

**MEDFORD AREA PUBLIC SCHOOL DISTRICT  
RURAL VIRTUAL ACADEMY**

<b>DATE ADOPTED:</b>	<b>December 18, 1997</b>	<b>FILE SECTOR:</b>	<b>RURAL VIRTUAL ACADEMY</b>
<b>DATE REVISED:</b>	<b>March 15, 2007</b>	<b>POLICY TITLE:</b>	<b>SCHOOL OPEN ENROLLMENT</b>
<b>DATE REVISED:</b>	<b>April 16, 2009</b>		
<b>DATE REVISED:</b>	<b>May 20, 2010</b>		
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<b>DATE REVISED:</b>	<b>May 17, 2018</b>		

This policy shall be administered in accordance with the state public school open enrollment law and Medford Area Public School District (MAPSD).

**NON-RESIDENT SCHOOL OPEN ENROLLMENT STUDENTS - (FULL-TIME)**

A nonresident student may apply for full-time enrollment to the Rural Virtual Academy (RVA) under the open enrollment program. The form shall require an applicant to indicate that he or she is applying to attend a virtual charter school, the number of virtual charter schools to which he or she is applying, and whether he or she is a sibling of a student currently enrolled in a virtual charter school through the open enrollment program. Applications will be accepted and acted upon in accordance with procedures and timelines specified in state law.

RVA shall consider the following criteria when accepting or rejecting a nonresident student's application for full-time enrollment:

Space Availability

RVA shall determine, the maximum number of students who can be enrolled without jeopardizing the quality of the instructional program (following policy RVA-IIB regarding school and class size).

RVA reserves the exclusive right to establish program size and to limit enrollment based upon the capability to properly allocate available resources, create and maintain waiting lists, create and maintain a proper learning environment, and comply with contracts, grants, and applicable laws and regulations.

Student to Teacher Ratio

A student who is rejected under space availability criteria, but has siblings who are accepted, may be considered for enrollment through special consideration under a student to teacher ratio criteria established by administration. In no case; however, will a student considered under this section be accepted if it negatively affects the quality of the education provided to current students. Also, students who might otherwise be accepted under other criteria listed in this policy may be rejected based on student to teacher ratios.

### Sibling Preferences/ Guarantees

Preference must be given to any non-resident student currently attending RVA or MAPSD full time and to his/her siblings.

- Preference requires space.
- If there are no spaces, even students entitled to preference must be denied.

Guarantee may be given to currently attending students or his/her siblings.

- Guarantee means approval regardless of space.
- District must have policy to guarantee approval – otherwise may only grant preference.

### Expelled Students

Students who have been expelled by a school district during the current school year, preceding two school years, or who have disciplinary procedures pending as outlined in state law may not be accepted under the open enrollment policy. If an expulsion or expellable behavior occurs after initial acceptance of the student and prior to the student starting school in MAPSD RVA, the district may deny the enrollment of that student.

### Students with Disabilities

A non-resident student identified as a student with a disability will only be considered for enrollment if the special education program or related services described in the student's IEP are currently available within RVA.

### Screening for Special Education Status

All applicant students will be screened to determine:

1. Whether or not the student is a student with an identified disability and
  - is receiving services through an IEP, or
  - has received services and was dismissed through the IEP process, or
  - refused services, rejected placement or discontinued placement.
2. Whether or not the student is suspected of having a disability but has not been evaluated either by a school district or outside agency (clinic, hospital, university, etc.).

### Suspected Disabilities

Any student suspected of having a disability will not be considered for acceptance without completion of an IEP evaluation. A non-resident student, who has an identified disability and is not receiving services, will not be considered for acceptance without a valid IEP and placement consent.

### Age Eligibility

The nonresident school district is not required to evaluate the student and may deny the student's open enrollment based on the student not being old enough to attend school.

## NONRESIDENT SCHOOL OPEN ENROLLMENT STUDENTS – PART-TIME/ HIGH SCHOOL

MAPSD may enroll non-resident students who are currently enrolled in a public high school on a part-time basis in accordance with state law.

A non-resident part-time student may attend no more than two courses at any one time in a non-resident district.

### A. Application Requirements and Acceptance

Non-resident high school students interested in taking one or two courses in RVA shall apply at least six weeks prior to the date the course is scheduled to commence. Upon receipt of the application, the open enrollment coordinator shall forward a copy of the application to the student's resident district. The resident district must then determine if it accepts or rejects the application and must notify the MAPSD.

MAPSD open enrollment coordinator shall decide if the non-resident applicant is to be accepted. The open enrollment coordinator shall review the application to determine if the non-resident student has met all necessary pre-requisites, is at the appropriate grade level and any other established requirements for entry into the course(s). Board of Education (BOE) policies and criteria for accepting and rejecting applications for students who reside in another school district shall follow the same policies and criteria for entry into the course that the BOE may give preference to residents of the school district.

### B. Resident Preference

Using the usual enrollment maximums that would apply in scheduling resident students, the open enrollment coordinator shall determine if non-resident space is available. Preference shall be given to resident students. The open enrollment coordinator shall notify the student and his/her resident district of the acceptance or rejection at least one week prior to the date the course is scheduled to commence. If the non-resident student is rejected, the reason(s) for rejection shall be included in the notice.

## APPLICATIONS SUBMITTED UNDER ALTERNATIVE OPEN ENROLLMENT CRITERIA

### Eligibility Criteria

A parent or guardian of a student who wishes to attend school in a nonresident school district may submit an open enrollment application outside of the regular open enrollment application period or in lieu of it if the student meets one of the following criteria and the parent describes the criteria that the student meets in the application:

- The resident BOE determines that the student has been the victim of a violent criminal offense in a school in the resident school district. The application must be made within thirty (30) days of the resident BOE's determination.
- The student is or has been a homeless student in the current or immediately preceding school year.
- The student has been the victim of repeated bullying and harassment and the following apply: (a) the student's parent or guardian must have reported the bullying or harassment to the BOE or designee under a bullying/harassment complaint process and (b) in spite of action taken by the BOE or designee, the repeated bullying and harassment continues.

- The place of residence of the student's parent or guardian and of the student has changed as a result of military orders. The application must be made within thirty (30) days of the date on which the military orders changing the place of residence were issued.
- The student moved into Wisconsin. The application must be made within thirty (30) days after moving into the state.
- The student's residence has changed as a result of a court order or custody agreement or because the student was placed in or removed from a foster home or with a person other than the student's parent. The application must be made within thirty (30) days after the student's change in residence.
- The student's attendance in a school in the nonresident school district is considered to be in the best interests of the student. The application must explain the reasons for requesting this exception and why attendance at the nonresident school district is in the best interests of the student.

### ATTENDANCE OF OPEN ENROLLMENT STUDENTS

All students attending RVA Charter School, are subject to be active participants in the virtual school. Students who fail to participate fully in a virtual school setting are subject to removal from the virtual school and may be remanded back to the resident school district following Wisconsin Statute 118.40(8)(g) and BOE policy RVA-JE.

**CROSS REFERENCE:** RVA-IIB, RVA-JE  
**LEGAL REFERENCE:** §118.13, 118.14, 118.40 (8)(h), 118.51 (15)(g), 121.54(10), 121.58(2)(A), 121.81, 121.84 Wis. Stats., 1999 Wisconsin Act 117, Chapter 115, Subchapter V, Wis. Stats., 2012 Wisconsin Act 114, Act 304

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**DATE REVISED: April 16, 2009**      **PROCEDURES**  
**DATE REVISED: May 20, 2010**  
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**DATE REVISED: January 25, 2018**  
**DATE REVISED:**

**NON-RESIDENT STUDENT OPEN ENROLLMENT APPLICATIONS**

Full-Time Enrollment

- The parent(s)/guardian(s) of a non-resident student who wishes to attend school in the RVA shall complete and submit an online application. The application may include a request to attend a specific school or program offered by MAPSD, including RVA. The application shall be submitted no earlier than the first Monday of February and no later than the last weekday in April in the school year immediately preceding the school year in which the student wishes to attend.
- By the first Friday following the first Monday in May, MAPSD shall send the nonresident school district a copy of the IEP developed for a student with a disability whose parent submitted an application.
- All applications shall be reviewed using the acceptance/rejection criteria outlined in BOE policy. The open enrollment coordinator shall submit recommendations regarding acceptance or rejection of applications to the BOE for action. No action shall be taken on any application before May 1.
- On or before the first Friday following the first Monday in June following receipt of the application, the applicant shall be notified, in writing, of whether the application has been accepted. If the application has been accepted, the notification shall identify the specific school or program that the applicant may attend in the following school year. If the application is rejected, the notice shall include the reason(s) for the rejection.
- On or before the second Friday following the 1<sup>st</sup> Monday in June following receipt of a copy of the application, if a resident BOE denies a student's enrollment in a nonresident school district, MAPSD shall notify the applicant and the nonresident BOE in writing that the application has been denied and include in the notice the reason for the denial.
- If an application is accepted on or before the last Friday in June following receipt of a notice of acceptance, or within ten (10) days of receiving a notice of acceptance if a student is selected from a waiting list, the student's parent shall notify the nonresident school of the student's intent to attend a school in that school district in the following school year.
- Annually by July 7, the student's district of residence shall be notified of the names of those students from that district who will be attending school in MAPSD the following school year. If a student is selected from a waiting list, the nonresident school district shall report the name of the student to the student's resident school district within ten (10) days of receiving notice of the student's selection.

## PART-TIME OPEN ENROLLMENT APPLICATIONS

### Application Process:

- Applications are available at <https://dpi.wi.gov/oe> or from the resident/nonresident school district.
- The student's parent/ guardian is required to sign the application form. By signing the form, the parent grants permission for the nonresident school district to request and obtain from the resident school district (or district of attendance) records that are necessary to determine whether or not the student is in high school and whether the student meets the prerequisites for the courses.
- Apply with the nonresident school district (the district in which the student wishes to take the course).
- Apply no later than six (6) weeks before the scheduled start of the course.
- Application form must be received in the nonresident school district by that date – a postmark is not sufficient.
- Late applications will not be accepted.
- It is the responsibility of the parent / student to find out the starting date for the course.

### Approval / Denial Process (Nonresident District):

- No later than one (1) week before the start date of the course, the nonresident school district is required to notify the student if the application is approved or denied.
- The nonresident school district may deny a student's application only for the following reasons:
  - Space is not available in the course.
  - The student is not in the high school grades.
  - The student does not meet the nonresident school district's criteria for being admitted to the course.
  - The student is not enrolled in a public high school in Wisconsin.

### Approval / Denial Process (Resident District):

- No later than one week before the start date of the course, the resident school district is required to notify the student:
  - If the application is denied (notification is not required for approval).
  - If the course does not meet the high school graduation requirements in the resident school district (although the student may attend the course even if it does not meet the high school graduation requirements).
- The resident school district may deny a student's application only for the following reasons:
  - The cost of the course creates an undue financial burden on the resident school district.
  - The course conflicts with the individualized educational program (IEP) for a student who needs special education.

### Notification of the Student's Intent to Attend the Course:

- If the student has been notified that he / she is accepted into the course, the parent must notify both the nonresident and resident school districts whether or not the student will attend the course by the last weekday (excluding state holidays) before the course starts.

#### Appeals:

- If the application is rejected by either the resident or nonresident school district, the parent may appeal the decision to the Department of Public Instruction (DPI) within 30 days. DPI is required to uphold the BOE's decision, unless DPI finds that the decision was arbitrary or unreasonable. DPI's decision is final.

#### Transportation:

- The parent is responsible for transporting the student to and from the course in the nonresident school district.
- The parent may apply to DPI for a prorated reimbursement of the actual transportation costs. There is a maximum statewide appropriation for transportation reimbursement. Preference for reimbursement will be given to families that are eligible for free or reduced price lunches under the federal school lunch program.
- Claims for transportation reimbursement may be submitted to DPI at the end of the school year. The online claim form will be available starting June 1 on the open enrollment website at <https://dpi.wi.gov/oe>. Claims are due no later than July 15.

#### NON-RESIDENT RANDOM SELECTION PROCESS

MAPSD RVA shall determine, in advance of the January Board of Governance meeting, the availability of spaces in each grade/program and the number of non-resident applicants. When space is available, first preference will be given to any students who are currently enrolled full time in the district and his/her siblings.

If the RVA 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 as follows. At a BOE Policy Committee Meeting in May:

- All applications shall be assigned a number and the numbers placed in a container.
- The numbers shall be drawn and listed in the order they are drawn.
- Applications shall be accepted based on their order on the list and the number of spaces available in the district schools or programs.
- Those student applicants not selected in this random process will be placed on a numbered waiting list.
- As space becomes available, but prior to the third Thursday in September, the district shall randomly select the appropriate number of applicants from the waiting list using the procedures set forth in this section, Non-Resident Random Selection Process, but only if the student will be in attendance in the nonresident school district on the third Friday in September. If a student is accepted from a waiting list after the start of the school term, it is the responsibility of the student's parent to immediately notify the resident school district of the student's intent to attend school in the nonresident school district in the current term.
- Parents/guardians of the student applicants will be notified of the applicant selection and will have ten (10) days in which to accept the open enrollment offer. Acceptance of the offer to attend must be in writing addressed to the Open enrollment coordinator, Medford Area Public School District, 124 West State Street, Medford, WI 54451 and be received or postmarked no later than 4:00 p.m. on the tenth (10<sup>th</sup>) day. All applicants must be enrolled in MAPSD prior to, and in accordance with, the third (3<sup>rd</sup>) Friday in September count date.

#### APPLICATIONS SUBMITTED UNDER

## ALTERNATIVE OPEN ENROLLMENT PROCEDURES

### Application Review and Approval Process

- When the district receives an open enrollment application that has been submitted under the alternative open enrollment criteria outlined above, whether it is submitted by a nonresident student or a resident student, the application shall be forwarded to the open enrollment coordinator for review and recommendations.
  - A. If the application involves a nonresident student seeking to attend school in the district under open enrollment, the district will:
    - Immediately send a copy of any paper application received by the district to the student's resident school district, or, if applicable, the student's anticipated resident school district.
    - Work with the resident district (or the anticipated resident district) identified in the application to determine where the applicant is currently attending school and to determine from which school the district will receive any relevant special education records (i.e., the student's current IEP) and/or disciplinary records (i.e., expulsion records). If the applicant is not currently attending school in the resident district, the district will request such records from the school or school district the student is attending or most recently attended; and
    - Within ten (10) days after receiving, or, if necessary, developing an IEP for a student with a disability, provide an estimate to the resident district of the costs to provide the student with special education or related services.
  - B. If the application involves a resident student who is attending, or who previously attended school in the district, the district shall send the nonresident school district to which the open enrollment application was made a copy, if applicable, of the student's IEP and any expulsion or other relevant discipline-related records within ten (10) days of receiving the application.
- The open enrollment coordinator shall review the application using the acceptance/denial criteria outlined in BOE policy. The open enrollment coordinator shall submit recommendation(s) regarding acceptance or denial of the application to the administration for action.
  - A. The district may deny an application of a resident student if (1) it determines that the criteria relied on by the parent or guardian to submit the application do not apply to the student or (2) it determines that the cost of special education and related services required in the IEP for a student with a disability is an undue financial burden (except as to an applicant who the BOE determined was the victim of a violent crime).
  - B. The district may deny an application of a nonresident student:
    - for the same reasons it may deny an application submitted during the regular open enrollment application period; or
    - if the application relies on the best interests of the student criteria and the district determines that open enrollment is not in the student's best interest.

- If the application involves a nonresident student seeking to attend school in the district, the district will notify the applicant, in writing, whether the application has been approved or denied no later than twenty (20) days after receiving the application.
  - A. If the application has been denied, the notification shall include the reasons for the denial. To the extent consistent with state law and district policy, acceptance of an application may be contingent or subject to revocation.
  - B. If the district has approved the open enrollment application of a nonresident student, the notification provided to the applicant shall identify the specific school or program that the student may attend. A nonresident student accepted for enrollment may immediately begin attending the assigned school or program in the district and shall begin attending the school or program no later than the fifteenth (15<sup>th</sup>) day following receipt of the notice of acceptance. If the nonresident student has not enrolled in or attended school in the district by that date, the district may notify the student's parent or guardian, in writing, that the student is no longer authorized to attend the school or program in the district.
  - C. To the extent that there is a delay in the district's receipt of any relevant disciplinary records from another school or school district, the district will review and act upon such records promptly, and, if necessary, inform the student that final confirmation of the district's approval of the application is contingent upon the district's receipt and review of such records.
- If, for purposes of the application, the district is identified as the resident school district, the district shall notify the applicant whether the application has been approved or denied in accordance with any deadlines established by the state law or Department of Public Instruction rule. Normally, the district will issue such notifications no later than twenty (20) days after the district's receipt of the application. In addition:
  - A. If the application has been denied, the notification shall include the reasons for the denial. To the extent consistent with state law and district policy, approval of an application may be contingent or subject to revocation.
  - B. If the student is a student with a disability, the district shall normally make a determination whether the nonresident school district's estimate of relevant special education and services costs constitutes an undue financial burden on the district no later than twenty (20) days after the district has received the relevant estimate.

### ATTENDANCE OF OPEN ENROLLMENT STUDENTS

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