

ADMISSION OF STUDENTS PARTICIPATING IN FULL-TIME OPEN ENROLLMENT

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Rule 1

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The administration shall prepare and present recommendations on space availability to Board such that the Board is able to adequately consider the information and make a timely determination. Projected enrollment of resident-school students is to be determined by the Director of Business Services by no later than January 1st.

The number of openings in a particular program for nonresident students will be determined by optimum and maximum size for a particular program or classroom which is the number of students that can be accommodated considering current staff, equipment, building capacities. Special education, inclusion, and self-contained programs will be separately considered for available capacity, if any. The district shall maintain the class sizes in the optimum to maximum size but may exceed the maximum due to space or program needs for residents. The optimum or maximum class size may also be reduced based on the educational needs of specific classes. Nonresident students may be accepted for enrollment when projected class or program size(s) is below the optimum level and the building capacities are below the maximum level. The optimum/maximum class or program size range for all programs is as follows:

I. CLASS SIZES

Elementary Grades K-2:

Optimum of 20 students per teacher with a maximum of 22 based on current enrollment and district enrollment projections for each grade.

Elementary Grades 3-6:

Optimum of 23 students per teacher with a maximum of 25 based on current enrollment and district enrollment projections for each grade.

Secondary Grades 7-12:

Optimum of 25 students per class with a maximum of 30 based on current enrollment and district enrollment projections.

Lab Classes:

Optimum of 22 students per class with a maximum of 24. Lab classes consist of courses where work stations are established for student hands-on or experimental work. These include courses in programs such as science, technology education, F/CE, computers, driver education, business education, art, as well as others.

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Special Education Classes:

These programs do not have specific class size minimums and maximums. Staffing and program levels are established based on the number of students and the specific needs of students as determined by their IEP. Acceptance of nonresident special education students will be made on the schools ability to provide services required in a Student's IEP using current or planned staff for the applicable school year.

Other Special Classes:

~~Programs such as the Horizons, WECEP, Co-ops, Apprenticeship, alternative programs, ESL, and others which are similar have specific criteria and respond to individual student needs. Nonresident students will be accepted into these programs on an individual basis if space is available without increasing staffing and/or without decreasing service to resident students. Band, chorus, and orchestra applicants will be accepted only under the same conditions.~~

The general process of determining the number of available spaces by grade and program will involve establishing projected total capacities and then subtracting the projected number of occupied spaces from the total capacities. Any projected future increase (or decrease) in the number of resident students who will be entitled to attend school in the District shall be reasonably incorporated into the District's count of occupied spaces.

In formulating recommendations to the Board regarding space availability, the administration shall consider and incorporate, to the extent applicable, the following elements of the Department of Public Instruction's (DPI) administrative rules:

1. If the Board establishes any annual space-availability limitations, then on or after the first Monday in February, the District is not permitted to reduce the number of spaces that the Board declared to be available for open enrollment.
2. If the Board establishes any annual space-availability limitations, the District may not approve more applications that were submitted during the regular application period than the number of spaces that the Board designated as available for open enrollment until after the statutory deadline for providing initial notice of acceptance or denial (i.e., the first Friday following the first Monday in June). After such deadline, additional applications may be approved as outlined in the DPI rule and in a manner consistent with Board policy.

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If the Board has taken action in January to limit the number of spaces that will be available for applications that are submitted under the regular application procedure for the following school year, then the District shall not approve any alternative applications submitted during the remainder of the current school year (after the January meeting) in any of the relevant grades or services with limited space for the following year. For example, if the Board has limited the availability of spaces in 7th grade for the following school year, then a current-year alternative application submitted for the 6th grade after the January meeting must be denied. Board policy and applicable regulations identify how any annual space availability limitations established by the Board in January affect alternative applications that are received in the subsequent school year – through the third Friday in September count.

II. APPLICATION FOR ADMISSION

- A. All applications for admission under this program are sent to the district administrator or his/her designee where they will be date-stamped and examined to ensure that all the application requirements listed on the State form/website have been fulfilled properly. Those that are not properly completed will be returned to the applicant. No applications are to be accepted or date-stamped until the first Monday in February and none after the last weekday in April.

All properly-completed applications as well as a record of any incomplete applications are to be sent to the resident school district and the Department of Public Instruction by the end of the first weekday following the last weekday in April.

All properly-completed applications will be maintained by the district administrator or his/her designee who will be responsible for organizing them by grade-level and /or program, whatever is applicable.

Any application received prior to or after the deadline dates are to be returned to the applicant with a notice of the proper application dates.

At the January meeting, the school board will then approve the number of available spaces for all grade-levels/classes/ programs.

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1. The District Administrator or designee shall inform all applicants who will be denied acceptance before the first Friday following the first Monday in June. Each student's resident district is also to be informed. The notice of denial shall state all reasons for which the applicant was denied enrollment and shall inform the student and parent or guardian of their rights to appeal the decision to the Department of Public Instruction.
2. For those grade-levels/classes/programs for which applications will be accepted the following procedure is to be used.

If there are fewer applications for enrollment than the number of spaces available, all those who meet acceptance criteria are to be notified of acceptance. No regular-period application that was submitted on a timely basis shall be accepted or denied by the District before May 1. The district administrator or his/her designee shall notify the applicants on or before the first Friday following the first Monday in June. All notices of acceptance shall identify the specific school or program that the student may attend in the following school year. All notices of denial shall identify the reason(s) the application was denied, information about the appeal process, and, if applicable, the student's number on any waiting list(s). Each student's resident district is also to be informed.

If there are more applications than spaces available the District Administrator or designee shall do the following:

- a) Identify students who do not meet the acceptance criteria established in Board policy. These students' applications will be denied and specific reasons for the denial provided.
- b) Identify any siblings of nonresident students who are attending a district school. These siblings are to be approved for enrollment prior to the random-selection process.
- c) Identify any nonresident students who are attending the district. These students shall be approved for enrollment prior to the random-selection process.

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- d) Conduct a random selection for all remaining applications if there are still more applications than available spots for a class, program, or grade level as follows:
- i. Using a computer generated random drawing, assign a number to each application
 - ii. ~~Assign a number to each application and place the numbers in a container.~~
 - iii. ~~In the presence of at least one (1) other staff member, conduct a blind drawing of the numbers and list each number drawn in the order they are drawn. The drawing is to continue until all numbers have been drawn.~~
 - iv. The applicants are approved drawn in order up to the total number of available spots shall be notified that they have been accepted for enrollment. The remaining applicants shall be notified that they have been denied enrollment due to insufficient space following a random selection process. This notification must be completed on or before the first Friday following the first Monday in June.

Applicants that are denied enrollment following the random selection shall be placed on a waiting list in the order they were selected through the blind drawing. Parents will be notified by the third Friday in August if a spot has become available for them from the waiting list.

For any otherwise-eligible applicant who is a student with a disability who has been assigned a grade-based space but who is on a special education waiting list, or vice-versa, the student will initially receive notice of denial due to lack of available space, but the District will hold the space (either general or special education) that has been assigned to the student until either a space on the other waiting list becomes available for the student (at which point the student will be notified that he/she may attend school in the district) or the District reaches the end of the period

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for which it maintains waiting lists (at which point the space that has been held for the student shall be assigned to the next applicant, if any, on the applicable waiting list).

Parents will have 10 days to respond and enroll the student or the space will be offered to the next student on the list

3. Alternative Procedure.

A parent of a nonresident student may also apply for open enrollment under the alternative criteria and procedures. The student must meet at least one of the following criteria:

- i. The resident school board determines that the pupil has been the victim of a violent criminal offense and the application is made within 30 days of the resident school board's determination;
- ii. The student is or has been a homeless student in the current or immediately preceding school year;
- iii. The student has been the victim of repeated bullying or harassment and the student's parent or guardian has reported the bullying or harassment but the bullying or harassment continues;
- iv. The place of residence of the student's parents has changed due to military orders and the application is made within 30 days of the date of the orders;
- v. The student has moved into the state and the application is received within 30 days of the date the student moved into the state;
- vi. The place of residence has changed due to a court order or custody agreement or due to placement in a foster home or placed in a home other than the student's parent's home and the application is made within 30 days of the student's change in residence; or
- vii. The student's parent resident school board and the District agree that attending the Waunakee Community School District is in the student's best interest; if the board denies the student's request, the parent may appeal to DPI. If DPI determines that the student's enrollment in WCSD is in the student's best interest, the student will be granted enrollment.

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The student's resident school board will be notified immediately of any application received under this section. The Board shall decide within 20 days of receipt of an application whether it has been granted and shall notify the parent and resident school board of the decision. If granted, the student shall enroll within 15 days of approval or the district may notify the parent in writing that the student is no longer approved to enroll.

B. Determination of Placement

1. All accepted applications are to be maintained by the district administrator or his/her designee for review and proper placement.
2. Placement decisions are to be made based on the same factors that were used to determine acceptance and the information contained in the applicants' records.
3. Each applicant is to be informed of placement for the next school year on or before the first Friday following the first Monday in June.

C. Information with Notification

The following information is also to be included with the notification of placement:

1. The District's regular enrollment procedure which is to be followed when enrolling a nonresident student.
2. Participation in interscholastic athletics must comply with pertinent regulations of the Wisconsin Interscholastic Athletic Association (WIAA) and any relevant conference standards regarding eligibility of transfer students for participation in interscholastic athletics.
3. Enrollment in a school shall be subject to an agreement that transportation of the nonresident student to the school is provided for by the student, his/her parents, the resident district or via contract with the district to provide transportation to a

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scheduled bus stop. The District will provide transportation to students whose IEP requires it.

4. The appropriate principal shall determine academic assignment or placement based upon completion of prerequisite courses or grades in the student's prior school and the awarding of transfer academic credit, if applicable.

D. Other Information

1. If the application is for a special education program, the IEP will be reviewed by the Director of Special Education prior to any action.
2. No nonresident student will be enrolled/placed in a program, course, or grade who has not met the prerequisites established for resident students.
3. The district shall not discriminate against any student but the district is not required to provide any services not currently available in the district or adapt any facilities for a nonresident student in accordance with his/her IEP.
4. The nonresident student's parent(s) or guardian(s) shall notify the District Administrator or designee of the student's intent to attend school in the District in the following school year on or before the last Friday in June following receipt of the notice of acceptance, except as noted above for nonresident students accepted for enrollment from a waiting list.
5. Annually by July 7, the resident district school boards shall be notified of the names of the students from the resident district who will be attending school in the District the following school year. For students accepted for open enrollment from the waiting list after July 7 that choose to attend school in the District, this resident school district notification will be provided as soon as possible after getting confirmation of such attendance from the student's parent or guardian.
6. Student Records. The District will limit its requests for student records (or information from student records) and its sharing of records with the resident district to the records and information that may be lawfully requested or disclosed under applicable law and DPI rules.

III. Resident Student Open Enrollment Applications

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- A. Upon receipt of any paper copy of a resident student's application to attend a school or program in another public school district, school office staff shall affix a date stamp (or a written and initialed date) and forward it to the District Administrator or his/her designee for review and processing.
- B. By the first Friday following the first Monday in May, the District shall provide the nonresident school district(s) to which the student applied appropriate notice of the resident student's special education and/or disciplinary status, including providing copies of any records that the District is permitted/required to release. If the applicant does not attend school in the District and the District has no records for the student, the District will notify the nonresident school district(s) of the student's non-attendance.
- C. All applications, those received online and paper applications, shall be reviewed by District staff using the acceptance/denial criteria outlined in Board policy. If the application is denied, the applicant and the nonresident school board shall be notified, in writing, that the application has been denied. 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 denial and information about the appeal process.
- D. Special Procedure for Resident Open Enrollment Students Not Enrolled in the District. To the extent necessary to allow for the appropriate accounting of the District's student membership and appropriate state aid transfers, students who reside in the District but who have been enrolled in a private school or home-based private educational program and students who did not reside in the District at the time of applying for full-time open enrollment in another school district must formally enroll in the District prior to attending school in another public school district under the full-time open enrollment program.
- E. Student Records. The District will limit its requests for student records (or information from student records) and its sharing of records with the nonresident district to the records and information that may be lawfully requested or disclosed under applicable law and DPI rules. The District shall ensure that the records of a resident student who accepts open enrollment and elects to attend school in a nonresident district are sent promptly to the nonresident district.

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IV. APPLICATIONS SUBMITTED UNDER ALTERNATIVE (CURRENT YEAR) OPEN ENROLLMENT PROCEDURES

- A. Reason(s) for Alternative Application – Subject to any limitations established under state law on the timing of application submissions and on the number of open enrollment applications that may be submitted for any July 1 to June 30 school year, a parent or guardian of a student who wishes to attend school in a nonresident school district may submit an open enrollment application for attendance to begin during the current July 1 to June 30 school year if the student meets one of the following criteria and the parent or guardian identifies and describes the criteria that the student meets in the application:

1. The resident school board determines that the student has been the victim of a violent criminal offense in a school in the resident school district. The application must be made within 30 days of the resident school board's determination.
2. The student is or has been a homeless student in the current or immediately preceding school year.
3. The student has been the victim of repeated bullying or harassment and all of the following apply: (a) the student's parent or guardian must have reported the bullying or harassment to the school board or designee under a bullying/harassment complaint process; and (b) in spite of action taken by the board or designee the repeated bullying or harassment continues.
4. The place of residence of the student's parent or guardian and of the student has changed as a result of military orders. The application must be made within 30 days of the date on which the military orders changing the place of residence were issued.
5. The student moved into Wisconsin. The application must be made within 30 days after moving into the state.
6. The student's residence has changed as a result of a court order or custody agreement or because the student was placed in or removed from a foster home or

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with a person other than the student's parent. The application must be made within 30 days after the student's change in residence.

7. The student's attendance in a school in the nonresident school district is considered to be in the best interests of the student. The application must explain the reasons for requesting this exception and why attendance at the nonresident school district is in the best interests of the student

B. Application Review and Approval Process

1. When the District receives an open enrollment application that has been submitted under the alternative open enrollment criteria outlined above, whether it is submitted by a nonresident student or a resident student, the date any paper application was received shall be affixed to the application (or otherwise recorded) and the application shall be forwarded to the District Administrator or his/her designee for review and processing.

a. If the application involves a nonresident student seeking to attend school in the District under open enrollment, the District will:

- (1) Immediately send a copy of any paper application received by the District to the student's resident school district, or, if applicable, the student's anticipated resident school district; and
- (2) Work with the resident district (or the anticipated resident district) identified in the application to determine where the applicant is currently attending school, and to determine from which school the District will receive any relevant special education records (e.g., the student's current IEP) and/or disciplinary records (e.g., expulsion records). If the applicant is not currently attending school in the resident district, the District will request such records from the school or school district the student is attending or most recently attended

b. If the application involves a resident student who is attending, or who previously attended school in the District, then within 10 days of receiving a copy of the application, the District shall provide the

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nonresident school district appropriate notice of the resident student's special education and/or disciplinary status, including copies of any records that the District is permitted/required to release. If the applicant does not attend school in the District and the District has no records for the student, the District will notify the nonresident school district(s) of the student's non-attendance

2. District staff shall review the application using the acceptance/denial criteria outlined in Board policy and in this rule. The District Administrator or his/her administrative-level designee is authorized to make the acceptance/denial decision for the District and to direct the sending of the appropriate notifications.

- a. The District will deny the alternative application of a nonresident student when required by state law or DPI rule, and the District may also deny such an application:

- (1) due to lack of available space;

- (2) under any of the acceptance and denial criteria established in Board policy that apply to an application submitted during the regular open enrollment application period; or

- (3) if the application relies on the best interests of the student criterion and the District determines that open enrollment is not in the student's best interests.

- b. The District will deny the alternative application of a resident student when required by state law or DPI rule, and the District shall also deny any such application if it determines that the criteria relied on by the parent or guardian to submit the application (including the "bests interests" criterion) do not apply to the student.

3. If the application involves a nonresident student seeking to attend school in the District, then the District will notify the applicant, in writing, whether the application has been approved or denied no later than 20 calendar days after the application was submitted. If the District fails to issue a timely notice of

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acceptance of a nonresident alternative application to the parent or guardian, the application is considered denied.

a. If the application has been denied, the notification shall include the reasons for the denial and information about the appeal process. To the extent consistent with state law and District policy, initial acceptance of an application may be subject to revocation.

b. If the District has approved the open enrollment application of a nonresident student, the notification provided to the applicant shall identify the specific school or program that the student may attend. A nonresident student accepted for enrollment may immediately begin attending the assigned school or program in the District and shall begin attending the school or program no later than the 15th day following receipt of the notice of acceptance (or another date mutually agreed upon by the District and the student's parent or guardian). If the nonresident student has not enrolled in or attended school in the District by the relevant deadline, the District may notify the student's parent or guardian, in writing, that the student is no longer authorized to attend school in the District.

c. To the extent that there is a delay in the District's receipt of any relevant disciplinary records from another school or school district, the District will attempt to review and act upon such records promptly. If necessary, the District will deny the application due to an inability to sufficiently review such records. However, to the extent permitted by DPI, the District may revisit such a denial if the relevant records/information are provided within a reasonable time period after the 20th calendar day following the submission of the application

4. If, for purposes of the application, the District is identified as the resident school district, the District shall notify the applicant whether the application has been approved or denied in accordance with any deadlines established by state law or DPI rule. Normally, the District will issue such notifications no later than 20 days after the date that the application was submitted.

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It is the applicant's responsibility to provide sufficient information to enable the District to determine that at least one of the bases for an alternative application applies to the student. However, prior to denying an alternative application on the basis that the parent or guardian did not provide enough information to allow the District to assess whether the student has been the victim of repeated bullying or whether open enrollment would be in the best interests of the student, the District shall offer the parent or guardian an opportunity to provide additional information.

If a resident student's alternative application is denied, the notification shall include the reason(s) for the denial and information about the appeal process.

V, APPEAL OF OPEN ENROLLMENT DECISIONS

The student's parent(s) or guardian(s) may appeal a District decision regarding full-time open enrollment to the DPI by following the deadlines and other procedures established by the DPI, except as otherwise specifically provided under state law or under DPI rules

Legal Ref: Sections 118.13 Wis. State Statutes
118.51
118.52

Cross Ref.: 423, Full-time Open Enrollment
423.1, Course Options
343.2, Class Size

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