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**December 5, 2023**

**Assembly Committee on Education**

**Testimony from Rep. William Penterman in favor of AB 644**

Thank you for hearing my bill, Assembly Bill 644 (AB 644), relating to: applications for full-time open enrollment. As our educational landscape continually evolves, it is essential to consider measures that enhance accessibility and accommodate the unique circumstances faced by students and their families.

The current full-time open enrollment program allows pupils to attend a public school in a school district other than their resident district, providing them with the opportunity for a diverse and enriched educational experience. However, the existing application procedures may pose challenges for pupils with parents employed as teachers in nonresident school districts.

Assembly Bill 644 introduces an alternative application procedure for pupils in this specific situation, allowing applications at any time during the school year. This provision recognizes the dynamic nature of employment and the need for flexibility, ensuring that pupils with parents employed as teachers can access the educational benefits of open enrollment without unnecessary obstacles. The bill does not count these specific applications against the pupil's overall limit for open enrollment submissions during the school year as this provision recognizes the unique circumstances surrounding the employment of a parent as a teacher and acknowledges the need for tailored solutions that facilitate the pursuit of quality education.

Furthermore, the bill addresses concerns related to the availability of space in nonresident school districts. By allowing nonresident school boards to accept applications even if it exceeds the initially determined number of spaces, the legislation ensures that pupils are not denied enrollment solely due to space limitations. Additionally, the inclusion of a parent's employment status as a criterion for acceptance or rejection of open enrollment applications adds a relevant and reasonable consideration to the decision-making process.

In the event that the parent-teacher is no longer employed at the nonresident school district, the bill appropriately mandates a reapplication under the standard open enrollment procedure. Thus ensuring fairness and consistency in the application process while still catering to the specific needs of teacher-parents and their children.

Thank you for taking my testimony and for your consideration of AB 644. I sincerely hope you will join Senator Knodl and me in championing this legislation, recognizing its positive impact on the educational experiences of Wisconsin's students and families.

students who are children of teachers or administrators in the nonresident district from reapplication unless the parent no longer is employed by the school district.

- Additionally, current law provides a general "catch-all" allowable reason for which a family may submit the existing alternative application: that the parties involved agree it is in the best interests of the pupil. In theory, a family could submit an alternative application for this reason – that the pupil's interest would be best served by allowing the pupil to attend a school in the same school district in which the parent works.

Some may argue that AB 644 could be used to recruit or retain teachers since the bill could ease some of the daily burdens for people working in school districts around transportation and childcare if their children attend the district where they are employed. The department, however, has no data to support that this concern is driving teacher shortages or retention problems.

Additional possible concerns include:

- The bill indicates that parents have the right to appeal a denial of an alternative application under this newly developed provision, which is not the case for parents who apply under the other alternative application period under Wis. Stat. §118.51(3m); there is no parental appeal right for a nonresident district's denial of an alternative application. Allowing an appeal right for one alternative application procedure and not for the other procedure that exists in law creates an inequitable process for parents.
- The bill prioritizes one group of school district employees (teachers) ahead of all other school district employees (paraprofessionals, school district office staff, principals, administrators, etc.).
- The bill would fundamentally change the nature of Wisconsin's alternative OE law, which has never favored one parent's reason for applying over another parent's reason. There are so many compelling reasons why parents apply for open enrollment. A major strength of Wisconsin's open enrollment law is that it treats every parent's reason as important and does not place a higher value on one reason over another. Once the door is opened to making parents' reasons part of the decision-making process, and then prioritizing them, it becomes easier to add others. And every added reason makes the program less equitable for everyone else.
- Per the 2022-23 DPI Public Staff Report, 93.6% of Wisconsin's public teachers were White. This bill would provide an automatic OE exception to almost entirely White pupils.

If you have questions or would like additional information, please contact Kevyn Radcliffe, Legislative Liaison, at [kevyn.radcliffe@dpi.wi.gov](mailto:kevyn.radcliffe@dpi.wi.gov) or (608) 264-6716.



December 5, 2023

**Assembly Committee on Education**

**Department of Public Instruction Testimony  
2023 Assembly Bill 644**

The Department of Public Instruction (DPI) wishes to thank Chairman Kitchens and members of the committee for the opportunity to provide testimony for information only on Assembly Bill 644 (AB 644).

This bill creates a separate alternative application procedure for the public school open enrollment (OE) program for the current school year, specifically for pupils whose parents are employed as teachers in a school district other than the district where the pupil resides. This bill allows nonresident school districts to guarantee approval of these new alternative OE applications regardless of their OE space determinations under Wis. Stat. §118.51(5)(a)1. In other words, the space limitations determined by the nonresident school board do not apply to these new alternative OE applications.

Additionally, if a pupil is accepted under the proposed alternative application, the pupil would be permitted to begin attending school in the nonresident school district immediately. However, the bill specifies that once accepted, if the pupil's parent is no longer employed by the nonresident school board as a teacher or an administrator, the nonresident school board may require the pupil to reapply using the standard or existing alternative OE application procedure. Tracking teacher employment status versus their children's OE status creates a new administrative task for affected nonresident districts. The DPI would have no access to information regarding such employment changes by the parent.

This bill not only creates a new alternative application procedure for teachers' children but also exempts it from some provisions that apply to other OE applications (regular and alternative).

- This bill exempts the proposed OE alternative application (parent teaching in the nonresident school district) from the current law limitation on the number of nonresident school boards to which the family may apply (three). The family may submit the proposed new alternative application even if three applications for the pupil have already been submitted to nonresident school boards in that school year.
- Current law allows the requirement of reapplication for continued open-enrolled students no more than one time when the student enters middle school, junior high, or high school. The proposed bill would exempt continuing open-enrolled





**Assembly Bill 644**  
Public Testimony  
Assembly Committee on Education  
December 5, 2023

Thank you Chairman Kitchens and members of the committee for holding this public hearing on Assembly Bill 644. This bill establishes an alternative open enrollment application procedure to allow parents who are employed as a teacher in one district, but who reside in another, to enroll their children in the district where they work.

This simple reform of our open enrollment statutes will help our schools attract and retain teachers. It is important to note that this procedure is *optional* for both the resident and nonresident school district.

Allowing teachers to take advantage of this opportunity will create benefits for the teacher, the student, and the school. The teacher can save time by not having to commute to a separate school and will be able to spend quality time traveling to and from school with their kids. Having children enrolled in the district where they work will also give teachers an even better understanding of the needs of their students. It will also give them improved ties to their school community and more opportunities to get involved.

The application procedure outlined in the bill allows the school board in the nonresident district to accept an open enrollment application without regard to the nonresident pupil space limitations adopted the prior school year. This procedure also allows the application to occur at any time of the year, since the hiring of the teacher is likely to occur outside of the regular spring open enrollment window.

Finally, to preserve the intent of this application procedure as a teacher recruitment tool, the pupil will need to reapply under the standard open enrollment application if his or her parent ceases employment as a teacher or administrator.

Thank you for your time, and we would be happy to answer any questions you may have.

December 4, 2023

Representative Kitchens and Representative Dittrich,

This letter is in regard to my support of 2023 Assembly Bill 644 relating to school district open enrollment processes for family members of full-time school district employees.

As a superintendent and educator for over 25 years, I have had countless opportunities to witness the time, effort and dedication that district employees direct towards fulfilling our district's mission and ensuring that every student has the opportunities and support necessary to succeed. Not all employees are able to live within the district that they serve; this may be due to a wide variety of factors including spousal employment, family commitments, and affordable housing, among others. By expanding open enrollment options for full-time district employees, our local workforce can benefit from the organizational culture they contribute to daily, and likely become an even more engaged employee in the process.

Furthermore, it is widely recognized that attracting and retaining a talented workforce is a significant challenge for all districts across our state. This bill provides one tool for meeting this ever-increasing challenge. In short, it is an innovative approach to ensuring our educators feel valued for the daily contributions that they make to all children in our district.

I encourage you to support AB 644 as an investment in our educators. This is a simple approach to enhancing workplace culture in our schools and providing stability in our school district workforce.

Thank you for your consideration,



Dr. Michael Sereno  
Superintendent  
Oconomowoc Area School District