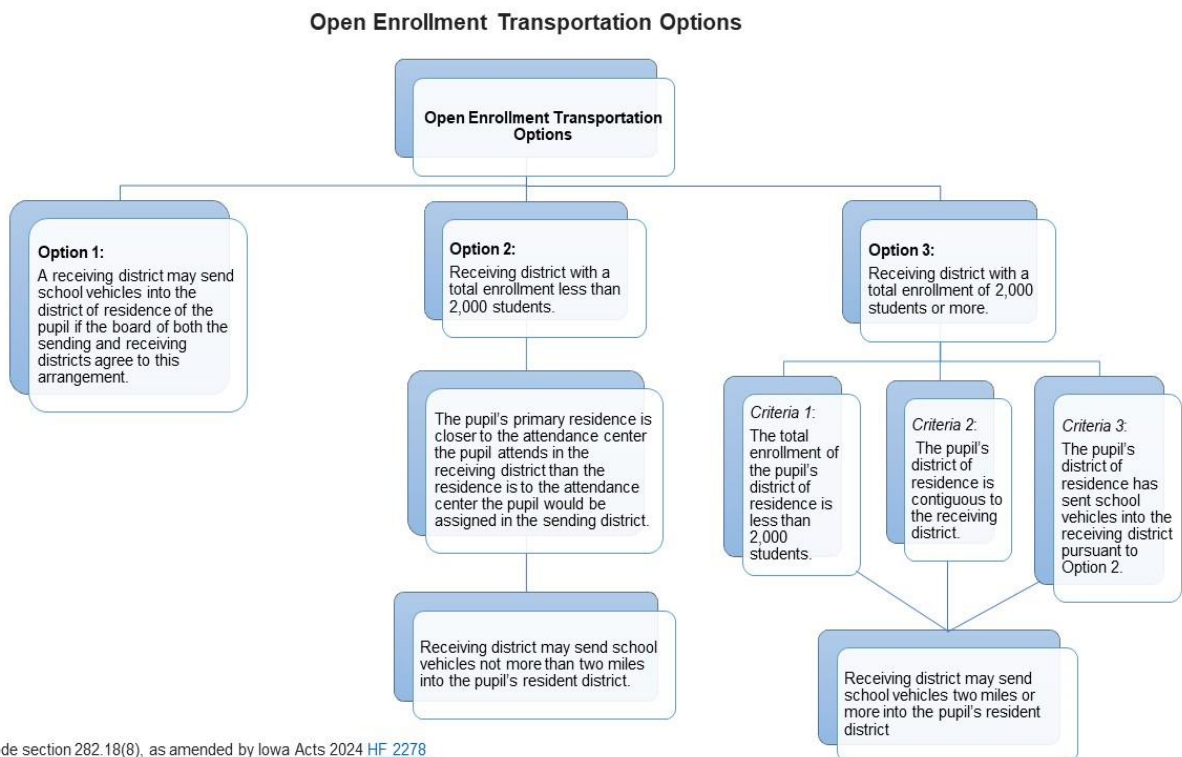
- Is attending school in their resident district,
- Is placed into foster care outside their resident district or a change in foster care placement occurs, and
- Remains enrolled in the same school (school of origin).

Open enrollment is not utilized in the foster care situation to keep a student enrolled in their school of origin. This situation is similar to the Junior/Senior Rule because a student continues to be counted as a resident student even when the student is not living in the district (Iowa Code §§ 282.19(2) & 282.31(1)“b”(1)).

Open Enrollment Transportation Guidelines

House File 2278

House File 2278 allows the receiving district and/or resident district to send vehicles two miles into the district based on the guidelines outlined in the flowchart below.



Reference: Iowa Code section 282.18(8), as amended by Iowa Acts 2024 [HF 2278](#)

Parents/guardians continue to be responsible for transportation if neither district elects to provide transportation for students who are open enrolled in or out of a district. If a child open enrolls to a district that is contiguous to (or borders) the home district and the parents' income meets economic eligibility requirements, the family may receive a stipend for transportation (Iowa Admin. Code r. 281— IAC 17.8). For additional information, see the [transportation assistance guidance](#) on the [Transportation Assistance webpage](#).

Record Keeping to Keep an Accurate Count of Open Enrolled Students

The following suggestions are made to assist the district in keeping an accurate count of open enrollment students. While these are not requirements, the Department highly recommends these practices because they can reduce confusion about the status of students and decrease inaccurate billing between districts.

1. Have registration personnel check carefully for any change of address for an open enrolled pupil.
2. Ask teachers, bus drivers, and other personnel to alert administrative staff of any change of address for an open enrollment pupil occurring during the school year.
3. Exchange lists of open enrollment pupils with other districts prior to count day.
4. Have a process in place for notifying other districts of any movement of an open enrollment pupil either out of or into the district.
5. Check incoming kindergarten students to ensure they are residents. If they are not residents, they must file open enrollment forms by September 1st, or they will be responsible for tuition.

The district of residence can be verified for two-thirds of the counties in Iowa by using the [Beacon](#) search.

Frequently Asked Questions

Procedural Questions

1. What is open enrollment?

It is a cost-free option by which parents or guardians residing in an Iowa district may enroll their children into another Iowa school district under the terms and conditions of Iowa Code section 282.18 and the administrative rules contained in Iowa Administrative Code 281—17.

2. How does a parent or guardian file for open enrollment?

If a parent or guardian wishes to open enroll their child(ren), they must follow the procedures outlined in the [Application Information and Deadlines](#) section.

3. Who approves or denies open enrollment requests?

Please see [Which District Acts on an Open Enrollment Request?](#) section.

4. If a parent or guardian misses the open enrollment deadline and does not have good cause may they still apply for open enrollment?

Yes. “An application for open enrollment may be granted at any time with approval of the resident and receiving districts” (Iowa Code § 282.18, subsection 12A, as amended by Senate File 2435). This is a local decision requiring approval from both districts. The resident district acts first.

5. May a currently open enrolled student change enrollment to a different receiving district?

Yes. See the previous [Currently Open Enrolled Student Applications to an Alternate Receiving District](#) section.

6. May an open enrolled student return to the district of residence?

Yes. A student who is open enrolled may return to the district of residence (and enroll) at any time (unless under suspension or expulsion in the receiving district). The parent or guardian must notify the district of residence and the receiving district in writing of the decision to enroll the pupil in the resident district. [This will terminate open enrollment](#) (Iowa Admin. Code r. 281—17.7(5)).

7. Must the sending and receiving districts be contiguous to (or border) each other?

No. However, transportation assistance for income-eligible families is only available when a student open enrolls to a contiguous receiving district (Iowa Admin. Code r. 281—17.8(2)). For income eligibility information, see the requirements in the [transportation assistance guidance](#).

8. Who is responsible for school transportation for an open enrolled student?

The parent or guardian is responsible for transporting the student to and from the receiving district, including if the student has an individualized educational plan (IEP) and transportation is listed on the IEP, unless the family qualifies for transportation assistance (Iowa Admin. Code r. 281—17.8(1)). For income eligibility information, see the requirements in the [transportation assistance guidance](#).

9. If the resident or receiving district does provide transportation for students who are open enrolled can a family qualify for a transportation assistance stipend in addition to transportation?

No.

10. May a district limit the number of students open enrolling into the district?

Yes. Each district must adopt a board policy that defines “insufficient classroom space” for the district (Iowa Code § 282.18(2)“c”). The board policy must be reviewed annually (Iowa Admin. Code r. 281—17.6(2)).

11. May a parent or guardian designate a particular attendance center (school building) for enrollment within the receiving district?

No. Open enrollment is to another district, not to a specified attendance center. The receiving district has discretion in determining which attendance center an open enrolled student will attend (Iowa Admin. Code r. 281—17.6(3)).

12. How long should a district maintain open enrollment records?

According to the [Uniform Administrative Procedures Manual](#), general correspondence should be maintained for five years. Open enrollment records should be maintained for five years after the student graduates or stops attending the receiving district.

13. Is a student on a visa eligible for open enrollment?

Visas are not governed by education law. They are regulated by [U.S. Immigration and Customs Enforcement \(ICE\)](#). For questions regarding students on visas, please contact ICE directly or review the [Department of Education website](#).

Timelines, Deadlines, and “Good Cause”

14. Are there any exceptions to the March 1 deadline?

Yes. There are two exceptions to the March 1 deadline. An open enrollment request for an incoming **preschool student in special education programming requiring SDI** or a **kindergarten student** must be filed with the resident and receiving districts by September 1 of the school year of enrollment into kindergarten or preschool (Iowa Code 282.18, subsection 2, paragraph a, as amended by Senate File 2435).

The following circumstances are considered "good cause" and are acceptable conditions for a timeline waiver if the change occurred or began after March 1 (or September 1):

- Change in family district of residence
- Change in child’s residence from one parent or guardian to the residence of a different parent or guardian
- Change in the state in which the family residence is located
- Change in the marital status of the student's parents resulting in a change in resident district
- Change in guardianship or custody proceeding that results 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
- Initial placement of a preschool student in a special education program requiring SDI
- Participation in a substance abuse or mental health treatment program resulting in a change of residence
- Change in the status of a child’s resident district such as removal of accreditation by the State Board, surrender of accreditation, or permanent closure of a private school after March 1
- Revocation of a charter school contract as provided in section 256F.8
- Failure of district negotiations for whole grade sharing or the rejection of a whole grade sharing agreement after March 1

- *The 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.*
- Failure of district negotiations for reorganization or rejection of a proposed reorganization plan after March 1
 - *The 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 a dissolution agreement after March 1
 - *The 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.*
- Loss of accreditation or permanent closure of a private school after March 1

Circumstances not defined above that would be considered good cause (and subject to the approval of the board of the resident district and the board of the receiving district) include:

- Repeated student harassment that the resident district cannot adequately address (see Question 15), or
- The child has a serious health condition that a school district cannot adequately address (see Question 16; Iowa Code § 282.18, as amended by 2024 Iowa Acts, Senate File 2435).

15. What constitutes pervasive harassment?

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 present their rationale for why the application should be granted. The resident district determines if the applicant meets all of the following State Board-established criteria for repeated and pervasive harassment:

- 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:
 - Places the student in reasonable fear of harm to the student's person or property.
 - Has a substantially detrimental effect on the student's physical or mental health.
 - Has the effect of substantially interfering with a student's academic performance.
 - Has the effect of substantially interfering with the student's ability to participate in or 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.
- It is reasonable to anticipate that changing the student's school district will alleviate the situation. (In re Hannah T., 25 D.o.E. App. Dec. 26 (2007))

It is important to note that parents and guardians must provide accurate and complete documentation of the facts and circumstances of the repeated harassment to the school board prior to any decision being made (In re 27 D.o.E. App. Dec. 960 (2016)).

16. What constitutes a severe health need?

An applicant may qualify under the severe health need provision if all of the following are true. An official in the resident district determines if the applicant qualifies under the criteria of severe health need.

- 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.
- The serious health condition is neither short-term nor temporary.
- The district has been provided with the specifics of the child’s health needs caused by the serious health condition and knows (or should know) what specific steps its staff must take to meet the child’s needs.
- Upon notification of the serious health condition and the steps to be taken to meet the child’s needs, school officials failed to implement such steps or its implementation of the steps was unsuccessful despite the district’s efforts.
- A reasonable person could not have known before March 1 that the district could not (or would not) adequately address the child’s health needs.
- It can be reasonably anticipated that a change in the child’s school district will improve the situation. (In re Anna C., 24 D.o.E. App. Dec. 5 (2005)).

Each case is to be decided on its own merits, keeping in mind that Iowa Code section 282.18, subsection 3B is the one subsection of code in which the Legislature has warned districts and the State Board to act “in the best interest of the affected child.” Where there is doubt, the benefit of that doubt is to be accorded to the child.

17. If a building in the district is closed after March 1, do the students in that building have good cause to open enroll after the deadline?

No. Students do not become eligible for late-filed open enrollment if one of the attendance centers is closed or if there is a change in the school program (e.g., curriculum, courses). However, if an accredited nonpublic school closes after March 1, parents of affected students in the school have the option to open enroll (Iowa Code 282.18, subsection 9, paragraph a, subparagraph (8) as amended by Senate File 2435).

18. When does a student’s open enrollment end?

Open enrollment ends when the student:

- Graduates,
 - Moves into the receiving district,
 - Moves out of state,
 - Moves into another Iowa district and chooses to attend the new resident district,
 - Attends an accredited nonpublic school, or
 - Drops out of school
- Is defined as truant as outlined in Iowa Code 282.18, subsection 11A, and Iowa Code section 299.8

If a student is placed temporarily in foster care, a juvenile detention center, a treatment facility, or similar placement, the open enrollment status will automatically be reinstated when the student returns to the receiving district (281—IAC 17.7(5)“a”). Open enrollment is terminated when the student attends the resident district.

Any student who has been absent from school, for any reason, for at least 20% of the days or hours in a grading period is considered truant (Iowa Code 299.8, as amended by Senate File 2435). If the student is participating in open enrollment and defined as truant, the receiving district school board may terminate the open enrollment agreement AND prohibit the student from re-enrolling in the receiving district. For more information, please see the [Open Enrollment and Truancy](#) section.

19. Does an open enrollment request have to be renewed annually?

No. As long as the receiving district remains the same, open enrollment to that district continues until the student graduates, drops out of school, or until the parent or guardian notifies the district that they desire to terminate open enrollment (Iowa Admin. Code r. 281—17.7(1)).

20. What options are available to an open enrolled student if their parent or guardian moves and their district of residence changes?

If the parent or guardian moves and the move changes the district of residence, the options are to:

- Have the student stay in the current receiving district,
- Open enroll the student to another Iowa district, or
- Enroll the student in the new district of residence in Iowa,² terminating the current open enrollment agreement (Iowa Admin. Code r. 281—17.7(2)).

21. What options are available if an open enrolled student changes residence from one parent or guardian to the residence of a different parent or guardian?

If the student moves from the residence of one parent or guardian to the residence of a different parent or guardian, the student has the option to:

- Attend in the current receiving district,
- Open enroll the student to a different Iowa district, or
- Enroll the student in the new district of residence in Iowa, terminating the current open enrollment agreement (Iowa Admin. Code r. 281—17.7(3)).

22. What is the “Junior/Senior Rule?”

The Junior/Senior Rule allows 11th and 12th grade students who move out of a district to return to the Iowa resident district that they attended during the preceding school year until they graduate, even though they are no longer residents of the district. These students do not have to file open enrollment. This does not apply to students who move out of state (Iowa Code 257.6(4)).

If the student has an IEP, special education law requires the new district to pay tuition. Parents do not complete open enrollment forms, but the new resident district is required to pay tuition. For district coding purposes, the district should code the student as being tuitioned in and select the Junior/Senior Rule indicator.

23. What happens if the application for open enrollment is denied?

The parent or guardian may appeal the open enrollment decision. As a general rule, appeals of open enrollment decisions should be filed as an original court action in [Iowa District Court](#). For additional information, see Questions 24 and 25 and the previous [Appeals Process](#) section.

24. What if my appeal involves pervasive harassment, consistent district failure to respond to my student’s academic failure, or a serious student health condition?

1. A parent or guardian may appeal the resident district’s open enrollment decision to the local board of directors if the application:
 - Claims of repeated student harassment that the resident district cannot adequately address,
 - or
 - The child has a serious health condition that the resident district cannot adequately address (Iowa Code § 282.18, as amended by 2024 Iowa Acts, Senate File 2435).

² As long as the new resident district is in Iowa, the student remains a resident of Iowa.

2. If an application is denied by the local board of directors, the applicant may file an appeal with the Department (for State Board action) within 30 days of the board. For requirements for the State Board appeal letter, see the previous [Appeals Process](#) section.

25. When do I file an appeal with the Department for State Board action?

Appeals should only be filed with the Department for State Board action if the application:

- Has already been denied by the local board of directors and
- Involves one of the following:
 - Claims of repeated student harassment that the resident district cannot adequately address,
 - or
 - The child has a serious health condition that the resident district cannot adequately address (Iowa Code § 282.18, as amended by 2024 Iowa Acts, Senate File 2435).

In these three circumstances, a parent or guardian may file an appeal with the Department (for State Board action) within 30 days of the board decision (Iowa Code § 282.18, as amended by 2024 Iowa Acts, Senate File 2435).

26. Are open enrollment forms public documents?

Yes. As soon as the district has the application in its possession, it becomes public information. However, before releasing the form, districts must remove certain confidential information under Iowa's open records law (Iowa Code § 22.7(1)).

Eligibility and Qualifications

27. May a student who receives private instruction take advantage of open enrollment?

Yes. If a parent or guardian wishes to open enroll their child(ren), they must follow the procedures outlined in the [Application Information and Deadlines](#) section.

28. At what age is a student eligible for open enrollment?

- General education students that are five years or older on or before September 15 are eligible to open enroll for kindergarten through grade 12 (K-12). Kindergarten does not include preschool (In re Colby Miller, 20 D.o.E. App. Dec. 001).
- Students that are younger than five years old only qualify for open enrollment if the student has an individualized educational program (IEP), where the student is eligible to be counted for certified enrollment.
 - A preschooler with an IEP is eligible for open enrollment if services are provided in an early childhood special education program, and they are eligible to be included in certified enrollment (Iowa Code § 282.18(8)).
- Students cannot open enroll into the [Statewide Voluntary Preschool Program \(SWVPP\) for Four-Year-Old Children](#). However, parents may enroll their student in any district in the state that offers the program (resident district does not affect this enrollment) without the need to open enroll.

29. May a student use open enrollment to attend a school district in another state?

No. The open enrollment law in Iowa Code section 282.18 is solely for attendance in Iowa school districts.

30. May a student who was suspended or expelled from one district open enroll into another district?

No. The suspended or expelled student cannot open enroll to another district until their attendance is reinstated in the district that suspended or expelled them (Iowa Admin. Code r. 281—17.6(4)).

31. May a receiving district suspend or expel a student who open enrolled into the district?

Yes. The policies and procedures of the receiving district apply to open enrolled students to the same extent as to resident students. If an open enrolled student is suspended or expelled by the receiving district, the student may not transfer back to the resident district or to an alternative receiving district until reinstated for attendance by the receiving district (Iowa Admin. Code r. 281—17.6(4)).

32. What are the interscholastic athletic eligibility rules for high school students who open enroll?

Students who open enroll in grades nine through 12 are not eligible to participate in varsity contests and competitions during the first 90 school days of transfer (not counting summer school) unless an exception applies allowing immediate eligibility. For additional information on athletic eligibility, see the previous [Athletic Eligibility](#) section.

33. Which district’s rules and policies govern an open enrolled student?

Those of the receiving district. An open enrolled student is governed by the receiving district’s rules and policies. The receiving district is also responsible for providing Postsecondary Enrollment Options (PSEO), alternative education options, Iowa Code section 280.19A, and driver education programs (Iowa Admin. Code r. 281—17.9(7)).

Special Education

34. May a student who requires special education programs or services take advantage of open enrollment?

Yes. The same open enrollment rules apply for students in special education and general education. The proposed receiving district must have an appropriate special education instructional program and adequate classroom space for the student (Iowa Admin. Code r. 281—17.10).

35. Can a receiving district terminate open enrollment of a student newly “staffed” into a special education program?

A receiving district cannot unilaterally terminate the open enrollment of a special education student (or any other student). Open enrollment only ends under the circumstances listed in rule 17.5(5) (see [Question 18](#)).

36. Can a receiving district terminate open enrollment if the district cannot provide appropriate programming for a student?

A receiving district can deny an open enrollment application if it asserts it does not have an appropriate program (subject to procedural protections in rule 281—17.10). However, if the receiving district approves the student’s open enrollment, it cannot be terminated if the district determines it does not have an appropriate placement or related services to meet the student’s needs. In that case, the child’s IEP team must meet and select a new placement. See question number 38 for more information.

37. If a sending district has a special education program that can meet the needs of a student with an IEP, can the application for open enrollment be denied?

No. The appropriateness of the sending district’s placement is not at issue (Iowa Admin. Code r. 281—17.10).

38. Can the receiving district decide to place an open enrolled student with an IEP in a special education program in another district?

No. If the receiving district's program is not appropriate, the receiving district must convene the child's IEP team to select a new placement. If a placement is made in another district, the open enrollment transfers to the receiving district until the original receiving district has an appropriate special education program and the IEP team concurs with the transfer. If a parent disagrees with the decision to place the child in a placement outside of the receiving district, the parent may use any of the special education dispute resolution options (Iowa Admin. Code r. 281—41.507).

39. If transportation is part of a student's IEP, must the receiving district provide the student with transportation?

If transportation is a related service on a child's IEP and the child's parents open enroll the child to another district, the parents waive transportation as a related service (Iowa Admin. Code r. 281—41.412(6)“b”).

40. Can a parent demand that the receiving district create an appropriate program for an open-enrolled student with an IEP?

No. A public school district must maintain and have available a continuum of alternative placements and related services to meet the needs of children with disabilities (Iowa Admin. Code r. 281—41.115). However, the law does not require that the district have all points on the continuum available within district buildings. If the receiving district is not an appropriate placement for the child, the open enrollment request should be denied.

41. Must the resident district be involved in a child's IEP team and placement team decisions?

Yes. The resident district is responsible for the actual cost of the child's special education (Iowa Admin. Code r. 281—17.10(4)). Special education law requires that IEP teams include a public agency representative that is qualified to provide (or supervise the provision of) SDI to meet the child's needs, is knowledgeable about the general education curriculum and the availability of resources of the public agency, and that has the authority to commit such resources (281—IAC 41.321(1)“d,” U.S. Department of Education, Office of Special Education Programs [OSEP], 2000).³

The receiving district is to schedule meetings at a time and place convenient to both the child's parents and the sending district. Please note that the sending district may participate by alternative means, such as through video or telephone conference calls.

If the sending district does not attend in some capacity, the receiving district may make educational decisions but cannot commit to any out-of-district placement. Only the resident district can commit to an out-of-district placement and the sending district must be given an opportunity to participate.

42. If a student under open enrollment is staffed into a special education program during the school year, how is the tuition calculated?

The tuition will be prorated. The receiving district will bill the resident district the per diem amount of the prior year's state cost per pupil for the number of days the student was served prior to implementation of the IEP. Beginning with the day the IEP is implemented, the receiving district will bill the resident district for actual costs of the special education program.

³ U.S. Department of Education, Office of Special Education Programs. (2000). Letter to Cormany (34 IDELR 9). <https://www2.ed.gov/policy/speced/guid/idea/letters/2000-2/cormany052600iep2q2000.pdf>

43. If a student under open enrollment is “placed” in a psychiatric medical institute for children (PMIC) PMIC facility part way through the school year, how is tuition calculated?

The tuition will be prorated. The receiving district will bill the resident district for the days that the student was served under open enrollment but will not bill for the days that the student was in PMIC placement. The district where the PMIC is located will bill the resident district directly for the days that district served the student. The student’s open enrollment status will be temporarily suspended during the PMIC placement; however, their open enrollment status will be reinstated when the student leaves placement and returns to the receiving district.

44. What kinds of situations will result in open enrollment being suspended?

The list is included in rule 281—17.7(5) and covers situations where a child is placed in a facility. This would include situations such as a child being placed temporarily in foster care, a juvenile home (shelter or detention), mental health or substance abuse treatment facility (includes hospitals, mental health institutes [MHIs], PMICs), or similar placements. In such cases, the open enrollment status is reinstated automatically when the child returns to the serving district.

45. If a child is open enrolled to the receiving district and is placed in a PMIC facility, which happens to be located in the receiving district, will the open enrollment status and tuition change?

Yes. The tuition will be prorated between open enrollment tuition and regular tuition for the period of placement. The open enrollment status will be temporarily suspended during the placement and reinstated when the student leaves placement. If the student has an instructional IEP, actual costs are billed to the resident district (regardless of whether the student is under open enrollment or in a PMIC placement).

46. An open enrolled student enters a grade level that is served under the whole grade sharing agreement (in the receiving district), does the student’s tuition switch from open enrollment to whole grade sharing tuition?

No. The student’s open enrollment status continues, and their tuition does not change from open enrollment tuition. The student will not be included in the billing and tuition related to the whole grade sharing agreement. Only resident students not under open enrollment will be included in the negotiated whole grade sharing agreement.

47. An open enrolled student enters a grade level that is served under the whole grade sharing agreement (in his own resident district), what happens to his tuition?

The open enrollment status for this student will be suspended rather than terminated while he is served within his own resident district. The student is not open enrolled during that time period, and no tuition is paid. Open enrollment status is reinstated automatically when the child returns to the serving district.

Online or Virtual School

48. Is there a limit to the number of students that may open enroll (for the primary purpose of online education) per school district or statewide?

No. All district and state caps on the number of students that may open enroll in an approved online school were removed.

49. Which districts may students open enroll to (for the primary purpose of online education)?

Students may open enroll for the primary purpose of online education to any district with an approved online school in the state (see the list of districts with approved online schools on the Department's [Online Learning webpage](#)).

50. Which districts have an approved online school?

The list of districts with approved online schools is available on the Department's [Online Learning webpage](#).

51. May a student open enrolled (for the primary purpose of online education) participate in activities in the resident district?

Yes, for up to two activities. Additional activities are allowed at the discretion of the resident district (Iowa Code § 282.18(12)). For additional guidance, see the [Virtual/Online Education in Iowa guidance](#).

52. What activities can students open enrolled (for the primary purpose of online education) participate in at their resident district?

Students open enrolled for the primary purpose of online education may participate in up to two cocurricular⁴ or extracurricular activities⁵ in their resident district each year (Iowa Code § 282.18(12)). Activities include interscholastic athletics, music, drama, and any other activity with a [General Fund](#) expenditure exceeding \$5,000 annually (Iowa Code § 282.18(7)“b”(2)).

53. My child is open enrolled (for the primary purpose of online education) and wants to participate in vocal music in the resident district both semesters. How is this activity counted?

For this activity (and other cocurricular activities), one semester equals one activity (Iowa Code § 282.18(7)“b”(2)). Participating in vocal music for two semesters equals two activities.

54. Can a student open enrolled to a district without an online school (i.e., open enrolled student is in-person) participate in the resident district activities?

No. Only students open enrolled for the primary purpose of online education may participate in the resident district activities (Iowa Code § 282.18(12)). Please see the list of approved online schools on the Department's [Online Learning webpage](#).

55. Are the eligibility requirements to participate in extracurricular and cocurricular activities different for a student open enrolled for the primary purpose of online education?

No. A student open enrolled for the primary purpose of online education must meet the same eligibility requirements as a resident student to participate in extracurricular and cocurricular activities (Iowa Code § 282.18(12)).

56. If the receiving district failed to provide requested documentation to the resident district for the student (open enrolled for the primary purpose of online education), may the resident district deny the student's participation in an activity?

No. Receiving districts are required to provide resident districts with requested documentation (e.g., grade reports), but the failure of the receiving district to do so does not make the student (open enrolled

⁴ Cocurricular activities: Activities that are outside of, but usually complementing, the regular curriculum.

⁵ Extracurricular activities: School-based activities that are not tied to the curriculum.

for the primary purpose of online education) ineligible to participate in an cocurricular or extracurricular activity.

57. Does the March 1 application deadline for open enrollment still apply for a student open enrolling for the primary purpose of online education?

No (Iowa Code § 282.18, as amended by 2024 Iowa Acts, Senate File 2435).

58. How is funding determined for students open enrolled for the primary purpose of online education? If a student withdraws from the activity, how is funding determined?

The resident district may deduct up to \$200 per activity (for up to two activities per student) from the amount paid to the receiving district (Iowa Code § 282.18(7)“b”(2)). If the student (open enrolled for the primary purpose of online education) withdraws from the activity, the \$200 activity cost is prorated based on the number of days the student participated (Iowa Admin. Code r. 281—17.5(2)).

59. If a student (open enrolled for the primary purpose of online education) has violated the resident district’s rules, may the resident district suspend the student’s participation in extracurricular or cocurricular activities?

Yes. The student (open enrolled for the primary purpose of online education) must comply with the resident district’s eligibility, good conduct, and other requirements relating to the activity, including expectations for conduct and consequences for not meeting those expectations (Iowa Code § 282.18(12)).

60. If a cocurricular activity requires class attendance, is a student (open enrolled for the primary purpose of online education) required to attend the cocurricular class?

Yes. Based on Iowa Code section 282.18, the student will be required to attend the class (e.g., vocal music class for choir concert, band class for band concert, band class for marching band).

61. If a student (open enrolled for the primary purpose of online education) enrolls in a cocurricular music class in the resident district and drops during the first quarter may the student re-enroll during the second quarter?

This is a local district decision.

62. Can a student (open enrolled for the primary purpose of online education) participate in a cocurricular or extracurricular activity in both the resident and the receiving districts?

Yes. Students open enrolled in a virtual school may participate in extracurricular activities in the receiving district and in up to two extracurricular activities in the resident district. The student will be automatically eligible in the resident district. Ineligibility rules apply in the receiving district (Iowa Code § 282.18).

63. May a resident district decline to enroll a student open enrolled for the primary purpose of online education in an extracurricular activity or cocurricular class?

A district may apply the rules it applies to all students who wish to participate in an extracurricular activity or cocurricular class, such as prerequisite courses, skills assessments or tryouts, or class size restrictions. Iowa Code § 282.18(12). In determining whether a student is to be declined participation in an extracurricular activity or cocurricular class, a district may not apply different rules to students who are open enrolled for the primary purpose of online education.

64. Is there a specific age requirement for a student (open enrolled for the primary purpose of online education) to participate in the resident district’s extracurricular or cocurricular activities?

No. A student (open enrolled for the primary purpose of online education) may participate in any resident district-sponsored cocurricular or extracurricular activity offered to students in their grade or group, under the same conditions and requirements as the pupils enrolled in the resident district (Iowa Code § 282.18(12)).

Contacts and Resources

| Open Enrollment Area | Contact(s) | Resources |
|-------------------------------------|---|---|
| General Open Enrollment Questions | Sara Nickel 515-971-7558 or sara.nickel@iowa.gov | Open Enrollment webpage |
| Approved Online Schools Questions | Dennis McClain 515-822-2554 or dennis.mclain@iowa.gov | Online Learning webpage |
| Open Enrollment Billing Questions | Ted Bauer 515-979-5468 or ted.bauer@iowa.gov | |
| Transportation Assistance Questions | Holli Marolf 515-281-5812 or holli.marolf@iowa.gov | Open Enrollment Transportation Assistance webpage |
| Residency Information | Thomas Mayes 515-281-5295 or thomas.mayes@iowa.gov | Student Enrollment & Registration |
| Student Visa Information | Thomas Mayes 515-281-5295 or thomas.mayes@iowa.gov | Student and Exchange Visitor Program webpage |
| Athletic Eligibility Questions | Iowa Girls’ High School Athletic Union (IGHSAU) 515-288-9741 Iowa High School Athletic Association (IHSA) 515-432-2011 | IGHSAU IHSA |

Iowa Code and Administrative Rules

Open Enrollment (Iowa Code § 282.18)

Please use <https://www.legis.iowa.gov/law> and type in 282.18 in the Iowa Code quick search.

Open Enrollment (Iowa Administrative Code 281—17)

Please use <https://www.legis.iowa.gov/law> and type in 281.17 in the Iowa Administrative Code quick search.

Enrollment (Iowa Code § 257.6)

Please use <https://www.legis.iowa.gov/law> and type in 257.6 in the Iowa Code quick search.

Special Education (Iowa Code § 256B.2)

Please use <https://www.legis.iowa.gov/law> and type in 256B.2 in the Iowa Code quick search.

Confidential Records (Iowa Code § 22.7)

Please use <https://www.legis.iowa.gov/law> and type in 22.7 in the Iowa Code quick search.

Tuition (Iowa Code § 282.6)

Please use <https://www.legis.iowa.gov/law> and type in 282.6 in the Iowa Code quick search.