



2009 SENATE BILL 125

March 18, 2009 - Introduced by Senator JAUCH, cosponsored by Representative SHERMAN. Referred to Committee on Education.

1 **AN ACT** *to renumber and amend* 118.40 (3) (c) 1.; and *to create* 118.40 (3) (c)
2 1. c. of the statutes; **relating to:** establishing a charter school in conjunction
3 with an Indian tribe.

Analysis by the Legislative Reference Bureau

Under current law, with two exceptions, a school board may not enter into a contract for the establishment of a charter school located outside the school district. If two or more school districts jointly establish a charter school, the school must be located within one of the school districts. If one or more school districts enter into an agreement with a cooperative educational service agency (CESA) to establish a charter school, the school must be located within the boundaries of the CESA.

This bill provides that if one or more school districts enter into an agreement with a federally recognized Indian tribe or band to establish a charter school, the school must be located within one of the school districts or within the boundaries of the tribe's or band's reservation.

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

4 **SECTION 1.** 118.40 (3) (c) 1. of the statutes is renumbered 118.40 (3) (c) 1. (intro.)
5 and amended to read:

SENATE BILL 125**SECTION 1**

1 118.40 (3) (c) 1. (intro.) A school board may not enter into a contract for the
2 establishment of a charter school located outside the school district, except ~~that if~~ as
3 follows:

4 a. If 2 or more school boards enter into an agreement under s. 66.0301 to
5 establish a charter school, the charter school shall be located within one of the school
6 districts, ~~and if,~~

7 b. If one or more school boards enter into an agreement with the board of control
8 of a 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. ~~This subdivision~~

11 1m. Subdivision 1. does not apply to the establishment of a virtual charter
12 school.

13 **SECTION 2.** 118.40 (3) (c) 1. c. of the statutes is created to read:

14 118.40 (3) (c) 1. c. If one or more school boards enter into an agreement with
15 a federally recognized Indian tribe or band in this state to establish a charter school,
16 the charter school shall be located within one of the school districts or within the
17 boundaries of the tribe's or band's reservation.

18

(END)