



# RIVER VALLEY SCHOOL DISTRICT

660 West Daley Street

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Spring Green, Wisconsin 53588

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Phone: 608-588-2551

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## Public School Open Enrollment

This policy shall be administered in accordance with the state public school open enrollment laws and the administrative rules established by the Department of Public Instruction (DPI).

Subject to the exception that the School Board, each January, shall act upon any annual space availability determinations for purposes of nonresident open enrollment into the District, the Board authorizes the District Administrator, or any administrative-level designee of the District Administrator, to make all other decisions and determinations that are necessary or permitted in connection with any open enrollment application or any open enrollment student under this policy and under any related Board-approved rule. However, this delegation of authority shall not be construed to prohibit the District Administrator from bringing any such decision or determination to the Board as he/she deems necessary or prudent.

RVSD will not limit spaces and will accept all eligible applications.

### I. Non-Resident Open Enrollment Students

#### A. Full-Time Enrollment

##### 1. Criteria for Acceptance or Rejection

- a. The district will not accept a student who has been expelled by any Wisconsin school district during the current school year or preceding two school years for conduct specified in the law or who has expulsion or other disciplinary proceedings pending based on such conduct. "Conduct specified in the law" includes endangering the health, safety, or property of others under certain conditions, conveying or causing to be conveyed a bomb threat involving school property, and possessing a dangerous weapon as defined in Wis. Stat. sec. 939.22(10) while at school or under the supervision of school authorities.

If an expulsion or other disciplinary proceeding is commenced for any of the foregoing reasons after initial acceptance of the student and prior to the student starting school in the district, the district will deny the enrollment of the non-resident student.

Nothing shall prohibit the district from refusing to admit a student during the period of expulsion established by another school district or by this district regardless of the date on which that expulsion occurred.

- b. When considering the admission of a student with exceptional education needs, the district will consider whether the special education program described in the student's Individual Education Plan (IEP) are available in the district.
- c. If a non-resident student's IEP changes after the student begins attending the district and the special education program required by the IEP are not available in the district, the district will discontinue allowing the student to attend school in the district.

- d. The district will give consideration to whether a student has been reported or identified as having possible special education needs but not yet evaluated by an IEP team in the resident district.
- e. If a non-resident student begins attending the district and is habitually truant during either semester in a school year, the district may prohibit the student from attending the district under the open enrollment law in the succeeding semester or school year. Under no circumstances shall any student have their open enrollment terminated under this paragraph unless the District has clear documentation that the parent or guardian or student knew or should have known that the student's open enrollment could be terminated for habitual truancy; and the student had at least one notice and opportunity to correct the truant behavior before being found to be habitually truant or before terminating the open enrollment. The District's relevant truancy and attendance policies are as follows: Policy Series #431 Student Attendance.

## Middle School and High School

Acceptance of a non-resident student into the middle school or high school does not guarantee that such non-resident student will be able to take his or her first choice of all classes offered. Criteria used in scheduling and class eligibility, including prerequisite requirements, will be the same for resident and non-resident students.

### 2. Re-Application Procedures

Once a non-resident student is accepted as an open enrollment student in the district and attends the district continuously, the district will not require the student to reapply for enrollment at any time.

### 3. Transportation Arrangements for Non-Resident Open Enrollment Students

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

- a. Low income parents and guardians may apply to the DPI for reimbursement of costs of transportation in accordance with DPI's procedures.
- b. The District shall provide transportation for a nonresident open enrollment student with a disability who is attending school in the District if it is required in the student's IEP or otherwise required by law.

The district will not provide transportation to non-resident students participating in the full-time open enrollment program except:

The District may, if the student's family gets the student to our district boundaries and there is no additional ride time for our resident students. River Valley will not enter the boundaries of the resident district for the purpose of picking up and dropping off open enrolled students. The district will not permit resident districts to enter into River Valley for the purpose of picking up and dropping off open enrolled students.

## B. Part-Time Enrollment

### 1. Criteria for Acceptance or Rejection of High School Student Applications to Attend Up to Two Courses

- a. The district will give preference in course attendance to residents of the district.
- b. The district will randomly determine which non-resident students will be accepted when there are more applicants than there are spaces available.
- c. The district will not accept a student who has been expelled by a school district during the current school year or preceding two school years for conduct specified in the law or who has expulsion or other disciplinary proceedings pending based on such conduct. “Conduct specified in the law” includes endangering the health, safety, or property of others under certain conditions, conveying or causing to be conveyed a bomb threat involving school property, and possessing a dangerous weapon as defined in Wis. Stat. sec. 939.22(10) while at school or under the supervision of school authorities.

If an expulsion or other disciplinary proceeding is commended for any of the foregoing reasons after initial acceptance of the student and prior to the student starting school in the district, the district will deny the enrollment of the non-resident student.

Nothing shall prohibit the district from refusing to admit a student during the period of expulsion established by another school district or by this district regardless of the date on which that expulsion occurred.

### Rights and Privileges.

To the extent required by state law, nonresident open enrollment students attending school in the District shall have all of the rights and privileges of similarly-situated resident students and shall be subject to the same rules and regulations as resident students. An open enrollment student’s eligibility to participate in interscholastic athletic activities is subject to the rules and regulations of the Wisconsin Interscholastic Athletic Association (WIAA).

## II. Resident Open Enrollment Students

### A. Full-Time Enrollment

#### 1. Transportation Arrangements for Resident Open Enrollment Students

The district will not provide transportation to resident students participating in the full-time open enrollment program. The district will not permit nonresident districts to enter into River Valley for the purpose of picking up and dropping off open enrolled students.

### B. Part-Time Enrollment

#### 1. Criteria for Acceptance or Rejection

- a. High school students may attend no more than two courses at any time in a non-resident school district under the law. The district must reject an application to attend a course in another public school district if the course conflicts with the student’s IEP.

## III. Alternative Open Enrollment

#### 1. “Best Interest” 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 interest, 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 (e.g., the student does not meet the age requirements for school attendance or for early admission, the resident district does not have a 4-year-old kindergarten program as offered by the District, etc.) or the application is determined to be invalid (e.g., the application is incomplete, untimely, or in excess of the number of allowable applications).

IV. This Policy Shall Be Reviewed Annually on or Before the February Regular Board Meeting

LEGAL REF.: Wisc. Act 27 Section 118.51 and 118.5  
PI 36

CROSS REF.: Athletic Handbook  
Student Handbooks  
WIAA Rules/Regulations  
Policy #345.5 - Graduation Requirements  
Policy #342.1 - Special Education  
Policy #342.2 - Gifted and Talented Policy  
Policy #342.3 - Children at Risk  
Policy #342.4 - Disadvantaged Children  
Policy #470 - Student Fees and Fines  
Policy #431 - Student Attendance  
Policy #431-Rule 1 - Student Attendance Guidelines  
Policy #431-Rule 2 - Alternative Compulsory Attendance Policy & Procedures  
Policy #431.1 - Full Day’s Absence

APPROVED: December 11, 1997  
REVIEWED: January 31, 2000  
REVIEWED: February 19, 2001  
REVIEWED: March 14, 2002  
REVIEWED: February 13, 2003  
REVIEWED: January 22, 2004  
REVIEWED: January 13, 2005  
REVIEWED: December 19, 2005  
REVIEWED: December 14, 2006  
REVISED: December 10, 2007  
REVIEWED: January 10, 2008  
REVIEWED: January 8, 2009  
REVISED: January 14, 2010  
APPROVED: February 18, 2010  
REVISED: January 13, 2011  
APPROVED: February 10, 2011  
APPROVED: December 20, 2011  
REVISED: March 8, 2012  
APPROVED: April 12, 2012  
REVIEWED: January 10, 2013  
REVIEWED: January 9, 2014

REVISED: February 13, 2014  
APPROVED: March 13, 2014  
REVISED: December 11, 2014  
APPROVED: January 8, 2015  
REVISED: December 10, 2015  
APPROVED: January 14, 2016  
REVIEWED: January 12, 2017  
REVISED: January 25, 2018  
APPROVED: February 8, 2018  
REVIEWED: December 13, 2018  
REVISED: April 11, 2019  
APPROVED: May 9, 2019  
REVIEWED: December 12, 2019  
REVIEWED: December 10, 2020  
REVIEWED: December 9, 2021  
REVIEWED: December 8, 2022