



## 2005 ASSEMBLY BILL 817

November 9, 2005 - Introduced by Representatives DAVIS, GUNDERSON, FREESE, LEMAHIEU, LOTHIAN, AINSWORTH and LEHMAN. Referred to Committee on Education Reform.

1     **AN ACT to amend** 118.51 (6) of the statutes; **relating to:** limiting the number  
2     of pupils who may transfer under the Open Enrollment Program.

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*Analysis by the Legislative Reference Bureau*

Under current law, in the 2005-06 school year a school board may limit the number of its resident pupils who attend the public school in other school districts under the Open Enrollment Program to 10 percent of its enrollment. Beginning in the 2006-07 school year, a school board may not impose a limit.

This bill allows a school board to increase the limit by 1 percent in each of the five succeeding biennia, and to maintain a 15 percent limit thereafter.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

3     **SECTION 1.** 118.51 (6) of the statutes is amended to read:  
4     118.51 (6) RESIDENT SCHOOL DISTRICT TRANSFER LIMITATIONS. A school board may  
5     limit the number of its resident pupils attending public school in other school  
6     districts under this section in the ~~1998-99~~ 2005-06 school year to ~~3%~~ 10 percent of

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1 its membership. In each of the 7 5 succeeding school years biennia, a school board  
2 may limit the number of its resident pupils attending public school in other school  
3 districts under this section to an additional 1% of its membership. Thereafter, a  
4 school board may limit the number of its resident pupils attending public school in  
5 other school districts under this section to 15 percent of its membership. If more than  
6 the maximum allowable number of resident pupils apply to attend public school in  
7 other school districts in any school year under this section, the school board shall  
8 determine which pupils will be allowed to attend public school in other school  
9 districts on a random basis, except that the school board shall give preference to  
10 pupils who are already attending public school in the school district to which they  
11 are applying under this section and to siblings of such pupils.

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**(END)**