

POLICY 5260  
OPEN ENROLLMENT – FULL TIME

Nonresident Students Attending School in the District

A nonresident student residing within the State of Wisconsin may apply for full-time enrollment in a Kenosha Unified School District school under the public school open enrollment program in accordance with state law and established procedures. The District shall use the following criteria when accepting or rejecting a nonresident student's application for full-time enrollment:

1. The District shall consider the availability of space in the schools and classrooms within the District, student-teacher ratios including educational assistant ratios, and enrollment projections. Space availability decisions shall be made in accordance with District policies and procedures.
2. The District shall not enroll a student if that student was habitually truant from the nonresident school district during any semester of attendance at the nonresident district in the current or previous school year.
3. The District shall not enroll a student during the term of the student's expulsion from another school district. Further, the District shall not enroll a student who has been expelled from another district during the preceding two school years or has disciplinary proceedings pending for endangering the health, safety, or property of others, conveying or causing to be conveyed any threat made to destroy any school property by means of explosives, or possessing a dangerous weapon while at school or under the supervision of a school authority. If any of these disciplinary actions occur after initial acceptance of the student and prior to the beginning of the school year in which the student first enrolls in the Kenosha Unified School District, the student's enrollment shall be denied.
4. A student with special education needs will be considered for enrollment only if the special education program or services described in the student's individual educational program (IEP) are currently available in the District and there is space available in the required program. When determining space availability, consideration shall be given to class size limits, teacher-student ratios and enrollment projections. If a nonresident student's IEP changes after the student begins attending school in the Kenosha Unified School District and the special education program or services required by the IEP are not available in the District or there is no space available in the special education program identified in the IEP, the District shall deny the student's continued enrollment in the District.
5. A student who has been screened for possible disability and need for special education by the student's resident district or who has been identified or reported as a student with a disability and need for special education, but not yet evaluated by an IEP Team in the resident district, shall be considered for enrollment only after the student's resident district completes the evaluation process. Upon completion of the IEP Team evaluation process, the District shall consider the open enrollment application as per item (4) above.

The Kenosha Unified School District shall give preference in accepting full-time open enrollment applications to nonresident students already attending school in the District and their siblings. If the District receives more nonresident student applications for a particular grade, program or school than there are available spaces, students will be accepted for enrollment on a random basis.

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Once accepted for enrollment, the District shall assign the nonresident student to a school or program in accordance with District policies and procedures. The District shall give preference in attendance at a school, program, class or grade to resident students who live outside the school's attendance area.

No nonresident open enrollment student shall be required to reapply more than one time, except for:

All nonresident open enrollment students attending elementary school in the District shall be required to reapply for enrollment prior to admission to middle school.

All nonresident open enrollment students who come into the district on open enrollment at the middle school level will need to reapply for open enrollment at the high school level. This requirement becomes effective in the year 2009 and beyond for applicants who wish to enroll in the fall of 2009.

Student transportation shall be the responsibility of the student's parent(s)/guardian(s) or the adult student except as otherwise required by law.

Nonresident open enrollment students attending a school or program in the District have all the rights and privileges of resident students and are subject to the same rules and regulations as resident students.

Nonresident students that attend a school that does not offer WIAA athletics will be assigned, on a lottery basis, a WIAA-eligible school for sports, extra-curricular activities and fine arts.

Resident Students Attending School Outside the District

Except as otherwise provided, any student residing in the Kenosha Unified School District shall be allowed to attend public school in another district on a full-time basis if the student has filed the appropriate application with that school district and has been accepted for enrollment. The District shall deny a student's enrollment in another district only under the following conditions:

1. The District shall deny a student from attending school in another district, or continuing to attend school in another district, if the costs of special education services required in the student's IEP would place an undue financial burden on the District. The Kenosha Unified School District will provide an appropriate educational program to meet the student's needs in such cases.

The student's parent(s)/guardian(s) or the adult student shall be responsible for providing student transportation to and from the nonresident district.

A resident student attending school outside the district under open enrollment may not be allowed to take courses or participate in extra curricular activities in the resident district.

**LEGAL REF.:** Wisconsin Statutes

Sections 118.13 (Student discrimination prohibited)  
118.51 (Full-time open enrollment)  
Chapter 115, Subchapter V (Special education program requirements)

**CROSS REF.:**

4310 Instructional Staffing  
4351.1 Teaching Load  
5110 Equal Educational Opportunities  
5120 Student Enrollment Reporting  
5200 School Admissions  
5210 Entrance Age  
5220 Admissions of Nonresident Students (Other than Open Enrollment Students)  
5250 Admission of Emancipated Minors  
5270 Part-time Public High School Open Enrollment  
5320 School Attendance Areas  
5330 Assignment of Students to Schools  
6151 Class Size  
5119.1 Graduation Requirements  
Program and Procedure Manual for Special Education and Student Support

**AFFIRMED:**

January 27, 1998  
May 27, 2008  
January 25, 2011