



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Assembly Bill 286

**Assembly Substitute
Amendment 1**

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Current Law

Under the current full-time open enrollment program, a pupil generally may attend any public school located outside of his or her school district of residence (nonresident school district) if the pupil's parent or guardian complies with certain procedures and meets certain application deadlines. However, current law provides certain bases for the resident school district to prohibit the transfer and for the nonresident school district to reject the application for transfer (including, among other things, the lack of availability of space).

Current law also specifies the application period and sets forth various deadlines for the school districts and parents to provide certain notifications, namely:

- Application period--between the first Monday in February and the third Friday following the first Monday in February of the school year preceding the school year in which the pupil wishes to attend school in a nonresident school district.
- Deadline for nonresident school board to notify applicant whether it has accepted or rejected the application and deadline for resident school district to notify applicant of rejection--first Friday following the first Monday in April following receipt of the application.
- Deadline for nonresident school district to notify applicant of the specific school or program that an accepted pupil may attend--second Friday following the first Monday in May following receipt of the application.
- Deadline for parent to notify nonresident school board of the pupil's intent to attend school in that school district--first Friday following the first Monday in June following notice of acceptance.

- Deadline for nonresident school board to notify resident school boards about accepted pupils --June 30.

Assembly Substitute Amendment 1 to 2007 Assembly Bill 286

Assembly Substitute Amendment 1 to the bill provides a different application period and different deadlines if an application is made to attend a virtual charter school under the open enrollment program ***by the parent of a pupil who either moves to Wisconsin or moves to a different school district after the third Monday in February.*** If that occurs, the application period and deadlines are as follows:

- Application period--application due by July 1. Also, the nonresident school board must immediately send a copy of an application to the pupil's resident school board and to the Department of Public Instruction.
- Deadline for nonresident school board to notify applicant whether it has accepted or rejected the application and deadline for resident school district to notify applicant of rejection--August 8.
- Deadline for nonresident school district to notify applicant of the specific school or program that an accepted pupil may attend--not applicable with respect to attendance at a virtual charter school.
- Deadline for parent to notify nonresident school board of the pupil's intent to attend school in that school district--August 22.
- Deadline for nonresident school board to notify resident school boards about accepted pupils --September 1.

In addition, the substitute amendment defines "virtual charter school" for purposes of the open enrollment program as a charter school in which instruction is provided primarily through means of the Internet, and the pupils enrolled in and instructional staff employed by the charter school are geographically remote from each other.

Finally, the substitute amendment specifies that a pupil may attend a charter school under the open enrollment program.

Legislative History

2007 Assembly Bill 286 was introduced by Representative Pridemore and others. Assembly Substitute Amendment 1 to the bill was offered by Representative Pridemore. The Assembly Committee on Education Reform recommended adoption of Assembly Substitute Amendment 1 to the bill on a vote of Ayes, 5; Noes, 3. The committee then recommended passage of the bill, as amended, on a vote of Ayes, 5; Noes, 3.

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