

566 - PUBLIC SCHOOL OPEN ENROLLMENT

NONRESIDENT OPEN ENROLLMENT PUPILS

SELECTION CRITERIA

No later than January 31 of each school year the District Administrator or his/her designee will report to the School Board the space available for next school year in the schools, programs, classes and grades of the district for open enrollment students. The process and criteria as outlined below shall be utilized by the District Administrator or his/her designee in determining if space is still available.

A nonresident pupil may apply for full-time enrollment in a district school or program under the open enrollment program. Applications will be accepted and acted upon in accordance with procedures and time lines specified in state law. The district shall consider the following criteria when accepting or rejecting a nonresident pupil's application for full-time enrollment:

1. Preference will be given to applications to any nonresident pupils attending school in the district and their siblings.
2. The district will consider the availability of space in the schools, programs or grades within the school district. Considerations will include:
 - a. class size limits
 - b. pupil-teacher ratios
 - c. nonresident pupils currently attending district schools whose tuition is paid by other districts
 - d. enrollment projections
 - e. in-district transfers
3. The district will not accept a pupil who has been expelled by a school district during the current school year or preceding two school years for conduct specified in the law or who has disciplinary proceedings pending on such conduct. Conduct specified in the law includes endangering the health, safety, or property of others, conveying or causing to be conveyed a bomb threat involving school property, and possessing a dangerous weapon as defined in s. 939.22(10), while at school or under the supervision of a school authority.
4. If any of the above disciplinary actions occur after initial acceptance of the pupil and prior to the pupil starting school in the district, enrollment will be denied to the nonresident pupil.
5. If the student is an applicant for preK, 4 year-old kindergarten, early childhood, or a school-operated day care program resides in a district which offers the program for which application is made.
6. Additional considerations for children with disabilities include:
 - a. if the special education and related services required by the pupil's individualized education program (IEP) are available in the district.
 - b. if there is space available in the special education program identified in the pupil's IEP, including any class size limits, pupil-teacher ratios, state enrollment guidelines, or enrollment projections.

- c. if the nonresident pupil's IEP changes after the pupil begins attending the district and the special education program or related services required by the IEP are not available in the district or if there is no space available in the program identified in the IEP, the pupil will be returned to the district of residence.
 - d. all reimbursement will be in accordance to related state statutes
7. If the pupil has been reported or identified as having a possible disability, but has not yet been evaluated pursuant to state and federal requirements, the pupil will not be accepted for enrollment until an IEP is in place. At that time, the above considerations will apply.
 8. If the district received more nonresident applications for a particular grade, program, or school than there are spaces in the grade, program, or school. The selection procedure shall be as follows:

Assign a number to each application and place the numbers in a container in the presence of at least one other staff member, conduct a blind drawing of the numbers and list each number chosen in the order they are drawn. The drawing is to continue until all numbers have been drawn.

The district will establish a waiting list for those applications which exceed the number of available seats. Non-resident students placed on the waiting list will be assigned numbers according to the blind drawing of applicants as established in the selection procedure listed in this policy. If space becomes available, students will be accepted from the list according to the acceptance and rejection selection criteria listed in this policy. Wait list applicants will be notified of an opening as soon as possible but no later than the third Friday in August. If a student from the waiting list is accepted, the parent will be notified by mail. That notification of acceptance shall include a written notice that the student has been accepted from the waiting list and the school or program to which the student will be assigned.

Notice of acceptance from the parent must be received within (10) days from the notice of selection, but in no case shall such notice be accepted after the first day of the school year. In the case that a parent should not respond with a notice of acceptance within (10) days of the notice of selection, the acceptance will be rescinded and the space will be offered to the next applicant on the waiting list.

Non resident pupils enrolled under this policy must reapply for enrollment prior to entering middle school in the district.

Transportation

The parents of nonresident pupils will be responsible for transportation of the pupil to and from district schools.

Transportation for special education students will be in accordance to state law. (Wis Statute 121.54(3).)

Responsibilities

Nonresident open enrollment pupils attending school or classes in the district are subject to the same rules and regulations as resident pupils.

If the nonresident school district determines that an open enrolled student is habitually truant from the nonresident district during either semester in the current school year, the district may prohibit the student from attending the nonresident district in the succeeding semester or school year. [Wis. Stats. § 118.51 (11)]

Reapplication

Nonresident pupils enrolled under this policy must reapply for enrollment in middle school in the District.

Class Size Limits

Class size limits to determine eligibility to accept non-resident student applications are as follows:

- Portage High School – 240 students per grade level
- Bartels Middle School – 200 students per grade level
- All Elementary Schools - K: 18 students per class
 - 1: 19 students per class
 - 2: 20 students per class
 - 3: 23 students per class
 - 4: 24 students per class
 - 5: 25 students per class

Resident Open Enrollment Pupils

Full-time

Resident pupils may apply for full-time enrollment in another public school district in accordance with state law. The number of pupils permitted to enroll in another public school district will be limited as authorized by state law. If the district receives more applications than will be allowed under this section, acceptance will be determined by random selection. Preference will be given to pupils already attending public school in the district to which they are applying and their siblings.

Students with Disabilities

Class size limits for students with disabilities will be determined based on the disability area, the level of need for the individual student and the Department of Public Instruction’s recommendations for determining appropriate caseloads.

General Provision

The District's policy 165 - Affirmation Action Policy shall apply to all applicants under this program. In addition, the District will not discriminate on the basis of an applicant's intellectual, academic, artistic, athletic, or other ability, talent, or accomplishment, or based on a mental or physical disability, except as provided for in the statute authorizing this program.

- LEGAL REF.: Section 118.13, Wisconsin Statutes
Section 118.51, Wisconsin Statutes
Section 118.52, Wisconsin Statutes
Section 121.54(10) Wisconsin Statutes
Section 121.58(2)(a) Wisconsin Statutes
Chapter 115, Subchapter V, Wisconsin Statutes

**DISTRICT PROCEDURES FOR
DEALING WITH PUBLIC SCHOOL OPEN
ENROLLMENT APPLICATIONS**

A. Nonresident Pupil Open Enrollment

**Applications 1. Full-time
Enrollment**

- a. The parent(s)/guardian(s) of a nonresident pupil who wishes to attend school in the district shall submit the required application to the school board at the District Registrar's office. The application must be picked up and must be returned to the District Registrar's office. The application may include a request to attend a specific school or program offered by the district. Parent(s)/guardians(s) are strongly encouraged to complete the application directly on the Department of Public Instruction's website during the application window. The application shall be submitted no earlier than the first Monday of February and not later than April 30th or the work day immediately prior in the school year immediately preceding the school year in which the pupil wishes to attend. The district shall enter the application information on the Department of Public Instruction's website by May 1st.

- b. Upon receipt of the application, it will be forwarded to the District Administrator or his/her designee for review and recommendation. All applications shall be reviewed using the acceptance/rejections criteria outlined in school board policy. The District Administrator or his/her designee shall submit recommendations regarding acceptance or rejection of applications to the school board for action. No action shall be taken on any application until after April 30th.

- c. No later than the first Friday following the first Monday in June, following receipt of the application, the applicant shall be notified, in writing, of whether the application for admission to the district has been accepted or denied. If the application is rejected, the notice shall include the reason(s) for the rejection. If the application has been accepted by the district, and not rejected by the pupil's resident school board, the District Administrator or his/her designee will determine which school or program the nonresident pupil may attend in the following year. This determination shall be made in consultation with other appropriate staff and in accordance with established district policies and procedure. On or before the first Friday following the first Monday in June, following receipt of the application, the applicant shall be notified, in writing, of the specific school or program that the pupil may attend in the following school year.

**DISTRICT PROCEDURES FOR DEALING
WITH PUBLIC SCHOOL OPEN ENROLLMENT
APPLICATIONS (continued)**

- d. The nonresident pupil's parent(s)/guardian(s) shall notify the school board of the pupil's intent to attend school in the district in the following school year. This must be done on or before the last Friday in June following receipt of the notice of acceptance.

Annually by the first Monday in July, the resident district school boards shall be notified of the names of the pupils from the nonresident district who will be attending school in the district the following school year.

B. Resident Pupil Open Enrollment Applications

1. Full-Time Enrollment

- a. Upon receipt of a copy of a resident pupil's application to attend a school or program in another public school district, school office staff shall forward it to the District Administrator or his/her designee for review and recommendation.
- b. All applications shall be reviewed using the criteria outlined in board policy. The District Administrator or his/her designee shall submit recommendations regarding acceptance or rejection of applications to the school board for action. If the application is rejected, the applicant and the nonresident school board shall be notified, in writing, that the application has been rejected. This notification shall be made on or before the second Friday following the first Monday in June. The notice shall include the reason(s) for the rejection.

C. Appeal of Rejection

If an application for enrollment is rejected as outlined above, the pupil's parent(s)/guardian(s) may appeal the decision to the DPI within 30 days after the decision.

D. Alternate Application Procedures

The parent(s)/guardian(s) of a non-resident student who wishes to attend a school in the District may apply at any time throughout the year by submitting an application under the alternative application procedure if the pupil satisfies at least one of the statutory criteria and has not applied to more than three non-resident school districts.

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