

# Iowa State Board of Education

## Executive Summary

November 19, 2025

**Agenda Item:** Appeal Decision 5225 (In re Open Enrollment of L.L.)

**State Board  
Priority:** Statutory obligation

**State Board  
Role/Authority:** The State Board has the duty to decide this appeal. Iowa Code chapter 290 (2025).

**Presenter(s):** None (consent agenda)

**Attachment(s):** Two

**Recommendation:** It is recommended that the State Board adopt the proposed decision in this matter.

**Background:** On September 19, 2025, this matter was scheduled for a hearing before Administrative Law Judge Rachel D. Morgan. The Appellants failed to appear. Judge Morgan issued a default order on that date, affirming the Appellee's decision to deny open enrollment to L.L. Appellants failed to move to set aside the default order within the time permitted by Iowa Code section 17A.12(3). The default order has become final agency action. The default order will be placed on the Iowa State Board of Education's consent agenda at its November 19, 2025, for adoption as a matter of law. Iowa Administrative Code r. 281-6.6(3).

IN THE IOWA ADMINISTRATIVE HEARINGS DIVISION  
CENTRAL PANEL BUREAU

*In re L.L., a child,*  
Kristina and Luke Larsen,

Appellant,

V.

HARLAN COMMUNITY  
SCHOOL DISTRICT,

Appellee.

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DIA Docket No. 26DOE0004  
DOE Admin Doc. 5225

## DEFAULT DECISION

This matter was set for a telephonic hearing on September 19, 2025 at 9:00 AM on an appeal filed by Kristina and Luke Larsen (Parents) from a decision by the Harlan Community School District to deny their open enrollment application for their son L.L. The Notice of Telephone Hearing provided instructions for the Parents to call in to participate. The Parents did not call in to participate in the hearing at the date and time scheduled. The School District moved for a default judgment.

Pursuant to the Department of Education's rules, if a party fails to appear for a contested case proceeding after proper service of notice, the presiding officer may enter a default judgment.<sup>1</sup> The Parents were sent notice of the hearing via mail and email. The Parents failed to appear at the hearing. The School District's motion for default judgment is granted. The School District's decision to deny the open enrollment application is therefore affirmed.

cc:

Kristina and Luke Larsen, 2007 – 1200th St., Harlan, IA 51537,  
[larsenlady@hotmail.com](mailto:larsenlady@hotmail.com) (By Mail)

Harlan Community School District, 2102 Durant, Harlan, IA 51537,  
[jenny.barnett@hcsdcyclones.com](mailto:jenny.barnett@hcsdcyclones.com) (By Mail)

Rebecca Griglione, Rachel Bosovich, Jennifer Cira-Debban, DOE, (by AEDMS)

<sup>1</sup> 281 Iowa Administrative Code § 6.3; Iowa Code §17A.12(3)

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### **SETTING ASIDE DEFAULT JUDGMENT**

Iowa Code § 17A.12(3). If a party fails to appear or participate in a contested case proceeding after proper service of notice, the presiding officer may, if no adjournment is granted, enter a default decision or proceed with the hearing and make a decision in the absence of the party. The parties shall be duly notified of the decision, together with the presiding officer's reasons for the decision, which is the final decision of the agency, unless within fifteen days, or such period of time as otherwise specified by statute or rule, after the date of notification or mailing of the decision, further appeal is initiated. If a decision is rendered against a party who failed to appear for the hearing and the presiding officer is timely requested by that party to vacate the decision for good cause, the time for initiating a further appeal is stayed pending a determination by the presiding officer to grant or deny the request. If adequate reasons are provided showing good cause for the party's failure to appear, the presiding officer shall vacate the decision and, after proper service of notice, conduct another evidentiary hearing. If adequate reasons are not provided showing good cause for the party's failure to appear, the presiding officer shall deny the motion to vacate.

**Case Title:** IN RE: OPEN ENROLLMENT OF L.L., A CHILD BY KRISTINA  
AND LUKE LARSEN, APPELLANTS V. HARLAN COMMUNITY  
SCHOOL DISTRICT, RESPONDENT

**Case Number:** 26DOE0004

**Type:** Order

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Rachel D Morgan". The signature is written in a cursive, flowing style.

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Rachel Morgan, Administrative Law Judge

**BEFORE THE IOWA STATE BOARD OF EDUCATION**

In re Open Enrollment of L.L., a child,	)	
Kristina Larsen & Luke Larsen,	)	
	)	
Appellants,	)	Case No. 26DOE0004
	)	DE Admin Doc. No. 5225
vs.	)	
	)	FINAL DECISION
Harlan Community School District,	)	
Respondent.	)	

On September 19, 2025, the administrative law judge issued a default order, after the Appellants failed to appear for the scheduled hearing. The time to set aside the default order having passed, the default order affirming the Respondent’s decision is final agency action. The proposed decision is adopted, as written. *See* Iowa Code § 17A.12(3); Iowa Admin. Code r. 281-6.6(3). PROPOSED DECISION ADOPTED; RESPONDENT’S DECISION AFFIRMED.

**This is final agency action in a contested case proceeding.**

**Any party that disagrees with the Department’s decision may file a petition for judicial review under section 17A.19 of the Iowa Administrative Procedure Act. That provision gives a party who is “aggrieved or adversely affected by agency action” the right to seek judicial review by filing a petition for judicial review in the Iowa District Court for Polk County (home of state government) or in the district court in which the party lives or has its primary office. Any petition for judicial review must be filed within thirty days of this action, or within thirty days of any petition for rehearing being denied or deemed denied.**

Dated: November 19, 2025

Iowa State Board of Education, by:

John Robbins, President

CC by certified mail to parties and counsel