

DE SOTO AREA SCHOOL DISTRICT

423

PUBLIC SCHOOL OPEN ENROLLMENT

If the Board of Education determines that there is space available in its schools, classes, and/or programs, it shall allow nonresident students who qualify to enroll in the District through the open enrollment program. The Board shall also permit resident students to enroll in another district. This open enrollment program shall be administered in accordance with state law and established policy and procedures.

DEFINITIONS

The following definitions shall apply to the District's open enrollment policy and procedures.

- Nonresident district - A school district other than a student's resident school district, that the student is attending or has applied to attend under the open enrollment law.
- Nonresident student - A student who is a legal resident in or otherwise legally entitled to attend school in another school district and who seeks admission to this District under the open enrollment program.
- Full-time enrollment - A student is enrolled for the entire school day and receives all of his/her required education through the district of enrollment.
- Part-time enrollment - Limited to high school students who may participate in no more than two courses offered by another district.
- Class size - Unless otherwise stated in the terms of a collectively-bargained, negotiated agreement, the District's determination of the maximum number of students who can be accommodated properly in a particular classroom without jeopardizing the quality of the instructional program for a particular school, class, or program.
- Program size - The enrollment or size restrictions in a specific program within a class or building. The District

reserves the exclusive right to establish program size and to limit enrollment based upon the capability to properly allocate available resources, create and maintain a proper learning environment, and comply with contracts, grants, and applicable laws and regulations.

- Resident student - A student who is a legal resident of this District and is consequently entitled to attend school in this District.

FULL-TIME OPEN ENROLLMENT - NONRESIDENT STUDENTS

The District shall consider the following criteria when accepting or rejecting a nonresident student's application for full-time open enrollment:

- A. The availability of space in the schools, programs, and classes, which may be based on class-size limits, student-teacher ratios, enrollment projections established by the Board, and the number of students currently attending District schools whose tuition is paid by another school district and students applying for open enrollment who are already attending public school in the District, and their siblings.
- B. Criteria for Nonadmission

Enrollment may not be available to any nonresident student who meets one or more of the following criteria.

1. The student has been expelled from school by any school district during the current or two preceding school years for any of the following reasons or a disciplinary proceeding involving the student, based on any of the following reasons, is pending:
 - a. conveying, or causing to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives;
 - b. engaging in conduct while at school or while under supervision of a school authority that endangered the health, safety, or property of others;

- c. engaging in conduct while not at school or while not under the supervision of a school authority that endangered the health, safety, or property of others at school or under the supervision of a school authority or of any District employee or Board member;
- d. possessing a dangerous weapon while at school or while under the supervision of a school authority.

The Board may request a copy of a nonresident student's disciplinary records from the resident school board. The District Administrator shall make the decision based on the circumstances involved and may inform the parent/guardian of non-acceptance for any of the above-stated reasons any time prior to the beginning of the school year. If any of the above disciplinary actions occur after initial acceptance of the student and prior to the student starting school in the District, the District will deny the enrollment of the nonresident student.

The District may also deny the enrollment of any student who has been expelled from another school district, no matter what the reason for the expulsion, during the term of the student's expulsion.

2. The special education program or related services described in the child's individualized education program (IEP) is not available in the District or there is no space available in the appropriate special education program.

If a nonresident student's IEP changes after the student begins attending the District and the special education program or services required by that IEP are not available in the District or there is no space available in the special education program identified in the IEP, the District will discontinue allowing the student to attend school in the District.

3. The child has not been properly screened by his/her resident school district to determine if there is reasonable cause to believe that the child is a child with a disability, or the child has been reported or identified by his/her resident school district but not

yet evaluated by an IEP team appointed by the resident district.

If the number of applications for admission from nonresident students exceeds the number of available enrollment opportunities, nonresident students shall be selected for admission using a random selection process established by the District Administrator. The District shall give preference in accepting full time enrollment applications to any nonresident students already attending school in the District and their siblings. The District may establish a numbered waiting list of applicants for full-time open enrollment. Parents/guardians of full-time open enrollment applicants accepted from the waiting list shall be notified in accordance with established procedures.

The Board shall require elementary nonresident open enrollment students attending school in this District to reapply prior to entering middle school and shall require middle school nonresident open enrollment students to reapply prior to entering high school. No student shall be required to reapply more than once.

Parents/guardians of nonresident students accepted for full-time open enrollment shall be responsible for transporting their child to the school the child will attend, or to a scheduled in-District bus stop. The District shall provide transportation to and from such stops. The District shall provide transportation to nonresident, special education students whose IEP so specifies or is required under state law.

FULL TIME OPEN ENROLLMENT - RESIDENT STUDENTS

Resident students may apply for full-time enrollment in another public school district in accordance with state law.

The District shall deny attendance in another school district if costs of special education services required in the student's IEP would place an undue financial burden on the District. (If such attendance is approved, the District shall pay the nonresident district special education tuition as outlined in state law.)

If a resident student's IEP changes after the student begins attending a nonresident school district and the costs of the special education program or services required by the IEP

would place an undue financial burden on the District, the District may discontinue allowing the student to attend school in the nonresident district.

The District Administrator shall ensure that the records of a transferring resident student are sent promptly to the receiving school district.

The District shall not provide transportation to resident students participating in the full-time open enrollment program.

PART-TIME OPEN ENROLLMENT - NONRESIDENT STUDENTS

The Board of Education shall allow nonresident high school students who qualify, to enroll as part-time students in not more than two courses offered by the District.

The District shall use the same criteria for accepting or rejecting applications for part-time open enrollment of nonresident students as are used for District students, except that the District shall give preference in enrollment to resident students.

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Parents/guardians of nonresident students accepted for part-time open enrollment shall be responsible for transporting their child to the school the child will attend, or to a scheduled in-District bus stop. However, such students may request contract with the District for transportation services under state law.

PART-TIME OPEN ENROLLMENT - RESIDENT STUDENTS

District high school students may apply for enrollment in no more than two courses in other public school districts in accordance with state law.

The District shall reject a student's application to attend a course(s) in another public school district if the course conflicts with the student's IEP.

The District may reject a student's application if enrollment in the course would create an undue financial burden on the District.

If any application for enrollment is rejected as outlined above, the student's parent(s)/guardian may appeal the

decision to the department of public instruction within 30 days after the decision.

LEGAL REF: Chapter 115, Subchapter V
Sections 118.13 Wisconsin Statutes
118.51
118.52
PI 36, Wisconsin Administrative Code

CROSS REF.: 423-Rule, Procedures for Public School Open
Enrollment
342.1, Programs for Students with Disabilities
345.6, Graduation Requirements
347, Student Records
411, Equal Educational Opportunities
412, Full Time Students
420, School Admissions
Special Education Policies and Procedures
Handbook

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