

**ADMISSION OF FULL-TIME NONRESIDENT STUDENTS UNDER
WISCONSIN'S OPEN ENROLLMENT PROGRAM**
(Inter-District)

The Board of Education has determined that it shall allow nonresident students residing within the State of Wisconsin, and who qualify, to enroll in the district through an open enrollment program during the forthcoming school year.

I. DEFINITIONS

The following definitions will apply to the District's Open Enrollment Program.

A. Nonresident District

A school district located in Wisconsin which is not a student's district of residence.

B. Nonresident Student

A student who is a legal resident or otherwise legally entitled to attend school in another school district in Wisconsin who seeks admission to this District under the Open Enrollment Program.

C. Tuition Student

A nonresident student who is a resident of the State of Wisconsin and tuition is being paid in accordance with statute.

D. Full-time Enrollment

Refer to Policy 412.1 – Full-Time Students

A student is enrolled for the entire school day and receives all of his/her required education in this district.

E. Part-time Enrollment

Limited to high school students who may participate in no more than two (2) courses offered by this district.

F. Class Size

The district's determination of the maximum number of students who can be enrolled in a particular classroom without jeopardizing the quality of the instructional program. Mitigating circumstances for a particular school, class, or program, including enrollment projections established by the District Administrator or his/her designee may be considered in establishing the limit.

G. 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.

H. Resident Student

A student who is a legal resident of the Waunakee Community School District and is consequently entitled to attend school in this district in accordance with policy.

II. ENROLLMENT OF NONRESIDENT STUDENTS

A.

1. The superintendent or his/her designee shall determine, before acting on any applications, the availability of openings for nonresident students based on the established maximum number of students that can be accommodated in each school, class, and program for which there are applications. The availability of space in the schools, programs, and classes may be based on class size limits, student-teacher ratios, students attending the district for whom tuition is paid under 121.78(1)(a), and enrollment projections established by the district administrator or his/her designee.

The superintendent or his/her designee shall establish guidelines for the analysis of the applications to determine the grades and programs for which there are applications and for making the determination as to which grades and programs applications can be accepted.

CHANGE IN STATUS (CWD)

2. Should the nonresident CWD student's IEP change substantially after being accepted under this enrollment policy, he/she shall be returned to his/her district of residence. Status change includes a change in CWD programs or plans which calls for a program(s) not currently offered in the district, or a change to a program where no space is available.

- B. The Board may require nonresident students who first attend school in this district in grades kindergarten through fourth under this policy to reapply for admission prior to entering fifth grade. The Board may require nonresident students who first attend school in this district in grades fifth through eighth to reapply for admission prior to entering ninth grade.

- C. If the number of applications for admission from nonresident students exceeds the number of available enrollment opportunities. A waiting list of pupils will be created and nonresident students shall be selected for admission using a random selection process established by the superintendent or his/her designee. The remaining students may be placed on an open enrollment waiting list.
- D. Open enrollment acceptance preference shall be given to a nonresident student already attending school in the district or his/her sibling even if space is not available.
- E. A parent of a nonresident student who wishes his/her child to attend school in this district in the subsequent school year shall submit a request on the state-issued form to the superintendent or his/her designee no earlier than the first Monday in February nor later than the third Friday following the first Monday in February of the current school year. The superintendent or his/her designee shall forward a copy of each application to the district of residence and the Department of Public Instruction on the fourth Monday in February.
- F. The superintendent or his/her designee shall notify the applicant on or before the first Friday after the first Monday in April whether or not the application has been accepted.

If the application is accepted, the superintendent or his/her designee shall provide written notification to the applicant, on or before the second Friday following the first Monday in May, of the specific grade, program, class and/or school the student will be attending. The parent must, in turn, notify the district administrator or his/her designee, on or before the first Friday in June, if his/her child will be attending school in this district.

The superintendent or his/her designee shall provide the district of residence by no later than June 30th, the name of each of its students who will be attending school in this district in the forthcoming school year.

III. CRITERIA FOR NON-ADMISSION

- A. Enrollment may not be available to any nonresident student who meets one or more of the following criteria.
 - 1. No space is available.
 - 2. The student has been expelled from school by any school district for the current or two (2) preceding school years for any of the following reasons or has 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 employee of this school district or member of the school board.
- d) possessing a dangerous weapon, as defined in s. 939.22(10), while at school or while under the supervision of a school authority.

The superintendent or his/her designee shall make the decision based on the circumstances involved. Other statutory provisions regarding the enrollment of students who have been expelled from school will also apply to this program.

The superintendent or his/her designee may inform the parent of non-acceptance for any of the above-stated reasons any time prior to the beginning of the school year.

- 2. The special education program or related services described in the child's individualized education program is not available in the district, *or* there is no space available in the appropriate special education program.
- 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 a IEP team appointed by the resident district.

B. Habitual Truancy

1. Habitual Truancy of Open Enrollment Student Applicant. The District will consider as part of their criteria for accepting or rejecting full-time open enrollment applications from nonresident students whether the nonresident school board determined that the student was habitually truant from the nonresident school district during any semester of attendance at the nonresident school district in the current or previous school year. “Habitually truant” means being absent from school without an acceptable excuse for part or all of five or more school days during any semesters. Situations may include, for example, nonresident students who have been full-time open enrollment students in the District and are re-applying for continued enrollment in the District as per Board policy and consistent with state law.
2. Habitual Truancy of Current Open Enrollment Student. If a nonresident school board determines that a student attending the nonresident school district under the full-time open enrollment law is habitually truant from the nonresident school district during either semester in the current school year, the nonresident school board may prohibit the student from attending the nonresident school district under the open enrollment law in the succeeding semester or school year.
3. Appeals to Open Enrollment Decisions Made Based on Habitual Truancy: A nonresident student’s parent or guardian may appeal a rejection of the student’s full-time open enrollment in a nonresident school district based on the student’s habitual truancy to the DPI.

IV. RELEASE OF RESIDENT STUDENTS

- A. The Board shall release any resident student, with the exception noted below, who wishes to apply for enrollment in another school district. The superintendent or his/her designee shall ensure that the records of a resident student who transfers to a nonresident district are sent promptly to the other district.

A student in a CWD program will not be released if the cost of providing service creates an undue financial burden on the Waunakee Community School District.

V. TRANSPORTATION

- A. The district shall not provide transportation of nonresident students who are accepted under this program with the exception of CWD students as outlined in their IEP. Transportation shall be provided by the parent to and from the assigned school. Parents may contract with the district for transportation services from a scheduled district bus stop.
- B. The district shall not provide transportation to resident students who are accepted as nonresident students in another school district. A non-resident district may enter into the Waunakee Community School District for the purpose of picking up and dropping off open enrolled students.

VII. FEES

Nonresident students enrolled under this policy will be subject to the same student and participation fees as resident students.

VIII. CO-CURRICULAR PARTICIPATION

Nonresident students entering the WCSD under disciplinary sanction for violating the co-curricular code of their resident district shall complete the imposed action if it is equal to or more severe than that which would have been imposed had it occurred in the Waunakee School District. If the disciplinary action is less severe than that which would have been imposed in Waunakee, the appropriate Waunakee sanctions shall be imposed.

WIAA rules and regulations for eligibility shall be followed for nonresident as well as resident students. The WCSD Co-Curricular Code of Conduct shall apply to nonresident as well as resident students.

IX. ADMINISTRATIVE GUIDELINES

The district administrator or his/her designee shall be responsible for developing and promulgating administrative guidelines to implement this policy.

Legal Ref: Sections 118.13 Wis. State Statutes
118.51
118.52

Cross Ref: 343.2, Class Size
370-Rule (1), High School Co-Curricular Code
370-Rule (2), Middle School Co-Curricular Code
411, Equal Educational Opportunities
412.1, Full-time Student
422, Admission of Nonresident student (Other than Open Enrollment Students)
423-Rule (1) Open Enrollment Procedures
423.1 Part-Time Open Enrollment
432, School Attendance Areas (Intra-District Transfers)
433, Assignment of Students to Classes
470, Student Fees

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Waunakee Community School District