

**FULL-TIME PUBLIC SCHOOL OPEN ENROLLMENT
Nonresident Students Coming Into the District**

A nonresident student may apply for full-time enrollment in a district school or program under the State's public school open enrollment program. Applications shall be made by completing and submitting the DPI's online system or by completing the DPI's paper application form and submitting the paper application to District Administrator Office, School District of Marathon, PO Box 37, Marathon, WI, 54448-0037. Upon receipt of any paper application, office staff shall affix a date stamp (or written and initialed) to the application and forward it to the District Administrator or his/her designee for reviewing and processing. All full-time public school open enrollment applications will be acted upon in accordance with the timelines and procedures outlined in state law.

The School District of Marathon shall consider the following criteria when deciding whether or not to accept, or in some situations revoke acceptance of, a nonresident student's application for full-time open enrollment:

1. Space Availability and Waiting Lists:

- The District shall consider availability of space in the schools, programs, classes or grades within the District. Consideration shall be given to class size, student-teacher ratios, overall building capacity, nonresident students currently attending school in the District under cooperative agreements with other school districts and enrollment projections.
- Any annual determination of space availability, if utilized, shall involve a declaration of the District-wide number of nonresident open enrollment applications that the District intends to accept in conjunction with the subsequent regular application period, broken down (1) by grade, and (2) by any established special education program or service that has identifiable space limitations.

2. Students With Disabilities:

- Whether the student has been screened by his/her resident district to determine if there is reasonable cause to believe that the student is a child with disabilities.
- Whether the special education program or related services described in the student's IEP are available in the District or whether there is space available in the special education program identified in the student's IEP. If a nonresident student's IEP changes after the student begins attending school in the District and the special education program or services required by that IEP are not available in the District or there is no space available in the special education program identified in the IEP, the District may notify the student's resident school district that the program is not available to the student.

3. Students Referred for a Special Education Evaluation:

- Whether the student has been reported or identified as having a possible disability but not yet evaluated by an individualized education program (IEP) team in the resident district.

4. Discipline-Related Criteria:

- The District shall not accept any student for full-time enrollment who has been expelled by any school district during the current school year or preceding two school years for specific conduct or who has disciplinary proceedings pending on such conduct. This policy provision applies to the following student conduct: endangering the health, safety or property of others, conveying or causing to be conveyed a “bomb” threat involving school property and possessing a dangerous weapon while at school or under the supervision of a school authority. If any of these disciplinary actions occur after the student has been accepted for enrollment and prior to the beginning of the school year in which the nonresident student first enrolls in the District, the student’s enrollment shall be denied.

5. Truancy-Related Criteria:

- An open enrollment application shall be denied if the student was habitually truant during any semester of attendance at a District school in the current or previous year.
- Pursuant to the District’s applicable truancy and attendance policies, if the District determines that a nonresident student attending school in the District under the open enrollment program is habitually truant from school during either semester in a given school year, the District may prohibit the student from continuing to attend school in the District as an open enrollment student in the succeeding semester of the school year.

6. “Best Interests” Determinations under the Alternative Open Enrollment Application Criteria and Procedures:

- If a parent or guardian applies for open enrollment under the alternative open enrollment application criteria and procedures and relies on the “best interest of the student” criteria, the District shall review the information and rationale provided by the parent(s) or guardian and make a determination as to whether the District agrees with the parent(s) or guardian that attending school in the District pursuant to the application is in the student’s best interest. If the District determines that attendance would not be in the student’s best interests, the application shall be denied on that basis.

A full-time open enrollment application can also be denied if the nonresident student is ineligible for open enrollment under state law, or the application is determined to be invalid.

The District shall give preference in accepting full-time enrollment applications to any nonresident students already attending school in the District and their siblings. If the District receives more nonresident student applications for full-time enrollment than there are spaces available, determination of which students to accept shall be made on a random basis in accordance with established procedures.

Once a nonresident student is accepted for full-time open enrollment in the District and begins attending school in the District, no re-application is required in order for the student to maintain continuous open enrollment.

Transportation of Nonresident Students Participating in Full-Time Open Enrollment

Student transportation and the costs thereof shall be the responsibility of the nonresident student’s parent(s) or guardian, subject to the following exceptions:

The District shall provide transportation to nonresident students with disabilities attending school in the District under the open enrollment program if such transportation is required in the student’s IEP. In

addition, the District shall provide transportation to other nonresident students participating in the full-time open enrollment program under the following conditions:

1. Transportation shall be provided on a first-come, first-served basis.
2. Transportation shall be provided only if approved by the District Administrator.
3. Transportation shall be provided only on a space available basis on regular buses per standard resident policy for a regular route. Additional or special routes shall not be established.
4. Students shall be picked up and dropped off within District boundaries and only at approved locations consistent with District policy.

Resident Open Enrollment Students - Students Going Out of the District

Resident students may apply for full-time enrollment in another public school district in accordance with state law. An application may be denied if the resident student is ineligible for open enrollment under state law or the application is deemed to be invalid. The Marathon City School District may deny a student 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 student's IEP would place an undue financial burden on the District.

If the student has applied for open enrollment under the alternative open enrollment application criteria and procedures authorized by law, the District shall deny the student's open enrollment if the District determines that none of the criteria relied on by the student to submit the application apply to the student. However, prior to denying, the District shall offer the parent or guardian an opportunity to provide additional information.

The parents/guardians of resident students attending school in another school district under the open enrollment program shall be responsible for providing student transportation to and from the nonresident school district.

Appeals of Open Enrollment Decisions

The student's parent(s) or guardian may appeal a District's 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.

LEGAL REF.: Sections 118.13 Wisconsin Statutes
118.51
118.52
121.54(10)
121.58(2)(a)
Chapter 115, Subchapter V

CROSS REF.: 420, School Admissions

APPROVED: January 14, 1998
REVISED: October 11, 2000
REVISED: January 14, 2009
REVISED: December 2, 2009
REVISED: November 12, 2014 (1st Reading)
REVISED: December 10, 2014 (2nd Reading)