

IOWA STATE DEPARTMENT  
OF EDUCATION  
(Cite as 19 D.o.E. App. Dec. 244)

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<i>In re Transportation Route For</i>	:	
<i>Students in Regency Manor</i>	:	
<i>Mobile Home Park</i>	:	
Sioux City Community School	:	
District, Appellant,	:	
v.	:	RULING ON MOTION
 	:	FOR LEAVE TO
 	:	INTERVENE
Western Hills Area Education Agency,	:	
Appellee.	:	[Adm. Doc. # 4343]

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Appellant, through its attorney, filed an affidavit of appeal in the above-captioned matter with the Director of the Department of Education on March 22, 2001, requesting that Appellee's decision of March 19, 2001, be reversed.

Also on March 22, 2001, the parents of the affected students, through their attorney, filed a Motion For Leave to Intervene. This Motion states, in pertinent part, as follows:

- ...
2. Pursuant to Iowa Code section 285.12, the District is appealing from a decision of the Western Hills Area Education Agency Board of Directors (WHAEA) rendered on March 19, 2001.
  3. Raquel Ramirez, Connie Orozco, Rogaciano Hernandez, Angela Reyes, Tirzo and Alma Soto, Mardonia Serrato, and Juan Villagomez are parents of students who reside at Regency Mobile Home Park and attend McKinley Elementary School in Sioux City, Iowa.
  4. The movants are patrons of the District and filed Affidavits of Appeal to the WHAEA requesting the District's decision to discontinue busing to their children be reversed.
  5. Intervention of the movants would not unduly prolong the proceedings or otherwise prejudice the rights of existing parties.
  6. The movants are the persons likely to be aggrieved or adversely affected by the final order in this proceeding.

7. The interests of the movants are not adequately represented by existing parties.

...

(Motion for Leave to Intervene, March 22, 2001.)

Appellee has not resisted the Motion to Intervene. Pursuant to 281 Iowa Administrative Code 6.5(3), the movants have demonstrated that:

- (a) intervention would not unduly prolong the proceedings or otherwise prejudice the rights of existing parties;
- (b) the movants are likely to be aggrieved or adversely affected by a final order in the proceeding; and
- (c) the interests of the movants are not adequately represented by existing parties.

The Motion For Leave to Intervene is granted. The caption regarding the above-entitled matter shall be as it appears on this Ruling. Intervenors' request to keep the parents' cases consolidated is granted.

IT IS SO ORDERED.

3-28-2001  
DATE

Susan E. Anderson  
SUSAN E. ANDERSON, J.D.  
ADMINISTRATIVE LAW JUDGE