Applying for Open Enrollment Using the Alternative Application Procedure

Outside of the Open Enrollment Regular Application Period

What is the alternative application procedure?

Parents normally apply for open enrollment for the following school year during a three-month application period which begins in February and ends on the last weekday in April. However, the alternative open enrollment application procedure provides parents the opportunity to apply for open enrollment outside of the regular application period.

Under what circumstances may parents apply using the alternative procedure?

There are seven criteria under which a parent may submit an alternative application:

1. The pupil's resident school district determines that the pupil is a victim of a violent crime.
2. The pupil is or has been homeless in the current or preceding school year.
3. The pupil has been the victim of repeated bullying or harassment that has been reported to the resident school district and continues in spite of action taken.
4. The pupil's place of residence has changed due to the parent's military orders.
5. The pupil moved into this state within the past 30 days.
6. The pupil's place of residence has changed as a result of a court order or custody agreement, or the pupil was placed in a foster home or with a person other than the pupil's parent, or removed from a foster home or the home of a person other than the pupil's parent.
7. The pupil's parent and the nonresident and resident school districts agree that attending the nonresident school district is in the best interests of the pupil.

When may an alternative application be submitted?

An alternative open enrollment application must be submitted during the school year in which the pupil wants to begin attending school in the nonresident school district. If the pupil wishes to begin attending the nonresident district at the beginning of the school term in September, the parent may submit the application as early as July 1st of that year. Depending on the specific reason for the alternative application, the parent may be required to submit the application within a specified time period.

How can parents apply?

The alternative application is available on the open enrollment website. The parent must specify at least one of the allowable criteria upon which the request is based and provide an explanation of the circumstances leading to the request. In some cases, the parent may be required to submit additional documents. Parents may apply to no more than three different nonresident school districts in a particular school year. Applications to virtual charter schools (online schools) do not count towards the three district maximum. ***It is strongly recommended that the parent contact the nonresident school district before submitting an application to discuss the possibility of the pupil's transfer.***

Is there a cost to parents for open enrollment?

There is no tuition cost to parents for participation in open enrollment. Parents of open enrolled pupils may be charged the same fees as resident pupils.

Can a nonresident district deny an alternative application?

Yes. The nonresident school district may deny an alternative application for all of the same reasons that they may deny an application submitted during the regular application period: regular or special education space is not available; special education or related services are not available; the pupil has been referred for a special education evaluation but has not yet been evaluated; the pupil has been expelled during the current or two preceding school years for certain violent conduct; the pupil was habitually truant from the nonresident district during any semester in the current or previous school year; age ineligible; no comparable 4K program; and late or too many applications submitted.

In addition to these reasons, the nonresident district can deny an alternative application if it does not believe the transfer is in the best interest of the pupil or if the criteria used to apply is not applicable.

Will my child receive preference because of the alternative procedure?

No. The alternative application allows parents to apply outside of the regular application period. It does not guarantee approval or give the pupil a greater chance of approval.

How is the parent notified of approval or denial?

The nonresident school district must notify the parent, in writing via email or US mail, within 20 calendar days after receiving the alternative application, whether it has been approved or denied.

If an application is approved, when can the pupil begin attending in the nonresident district?

If the nonresident district has approved the application, the pupil may immediately begin attending in that district. The pupil must enroll in or attend the nonresident district within 15 days after receiving the notice of approval; however, the nonresident district may extend this time period.

If the pupil does not attend within the 15 days (or on or before the established deadline), the nonresident district may notify the parent that the pupil can no longer attend.

If a pupil's alternative application is approved, must the parent reapply during the regular application period?

If the pupil's alternative application is approved, and the pupil begins attending in the nonresident school district, the parent does not need to apply for open enrollment during the regular application period unless the pupil will be entering middle school, junior high or high school in the following school year and the nonresident school board's policy requires reapplication.

Can a resident district prevent a pupil from leaving?

Yes. A resident school district may deny a pupil's alternative application for the same reasons it may deny applications submitted during the regular application period: age ineligible; no comparable 4K program, and late or too many applications. In addition to these reasons, the resident district may deny an alternative application if the resident district determines that the criteria upon which the application is based does not apply to the pupil or it does not agree that the transfer is in the best interest of the pupil.

The resident district may not deny an application if it is based on the resident district's finding that the pupil has been the victim of a violent crime.

May parents appeal if an alternative application is denied?

There is no specific provision in the statutes for parents to appeal a nonresident school district's decision.

A resident school district's denial may be appealed to the Department of Public Instruction (DPI) within 30 days of receiving the notice of denial. If the denial was based on the determination that the criteria upon which the application was based do not apply to the pupil, the DPI must affirm the decision unless it finds that the decision was arbitrary or unreasonable. The DPI's decision may be appealed to circuit court.

If the denial was based on the resident school district's disagreement that the transfer is in the best interests of the pupil, and the DPI determines that the resident district's denial is not in the best interests of the pupil, the DPI must notify the parent and the

resident district that the pupil may attend the nonresident district. The DPI's decision is final.

Who is responsible for transportation?

Parents of open enrolled pupils are responsible for transporting their children to and from school.

School districts may provide transportation to open enrolled pupils if they wish. Usually, if transportation is provided, parents must transport the pupil to a location in the nonresident district. If transportation is required in the individualized education program (IEP) for a child with a disability, it must be provided by the nonresident district. Low-income parents may apply to the DPI for partial reimbursement of their transportation costs at the end of the school year.

Can an open enrolled pupil participate in sports and other extra-curricular activities in the nonresident school district?

Open enrolled pupils have the same rights and responsibilities as resident pupils. Interscholastic athletics are governed by the Wisconsin Interscholastic Athletic Association (WIAA), which has set rules concerning transfer pupils. Parents should check with the school district's athletic director about eligibility.

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