

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Public School Inter-District Open Enrollment	
4. Subject Restoring Part-Time Open Enrollment Rules	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected
7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). <b>\$Indeterminate</b>	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule The proposed rule will restore Subchapter V of PI 36, relating to part time open enrollment, to conform rule with the changes under 2017 Wisconsin Act 59, the 2017-19 biennial budget.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. None.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. None.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) Local:  The primary purpose of the proposed rule is to align the rule with the changes resulting from 2017 Act 59, which replaced Course Options with part time open enrollment. State law requires the department to determine the tuition charge under the current law Course Options, as well as under part-time open enrollment, when it becomes effective on July 1, 2018. Therefore, this rule modifies the calculation for the payment between school districts for pupils participating in part time open enrollment, as compared to tuition payments under the Course Options program currently in effect (until July 1, 2018).  Under the Course Options program, the pupil's resident school district pays to the pupil's district of attendance a tuition amount for the course that is equal to the lesser of the cost of the course or one-seventh of the full-time open enrollment amount per credit taken (50 percent of one-seventh of the amount for a half-credit course). Under the proposed rule for part-time open enrollment, the tuition amount paid by the district of residence to the district of attendance would be	

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

determined by first dividing the total number of hours of instruction provided to the pupil in the course by 1,137, then multiplying the result by the regular annual tuition rate of the school district providing the course as determined by s. 121.83 (1), Stats. The proposed calculation under part-time open enrollment is the same as it was previously, before the rule was repealed due to the creation of Course Options.

Because the formula for calculating the tuition amount will change as a result of the proposed rule, it is possible that there will be a fiscal impact on school districts, to the extent that the resulting tuition charge under part-time open enrollment is different from that under Course Options. However, the department does not collect data on actual tuition payments made between school districts under the current law Course Options program. Further, the proposed calculation for part-time open enrollment is based on a district's annual tuition rate, which varies by district and over time, and the number of hours for a course, which will also vary among districts. It is not possible for the department to project either of the annual tuition rate or the number of hours for a course for school districts for future years. Thus, the actual fiscal impact of the change in the calculation of tuition, as proposed in the rule, cannot be determined.

State:

No fiscal effect.

---

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The rule will be created to reflect recent changes in statute as a result of 2017 Wisconsin Act 59. Without a rule, the Department may be prevented from efficiently operating the program and the rule and statute will not be consistent.

---

16. Long Range Implications of Implementing the Rule

The proposed rule will create a new subchapter to PI 36, the rule chapter relating to public school inter-district open enrollment, to align the DPI Administrative Code with the Wisconsin Statutes as modified by 2017 Wisconsin Act 59. Statute, rule, and agency practice will be consistent.

---

17. Compare With Approaches Being Used by Federal Government

N/A

---

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

While neighboring states offer programs that are similar to public school inter-district open enrollment in Wisconsin, there does not appear to be similar programs that provide for the part time enrollment of pupils outside of their resident school district.

---

19. Contact Name

Carl Bryan, Wisconsin Department of Public Instruction  
administrative rules coordinator

---

20. Contact Phone Number

(608) 267-9127

---

This document can be made available in alternate formats to individuals with disabilities upon request.

**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

---

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

---

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

---

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
  - Less Stringent Schedules or Deadlines for Compliance or Reporting
  - Consolidation or Simplification of Reporting Requirements
  - Establishment of performance standards in lieu of Design or Operational Standards
  - Exemption of Small Businesses from some or all requirements
  - Other, describe:
- 

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

---

5. Describe the Rule's Enforcement Provisions

---

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes     No
-