

MENOMINEE INDIAN SCHOOL DISTRICT

343.44 Rule

PROCEDURES FOR HANDLING PART-TIME OPEN ENROLLMENT COURSE
APPLICATIONS

A. Definitions

For the purpose of these procedures implementing the part-time open enrollment program within the District, the following definitions apply:

1. "District", when capitalized, means the Menominee Indian School District.
2. "Resident school district" means the school district in which the student who is taking a course or making a course application resides for purposes of determining school attendance.
3. "District student" means a student whose primary school enrollment and attendance is within the public schools of the District (including, for example, all full-time students of the District and all students who are attending school in the District under full-time open enrollment).
4. "Resident student" means a public high school student for whom the District is required to fulfill the requirements of the resident school district under the part-time open enrollment program when the student is seeking to take a course outside of the District.
5. "Nonresident student" means a public high school student who does not reside in the District and who is permitted by law to apply to take a course in the District under the part-time public school open enrollment program.

B. Resident Student Applications to Take Courses Outside the District

1. District high school students who are seeking to take a course outside of the District under the part-time open enrollment program shall use the Department of Public Instruction (DPI)-approved application form and

shall initially submit the application form to the Wisconsin public school district that is offering the course at least six weeks prior to the date on which the course is scheduled to begin. The public school district offering the course is responsible for forwarding a copy of the application to the District, but the District recommends that the applicant contact the District to confirm that the District has, in fact, received a copy for the application.

2. Upon receipt of a copy of a resident student's application to attend a course(s) in another public school district under the part-time open enrollment law, school office staff shall forward the application to the High School Principal for review and action. For students with disabilities who have an individualized education program (IEP), a staff person with sufficient knowledge of the requirements of the student's IEP shall be involved in processing the course application(s).
3. All applications received shall be processed using the criteria and procedures outlined in state law and Board policy.
 - a. If the student's application was not submitted in the manner and within the time limits established by state law, it shall be denied.
 - b. If the course application is from a student with a disability who has an IEP, the application shall be reviewed with the IEP to determine whether the student's attendance in the course would result in a denial of a free appropriate public education (FAPE) as defined with reference to the IEP, or otherwise conflict with the goals, placement, or other material provisions within the IEP. The course application shall be defined if it conflicts with the student's IEP.
 - c. If the administrator who is processing the application determines that the cost of the course may impose an undue financial burden on the District in light of the District's total

economic circumstances (including the District's revenue limit, its ability to pay tuition costs for the student, and the per student cost for children continuing to be served by the District), the administrator shall forward the issue to the District Administrator, who shall seek a Board determination.

4. If the application is denied, the applicant's parent or guardian and the public school district to which the application was made shall be notified, in writing, that the application has been denied. This notification shall be made no later than one week prior to the date the course is scheduled to commence and shall include the reasons(s) for denial.
5. The High School Principal or his/her designee shall determine whether or not each proposed out-of-district course will satisfy District graduation requirements. If it is determined that a proposed course does not satisfy District graduation requirements, the applicant's parent or guardian shall be notified of that fact no later than one week prior to the date the course is scheduled to commence. Such a determination is not a basis on which the District may deny the application.
6. If the District notifies the applicant that his/her application has been accepted, then the applicant's parent or guardian must provide timely notice to the District and to the school district that is offering the course(s) that confirms the student's intent to attend the specific course(s). For purposes of providing this confirming notice to the District, the notice shall be provided to the High School Principal prior to the date on which the course is scheduled to begin. To the extent permitted by state law, a failure to provide the confirming notices on a timely basis may result in the revocation of approval to attend the course under the part-time open enrollment program.

7. The District shall pay for the cost of a resident student's approved course(s) to the extent required by state law and by the Wisconsin Department of Public Instruction.

C. Nonresident Student Applications to take Courses in the District

1. The parent or guardian of a nonresident high school student who wishes to take a course in a public school in the District shall submit the DPI-approved application form to the District. The application shall specify the course(s) that the student wishes to take and may specify the school(s) at which the student wishes to take the course. The District will deny the application if it is submitted more than (24) weeks or less than six weeks prior to the date the course is scheduled to commence.
2. The District shall promptly send a copy of the application to the student's resident school district, along with a request that the resident school district immediately send the District a copy of any education records that are required to establish the student's eligibility for the course(s), including applicable disciplinary records.
3. Upon receipt of the application, it will also be forwarded internally to the High School Principal, who will be responsible for reviewing and acting on the course application. All applications shall be reviewed and acted upon using the eligibility criteria outlined in state law and Board policy.
 - a. In connection with conduct-related eligibility criteria, a nonresident student shall not be permitted to take a course under District policy during the term of his/her expulsion from the District or from another school to the same extent that the District would deny the student's request, if he/she were a resident of the District, to enroll and take courses as a full-time student during the term of an expulsion. Other conduct-related criteria that the District

would apply to determine the course eligibility of a resident student shall also be applied to nonresident student applicants.

b. Space availability criteria.

(1) Up to the point at which the District issues formal notice of acceptance or denial to a nonresident applicant (which will occur no sooner than six weeks before and no later than one week before the course is scheduled to begin), the District will give preference (i.e., ahead of part-time open enrollment applicants) in making acceptance and placement decisions for individual courses as further specified in applicable Board policies. Individuals who are entitled to such preference ahead of nonresident, part-time open enrollment applicants do not necessarily all have equal preference as compared to all other preference-eligible students.

(2) If, after applying the applicable preferences, the District has space available in a course for part-time open enrollment students and any other students who may be eligible to apply to take the course, but the District has received more applications from such interested persons than there are spaces available, the District will use a random procedure to determine which additional students to accept into the course.

4. No later than one week prior to the date the course is scheduled to commence, the District shall notify the nonresident applicant and the resident school district, in writing, of whether the application has been accepted or denied.

a. If the application is accepted, the acceptance shall identify the school at which the student may attend the course. The acceptance applies

only for the following semester, school year, or other session in which the course is offered.

- b. If the application is denied, the notice shall include the reason for the denial.
5. If the District notifies the applicant that his/her application has been accepted, then the applicant's parent or guardian must provide timely notice to the District and to the applicant's resident school district that confirms the student's intent to attend the specific course(s). For purposes of providing this confirming notice to the District, the notice shall be provided to High School Principal prior to the date on which the course is scheduled to begin. To the extent permitted by state law, a failure to provide the confirming notices on a timely basis may result in the revocation of approval to attend the course under the part-time open enrollment program.
 6. To the extent required by law, nonresident students attending courses in the District under the part-time open enrollment program will have the rights and privileges of similarly-situated resident students and will be subject to the same policies and rules as similarly-situated resident students.
 7. The District shall provide equal opportunities for students with disabilities to attend courses in the District under the part-time open enrollment program. However, if a question arises as to possible services or course accommodations or modifications for a student with a disability, the District shall contact the student's parent or guardian and involve representatives of the school(s) responsible for the student's current IEP or other services plan to the extent necessary and appropriate.
- D. Student Transportation under the Part-Time Open Enrollment Program

Transportation to and from any course(s) taken under the part-time open enrollment program shall be the sole

responsibility of the student's parent or guardian, unless state or federal law otherwise requires the student's resident school district or the school district that is offering the course to provide transportation.

E. Appeals of Course Denial Decisions

The parent or guardian of any student whose course application is denied may appeal the decision to the Department of Public Instruction within 30 days of notification of denial from the District.

Adoption Date: January 5, 2018