



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBs0256/1
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**SENATE SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 300**

January 11, 2002 - Offered by COMMITTEE ON EDUCATION.

1 **AN ACT** *to amend* 118.51 (3) (a) 2.; and *to create* 118.51 (5) (d) of the statutes;
2 **relating to:** open enrollment in public schools and granting rule-making
3 authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 118.51 (3) (a) 2. of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 118.51 (3) (a) 2. A nonresident school board may not act on any application
7 received under subd. 1. until after the 3rd Friday following the first Monday in
8 February. If a nonresident school board receives more applications for a particular
9 grade or program than there are spaces available in the grade or program, the
10 nonresident school board shall determine which pupils to accept, including pupils
11 accepted from a waiting list under sub. (5) (d), on a random basis, after giving
12 preference to pupils and to siblings of pupils who are already attending public school

1 in the nonresident school district. If a nonresident school board determines that
2 space is not otherwise available for open enrollment pupils in the grade or program
3 to which an individual has applied, the school board may nevertheless accept an
4 applicant who is already attending school in the nonresident school district or a
5 sibling of the applicant.

6 **SECTION 2.** 118.51 (5) (d) of the statutes is created to read:

7 118.51 (5) (d) *Waiting list.* A nonresident school district may create a waiting
8 list of pupils whose applications were rejected under sub. (3) (a) 3. The department
9 shall promulgate rules to implement and administer this paragraph.

10 **SECTION 3. Initial applicability.**

11 (1) This act first applies to pupils whose open enrollment applications were
12 submitted on the first Monday in February following the effective date of this
13 subsection.

14 (END)