
Discussion Item: 2

Ashwaubenon School Board

Meeting Date:	December 11, 2024
Issue:	First reading of policies pertaining to open enrollment
Requested By:	Kurt Weyers
Attachments:	Policies 2370, 5111, 5112, 5113.01 and 5200
Financial and/or Staffing Implications:	None at this time
Funding Source:	None at this time
Explanation:	<p>Yearly review of all open enrollment policies prior to the start of the open enrollment application period on February 3, 2025.</p> <p>Policy 2370, 5111, 5112, 5113, 5113.01 and 5200: These policies are attached for review. No recommended changes to these policies.</p>
Recommendation:	Review and bring back to January meeting for final approval.



Book	Policy Manual
Section	2000 Program
Title	EDUCATIONAL OPTIONS PROVIDED BY THE DISTRICT
Code	po2370
Status	Active
Adopted	August 12, 2020
Last Revised	January 11, 2023
Last Reviewed	January 12, 2022

2370 - EDUCATIONAL OPTIONS PROVIDED BY THE DISTRICT

The Board recognizes that students learn in different ways and therefore provides a variety of educational programs and options to students developed and approved through the Board and the administration.

The District program includes a variety of opportunities using both on-site and distance learning. The availability of educational options vary depending on the school of attendance and individual student circumstances, and the District is frequently evaluating and updating its programs. Students and parents are encouraged to consult with the school administration to discuss programs best suited for them. The following contains brief descriptions of the educational options available through the District's program, but is not intended to be an exhaustive list:

Early College Credit Program

High school students may take college courses for high school and/or college credit in accordance with Policy 2271 - Early College Credit Program.

Start College Now Program

Students enrolled in grades 11 and 12 may take technical college courses for high school and/or college credit in accordance with Policy 2271.01 - Start College Now Program.

Advanced Placement (AP) Courses

Students may enroll in AP courses that prepare students for the College Board's annual AP Exams offered in the spring. Students may earn college credit based on their AP Exam score.

Dual Credit Programs

Students enrolled in grades 11 and 12 may take approved dual credit programs with Technical College in accordance with State law and District procedures.

Independent Study

Independent study provides the opportunity for students to explore career options or to take a course not available as an offered course. Independent studies may also take the student into the greater school community for experience under the co-sponsorship of people in other professions, businesses, government, or industry.

Online Courses

Students may enroll in online courses when such course is not otherwise available or as an educational alternative better suited to the diverse learning needs of students.

Work-Study Programs

Students may enroll in the District's cooperative education program offered with a course or in a work-study program designed to the individual needs of the student.

Summer School

The District offers a summer school program that includes both enrichment and credit recovery options.

Youth Apprenticeship Program

The District offers a Youth Apprenticeship program as part of the Statewide School-to-Work initiative.

Full-Time Open Enrollment Program

The District offers a full-time open enrollment opportunity to students in accordance with Policy 5113 - Open Enrollment Program (Inter-District).

Part-Time Open Enrollment Program

The District offers a part-time open enrollment opportunity to students in accordance with Policy 5113.01 - Part-Time Open Enrollment.

Courses for Home-Based Private Education Students

Students enrolled in home-based private education programs may take up to two (2) courses per semester in the District in accordance with Policy 9270 - Home-Based, Private, or Tribal Schooling.

Notification of Educational Options

Annually, the District shall provide a list of educational options to parents in accordance with Policy 8146 - Notification of Educational Options.

Revised 5/10/17

Revised 12/13/17

T.C. 1/11/23

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Last Modified by Kayla Reichley on May 9, 2024



Book	Policy Manual
Section	5000 Students
Title	ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS
Code	po5111
Status	Active
Adopted	June 1, 2008
Last Revised	December 9, 2020
Last Reviewed	January 11, 2023

5111 - ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

The Board establishes the following policy for determining the eligibility of students to attend the schools of this District.

- A. The Board will educate, tuition-free, students who are residents of the District. Proof of residency will be required for registration in the District. If residency is with individuals other than a parent, the living arrangement may not be solely for purposes of attending the District's schools.
- B. The District shall not make residency determinations on the basis of an individual's alienage.
- C. The District shall consider those students who are homeless or in foster placement to be residents unless residency is determined to be in another district.
- D. Upon request of a student's parent, or the request of an adult student, students who have gained twelfth-grade status and who no longer reside within the District shall be permitted to complete their high school education tuition-free.
- E. Resident students in grades nine (9) through twelve (12) who attend a tribal school, private school, or home-based private educational program shall be accepted into the District's educational programs for up to two (2) classes if the student satisfies the high school admission standards and sufficient space is available in the classes.
- F. Students enrolled in a home-based private educational program in grades kindergarten through eight (8) who meet the minimum standards for admission to a course offered by the District shall be accepted into the District's educational programs for up to two (2) classes if the Board determines there is sufficient space in the classes.
- G. A high school student who now resides in a different school district as a result of a reorganization under Chapter 117 and who has completed 9th and 10th grade at his/her former school district shall be allowed to complete his/her education at the former school district. The school board of residence shall pay the student's tuition, and if the parent has paid such tuition, the resident board shall reimburse the parent, upon request of the parent, within three (3) years. The school of attendance shall count the student in its membership.
- H. If a parent (or adult student) presents information to the District certifying that the parent (or adult student), his/her child, or a member of the parent's household is a participant in the Safe at Home/Address Confidentiality Program administered by the Wisconsin Department of Justice, the Board shall use the address designated by the Department of Justice to serve as the student's address for enrollment purposes. The District shall place a copy of any certification provided by the parent in the enrollment files.
- I. Children of joint custody orders may attend school without payment of tuition if the student otherwise meets residency requirements, unless a court order specifies a different District of attendance.

- J. Foreign students, participating in a bona fide, foreign-exchange program, may be admitted consistent with Federal law.
- K. Students whose parents reside in the State but do not reside within the District, but who present evidence that they will move into the District within nine (9) school weeks, may enroll in the schools of this District as tuition students for the time not in residence. Tuition will be refunded in accordance with State law.
- L. Minor students residing in the District, but not living with a parent, may be required to provide information sufficient to allow the administration to properly determine resident status under law.
- M. Tuition students may be accepted in accordance with State law and the approval of the Superintendent.
- N. Nonresidents may be accepted into the District's Adult Education classes upon payment of the appropriate fees.
- O. Nonresident students may be accepted into the District's Summer or Interim Session School Program upon payment of appropriate fees.
- P. Nonresident students may be accepted into the District's program under the Part-Time or Full-Time Open Enrollment Programs. Nonresident students accepted into the District's Part-Time Open Enrollment Program may attend no more than two (2) courses at any time if the Board determines there is sufficient space in the classroom.
- Q. Students who have begun the school year as residents and who no longer reside in the District may be permitted to complete the school year tuition-free.
- R. The Superintendent, at his/her discretion, may deny admission to a student who has been expelled from another Wisconsin public school district, for the period of the unexpired term of the expulsion. When the expulsion from the other district has expired, the student is to be admitted providing all other eligibility requirements have been met.

Conditional Enrollment

The Board may specify in a written order one (1) or more enrollment conditions instead of or in addition to any early reinstatement conditions, if any, imposed by the school board that expelled the student or instead of or in addition to any conditions imposed, if any, by the out-of-state public school that expelled the student. Any enrollment conditions must relate to the reasons for the student's expulsion and may not extend the term of expulsion specified in the expulsion order. The School District Clerk shall mail two (2) copies of the order to the student or, if the student is a minor, to the student's parent. The expelled student or, if the student is a minor, the student's parent shall sign and return one (1) copy of the order to the Board. Within fifteen (15) days after the date on which the order is issued, the expelled student or, if the student is a minor, the student's parent may appeal the determination regarding whether an enrollment condition specified in the order is related to the reasons for the student's expulsion to the Board. The decision of the Board regarding that determination is final and not subject to appeal. If the Superintendent determines that the student has met the enrollment conditions established in a written order, the Superintendent may grant the student conditional enrollment in a school in the District. The determination of the Superintendent is final.

1. If a student granted conditional enrollment violates an enrollment condition that the student was required to meet after his/her conditional enrollment but before the expiration of the term of expulsion, the Superintendent may revoke the student's conditional enrollment. Before revoking the student's conditional enrollment, the Superintendent shall advise the student of the reason for the proposed revocation, including the enrollment condition alleged to have been violated, provide the student an opportunity to present his/her explanation of the alleged violation, and make a determination that the student violated the enrollment condition and that revocation of the student's conditional enrollment is appropriate. If the Superintendent revokes the student's conditional enrollment, the Superintendent shall give prompt written notice of the revocation and the reason for the revocation, including the enrollment condition violated, to the student and, if the student is a minor, to the student's parent. Within five (5) school days after the revocation of a student's conditional enrollment, the student or, if the student is a minor, the student's parent may request a conference with the Superintendent who shall be someone other than a principal, administrator, or teacher in the student's school. If a conference is requested, it shall be held within five (5) school days following the request. If, after the conference, the Superintendent finds that the student did not violate an enrollment condition or that the revocation was inappropriate, the student shall be enrolled in school under the same enrollment conditions under the order previously issued and the conditional enrollment revocation shall be expunged from the student's record. If the Superintendent finds that the student violated an enrollment condition and that the revocation was appropriate, s/he shall mail separate copies of the decision to the student and, if the student is a minor, to the student's parent. The decision of the Superintendent is final.

2. If a student's conditional enrollment is revoked, the student's expulsion shall continue to the expiration of the term of the expulsion specified in the expulsion order unless the student or, if the student is a minor, the student's parent and the school board that expelled the student, or the independent hearing panel or independent hearing officer, or the out-of-state public school, agree, in writing, to modify the expulsion order.

Revised 3/10/14
Revised 4/25/16
Revised 1/10/18
Revised 11/14/18
Revised 7/10/19
Revised 11/13/19
Revised 12/9/20
Reviewed 1/12/22
Reviewed 1/11/23

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Legal	118.51, Wis. Stats.
	118.52, Wis. Stats.
	120.13(1), Wis. Stats.
	121.77, Wis. Stats.
	121.78(2)(a), Wis. Stats.
	121.81, Wis. Stats.
	121.84, Wis. Stats.
	McKinney-Vento Act (42 U.S.C. 11431, et. seq.)
	118.53, Wis. Stats.

Last Modified by Kayla Reichley on May 9, 2024

Book	Policy Manual
Section	5000 Students
Title	ENTRANCE AGE
Code	po5112
Status	Active
Adopted	June 9, 2008
Last Revised	January 12, 2022
Last Reviewed	January 11, 2023

5112 - **ENTRANCE AGE**

The Board of Education shall establish student entrance age requirements which are consistent with Wisconsin Law and sound educational practice and which ensure equitable treatment.

A. Kindergarten

1. A child is eligible for entrance into four (4) year old kindergarten if s/he attains the age of four (4) on or before September 1st of the year in which s/he applies for entrance and meets the residency requirements.
2. A child is eligible for five (5) year old kindergarten when s/he attains the age of five (5) on or before September 1st of the year in which s/he applies for entrance and meets the residency requirements. The child may not be placed in an alternative program without the permission of the parent.

B. First Grade

A child must be six (6) years of age on or before September 1st in the year in which s/he enrolls. A student must have completed a kindergarten program or must receive a waiver of this requirement.

Any student who has not completed a five (5)-year old kindergarten program, but seeks to enroll into first grade must receive a waiver of the requirement. The following students are eligible to receive a waiver:

1. Any student who has moved to the District from another state or country where completion of a five (5)-year old kindergarten program is a prerequisite to enrollment in first grade and that student has received a waiver of the requirement in his or her prior state or country.
2. Any student who has moved to the District from another state or country that does not require the completion of five (5)-year old kindergarten prior to enrollment in first grade.
3. Any student who, at the discretion of the building principal, in consultation with the first-grade teacher(s) of the District, determines that, notwithstanding that the student has not completed a five (5)-year old kindergarten program, the student has demonstrated sufficient aptitude in all core competencies normally required of kindergarten students in the District upon completion of the kindergarten program.

The Principal shall perform any required testing to establish the student's academic capabilities and shall prepare a written evaluation that either grants or denies the waiver and provides an explanation as to the decision.

C. Appeal of Denial of Waiver

The parents of any student denied a waiver under this section by the building principal may appeal that decision to

the Superintendent by submitting a written request to the Superintendent within ten (10) days of the decision of the principal.

The decision of the Superintendent is final.

D. Initial Entry

Children entering the District for the first time must comply with State law. Students must have an immunization record on file at the school. Any student who does not have the proper immunization may be excluded or permitted to remain in school pursuant to Policy 5320 - Immunization.

Each child who is entitled to admittance into a public school in the District must have a school-entry health examination. The school health services plan shall contain provisions to assist students in obtaining health examinations. Such examinations shall be conducted consistent with Policy 5310 - Health Services.

Any student and/or his/her parent(s) who enters the District for the first time must disclose prior or pending school expulsions at the time of enrollment.

E. Verification of Residence

Verification of a parent's residence shall be required at the time the child registers in a District school. Verification of residence may also be required at any other time at the discretion of the Superintendent.

F. Early Admission

The District shall prescribe procedures, conditions, and standards for early admission to five (5)-year old kindergarten, and first grade.

The District does not allow early entrance to four (4)-year old kindergarten.

G. Older Students

A person who is a resident of the District and over twenty (20) years of age may enroll providing the Superintendent does not think his/her enrollment will interfere with the education of the other students.

Revised 7/11/11
Revised 7/10/19
Revised 11/13/19
Revised 1/13/21
Revised 1/12/22
Reviewed 1/11/23

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Legal 118.14, 118.15, 120.12(25), Wis. Stats.

Last Modified by Kayla Reichley on May 9, 2024



Book	Policy Manual
Section	5000 Students
Title	OPEN ENROLLMENT PROGRAM (Inter-District)
Code	po5113
Status	
Adopted	June 9, 2008
Last Revised	November 8, 2023

5113 - **OPEN ENROLLMENT PROGRAM (Inter-District)**

The School District ("District") will participate in the Wisconsin Public School Open Enrollment Program in accordance with applicable law and the relevant policies and rules of the District, all as amended from time-to-time.

DEFINITIONS

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

A. Non-Resident District

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

B. Non-Resident Student

A student who does not reside within the geographic boundaries of the District and who seeks admission to this District under the Open Enrollment Program.

C. Tuition Student

A non-resident student who attends school in the District and pays tuition in accordance with State law.

D. Full-Time Enrollment

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

E. Class Size

The District's determination of 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 Superintendent.

F. 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.

G. 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 5111 - Eligibility of Resident/Non-resident Students.

H. Absences (Excused and Unexcused)

See Policy 5200 - Attendance.

I. Truancy and Habitual Truancy

See Policy 5200 - Attendance.

J. Part of the School Day

See Policy 5200 - Attendance.

K. Tardiness

See Policy 5200 - Attendance.

FULL-TIME OPEN ENROLLMENT

A. Annual Space Determinations

During a January meeting, the Board shall establish the availability of space by determining the number of regular education and special education spaces in the schools, programs, classes, or grades. In setting space availability, the Board may choose to set no limitations or may set limits on availability using the following criteria:

1. District practices, policies, procedures or other factors regarding class size ranges for particular programs or classes.
2. District practices, policies, procedures or other factors regarding faculty-student ratio ranges for particular programs, classes or buildings.
3. Enrollment projections, which account for factors that include but are not necessarily limited to, likely short and long term economic development in the community, housing starts, current and future needs for special programs, laboratories, or other initiatives.
4. **If the Board determines that no special education space is available in any grade or program, the District must still review each student's IEP in its entirety to determine the following:**
 1. **whether the District has space available in the special education and related services required in the student's IEP;**
 2. **whether the District has special education and related services available as required in the student's IEP.**
5. In determining the amount of space available, the District will count resident students, students attending the District for whom tuition is paid by written agreement with the resident district under 121.78(1)(a), Wis. Stats., and may include in its counted occupied spaces students and siblings of students who have applied under Section 118.51(3)(a) or 118.51(3m)(a) and are already attending public school in the District.
6. **Processing of Open Enrollment Applications**

A parent of a nonresident student may submit an application to attend school in the District during the applicable regular open enrollment period or through the alternative open enrollment process. The application must be submitted using the form designated by the Wisconsin Department of Public Instruction.

Upon receipt of an application, the Superintendent shall confirm that the application is complete or request that it be completed before being further considered.

Parents shall be notified of the determination on their applications on or before the first Friday following the first Monday in June following receipt of the application, or within the timeframe otherwise established by law. If approved, the parent shall be notified of the approval and the specific assignment within the District. If, upon enrollment, the student is appropriately placed in a different grade level, the student shall be so assigned unless applications for that grade level have been denied or there is no longer space available at that grade level.

Any notice of a decision to deny shall include the following:

1. Specific reason(s) for denial.
2. Notice of the parents' right to appeal, the address to send the appeal, and information on where to locate the form required for appeal.

Application of Space Determinations and Random Selection Process:

If there are more applications than spaces, the Board will fill the available spaces by random selection, provided that first priority will be given to non-resident students already attending District schools and their siblings. If the District determines that space is not otherwise available for open enrollment students in the grade or program to which an individual has applied, the District may nevertheless accept a student or the sibling of a student who is already attending in the District. Random selection shall be conducted among the student applications for each grade level. The order of grade level selection shall also be randomly determined. The following considerations will be included in the random selection process:

1. Preferences

- a. If the Board has not guaranteed approval in its determination of space availability to currently attending students, it shall grant preference to such students in the random selection process.
- b. If the Board has not guaranteed approval in its determination of space availability to the siblings of currently attending students, it shall grant preference to such students in the random selection process.

If in any selection process there are more students eligible for preferred treatment than there are spaces available, the Board shall conduct random selection from among the students granted preference.

2. The sibling of a student selected in the random selection process shall be granted preference to any spaces available that the sibling has applied for, but the sibling may not be approved if there are no remaining spaces for the sibling.

3. After the date specified in 118.51(3)(a)3., Wis. Stats., the nonresident school board may approve applications it had initially denied if any of the following cause spaces to become available:

- a. A parent notifies the nonresident school board that the student will not attend the nonresident school district.
- b. A parent fails to provide the notification accepting open enrollment as required in 118.51(3)(a)6., Wis. Stats.
- c. The Board determines that additional spaces have become available since its determination at the January Board meeting.

The District shall notify the parent of a student accepted from the waiting list of that student's eligibility to attend the District, unless the student has already enrolled in a different non-resident school district or has since become a resident of the District. The notice shall state the following:

- a. the school or program the student has been assigned to;
- b. a date, at least ten (10) calendar days from the date of the notice, by which the parent must accept the open enrollment approval. Failure to timely accept shall be considered rejection and the approval shall be considered rescinded.

C. Decisional Criteria for Non-Resident Applications

Decisions on non-resident open enrollment applications will be based only on the following criteria:

1. Space availability as defined in this policy.

2. Whether an applicant for a pre-kindergarten, four (4) year old kindergarten, early childhood or school-operated daycare program resides in a district which offers the program for which application is made.
3. Whether the non-resident student is currently under an order of expulsion for any reason; or has been expelled from any school district within the current school year or the two (2) preceding school years but the period of expulsion has ended, or is pending any disciplinary proceeding, based on any of the following activities:
 - 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 school property by means of explosives.
 - b. Engaging in conduct while at school or under school supervision 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 school employee or Board member.
 - d. Possessing a dangerous weapon (as defined in 939.22(10), Wis. Stats.) while on school property or under school supervision.

Notwithstanding the Board's acceptance of a non-resident student's application, the Board may withdraw acceptance if, prior to the beginning of the first school year in which the non-resident student will attend a school in the District, the student is determined to fall under paragraph C. 3.

The Board may request a copy of a non-resident student's disciplinary records from the resident school board.

The resident board shall provide to the nonresident board a copy of any expulsion order or findings, a copy of any pending disciplinary proceedings, a written explanation of said proceeding, the length of the expulsion or possible outcomes of a pending proceeding, and/or such records as permitted by law.

4. Whether the special education program or related services described in the non-resident student's individualized education program ("IEP") are available in the District. Whether a service is available depends on whether existing staff in the District are qualified to provide the service or whether the District has facilities and/or equipment required for the service. A service is not available in the District if that service is currently provided to resident students through contract with a third party. Whether a service is available is not a function of whether there is space available in any program or service. A service may be unavailable even if no space limitations have been established.
5. Whether there is space available in the District to provide the special education or related services identified in the non-resident student's IEP, after consideration of class size limits, student-teacher ratios, and enrollment projections.
6. Whether the non-resident student has been referred to the non-resident student's resident board under 115.777(1) Wis. Stats. or identified by the non-resident student's resident school board under 115.77(1m) (a) Wis. Stats., but not yet evaluated by an individualized education program team.
7. If a non-resident student's IEP is developed or changed after starting in the District, and it is then discovered that the District does not have necessary programs available or does not have space in the special education program, the District may notify the student's parent and the student's resident board. If such notice is provided, the non-resident may be transferred to his/her resident school district.
8. If the Board has made a determination that a non-resident student attending the District under the open enrollment program is habitually truant from the District during either semester of the current school year, the Board may prohibit the student from attending in the succeeding semester or school year, after complying with the requirements of PI 36.09(2).

The habitual truancy determination shall be made on the sole basis of enrollment in the non-resident district. Open enrollment may not be denied based on the student's truancy from any other district.

D. Reapplication Procedures

The Board will not require accepted non-resident students to reapply under the open enrollment policy as long as

the student is continuously enrolled in the District.

E. Termination of Open Enrollment

If the Board determines that a student is habitually truant during either semester of the current school year, the Board may prohibit the nonresident student from attending in the succeeding semester or school year. The District Administrator shall assure compliance with DPI regulations pertaining to open enrollment termination found in Wis. Admin Code PI 36.09. If the parent or nonresident student believes the student has been marked absent, tardy, or truant in error, the parent or student may contact the school attendance officer and provide a written explanation of the circumstances believed to be in error. The attendance officer shall review the matter and provide a response to the parent or student either correcting the attendance record, confirming the accuracy of the record, or requesting additional information upon which a decision will then be made. If additional information is requested, it must be provided within five (5) school days of the request or no additional information will be considered in the decision. Open enrollment of a student in a virtual charter school may also be terminated if, on three (3) occasions during a single semester, the student has failed to respond to a school assignment or directive within five (5) school days not counting any days excused by the student's parents up to a maximum of ten (10) school days per year, and after each occurrence the virtual charter school notified the student's parents. After the third incident, the virtual charter school program shall notify the Board of the nonresident student's failure to participate in the program. The Board may terminate the student's open enrollment.

F. Transportation

The parents of a student attending a non-resident school district will be solely responsible for providing transportation to and from the school site. The District will provide transportation for a non-resident student with an identified disability for whom transportation is required by the student's IEP.

ALTERNATIVE APPLICATION PROCEDURES

The parent of a non-resident student who wishes to attend a school in the District may apply at any time throughout the year by submitting an application under the alternative application procedure if the student satisfies at least one (1) of the statutory criteria and has not applied to more than three (3) non-resident school districts.

Applications from a non-resident student under the alternative application procedures received after the Board's January meeting, at which it sets open enrollment space availability numbers for the subsequent year, may be approved for the current year if the Board has not imposed a space limitation for the student's current year grade level and also has not imposed a space limitation for in the subsequent school year in the student's subsequent grade level. Alternative applications received prior to the 3rd Friday in September may be approved if the Board has approved all applications for that grade level which were received during the regular period, including the offer of enrollment to applicants placed on the waiting list, if any.

DELEGATION TO SUPERINTENDENT

The Board delegates to the Superintendent the authority to approve or deny open enrollment applications including under the alternative procedures consistent with the criteria in this policy and based on the Board's space determinations approved in January of each year.

ATTENDANCE/HABITUAL TRUANCY

Under 118.51(11) Wis. Stats., if the non-resident Board determines that a student attending the non-resident school district under open enrollment is habitually truant from the non-resident school district during either semester in the current school year, the nonresident Board may prohibit the pupil from attending the non-resident school district under open enrollment in the succeeding semester or school year. When determining habitual truancy, a student's overall attendance is taken into consideration (i.e. any absence from school without an acceptable excuse for part or all of five (5) or more days, including tardiness, on which school is held during a school semester).

REVIEW AND REVISION OF POLICY

If, in the course of reviewing the Board's Open Enrollment Program, it opts to modify the policy, any changes shall be made by resolution and be adopted prior to the first application date of the open enrollment period to which the revisions shall apply.

General Provisions

- A. A student, who has been accepted under this program, who has not met the academic prerequisites for participation in a particular program in which the student wishes to enroll shall not be placed in that program.
- B. The District's Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity 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, except as provided for in the statute authorizing this program.

Application of Emergency Orders

All timelines or other procedures described in this policy and in any implementing administrative guidelines are subject to modification in the event that the State or Federal government issues emergency or other temporary orders affecting any of the subject matter of this policy. The policy automatically incorporates the contents of any such order or proclamation, including any discretionary authority provided, and delegates by policy the authority to exercise that discretion to the Superintendent.

Revised 6/9/08

Revised 7/11/11

Revised 4/23/12

Revised 9/22/14

Revised 1/26/15

Revised 1/25/16

Revised 1/10/18

Revised 10/24/18

Revised 7/10/19

Revised 10/20/19

Revised 6/10/20

Revised 1/13/21

Revised 1/12/22

Revised 6/8/22

Revised 1/11/23

Revised 1/8/25

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Legal 118.51, Wis. Stats.
Wis. Adm. Code Ch. P.I. 36

Last Modified by Jennifer Bower on December 9, 2024



Book	Policy Manual
Section	5000 Students
Title	PART-TIME OPEN ENROLLMENT
Code	po5113.01
Status	Active
Adopted	April 11, 2018
Last Revised	January 13, 2021
Last Reviewed	January 11, 2023

5113.01 - **PART-TIME OPEN ENROLLMENT**

The Board will provide students enrolled in the District with the ability to take up to two (2) courses at any given time in a non-resident public school district. Likewise, the Board will consider the enrollment of a non-resident student in up to two (2) courses per term under the criteria set forth in this policy and any criteria required by law.

Resident Student Applications for Part-Time Open Enrollment

A. General Procedures

The parent of any student enrolled as a resident of the District who wishes to attend one (1) or two (2) courses at a non-resident school district under this policy shall make a written application to such non-resident district no less than six (6) weeks prior to the beginning of the term in which the course(s) are offered. The application:

1. must be on a form provided by the Wisconsin Department of Public Instruction;
2. must be copied to the Board at the same time as the application is made to the non-resident school district.

B. Decisional Criteria for Resident Applications

The Board shall review all applications received under this policy to attend courses at a non-resident school district under the criteria below. Both the non-resident school district of proposed attendance and the Board must approve the course.

Acceptance or denial of any resident student's application shall be made no later than one (1) week prior to the start of the course. Rejection of a student's application to attend such courses shall be made in writing and shall provide an explanation of the reason for rejecting the application. One of the following reasons must be the basis for such rejection:

1. Individualized Education Program (IEP). If the Board determines that the proposed course conflicts with the student's IEP, the Board shall reject the course.
2. Undue Financial Burden. The Board may reject an application if the cost of the course would impose an undue financial burden on the District considering the totality of the District's economic circumstances, including applicable revenue limits, ability to pay the cost of tuition, and the per-student cost of educating all District students.

If the District determines that the course does not satisfy the District's high school graduation requirements, it shall notify the student in writing of this determination at least one week prior to the start date of the course. This notice shall be provided whether the application is approved or rejected.

Non-Resident Student Applications for Part-Time Open Enrollment

A. General Procedures

The parent of any non-resident student that wishes to attend one or two courses offered by the District shall make a written application to the Board no less than six (6) weeks prior to the beginning of the term in which the course(s) are offered. The application:

1. must be on a form provided by the Wisconsin Department of Public Instruction;
2. must be copied to the student's resident School Board at the same time as the application is made to the non-resident School Board.

B. Decisional Criteria

The Board will determine acceptance or rejection of a non-resident student's application to attend courses in the District using the same criteria and policies for entry into the course that apply to resident students, except that preference for attendance may be given to resident students. Applications from non-resident students that are already accepted into two courses in a particular term will be rejected on that ground. If a particular course has limited enrollment, those spots not taken by resident students will be allocated to non-resident applicants under this policy that otherwise qualify for enrollment on a randomly selected basis.

The parents and the resident school district are to be notified, in writing, no later than one (1) week prior to the commencement of the course whether the application has been accepted or rejected. If accepted, the notification is to include the name of the school the student is to attend and that the enrollment is valid only for the forthcoming semester or school year or special time period during which the course(s) will be offered. If rejected, the notice shall state the reason for the rejection.

General Requirements

A. Notice of Intent to Enroll

The parents of the student must notify both the resident school district and the district in which the student has applied for part-time open enrollment of the student's intent to enroll after receipt of the decision to accept the application but before the beginning of the applicable course.

B. Transportation

By enrolling in a course under this policy either as a resident or non-resident, the parent understands that the parent is responsible for transporting the student to and from any courses attended under this policy, unless the Department of Public Instruction agrees to reimburse the parent directly for such costs.

C. Tuition for Attendance at Another School District

Tuition costs shall be paid for by the resident school district in an amount equal to the cost of the course(s) as determined by the Department of Public Instruction.

D. Appeal of Rejection

Any application that is rejected under this policy may be appealed to the State Superintendent of Public Instruction within thirty (30) days of the decision. The State Superintendent's decision is final and will only reverse the initial decision if that decision was arbitrary or unreasonable.

Revised 1/9/19

Revised 1/8/20

Revised 1/13/21

Reviewed 1/12/22

Reviewed 1/11/23

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Book	Policy Manual
Section	5000 Students
Title	ATTENDANCE
Code	po5200
Status	Active
Adopted	June 1, 2008
Last Revised	October 25, 2023

5200 - **ATTENDANCE**

State law requires the Board to enforce the regular attendance of students. Further, the Board recognizes that the District's educational program is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

All children between six (6) and eighteen (18) years of age shall attend school regularly during the full period and hours, religious holidays excepted, that the school in which the child is enrolled is in session until the end of the term, quarter, or semester of the school year in which the child becomes eighteen (18) years of age unless they fall under an exception under State law, this policy, or administrative guideline issued under this policy. A child who is enrolled in five (5) year-old kindergarten shall attend school regularly, religious holidays excepted, during the full period and hours that kindergarten is in session until the end of the school term.

Parent or Guardian Written Excuse Required

The Superintendent shall require an oral or written/email notification to the attendance officer from the parent or guardian of each student or from an adult student, who has been absent for any reason. The oral or written/email notification must contain the reason for the absence and the time period covered by the absence. A parent-excused, pre-planned absence requires written/email notification as indicated below. The Board reserves the right to verify such statements and to investigate the cause of each single absence.

School Attendance Officer

The Superintendent shall designate an administrator at each school to be the School Attendance Officer. The School Attendance Officer shall perform any duties and responsibilities as required by State law, this policy, and any administrative guidelines issued by the school. The duties of the School Attendance Officer shall include, but not be limited to, the following.

- A. Determining daily from attendance reports submitted by teachers which students enrolled in the school are absent from school and whether the absence is excused.
- B. Submitting to the Superintendent, on or before August 1st of each year, a report of the number of students enrolled in the school who were absent in the previous year and whether the absences were excused. The Superintendent shall then submit this information to the State Superintendent.
- C. Providing student attendance information to individuals and agencies for purposes authorized by State law and the Board's Policy 8330 - Student Records.

Excused Absences

As required under State law, a student shall be excused from school for the following reasons:

A. Physical or Mental Condition

The student is temporarily not in proper physical or mental condition to attend a school program. Absences for this reason may be excused by oral or written/email notification to the attendance officer by the adult student or minor student's parent. The attendance officer in appropriate circumstances may require a written statement from a health care provider describing the condition and excusing the student for a period not to exceed thirty (30) days.

B. Obtaining Religious Instruction

To enable the student to obtain religious instruction outside the school during the required school period (see Policy 5223 - Absences for Religious Instruction).

C. Parent-Excused Pre-Planned Absence

The student has been excused in writing by their parent or guardian before the absence for any reason. A student may not be excused for more than ten (10) days per school year under this paragraph and must complete any coursework missed during the absence. Examples of reasons for being absent that should be counted under this paragraph include, but are not limited to, the following:

1. to attend the funeral of a relative
2. legal proceedings that require the student's presence
3. college visits
4. vacations

D. Religious Holiday

For observance of a religious holiday consistent with the student's creed or belief.

E. Suspension or Expulsion

The student has been suspended or expelled.

F. Program or Curriculum Modification

The Board has excused the student from regular school attendance to participate in a program or curriculum modification leading to high school graduation or a high school equivalency diploma as provided by State law.

G. High School Equivalency – Secured Facilities

The Board has excused a student from regular school attendance to participate in a program leading to a high school equivalency diploma in a secured correctional facility, a secured child caring institution, a secure detention facility, or a juvenile portion of a county jail, and the student and the student's parent(s) or guardian(s) agree that the student will continue to participate in such a program.

H. Child at Risk

The student is a "child at risk" as defined under State law and is participating in a program at a technical college on either a part-time or full-time basis leading to high school graduation, as provided under State law.

I. Election Day Official

A high school student, including students enrolled in private schools and students enrolled in home-based private education, age sixteen (16) or seventeen (17) is permitted to be excused to service as an election official provided that the following criteria are met: 1) the student has the permission of their parent to service as an election official on election day; 2) the student has signed up and the municipal clerk has informed the principal that the student has been assigned to service in the capacity; and 3) the student has at least a 3.0 grade point average or equivalent, or has met the alternative criteria established by Board, if any. The principal shall promptly notify the municipal clerk or the board of election commissioners of the municipality that appointed the child as an election official if the child no longer has at least a 3.0 grade point average or the equivalent, or no longer meets the established alternative requirements. A student's absence to serve as an election official under this policy shall be

treated as an excused absence. Where possible students are encouraged to provide advance notice as much as possible. Students are responsible for completing any missed school work and responsible for making appropriate arrangements to do so.

A student may be excused from school, as determined by the School Attendance Officer, or the School Attendance Officer's designee, for the following reasons:

A. Quarantine

Quarantine of the student's home by a public health officer.

B. Illness of an Immediate Family Member

The illness of an immediate family member.

C. Emergency

An emergency that requires the student to be absent because of familial responsibilities or other appropriate reasons.

Unexcused Absences

Unexcused absences demonstrate a deliberate disregard for the educational program and are considered a serious matter. The Superintendent shall develop administrative guidelines to address unexcused absences.

The Board authorizes, but does not encourage the Superintendent, to suspend a student from a particular class or from school if sincere efforts by the staff and parents or guardians cannot rectify the pattern of absence. In keeping with its philosophy, the Board supports efforts to provide for out-of-school alternative educational opportunities for truant students rather than to heighten the effects of absence through suspension.

Definitions

A. Truancy

A student will be considered truant if the student is absent part or all of one (1) or more days from school during which the School Attendance Officer, principal, or a teacher has not been notified of the legal cause of such absence by the parent of the absent student. A student who is absent intermittently for the purpose of defeating the intent of the Wisconsin Compulsory Attendance Statute 118.15, Wis. Stats., will also be considered truant.

B. Habitual Truant

A student will be considered a habitual truant if the student is absent from school without an acceptable excuse for part or all of five (5) or more days on which school is held during a school semester.

C. Part of a School Day

Part of a school day is any time period within a school day, which is from the time the first class period of that day begins until the end of the last class period of that day.

Tardiness/Late Arrival and Early Dismissal

It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program of the District. Unless excused per this policy, tardiness, or late arrival, occurs when a student arrives at the student's registered class location after the bell that signals the start of the class period has sounded. Unless excused, early dismissal occurs when a student leaves the student's registered class location before the bell has rung signaling the end of the class period or the end of the school day. Tardiness and early dismissal can occur more than once per day. Tardiness and early dismissal constitute being absent for part of a school day.

The Board recognizes, however, that from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this District, the Board shall require that the school be notified in advance of such absences by written (including e-mail) or personal (phone or face-to-face) request of the student's parent or guardian, who shall state the reason for the tardiness or early dismissal. Justifiable reasons shall be determined by the

principal.

If one (1) parent or guardian has been awarded custody of the student by the courts, the parent or guardian of custody shall provide the school with a copy of the custody order and inform the school in writing of any limitations in the rights of the noncustodial parent or guardian. Absent such notice, the school will presume that the student may be released into the care of either parent or guardian.

No student who has a medical disability which may be incapacitating may be released without a person to accompany him/her.

No student shall be released to anyone who is not authorized such custody by the parents or guardians.

Truancy Plan

The Board will issue a Truancy Plan based upon the recommendations of the County Truancy Committee convened under State law, the Board's policies and procedures, and applicable provisions of State law. The Board will review and, if appropriate, revise the Truancy Plan at least once every two (2) years.

The Truancy Plan will include, at a minimum, the following:

- A. procedures to be followed for notifying the parents or guardians of the unexcused absences of a student who is truant or a habitual truant and for meeting and conferring with such parents or guardians
- B. plans and procedures for identifying truant children of all ages and returning them to school, including the identity of school personnel to whom a truant child shall be returned
- C. methods to increase and maintain public awareness of and involvement in responding to truancy within the school district
- D. a provision addressing the immediate response to be made by school personnel when a truant child is returned to school
- E. the types of truancy cases to be referred to the District Attorney and the time periods within which the District Attorney will respond to and take action on the referrals
- F. plans and procedures to coordinate the responses to the problems of habitual truants, as defined under Sec. 118.16(1)(a), Wis. Stats., with public and private social services agencies
- G. methods to involve the truant child's parent or guardian in dealing with and solving the child's truancy problem

Habitual Truancy and students attending under open enrollment

Under 118.51(11) Wis. Stats., if the non-resident Board determines that a student attending the non-resident school district under open enrollment is habitually truant from the non-resident school district during either semester in the current school year, the nonresident Board may prohibit the pupil from attending the non-resident school district under open enrollment in the succeeding semester or school year. When determining habitual truancy, a student's overall attendance is taken into consideration (i.e. any absence from school without an acceptable excuse for part or all of five (5) or more days, including tardiness, on which school is held during a school semester).

Notice of Truancy

The School Attendance Officer shall notify a truant student's parent or guardian of the student's truancy and direct the parent or guardian to return the student to school no later than the next day on which school is in session or to provide an excuse for the absence. The notice under this paragraph shall be given before the end of the second school day after receiving a report of an unexcused absence. The notice may be made by electronic communication, personal contact, telephone call, or 1st class mail, and a written record of this notice shall be kept.

Notice of Habitual Truancy

When a student initially becomes a habitual truant, the School Attendance Officer shall provide a notice to the student's parent or guardian by 1st class mail. The School Attendance Officer may simultaneously notify the parent of the habitually truant student by an electronic communication. The notice must contain the following:

- A. a statement of the parent's or guardian's responsibility under State law to cause the student to attend school regularly
- B. a statement that the parent, guardian, or student may request program or curriculum modifications for the student under State law and that the student may be eligible for enrollment in a program for children at risk
- C. a request that the parent or guardian meet with the appropriate school personnel to discuss the student's truancy

The notice shall include the name of the school personnel with whom the parent or guardian should meet, a date, time, and place for the meeting and the name, address, and telephone number of a person to contact to arrange a different date, time, or place. The date for the meeting shall be within five (5) school days after the date that the notice is sent, except that with the consent of the student's parent or guardian the date for the meeting may be extended for an additional five (5) school days.

- D. a statement of the penalties, under State law or local ordinances that may be imposed on the parent or guardian upon failure to cause the child to attend school regularly as required by State law
- E. if the student is attending the District through the Open Enrollment Program, each notification shall also inform the parent: 1) that the student's open enrollment may be terminated if the student is habitually truant; and 2) the process described in Board Policy 5113 - Open Enrollment Program (Inter-District), which the parent or student may follow if they believe the student was erroneously marked truant.

The School Attendance Officer will also continue to notify the parent or guardian of a habitual truant's subsequent unexcused absences.

Referral to the District Attorney

Truancy cases will be referred to the District Attorney as provided in the County Truancy Committee Plan. The School Attendance Officer will ensure that appropriate school personnel have done the following before any case is referred to the District Attorney:

- A. met with the student's parent or guardian to discuss the student's truancy or attempted to meet with the student's parent or guardian and received no response or were refused
- B. provided an opportunity for educational counseling to the student to determine whether a change in the student's curriculum would resolve the student's truancy and have curriculum modifications under State law
- C. evaluated the student to determine whether learning problems may be a cause of the student's truancy and, if so, have taken steps to overcome the learning problems, except that the student need not be evaluated if tests administered to the student within the previous year indicate that the student is performing at grade level
- D. conducted an evaluation to determine whether social problems may be a cause of the student's truancy and, if so, have taken appropriate action or made appropriate referrals

Note that paragraph A. is not required if the meeting between school personnel, the student, and the student's parent or guardian, which was requested in the Notice of Habitual Truancy to the parent or guardian, did not occur within ten (10) school days after the Notice was sent. Paragraphs B., C., and D. are not required if appropriate school personnel were unable to carry out the activity due to the student's absences from school.

Make-up Coursework and Examinations

Excused Absences

A student whose absence from school was excused, except for an expelled student, shall be permitted to make-up coursework and any quarterly, semester, or grading period examinations missed during the absences when they return to school. It is the student's responsibility to contact their teachers to determine what coursework and examinations must be made-up. Teachers shall have the discretion to assign substitute coursework and examinations. Teachers shall also have the discretion to specify where and when examinations and coursework shall be completed, including outside regular school hours. The time for completing the work shall be commensurate with the length of the absence unless extended by the principal based upon extenuating circumstances.

Unexcused Absences

Credit in a course or subject shall not be denied solely because of a student's unexcused absences from school.

Students with unexcused absences shall be permitted to make-up coursework and any quarterly, semester, or grading period examinations missed during the absence if the student is at risk of receiving no credit in a course or subject if the work is not made up.

Subject to the immediately preceding two (2) paragraphs, credit may, but is not required to be given for the completion of make-up work. Further, credit for make-up work may be given only after the student has satisfied consequences imposed for unexcused absences. The extent to which make-up credit is given shall be determined on a case-by-case basis by the principal and the respective teachers.

If make-up work has been assigned, it is the student's responsibility to contact their teachers to determine what coursework and examinations must be made-up. Teachers shall have the discretion to assign substitute coursework and examinations. Teachers shall also have the discretion to specify where and when examinations and coursework shall be completed, including outside regular school hours. The time for completing the work shall be commensurate with the length of the absence unless extended by the principal based upon extenuating circumstances.

Superintendent Guidelines

The Superintendent shall develop administrative guidelines concerning the attendance of students which:

- A. ensure a school session which is in conformity with the requirement of the law;
- B. ensure that students absent for an excusable reason have an opportunity to make-up work they missed;
- C. govern the keeping of attendance records in accordance with State law;
- D. facilitate implementation of the Truancy Plan;
- E. identify the habitual truant, investigate the cause(s) of his/her behavior, and consider modification of his/her educational program to meet particular needs and interests;
- F. ensure that any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the District's limit on excused absence is referred for evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 and Chapter 115, Wis. Stats.;
- G. provide that a student's grade in any course is based on his/her performance in the instructional setting and is not reduced for reasons of conduct. If a student violates the attendance or other rules of the school, s/he should be disciplined appropriately for the misconduct, but his/her grades should be based upon what the student can demonstrate s/he has learned;
- H. ensure that all parents and students are informed of the District's Attendance Policy and related guidelines;
- I. enable the School Attendance Officer to perform his/her duties under State law and this policy; and
- J. address unexcused absences.

Revised 8/27/12

Revised 4/25/16

Revised 1/9/17

Revised 10/24/18

Revised 1/8/20

Revised 6/10/20

Revised 1/13/21

Reviewed 1/12/22

Reviewed 1/11/23

Revised 6/8/22

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Legal
7.30(2)(am), Wis. Stats.
118.15, Wis. Stats.
118.153, Wis. Stats.

118.16, Wis. Stats.

118.162, Wis. Stats.

Last Modified by Kayla Reichley on May 9, 2024