

STUDENT PERSONNEL

Series 400

Policy Title....OPEN ENROLLMENT PROGRAM

Code No. 423.0

The School Board has determined that it shall allow nonresident students residing within the State of Wisconsin, but whose parent(s) does not reside in the District, and who qualify, to enroll in the District through an Open Enrollment Program during the forthcoming school year.

The tuition waiver program will also be utilized to allow non-resident students who meet the statutory criteria to attend the Burlington Area School District.

Definitions

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

Nonresident District

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

Non-resident Student

A student who is a legal resident or otherwise legally entitled to attend school in another school district in Wisconsin and who seeks admission to this District under the Open Enrollment Program or tuition waiver program.

Tuition Student

A nonresident student who is a resident of the State of Wisconsin and does not meet the criteria of the tuition waiver statute and tuition is being paid in accordance to statute.

Full-time Enrollment

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

Part-time Enrollment

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

Class Size

Unless otherwise stated in the terms of a collectively-bargained, negotiated agreement, the District shall determine, the maximum number of students who can be accommodated properly in a particular classroom without jeopardizing the quality of the instructional program and mitigating circumstances for a particular school, class, or program, including enrollment projections established by the District Administrator.

Program Size

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.

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 Policy 501.5 - Resident and Nonresident Students.

Enrollment of Nonresident Students

- A. Beginning with the school year 1998-1999, the District Administrator shall determine before acting on any applications the availability of openings for nonresident students based on the established maximum number of students that can be accommodated in each school, class, and program. The availability of space in the schools, programs, and classes may be based on class size limits, student-teacher ratios, students attending the District for whom tuition is paid under 121.78(1)(a), or enrollment projections established by the District Administrator.

The Board shall require nonresident, elementary students who are attending school in this District under this policy to reapply prior to entering seventh grade.

- B. If the number of applications for admission from nonresident students exceeds the number of available enrollment opportunities, nonresident students shall be selected for admission using a random selection process established by the District Administrator.
- C. Enrollment priority shall be given to a nonresident student already admitted under this policy or his/her sibling.
- D. A parent of a nonresident student who wishes his/her child to attend school in this District in the subsequent school year shall submit a request on the State-issued form to the District Administrator no earlier than the first Monday in February nor later than the third Friday in February of the current school year. The District Administrator shall forward a copy of each application to the district of residence and the Department of Public Instruction by no later than the fourth Monday in February.
- E. The District Administrator shall establish guidelines for the analysis of the applications to determine the grades and programs for which there are applications and for making the determination as to which such grades and programs applications can be accepted.
- F. The District Administrator shall notify the applicant on or before the first Friday after the first Monday in April whether or not the application has been accepted.

If the application is accepted, the District Administrator shall provide written notification to the applicant, on or before the second Friday following the first Monday in May, of the specific program or school the student will be attending. The parent must, in turn, notify the District Administrator, on or before the first Friday following the first Monday in June, if his/her child will be attending school in this District.

The District Administrator shall provide the district of residence by no later than June 30th, with the name of each of its student who will be attending school in this District in the forthcoming school year.

Criteria for Non-admission

- A. Enrollment may not be available to any nonresident student who meets one or more of the following criteria.
 - 1. The student has been expelled from school by any school district during the current or two (2) preceding school years for any of the following reasons or a disciplinary proceeding involving the student, 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 School Board.
 - d. possessing a dangerous weapon, as defined in s. 939.22(10), while at school or while under the supervision of a school authority.

The District Administrator shall make the decision based on the circumstances involved and may inform the parent of nonacceptance for any of the above stated reasons any time prior to the start of the school year. Other statutory provisions regarding the enrollment of students who have been expelled from school will also apply to this program.

2. The special education program or related services described in the child's individualized education program is not available in the District or there is no space available in the appropriate special education program.
3. The child has not been properly screened by his/her resident school district to determine if there is reasonable cause to believe that the child is a child with exceptional educational needs or the child has been reported or identified by his/her resident school district but not yet evaluated by a multi-disciplinary team appointed by the resident district.

The student has not met the academic prerequisites for participation in a particular program in which the student wishes to enroll.

The District's Policy 112 - Nondiscrimination shall apply to all applicants under this program. In addition, the District will not discriminate on the basis of an applicant's intellectual, academic, artistic, athletic, or other ability, talent, or accomplishment, or based on a mental or physical disability.

The District Administrator shall be responsible for developing and promulgating administrative guidelines to implement this policy. Such guidelines shall address at least the following matters:

- participation in interscholastic athletics
- District transportation services
- transfer of academic credit
- assignment within the District
- payment of fees and other charges

Transportation Arrangements

- A. Parents of non-resident students accepted for enrollment shall be responsible for transporting their child to the school the child will attend.
- B. The District shall provide transportation to non-resident, special education students whose IEP so specifies or is required under Wis. Statute 121.54(3).

Release of Resident Students

The Board shall release resident students who wish to apply for enrollment in another school district providing the number does not exceed the percentage of the school membership specified in statute that being 3% for the first year. The District Administrator shall ensure that the records of a resident student who transfers to a nonresident district are sent promptly to the other district.

If a student in need of special education seeks to apply for enrollment in a nonresident school district and the costs involved for this District in making such a transfer creates an undue financial burden, the Board shall require the student to receive his/her education in this District.

This policy shall be reviewed annually on or before December 1st.

Date of Adoption:

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Legal Reference:

Board Policy 501.5, 103

State Statute 121.78 (1)(a)

State Statute 939.22 (10)

State Statute 18.51, 118.52

Tuition Waiver:

State Statute 121.84(1)(a)1.-2., (d), (4)