

POLICY 5260
FULL TIME OPEN ENROLLMENT

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 during any semester of attendance from the enrolled school 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 guarantee acceptance of full-time open enrollment applications to the siblings of nonresident students already attending school in the district, even if there are more sibling requests than board approved spaces. 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 lottery applied 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.

Nonresident open enrollment students will not be required to reapply more than once, except:

- 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.

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 open enrollment students may have their enrollment terminated due to habitual truancy. The definitions and notifications for open enrolled habitual truant students will be consistent with those of resident students (KUSD Policy 5310). The resident school district of open enrolled students will also receive these notifications.

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.

The school board shall guarantee open enrollment approval to currently attending Kenosha Unified pupils who submit a completed open enrollment application. Currently attending pupils will not impact the open enrollment space allocations approved by the board.

Alternative Open Enrollment Applications

Alternative Open Enrollment applications may be submitted in accordance with the identified process starting in July for the upcoming school year. Nonresident students and parents may submit an alternative application based on the listed criteria during the designated window for such applications.

A nonresident school board may not approve an alternative application submitted prior to the 3rd Friday in September if the board did not approve all applications for the pupil's grade or special education service that were submitted in the regular application period for the same school year. A nonresident school board may not approve an alternative application submitted after the January school board meeting for a current school year if the board limited the number of spaces available in the pupil's succeeding grade or special education service for applications submitted under the regular application procedure for the following school year.

Resident Students Attending School Outside of the District

Any student residing in the Kenosha Unified School District who has already provided the required resident verification material 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 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 be allowed to enroll in Part Time Open Enrollment for up to two high school courses at a time in the resident district as outlined in the Part Time Open Enrollment Policy 5270. However, a resident student attending school outside the district under open enrollment may not be allowed to participate in extracurricular activities in the resident district.

LEGAL REF.: Wisconsin Statutes

- Sections 118.13 [Pupil discrimination prohibited]
- 118.15 [Compulsory school attendance]
- 118.16 [School attendance enforcement]
- 118.51 [Full-time open enrollment]
- 118.52 [Part-time Open Enrollment]
- 121.84 [Tuition waiver; special cases]
- Chapter 115, Subchapter V (Students with disabilities program requirements)

- CROSS REF.:** 4351.1 Teaching Load
5110 Equal Educational Opportunity/Discrimination Complaint
5120 Student Enrollment Reporting
5200 School Admissions
5210 Entrance Age
5220 Nonresident Students (Excluding Open Enrollment)
5250 Emancipated Minors
5270 Part Time Open Enrollment
5310 Student Attendance
5320 School Attendance Areas
5330 Assignment of Students to Schools
Special Education Program and Procedure Manual

- AFFIRMED:** January 27, 1998
May 27, 2008
January 25, 2011
February 28, 2013
January 27, 2015
January 26, 2016
March 27, 2018
June 25, 2019