



Budget Briefs from the Legislative Reference Bureau

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PUBLIC SCHOOL INTERDISTRICT CHOICE

The biennial state budget act (1997 Wisconsin Act 27), signed by Governor Tommy Thompson on October 11, 1997, provides that, beginning with the 1998-99 school year, students may attend any public school outside their district of residence, provided there is space available and the family pays for transportation. Under this "open enrollment law", state aids to a district will be adjusted according to the number of transfers into or out of the district. In addition, nonresident school districts will receive tuition from the resident districts as reimbursement for extra costs incurred in services to special education students. Although parents must provide transportation to and from the nonresident school, financial assistance may be available for certain low-income families.

A school board may limit transfers out of the district to 3% of its enrollment in the 1998-99 school year, with the allowable cap increasing 1% in each of the following seven years to a total of 10% in 2005-06. (Caps do not apply after 2005-06.) It may also prohibit transfer of special education students if the tuition charged them by the nonresident district would impose an undue financial burden. Denial is mandatory if the transfer would increase the racial imbalance of a district, as defined under the Special Transfer Aid Program (Subchapter VI of Chapter 121, Wisconsin Statutes).

The number of students who will exercise the interdistrict transfer option is unknown. In Minnesota, which was the first to enact statewide open enrollment for all public school students in 1988, about 2% of public school students attend schools outside their home districts.

I. FULL-TIME OPEN ENROLLMENT

Application Procedures

The parent of a pupil who wishes to enroll in a public school district other than the district of residence must apply in writing to the nonresident school district between the first Monday and the 3rd Friday in February preceding the school year when transfer is desired. The nonresident school board sends a copy of the application to the pupil's resident school board and the Department of Public Instruction (DPI). The nonresident district must give written notification of acceptance or rejection not later than the first Friday following the first Monday in April. Reasons for rejection must be stated.

If the application is accepted, the nonresident district must notify the pupil by the Friday following the first Monday in May regarding the specific school or program to which the pupil

is assigned. The pupil's parent must notify the nonresident school district by the first Friday following the first Monday in June of the pupil's intent to actually transfer to the new school.

Criteria for Interdistrict Transfers

By the end of December 1997, all Wisconsin school boards must adopt their criteria for acceptance or rejection of transfers. Criteria may relate to space availability in schools, programs, classes and grades or the disciplinary history of the applicant regarding actions that endangered the life, health, safety or property of others. Transfers may also be denied if the loss of special education students would jeopardize the home district's ability to continue services for those remaining. If the nonresident school board cannot accommodate all transfer requests, selection must be determined on a random basis. However, preference must be given to pupils or siblings of pupils who are already attending school under the choice program in the nonresident district. Once accepted, students may continue to attend, except that reapplication may be required at one of the following points: entry into middle school, junior high school or high school.

If either the nonresident or the resident school district rejects a transfer, the denial may be appealed to the DPI, which can overturn the district's decision only if it finds the action arbitrary or unreasonable.

II. PART-TIME OPEN ENROLLMENT

Beginning in the 1998-99 school year, students may apply to enroll part-time for a maximum of two courses outside the resident district. Application must be submitted at least six weeks before the start of the course, and the student is to be notified of acceptance or rejection at least one week before the course commences. Policies and criteria for part-time enrollments are the same as for full-time open enrollment, except that the school board may give enrollment preference for a particular course to its own district residents. The resident school district must pay tuition fees to the nonresident district, and parents must provide transportation. Financial assistance for transportation costs may be available for low-income families.

III. FOR MORE INFORMATION

For copies of Sections 118.51 and 118.52, Wisconsin Statutes, relating to public school inter-district choice, contact the Legislative Reference Bureau at (608) 266-0342.

For further information about the program, contact the DPI Office of Management and Budget at (608) 267-9101.