

**SCHOOL DISTRICT OF BAYFIELD****FULL-TIME OPEN ENROLLMENT PROCEDURES****APPLICATIONS SUBMITTED DURING REGULAR OPEN ENROLLMENT APPLICATION PERIOD****A. Nonresident Student Open Enrollment Applications****1. Determination of Space Availability**

- a. The District's projected enrollment, including the projected number of occupied spaces in each grade, program and school for the subsequent school year is to be determined at the regular business meeting of the School Board in January. Projections specific to individual classes may be made to the extent appropriate. Projected enrollment may include reserving spaces for expected growth in the number of students entitled to attend school in the District, to the extent appropriate, for a given class, grade, program, or school.
- b. The number of openings in a particular class, grade, program or school for nonresident open enrollment students will be determined using existing class size policies and procedures, including consideration to desired student-teacher ratios, overall building capacity, and the effect of enrollment levels on District expenditures relative to revenue. Space availability determinations should include regular education and special education programs.
- c. Each principal shall notify the District Administrator or his/her designee by end of December of the classes, grades, and programs that do not have space available, if any, for nonresident open enrollment students in his/her school. This information will be compiled and presented to the Board at the regular Board business meeting in January.

**2. Application Review and Approval Process**

- a. The parent(s) or guardian of a student who wishes to attend school in the District as a nonresident open-enrollment student may apply online from the Wisconsin Department of Public Instruction (DPI) website (<http://dpi.wi.gov/sms/psctoc.html>) or submit the required application to the District Administrator or his/her designee. The application may include a request to attend a specific school or program offered by the District. The application shall be submitted no earlier than the first Monday of February and not later than the last weekday in April of the school year immediately preceding the school year in which the student wishes to attend. Parents and guardians who complete the online application via DPI's website will receive a confirmation number. Although the District may make an effort to allow an applicant to revise an incomplete application, it is the applicant's sole responsibility to ensure that his/her application is complete and timely. Any applications received prior to or after the deadline dates, other than those submitted pursuant to the alternative application procedures specified in state law, are to be returned to the applicant with a notice of the proper application dates. The District shall send a copy of any paper application received to the student's resident school board and

to the DPI by the end of the first weekday following the last weekday in April. For applications filed online, these notifications are made automatically.

- b. Upon receipt of the application, it will be forwarded to the District Administrator for review and recommendation. The District Administrator, along with other members of the administrative staff, shall review all the applications using the acceptance/denial criteria outlined in Board policy, and determine which school or program, if any, the nonresident student could attend the following year if accepted.

The District Administrator or his/her designee shall submit recommendations regarding acceptance or denial of applications to the Board for action. No action shall be taken on any application before May 1.

If the application relates to a student with a disability and the District has received a copy of the nonresident student's individualized education program (IEP), the District shall provide an estimate of special education costs to the student's resident district by the third Friday following the first Monday in May.

- Identify the applications of students already attending school in the District and the applications of siblings of students who are already attending school in the District, and accept those applications prior to the random selection process, provided that there is space for all such students and their siblings. For purposes of this paragraph, attendance in the District does not include solely part-time attendance by, for example, a student who is enrolled in another school district, private school, tribal school or home-based educational program.
- Applicants who otherwise qualify for the preference identified in the previous paragraph, but whose applications were not immediately accepted due to space limitations, shall be placed in GROUP A, and all remaining applicants shall be placed in GROUP B. A number shall be assigned to each application, beginning with the GROUP A applications, if any. Using a random process conducted in the presence of at least two staff members (such as placing the application numbers in a container and conducting a blind drawing), the application numbers in GROUP A (if any) and, separately, GROUP B shall be listed according to the results of the random process.
- Based on the results of the random selection, determine which applications are to be accepted, starting with the first application number listed within GROUP A, and proceeding to GROUP B after all GROUP A applications have been considered. If, at any time in the random selection process one student application from a family is chosen and is eligible for acceptance under all remaining criteria, the District shall give immediate consideration to the applications of remaining siblings in the family who applied for open enrollment at the same time, and admit all such otherwise eligible siblings for whom there is a space available at that point in the process.
- The District shall notify the parents and guardians of all students who were accepted for open enrollment using the random process, in writing, of their acceptance and of the specific school or program that they may attend the following school year on or before the first Friday following the first Monday in June. The District shall also notify all parents and guardians of student

applications that have been denied under any of the District's criteria. This notification must include the reasons for the denial and be completed by no later than the first Friday following the first Monday in June.

- A waiting list will be created for those students initially denied open enrollment due to space availability, maintaining the same application order as resulted from the random process initially used to order applications, as described above in these procedures. Waiting list priority shall be given first to any remaining GROUP A applicant(s); second, to any remaining sibling(s) of a GROUP A applicant whose application was previously accepted; third, to any remaining sibling(s) of a GROUP B applicant whose application was previously accepted; and, fourth, to any remaining GROUP B applicant.
- As any spaces become available, applications will be accepted from the waiting list(s). The District may accept students from the waiting list until Parents and guardians will be notified in writing if a space becomes available, including notification of the school or program to which the student has been assigned. If the District notifies a parent or guardian of acceptance on or after 10 days prior to the last Friday in June, the parent or guardian shall have 10 calendar days to respond to the placement offer provided the student is also in attendance by the third Friday in September; otherwise, the parent or guardian must respond to the notice no later than the last Friday in June. If the parent or guardian does not respond in the allotted time, the student's application will be placed at the end of the waiting list and the space will be offered to the next student on the waiting list.

The District's regular enrollment procedures are to be followed when enrolling a nonresident student.

- c. The nonresident student's parent(s) or guardian 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 the waiting list.
- d. 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.

## **B. Resident Student Open Enrollment Applications**

1. 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 forward it to the District Administrator or his/her designee for review and recommendation. To the extent applicable to the student, the District shall send the nonresident school district to which the open enrollment application was made a copy of the resident student's IEP and/or any relevant disciplinary records by the first Friday following the first Monday in May.

2. All applications, those received online and paper applications, shall be reviewed by the District Administrator, along with other members of the administrative staff, using the acceptance/denial criteria outlined in Board policy. The District Administrator or his/her designee shall submit recommendations regarding acceptance or denial of applications to the Board for action. 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.
3. Special Procedure for Resident Students Not Enrolled in the District. 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 Bayfield School 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.
4. The District shall ensure that the records of a resident student who transfers to a nonresident district are sent promptly to the other district.

#### **APPLICATIONS SUBMITTED UNDER ALTERNATIVE OPEN ENROLLMENT CRITERIA AND PROCEDURES**

- A. Eligibility Criteria** – A parent or guardian of a student who wishes to attend school in a nonresident school district may submit an open enrollment application outside of the regular open enrollment application period or in lieu of it if the application is for the current school year, the student meets one of the following criteria, and the parent 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 and 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 and 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 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 application shall be forwarded to the District Administrator or his/her designee for review and recommendations.
  - 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;
    - (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; and
    - (3) Within 10 days after receiving, or, if necessary, developing, an IEP for a student with a disability, provide an estimate to the resident district of the costs to provide the student with special education or related services.
  - b. If the application involves a resident student who is attending, or who previously attended, school in the District, the District shall send the nonresident school district to which the open enrollment application was made a copy, if applicable, of the student's IEP and any expulsion or other relevant discipline-related records within 10 days of receiving the application.
2. The District Administrator, along with other members of the administrative staff, shall review the application using the acceptance/denial criteria outlined in Board policy. The District Administrator or his/her designee shall submit recommendations regarding acceptance or denial of the application to the Board for action.
  - a. The District may deny an application of a resident student if (1) it determines that the criteria relied on by the parent or guardian to submit the application do not apply to the student or (2) it determines that the cost of special education and related services required in the IEP for a student with a disability is an undue financial burden (except as to an applicant who the Board determined was the victim of a violent crime).
  - b. The District may deny an application of a nonresident student:

- (1) for the same reasons it may deny an application submitted during the regular open enrollment application period; or
  - (2) if the application relies on the best interests of the student criteria and the District determines that open enrollment is not in the student's best interests.
3. If the application involves a nonresident student seeking to attend school in the District, the District will notify the applicant, in writing, whether the application has been approved or denied no later than 20 days after receiving the application.
  - a. If the application has been denied, the notification shall include the reasons for the denial. To the extent consistent with state law and District policy, acceptance of an application may be contingent or 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 15<sup>th</sup> day following receipt of the notice of acceptance. If the nonresident student has not enrolled in or attended school in the District by that date, the District may notify the student's parent or guardian, in writing, that the student is no longer authorized to attend the school or program 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 review and act upon such records promptly, and, if necessary, inform the student that the District's ability to confirm or deny the application is contingent upon the District's receipt and review of such records. If the DPI allows the District to conditionally approve such an application subject to that contingency, the District may do so. Otherwise, such application may be held in abeyance until the relevant records are received, or, if necessary, the application may be denied.
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 District's receipt of the application. In addition:
  - a. If the application has been denied, the notification shall include the reasons for the denial. To the extent consistent with state law and District policy, approval of an application may be contingent or subject to revocation.
  - b. To the extent that there is a delay in the District's receipt of any relevant records or information such that the District is unable to determine whether the criteria upon which the application was based apply to the student, the District will act upon such records/information promptly upon receipt and notify the applicant of its decision to approve or deny the application within five days of making the determination.
  - c. If the student is a student with a disability, the District shall normally make a determination whether the nonresident school district's estimate of relevant special education and services costs constitutes an undue financial burden on the District

within (specify number) days after the District has received the relevant estimate. The District will notify the applicant of a denial relying on this criteria within (specify number) days of making the determination.

### **APPEALS OF OPEN ENROLLMENT DECISIONS**

The student's parent(s) or guardian 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.

### **TRANSPORTATION**

Transportation responsibility of parent/guardian. Low income parents and guardians may apply to the DPI for reimbursement of costs of transportation at the time of application for the program.

**Adoption: March 14, 2012**

**Revised: January 25, 2016**

**Revised: March 13, 2017**