

**SCHOOL DISTRICT OF WAUZEKA-STEUBEN**

**FULL-TIME OPEN ENROLLMENT**

**Annual Determinations of Space Availability**

1. If the School Board establishes any annual space availability limitations for nonresident open enrollment, state law requires such determinations to be made at a January Board meeting prior to the start of the regular application period to which the limitations will apply. Accordingly, taking into account applicable factors outlined in the Board's open enrollment policy, the administration shall prepare and present recommendations on space availability to the Board such that the Board is able to adequately consider the information and make a timely determination.
2. The general process of determining the number of available spaces by grade and by special education program/service will involve establishing total capacities and then subtracting the projected number of occupied spaces from the total capacities.
3. In formulating recommendations to the Board regarding space availability, the administration shall consider and incorporate, to the extent applicable, the following elements of the Department of Public Instruction's (DPI) administrative rules:
  - a. If the Board establishes any annual space-availability limitations, then on or after the first Monday in February, the District is not permitted to reduce the number of spaces that the Board declared to be available for open enrollment.
  - b. If the Board establishes any annual space-availability limitations, the District may not approve more regular-period applications for any space-limited grade or special education program/service than the number of spaces that the Board designated as available for open enrollment until after the statutory deadline for providing initial notice of acceptance or denial (i.e., the first Friday following the first Monday in June). If additional spaces are determined to be available after this deadline, then additional applications may be approved as outlined in the DPI rules and in a manner consistent with Board policy.

**Method of Random Selection Used When There Are More Regular-Period Applications Than Available Spaces; Creation of Waiting Lists**

1. These random selection procedures are inapplicable when no applications will be denied due to insufficient space. If there is sufficient space available in the relevant grades and in the relevant special education programs/services such that no regular-period application will be denied due to a lack of space, then the random selection process identified in this section need not be used and no grade-based waiting lists or waiting lists for special education programs or services will be created or maintained.
2. 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 applicable space limitations exist in one or more special education areas, then the random selection process described below may be limited solely to the open enrollment applications affected by the special education space limitations and to the creation of any relevant special education waiting lists.

3. General Procedure. If there are more regular-period applications than spaces available for a particular grade and/or special education program/service, then the following selection procedure shall be used:
  - a. Regardless of whether any application might ultimately be denied for a reason other than a lack of available space, the District shall divide ALL of the timely regular-period applications into a Group A and a Group B. Group A shall consist of the applications of currently-attending students and their siblings that are entitled to a space-based preference. All remaining applications (i.e., those not entitled to such a preference) shall be placed in GROUP B.
  - b. If there is sufficient space to accept ALL applications in Group A, then:
    - each such preference-eligible application shall be assigned to an available space, UNLESS the application will be denied for a reason other than the application of the space availability criteria; and
    - the procedures below shall be modified as needed so that the random selection process begins with numerically ordering and processing only the GROUP B applications.
  - c. If there is insufficient space for ALL applications in GROUP A and/or in GROUP B, the applications will be subject to a random selection process. As the first step in that process, and in the presence of at least two staff members, the order of consideration will be established randomly within GROUP A (if needed) and separately within GROUP B.
    - ALL of the remaining applications that have not yet been assigned to an available space will be included in the random ordering procedure, regardless of grade level and even if the application is potentially subject to denial under other applicable acceptance/denial criteria.
    - Each application will be assigned a number, and the numbers will be randomly drawn/selected (e.g., using a lottery-type system). The applications will be listed by student name/number in the order in which the numbers have been randomly selected, with the first-selected number being the first-considered application and last-selected number being the last-considered application.
  - d. Starting with GROUP A (if needed) and proceeding to GROUP B, the District will consider the applications as they have been ordered, except when DPI's rules require the District to give immediate consideration to a sibling-applicant prior to considering the next-drawn application number. As each application is considered, and if no other basis exists for denying the application, the application will either be (1) assigned to available space(s) and accepted; or (2) denied and placed next in line on the appropriate grade-based and/or special education waiting list(s). The following procedures shall be followed as each individual application is considered:

- Provided that the District has concluded that there is space available for the student whose application is under consideration and that such student’s application will not be denied pursuant to any of the other applicable acceptance/denial criteria, 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 and whose applications have not yet been considered. If there is a space available for the sibling (looking first at the student’s grade and then, if applicable, at special education spaces), then the sibling shall be assigned to the space(s) pending an analysis of all applicable remaining approval criteria. However, if there are no remaining spaces available to accommodate the sibling’s application, then the sibling’s application shall be denied due to lack of available space, but the sibling’s application will be placed next in line on the relevant waiting list(s) if the sibling is otherwise eligible to be accepted for open enrollment.
- If the student under consideration is a student with a disability, the District will first determine whether there is space available in the student’s appropriate grade placement. Then, before considering any other applicant, the District will consider the availability of, and any applicable space limitations within, the special education program/services required for the student. If the District does not offer the program/services, that determination will serve as an independent reason for denying the application. However, if the special education program/services required for the student are offered in the District, the possible space-related outcomes for the student include the following:
  - (1) The application will be approved (relative to space availability) if the necessary grade-based and special education spaces are both available;
  - (2) The application will be approved (as far as space availability) if the necessary special education space is available and the student’s program needs are such that he/she does not require assignment to a regular-education, grade-based space; or
  - (3) The application will be initially denied due to a lack of either (or, potentially, both) the appropriate grade-based space and/or special education space. However, if either the applicable grade-based space and/or any applicable special education space is available (but all necessary spaces are not available) at the point the application is being considered, the applicant shall be assigned to the space that is available and the space shall be held for the applicant. The assigned space will be held until the earlier of the date on which a space becomes available for the student on the other waiting list(s) (at which point the student will be notified that he/she may attend school in the District), or the end of the period during which the District maintains the waiting lists (at which point any space that has been held for the student shall be assigned to the next applicant, if any, on the applicable waiting list). See also the waiting list procedures, below.
- No applicant whose application is ultimately denied by the District for a reason other than space availability (e.g., the student is subject to a disqualifying expulsion or the necessary special education program is not offered in the District) shall be considered assigned to any space. In such a case, any space tentatively assigned to the student will be released and made available to another applicant (if any) prior to sending initial notices of acceptance/denial.

- If an application is denied due to lack of space AND for at least one other reason that is unrelated to space availability (e.g., an expulsion from school), then the application shall be removed from the waiting list(s) before the initial waiting lists are finalized and before other applicants are notified of their position on the waiting lists.
- e. After completing the above steps, the assignment of available spaces will have been completed and the initial open enrollment waiting lists will be considered finalized. As to applications that will be accepted, the District will proceed to assign each student to a specific school and/or academic program. Appropriate and timely written notices of acceptance or denial will be provided to all applicants, and waiting lists will be administered as described below. Notices of acceptance will identify the specific school or program that the student may attend in the following school year.

### **Administration of Open Enrollment Waiting Lists for Acceptance Into the District**

1. As any designated or additional 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 and ending on the third Thursday in September.
2. Applicants who are on a waiting list will be notified 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 documented through a follow-up written communication.
  - a. If the District notifies a parent or guardian of acceptance from a waiting list 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 made available to the next student on the waiting list (if any).
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. The space will be held 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 the waiting lists (at which point the space that has been held for the student shall be made available 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 they would like to be removed, the application will be considered withdrawn and the District will provide written confirmation of the decision/action to the parent or guardian.

**Assignment of Accepted Applications to a Particular School/Program**

1. Open enrollment applicants may express a preference for assignment to a particular school/program, and any such preference should be identified on the open enrollment application.
2. The District does not guarantee that an accepted open enrollment applicant will be permitted to attend a particular school or program that the applicant has indicated as a preference. However, the District may consider an applicant's preferences where the administration determines that it is reasonable to do so. In each notice of acceptance (including notice that an application has been selected for approval from a waiting list), the District will notify the applicant of the school and/or academic program that the student has been assigned to attend.
3. In attempting to accommodate requests for assignment to a specific school and/or academic program, the District may choose to create and administer one or more waiting lists that are separate from the grade-based and special education waiting lists that determine acceptance into the District. Upon being notified of acceptance into the District (i.e., regardless of the school/program assignment), the applicant must give the District timely and appropriate notice that the student will attend school in the District and, if applicable, actually begin attending school in the District in a timely manner in order to maintain the applicant's place on any waiting list that is kept for purposes of school/program assignment.
  - a. Unless otherwise approved by the District Administrator or unless more-specifically identified in a written procedure related to a particular school or program, any waiting list the District administers for purposes of school/program assignment for nonresident open enrollment students will normally be dissolved one week before the first student day of school.
  - b. The creation of any waiting list for school/program assignment purposes for nonresident open enrollment students shall not be construed to limit the District's discretion to apply other assignment preferences that the District may authorize (for resident students, certain siblings, etc.)

**Adoption Date: August 2024**