



## 2009 SENATE BILL 220

May 26, 2009 – Introduced by Senators OLSEN, KAPANKE, HOPPER, KEDZIE, LEIBHAM, KANAVAS, LAZICH and DARLING, cosponsored by Representatives DAVIS, LEMAHIEU, VUKMIR, KRAMER, ZIEGELBAUER, RIPP, NASS, LOTHIAN, NYGREN, PETERSEN, KLEEFISCH, TOWNSEND, KNODL, GUNDRUM, STRACHOTA, SPANBAUER, ZIPPERER, VOS, A. OTT and GOTTLIEB. Referred to Committee on Education.

1     **AN ACT** *to repeal* 118.40 (8) (h) and 118.51 (3) (a) 7.; and *to amend* 118.51 (3)  
2           (a) 6., 118.51 (3) (b) and 118.51 (15) (a) of the statutes; **relating to:** eliminating  
3           the enrollment limit on virtual charter schools.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the number of pupils attending virtual charter schools through the open enrollment program may not exceed 5,250 in any school year. A virtual charter school is a charter school under contract with a school board in which all or a portion of the instruction is provided through means of the Internet, and the pupils enrolled in and instructional staff employed by the school are geographically remote.

This bill eliminates the virtual charter school enrollment limit beginning in the 2010–11 school year.

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

4           **SECTION 1.** 118.40 (8) (h) of the statutes is repealed.  
5           **SECTION 2.** 118.51 (3) (a) 6. of the statutes is amended to read:  
6           118.51 (3) (a) 6. If an application is accepted, on or before the first Friday  
7           following the first Monday in June following receipt of a notice of acceptance, or

**SENATE BILL 220****SECTION 2**

1 within 10 days of receiving a notice of acceptance if a pupil is selected from a waiting  
2 list under s. 118.40 (8) (h) 5., the pupil's parent shall notify the nonresident school  
3 board of the pupil's intent to attend school in that school district in the following  
4 school year.

5 **SECTION 3.** 118.51 (3) (a) 7. of the statutes is repealed.

6 **SECTION 4.** 118.51 (3) (b) of the statutes is amended to read:

7 118.51 (3) (b) *Notice to resident school district.* Annually by June 30, each  
8 nonresident school board that has accepted a pupil under this section for attendance  
9 in the following school year shall report the name of the pupil to the pupil's resident  
10 school board. ~~If a pupil is selected from a waiting list under s. 118.40 (8) (h) 5., the~~  
11 ~~nonresident school board shall report the name of the pupil to the pupil's resident~~  
12 ~~school board within 10 days of receiving notice of the pupil's selection from the~~  
13 ~~department.~~

14 **SECTION 5.** 118.51 (15) (a) of the statutes is amended to read:

15 118.51 (15) (a) *Application form.* Prepare, distribute to school districts and  
16 make available to parents an application form to be used by parents under sub. (3)  
17 (a). The form shall include provisions that permit a parent to apply for  
18 transportation reimbursement under sub. (14) (b). ~~The form shall require an~~  
19 ~~applicant who is applying to attend a virtual charter school to indicate that he or she~~  
20 ~~is applying to attend a virtual charter school, the number of virtual charter schools~~  
21 ~~to which he or she is applying, and whether he or she is a sibling of a pupil currently~~  
22 ~~enrolled in a virtual charter school through the open enrollment program.~~

23 **SECTION 6. Initial applicability.**

