

SERIES 400 – STUDENTS

School Admissions – 420

Alternate Open Enrollment Criteria and Process – 423.1

This policy will be administered in accordance with the state public school open enrollment law.

Eligibility Criteria for Alternate Open Enrollment Students

A parent or guardian of a student who wishes to attend a nonresident school district may submit an open enrollment application outside 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 a victim of a violent criminal offense in a school in the resident school district. The application must be made within thirty (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 or 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 of designee under a bullying/harassment complaint process and,
 - b. In spite of action taken by the board or designee the bullying and/or harassment continue.
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 thirty (30) days of the date on which the military orders changing the place of residence were issued.
5. The student moved into Wisconsin from another state. The application must be made within thirty (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 thirty (30) days after the student's change in residence.

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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 the attendance at the nonresident school district is in the best interest of the student.

Application Review and Approval Process

All open enrollment applications submitted under the criteria for alternative open enrollment as outlined above, whether it is submitted by a nonresident or resident student, will be forwarded to the District Administrator for review and recommendation.

Nonresident Student Applications

If the application involves a nonresident student seeking to attend the Norwalk-Ontario-Wilton School District, the District will:

1. Immediately send a copy of any paper application received by the Norwalk-Ontario-Wilton School District to the student's resident school district, or, if applicable, the anticipated resident school district.
2. Communicate with the identified resident school district in the application to determine if the applicant is currently attending school, and to obtain any relevant special education or disciplinary records relevant to the student and the district's open enrollment policies. If the student has not attended the identified resident school district, the Norwalk-Ontario-Wilton School District will contact the last school district the student attended.
3. Within ten (10) days after receiving, or, if necessary, developing and Individual Educational Plan (IEP) for a student with a disability, the Norwalk-Ontario-Wilton School District will provide the resident school district with an estimate of costs to provide the student with special education or related services.

The District Administrator and other members of the administrative staff shall review applications. The District Administrator shall submit a recommendation to the Board of Education regarding acceptance or denial of the application. The Norwalk-Ontario-Wilton School District may deny any application of a nonresident student:

1. For the same reasons it may deny an application submitted during the regular open enrollment period.
2. If the application relies on the best interests of the student criteria and the Norwalk-Ontario-Wilton School District determines that that the open enrollment is not in the student's best interests.

If the application involves a nonresident student seeking to attend the Norwalk-Ontario-Wilton School District, the District Administrator will notify the applicant, in writing,

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whether the application has been approved or denied no later than twenty (20) days after receiving the application.

1. If the application for open enrollment has been denied, the notification will include a reason for the denial and information on the appeal process.
2. If the application for open enrollment has been approved, the nonresident student may begin attendance at the Norwalk-Ontario-Wilton School District immediately, but not later than fifteen (15) days following receipt of the notice of acceptance. If the nonresident student does not enroll by that date, then the Norwalk-Ontario-Wilton School District may notify the student's parent or guardian, in writing, that the student is no longer authorized to attend the school district or program in the school district.
3. If the Norwalk-Ontario-Wilton is delayed in receiving relevant disciplinary or educational records from the resident school district, or last school district the nonresident student attended, the District Administrator will inform the nonresident student's parent or guardian that the ability of the district to confirm or deny the open enrollment application is contingent on receiving the appropriate educational and disciplinary records. The Norwalk-Ontario-Wilton School District will review and act promptly once the relevant student records are received.
4. The Wisconsin Department of Public Instruction has the authority to allow the Norwalk-Ontario-Wilton School District to conditionally approve an open enrollment application of a nonresident student until the necessary student educational records are received and reviewed.

Resident Student Applications

If, for the purposes of the application, the Norwalk-Ontario-Wilton School District is identified as the resident school district, the District Administrator will notify the applicant whether the application has been approved or denied within twenty (20) days after receipt of the application.

If the application involves a resident student seeking to attend another school district, the Norwalk-Ontario-Wilton School District will have the District Administrator and other members of the administrative staff review the applications. The District Administrator shall submit a recommendation to the Board of Education regarding acceptance or denial of the application. The Norwalk-Ontario-Wilton School District may deny any application of a resident student:

1. If the District Administrator determines that the criteria relied on by the parent or guardian to submit the application does not apply to the student.
2. It determines that the cost of special education and related services requires in the Individualized Education Plan (IEP) for a student with a disability is an undue financial burden. (Unless it has been determined by the Board of Education that this student was a victim of a violent crime).

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3. If the application has been denied, the notification shall include reasons for the denial and information of the appeals process.

Appeals

Parents or guardians of a student denied alternative open enrollment have thirty (30) days of the mailing of the written notice to appeal the denial to the Wisconsin Department of Public Instruction.

Legal Reference: Wisconsin Act 114

Cross Reference: School Board Policy 423 – Public School Open Enrollment
School Board Policy 423 Rule – Public School Open Enrollment

Approved: January 14, 2013