



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1005/1
TKK:jld:jf

2015 SENATE BILL 116

April 8, 2015 – Introduced by Senators MILLER and FARROW, cosponsored by Representatives KAHL, THIESFELDT, DANOU, BERCEAU, SUBECK, HEBL and OHNSTAD. Referred to Committee on Education.

1 **AN ACT** *to renumber and amend* 118.51 (3) (a) 2.; and *to create* 118.51 (3) (a)
2 2. b. and 118.51 (5) (a) 1. am. of the statutes; **relating to:** open enrollment
3 applicant priority.

Analysis by the Legislative Reference Bureau

Under the Open Enrollment Program, a pupil may apply to attend a public school in a school district other than the pupil's resident school district (nonresident school district) if certain conditions are met. If the nonresident school district receives more applications from nonresident pupils than the district has spaces, the district must determine which pupils to admit on a random basis. However, before selecting on a random basis, the nonresident school district may first give preference to pupils and siblings of pupils who are already attending a school and, if the nonresident school district is a union high school district, to pupils who are attending an underlying elementary school.

This bill permits a nonresident school district to, after giving preference to pupils and siblings of pupils already attending a school in the nonresident school district and before giving preference to a pupil attending an underlying elementary school, give preference to a pupil whose parent or guardian is an employee of the nonresident school district.

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

SENATE BILL 116**SECTION 1**

1 **SECTION 1.** 118.51 (3) (a) 2. of the statutes is renumbered 118.51 (3) (a) 2. (intro.)
2 and amended to read:

3 118.51 **(3)** (a) 2. (intro.) A nonresident school board may not act on any
4 application received under subd. 1. before May 1. If a nonresident school board
5 receives more applications for a particular grade or program than there are spaces
6 available in the grade or program, the nonresident school board shall determine
7 which pupils to accept, including pupils accepted from a waiting list under sub. (5)
8 (d), on a random basis, after giving preference to the following pupils in the following
9 order of preference:

10 a. Pupils and ~~to~~ siblings of pupils who are already attending the nonresident
11 school district ~~and, if,~~

12 c. If the nonresident school district is a union high school district, ~~to~~ pupils who
13 are attending an underlying elementary school district of the nonresident school
14 district under this section.

15 2m. If a nonresident school board determines that space is not otherwise
16 available for open enrollment pupils in the grade or program to which an individual
17 has applied, the school board may nevertheless accept a pupil or the sibling of a pupil
18 who is already attending the nonresident school district, a pupil who has a parent
19 or guardian who is an employee of the nonresident school district, and, if the
20 nonresident school district is a union high school district, a pupil who is attending
21 an underlying elementary school district of the nonresident school district under this
22 section.

23 **SECTION 2.** 118.51 (3) (a) 2. b. of the statutes is created to read:

24 118.51 **(3)** (a) 2. b. Pupils who have a parent or guardian who is an employee
25 of the nonresident school district.

