

# MONONA GROVE SCHOOL DISTRICT

## Board Policy 425

### **PUBLIC SCHOOL OPEN ENROLLMENT**

This policy shall be administered in accordance with the state's public school open enrollment law. The Board reserves all authority and discretion accorded to it under the state's public school open enrollment law, irrespective of whether such authority or discretion is referenced in this policy. The Board hereby authorizes the Superintendent to administer this policy and its accompanying procedures and to establish such administrative guidelines as may be necessary to effectuate their purposes.

### **FULL-TIME OPEN ENROLLMENT**

#### **Non-Resident Open Enrollment Students**

Acceptance and Rejection Criteria – A non-resident student may apply for full-time enrollment in a district school or 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 and may reject an application based upon such criteria:

1. The availability of space in the schools, programs, classes or grades within the district. When determining space availability, consideration shall be given to factors such as class size limits, student-teacher ratios, students attending the district for whom tuition is paid by another school district or enrollment projections, as specified below and as established by the Board from time to time by Board resolution.

The Board shall deny attendance to a non-resident student if, among other considerations regarding availability of space in a school, program, class or grade, acceptance of the student's application would result in a class size which exceeds any of the respective class size goals set forth in Board policy, after taking into account future enrollment projections. The district may include in its count of occupied spaces non-resident students attending the district for whom tuition is paid by another school district and students and siblings of students who have applied for full-time open enrollment and are already attending school in the district. The district may accept an applicant who is already attending the district or a sibling of the applicant even if there is no space available.

2. Whether the student has been expelled from school by any school district during the current or two preceding school years for any of the following reasons or whether a disciplinary proceeding involving the student, which is 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 the school district or member of the Board; or
  - d. Possessing a dangerous weapon, as defined in state law, while at school or while under the supervision of a school authority.
3. Whether the special education program or related services described in the child's individualized education program (IEP) are available in the district or whether there is space available in the special education program identified in the child's IEP, determined by reference to criteria regarding class size limits, student-teacher ratios and/or enrollment projections.
4. Whether the child has been screened by his/her resident board to determine if there is reasonable cause to believe that the child is a child with a disability.
5. Whether the child has been reported to his/her resident Board under or identified by his/her resident Board but not yet evaluated by an IEP team appointed by his/her resident Board.

Rejection After Initial Acceptance – Notwithstanding initial acceptance of a non-resident student following review of the above criteria, the Board may at any time prior to the beginning of the school year in which the student will first attend school within the district notify the student that he/she may not attend school in the district, if the Board determines that any of the criteria under the #2 above are met.

Preference and Random Selection – The district shall give preference in attendance at a particular school, program, class or grade to resident students who live outside the school's attendance area.

If the Board receives more non-resident student open enrollment applications for a particular grade or program than there are spaces available in the grade or program, the Board shall determine which non-resident students to accept on a random basis, except that the Board shall give preference in accepting applications to students and to siblings of students who are already attending school in the district. Under such circumstances, applications receiving preference hereunder shall be placed into one pool and all other applications shall be placed into a separate pool. The Superintendent or his/her designee shall draw names at random from the pool of applicants entitled to preference until such pool is exhausted or until all available spaces are filled, whichever occurs first. If available spaces remain after exhausting the pool of applications receiving preference, the Superintendent or his/her designee shall then draw names at random from the pool of applications not receiving preference until all available spaces are filled. Such random selection process may be used as necessary to fill available spaces.

Waiting List - A waiting list will be established for nonresident students who were denied open enrollment in the District because of lack of available space. Parents will be notified that their child has been placed on a waiting list.

No students will be accepted for open enrollment from the waiting list after the third Friday in August for that school year.

IEP Program or Services Unavailable After Enrollment – The Board reserves the right to deny attendance to a non-resident student already attending school in the district under the open enrollment program if the student’s IEP changes after the student begins attending school in the district and a special education program or related services are unavailable, or if there is no space available in the special education program identified in the child’s IEP.

Rights and Privileges – Non-resident open enrollment students attending school in the district shall have all the rights and privileges of resident students and shall be subject to the same rules and regulations as resident students.

Transportation – Non resident students attending Monona Grove School District under the Open Enrollment Program or under a Tuition Waiver Agreement (not those students we are required to transport per an I.E.P), may be transported if they utilize an existing Monona Grove School District bus stop within the District boundaries, room is available on the requested route, and the requester pays the Monona Grove School District a “Transportation User Fee” in the amount equal to the “Parent Contract” amount. Non-payment may result in the non-required transportation ceasing.

Those families eligible for the Federal Free and Reduced Lunch Program may complete the Fee Waiver Form in order to have the “Transportation User Fee” waived in the current school year.

Re-Application – Non-resident students whose applications have previously been accepted by the Board and who are attending school within the district may continue to attend school within the district in succeeding school years without re-applying, except that the Board requires that all non-resident students re-apply for admission prior to entering middle school or, in the event a student first transferred to the district for enrollment at the middle school, prior to entering high school.

Notification of Continued Enrollment in the District – The Superintendent may request parent(s)/guardian(s) of non-resident students who are attending school in the district under the public school open enrollment program, and who are not required to re-apply for admission in the following school year, to notify the Superintendent, in writing, by not later than the third Friday following the first Monday in February of whether the student intends to attend school in the district in the following school year. If the student intends to re-enroll in his/her resident district, the Superintendent shall prepare and forward appropriate forms to the student’s parent(s)/guardian(s). However, continued enrollment in the district may not be denied based upon a parent’s/guardian’s failure to provide such notice.

### **Resident Open Enrollment Students**

District students may apply for full-time enrollment in another public school district in accordance with state law.

Undue Financial Burden Before or After Enrollment – The Board reserves the right to deny attendance in another public school district if the cost of a special education program(s) or service(s) creates an undue financial burden on the district.

Transportation – Transportation to and from another school which the student is attending in another school district, shall be the responsibility of the student’s parent/guardian.

Notification of Re-Enrollment in the Monona Grove School District – The Superintendent may request parent(s)/guardian(s) of resident students who are attending school in another public school district under the public school open enrollment program to notify the Superintendent, in writing, by not later than the third Friday following the first Monday in February of whether the student intends to attend school in the Monona Grove School District in the following school year. If the student intends to transfer to the Monona Grove School District, the Superintendent shall prepare and forward appropriate forms to the student’s parent(s)/guardian(s). However, transfer may not be denied based upon a parent’s/guardian’s failure to provide such notice.

### **PART-TIME OPEN ENROLLMENT**

In accordance with the state’s public school open enrollment law, a student enrolled in a public school in the high school grades may attend public school in another public school district for the purpose of taking a course offered by the non-resident school district. A student may attend no more than two courses at any time in non-resident school districts.

#### **Non-Resident Open Enrollment Students**

Acceptance and Rejection Criteria – A non-resident high school student may apply for part-time enrollment in a course(s) offered in the district in accordance with the state’s public school open enrollment law and established procedures. The district shall use the same criteria for accepting or rejecting course applications from non-resident students as are applicable to resident students entering the same course, except that the district shall give preference in attendance in a course to students who are residents of the district.

Random Selection – If the Board receives more applications for a course than there are spaces available in the course, the Board shall determine which students to accept on a random basis. The Superintendent or his/her designee shall draw names at random from the pool of applicants until all available spaces are filled. Such random selection process may be used as necessary to fulfill the purposes of this policy.

Rights and Privileges – Non-resident open enrollment students attending school in the district shall have all the rights and privileges of resident students and shall be subject to the same rules and regulations as resident students.

Non resident students attending Monona Grove School District under the Open Enrollment Program or under a Tuition Waiver Agreement (not those students we are required to transport per an I.E.P), may be transported if they utilize an existing Monona Grove School District bus stop within the District boundaries, room is available on the requested route, and the requester pays the Monona Grove School District a “Transportation User Fee” in the amount equal to the “Parent Contract” amount. Non-payment may result in the non-required transportation ceasing.

Those families eligible for the Federal Free and Reduced Lunch Program may complete the Fee Waiver Form in order to have the “Transportation User Fee” waived in the current school year.

### **Resident Open Enrollment Students**

District high school students may apply for part-time enrollment in another public school district in accordance with state law.

Limitations on Transfers – A resident student’s application to attend a course in another public school district shall be denied if the course conflicts with the IEP for the student. In addition, the Board reserves the right to deny a resident student’s application to attend a course in another public school district if the cost of the course would impose upon the district an undue financial burden.

Transportation – Transportation to and from a course, which the student is attending in another school district, shall be the responsibility of the student’s parent/guardian.

- LEGAL REFERENCES:        Sections 118.13 Wisconsin Statutes  
   118.145(3)  
   118.51  
   118.52
- CROSS REFERENCES:     Section PI 36 of the WI Administrative Code  
   Administrative Rule 425, Public School Open Enrollment  
   Application Procedures  
   Board Policy 343.2, Class Size  
   Board Policy 411, Equal Educational Opportunities
- BOARD APPROVAL:        March 14, 2007