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**TESTIMONY OF THE WISCONSIN INSTITUTE FOR LAW & LIBERTY IN
SUPPORT OF 2021 SENATE BILL 41**

Chairman Darling and members of the Senate Education Committee,

Thank you for the opportunity to submit testimony in support of Senate Bill 41. The Wisconsin Institute for Law & Liberty (WILL) believes that every student in Wisconsin deserves access to a high-quality education and this bill advances that principle by removing barriers in the Open Enrollment and Wisconsin Parental Choice Programs.

Senate Bill 41 expands access to both the Open Enrollment and Wisconsin Parental Choice Programs by removing the zip code barrier, which locks students into limited educational options based on their address.

The Open Enrollment Program is the state's largest school choice program with over 65,000 students last year choosing to attend a public school outside of their residential district. Our research¹ found that demand and utilization of this program have grown over the past 20 years. In fact, overall participation increases each year 3-6% (or approx. 2,000-4,000 students). However, over 9,000 applications (24%) were denied in the 2019-2020 school year by districts and the overwhelming reason for denial was space.

Furthermore, the COVID-19 pandemic highlighted families' interest and need for additional educational options. Without a doubt, more families are looking for the best educational options for their students outside of their assigned public schools. The program must be amended to respond to the increased demand. But the Open Enrollment Program limits applications to only three non-residential districts per year, which restricts families' options even further. SB 41 expands options for families by removing the three application limit for the 2021-2022 school year so families can find the school that best meets the educational needs of their child.

The Open Enrollment Program also allows students to apply outside of the traditional enrollment window by submitting an "alternative application" under certain circumstances, including "best interest for the child." Just last year, 14,000 of the 15,000 alternative applications were submitted for that reason. SB 41 prohibits a child's resident school district from denying a student transfer to a nonresidential district if both the parents and nonresidential district agree it's in the best interest of the child. This will help keep families seeking alternative education options from being denied access to a nonresidential public school.

¹ Public School Choice in Wisconsin: A work in progress, January 2021, <https://www.will-law.org/wp-content/uploads/2021/01/publicschoolchoicev7.pdf>



SB 41 also increases access to the Wisconsin Parental Choice Program (WPCP) by raising the income threshold from 220% to 300%. Under the current WPCP, a family of four must have a yearly income of \$57,640 or less. By raising the income limit to 300%, families of four making \$78,600 will be eligible for the WPCP. Expanding access to the parental choice program will help more families access private education, which is especially important for Wisconsin families navigating the fallout of the economic downturn due to the pandemic.

Interest in the WPCP continues to grow as more private schools join the program and the program is able to respond to the increased demand. In 2019-2020, 307 schools participated in the program, educating nearly 10,000 students and growing participation in the program by more than 30%. SB 41 will help more students access the WPCP and attend a school of their choice.

The education landscape is changing and Wisconsin should be a leader in providing educational options for all students, regardless of where they live or what type of educational model they are looking for.

Thank you,

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