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Protection and advocacy for people with disabilities.

Fact Sheet: Wisconsin Public Schools Open Enrollment Resources

Introduction

Wisconsin pupils with disabilities can and do participate in open enrollment. There are two ways to apply for open enrollment:

1. Standard application for the following school year, during a 3-month period from February to April.
2. Alternative application for the current school year, which can be done under seven special circumstances.

A pupil may not be denied open enrollment because the pupil is a child with a disability nor based on the category of the disability. However, any open enrollment application may be denied if the nonresident school district does not have space for the pupil.

1. Children with IEPs: For a child with a disability, this includes availability of and space in the special education program as written in the pupil's individualized education program (IEP).
2. Section 504 Plans: Pupils eligible under Section 504 can only be denied open enrollment for the same reasons that a non-disabled pupil can be denied.

If an IEP is developed or revised for a pupil already attending a nonresident school district, the nonresident school district may re-examine whether it has the special education and related services available for the pupil. If not, the nonresident school district may notify the parent and the resident school district that the pupil must return to the resident school district. If the nonresident school district does have the special education and related services needed available for the student, the nonresident school district must offer a placement to the parent.

Resources from the WI Department of Instruction

Name: Open Enrollment Application Information

Website: dpi.wi.gov/open-enrollment/applications

Open enrollment dates, timeline, procedures, and exceptions, including a link to alternative application information.

Name: Open Enrollment Special Education Main Page

Website: dpi.wi.gov/open-enrollment/special-education

Overview of open enrollment for pupils with disabilities requiring special education.

Name: Open Enrollment Frequently Asked Questions

Website: dpi.wi.gov/sites/default/files/imce/open-enrollment/pdf/oe-faq-5-2017.pdf

A detailed document with over 200 questions and answers regarding open enrollment for pupils with and without disabilities.

Name: Information Bulletin: Special Education Space Determinations and Reasons for Denial for Open Enrollment

Website: dpi.wi.gov/sites/default/files/imce/open-enrollment/pdf/oe-bulletin-16-10-special-ed-space-determinations.pdf

This bulletin covers special education space determinations for open enrollment purposes and specifically covers school board policies, criteria used to determine special education space, the actual designation of available spaces, reasons for denial, and why the criteria selected must be used consistently. A district's school board must determine in its January meeting each year how many open enrollment spaces are available.

Name:	Information Bulletin: Full-Time Public School Open Enrollment Appeals - Information for Parents
Website:	dpi.wi.gov/sites/default/files/imce/open-enrollment/pdf/bulletin-19-03-appeals-info-for-parents.pdf

An appeal is a request for DPI to review a school board's open enrollment decision regarding an individual pupil to determine whether the school board's decision was arbitrary or unreasonable. This bulletin includes information on acceptable and unacceptable reasons for appeal, requirements for filing an appeal, how appeals are processed, and possibilities for the end result.

Open Enrollment Contacts

- **Department of Public Instruction Public School Open Enrollment:** dpi.wi.gov/open-enrollment

- **Department of Public Instruction's Public School Open Enrollment contact information:**
  - Phone Number: (888) 245-2732, ext. 2
  - Email Address: openenrollment@dpi.wi.gov

This resource material is intended as a self-advocacy guide for people with disabilities. Nothing written here shall be understood to be legal advice.

For specific legal advice, please contact an attorney.