

SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

STUDENTS

SCHOOL ADMISSIONS PUBLIC SCHOOL OPEN ENROLLMENT

FULL-TIME PUBLIC SCHOOL OPEN ENROLLMENT PROCEDURES

423 – Rule

Method of Selection Used When There Are More Regular Period Applications than Available Spaces; Creation of Waiting Lists

1. If there is sufficient space available in the relevant grades/programs/services to approve all of the timely open enrollment applications that the District has received during the regular application period, regardless of whether some of the applications may be denied due to the application of other District acceptance/denial criteria, the process identified in this section will not be used and no grade-based or program-based waiting lists will be created or maintained.
2. If there are more regular-period applications than spaces available for a particular grade or special education program/service, then the following selection procedure shall be used:
 - a. Unless the District determines that the application will be denied under some other applicable criteria (i.e., other than space availability), the District will accept the applications of all students who are guaranteed space under Board policy. Eligible currently-attending students (who, by DPI rule, are to be included in the count of occupied spaces in the Board's space availability designations) will be accepted without reducing the number of spaces that have been designated as available for open enrollment. Eligible siblings of currently-attending students will be accepted and reduce the number of spaces that were designated as available for open enrollment.
 - b. All remaining timely applications (i.e., all applications not guaranteed space under District policy), regardless of grade-level and even if the application is potentially subject to denial under other applicable acceptance/denial criteria, will be date and time stamped in the order they are received.
 - The applications will be listed by student name in the order in which they were received, with the first- application received being the first-considered application and last application received being the last-considered application.
 - c. A student who is a child with a disability shall be included in the selection that determines the District-wide order of consideration of remaining applications to assign available spaces by grade prior to consideration of the availability of and space within the special education required by the student's individualized education program (IEP).
 - d. If, after approving the applications of all students who are guaranteed approval there is no grade-based space left in the District (i.e., all grades are full), then all remaining applications shall be placed on grade-based waiting lists, retaining the order of consideration established above (but within the applicable grade-based list). Applications denied for any additional reason (i.e., at least one reason in addition to a lack of available space) will be removed from the waiting lists before applicants are notified of their position on any waiting list. The grade-based waiting lists will thereafter be administered as described below.
 - e. If, after approving the applications of all students who are guaranteed approval there is remaining space available in one or more grade(s), the District will proceed to consider each of the applications in the order established through the process described above.
 - As each application is considered, and if no other basis exists for denying the application, the application will either be assigned to an available space and accepted or placed upon the appropriate waiting list(s) and denied.
 - As any such application is assigned to an available space and accepted (i.e., there is a space available for the applicant), the District shall give immediate consideration to the application(s) of any remaining sibling-applicants in the same family who applied for open enrollment at the same time. The application of any sibling who is entitled to such preferential consideration shall be denied and immediately placed on the applicable waiting list(s) if there is no remaining space in such sibling's grade and/or in any special education program or service that may be required for the sibling.

- f. Before finalizing the assignment of space, the list of applications that will be accepted, and the initial waiting lists, the District will consider whether any application that has tentatively been assigned to any space or placed on any waiting list is subject to denial due to the application of any criteria other than a lack of grade-based or special education space. If so, then:
- Any such application that has tentatively been assigned to an available space will be denied for the separate reason(s), and the space tentatively assigned to the application will be assigned to an applicant who is listed first on the applicable waiting list; and
 - Any such application that was tentatively placed on a waiting list shall be denied for both the space availability reasons and for the separate reasons(s) and removed from the waiting list before applicants are notified of their position on the waiting lists.
- g. Students with Disabilities Whose Applications Are Potentially Subject to Both Regular Education and Special Education Space Availability Restrictions. For any student with a disability whose application would be accepted but for a space limitation in the student's grade (regular education space) and/or in a necessary program/service (special education space), as such a student's name is reached in the selection process or in the administration of the waiting lists, the District will hold any general education space or special education space to which the student can be assigned until the student's name is reached on the other applicable list. The purpose of placing this hold is to ensure that such a student with a disability is not disadvantaged as they wait for a space to potentially open on the other waiting list (i.e., either the general education or special education waiting list, as applicable). These holds will be maintained until the last day that the District administers its open enrollment waiting lists, at which point the hold shall be released and the space that had been held may be assigned to another student.
- h. Exception When Space Limitations Exist only in Special Education. If there is sufficient space available, by grade, to accommodate all of the timely applications received during the regular application period, but space limitations exist in one or more special education areas, the process described above may be limited to special education and to the creation of special education waiting lists.

Administration of Open Enrollment Waiting Lists

1. As any spaces become available, applications that have not been denied for any reason other than lack of space will be accepted from the waiting list(s). The District may accept students from a waiting list starting on the second Monday in June until the 3rd Thursday in September but only if the pupil will be in attendance at the school or program in the nonresident school district on the 3rd Friday in September [118.51(5)(d)1].
2. Parents and guardians will be notified in writing if a space becomes available, including notification of the school or program to which the student has been assigned and the procedures and date by which the parent or guardian must notify the District if the student will attend school in the District. Verbal notice may be provided to the parent or guardian who submitted the application, but verbal notice will be confirmed through a written communication.
 - a. If the District notifies a parent or guardian of acceptance on or after 10 days prior to the last Friday in June, the parent or guardian shall have 10 calendar days to respond to the placement offer provided the student is also in attendance by the third Friday in September; otherwise, the parent or guardian must respond to the notice no later than the last Friday in June.
 - b. If the parent or guardian does not respond in the allotted time, the student's application will be placed at the end of the waiting list and the space will be offered to the next student on the waiting list.
3. For any applicant who is a student with a disability who has been assigned to both a grade-based waiting list and a special education waiting list, if the student is selected from one such list but not from the other(s), the District will hold the space which became available for the student on a list until either a space on the other waiting list(s) becomes available for the student (at which point the student will be notified that he/she may attend school in the district) or the District reaches the end of the period for which it maintains waiting lists (at which point the space that has been held for the student shall be assigned to the next applicant, if any, on the applicable waiting list).
4. To simplify the administration of the waiting lists, the District may contact the parent or guardian who submitted the application to determine whether they wish to voluntarily be removed from the waiting list(s). If the parent or guardian indicates that he or she would like to be removed, the District will provide written confirmation of the decision/action to the parent or guardian.

Termination of Open Enrollment Due to Habitual Truancy

The Board's open enrollment policy provides that if the District determines that a nonresident student attending school in the District under the open enrollment program is habitually truant from school during either semester in a given school year, the District may prohibit the student from continuing to attend school in the District as an open enrollment student in the succeeding semester or school year. Legal referral for truancy will follow WI stats. 118.16 and local City of Pittsville ordinances.

The following provisions apply to such situations:

1. Definitions

For purposes of terminating a student's open enrollment due to habitual truancy:

- a. **"Excused absences"** from school as defined within Policy/Rule 431.
- b. **"Truancy/Unexcused absences"** subject to an allowance for tardiness that does not constitute an instance of truancy under the District's student attendance procedures, means any absence of part or all of one or more days from school during which the designated school attendance officer or building principal has not been properly notified of a cause of the absence such that the absence is properly deemed by the District to be an excused absence. Pursuant to state law, truancy also includes instances of intermittent attendance carried on for the purpose of defeating the state's compulsory school attendance statute.
- c. **"Habitual truancy"** occurs when a student accumulates 5 or more instances of truancy from school, for all or part of any school day, in any school semester.
- d. **"Tardiness"** as defined within Policy/Rule 431. Tardiness constitutes an instance of truancy only as provided under the District's general student attendance policy and procedures.
- e. **"Part of a school day"** as defined within Policy/Rule 431.

2. Criteria for Terminating Open Enrollment Due to Habitual Truancy

The District will not terminate a student's open enrollment due to habitual truancy until the student's attendance record reflects five separate instances of truancy. In addition, efforts by students and families to rectify a truancy situation will be factored into the decision to terminate an open enrollment agreement.

3. Notices Related to the Possible Termination of Open Enrollment Due to Habitual Truancy

- a. DPI's administrative rules provide a series of steps for the District to follow in connection with informing open enrollment students and their parents and guardians of the possibility that habitual truancy from school will lead to termination of the student's open enrollment. Accordingly, in cooperation with the District's school attendance officer(s), the Director of Student Services, shall be responsible for implementing procedures to provide the appropriate notices to students and parents and guardians upon each student's initial open enrollment and in conjunction with any specific instances of truancy.
- b. Although a previous procedural error in connection with providing truancy-related notices to an open enrollment student or to a student's parent or guardian does not deprive the District of the ability to terminate the student's open enrollment, under no circumstances shall any student have their open enrollment terminated due to habitual truancy unless the District has clear documentation that (1) the parent or guardian or student knew or should have known that the student's open enrollment could be terminated for habitual truancy; and (2) 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.

4. Challenges to the Accuracy of a Student's Attendance Record

- a. If an open enrollment student or his/her parent or guardian believes that the student's attendance record incorrectly shows one or more unexcused absences (i.e., truanies), the student or parent or guardian should make every reasonable effort to contact the building principal or the school's designated attendance officer as soon as practical after receiving initial notice of the District's designation of the absence(s) as unexcused. Although a concern with the accuracy of the student's attendance record may be raised through the point that the District informs the student and parent or guardian of its intent to terminate the student's open enrollment, delays in addressing concerns with the record of specific absences can be disadvantageous to a student's or parent's or guardian's ability to demonstrate an error.

- b. Upon contacting the principal or attendance officer, the student or parent or guardian shall clearly identify the alleged error in the student's attendance record.
- c. The principal or school attendance officer will provide an opportunity for the student or his/her parent or guardian to present their challenge to the attendance record, and then make a determination as to whether the attendance record shall be changed. Failure to follow timelines in the District's procedures for notifying the school of the reason for an absence, without good cause for the delay, shall not compel the District to re-characterize an unexcused absence as excused.
- d. If the parent or guardian (or an adult student) wishes to appeal the school's initial response to a challenge to a student's attendance record, the appeal shall be treated as a request for a hearing seeking an amendment of the student's education record pursuant to the District's student records policies and procedure.

~~First Reading of Updates: December 14, 2020~~

~~Second Reading of Updates: January 11, 2021~~

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