

**PUBLIC SCHOOL OPEN ENROLLMENT POLICY
FOR
INDEPENDENCE SCHOOL DISTRICT**

This policy shall be administered in accordance with the state public school open enrollment law in sections 118.51 and 118.52 of the state statutes, as created by 1997 Wisconsin Act 27.

I. NON-RESIDENT DISTRICT FULL-TIME ENROLLMENT

A. Non-resident Open Enrollment Students

A non-resident student may apply for full-time enrollment in a District school or program under the open enrollment program in accordance with state law. The District shall consider the following criteria when accepting or rejecting a non-resident student's application for full-time enrollment:

1. State requirements:
 - a. The non-resident district must give preference to pupils and siblings already attending school in the district.
 - b. If there are more applications than spaces, pupils must be accepted on a random basis.
2. Local Requirements:
 - a. Space availability which may include:
 - 1.) Class size and classroom space/program considerations*
 - 2.) Student-teacher ratio considerations*
 - 3.) Enrollment projection considerations*
 - 4.) Students attending district schools whose tuition is paid by another district.
 - b. Attendance requirements: If the student was habitually truant from the nonresident school district during any semester in the current or previous school year, the open enrollment application to that nonresident district may be denied.
 - c. Expulsion:
 - 1.) A non-resident student's application for full-time enrollment shall be rejected if the student has been expelled during the preceding two years of school attendance for certain conduct as 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 under certain conditions, conveying, or causing to be conveyed any "bomb" threat involving school property, and possessing a "dangerous weapon" while at school or under the supervision of a school authority).

Policy 423.1 (p.2)

- 2.) Engaging in conduct while not at school or while not under the supervision of a school authority which endangered the health, safety, or property of others at school or under the supervision of a school authority or any District employee or school board member.
 - 3.) A non-resident student's acceptance for full-time enrollment shall be denied if any of the above disciplinary actions occurs after acceptance and prior to beginning enrollment in the district.
- d. Students with Disabilities:
- 1.) When considering the admission of a non-resident student with disabilities, the district shall consider whether the special education program or related services described in the student's IEP are available in the district.
 - 2.) When considering the admission of a non-resident student with disabilities, whose IEP indicates placement in a Special Education Program involving a 66.03 agreement; the cooperative school hosting the program will accept a student's application.
 - 3.) If a non-resident student's IEP changes after the student begins attending the district and the special education program or services required by the IEP are not available in the district the district may return the student to his resident school to receive these services. This consideration will be the same for Special Education Programs that have 66.03 agreements as established in the previous paragraph.
 - 4.) A non-resident student's application for full-time enrollment may be rejected if the student has not been screened for Exceptional Educational Needs, or if the student is in the process of an M-Team evaluation and the evaluation has not been completed by the resident school's evaluation team.
 - 5.) The District shall not discriminate against any disabled students (IDEA or 504) but the District is not required to provide any service not currently available in the District or adapt any facilities for a disabled student in accordance with his/her IEP or 504 plan.

B. Responsibilities for Children with Disabilities Attending a Non-Resident District.

1. Reporting children for screening:

- a. When a child in a non-resident district is reported to his or her resident school district by persons other than certified or licensed school district employees, the resident school district must provide the name of the child and related information to the non-resident school district.
- b. When a certified or licensed staff in the non-resident school district, reports the child to the non-resident school district, the non-resident school district must provide the name and related information to the resident school district.

2. Screening:

- a. When a child who is attending a non-resident school district is identified by his or her resident district pursuant to screening, the resident school district must provide the name of the child and related information to the non-resident school district.

3. IEP Evaluation and Program Plan:

- a. If a child attending a non-resident school district is referred for IEP evaluation, the IEP team must be appointed by the non-resident school district, and the IEP team must consult with the School Psychologist in the resident school district.
- b. When an IEP program plan is developed, the IEP is to be developed by the non-resident school district in collaboration with appropriate personnel from the resident school district.

4. Educational Placement:

- a. The non-resident district must provide an educational placement to implement the IEP with the following exceptions:
 - 1.) If the IEP is developed or revised after the child begins attending the non-resident district and the IEP requires a special education program or service

Policy 423.1 (p.4)

that is not available the student may be required to transfer back to the resident district.

- 2.) The resident school district must then provide the education placement.
- 3.) This consideration will be the same for special education programs that have 66.03 agreements between the Trempealeau Valley Cooperative Schools.

5. Tuition for Students with Disabilities:

- a. Tuition for children with disabilities is calculated as under current law and the resident school district pays the tuition amount to the non-resident school district, as under current law. (Wisconsin Statute s. 121.83).
- b. Schools currently participation in 66.03 programs for students with exceptional educational needs will pay their proportionate amount as determined by the annual budget process completed by the Director of Student Services.

6. Procedural Safeguards:

- a. The school board of the resident school district is, generally responsible for providing certain procedural safeguards to the child's parent.
- b. However, the non-resident school district must:
 - 1.) Fully inform the parent of any action it plans to take regarding the child and all procedural safeguards available to the parent.
 - 2.) May not change the placement of a child who is the subject of a hearing or court proceeding during pending of the hearing or court proceeding, unless, the parent consents or the health or safety of the child or other persons would be endangered by delaying the change.

C. Vocational Programs:

1. When a non-resident student applies for full-time enrollment, and the District anticipates participation by that student in Trempealeau Valley Cooperative Vocational Education Programs involving 66.03 agreements, the host school district of the vocational program may accept or reject a student's application based on space available in the vocational program, class size considerations,

2. Student-teacher ratio considerations, or enrollment projection considerations, as recommended by the Director of Student Services.
3. Students already enrolled in Trempealeau Valley Cooperative Districts holding 66.03 agreements for vocational programs are considered to be resident pupils for these programs.

D. Project Circuit Programs:

1. When a non-resident student applies for full-time enrollment, and the District anticipates participation by that student in Project Circuit Programs involving 66.03 agreements, the host school district of the Project Circuit Program may accept or reject a student's application based on space available in the Project Circuit Program, class size considerations, student-teacher ratio considerations, or enrollment projections considerations, as recommended by the Project Circuit Director.
2. Students already enrolled in Trempealeau Valley Cooperative Districts holding 66.030 agreements for Project Circuit classes, are considered to be resident pupils for these programs.

E. Alternative Education Program:

1. When a non-resident student applies for full-time enrollment, and the District anticipates participation by the student in the Alternative Education Program, the district may accept or reject a student's application based on space available in the Alternative Education Program, class size considerations, student teacher ratio consideration, or enrollment projections considerations, in accordance with provisions established by Alternative Education Policy and Western Technical College.
2. Students already enrolled in Trempealeau Valley Cooperative Districts holding 66.30 agreements for this program, are considered to be resident pupils.

F. Youth Apprenticeship Programs:

1. When a non-resident student applies for full-time enrollment, and the District anticipates participation by the student in a Youth Apprenticeship Program, the District may accept or reject a student's application based on space available in the Youth Apprenticeship Program, class size considerations, student-teacher ratio, Policy 423.1(p6) considerations, or enrollment projection considerations as recommended by the Special Projects Director.

II. RESIDENT DISTRICT FULL-TIME ENROLLMENT

A resident student may apply for full-time enrollment in a non-district school or program under the open enrollment program in accordance with state law. The Resident District shall consider the following criteria when accepting or rejecting a resident student application for full-time enrollment in a non-district school or program:

- A. The resident school district will limit the number of resident pupils attending school in another district in accordance with the following:
 1. Limit to 3% of membership in 1998-99. This limitation increases an additional 1% in each of seven succeeding years to 10% in 2005-2006.
 2. Limits must be imposed on a random basis, with preference given to children already attending and siblings.

III. APPLICATION PROCESS AND GUIDELINES FOR FULL-TIME ENROLLMENT

1. Between the 1st Monday of February and the last day of April, applications must be submitted; on line applications are the preferred form, but paper applications may be obtained from the Wisconsin Department of Public Instruction (DPI) and must be hand delivered to the non resident school district. The non-resident district will enter these paper copies of the application into the DPI website. An application may include a request to attend a specific school or program.
2. The District School Board may not act on any application until after the end of April. If there are more applications for a particular grade or program than there are spaces, the school board must select pupils on a random basis according to their pre-approved policy covering this situation.
3. On or before the 1st Friday following the 1st Monday in June, the non-resident school board must notify the applicant, via the open enrollment DPI website, of whether it has accepted the application. By the same date, the resident school district must notify the applicant and the non-resident school district, via the website application method, if it denies the application. If the application is rejected or denied, the notice must state the reasons for the rejection or denial.

4. The District is authorized to assign non-resident full time open enrollment programs to schools or programs in the district. The school board may give preference in attendance at a school program, class or grade to residents of the school district who lie outside the school's attendance area. On or before the last Friday in following the first Monday in June, the non-resident school board must notify they applicant in writing, of the specific school or program that the pupil may attend.
5. By the 1st Friday following the first Monday in June, the DPI must provide to each parent requesting transportation assistance, an estimate of the amount of reimbursement that the parent will receive.
6. On or before the last Friday following the first Monday in June, the pupil's parent must notify the non-resident school board of the pupil's intent to attend school in that school district the following year.
7. Annually, by June 30, each non-resident school board that has accepted a pupil must report the name of the pupil to the pupil's resident school board.
8. If, during the school year, a resident student wishes to transfer back to his/her home school, the student may do so. If the student has a record of academic difficulty, the principal may wish to assess the student's current level of performance.
9. Transfer of credits from the student's resident school shall be handled in the same manner as the school considers transfer of credits for regular transfer students.
10. Participation in interscholastic athletics must comply with pertinent regulations of the Wisconsin Interscholastic Athletic Association (WIAA) and any relevant league standards regarding eligibility of transfer students for participation in interscholastic athletics.

IV. NON-RESIDENT PART-TIME ENROLLMENT

A non-resident high school student may apply for part-time enrollment in a District school or program under the open enrollment program in accordance with state law. The District shall consider the same criteria when accepting or rejecting a non-resident student's application for part-time enrollment as used for full-time enrollment with the following exceptions and/or additions:

- A. If a student applies for part-time enrollment in a non-resident school for a course offered by his/her resident district via distance learning, that student shall be rejected
- B. for enrollment based on the premise that this class is already available to that student in his/her resident district.

- C. No later than one week before the course begins, the non-resident district must notify the student of acceptance or rejection.
- D. No later than one week before the course begins, the resident district must notify the pupil if the application is denied or if the course does not meet high school graduation requirements.
- E. A student's application may be accepted or rejected for a course based on his /her ability to meet the prerequisite requirements for the course.
- F. Prior to the start of the course, the parent must notify both school districts of the pupil's intent to attend the course.
- G. Policies and criteria for accepting and rejecting applications from non-resident pupils must be the same for entry into the course as those that apply to resident pupils, except that preference may be given to resident pupils.

V. RESIDENT PART-TIME ENROLLMENT

- A. A resident student may apply for part-time enrollment in a non-district school or program under the open enrollment program in accordance with state law. The resident district shall consider the same criteria for part-time enrollment as for Resident full-time enrollment with the following exceptions/additions:

The resident district must reject a pupil's application if the course conflict with a student's IEP.

B. Part-Time Tuition

1. The resident district must pay to the non-resident district the cost of the course, calculated as determined by the DPI.
2. Students already attending one of the Trempealeau Valley Cooperative Schools will be considered resident students for purposes of billing for programs with existing 66.030 agreements.

VI. APPLICATION PROCESS AND GUIDELINES FOR PART-TIME OPEN ENROLLMENT

1. The application must be submitted to the non-resident school district no later than six weeks prior to the date the course is scheduled to commence. The application must specify the course the pupil wishes to attend and may specify the school at which the pupil wishes to attend the course. The non-resident school district must send a copy of the application to the resident school district.
2. If a district receives more applications for a particular course than there are spaces available in the course, the district must accept pupils on a random basis. Note: For purposes of enrollment TVC students are considered to be district students for programs with existing 66.03 agreements and will be considered prior to the open enrollment random selection.
3. No later than one week before the beginning of the course, the non-resident district must notify the applicant and the resident district, in writing, whether the application has been accepted and the school at which the pupil may attend the course. The acceptance applies only for the following semester, school year or other session in which the course is offered. If the non-resident district rejects an application, it must include in the notice the reason for the rejection.
4. No later than one week before the beginning of the course, a resident school district that denies an application must notify the applicant and the non-resident school district of the rejection, in writing, and the reason for the rejection. The resident school district must also notify an applicant if it determines that the course does not satisfy high school graduation requirements in the resident district.
5. If the application is accepted, prior to the beginning of the course the parent must notify the resident and non-resident school districts of the pupil's intent to attend the course.

VII. APPEAL OF REJECTION

- A. If either the non-resident or resident school district rejects an application, the pupil's parent may appeal the decision to the Department of Public Instruction within thirty (30) days.
- B. The DPI shall affirm the school board's decision unless it finds that the decision was arbitrary or unreasonable.

VIII. RE-APPLICATION

- A. Once accepted, a pupil may continue to attend the non-resident district without re-application except that, the non-resident district may require re-application, no more than once, when a pupil enters middle, junior high or high school.
- B. In accordance with this provision the Independence School District may require a student to re-apply for acceptance into a non-resident program prior to the student's entrance into High School.
- C. If a pupil wishes to attend a different non-resident district, the pupil must follow new application procedures.

IX. TRANSPORTATION

- A. Parents whose children have been accepted for full-time enrollment in a non-resident district are responsible for the transportation of their children to and from school with the following exceptions:
 - 1. If the IEP for a child with disabilities requires transportation, the non-resident school district must provide transportation from the district line for the child.
 - 2. Either the non-resident or resident school district may elect to provide transportation. A non-resident district may not transport a pupil within the boundaries of the pupil's resident district, with the exception of student attending programs within the Trempealeau Valley Cooperative that involve 66.03 agreements.
- B. Parents of pupils eligible for free or reduced-price meals under the Federal School Lunch Program may apply to the DPI for reimbursement of transportation costs. Amount of reimbursement shall be determined by:
 - 1. The DPI will determine the transportation amount, that may not exceed the parent's actual costs or three times the statewide average per pupil transportation cost, which ever is less.
 - 2. The parent shall apply for transportation aid at the same time that they apply for the open enrollment program. The DPI will estimate the amount of transportation aid the parent can expect to receive and provide it to the parent in June before the parent is required to notify the non-resident district whether the child will attend school the following year.

X. GLOSSARY OF TERMS

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

1. Non-resident District

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

2. Non-resident Student

A student who is a legal resident or otherwise legally entitled to attend school in another school district in Wisconsin, who does not have a parent residing in the District and who seeks admission to this District under the Open Enrollment Program.

3. Tuition Student

A non-resident student who has been approved by the State Superintendent of Public Instruction to enroll in this District with the tuition paid by the district of residence.

4. Full-time Enrollment

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

5. Part-time Enrollment

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

6. Class Size Considerations

The District shall determine, for purposes of this policy only and not for use for any other purpose, the maximum number of students who can be enrolled in a particular classroom without jeopardizing the quality of the instructional program.

7. Program Size Considerations

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.

8. Resident Student

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

9. Trempealeau Valley Cooperative Student

A student who resides in any of the following districts: Arcadia, Blair-Taylor, Independence, and Whitehall holding cooperative 66.03 agreements for programs. Trempealeau Valley Cooperative students may continue to attend programs, without having to apply for non-resident open enrollment.

10. Project Circuit Student

A student who resides in any of the following districts: Alma Center-Humbird-Merillan, Arcadia, Blair-Taylor, Eleva-Strum, Independence, Galesville, Osseo, Whitehall, holding 66.03 agreements for programs. Project Circuit Students may continue to attend programs in these districts without having to apply for non-resident open enrollment.

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