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JESSICA HOLMBERG & WILL FLANDERS, PHD

PUBLIC SCHOOL CHOICE IN WISCONSIN: A WORK IN PROGRESS



WILL FLANDERS

RESEARCH DIRECTOR

✉ flanders@will-law.org

JESSICA HOLMBERG

POLICY AND COMMUNICATIONS ASSOCIATE

✉ jessica@will-law.org

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Executive Summary

Wisconsin offers more schooling options than many other states. Between traditional public schools, private schools, public charter schools, and virtual charter schools there are many types of schools parents can choose from. Additionally, Wisconsin has education programs such as full-time intra- and inter-district open enrollment, and part-time open enrollment, which allow parents and students to customize education according to their student's needs.

In this study, WILL takes a look at the Full-Time Open Enrollment Program, specifically the application processes, history of student and district utilization, funding, factors that play a role in a family's choice to transfer districts, as well as policy suggestions and takeaways about the program. The information found in this report is meant to help families, policymakers, and even school districts make wise decisions not only for their students and families but for all K-12 students in Wisconsin.

Note: Throughout this report the terms net-winner and net-loser will be used to describe a school district's net open enrollment. The terms do not indicate the quality of a school district—only whether the school district was a net-winner or net-loser in the Wisconsin Open Enrollment Program.

THE KEY FINDINGS:

1. **The Open Enrollment (OE) Program is Wisconsin's largest school choice program.** More than 62,000 students across the state participated during the 2018-19 school year.¹ This is approximately 20,000 more than the next largest choice program—private school choice (43,000).² The program continues to grow between .3 and .6% each year.

2. **Parents make decisions based on academics.** With controls for a number of other variables, Forward Exam proficiency predicts positive open enrollment into a district.
3. **Research has found that open enrollment programs tend to increase the diversity of schools.** It is difficult to measure an overall trend in Wisconsin due to a lack of student-level data; however, evidence suggests that open enrollment has enhanced diversity.
4. **Districts with more low-income students lose enrollment.** On average, students enroll out of high-poverty districts and into lower-poverty districts.
5. **Higher-spending districts gain enrollment.** Despite no relationship between spending and student outcomes, higher-spending districts see positive open-enrollment growth. Additionally, for the 2018-2019 school year there were fewer referendums in lower-spending districts as compared to higher-spending districts.
6. **The most common reason for denying regular and alternative school applications is "space."** We found that students with disabilities are frequently and unfairly denied for "space" reasons. We also found that space is the number one reason for denial in general.
7. **"Net-Winning" school districts see a net increase in enrollment of up to almost 70%.** Between 2015 and 2019 the top 15 net-winning districts each year saw net increases in enrollment of between 24%- 69%.
8. **"Net-Winning" school districts can see a significant increase in their state aid.** For the 2018-2019 school year the #1 "net-winning" school district saw a state-aid

increase of approximately \$22,882,279—conservatively assuming all students were traditional students and not students with disabilities.

9. **“Net-Losing” school districts saw enrollment losses of up to 47%.** The top 15 “net-losing” school districts between 2015 and 2019 saw enrollment losses between 13% and 47%.
10. **“Net-Losing” school districts see significant decreases to their state aid.** For the 2018-2019 school year, the #1 “net-losing” school district saw a state aid decrease of approximately \$1,158,503—conservatively assuming all students were traditional students and not receiving special education.
11. **The alternative application process has become more common.** Under 2011 Act 114 students are allowed to apply for a seat in the open enrollment program outside the designated regular application period. Since the introduction of the alternative application process, the number of traditional applications has gone down and the number of alternative applications has increased. In 2015 alternative applications accounted for 24%, and by 2018 they account for 33% of applications.
12. **Sports success does not correlate with open-enrollment growth.** Although many speculate that sports success plays a role in a school’s success, in the case of open enrollment, districts whose high-school teams make the state football playoff are not more likely to have higher open enrollment.

POLICY RECOMMENDATIONS

- of seats they make available to open-enrollment students.** While some districts put time and effort into determining their number of seats and give detailed reasoning for their decision, some school districts simply say there are 0 available seats for the school year. This can be quite frustrating to both families and policymakers who cannot make wise decisions with limited information.
2. **A one-track system should be used for accepting and denying students.** The current two-track systems allows districts to discriminate against students with disabilities.
3. **Open enrollment student data should be more transparent.** We found that although the program has been around for 20 years, very limited data is reported about the students who utilize the program.
4. **Money should follow the student.** Like the school choice program, districts get to retain a portion of the revenue for students who utilize the open enrollment program to attend another district. We believe that funding should follow the student regardless of where they choose to attend school. Making this change might increase the number of seats made available for open enrollment, as receiving districts will have a greater financial incentive.
5. **The application period should be year-round.** Open enrollment has benefited K-12 families and school districts by allowing more flexibility in education. Similarly, extending the application process would allow families and school districts more flexibility to meet their needs.
6. **Resident school districts should not have the power to veto an alternative application claiming it’s “best for the**

1. **School districts should be required to report their reasoning for the number**

student.” Current law permits school districts to deny alternative applications due to best interests, effectively allowing school districts to stop students from leaving the district.

Program Overview

Open enrollment began in 1997 with the passing of Wis. Stat. 118.51. The program allows students from 4k through 12th grade to apply to attend a public-school district other than their own. The students can apply to up to three school districts a year and may request a specific school within the district they wish to attend.³

APPLICATION PROCESS

In 2011, the application period was extended from three weeks to three months, running from February through April, with the option of an alternative application process for those who meet specific criteria. Before 2011, the application period ran for a much shorter period of three weeks and did not include an alternative application process.⁴

The regular and alternative application processes are quite similar. For the regular application, a parent or student answers basic personal information questions (name, age, school district, guardian information, etc.) and chooses up to three school districts he or she would like to attend for the following school year. As previously mentioned, students may also choose to add which specific school they wish to attend; however, this is not guaranteed.⁵

The alternative application process works quite similarly except the student or parent must identify which alternative application criteria

they meet.⁶ Alternative applications are only accepted if the student meets at least one of the alternative application criteria. (criteria listed in later section).⁷

After a student applies to the non-resident district(s), the non-resident district is required to send a copy of the application to the resident district. The non-resident district then determines whether or not the student meets the basic criteria for the program. In the case of the alternative application, the resident district does have control over denying a student's admission into another district. Traditionally, the resident school is not allowed to prevent a student from leaving the district; however, in the case of alternative applications, the district may deny a student's application if they feel it is in the student's "best interest"—although the parents have the right to appeal this claim.⁸

While the initial application process is relatively accessible, the process as a whole can be quite frustrating. Since school districts hold power to deny students, many parents find their students denied unfairly. For instance, many parents of students with disabilities find their students unfairly rejected due to their student's disability. (This is further discussed in the later section.)

Additionally, with either application, the district has the right to deny based on the number of seats they chose to open for that year. In many cases, students are denied due to "space." When a district denies a student due to "space" this does not indicate the district has no more room as districts can choose to cap their open enrollment seats at a number lower than their actual student capacity. While this isn't necessarily bad for either the student or the district, it is frustrating as many times there is a lack of transparency as to why districts lack seats for open enrollment.

NON-RESIDENT DISTRICT DENIALS

A non-resident district may deny an application for a few specific reasons:

1. The most common reason for denial is “space.” A district can deny any student due to not having enough seats available in the grade. School districts must decide on the number of open enrollment seats they will open each year, but they are not required to open any seats and have total control over the number they choose to open. School districts are also allowed to distinguish the number available for regular students and students with disabilities.⁹
2. The non-resident district may deny a student who was expelled for either the current year or the previous school years.¹⁰
3. They may also deny a student if they require special services the district is unable to fulfill based on their Individualized Education Plan (IEP).¹¹
4. If the student was referred for a special education evaluation and did not complete the evaluation, the application can be denied.¹²
5. Additionally, a student can be denied or sent back to his/her resident district if they have been or are currently truant.¹³
1. The student is or was homeless during the previous school year.¹⁵
2. The student was found to be severely bullied at their resident school; which is determined by the resident district.¹⁶
3. The student moved from out of state into Wisconsin.¹⁷
4. The student moved due to a guardian(s) in the military.¹⁸
5. If the student were a “victim of a violent criminal offense.”¹⁹
6. If a court has ruled that the child must move outside his/her resident district.²⁰
7. If the parents and the resident school board agree it is in the student’s best interest.²¹ Note, it is up to the parents and school district to determine what “in the student’s best interest” means. There are no guidelines a school follows to determine this.

The only time a resident school district has the power to deny an application is with the alternative application and it must be for “the student’s best interest.” A parent may appeal a resident district denial due to “best interest” if they still feel the student would do best in a non-resident district.²²

ALTERNATIVE APPLICATION PROCESS

Since the 2011-2012 school year, students have been able to submit open enrollment applications outside the designated three-month period. There are criteria a student must meet, however, to qualify for an alternative application.¹⁴

A student may apply using the alternative application if:

Based on research (Table 1), we found that the alternative application process filled a gap that benefits students and the program overall.²³ The alternative process benefits students who move into the state after the application process is over and those who have been severely bullied and need to leave their district mid-year. Without the alternative application students would have to wait an entire school year to change schools,

Table 1. Alternative Applications by Year²⁴

Year	Regular Applications	Alternative Applications	Total Applications	% Alternative Application
2015-2016	31,137	9,981	41,118	24%
2016-2017	28,093	11,061	39,154	28%
2017-2018	26,498	12,240	38,738	32%
2018-2019	25,751	12,912	38,663	33%

wasting a year at a school they may not benefit from attending or may even be inhibited by attending. Additionally, it may have benefitted the program overall, as it seems since the addition of the alternative application process, regular applications have decreased while the number of alternative applications has increased each year. Clearly, families and even districts have benefited from the flexibility it adds to the process.

FUNDING

Funding methods for the program have changed over the past 20 years. Currently, there are two different ways districts are funded based on whether or not the student is considered a traditional student or a student with a disability. In either situation, the program is funded through an increase to the non-resident district's state aid and therefore a decrease to the resident district's state aid. The net-

losing district retains the revenue above the open enrollment amount for a student whom they are no longer educating, similar to how the process works for Wisconsin's parental choice programs.²⁵

Starting for the 2016-2017 school year, students with disabilities were funded with an increase to the student's state aid amount. In previous years, students with disabilities were funded the same way traditional students were and the resident district was required to pay any additional fees.²⁶

What follows is an example of how funding works in the Palmyra-Eagle school district. Note that the numbers are just estimates, as we don't know how many of the students who open enroll are disabled. Before the open-enrollment process, the district counts 647 kids.²⁷ The district collects property tax revenue and receives state aid based on this count. This works out to approximately \$7.6 million for the most recent school year, or

Table 2. Palmyra Eagle: Pre and Post OE Revenue²⁹

	Enrollment	Total Revenue	Per-Pupil Revenue
Pre Open Enrollment	647	\$7,662,421	\$11,843
Post Open Enrollment	335	\$5,557,045	\$16,588

\$11,843 per pupil.²⁸ However, the district must send a portion of their aid away for students who open enroll out of the district.

While total revenue declines by about \$2 million (Table 3), revenue per student increases by \$4,745. This works the same way for each district

Table 3. Example State Aid Change Due to OE (Non-Special Education)³⁰

School year	District	Net Enrollment Change	Per-Pupil State Aid (Non-SPED)	Aid Change
2016-17	McFarland	2,769	\$6,748	\$18,685,212
2016-17	Palmyra-Eagle	-312	\$6,748	-\$2,105,376

Table 4. State Aid Change Due to OE for School Districts Surrounding Palmyra-Eagle³¹

School Year	District	Net Enrollment Change	Per-Pupil State Aid (Non-SPED)	Aid Change
2018-19	Palmyra-Eagle	-297	\$7,379	-\$2,191,563
2018-19	East Troy	-131	\$7,379	-\$966,649
2018-19	Fort Atkinson	63	\$7,379	\$464,877
2018-19	Kettle-Moraine	373	\$7,379	\$2,752,367
2018-19	Jefferson	9	\$7,379	\$66,411
2018-19	Mukwonago	210	\$7,379	\$1,549,590
2018-19	Oconomowoc Area	-287	\$7,379	-\$2,117,773
2018-19	Whitewater Unified	-88	\$7,379	-\$649,352

Table 5. Open Enrollment Aid Transferred by Year³²

Year	Amount	Year	Amount
1998-99	\$9,600,000	2008-09	\$151,200,000
1999-00	\$19,600,000	2009-10	\$178,400,000
2000-01	\$30,500,000	2010-11	\$196,200,000
2001-02	\$42,500,000	2011-12	\$196,200,000
2002-03	\$57,500,000	2012-13	\$235,100,000
2003-04	\$73,900,000	2013-14	\$266,400,000
2004-05	\$88,000,000	2014-15	\$289,600,000
2005-06	\$104,000,000	2015-16	\$303,200,000
2006-07	\$118,700,000	2016-17	\$386,800,000
2007-08	\$135,100,000	2017-18	\$419,300,000
		2018-19	\$452,687,520

in the state, though generally less dramatically than for Palmyra-Eagle. Table 4 shows changes in state aid for school districts surrounding Palmyra-Eagle as a result of open enrollment. As we move toward student-centered budgeting approaches, one may question the wisdom of a system that lets a district that is no longer educating a student retain revenue for the student who left.

Although the funding amount seems high, Table 5 shows that spending on open enrollment remains only a small share of total state aid to school districts. Table 6 below shows spending on open enrollment as a share of total school costs in years using data from the Legislative Fiscal Bureau.

Table 6: State OE Spending Compared to K-12 Spending³³

Year	Aid Transfer Amount	State K-12 Spending (Millions)	% OE Spending Compared to State Spending
2011-12	\$196,200,000	\$10,584.9	1.85%
2012-13	\$235,100,000	\$10,567.7	2.22%
2013-14	\$266,400,000	\$10,749.7	2.47%
2014-15	\$289,600,000	\$10,971.7	2.64%
2015-16	\$303,200,000	\$11,057.5	2.74%
2016-17	\$386,800,000	\$11,274.4	3.43%

Table 7. OE Per-Pupil Funding by Year³⁴

Year	Amount	Year	Amount
1998-99	\$4,543	2008-09	\$6,225
1999-00	\$4,703	2009-10	\$6,498
2000-01	\$4,828	2010-11	\$6,665
2001-02	\$5,059	2011-12	\$6,867
2002-03	\$5,241	2012-13	\$6,335
2003-04	\$5,446	2013-14	\$6,485
2004-05	\$5,496	2014-15	\$6,635
2005-06	\$5,682	2015-16	\$6,639
2006-07	\$5,845	2016-17	\$6,748
2007-08	\$6,007	2017-18	\$7,055
		2018-19	\$7,379

Table 8. OE Per-Pupil Funding vs. WI Average Per-Pupil Funding by Year³⁵

Year	Average district per member spending (excluding federal)	Open Enrollment Per-Pupil State Aid
2003-04	\$9,876	\$5,446
2004-05	\$10,295	\$5,496
2005-06	\$10,687	\$5,682
2006-07	\$11,122	\$5,845
2007-08	\$11,239	\$6,007
2008-09	\$10,958	\$6,225
2009-10	\$11,477	\$6,498
2010-11	\$11,989	\$6,665
2011-12	\$11,493	\$6,867
2012-13	\$11,535	\$6,335
2013-14	\$11,720	\$6,485
2014-15	\$12,060	\$6,635
2015-16	\$12,201	\$6,639
2016-17	\$12,495	\$6,748
2017-18	\$12,803	\$7,055
2018-19	\$13,336	\$7,379

Table 9. Per-Pupil Funding: Students with Disabilities³⁶

Year	Amount
2016-17	\$12,000
2017-18	\$12,207
2018-19	\$12,431

As the charts above show (Table 8 and 9), per-pupil state aid for open enrollment is about 40%-50% less than the average district's per-pupil spending—meaning school districts are educating open enrollment students at a fraction of the price

or using their own resources.³⁷ Furthermore, until 2016 students with disabilities were funded at the same amount as regular students—meaning they are being educated at even less than “half-price” so-to-speak.

TRANSPORTATION

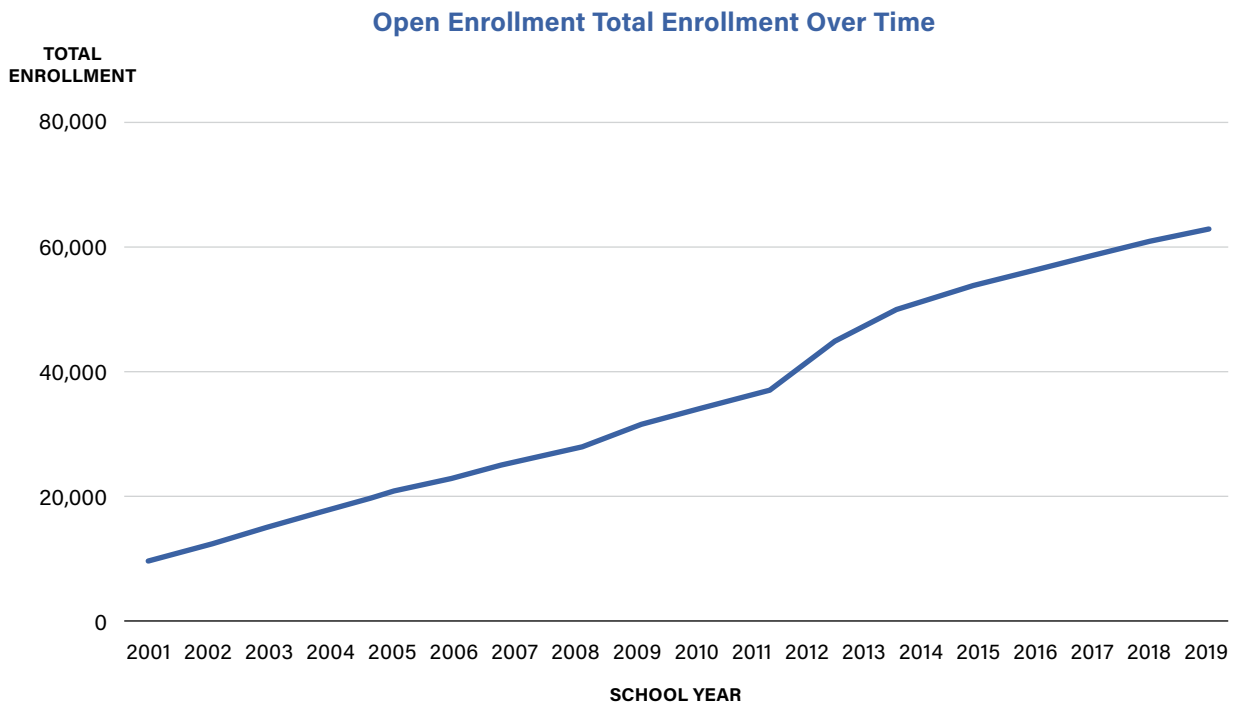
Both the non-resident and resident districts are not required to provide transportation to and from the non-resident school, although the non-resident district may choose to offer this service with the resident school district's approval. Additionally, even though non-resident districts are not required to provide transportation, they are still required to provide all additional services that a student would receive from the resident district.³⁸

ENROLLMENT TRENDS

Two major purposes of this report are to take a look at (1) if families/school districts were utilizing open enrollment, and (2) what

determines how and why families use the program. The figure on the following page shows the number of students using open enrollment by year. One can easily see the substantial growth of the program that has occurred over the years, from less than 10,000 students in school year 2000-01 to more than 60,000 students today.

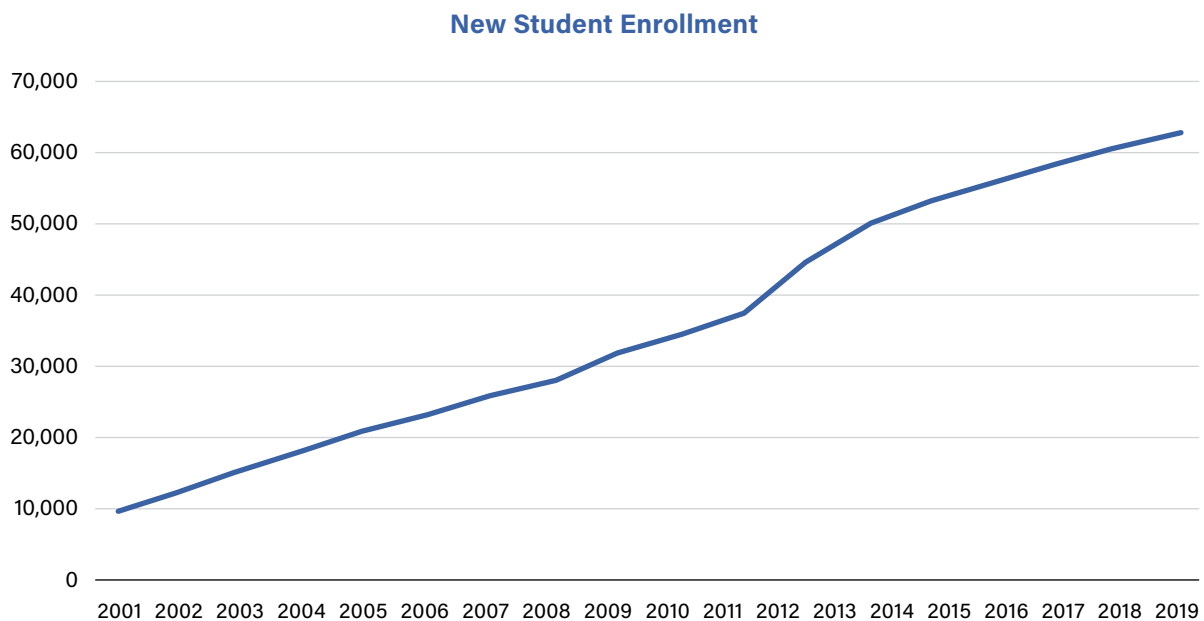
Not only has enrollment grown overall, it has grown as a share of total student enrollment in the state. To determine overall utilization of the program, we compared each year's overall student enrollment in Wisconsin to the number of students using open enrollment that year in Table 10.³⁹ This table shows the program growing from about 1% of students utilizing it in 2000-01 to more than 7% of all students in the state by the 2018-19 school year.



Sources: Wisconsin Department of Public Instruction, "Open Enrollment Data and Reports" <https://dpi.wi.gov/open-enrollment/data>

Table 10. Open Enrollment Utilization by Year⁴⁰

School Year	Total Students in Open Enrollment	Wisconsin Total Student Enrollment	Open Enrollment Utilization %
2001-02	9,602	879,476	1.10%
2002-03	12,378	879,361	1.40%
2003-04	15,413	881,231	1.70%
2004-04	18,215	880,031	2.10%
2005-06	21,028	874,098	2.40%
2006-07	23,406	875,543	2.70%
2007-08	25,899	873,690	3.00%
2008-09	28,025	872,311	3.20%
2009-10	31,916	871,262	3.70%
2010-11	34,498	871,550	4.00%
2011-12	37,332	870,470	4.30%
2012-13	44,678	871,551	5.10%
2013-14	50,075	873,531	5.70%
2014-15	53,188	870,652	6.10%
2015-16	55,737	867,137	6.40%
2016-17	58,347	863,881	6.80%
2017-18	60,820	860,138	7.10%
2018-19	62,962	858,833	7.30%



Sources: Wisconsin Department of Public Instruction, "Open Enrollment Data and Reports" <https://dpi.wi.gov/open-enrollment/data>

Table 11. New Student Participation by Year⁴¹

Year	New Student Transfers	Continuing Student Transfers	Total Pupil Transfers	% of New Compared to Total
1998-99	2,464	N/A	2,464	0%
1999-00	3,085	1,773	4,858	64%
2000-01	3,745	3,468	7,213	52%
2001-02	4,271	5,331	9,602	44%
2002-03	5,326	7,052	12,378	43%
2003-04	6,270	9,139	15,413	41%
2004-05	6,918	11,297	18,215	38%
2005-06	7,739	13,289	21,028	37%
2006-07	8,322	15,084	23,406	36%
2007-08	8,702	17,196	25,899	34%
2008-09	8,968	19,060	28,025	32%
2009-10	10,939	20,977	31,916	34%
2010-11	10,943	23,555	34,498	32%
2011-12	11,718	25,614	37,332	31%
2012-13	17,384	27,294	44,678	39%
2013-14	18,112	31,963	50,075	36%
2014-15	18,123	35,065	53,188	34%
2015-16	18,194	37,543	55,737	33%

Overall, it is apparent that not only has the program been utilized since day one, but it has seen significant increases in enrollment throughout its 20 years with both high student retainment and a consistent number of new students each year.

Methods

In order to examine the correlates of open enrollment (i.e. why parents/students may choose the district they do), we gathered data for the 2015-19 school years in the state. We account for factors that could affect both the decision of parents to move their children to another district, as well as factors that could affect the decision of districts to engage in open enrollment. To account for the possibility that open enrollment decisions are made based on academics, we included proficiency rates on the Forward Exam. To account for the potential role that high-quality sports teams can play, we use whether or not the school made the high-school playoffs. While football is only one of many sports, we think that as an enrollment driver among non-players, its overall popularity and the attention it receives from media make it a solid proxy for any relationship to open enrollment based on sports.

On the district behavior side, we include variables for students' racial composition, the percentage of disabled students in the receiving district, the percentage of students in the district who come from economically disadvantaged backgrounds, the enrollment of the district in 1000s of students, and the per-pupil revenue limit of the district in 1000s of dollars.

In order for parental decisions about where their children will attend to be impacted by certain information, we must compare data from the previous year with enrollment trends for the current year. Consequently, proficiency rates and football playoffs lag by a year. Characteristics of the district do not lag.

Results

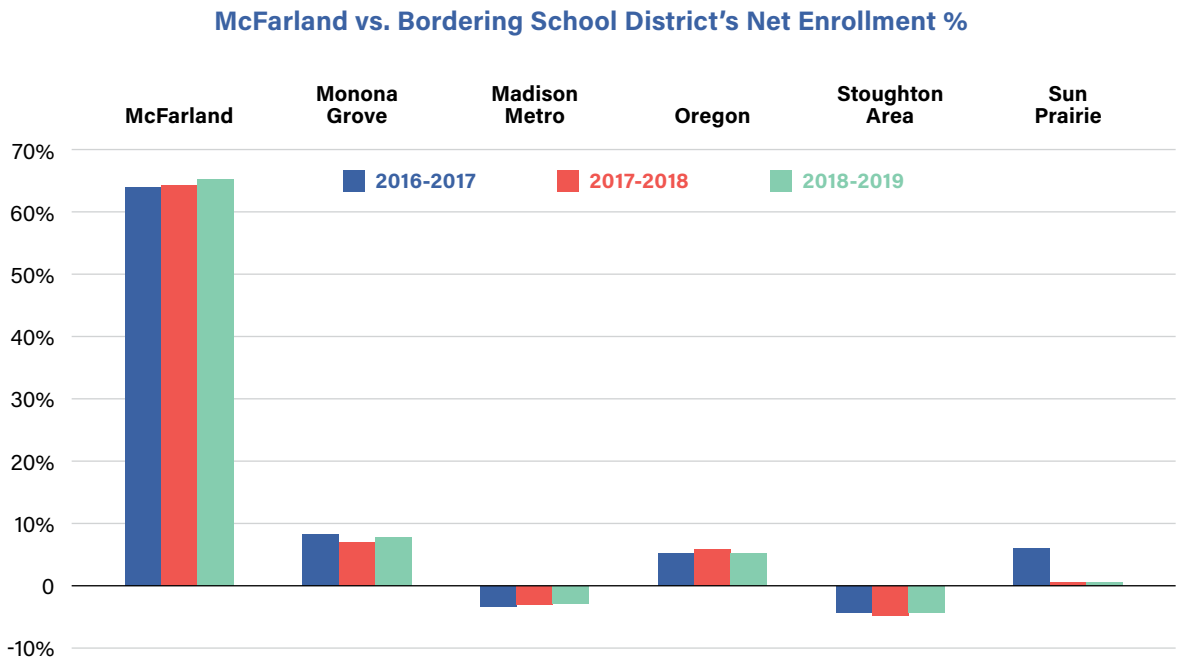
PRELIMINARY

We begin our analysis with a preliminary look at the biggest net-winners and net-losers in terms of open enrollment over the past four school years. These numbers are calculated based on the share of the district’s total enrollment that comes from open enrollment. For example, if a school district has 10 students of which a net of two are attending due to open enrollment, this would represent 20% open enrollment in the district.

There is a great deal of consistency across years. McFarland, a suburban district outside of Madison, is regularly the top district in terms of the percentage of open-enrolled students. More than 50% of the students in the district

each year come from a different district. Other suburban districts that make regular appearances with a high number of open-enrolled students include Saint Francis (a suburb directly south of Milwaukee) and Ashwaubenon (a suburb of Green Bay). However, several rural districts appear as well, meaning that open enrollment is not simply a story of students leaving big cities for suburbs.

In contrast, the largest consistent net-losers tend to be rural districts. Districts such as Palmyra-Eagle (2019 enrollment 769) and Twin Lakes #4 (enrollment 316) regularly appear. Many of these districts lose students in similarly large percentages as the net-winners gain students. In 2018-19, for instance, Twin Lakes #4 lost nearly half (47%) of its enrollment to other districts. Of course, small districts can have larger swings in enrollment with a smaller number of students actually leaving.

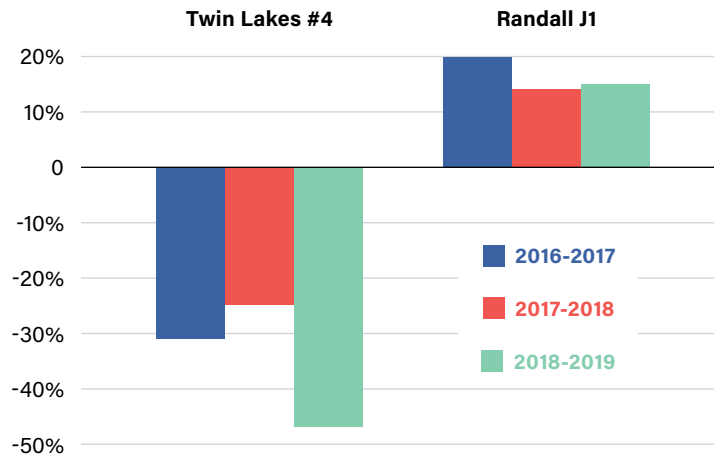


Sources: Wisconsin Department of Public Instruction, “Open Enrollment Data and Reports” 2016-17 to 2018-19, <https://dpi.wi.gov/open-enrollment/data>, Wisconsin Information System for Education Data Dashboard: Enrollment, <https://wisedash.dpi.wi.gov/Dashboard/dashboard/18110>

Note: Twin Lakes #4, an elementary-only district, is surrounded by Randall J1, a K-12 district—this may lead some families to leave their small

elementary district for a larger K-12 district, in which their student could continue their education from K5 through 12th grade.

Twin Lakes #4 Net Enrollment vs. Surrounding District



Sources: Wisconsin Department of Public Instruction, "Open Enrollment Data and Reports" 2016-17 to 2018-19, https://dpi.wi.gov/open_enrollment/data, Wisconsin Information System for Education Data Dashboard: Enrollment, <https://wisedash.dpi.wi.gov/Dashboard/dashboard/18110>

Table 12 Results: Open Enrollment Net-Winners⁴²

Rank	2015-16	%	2016-17	%	2017-18	%	2018-19	%
1	McFarland	61%	McFarland	55%	Erin	69%	McFarland	65%
2	Grantsburg	53%	Grantsburg	44%	Howard-Suamico	68%	Grantsburg	57%
3	Geneva J4	43%	Brighton #1	44%	McFarland	63%	Brighton #1	53%
4	Paris J1	40%	Geneva J4	40%	Grantsburg	57%	Paris J1	43%
5	Brighton #1	39%	Birchwood	34%	Brighton #1	49%	Erin	41%
6	Northern Ozaukee	36%	Erin	32%	Paris J1	45%	Linn J6	40%
7	Erin	34%	Yorkville	32%	Ithaca	38%	Geneva J4	40%
8	Yorkville J2	33%	Northern Ozaukee	31%	Geneva J4	36%	Fontana J8	34%
9	Birchwood	31%	Saint Francis	29%	Yorkville J2	35%	Birchwood	32%
10	Kohler	28%	Ashwaubenon	29%	Fontana J8	35%	Ashwaubenon	31%
11	Union Grove	27%	Kohler	29%	Birchwood	35%	Ithaca	31%
12	Saint Francis	27%	Lake Country	27%	Linn J6	35%	Lake Country	28%
13	Ashwaubenon	27%	Linn J6	26%	Union Grove UHS	33%	Saint Francis	27%
14	Friess Lake	26%	Union Grove	26%	Stone Bank	32%	Kohler	27%
15	Linn J6	25%	Friess Lake	24%	Friess Lake	31%	Northern Ozaukee	27%

Table 13 Results: Open Enrollment Net-Losers⁴³

Rank	2015-16	%	2016-17	%	2017-18	%	2018-19	%
1	South Shore	-32%	Palmyra-Eagle	-34%	Albany	-28%	Twin Lakes #4	-47%
2	Palmyra-Eagle	-30%	Twin Lakes #4	-31%	Palmyra-Eagle	-28%	Palmyra-Eagle	-39%
3	Rubicon J6	-28%	Albany	-27%	Bowler	-27%	Albany	-29%
4	Twin Lakes #4	-23%	Rubicon J6	-26%	Twin Lakes #4	-25%	Delavan-Darien	-26%
5	Winter	-22%	South Shore	-23%	Delavan-Darien	-24%	Florence	-24%
6	Florence	-21%	Bowler	-22%	Florence	-19%	South Shore	-23%
7	Albany	-21%	Delavan-Darien	-21%	Kaukauna Area	-17%	Bowler	-22%
8	Delavan-Darien	-19%	Winter	-20%	Genoa City J2	-17%	Genoa City J2	-20%
9	Bowler	-18%	Florence	-20%	Winter	-16%	Horicon	-20%
10	Genoa City J2	-18%	Genoa City J2	-19%	Bruce	-16%	Pecatonica Area	-20%
11	Phelps	-17%	Kaukauna	-16%	Hartford	-15%	Hartford	-20%
12	Kaukauna Area	-17%	Hartford J1	-16%	Gilman	-15%	Kaukauna Area	-19%
13	Bruce	-16%	Dover #1	-16%	Salem	-15%	Cassville	-19%
14	Dover #1	-16%	Stockbridge	-16%	Almond-Bancroft	-13%	Salem	-17%
15	Horicon	-16%	Solon Springs	-15%	Horicon	-13%	Stockbridge	-17%

Note also that a number of elementary-only districts appear on the list of net-winners. These districts—often denoted with a “J” in the district name—generally only have one school in the district. It is possible that the focus on a single school and single age group is especially appealing to parents. Many of these schools also tend to be in wealthier areas of the state, potentially creating an aura of status.

STATISTICAL ANALYSIS

The table below shows the relationship between open enrollment and several variables of interest. Perhaps it should be encouraging that proficiency on state exams is a positive predictor of enrollment ($p < .01$). However, while this effect is statistically significant, one may question the substantive significance of the

result. A 1% increase in proficiency on the state exam is associated with an increase of .05% in the share of students who open enroll into the district. Perhaps good news for policymakers who want academics to drive decision-making, no relationship was found between whether or not a school in the district made the high school football playoffs and open enrollment into the district.

On the district side, the coefficient on enrollment was insignificant, though very close to significant and trending negative. If other variables correlated with larger districts, such as economic status, are excluded from the model, enrollment becomes significantly negative. In other words, it appears that larger districts tend to lose students on average, while smaller districts tend to gain students.

Districts with more students who have disabilities also tend to see students leaving the district on average ($p < .01$). It is unclear from this finding whether it is students with disabilities who are leaving, or other students in the schools. Similarly, districts with high levels of low-income students see a net-negative enrollment ($p < .01$).

One of the other variables of interest is district revenue. It appears that higher-spending districts tend to see more students open-enrolling into them. This is the case even though high spending does not correlate with student outcomes according to previous research conducted by WILL and others. It appears that higher-spending districts offer something—perhaps better facilities—that is appealing to parents.

Each of these effects is substantively small. However, note that the average change in open enrollment is only .88% per district, meaning that each of these effects represents a meaningful impact on the overall picture of open enrollment for a district.

DIVERSITY TREND

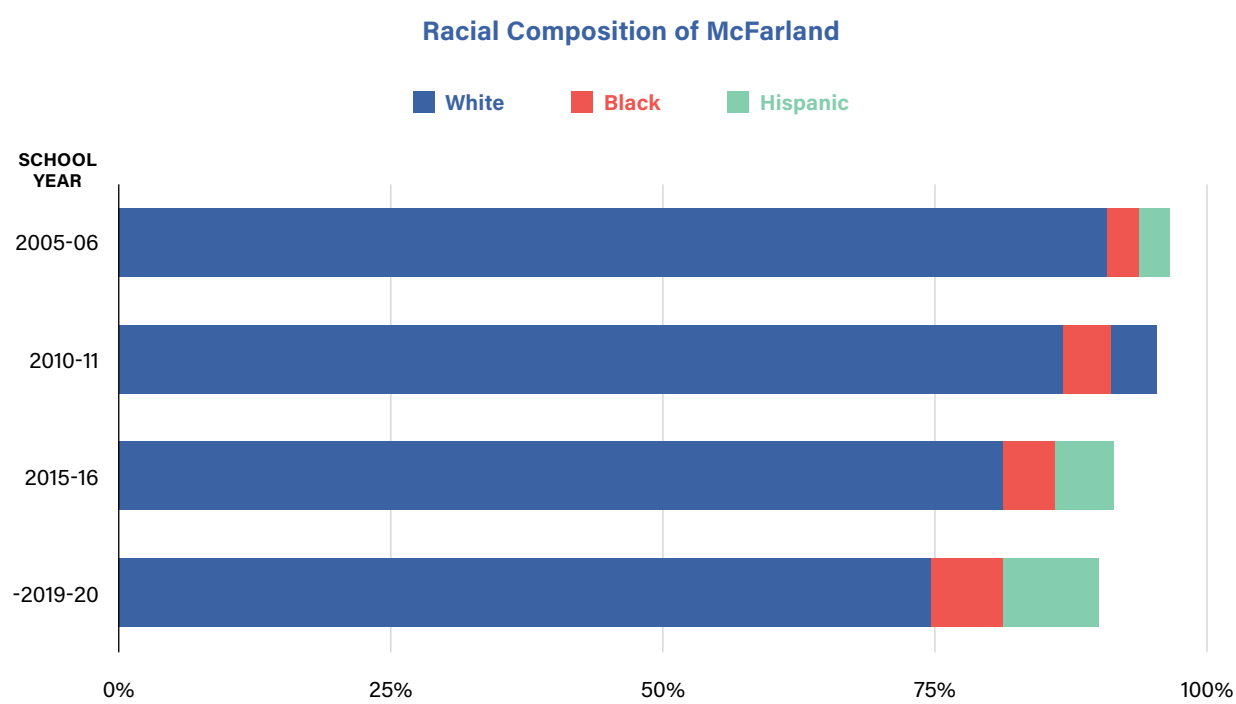
Research has found that open enrollment programs tend to increase the diversity of schools, as students move from districts with differing demographics. While it is difficult to measure an overall trend in Wisconsin due to a lack of student-level data, some anecdotal evidence suggests this may be the case. The figure below shows the racial demographics of McFarland every five years since the 2005-06 school year. The percentage of Hispanic and Black students has increased over time, while the percentage of white students has fallen from over 90% in 2005-06 to 74% today.⁴⁴ While the state as a whole has diversified over this time frame, the rate of change in McFarland exceeds what has been seen statewide.

Table 14. Correlates of Open Enrollment

VARIABLES	Percent Change in Open Enrollment
<i>Proficiency</i>	0.0545** (0.0214)
<i>Revenue (\$1000s)</i>	0.652*** (0.148)
<i>Enrollment (1000s)</i>	-0.141 (0.0860)
<i>Percent African American</i>	0.219** (0.0888)
<i>Football Playoffs</i>	-0.00750 (0.632)
<i>Percent Low Income</i>	-0.162*** (0.0258)
<i>Percent Disabled</i>	-0.481*** (0.117)
<i>Percent English Learner</i>	-0.0587 (0.0694)
<i>2017</i>	0.907 (0.736)
<i>2018</i>	0.105 (0.734)
<i>Constant</i>	1.592 (2.822)
<i>Observations</i>	1,221
<i>R-squared</i>	0.140

Standard errors in parentheses

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$



Policy Recommendations

While this program has been quite successful over the past 20 plus years, it has also continued to grow and develop. Still, there is more that can be done to create a program that benefits students and the state.

TRANSPARENCY IN DETERMINING SPACE

Current law requires school districts to determine how many open enrollment seats they will open for the following school year during one of their winter board meetings. While this allows some transparency as these meetings are public record, there is no requirement to detail how or why a school district settled on a certain number. This lack of transparency can be quite frustrating to a family who doesn't understand why their student was denied due to "space." Additionally, this allows schools to abuse "space" as a reason to deny students a seat. As school districts are required to participate in the program, they use "space" as a loophole to keep students from open enrolling in their schools. For instance, Brown Deer School District has repeatedly capped their open enrollment seats at 0 even though they deny 200+ students a seat due to space. While local control remains important, we think that a streamlined process for reporting the number of seats available and the reasoning behind it could be helpful. This could be as simple as a form with boxes to check as to why the number of available seats has changed from year to year. This would allow families and policymakers to better understand the "why" behind open enrollment decisions, and better equip them to challenge those reasons if needed.

STUDENTS WITH DISABILITIES

In a previous report, "Roadmap to Student Success," WILL discussed the disadvantage

students with disabilities have in the open enrollment program. WILL found that applications for students with disabilities are 10% more likely to be denied. We found that for the 2016-2017 school year there were 1,178 students whose applications were denied. Additionally, "since 2009, over 10,000 special needs students had their applications rejected."⁴⁵

In 2016 WILL represented 6 students with disabilities and their parents in an open enrollment lawsuit that confirmed that indeed students with special needs are treated unfairly in the open enrollment process. One Racine family was rejected by twelve different school districts over five years only due to their son's disability. The student had continued to attend Racine Unified School District during those years before the parents finally chose to uproot their family and move into another school district. While still attending public school, the family incurred costs they would not have if they were able to send their child to a different school district without having to move.⁴⁶

Similarly, one Wauwatosa family was denied by four school districts during two different years due to the student's disabilities. Consequently, the parents were forced to enroll their child into a private school, costing them over \$30,000 a year.⁴⁷

And finally, another family residing in Milwaukee was denied by Greenfield School District because they follow a two-track system in which they can set a different quantity of seats open for students with disabilities and regular students. For instance, Greenfield could open 200 seats for regular students and only 10 for students with disabilities, or even 0 if they chose. The family was forced to enroll their daughter into a private school costing the family \$37,500 per year.⁴⁸

Table 15. Greendale School District Open Enrollment Numbers⁵⁰

Year	Applications In	Net Enrollment	Denied SPACE	Total Denied
2013-14	653	262	592	595
2014-15	592	274	494	498
2015-16	642	256	528	530
2016-17	541	256	389	393
2017-18	582	272	489	497
2018-19	556	186	465	466

Our suggested fix is to change the open enrollment process to only allow one track for accepting or denying students. Like Milwaukee, many school districts accept students based on a two-track system. One track is for special needs (SPED) students and the other track is for traditional students (Non-Sped). We suggest that, like Minnesota, Wisconsin law only allows districts one track for acceptance as it is considered unlawful to discuss special needs before enrollment is completed.⁴⁹

OPEN ENROLLMENT TRANSPARENCY

Although the program has been available for 20 plus years, there is little data reported specifically about open enrollment students. Currently, the only data available for open enrollment pertains to school districts and their enrollment numbers and denials. There is no information reported pertaining to race, grade level, or income status. This type of information would allow for a more detailed look at student enrollment trends, which would be very beneficial to policymakers. Although student privacy is important, similar types of information are reported for school districts each year either way.

YEAR-ROUND APPLICATION PROCESS

The extension to the application process was a great reform to the program; however, we find this period to be both arbitrary and far too short—arbitrary as it was not chosen to benefit school districts or families, but only as a means to cap the application period. What would benefit families and even districts is opening the application period up for the whole year. While some may question how forcing a school district to accept applications all-year-round is beneficial, one must remember that school districts determine the total number of seats available each year during a February board meeting. Extending the period would not change this but allow school districts the choice to continue to accept students as seats become available throughout the year.

The extension would also benefit families as it would allow them more flexibility as to when they apply, as well as give those who have been denied due to space a chance to be accepted earlier or even at all since there are no guarantees a seat would be available the next year.

Note: In August 2020, Senator Chris Kapenga proposed a bill that would extend the open

enrollment application period for 2020-21. The introduced bill, LRB-6422, hopes to give families more educational flexibility during the current pandemic.⁵¹ This bill will greatly benefit families who are seeking better education options for their students. While this bill is a great response to educational issues caused by COVID-19, we feel families should have this flexibility with or without a pandemic.

lose out on valuable revenue. By removing this veto authority by the home school district, the power of choice will be put back in the hands of parents.

MONEY SHOULD FOLLOW THE STUDENT

Funding for the current program allows the resident district to retain the portion of the revenue not sent to the non-resident district. In other words, this allows almost 50% of the funds intended to educate one student to stay in the resident school district which they no longer attend. We believe that funding should follow the student whether they choose to attend a resident or a non-resident school district. Making this change might increase the availability of seats via open enrollment as many districts cap their seats at a low number due to the financial burden of open enrollment state aid being less than what it costs to educate a student.

REMOVE HOME DISTRICT VETO POWERS

Current law allows the resident school district to deny an alternative application if they deem it is in the student's best interest. Protecting the student's best interest is a laudable goal, however, parents should be left to determine such matters, not school district bureaucrats.

With this "veto" power, school districts have the ability to effectively stop any student from leaving their district by using the alternative application process. If we move towards a system where money follows the student, home districts will almost assuredly veto any move as they would

Conclusions

While Wisconsin has several different school choice programs, parents and students utilize the Open Enrollment program the most, with the second most prominent program following 20,000 students behind. This clearly shows that this program is important to the educational success of students in Wisconsin. Students and parents desire educational choices, and programs like Open Enrollment give them a lot of power that is not given to families in many other states. While the program is highly utilized, there are still a number of improvements that can be made.

The clarity of the justifications for the number of seats available for open enrollment varies greatly by district. While some districts provide extensive information in their school board meeting transcripts, other districts simply allot the seats and move on with no comment. A streamlined process would help families and policymakers understand the “why” behind the numbers of seats each district decides on.

Secondly, due to the two-track system for acceptance, many families find their disabled students are denied at a greater rate. Since schools can determine seats for regular and disabled students, they can greatly affect which type of student they accept. This is unfair and so we think school districts should accept disabled students in the same manner they would any other student.

Third, our discussion of McFarland’s diversity over time is compelling, but it is based on suppositions about the impact of open enrollment on those numbers since there is not very much public information on who is utilizing the open enrollment program. While we understand the need to protect student level data, a count of the number of students who are using the program as well as their demographics—grade level, race, and

income status—could serve to strengthen support for the program to the extent that disadvantaged students are taking advantage of this opportunity.

Fourth, the three-month application period is far too short. Although many believe a longer application period would negatively affect school districts, we believe this would give school districts more flexibility. Since school districts are not required to open seats, they would still be able to cap their open enrollment seat number as well as continue to accept students as they see fit throughout the year. This financially benefits the school district and also families who now can apply when they see fit as well.

Finally, we believe it is important that Wisconsin become a leader in student-centered budgeting. It is fundamentally unfair that a student who attends a private school via a parental choice program, a charter school, or who open enrolls into another district, is worth less in the eyes of the state than a student who attends their ZIP-code assigned school. Across all of these programs, money ought to follow the student to wherever a family believes their child can receive the best education.

Appendix A: Open Enrollment Net-Winners Legislative Districts⁵²

Rank	2015-16	Sen. Dist.	Ass. Dist.	2016-17	Sen. Dist.	Ass. Dist.	2017-18	Sen. Dist.	Ass. Dist.	2018-19	Sen. Dist.	Ass. Dist.
1	McFarland	16	46,47,48	McFarland	16	46, 47,48	Erin	8	22	McFarland	16	46, 47, 48
2	Grantsburg	10	28	Grantsburg	10	28	Howard-Suamico	2	4, 5	Grantsburg	10	28
3	Geneva J4	11	31, 32	Brighton #1	21	61, 63	McFarland	16	46, 47, 48	Brighton #1	21	61, 63
4	Paris J1	21, 22	61, 64	Geneva J4	11	31, 32	Grantsburg	10	28	Paris J1	21, 22	61, 64
5	Brighton #1	21	61, 63	Birchwood	25, 29	75, 87	Brighton #1	21	61, 63	Erin	8	22
6	Northern Ozaukee	20	60	Erin	8	22	Paris J1	21, 22	61, 64	Linn J6	11	31, 32
7	Erin	8	22	Yorkville	21	61, 62, 63	Ithaca	17	49, 50, 51	Geneva J4	11	31, 32
8	Yorkville J2	21	61, 62, 63	Northern Ozaukee	20	60	Geneva J4	11	31, 32	Fontana J8	11	31, 32,
9	Birchwood	25, 29	75, 87	Saint Francis	5	15, 20	Yorkville J2	21	61, 62, 63	Birchwood	25, 29	75, 87
10	Kohler	9	26, 27	Ashwaubenon	2	4	Fontana J8	11	31, 32,	Ashwaubenon	2	4
11	Union Grove	21	61, 62, 63	Kohler	9	26, 27	Birchwood	25, 29	75, 87	Ithaca	17	49, 50, 51
12	Saint Francis	5	15, 20	Lake Country	33	99	Linn J6	11	31, 32	Lake Country	33	99
13	Ashwaubenon	2	4	Linn J6	11	31, 32	Union Grove UHS	21	61, 62, 63	Saint Francis	5	15, 20
14	Friess Lake	8, 20	22, 58	Union Grove	21	61, 62, 63	Stone Bank	13	37, 38,99	Kohler	9	26, 27
15	Linn J6	11	31, 32	Friess Lake			Friess Lake			Northern Ozaukee	20	60

Appendix B: Open Enrollment Net-Losers Legislative Districts⁵³

Rank	2015-16	Sen. Dist.	Ass. Dist.	2016-17	Sen. Dist.	Ass. Dist.	2017-18	Sen. Dist.	Ass. Dist.	2018-19	Sen. Dist.	Ass. Dist.
1	South Shore	25	74	Palmyra-Eagle	11, 15	33, 43, 99	Albany	15, 27	45, 80	Twin Lakes #4	21	61
2	Palmyra-Eagle	11, 15	33, 43, 99	Twin Lake #4	21	61	Palmyra-Eagle	11, 15	33, 43, 99	Palmyra-Eagle	11, 15	33, 43, 99
3	Rubicon J6	13, 20	37, 39, 59	Albany	15, 27	45, 80	Bowler	2, 12	6, 35	Albany	15, 27	45, 80
4	Twin Lakes #4	21	61	Rubicon J6	13, 20	37, 39, 59	Twin Lakes #4	21	61	Delavan-Darien	11	31, 32
5	Winter	29	87	South Shore	25	74	Delavan-Darien	11	31, 32	Florence	12	34
6	Florence	12	34	Bowler	2, 12	6, 35	Florence	12	34	South Shore	25	74
7	Albany	15, 27	45, 80	Delavan-Darien	11	31, 32	Kaukauna Area	1, 2	2, 3, 5	Bowler	2, 12	6, 35
8	Delavan-Darien	11	31, 32	Winter	29	87	Genoa City J2	11	32	Genoa City J2	11	32
9	Bowler	2, 12	6, 35	Florence	12	34	Winter	29	87	Horicon	25, 29	75, 87
10	Genoa City J2	11	32	Genoa City J2	11	32	Bruce	29	87	Pecatonica Area	17, 27	51, 80
11	Phelps	12	34	Kaukauna	1, 2	2, 3, 5	Hartford	8, 13, 20	22, 37, 39, 59	Hartford J1	8, 13, 20	22, 37, 39, 59
12	Kaukauna	1, 2	2, 3, 5	Hartford J1	8, 13, 20	22, 37, 39, 59	Gilman	23, 29, 31	67, 87, 92	Kaukauna Area	1, 2	2, 3, 5
13	Bruce	29	87	Dover #1	21	63	Salem	21	61	Cassville	5	15, 20
14	Dover #1	21	63	Stockbridge	1, 9	3, 25	Almond-Bancroft	24	71, 72	Salem	21	61
15	Horicon	11	31, 32	Solon Springs	11, 15	33, 43, 99	Horicon			Stockbridge	1	3

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330 East Kilbourn Ave. | Suite 725
Milwaukee, WI 53202

will-law.org
414-727-9455



@WILawLiberty