

This following is provided by the Sioux Falls School District as an informational and Q & A document to assist community members in understanding Open Enrollment, Grandfathering, and other related topics

General Guidance for Students on Grandfathering/Open Enrollment/Specialty Schools

Home Attendance Center (HAC): The schools assigned to the attendance area in which a student’s parent/legal guardian resides.

“GRANDFATHERING”

All current 2020-2021 classified juniors who are also part of the 2022 graduation cohort whose HAC is being changed beginning at the start of the 2021-2022 school year. This group has been given the option by the Sioux Falls School District School Board to remain enrolled in their 20-21 HAC for the 21-22 school year as long as they return the District form that was sent to them in early November indicating they wished to remain based on the “grandfathering” agreement. The form indicating this is required to be submitted to IPC by December 1, 2020. As of December 2nd, this option will no longer be available. Each of these students also have the option to attend their new HAC High School (HS) or apply for open enrollment to a different school.

OPEN ENROLLMENT

1. **Current Open Enrolled Students:** If your child is currently open enrolled to a school, their Open Enrollment will be honored. This means if they currently attend the school on an approved Open Enrollment, they do not need to reapply to remain at the school.
 - a. An open enrollment is typically ended only when:
 - i. The student moves or changes residence (not a boundary change, an actual move or change of their legal residence)
 - ii. The student is unenrolled and are asking for re-enrollment
 - iii. The family asks to end the Open Enrollment
 - b. In each case that results in “ending” an open enrollment, the student/family must reapply for the open enrollment and the application will be considered based on all the same criteria as a new application.
2. **New Open Enrollment Requests:** (December 1st either online or in person)
 - a. The Open Enrollment online application link will be available starting December 1st at 7:30 AM on the SFSD website under Parent’s tab/School Registration, Enrollment & Bussing tab.
 - b. Paper applications are also available and can be dropped off at IPC starting December 1st at 7:30 AM.
 - c. The open enrollment options program is a choice or privilege created by the legislature in SDCL Chapter 13-28. It allows any SD K-12 student to attend any public school, in any SD public school district (SDCL 13-28-40). A request must be granted unless a transfer would result in an inability to provide a quality educational program based on certain criteria (SDCL 13-28-41). The only criteria a school district may consider is the capacity of a school building, grade level, class, or program and the pupil/teacher ratio (SDCL 13-28-44). Decisions are subject to de novo review by the Circuit Court.

SPECIALTY SCHOOLS

Students in MS/HS Specialty Programs: Students will be placed at specific schools based on programs that they are approved to be enrolled in through district processes. If a student/family elects to end their enrollment in a specialty program, they will attend their HAC school or apply for Open Enrollment to a different school. When a program concludes at the end of elementary or middle school and the program is not a continuous program at the next level, the student will return to their HAC for enrollment purposes the next year.

1. **MS Spanish Immersion:** This program will be located at Edison MS for the 21-22 school year. At the conclusion of the student's 8th grade year, or if a student ends their enrollment in the MS Spanish Immersion program, their enrollment will return to their HAC.
2. **HS Spanish Immersion:** This program will be located at Lincoln HS for the 21-22 school year. If a student ends their enrollment in the HS Spanish Immersion program, their enrollment will return to their HAC.
3. **MS Honors Program:** This program will be located at Patrick Henry MS for the 21-22 school year. At the conclusion of the student's 8th grade year, or if a student ends their enrollment in the MS Honors program, their enrollment will return to their HAC.
4. **New Tech High School:** This program will be located at Jefferson HS for the 21-22 school year. If a student ends their enrollment in the New Tech HS program, their enrollment will return to their HAC.

OPEN ENROLLMENT SCENARIOS Q AND A

There will be many scenarios of Grandfathering, Open Enrollment, and Sibling Priority, that will be impacted with boundary changes. See below for a few different scenarios.

- 1) **Currently Open Enrolled Students:** Tommy open enrolled to WHS as a 9th grade student from their HAC, RHS. Tommy is now a 10th grade student for the 20-21 school year and will be a Junior during the 21-22 school year. Their HAC will be changed to LHS due to the boundary changes.

Q: What options does this student have for their Senior year?

A: The student can continue to attend WHS because they are already attending under an approved open enrollment, the student can apply for open enrollment to another school, or the student can attend their new HAC, LHS.

Q: Do I need to reapply for Open Enrollment to stay at WHS?

A: No, if you are approved for an open enrollment to a specific school, the District will continue to honor that open enrollment and you do not need to reapply. The District must, by law, honor all approved open enrollments; therefore, this student can continue their open enrollment status at WHS or attend their new HAC, LHS.

- SDCL 13-28-43 states: "Once enrolled in a nonresident district or nonassigned school, the student may remain enrolled and is not required to resubmit annual applications."

Q: What about any younger siblings that want to open enroll to WHS? Is there priority for them?

A: Yes, siblings get priority in Open Enrollment over others that also apply who do not have a sibling at the school, but it is still based on available space at the school.

- Policy JCA-R reads: Open Enrollment Applications will be acted upon in the order they are received; however, if the applicant is a sibling of a student accepted into and currently enrolled in the District through open enrollment, that student's application shall be given priority consideration. Decisions to accept or reject open enrollment requests will be based on the criteria in the "Open Enrollment Application Standards" section of this regulation.

- 2) **Underclassman Options if Their Boundaries Change:** Karen is enrolled at LHS. LHS is her 20-21 HAC. Karen will be a Junior for the 21-22 school year when the new boundaries take effect. Her new HAC will change to RHS.
- Q:** What options does this student have for their Junior year?
- A:** Karen can attend her new HAC, which is RHS, she can apply for open enrollment requesting to remain at LHS or apply for open enrollment to another school.
- Q:** Is she grandfathered to stay at LHS for her Junior year?
- A:** No, she is not grandfathered since she will be a Junior. “Grandfathering” is only an option for 21-22 Seniors who are part of the 2022 cohort.
- 3) **Grandfathering for Current Juniors/To Be Seniors (21-22):** Kevin is a currently a Junior at RHS and will be a Senior during the 21-22 school year. Kevin’s HAC for 20-21 is RHS and for the 21-22 school year it will be changed to Jefferson HS.
- Q:** What options does this student have for their Senior year?
- A:** If Kevin desires to stay at RHS, he can complete the “grandfathering” document and return the document to IPC by December 1, 2020, he can attend his new HAC, JHS, or apply for open enrollment to a different school.
- 4) **Siblings of “Grandfathered” Current Juniors/To Be Seniors:** Mary is a currently a Junior at RHS and will be a Senior during the 21-22 school year. Mary’s HAC for 20-21 is RHS and will be changed to JHS beginning the 21-22 school year. Mary has completed the “grandfathering” form and returned that to stay enrolled at RHS. Mary has a sibling also attending at RHS in 10th grade, and another in 8th who will be entering high school for the 21-22 school year.
- Q:** What options does this student’s siblings have to attend RHS?
- A:** Whether the sibling is currently attending RHS or will be just entering high school, either way, the sibling will need to complete an open enrollment application for RHS if they wish to attend, or remain attending, with the grandfathered sibling, or they can attend their new HAC, JHS.
- Q:** Is there priority for the sibling to open enroll to RHS?
- A:** In the case that the Senior sibling is attending RHS due to “grandfathering”, the younger sibling(s) applying for open enrollment would not get sibling priority, as the Senior sibling is not attending RHS through open enrollment, but through the “grandfathering” option given to them by the Board.
- 5) **Specialty Schools:** Jodi is currently a 6th grade student in the Edison MS Honors program located at Edison MS and will be a 7th grade student for the 2021-22 school year.
- Q:** What options does Jodi have for her 7th grade year?
- A:** If Jodi desires to stay in the Honors Program, she will be allowed; however, the program will now be located at Patrick Henry MS for the 21-22 school year. Jodi can also decide not to remain in the MS Honors Program and can return to her HAC or apply for open enrollment to a different school.
- Q:** What happens when Jodi becomes a 9th grade student after finishing her 8th grade year in the MS Honors Program?
- A:** Jodi can go to her HAC or apply for open enrollment to a different school.