



INSTRUCTIONS: The parent or pupil may appeal a school board denial of an open enrollment application within 30 days of the date the notice of denial is postmarked or hand-delivered to the parent, whichever occurs first. The parent may file the appeal using this form or may submit the appeal in the form of a letter or a brief. The appeal must be sent to:

**SCHOOL MANAGEMENT SERVICES / OPEN ENROLLMENT
 DEPARTMENT OF PUBLIC INSTRUCTION
 P.O. BOX 7841
 MADISON, WI 53707-7841**

Use of this form is authorized under s. 118.51, Wisconsin Stats.

Additional instructions can be found on Page 2.

I. INFORMATION ABOUT THE APPLICATION AND DECISIONS		
Pupil Name	Parent or Guardian Name	
Phone No <i>Area Code/No.</i>	Email Address	
Street Address	City <div style="text-align: right; font-weight: bold;">WI</div>	Zip Code
Name of Resident School District	Name of Nonresident School District	

II. APPEAL

If both the nonresident and the resident school districts denied the application, a separate appeal must be made for each denial.

This is an appeal of the name of school board School Board decision to deny the above-named pupil's application to attend the nonresident school district also indicated above.

Date of Decision <i>Mo./Day/Yr.</i>	Date Notification Was Mailed (postmarked or hand-delivered) <i>Mo./Day/Yr.</i>
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What reason did the school board give for denying the open enrollment application?

As it relates to the reason for denial, explain why you believe the decision was arbitrary or unreasonable. You may include a detailed explanation with facts and evidence to support your appeal at this time or, if you prefer, you may make a brief statement at this time. You will be given an opportunity to supplement your statement with facts and evidence and argument to support your appeal. (See additional instructions on Page 2.) *Attach additional pages if necessary.*

Enclose the following information:

- A copy of the notice of denial and any information which accompanied it (*if available*).
- A copy of the post-marked envelope in which the denial was received (*if available*).
- If the appellant is being represented by counsel, enclose a notification of representation.

III. SIGNATURE	
Signature of Appellant ➤	Date Signed <i>Mo./Day/Yr.</i>

The above information is required. Failure to provide the information or to sign the form may result in the appeal being rejected.

IV. INSTRUCTIONS

Deadline

The appeal must be filed within 30 days of the date the notice of denial was postmarked or hand-delivered to you, whichever is earlier. For example, if the notice of denial is postmarked on May 1, the last day on which the appeal may be filed is May 31. If the deadline falls on a weekend or a state holiday, the appeal deadline will be the first weekday following the weekend or holiday.

The appeal may be sent by mail or other carrier (e.g., UPS or FedEx), by email (you must scan and attach a signed appeal) or by fax. If it is sent by mail or carrier, it must be postmarked on or before the deadline date. If it is sent by email or fax, it must be received in the Department on or before the deadline.

Late appeals will not be accepted.

Section I—Information about the Application and Decision

Provide the requested information. Be sure to provide a phone number or email where we can contact you if we have questions or need additional information.

Section II—Appeal

Enter the name of the school district that denied your application. If more than one school district denied an application, you must submit a separate appeal for each denial.

Enter the date of the decision (the date on the letter) and the date the notification was mailed (i.e., the postmark date or the date the notice was hand-delivered to you).

Explain why you believe the decision was arbitrary or unreasonable, *as it relates to the reason for denial*. For example:

- If the application was denied because space is not available, an acceptable explanation would address why you believe the decision was arbitrary or unreasonable as it relates to the school board's space policy, criteria or procedures for determining the number of available spaces, and/or the board's procedure for filling those spaces.

The DPI will not accept an appeal based on the parent's reasons for requesting the transfer, such as jobs or day care, the child's educational needs or problems with the resident school district. The open enrollment law assumes that the parents have a good reason for requesting the transfer, but the school board and the DPI cannot consider those reasons in acting on an application, with the following exception:

- If an alternative application was denied because a school board determined that the transfer is not in the pupil's best interests, an acceptable explanation would include the reasons for requesting the open enrollment and the reasons the school board's decision is not in the pupil's best interests.

The open enrollment appeal procedure does not address concerns about how your resident school district provides special education services to your child. For information about resources available to assist you in resolving questions, concerns, and disagreements with your resident school district about special education, go to <http://sped.dpi.wi.gov/files/sped/pdf/par-comm-options-for-families.pdf> or contact the DPI special education team at 608-266-1781.

It is not necessary to file a brief at this time. You will receive a copy of the record of the decision and be given an opportunity to file a brief during the processing of the appeal.

Enclose the following:

- A copy of the written notice of denial and any information that accompanied it. If you no longer have the notice, you may still file an appeal, but processing will be delayed, as we must obtain this information from the school district before we can begin processing your appeal.
 - A copy of the postmarked envelope in which the notice was mailed. If you no longer have the envelope, you may still file your appeal, but processing will be delayed as we must obtain this information from the school district before we can begin processing your appeal.
 - You are not required to have an attorney to file an appeal. However, if you are represented by counsel, your appeal must include a notice of representation.
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