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KEN COLE, EXECUTIVE DIRECTOR

To: Chairman Rick Grobschmidt
Members of the Senate Committee on Education

From: Annette M. Talis, Legislative Services Coordinator

Re: SB 309—Relating to Open Enrollment

Date: January 17, 2000

The WASB supports SB 309, relating to the number of school districts to which a pupil may apply under open enrollment.

In general, under the open enrollment program, school districts examine their space availability and match any openings with applications from families who wish to participate in the program. If there are more applicants than available seats, school districts develop procedures for selecting applicants from among the entire pool of prospective students. Districts have no way of knowing at the time of selection the likelihood that any individual applicant will actually enroll in the district. Families are then informed of these decisions on or before the first Friday following the first Monday in April. Accepted applicants have until the first Friday following the first Monday in June to notify the district of the student's intent to attend school in the district of choice in the following school year. Essentially, an available slot is reserved for that student from April to June.

By limiting the number of school districts to which a pupil may apply under open enrollment, this bill will increase the likelihood that applicants selected through these processes have a genuine interest in and are planning to attend the school district of choice. It will then be less likely that openings will be reserved for students who decide not to enroll in the school district, denying other students the opportunity to fill those seats.

This bill will serve families by helping to match available slots with children who would like to attend a particular district, rather than ultimately leaving seats unfilled based on paperwork and timelines.

Vote Record

Senate Committee on Education

Date: 1-26-00
 Moved by: Darling Seconded by: Huelsman
 AB: _____ Clearinghouse Rule: _____
 AB: _____ SB: 309 Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Sen. Richard Grobschmidt, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Robert Jauch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kevin Shibilski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Jim Baumgart	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Judy Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Jon Erpenbach	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Alberta Darling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Joanne Huelsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Mary Lazich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Margaret Farrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 10 1 _____ _____

Motion Carried

Motion Failed

WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION
TESTIMONY ON 1999 SENATE BILL 309
January 25, 2000

My name is Mary Jo Cleaver. I am representing the Department of Public Instruction and I am testifying in support of Senate Bill 309.

SB 309 has been introduced by Senator Darling in response to concerns raised by at least one school administrator in a Milwaukee suburban school district. But it addresses an issue that has been of growing concern to the DPI as well.

Under open enrollment, there is currently no limit on the number of school districts to which a student may apply in a single year. This is good for some students and parents. There is simply no doubt that applying to multiple school districts increases a student's chances of being accepted by at least one school district. But there are significant problems that arise when parents carry this practice to an extreme and submit applications to many school districts.

First, there is the administrative burden. Handling open enrollment applications is time consuming. There are many tasks associated with processing these applications and a single student's application will be handled many times over the course of the decision-making and notification processes, and additional times if the student actually transfers from one district to another.

I'll give you an extreme, but factual, example. The parents of one student, a Milwaukee resident, submitted applications for her to seventeen school districts. Nine of those school districts accepted her application. Eight of them denied her application. Even with nine acceptances, her parents appealed seven of the denials. (The time spent on appeals is measured in hours, not minutes.) In the end, her parents withdrew five of the appeals and the department decided in favor of the school district for the other two. She attended one of the original nine school districts that accepted her

application. My conservative estimate is that staff in the resident district, nonresident district and the DPI spent from 30 to 50 hours handling her applications and appeals.

But the real problem in this case is that the student was granted space in nine school districts but, of course, could only attend one district. That means eight spaces—scarce spaces in the Milwaukee suburban area—went unfilled even though there were probably students who wanted them. In fact, 737 Milwaukee resident students submitted a total of 1,122 applications to attend suburban school districts in the 1999-2000 school year. Five-hundred-one (501) of those applications were denied by the nonresident district. Preliminary data show that only 343 of those 737 students are currently attending nonresident school districts under open enrollment. It is likely that at least some of those eight unfilled spaces could have been filled if they had been available.

The obvious question—and one that has been raised—is why not allow for waiting lists? If one student is accepted to nine districts and refuses eight of them, why not allow those districts to approach the students who were denied the spaces and see if they want them? Here, I'm going to return to the issue of administrative burden. The task of re-matching unfilled spaces to unaccepted applicants could be nearly endless. Remember, in addition to being approved by nine districts, this student was denied by eight districts. If, for example, three of those eight districts found that they later had space for her because another student declined the acceptance, that might be three wasted phone calls or letters for this one student alone and the space still hasn't been filled. By the way, this student's sibling also applied to seventeen districts and generated a second, but different, set of acceptances, rejections and appeals.

Of course, this is an extreme example. But the 1998-99 extreme example was the student who applied to *only* eleven districts—and attended none of them because her parents did not appeal the Milwaukee School District's denial to leave the district. The practice of applying to multiple districts is growing and if it is unchecked, I believe it will lead to a relatively small number of students hurting the chances of many other students to open enroll.

To illustrate this growth, I draw your attention to the chart at the end of this written testimony. Two hundred-sixty (260) students submitted applications to more than one school district in 1998-99. Three hundred thirty-four (334) students applied to more than one school district for the 1999-2000 school year—a 28% increase. But the increase in the number of students applying to only two or three districts was about 16%, while the number applying to four or more districts increased 123%.

The department believes that AB 309 provides a reasonable solution to this problem. The bill would permit a student to apply to up to three nonresident school districts in a single school year. This increases the student's chances of being accepted by at least one school district compared to applying to only one district. It will, of course, decrease the student's chances compared to applying to four, five or seventeen districts. But it can be argued that that applying to seventeen, or even as few as five school districts may be contrary to the spirit and intent of open enrollment. Open enrollment is intended for parents to *choose the district* their children will attend, presumably after gathering information about it. In addition to finding about such things as curriculum, discipline, safety, and graduation rates, a parent might ask a school district what were its previous open enrollment acceptance and rejection rates and does the district anticipate accepting new open enrollment applications in the student's grade.

One final note. This is not strictly a Milwaukee area issue. Of the 334 students who applied to more than one district last year, 180 lived in districts other than Milwaukee. Of the 120 students who applied to three or more districts last year, 35 were from districts other than Milwaukee. Of the 67 students who applied to four or more districts, there were still nine students who were residents of school districts other than Milwaukee.

Thank you for the opportunity to testify on this bill.

Open Enrollment Applications to Multiple School Districts

Number of Districts to Which Students Applied	Number of Students		Percent change
	1998-99	1999-2000*	
2	184	214	
3	46	53	
4	13	33	
5	8	16	
6	5	3	
7		5	
8	3	3	
9		3	
10		1	
11	1		
12		1	
13			
14			
15			
16			
17		2	
Total multiple apps.	260	334	28%
Total to 2 or 3 districts	230	267	16%
Total to 4 or more districts	30	67	123%

*Based on preliminary data that is still being checked and verified.

DPI/DFM/SMS/mjc/January 25, 2000



Alberta Darling

Wisconsin State Senator

TESTIMONY IN FAVOR OF SB309
SENATE EDUCATION COMMITTEE
Senator Alberta Darling

Chairperson Grobschmidt and members of the Senate Education Committee, thank you for allowing me to testify in support of SB309.

SB309 provides that, beginning with applications submitted for attendance in a nonresident school district in the 2001-02, a pupil may apply for admittance to no more than three nonresident school districts in any year. Essentially, we're adding an application limit to the open enrollment program.

I introduced this bill after concerns were brought from our district Superintendents and their staff who are responsible for implementing the open enrollment initiative.

While the open enrollment concept has been embraced at the local level, administration has become a burden because of certain students who may be using the flexible application process to the extreme. For example, some students may be applying to 10 or 20 or even more schools in an attempt to find the best choice possible.

Unfortunately, when a student is accepted at those 10 or 20 schools but can only attend one school, many slots are left unfilled at the school where the child does not attend. This means other students are denied acceptance, when many open slots may actually still exist.

Besides denying some students the right to participate, tremendous administrative burden is added on the local level. Each time a student applies, is denied or accepted, appeals or has questions, it requires more paperwork and more time.

Without a limit on the number of school districts, the problem will only get worse.

I believe this bill is a reasonable attempt and a check and balance for the program. It will reduce administrative burden at the local level and most importantly, it will provide a more fair system for **ALL** for Wisconsin's children who wish to participate, versus a selected few.

I am proud of Wisconsin's open enrollment program. Legislators, DPI, and local districts have joined forces to make this program a success. This bill is yet another step forward to make sure all parents are provided with the best possible choice in their education. I encourage your support of his bill.

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TESTIMONY IN FAVOR OF SENATE BILL 309
Wednesday, January 26, 2000
by
Dr. Elliott L. Moeser
District Administrator
Nicolet High School District

Chairperson Grobschmidt, Members of the Senate Education Committee, thank you for the opportunity to testify in support of Senate Bill 309 relating to the number of school districts to which pupils may apply under the open enrollment program. My name is Elliott Moeser. I am the Superintendent of Schools for the Nicolet High School District in Glendale, Wisconsin. The Nicolet High School District has participated in the open enrollment program during the 1998-99 and 1999-2000 school years. Nicolet presently has twenty-nine (29) open enrollment students attending Nicolet during the 1999-2000 school year. It is anticipated that Nicolet will once again admit students under open enrollment during the 2000-2001 school year.

Now that Nicolet has had experience admitting non-resident students to the school district, the school district believes that the program can and will be more parent and student friendly by limiting the number of school districts students may apply to. It is my observation that by allowing students to apply to an unlimited number of school districts, the open enrollment opportunity is being denied to others. For example, a student may now be accepted to an unlimited number of metropolitan Milwaukee school districts and subsequently deny open enrollment selection to others. This is what has been happening at Nicolet and I am supporting a process that will, in fact, better carry forth the intent of the legislature.

Nicolet has had more applicants for open enrollment than the number of available seats. Nicolet has established its capacity and indicates how many students will be admitted under open enrollment. Yet, only about 50% to 75% of the students accepted into the program actually show up at Nicolet in the Fall to attend school. Nicolet has had very disappointed parents and students because they were not accepted under open enrollment. This disappointment is exacerbated when 25%-50% of the students approved for admission under open enrollment do not show up on the first day of school. The present admission process for open enrollment does not fulfill the need of being student or parent friendly, because some of the students are blocked out of participation. Senate Bill 309 would be an asset to parents and students who want to participate in the open enrollment program by limiting the number of districts that a student may apply to. I have discussed Senate Bill 309 with the seven (7) North Shore Milwaukee Superintendents and all CESA #1 Superintendents. There is unanimous agreement among the Southeastern Wisconsin Superintendents, that Senate Bill 309 would have a positive impact upon the number of students able to participate positively in the open enrollment program.

Thank you for your consideration in this matter.

TESTIMONY IN FAVOR OF SENATE BILL 309
Wednesday, January 26, 2000
by
Ferne Hecker
Executive Secretary to the District Administrator
Nicolet High School District

Chairperson Grobschmidt and Members of the Senate Education Committee, thank you for the opportunity to testify in support of Senate Bill 309 relating to the number of school districts to which pupils may apply under the open enrollment program. I am the executive secretary to the District Administrator of the Nicolet High School District. As part of my job, I am involved with the open enrollment application process for the district. I was involved with this process during both the 1998-99 school year and the 1999-2000 school year. I distribute and collect the open enrollment applications; I mail the acceptance and denial letters, and I receive the phone calls and personal visits from the many parents and students who receive denial letters.

Open enrollment was developed to give parents and students an opportunity to be educated at a school of their choice. Presently, parents and students apply to any number of schools and may be selected by multiple school districts. Since a student can only attend one school, he/she may be denying open enrollment admission acceptance to other students.

During the past two years, the Nicolet High School District has had more applications for open enrollment than the number of seats that are available. Some of the students who are accepted to Nicolet, decide to either go to another open enrollment school or stay in their present district. This leaves possible open enrollment seats vacant. I have spoken to many of the parents and students who have been denied an opportunity to attend Nicolet because there are more applicants than available seats. They don't understand why we can not fill a seat that may have been vacated. The parents and students bring me copies of their transcripts, report cards, and honor awards they may have won. The parents tell me about their child's successes in spelling bees, math contests, band, orchestra and athletics. They plead their case with all their heart and tell me how badly they want to come to Nicolet. I feel badly that these students have had their choice denied and in many cases this denial has come about because other students have applied for open enrollment admission at many school districts.

You may think that a waiting list would solve many of these problems and help to fill the vacant open enrollment seats. In reality, a waiting list may only compound the vacancy problem and add many, many hours to administrative paperwork. Administratively, there are many deadlines that must be met in February, March, April, May and June.

If a parent signs the form entitled "Notification of Intent to Attend Nonresident School District", there is still no guarantee that the student will attend that particular nonresident school. The student may take the required tests during the summer, the guidance counselor and various department coordinators will place that student in appropriate classes, and the week before school begins we may receive a phone call telling us that the parent and/or student has changed their mind. This may even happen after school begins and the student just doesn't show up. At this late date, it is difficult to go to a waiting list. The waiting list student may begin school after classes have begun, putting the student at a disadvantage, or at best they will start on time, but the administrative work will all have to be done again. We are in the business of education and the student's needs should come first, so even if we are not concerned about the extra administrative work, what about the stress that is created with the not knowing where you are going to school. There is a sense of hope and waiting and very likely disappointment. On the other hand, maybe a waiting list student is finally called to attend their first choice school and now has to tell their second choice school that they are not going to attend. We may create a domino effect that could cause some schools to have even more vacancies or create a vacancy where there may not have been one. I don't think that anyone is opposed to the possibility of a waiting list, but I do feel that it will take time to develop the appropriate perimeters to create a system that works.

At this time, the most positive solution is to limit the number of schools a student may apply to for open enrollment. Senate Bill 309 will allow more opportunity for students to receive the education of their choice and will eliminate some of the stress and ill-will that is caused by the present open enrollment process.

Thank you for the opportunity to express my views in this matter.