

School Board President's Report

School Admissions, Enrollment and Residency

Over the last year, the Policy Committee (Deb Stolz, Marty Lexmond, Tabia Nicholas, and Paru Shah) and School Board have reviewed the 420 School Admission guidelines and exhibits, with advisement from Renae Aldana, attorney, and WASB. Given the continued conversation and the important changes that have been made, I wanted to explain the principles/factors that guided our decisions.

- We trust families enrolling into the Shorewood schools to be honest and lawful.
- We prioritize minimizing the risk of wrongly keeping a family out of Shorewood. In other words, the policy is worded to reduce the likelihood that an eligible family is not allowed to enroll.
- There are many ways to be lawfully enrolled in Shorewood schools, of which residency in Shorewood is one. It is not possible to look at a family or their address in the directory and know if they are lawfully or unlawfully enrolled.
- We have policies and guidelines in place that provide adequate guidance to our Director of Curriculum, Instruction and Pupil Services to follow up on claims of inaccurate or falsified information. We have created guidelines that clearly outline the process, and ensure consistency in follow-up.

Below are some questions that have recently come up, and our answers to them:

[1] How do we ensure that all students who are eligible to enroll in Shorewood are welcomed and encouraged to do so?

Upon review of the guidelines, we changed the language about “residency” to more accurately reflect the purpose of the policy and guideline - school admissions and enrollment. Residency is *one way* in which students may enroll, but not the only way. Students and families who enroll via alternative means are not “granted residency.”

The guideline now lists the many ways students may be enrolled in Shorewood:

1. Students who are legal residents of the School District.
2. Students who are considered by Federal Law to be undocumented immigrants or considered to be homeless as defined by the McKinney Vento Homeless Educational Assistance Act.
3. Tuition waiver students, including but not limited to those who have attained 12th grade status, pursuant to Wis. Stat. 121.84.
4. Students for whom tuition is paid by another public school district pursuant to Wis. Stat. 121.78.
5. Students who are subject to joint custody orders may attend District schools without payment of tuition if: (1) the student lives with both parents, and may under law attend school in either parent's school district or (2) the student "lives exclusively with one parent", and that parent lives in the District.

6. Foreign students, participating in a bona fide, foreign-exchange program and living with a resident host family.
7. Students, whose parents do not reside within the District, but who present evidence that they will move into the District within a short period of time, may enroll in the schools of this District as pursuant to Wis. Stat. 12181(2).
8. Minor students, residing in the District, but not living with a parent/guardian (may be required to provide information sufficient to allow the administration to properly determine resident status under law).
9. Nonresident students who have been admitted through the open enrollment or Chapter 220 program.

What should be evident from this list is that you cannot look at a student, or his/her address in the directory, and know if they are unlawfully attending Shorewood Schools. Again, a guiding principle of the board is that families are truthful in their enrollment, and that we have the means necessary to investigate claims of falsified information.

[2] Why don't we define residency in our policy?

In thinking about this question, we looked to WI's Department of Public Instruction (<http://oe.dpi.wi.gov/residency>), and the US Department of Justice (<http://www.justice.gov/crt/about/edu/documents/plylerqa.pdf>). Both of these documents suggest that strict definitions of residency are more likely to affect students and families who should be enrolled, rather than keep non-residents out. Thus, we do not define residency, but rather allow questions of residency to be handled by the Executive Director of Curriculum, Instruction and Pupil Services.

Some important principals of school "residency" law are:

- Any Wisconsin child has the right to finish the school year in the school he or she lawfully started the year in, regardless of whether the child subsequently moves out of the District.
- There is no requirement that an adult possess a formal court order of guardianship to enroll a child in school.
- There is no requirement about a set number of days, weeks or months that a child must be living in a school district to establish "residency" or "permanent residency."
- There is no "24/7" requirement, i.e. a child who lives at an address in a district need not stay at that address every day or night or take all meals there in order to be a valid "resident."
- A school district cannot require one particular form of proof from an enrolling adult to show "residency."
- No child can validly enroll in school if he or she lives within a district solely for the purpose of accessing that District's schools.

The following is the list of documents resident families must provide (one from each list):

List 1:

- a) Current property tax statement
- b) A closing statement for purchasing a home
- c) A signed current resident lease (including the landlord's name, address, and phone number)

List 2:

- a) Current month's utility bill
- b) Auto or health insurance
- c) Driver's license renewal notice
- d) Food Share/Quest benefit
- e) Medicaid/Badgercare benefit statement
- f) W-2, SSI, or other country, state, or federal benefit statement

Written Statement

Before requiring families to bring residency documentation every year, we asked families to sign a written statement of residency. We have eliminated this as we now have the documents provided for residency. This statement is not necessary to pursue criminal charges in falsifying residency. And in investigating claims of falsified residency, the Director of C,I and PS asks families to sign a written statement verifying the information they had provided.

[3] How can we best enforce the enrollment policy?

Again, the School Board operates from the premise that the vast majority of families will enroll in Shorewood lawfully. And we do this based on the evidence. Between 2013 and 2015, a total of 12 families were flagged for further investigation, of which 5 were asked to leave. There is no evidence to suggest that the district or administration is not following up on claims, or that these cases are not being handled according to law and school district policy.

Recently, some have argued that “proof” of our lack of enforcement can be found by looking at the number of children in our classes. Yes, our school enrollment has been on the rise. But as this data from the US Census clearly shows (www.census.gov), while the overall population of Shorewood has remained relatively stable, the size of the school-age population has shifted over the last 3 year.

Year	Total Population	School Aged Population (5-19) (%)	Change in School Age Population (%)
2000	13,763	17.8%	
2010	13,162	16.1%	-1.7%
2013	13,200	17.1%	+1.0%

In other words, over the last three years, the number of school age students who are residents in Shorewood has grown by approximately 130 students.

The guidelines for Policy 420 were amended to give the Executive Director of Instruction, Curriculum and Pupil Services more authority to investigate incorrect, misleading, or falsified information.

- For every case, the ED first contact parents/guardians, and ask them to verify information provided on the Student Residency Form.
- Based on the information provided, the guidelines give the ED's discretion to request further information and/or employ the services of the local police department/private investigation business.