

POLICY 5260  
FULL TIME OPEN ENROLLMENT

Nonresident Students Attending School in the District

A nonresident student residing within the State of Wisconsin may apply for enrollment in a Kenosha Unified School District school under the public school open enrollment program in accordance with state law and established procedures. The district shall use the following criteria when accepting or rejecting a nonresident student's application for fulltime enrollment:

1. The district shall consider the availability of space in the schools and classrooms within the district and student-teacher ratios including educational assistant ratios, and enrollment projections. Space availability decisions shall be made in accordance with district policies and procedures.
2. The district shall not enroll a student if that student was habitually truant during any semester of attendance from the enrolled school district in the current or previous school year.
3. The district shall not enroll a student during the term of the student's expulsion--4 years--17

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Once accepted for enrollment, the district shall assign the nonresident student to a school or program in accordance with district policies and procedures. The district shall give preference in attendance at a school, program, class or grade to resident students who live outside the school's attendance area.

Nonresident open enrollment students will not be required to reapply more than once, except:

- xAll nonresident open enrollment students attending elementary school in the District shall be required to reapply for enrollment prior to admission to middle school.
- xAll nonresident open enrollment students who come into the district on open enrollment at the middle school level will need to reapply for open enrollment at the high school level

Student transportation shall be the responsibility of the student's parent(s)/guardian(s) or the adult student except as otherwise required by law.

Nonresident open enrollment students attending a school or program in the district shall have the rights and privileges of resident students and are subject to the same rules and regulations as resident students.

Nonresident open enrollment students may have their enrollment terminated due to habitual truancy. The definitions and notifications for open enrolled habitual truant students will be consistent with those of resident students (KUSD Policy 5310). The resident school district of open enrolled students will also receive these notifications.

Nonresident students that attend a school that does not offer WIAA athletics will be assigned, on a lottery basis, a WIAA eligible school for sports, extra-curricular activities and fine arts.

The school board shall guarantee open enrollment approval to currently attending Kenosha Unified pupils who submit a completed open enrollment application. Currently attending pupils will not impact the open enrollment space allocated to other students.

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Resident Students Attending School Outside the District

Any student residing in the Kenosha Unified School District who has already provided the required resident verification materials shall be allowed to attend public school in another district on a ~~partial~~ basis if the student has filed the appropriate application with that school district and has been accepted for enrollment.

The student's parent(s)/guardian(s) or the adult student shall be responsible for providing student transportation to and from the nonresident district.

A resident student attending school outside the district under open enrollment may be allowed to enroll in Part Time Open Enrollment for up to two high school courses at a time in the resident district as outlined in the Part Time Open Enrollment Policy 5270. However, a resident student attending school outside the district under open enrollment may not be allowed to participate in ~~extracurricular~~ activities in the resident district.

LEGAL REF.: Wisconsin Statutes

- Sections 118.13 Pupil discrimination prohibited
- 118.15 Compulsory school attendance
- 118.16 School attendance enforcement
- 118.51 Full-time open enrollment
- 118.52 [Part-time Open Enrollment]
- 121.84 Tuition waiver; special cases
- Chapter 115, Subchapter (Students with disabilities program requirements)

- CROSS REF:
- 4351.1 Teaching Load
  - 5110 Equal Educational Opportunity/Discrimination Complaint
  - 5120 Student Enrollment Reporting
  - 5200 School Admissions
  - 5210 Entrance Age
  - 5220 Nonresident Students/Excluding Open Enrollment
  - 5250 Emancipated Minors
  - 5270 Part Time Open Enrollment
  - 5310 Student Attendance
  - 5320 School Attendance Areas
  - 5330 Assignment of Students to Schools
  - Special Education Program and Procedure Manual

- AFFIRMED:
- January 27, 1998
  - May 27, 2008
  - January 25, 2011
  - February 28, 2013
  - January 27, 2015
  - January 26, 2016
  - March 27, 2018
  - June 25, 2019