



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Senate Bill 76

**Senate Substitute
Amendment 3**

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2013 Senate Bill 76 relates to contracts for additional charter schools.

Current Law

Under current law, a school board may establish a charter school, when requested by a petition signed by at least 10% of the teachers employed by the school district or by at least 50% of the teachers employed at one school of the school district. A school board may also, on its own initiative, enter into a contract with a person to operate a school as a charter school.

Current law also permits all of the following entities to establish and operate a charter school or, on behalf of their respective entities, to initiate a contract with an individual or group to operate a school as a charter school:

- The Common Council of the City of Milwaukee.
- The chancellor of the University of Wisconsin (UW)-Milwaukee.
- On a pilot basis, the chancellor of the UW-Parkside.
- The Milwaukee Area Technical College (MATC) district board.

Schools established by or operated under a contract with an entity other than a school board are referred to as independent charter schools.

The Bill

Senate Bill 76 permits a person operating a charter school to apply to operate an additional charter school. Under the bill, a person applying to operate an additional charter school must submit to a

school board or other entity with which the person has an existing contract to operate a charter school an application containing all of the following:

- The date on which instruction will begin at the additional charter school. The date must be during the term of the existing contract.
- The general location of the additional charter school.
- A description of any potential facility that may be used by the additional charter school, including the approximate number of pupils that each facility may safely accommodate.
- The rating that each charter school that the person operates in this state received in the school reports published by the Department of Public Instruction (DPI) for the two most recent school years (commonly referred to as the “school report card”).

The bill provides that a school board or other entity must, upon receiving an application to operate an additional charter school, amend the existing contract or enter into a new contract with the person to allow the person to operate an additional charter school if, in the school reports published by DPI for the two most recent school years, each of the charter schools operated by the person in this state received a rating of “significantly exceeds expectations” or “exceeds expectations,” or the equivalent highest two performance categories.

Senate Substitute Amendment 3

Additional Schools if a School has a Proven Track Record of Success

The substitute amendment permits the establishment of additional independent charter schools by certain persons who operate a charter school that has a proven track record of success during each of the two immediately preceding school years. This provision applies only to charter schools authorized by the City of Milwaukee, UW-Milwaukee, or MATC.

The substitute amendment defines “proven track record of success.” A person has a proven track record of success if he or she operates a charter school where the percentage of pupils receiving scores of advanced or proficient on statewide assessments in math and reading is at least 10% greater than the percentage of public school pupils receiving those scores.

The substitute amendment provides that, if the City of Milwaukee, UW-Milwaukee, or MATC has contracted with a person to operate a charter school, the City of Milwaukee, UW-Milwaukee, or MATC must, upon receiving a letter of intent from the person, amend the existing contract or enter into a new contract with the person to authorize the person to operate one or more additional charter schools if the person has a proven track record of success for each charter school the person operates in this state.

The letter of intent must include all of the following:

- The date on which instruction will begin at each additional charter school.

- The general location of each additional charter school.
- A description of any potential facility that may be used by each additional charter school, including the approximate number of pupils that each facility may safely accommodate.
- Evidence demonstrating that the person has a proven track record of success or each charter school that the person operates in this state.

Under the above provision, the charter school authorizer must allow the person to operate no more than two additional charter schools per school year. The substitute amendment provides, however, that the parties agree to the establishment of more than two charter schools per school year.

The substitute amendment specifies that an additional charter school authorized under this provision is not a satellite or subsidiary campus of the charter school for which the operator demonstrated a proven track record of success and is considered an individual school for funding purposes.

Educator Effectiveness Evaluations

Under current law, the DPI must develop an educator effectiveness evaluation system (state system) and develop, by rule, an equivalency process aligned with the state system (equivalency process) to assist school districts in the evaluation of the performance of teachers and principals in the district.

Each school district and independent charter school must begin evaluating teachers and principals using either the state system or the equivalency process in the 2014-15 school year. Current law provides that teachers and principals evaluated under both the state system and the equivalency process must be placed in one of multiple performance categories.

The substitute amendment specifies that a charter school that is under contract with a school board and that is not an instrumentality of the school district may use an equivalency process to evaluate educators.

Bill History

Senate Substitute Amendment 3 was offered by Senators Olsen and Darling. On December 18, 2013, the Special Committee on Education adopted Senate Substitute Amendment 3 on a vote of Ayes, 5; Noes, 2, and recommended passage of the bill, as amended, on a vote of Ayes, 5; Noes, 2.

AS:jal