



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 303
[2009 Senate Bill 250]

Open Enrollment Program

Under the present full-time Open Enrollment Program, a pupil may apply to attend a public school in a school district other than the pupil's resident school district if certain conditions are met. If a nonresident school district receives more applications than there are spaces available, the school district must determine which pupils to accept on a random basis after giving preference to pupils and siblings of pupils who are already attending the nonresident school district.

2009 Wisconsin Act 303 requires a nonresident school district that is a union high school district (a district operating only grades 9 to 12) to give preference to pupils who are attending an underlying elementary school district (a district operating only grades Kindergarten to eight) of the nonresident school district under the Open Enrollment Program.

Current law also establishes criteria that a school district must use to determine whether to accept or reject a nonresident pupil. These criteria permit a school board to consider the availability of space in the school or program to which the nonresident pupil has applied. The school board may include in its count of occupied spaces pupils attending the school district for whom tuition is paid, and pupils and their siblings who have applied to attend the school district and are already attending public school in the nonresident school district.

Wisconsin Act 303 further permits a school board of a union high school district to include in its count of occupied spaces, those pupils who are currently attending an underlying elementary school district of the nonresident school district under the Open Enrollment Program.

Effective date: Wisconsin Act 303 takes effect on May 27, 2010.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.