



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-2131/1  
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## 2021 SENATE BILL 109

February 16, 2021 - Introduced by Senators BALLWEG, TESTIN and FEYEN, cosponsored by Representatives DUCHOW, KITCHENS, THIESFELDT and SKOWRONSKI. Referred to Committee on Education.

- 1 **AN ACT relating to:** full-time open enrollment to attend a fully virtual program  
2 offered by a nonresident school district during the 2021-22 school year.

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### *Analysis by the Legislative Reference Bureau*

During the 2021-22 school year, this bill allows a pupil to attend a fully virtual option offered by a nonresident school board or a charter school located in a nonresident school district under the full-time open enrollment program. Under the bill, a fully virtual option is an option offered by a school board or a charter school under which a pupil receives all of his or her instruction through the Internet and the pupil and the instructional staff member providing the instruction are geographically remote from each other. The bill specifies that a fully virtual option is located in the school district governed by the school board that offers the option of the school district in which the charter school offering the option is located.

Under current law, a pupil may attend a public school in a nonresident school district under the full-time open enrollment program. Current law does not specify where a virtual program other than a virtual charter school is located for purposes of the full-time open enrollment program.

For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

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

**SENATE BILL 109****1 SECTION 1. Nonstatutory provisions.**

2 (1) FULL-TIME OPEN ENROLLMENT; FULLY VIRTUAL OPTION IN THE 2021-22 SCHOOL  
3 YEAR.

4 (a) In this subsection:

5 1. "Charter school" has the meaning given in s. 118.51 (1) (ad).

6 2. "Fully virtual option" means an option offered to pupils by a school board or  
7 charter school under which all of the instruction is provided through means of the  
8 Internet, and the pupils receiving the instruction and instructional staff providing  
9 the instruction are geographically remote from each other. "Fully virtual option"  
10 does not include an option offered by a virtual charter school, as defined in s. 115.001  
11 (16).

12 3. "Nonresident school district" has the meaning given in s. 118.51 (1) (c).

13 (b) In the 2021-22 school year, a pupil may attend a fully virtual option in a  
14 nonresident school district under s. 118.51. For purposes of this paragraph, a fully  
15 virtual option is considered to be located in the following school district:

16 1. If a school board offers the fully virtual option, in the school district governed  
17 by the school board.

18 2. If a charter school offers the fully virtual option, in the school district in  
19 which the charter school is located.

20 (END)