



**SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 396**

February 19, 2008 – Offered by Senators LEHMAN and DECKER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 6, line 22: after that line insert:

3 “(h) *Enrollment limit.* 1. Except as provided in subds. 2. and 3., in the 2009–10
4 and 2010–2011 school years, a virtual charter school may not enroll more pupils
5 through the open enrollment program under s. 118.51 than it enrolled through the
6 open enrollment program under s. 118.51 on September 19, 2008.

7 2. The limit under subd. 1. does not apply to the sibling of a pupil who was
8 enrolled in the virtual charter school on September 19, 2008.

9 3. The limit under subd. 1. does not apply to a pupil who was enrolled in a
10 different virtual charter school on September 19, 2008, or to a sibling of that pupil.

1 (i) *Enrollment increases*. In the 2011–12 to 2014–15 school years, a virtual
2 charter school may increase the number of pupils attending the school through the
3 open enrollment program under s. 118.51 only as follows:

4 1. Divide the number of pupils attending the virtual charter school through the
5 open enrollment program under s. 118.51 on September 19, 2008, by the total
6 number of such pupils attending all virtual charter schools on September 19, 2008.

7 2. Subtract the total number of pupils attending virtual charter schools
8 through the open enrollment program under s. 118.51 on September 19, 2008, from
9 4,500.

10 3. In each school year from the 2011–12 school year to the 2014–15 school year,
11 the number of pupils attending the virtual charter school through the open
12 enrollment program under s. 118.51 may not be more than the number of such pupils
13 attending the school on September 19, 2008, plus a number equal to the following
14 percentage of the result of the quotient under subd. 1. multiplied by the difference
15 under subd. 2.:

16 a. In the 2011–12 school year, 25 percent.

17 b. In the 2012–13 school year, 50 percent.

18 c. In the 2013–14 school year, 75 percent.

19 d. In the 2014–15 school year, 100 percent.”.

20 **2.** Page 8, line 16: after that line insert:

21 **“SECTION 18m. Nonstatutory provisions.**

22 (1) AUDIT.

23 (a) The legislative audit bureau shall perform a financial and performance
24 evaluation audit of virtual charter schools. The audit shall do all of the following:

1. Compare the amount paid by the state for pupils attending a virtual charter school through the Open Enrollment Program to the actual educational costs of pupils attending virtual charter schools.

2. Determine the actual and potential effects of state payments for pupils attending virtual charter schools through the Open Enrollment Program on the budgets of the school districts in which the pupils reside and on other school districts.

3. Compare the academic achievement of pupils who attend virtual charter schools to the academic achievement of pupils of similar socioeconomic backgrounds who attend other public schools.

4. Determine the amount of pupil-teacher contact, categorized by grade level, occurring in virtual charter schools.

5. Determine the percentage of pupils attending virtual charter schools to which each of the following applied in the previous school year:

a. The pupils did not attend school.

b. The pupils attended a public school other than a virtual charter school.

c. The pupils attended a private school.

d. The pupils attended a home-based private educational program.

6. Determine the effect of the enrollment limit under section 118.40 (8) (h) of the statutes, as created by this act, on the ability of pupils to attend virtual charter schools.

(b) The bureau shall submit copies of the audit report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided in section s. 13.172 (3) of the statutes by December 30, 2009 .”.