

TELEPHONIC HEARING OCTOBER 16, 1995

In re Alicia Shaffer
Teri Shaffer, Appellant
v.
E. Buchanan Community School District, Appellee
Mr. James Zimmerman, Supt.

HEARING PANEL: Ms. Sharon Willis and Dr. David Alvord, Bureau of Planning, Research and Evaluation; Ann Marie Brick, J.D., legal consultant and designated administrative law judge, presiding.

Authority and jurisdiction are found in Iowa Code chapter 282.18(5) and Iowa Administrative Code chapter 6. Teri Shaffer, Appellant and the mother of Alicia Shaffer, was represented at the hearing by her husband, Daniel Dwayne Shaffer. Alicia currently attends "junior kindergarten" in Independence, Iowa. Mr. Shaffer stated the reason for the appeal was due to busing. Alicia's siblings, Amy and Adam, both attend Independence Community School District, under open enrollment. All of the children require special classes.

Amy is 13 years old; Adam is 10. The older children ride a bus to Independence daily. However, the District's Board has made the decision after January 15, 1996, open enrollment students will not be bused. Stipends for transportation will be paid for open enrollment students of low income families. Letters were sent out to the parents making them aware of the fact busing would no longer be provided for the older children either.

Alicia attends pre-kindergarten for half days, from 8:15 a.m. until 11:10 a.m., five days a week. The Shaffers have the forms to open enroll her for the 1996-97 school year to Independence for kindergarten.

Mr. James Zimmerman, Superintendent, has been in that position for two years; he was the elementary principal for 10 years. Mr.

Zimmerman stated there is no problem with Alicia attending Independence as a kindergartener. Mr. Shaffer is aware that the paperwork has to be completed again since it was denied for the 1995-96 school year. The local district has absolute authority to make the decision regarding busing for open enrollment students.