

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected		2. Date
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) PI 36, Public school inter-district open enrollment		
4. Subject Changes to alternative application procedures		
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S		6. Chapter 20, Stats. Appropriations Affected
7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget		
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input checked="" type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)		
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137 (3) (b) 1., Stats. \$0		
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137 (3) (b) 2., Stats.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
11. Policy Problem Addressed by the Rule The proposed rule clarifies Chapter PI 36 of the Wisconsin Administrative Code, specifically as it relates to alternative applications under the open enrollment program. The proposed rule allows school districts to approve alternative applications for the current school year from January to July in grades or special education services that do not have space limitations for the following school year.		
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments None.		
13. Identify the Local Governmental Units that Participated in the Development of this EIA None.		
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) State: No fiscal effect. Local: The proposed rule clarifies procedures and creates flexibilities for school districts in handling alternative applications under the open enrollment program. It will allow school districts to approve alternative applications for the current school year from January to July in grades or special education services that do not have space limitations for the following school year. As a result, the rule will be consistent with other provisions that allow nonresident school districts to approve alternative applications for the current school year from July 1 to the 3rd Friday in September pupil count date in the grades or special education services that do not have space limitations established by the		

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school board for the following school year. School districts may be expected to adjust their practices to conform with this rule change, but the Department does not anticipate any fiscal impacts to result from this rule.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The proposed rule will allow school districts to approve alternative applications for the current school year from January to July in grades or special education services that do not have space limitations for the following school year. As such, the proposed rule will make this section of PI 36 consistent with the provision that allows nonresident school districts to approve alternative applications for the current school year from July 1 to the 3rd Friday in September pupil count date in the grades or special education services that do not have space limitations established by the school board for the following school year. Without a rule change, the Department will be required to implement rules governing the open enrollment program as they currently exist in the rule, and school boards will continue to be required to approve alternative applications in the manner prescribed in PI 36.

16. Long-Range Implications of Implementing the Rule

The proposed rule will make this section of PI 36 consistent with the provision that allows nonresident school districts to approve alternative applications for the current school year from July 1 to the 3rd Friday in September pupil count date in the grades or special education services that do not have space limitations established by the school board for the following school year. The rule will provide clarity and flexibility for school districts in approving alternative applications for pupils participating in the open enrollment program.

17. Compare With Approaches Being Used by Federal Government

N/A

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

While neighboring states offer programs that are similar to public school inter-district open enrollment in Wisconsin, the Department is not aware of alternative application procedures for pupils who wish to enroll in another school district via their state's respective open enrollment program. It should be noted that while Wisconsin statutes empower school districts to establish waiting lists for students who wish to enroll in another public school via the open enrollment program, in the event that there are more applications than spaces available, each neighboring state set priorities for school districts in accepting students for open enrollment in a manner as follows:

- Illinois: Illinois rules and statutes are silent as it relates to procedures for accepting students for open enrollment.
 - Iowa (Iowa Code Ann. § 282.18; Iowa Admin. Code r. 281-17.6, r. 281-17.8): Receiving districts may not deny enrollment and must give priority to requests that would facilitate a court-ordered desegregation plan or voluntary diversity plan. A student who has been suspended or expelled may not transfer to another district until the student is reinstated by the resident district.
 - Michigan (Mich. Comp. Laws Ann. § 388.1705, § 388.1705c): Under voluntary intradistrict and interdistrict open enrollment, receiving districts must give priority to siblings of enrolled students. If the number of transfer requests exceeds capacity, the receiving district must hold a lottery and create a waiting list. A district may refuse students who have been suspended from another school within the past two years or expelled at any time.
 - Minnesota (Minn. Stat. Ann. § 124D.03): If a district has more transfer requests than space available, the district must hold a lottery and the following student groups must receive priority: 1) siblings of currently enrolled students; 2) applications related to an approved integration and achievement plan; 3) children of school district staff; and 4) students living in municipalities meeting specific criteria. Districts may refuse enrollment for students who have been expelled for specific reasons.
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19. Contact Name

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