2021 ASSEMBLY BILL 119

February 24, 2021 - Introduced by Representative LOUDENBECK, cosponsored by Senator BALLWEG. Referred to Committee on Education.

AN ACT to amend 118.51 (3) (a) 1. and 118.51 (3m) (a); and to create 118.51 (3) (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:

SECTION 1. 118.51 (3) (a) 1. of the statutes is amended to read:

118.51 (3) (a) 1. The parent of a pupil who wishes to attend a public school in a nonresident school district under this section shall submit an application, on a form
provided by the department under sub. (15) (a), to the school board of the nonresident
school district that the pupil wishes to attend, not earlier than the first Monday in
February and not later than the last weekday in April of the school year immediately
preceding the school year in which the pupil wishes to attend. Applications Except
as provided in subd. 1d., applications may be submitted to no more than 3
nonresident school boards in any school year. The nonresident school board shall
send a copy of the application to the pupil's resident school board and the department
by the end of the first weekday following the last weekday in April. The application
may include a request to attend a specific school or program offered by the
nonresident school district.

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

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

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

118.51 (3m) (a) Notwithstanding sub. (3), the parent of a pupil who wishes to
attend a public school in a nonresident school district under this section may, in lieu
of applying under sub. (3), submit an application under this subsection, on a form
provided by the department under sub. (15) (a), to the school board of the nonresident
school district that the pupil wants to attend if the pupil satisfies at least one of the
criteria under par. (b). Applications may be submitted to no more than 3 nonresident
school boards in any school year. **For purposes of determining whether applications**
have been submitted to more than 3 nonresident school boards, the department may
not count an application submitted to a nonresident school board for a pupil to attend
a virtual charter school.

SECTION 4. Initial applicability.

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

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

(END)