



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2007 Assembly Bill 517**

**Assembly Substitute  
Amendment 1**

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### **CURRENT STATUTES**

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 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.

One of those bases is a requirement that a school board that is eligible for special transfer aid under subch. VI of ch. 121, Stats. (commonly referred to as Chapter 220 aid), reject any application for transfer into or out of the school district under the open enrollment program if the transfer would increase racial imbalance in the school district.

### **ASSEMBLY SUBSTITUTE AMENDMENT 1 TO ASSEMBLY BILL 517**

Assembly Substitute Amendment 1 to the bill repeals the requirement that a school board that is eligible for special transfer aid reject any application for transfer into or out of the school district under the open enrollment program if the transfer would increase racial imbalance in the school district. This repeal would take effect on the first Monday in February following the date of publication of the act.

The substitute amendment also eliminates the following provisions that relate to this rejection requirement by:

- Eliminating the requirement that a school district that is eligible for special transfer aid adopt a resolution about the limitation on transfers into or out of the school district imposed by the school board because of the requirement to reject transfers that would increase racial imbalance.

- Eliminating the requirement that a resident school district that denies a pupil's enrollment under the open enrollment program because the transfer would increase racial imbalance notify the applicant and nonresident school district of the denial.
- Eliminating the right of a pupil's parent to appeal to the Department of Public Instruction a rejection by a resident school district or nonresident school district because the transfer would increase racial imbalance.

### **LEGISLATIVE HISTORY**

Assembly Bill 517 was introduced by Representative Nass and others; cosponsored by Senator Lazich. Representative Nass introduced Assembly Substitute Amendment 1 to the bill. The Assembly Committee on Education Reform recommended adoption of Assembly Substitute Amendment 1 on a vote of Ayes, 7; Noes, 1. The committee then recommended passage of the bill, as amended, on a vote of Ayes, 7; Noes, 1. The Assembly adopted the substitute amendment and then passed the bill, as amended, on a voice vote.

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