

## Full-Time Public School Open Enrollment

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The Lodi Board of Education has determined that it shall allow nonresident students to enroll in the School District of Lodi under the public school open enrollment law and Board policy.

### Definitions:

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

- A. *Nonresident School District*  
A school district, other than a pupil's resident school district, in which the pupil is attending a course or has applied to attend a course under the open enrollment law.
- B. *Nonresident Student*  
A student who is a legal resident or otherwise legally entitled to attend school in another school district in Wisconsin who seeks admission to the Lodi District under the Open Enrollment Program.
- C. *Tuition Student*  
A nonresident student who is enrolled in the Lodi District with the tuition paid in accordance with state statutes.
- D. *Full-Time Enrollment*  
A student enrolled for the entire school day and receiving all of his/her required education through the Lodi District or a student released by the Lodi District for the entire school day to receive all of his/her required education in another district under the public school open enrollment law and Board Policy.
- E. *Part-Time Enrollment*  
Any home-schooled students may participate in no more than two (2) courses offered by the Lodi District or a high school student released by the Lodi District to participate in no more than two (2) courses offered by another school district under the public school open enrollment law and Board Policy.
- F. *Class Size*  
The number of students who can be enrolled in a particular classroom without jeopardizing the quality of the instructional program.

G. *Program Size*

The availability of space in the schools, programs, classes or grades within the nonresident school district, including any class size limits, pupil-teacher ratios, pupils attending the school district for whom tuition is paid under s.121.78(1)(a) or enrollment projections established by the nonresident school board.

H. *Resident Student*

A student who is a legal resident of the Lodi District and is consequently entitled to attend school in the Lodi District.

**Full Time Open Enrollment**

A. School district administration shall determine the availability of regular education and special education openings for nonresident students based on the established maximum number of students that can be accommodated in each school, class and program by December. The Board of Education will review and approve the number of regular and special education open enrollment spaces available at their January meeting. The Lodi District will consider the following criteria when accepting a non-resident pupil's application for full-time enrollment.

1. The availability of space in the schools, programs and classes may be based on class size limits, student-teacher ratios, students attending the Lodi District for whom tuition is paid under §121.78(1)(a), or enrollment projections established by the Board of Education.
2. 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.
3. Enrollment priority shall be given to nonresident pupils already attending public school in the nonresident school district and to siblings of such students.
4. If the pupil has been reported or identified as having possible special educational need (EEN) but has not yet been evaluated pursuant to state and federal requirements or if the child has been screened to determine if there is reasonable cause to believe the child has an special educational need (EEN), the pupil will not be accepted for enrollment until an IEP is in place. At that time, enrollment will be considered based on above listed criteria.
5. Enrollment may be denied during the term of a student's expulsion from another

district. Enrollment may also be denied to:

a. A pupil who 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:

1. 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.
2. engaging in conduct while at school or while under supervision of a school authority that endangered the health, safety or property of others.
3. 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.
4. possessing a dangerous weapon, as defined in §939.22(1), while at school or while under the supervision of a school authority.

The District Administrator shall make the decision based on the circumstances involved.

b. If any of the above disciplinary actions occur after initial acceptance of the pupil and prior to the pupil starting school in the Lodi District, enrollment will be denied to the nonresident pupil.

6. Enrollment may be denied if special education program or related services described in the child's individualized education program is not available in the Lodi District, there is no space available in the appropriate special education plan, or the IEP changes after the student begins attending the Lodi District and the program or services are not available or there is no space available.
7. 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, in writing, of acceptance. The district administrator or his/her designee shall notify the applicants, in writing, on or

before the first Friday following the first Monday in June. The notification of acceptance will also note the specific school program the open enrollment applicant will be attending.

- a. Identify students who do not meet the acceptance criteria established in Board policy.
- b. Identify any nonresident students who are attending the district. These students shall be enrolled prior to the random selection process.
- c. Identify any siblings of nonresident students who are attending a district school. These siblings are to be enrolled prior to the random-selection process.
- d. Identify students of staff members. These students are to be enrolled prior to the random selection process being applied.
- e. Assign a number to each application and place the numbers in a container. 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. Parents are to be notified of the date, time, and location of the drawing.
- f. Based on the results of the blind drawing, determine which applications are to be selected and notify those parents. Notify all parents whose applications have to be rejected. This notification must be completed on or before the first Friday following the first Monday in May

Non resident districts should request records from student's resident district. Resident district must send records, if such records exist, within, 5 days.

- g. For applications that meet the acceptance criteria established by Board policy and have to be rejected based on space availability will be placed on a waiting list. The waiting list shall be numbered based on the blind drawing. Parents will be notified by the third Friday in August of acceptance form the waiting list. Parents will have 7 days to respond and enroll the student or the space will be offered to the next student on the list.

**B. Alternative Open Enrollment Criteria and Procedures:**

Open enrollment applications may be submitted outside of the regular annual application period (or in lieu of it) if the student meets one of the following criteria and the parent describes the criteria that the student meets in the application:

- a. 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.
- b. The student is or has been a homeless student in the current or immediately preceding school year.
- c. The student has been the victim of repeated bullying and harassment and all of the following apply:
  - The student's parent must have reported the bullying or harassment to the school board (*or designee*) and
  - In spite of action taken by the board (*or designee*) the repeated bullying and harassment continues.
- d. The place of residence of the student's parent 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.
- e. The student moved into Wisconsin. The application must be made within 30 days after moving into the state.
- f. 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.
- g. 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.

The School District of Lodi may deny an alternative application of a non-resident student if (1) it determines that the criteria relied on by the parent 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 (unless the student was the victim of a violent crime).

The School District of Lodi may deny an application of a nonresident student as follows: (1) for the same reasons it may deny an application submitted during the regular annual application period (e.g., space availability); or (2) if the application relies on the "best interests of the student" criteria and the nonresident school district determines that open enrollment is not in the student's best interests.

The District Administrator will notify the applicant, in writing, whether the application has been approved or denied no later than 20 days after receiving the application. The notification will also 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 School District of Lodi 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 student has not enrolled in or attended school in the School District of Lodi by that date, the District Administrator will notify the student's parent, in writing, that the student is no longer authorized to attend the school or program in the School District of Lodi.

- C. The District Administrator shall notify the parent whether it has accepted the application for open enrollment in accordance with timelines established by the Department of Public Instruction.
- D. The Board shall require nonresident students who are attending school in the Lodi District under this policy to reapply prior to entering high school.

### **Part-Time Open Enrollment**

A non-resident public school pupil may apply for enrollment in up to two (2) course(s) in the Lodi District under the open enrollment program. When accepting or rejecting a nonresident pupil's application for part-time enrollment, the criteria shall be the same as the policies and criteria for entry into the course that apply to pupils who reside in the school district, except that the Board of Education shall give preference in attendance in a course to residents of the Lodi District.

### **Transportation**

- A. The parents of an accepted nonresident student will be responsible for transportation of the pupil to and from Lodi District Schools except when the district is required by law to provide transportation.
  - As the nonresident district, School District of Lodi, (will or will not) pick up students within the boundaries of the student's resident district, and if so, whether it will pick up some or all of such students.
  - As the resident district, whether School District of Lodi (will or will not) permit nonresident districts to enter into the School District of Lodi for the purpose of picking up and dropping off open enrolled students.

### **Fees**

Non-resident students enrolled under this policy will be subject to the same student and participation fees as resident students.

### **Co-Curricular Participation**

- A. Non-resident students entering the School District of Lodi under disciplinary sanction for violating the co-curricular code of their resident district shall complete the imposed sanction if it is equal to or more severe than that which would have been imposed had it occurred in the School District of Lodi. If less severe the appropriate School District of Lodi sanctions shall be imposed.
- B. WIAA rules and regulations for eligibility along with School District of Lodi rules of eligibility shall be followed for nonresident as well as resident students.

### **Release of Resident Students**

- A. The School District of Lodi administration shall limit the number of students who may be released for full-time enrollment in another district in a given school year to the maximum permitted by state law. If the Lodi District receives more applications than the maximum number established by the District Administrator, acceptance will be determined by a random selection. Preference under this provision will be given to pupils already attending public school in the district to which they are applying and their siblings. 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.
- B. The School District of Lodi District Administrator may deny a pupil from attending school in another public school district, or continuing to attend school in another public school district, if costs of special education services required in the pupil's IEP would place an undue financial burden on the resident school district's total economic circumstances, including:
  - 1. Revenue limits
  - 2. The financial ability of the district to pay tuition costs for the student
  - 3. The per-student special education program or services costs for students continuing to be served by the resident school district
- C. Lodi District resident high school pupils may apply for open enrollment in no more than two (2) courses in other public school district(s) in accordance with state law. The Lodi District shall reject a student's application to attend a course/class in another public school district if the course/class conflicts with the student's IEP or if attendance in another district would place an undue financial burden on the Lodi District.

### **Termination of Open Enrollment**

A nonresident student's open enrollment may be terminated due to habitual truancy, as defined in Policy #534, either at the end of a semester or at the end of the school year.

LEGAL REFERENCE:           Section 118.13 Wisconsin Statutes  
                                  Section 118.51  
                                  Section 118.52  
                                  Section 121.54(10)  
                                  Section 121.58(2)(a)  
                                  Chapter 115 Subchapter V, Wisconsin Statutes  
                                  DPI Procedures/Important Dates for Public School Open Enrollment

CROSS REFERENCE:           Equal Educational Opportunities Policy

(NOTE) -Revised per Policy 151.1/151.2

The School District of Lodi shall not discriminate in the methods, practices and materials used for testing and evaluating students on the basis of sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, cognitive, emotional or learning disability or handicap.