



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2132/1
FFK:cdc

2021 SENATE BILL 110

February 16, 2021 - Introduced by Senator BALLWEG, cosponsored by Representative LOUDENBECK. Referred to Committee on Education.

1 **AN ACT** *to amend* 118.51 (3) (a) 1. and 118.51 (3m) (a); and *to create* 118.51 (3)
2 (a) 1d. of the statutes; **relating to:** applications for full-time open enrollment.

Analysis by the Legislative Reference Bureau

Current law limits the number of nonresident school boards to which a pupil may apply to attend a public school in a nonresident school district under the full-time open enrollment program. Specifically, under current law, full-time open enrollment applications for a pupil may be submitted to no more than three nonresident school boards in any school year.

This bill specifies that an application submitted to a nonresident school board for a pupil to attend a virtual charter school under the full-time open enrollment program does not count for purposes of this limitation. For purposes of the full-time open enrollment program, a virtual charter school is considered to be located in the school district that authorized the virtual charter school.

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

3 **SECTION 1.** 118.51 (3) (a) 1. of the statutes is amended to read:
4 118.51 (3) (a) 1. The parent of a pupil who wishes to attend a public school in
5 a nonresident school district under this section shall submit an application, on a form

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1 provided by the department under sub. (15) (a), to the school board of the nonresident
2 school district that the pupil wishes to attend, not earlier than the first Monday in
3 February and not later than the last weekday in April of the school year immediately
4 preceding the school year in which the pupil wishes to attend. Applications Except
5 as provided in subd. 1d., applications may be submitted to no more than 3
6 nonresident school boards in any school year. The nonresident school board shall
7 send a copy of the application to the pupil's resident school board and the department
8 by the end of the first weekday following the last weekday in April. The application
9 may include a request to attend a specific school or program offered by the
10 nonresident school district.

11 **SECTION 2.** 118.51 (3) (a) 1d. of the statutes is created to read:

12 118.51 (3) (a) 1d. For purposes of determining whether applications have been
13 submitted to more than 3 nonresident school boards, the department may not count
14 an application submitted to a nonresident school board for a pupil to attend a virtual
15 charter school.

16 **SECTION 3.** 118.51 (3m) (a) of the statutes is amended to read:

17 118.51 (3m) (a) Notwithstanding sub. (3), the parent of a pupil who wishes to
18 attend a public school in a nonresident school district under this section may, in lieu
19 of applying under sub. (3), submit an application under this subsection, on a form
20 provided by the department under sub. (15) (a), to the school board of the nonresident
21 school district that the pupil wants to attend if the pupil satisfies at least one of the
22 criteria under par. (b). Applications may be submitted to no more than 3 nonresident
23 school boards in any school year. For purposes of determining whether applications
24 have been submitted to more than 3 nonresident school boards, the department may

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1 not count an application submitted to a nonresident school board for a pupil to attend
2 a virtual charter school.

3 **SECTION 4. Initial applicability.**

4 (1) The treatment of s. 118.51 (3) (a) 1. and 1d. first applies to an application
5 submitted under s. 118.51 (3) (a) for the school year beginning after the effective date
6 of this subsection.

7 (2) The treatment of s. 118.51 (3m) (a) first applies to an application submitted
8 under s. 118.51 (3m) on the effective date of this subsection.

9 (END)