

RESOLUTION ON SCHOOL DISTRICT STANDARDS FOR ACCEPTANCE OR REJECTION OF OPTION ENROLLMENT APPLICATIONS

WHEREAS, Southwest Public Schools is committed to providing an education of high quality to its students in an economically efficient manner; and

WHEREAS, the school district's faculty, facilities, and equipment can serve only a limited number of students effectively; and

WHEREAS, the Board of Education, in consultation with the administration, has reviewed the school district's faculty, facilities, equipment, interdisciplinary efforts and interrelationships of grades, subjects, and faculty; and has determined the maximum number of students it can serve effectively at any given grade level and in total;

NOW, THEREFORE BE IT RESOLVED that the board adopts the following standards for acceptance or rejection of option enrollment applications:

Special Education Capacity. Capacity for special education services will be determined on a case-by-case basis. If an application for option enrollment received by the school district indicates that the student has an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or has been diagnosed with a disability as defined in section 79-1118.01, the application will be evaluated by the director of special education services or the director's designee who must determine if the school district and the appropriate class, grade level, or school building has the capacity to provide the applicant the appropriate services and accommodations. The Federal Educational Rights and Privacy Rights Act (FERPA) (20 U.S.C. § 1232g) permits the release of education records when a student seeks or intends to enroll in a different school district.

Numeric Capacity. The capacity in the following grade levels, programs, classes, and/or school buildings is as follows:

- Grade Level Numeric Capacity:
 - Kindergarten through 3rd Grade: 20 students in each grade
 - 4th Grade through 6th Grade: 25 students in each grade
 - 7th Grade through 12th Grade: 30 students in each grade

Other Standards. The school district shall not accept an option student when acceptance of the student:

- (a) Would increase the operating costs of the school district, such as by requiring the hiring of new staff or contracting with outside entities to provide services to the student;
- (b) Would require the procurement of new equipment, technology, or furnishings;
- (c) Would cause or require the rearrangement of caseloads for staff and contracted professionals;
- (d) Is reasonably deemed by appropriate school staff to pose a potential risk to the health or safety of students or staff;
- (e) May pose a risk of adversely affecting the quality of educational services being provided to resident students, as determined by appropriate school staff.

After the above resolution was read, board member Duane moved for passage of the motion. Board member Koepping seconded the motion. After discussion, and on roll call vote, the following members voted in favor of the motion: Duane Teter, Jason Kloepping, Brooke Brooks, and Jason Neseth.

The following members voted against the motion:

The following members did not vote: John O'Dea, Jenni McConville

Having been consented to by a majority of the voting members, the board president declared the motion to have been passed and adopted.

Dated this 9th day of October, 2023.



President, Board of Education