2005 DRAFTING REQUEST

Bill

Received: **02/23/2006**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Luther Olsen (608) 266-0751**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - charter schools**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Olsen@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Virtual charter schools

Instructions:

Same as LRB-3445/3

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	pgrant 02/23/2006	kfollett 02/23/2006		_____ _____			S&L
/1			rschluet 02/23/2006	_____ _____	sbasford 02/23/2006	lnorthro 02/23/2006	

FE Sent For:

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<END>

Grant, Peter

From: Hogan, Rebecca
Sent: Thursday, February 23, 2006 1:13 PM
To: Grant, Peter
Subject: Senate Companion

Peter - Rep. Davis has asked us to draft a senate companion bill to LRB 3445/3. Can we get a Senate version at your earliest convenience? Thank you!

Rebecca Hogan
Office of Senator Luther Olsen
608-266-0751

Monday

LRB-~~3445/3~~
~~PG:kjf&cs:rs~~
LRB-4727/1
PG:kjf&wlj

2005 BILL

Regen

1 AN ACT ***to renumber and amend*** 118.40 (3) (c); ***to amend*** 118.19 (1), 118.40 (2r)
2 (bm), 118.40 (2r) (c) 1., 118.40 (2r) (d) 1., 118.40 (2r) (e) 2. and 121.02 (1) (a) 2.;
3 and ***to create*** 115.001 (16), 118.40 (2r) (c) 5. and 118.40 (8) of the statutes;
4 **relating to:** virtual charter schools.

Analysis by the Legislative Reference Bureau

Under current law, any person who teaches in a public school, including a charter school, must hold a teaching license or permit issued by the Department of Public Instruction (DPI). This bill specifies that in a virtual charter school, "teaching" means assigning grades or credits for the pupils. The bill defines a virtual charter school as a charter school in which instruction is provided primarily through means of the Internet and the pupils and teachers are geographically remote.

Current law provides that a charter school established by a school board must be located in the school district; an independent charter school established by the city of Milwaukee, the University of Wisconsin–Milwaukee, or the Milwaukee Area Technical College must be located in the city of Milwaukee; and an independent charter school established by the University of Wisconsin–Parkside must be located in a unified school district that is located in the county in which the University of Wisconsin–Parkside is situated or in an adjacent county. This bill provides that these restrictions do not apply to virtual charter schools.

In general, current law provides that only pupils who reside in the school district in which a charter school is located may attend the charter school. This bill exempts virtual charter schools from this restriction.

Current law provides that if the University of Wisconsin–Parkside establishes a charter school, the state must pay a sum to the unified school district in which it is located to reimburse the school district for the reduction in state aid resulting from the loss of pupils to the charter school. This bill provides that this payment does not apply if the charter school established is a virtual charter school.

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

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

1 **SECTION 1.** 115.001 (16) of the statutes is created to read:

2 115.001 **(16)** VIRTUAL CHARTER SCHOOL. "Virtual charter school" means a charter
3 school in which instruction is provided primarily through means of the Internet, and
4 the pupils enrolled in and instructional staff employed by the charter school are
5 geographically remote from each other.

6 **SECTION 2.** 118.19 (1) of the statutes is amended to read:

7 118.19 **(1)** Any person seeking to teach in a public school, including a charter
8 school, or in a school or institution operated by a county or the state shall first procure
9 a license or permit from the department. <u>For the purposes of this subsection, in a</u>
10 <u>virtual charter school "teaching" means assigning grades or credits to pupils.</u>

11 **SECTION 3.** 118.40 (2r) (bm) of the statutes is amended to read:

12 118.40 **(2r)** (bm) The common council of the city of Milwaukee, the chancellor
13 of the University of Wisconsin–Milwaukee, and the Milwaukee area technical college
14 district board may only establish or enter into a contract for the establishment of a
15 charter school located in the school district operating under ch. 119. The chancellor
16 of the University of Wisconsin–Parkside may only establish or enter into a contract
17 for the establishment of a charter school located in a unified school district that is
18 located in the county in which the University of Wisconsin–Parkside is situated or

in an adjacent county. This paragraph does not apply to the establishment of a virtual charter school.

SECTION 4. 118.40 (2r) (c) 1. of the statutes, as affected by 2005 Wisconsin Act .... (Assembly Bill 730), is amended to read:

118.40 **(2r)** (c) 1. Except as provided in subds. 3. ~~and~~, 4., and 5., only pupils who reside in the school district in which a charter school established under this subsection is located may attend the charter school.

SECTION 5. 118.40 (2r) (c) 5. of the statutes is created to read:

118.40 **(2r)** (c) 5. A pupil may attend a virtual charter school regardless of the pupil's school district of residence.

SECTION 6. 118.40 (2r) (d) 1. of the statutes is amended to read:

118.40 **(2r)** (d) 1. Ensure that all instructional staff of charter schools under this subsection hold a license or permit to teach issued by the department. For the purposes of this subsection, in a virtual charter school "instructional staff" means the employees who assign grades or credits to pupils.

SECTION 7. 118.40 (2r) (e) 2. of the statutes is amended to read:

118.40 **(2r)** (e) 2. If the chancellor of the University of Wisconsin–Parkside establishes or contracts for the establishment of a charter school under this subsection, other than a virtual charter school, in March the department shall pay to the unified school district in which the charter school is located, from the appropriation under s. 20.255 (2) (fm), an amount equal to the amount of school aid per pupil to which the unified school district is eligible in the current school year multiplied by the number of pupils attending the charter school who were previously enrolled in the unified school district.

1 **SECTION 8.** 118.40 (3) (c) of the statutes is renumbered 118.40 (3) (c) 1. and
2 amended to read:

3 118.40 **(3)** (c) 1. A school board may not enter into a contract for the
4 establishment of a charter school located outside the school district, except that if 2
5 or more school boards enter into an agreement under s. 66.0301 to establish a charter
6 school, the charter school shall be located within one of the school districts, and if one
7 or more school boards enter into an agreement with the board of control of a
8 cooperative educational service agency to establish a charter school, the charter
9 school shall be located within the boundaries of the cooperative educational service
10 agency. <u>This subdivision does not apply to the establishment of a virtual charter</u>
11 <u>school.</u>

12 <u>2.</u> A school board may not enter into a contract that would result in the
13 conversion of a private, sectarian school to a charter school.

14 **SECTION 9.** 118.40 (8) of the statutes is created to read:

15 118.40 **(8)** LOCATION OF VIRTUAL CHARTER SCHOOLS. For the purposes of sub. (7)
16 (a), (am) 1., and (ar), a virtual charter school is considered to be located in the
17 following school district:

18 1. If a school board establishes or contracts with a person to establish the
19 virtual charter school, in the school district governed by that school board.

20 2. If the common council of the city of Milwaukee, the chancellor of the
21 University of Wisconsin–Milwaukee, or Milwaukee Area Technical College
22 establishes or contracts with a person to establish the virtual charter school, in the
23 school district operating under ch. 119.

24 **SECTION 10.** 121.02 (1) (a) 2. of the statutes is amended to read:

121.02 **(1)** (a) 2. Ensure that all instructional staff of charter schools located in the school district hold a license or permit to teach issued by the department. The state superintendent shall promulgate rules defining "instructional staff" for purposes of this subdivision, <u>except that in a virtual charter school "instructional staff" means the employees who assign grades or credits to pupils</u>.

(END)

Northrop, Lori

From: Hogan, Rebecca
Sent: Thursday, February 23, 2006 3:00 PM
To: LRB.Legal
Subject: Draft Review: LRB 05-4727/1 Topic: Virtual charter schools

Please Jacket LRB 05-4727/1 for the SENATE.