



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa2427/1
FFK:amn

**SENATE AMENDMENT 1,
TO ASSEMBLY BILL 848**

March 15, 2016 - Offered by Senators RISSER, MILLER, VINEHOUT, HARRIS DODD,
RINGHAND, C. LARSON, CARPENTER, WIRCH, LASSA and L. TAYLOR.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: before that line insert:

3 “**SECTION 1.** 16.99 (1d) of the statutes, as affected by 2015 Wisconsin Act 55, is
4 amended to read:

5 16.99 (1d) “Charter school sponsor” means an entity described under s. 118.40
6 (2r) (b) that is sponsoring a charter school and the director under s. 118.40 (2x).

7 **SECTION 2.** 20.255 (1) (f) of the statutes, as affected by 2015 Wisconsin Act 55,
8 is amended to read:

9 20.255 (1) (f) *Assessments of reading readiness.* The amounts in the schedule
10 to provide school districts and independent charter schools under s. 118.40 (2r) and
11 (2x) with the assessments of reading readiness under s. 118.016.

12 **SECTION 3.** 20.255 (2) (fp) of the statutes, as created by 2015 Wisconsin Act 55,
13 is repealed.

1 **SECTION 5.** 36.09 (2) (c) of the statutes, as created by 2015 Wisconsin Act 55,
2 is repealed.

3 **SECTION 6.** 36.29 (8) of the statutes, as created by 2015 Wisconsin Act 55, is
4 repealed.

5 **SECTION 7.** 36.64 of the statutes, as created by 2015 Wisconsin Act 55, is
6 repealed.

7 **SECTION 8.** 115.001 (1) of the statutes, as affected by 2015 Wisconsin Act 55,
8 is amended to read:

9 115.001 (1) CHARTER SCHOOL. “Charter school” means a school under contract
10 with a school board under s. 118.40, or with one of the entities under s. 118.40 (2r)
11 (b) 1., ~~or with the director under s. 118.40 (2x)~~, or a school established and operated
12 by one of the entities under s. 118.40 (2r) (b) 1. a. to d.

13 **SECTION 9.** 115.34 (2) of the statutes, as affected by 2015 Wisconsin Act 55, is
14 amended to read:

15 115.34 (2) The state superintendent shall make payments to school districts,
16 private schools, charter schools under s. 118.40 (2r) ~~and (2x)~~, tribal schools, the
17 program under s. 115.52, and the center under s. 115.525 for school lunches served
18 to children in the prior year as determined by the state superintendent from the
19 appropriation under s. 20.255 (2) (cn). Payments shall equal the state’s matching
20 obligation under 42 USC 1751 et seq. Payments in the current year shall be
21 determined by prorating the state’s matching obligation based on the number of
22 school lunches served to children in the prior year. In this subsection, “private
23 school” means any school defined in s. 115.001 (3r) which complies with the
24 requirements of 42 USC 2000d.

1 **SECTION 10.** 115.383 (3) (a) of the statutes, as affected by 2015 Wisconsin Act
2 55, is amended to read:

3 115.383 (3) (a) If the student information system is established under sub. (1),
4 the state superintendent shall ensure that within 5 years of the establishment of the
5 system, every school district and every charter school, other than a charter school
6 established under s. 118.40 (2r) ~~or (2x)~~, is using the system.

7 **SECTION 11.** 115.383 (3) (b) of the statutes, as affected by 2015 Wisconsin Act
8 55, is amended to read:

9 115.383 (3) (b) Beginning in the 2015-16 school year, the state superintendent
10 shall ensure that every charter school established under s. 118.40 (2r) ~~or (2x)~~ and
11 every private school participating in a parental choice program under s. 118.60 or
12 119.23 is either using the system under sub. (1) or is using a system that is
13 commercially available and able to obtain pupil identification numbers under sub.
14 (5).

15 **SECTION 12.** 115.385 (2) of the statutes, as affected by 2015 Wisconsin Act 55,
16 is amended to read:

17 115.385 (2) Beginning with the accountability report published for the 2015-16
18 school year, the department shall include in its annual school accountability report
19 under sub. (1) charter schools established under s. 118.40 (2r) ~~or (2x)~~ and private
20 schools participating in a parental choice program under s. 118.60 or 119.23. The
21 department shall use the same criteria to measure the performance of all schools
22 included in the annual school accountability report.

23 **SECTION 13.** 115.415 (1) (a) of the statutes, as affected by 2015 Wisconsin Act
24 55, is amended to read:

1 115.415 (1) (a) The department shall develop an educator effectiveness
2 evaluation system and an equivalency process aligned with the department's
3 evaluation system for the evaluation of teachers and principals of public schools,
4 including teachers and principals of a charter school established under s. 118.40 (2r)
5 ~~or (2x)~~, as provided in this section. Subject to par. (b), each school board and the
6 operator of each charter school established under s. 118.40 (2r) ~~or (2x)~~ shall evaluate
7 teachers and principals in the school district or charter school beginning in the
8 2014-15 school year.

9 **SECTION 14.** 115.415 (2) (intro.) of the statutes, as affected by 2015 Wisconsin
10 Act 55, is amended to read:

11 115.415 (2) (intro.) The department shall develop an educator effectiveness
12 evaluation system according to the following framework, and may charge a fee to a
13 school district and the governing board of a charter school established under s. 118.40
14 (2r) ~~or (2x)~~ to use the system developed under this subsection:

15 **SECTION 15.** 115.415 (3) (a) (intro.) of the statutes, as affected by 2015
16 Wisconsin Act 55, is amended to read:

17 115.415 (3) (a) (intro.) The department shall promulgate by rule an equivalency
18 process aligned with the evaluation system established under sub. (2) for a school
19 district, a charter school under contract with a school board that is not an
20 instrumentality of the school district, or a charter school established under s. 118.40
21 (2r) ~~or (2x)~~ seeking to utilize an alternative process for the evaluation of teacher and
22 principal practice. The process under this subsection shall be based on the criteria
23 established in the 2011 Interstate Teacher Assessment and Support Consortium and
24 the 2008 Interstate School Leaders Licensure Consortium Educational Leadership
25 Policy Standards, and a school district, charter school under contract with a school

1 board that is not an instrumentality of the school district, or charter school
2 established under s. 118.40 (2r) ~~or (2x)~~ that uses the process under this subsection
3 shall evaluate the performance of teachers in the following domains:

4 **SECTION 16.** 115.415 (4) of the statutes, as affected by 2015 Wisconsin Act 55,
5 is amended to read:

6 115.415 (4) From the appropriation under s. 20.255 (2) (ek), the department
7 may award grants to school districts and the governing board of a charter school
8 established under s. 118.40 (2r) ~~or (2x)~~ to implement an educator effectiveness
9 evaluation system developed under sub. (2) or an equivalency process established by
10 rule under sub. (3).

11 **SECTION 17.** 115.775 (1) of the statutes, as affected by 2015 Wisconsin Act 55,
12 is amended to read:

13 115.775 (1) Except as provided in sub. (2), an operator of a charter school under
14 s. 118.40 (2r) ~~or (2x)~~ is a local educational agency, as defined in 20 USC 1401 (19), and
15 shall comply with 20 USC 1400 to 1482.

16 **SECTION 18.** 115.775 (2) of the statutes is amended to read:

17 115.775 (2) The board of directors of the school district operating under ch. 119
18 is a local educational agency under this section and shall comply with 20 USC 1400
19 to 1482 if the board of directors enters into a written agreement with an operator of
20 a charter school under s. 118.40 (2r) ~~or (2x)~~ under which the board of directors agrees
21 to serve as the local educational agency.

22 **SECTION 19.** 115.88 (1m) (am) of the statutes, as affected by 2015 Wisconsin Act
23 55, is amended to read:

24 115.88 (1m) (am) Subject to par. (b), if the operator of a charter school
25 established under s. 118.40 (2r) ~~or (2x)~~ operates a special education program and the

1 state superintendent is satisfied that the operator of the charter school is complying
2 with 20 USC 1400 to 1491o, the state superintendent shall certify to the department
3 of administration in favor of the operator of the charter school a sum equal to the
4 amount that the operator of the charter school expended during the previous school
5 year for salaries of full-time or part-time licensed teachers, licensed coordinators of
6 special education, school nurses, licensed school social workers, licensed school
7 psychologists, licensed school counselors, paraprofessionals, licensed consulting
8 teachers to work with any teacher of regular education programs who has a child
9 with a disability in a class and any other personnel, as determined by the state
10 superintendent, as costs eligible for reimbursement from the appropriation under s.
11 20.255 (2) (b). The state superintendent may audit costs under this paragraph and
12 adjust reimbursement to cover only actual, eligible costs.

13 **SECTION 20.** 115.88 (2m) of the statutes, as affected by 2015 Wisconsin Act 55,
14 is amended to read:

15 115.88 **(2m)** OTHER TRANSPORTATION AID. If the operator of a charter school
16 established under s. 118.40 (2r) ~~or (2x)~~ or established as a noninstrumentality
17 charter school under s. 118.40 (2m) transports children with disabilities and the
18 state superintendent is satisfied that the operator of the charter school is complying
19 with 20 USC 1400 to 1491o, the state superintendent shall certify to the department
20 of administration in favor of the operator of the charter school a sum equal to the
21 amount that the operator of the charter school expended during the previous school
22 year for transportation under this subsection as costs eligible for reimbursement
23 from the appropriations under s. 20.255 (2) (b). The state superintendent may audit
24 costs under this subsection and adjust reimbursement to cover only actual, eligible
25 costs.

1 **SECTION 21.** 115.88 (9) of the statutes, as affected by 2015 Wisconsin Act 55,
2 is amended to read:

3 115.88 **(9)** DISTRIBUTION SCHEDULE. Each county, cooperative educational
4 service agency, operator of a charter school established under s. 118.40 (2r) ~~or (2x)~~
5 and school district entitled to state aid under this section shall receive 15% of its total
6 aid entitlement in each month from November to March and 25% of its total
7 entitlement in June.

8 **SECTION 22.** 115.881 (1) of the statutes, as affected by 2015 Wisconsin Act 55,
9 is amended to read:

10 115.881 **(1)** A school board, board of control of a cooperative educational service
11 agency, county children with disabilities education board, or operator of a charter
12 school established under s. 118.40 (2r) ~~or (2x)~~ may apply to the department for aid
13 under this section if the applicant incurred, in the previous school year, more than
14 \$30,000 of nonadministrative costs for providing special education and related
15 services to a child and those costs were not eligible for reimbursement under s.
16 115.88, 115.93, or 118.255, 20 USC 1400 et seq., or federal medicaid.

17 **SECTION 23.** 115.997 (2) (h) of the statutes, as affected by 2015 Wisconsin Act
18 55, is amended to read:

19 115.997 **(2)** (h) "Local education agency" means a school district or the operator
20 of a charter school under s. 118.40 (2r) ~~or (2x)~~.

21 **SECTION 24.** 118.016 (1) (a) of the statutes, as affected by 2015 Wisconsin Act
22 55, is amended to read:

23 118.016 **(1)** (a) In the 2014–15 and 2015–16 school years, each school board and
24 the operator of each charter school established under s. 118.40 (2r) ~~or (2x)~~ shall, using
25 the appropriate, valid, and reliable assessment of literacy fundamentals selected by

1 the department, annually assess each pupil enrolled in 4-year-old kindergarten to
2 2nd grade in the school district or in the charter school for reading readiness. The
3 department shall ensure that the assessment evaluates whether a pupil possesses
4 phonemic awareness and letter sound knowledge.

5 **SECTION 25.** 118.016 (1) (b) of the statutes, as affected by 2015 Wisconsin Act
6 55, is amended to read:

7 118.016 (1) (b) Beginning in the 2016-17 school year, each school board and the
8 operator of each charter school established under s. 118.40 (2r) ~~or (2x)~~ shall, using
9 the appropriate, valid, and reliable assessment of literacy fundamentals selected by
10 the school board or operator, annually assess each pupil enrolled in 4-year-old
11 kindergarten to 2nd grade in the school district or in the charter school for reading
12 readiness. The school board or operator shall ensure that the assessment evaluates
13 whether a pupil possesses phonemic awareness and letter sound knowledge. A
14 school board or operator may administer computer adaptive assessments.

15 **SECTION 26.** 118.016 (1g) of the statutes, as affected by 2015 Wisconsin Act 55,
16 is amended to read:

17 118.016 (1g) If a pupil is enrolled in a special education program under subch.
18 V of ch. 115, the school board or operator of the charter school under s. 118.40 (2r)
19 ~~or (2x)~~ shall comply with s. 115.77 (1m) (bg).

20 **SECTION 27.** 118.035 (1) of the statutes, as affected by 2015 Wisconsin Act 55,
21 is amended to read:

22 118.035 (1) In this section, “school” means a public school and includes a
23 charter school other than a charter school under s. 118.40 (2r) ~~or (2x)~~.

24 **SECTION 28.** 118.076 (2) (intro.) of the statutes, as affected by 2015 Wisconsin
25 Act 55, is amended to read:

1 118.076 **(2)** (intro.) Beginning in the 2011-12 school year, each school board
2 operating high school grades, the operator of each charter school established under
3 s. 118.40 (2r) ~~or (2x)~~ that operates high school grades, and the governing body of each
4 private school that operates high school grades shall do all of the following:

5 **SECTION 29.** 118.30 (1g) (a) 2. of the statutes, as affected by 2015 Wisconsin Act
6 55, is amended to read:

7 118.30 **(1g)** (a) 2. By January 1, 2000, or by January 1 of the 1st school year of
8 operation, whichever is later, each operator of a charter school under s. 118.40 (2r)
9 ~~or (2x)~~ shall adopt pupil academic standards in mathematics, science, reading and
10 writing, geography and history. The operator of the charter school may adopt the
11 pupil academic standards issued by the governor as executive order no. 326, dated
12 January 13, 1998.

13 **SECTION 30.** 118.30 (1g) (c) of the statutes, as affected by 2015 Wisconsin Act
14 55, is amended to read:

15 118.30 **(1g)** (c) Each school board operating elementary grades and each
16 operator of a charter school under s. 118.40 (2r) ~~or (2x)~~ that operates elementary
17 grades may develop or adopt its own examination designed to measure pupil
18 attainment of knowledge and concepts in the 4th grade and may develop or adopt its
19 own examination designed to measure pupil attainment of knowledge and concepts
20 in the 8th grade. If the school board or operator of the charter school develops or
21 adopts an examination under this paragraph, it shall notify the department.

22 **SECTION 31.** 118.30 (1r) (intro.) of the statutes, as affected by 2015 Wisconsin
23 Act 55, is amended to read:

24 118.30 **(1r)** (intro.) Annually the operator of each charter school under s. 118.40
25 (2r) ~~or (2x)~~ shall do all of the following:

1 **SECTION 32.** 118.30 (2) (b) 1. of the statutes, as affected by 2015 Wisconsin Act
2 55, is amended to read:

3 118.30 **(2)** (b) 1. If a pupil is enrolled in a special education program under
4 subch. V of ch. 115, the school board, operator of the charter school under s. 118.40
5 (2r) ~~or (2x)~~, governing body of the private school participating in the program under
6 s. 118.60, or governing body of the private school participating in the program under
7 s. 119.23 shall comply with s. 115.77 (1m) (bg).

8 **SECTION 33.** 118.30 (2) (b) 2. of the statutes, as affected by 2015 Wisconsin Act
9 55, is amended to read:

10 118.30 **(2)** (b) 2. According to criteria established by the state superintendent
11 by rule, the school board, operator of the charter school under s. 118.40 (2r) ~~or (2x)~~,
12 governing body of the private school participating in the program under s. 118.60, or
13 governing body of the private school participating in the program under s. 119.23
14 may determine not to administer an examination under this section to a
15 limited-English speaking pupil, as defined under s. 115.955 (7), may permit the
16 pupil to be examined in his or her native language, or may modify the format and
17 administration of an examination for such pupils.

18 **SECTION 34.** 118.30 (2) (b) 4. of the statutes, as affected by 2015 Wisconsin Act
19 55, is amended to read:

20 118.30 **(2)** (b) 4. Upon the request of a pupil's parent or guardian, the operator
21 of a charter school under s. 118.40 (2r) ~~or (2x)~~ shall excuse the pupil from taking an
22 examination administered under sub. (1r) or s. 118.301 (3).

23 **SECTION 35.** 118.30 (6) of the statutes, as affected by 2015 Wisconsin Act 55,
24 is amended to read:

1 118.30 (6) A school board and an operator of a charter school under s. 118.40
2 (2r) ~~or (2x)~~ is not required to administer the 4th and 8th grade examinations adopted
3 or approved by the state superintendent under sub. (1) or authorized under s.
4 118.301 (3) if the school board or the operator of the charter school administers its
5 own 4th and 8th grade examinations, the school board or operator of the charter
6 school submits the examination results to the University of Wisconsin-Madison
7 Value-Added Research Center to conduct statistical correlations of those
8 examinations with the examinations adopted or approved by the state
9 superintendent under sub. (1), the University of Wisconsin-Madison Value-Added
10 Research Center provides the statistical correlations to the state superintendent,
11 and the federal department of education approves.

12 **SECTION 36.** 118.301 (3) (b) of the statutes, as created by 2015 Wisconsin Act
13 55, is amended to read:

14 118.301 (3) (b) Notwithstanding s. 118.30 (1r), beginning in the first full school
15 year following the date on which the research center submitted the list of approved
16 examinations to the department under sub. (2) (a), an operator of a charter school
17 under s. 118.40 (2r) ~~or (2x)~~ is not required to administer an examination adopted or
18 approved by the state superintendent under s. 118.30 (1) in any grade for which an
19 examination is required to be administered under s. 118.30 if the operator
20 administers in that grade an alternative examination approved by the research
21 center under sub. (2). If the operator of the charter school elects to administer an
22 alternative examination under this paragraph, the operator shall notify the
23 department of its intent to administer the examination and shall publish that fact
24 and information about the examination on the school's Internet site.

1 **SECTION 37.** 118.301 (4) (a) of the statutes, as created by 2015 Wisconsin Act
2 55, is amended to read:

3 118.301 (4) (a) If a school board, an operator of a charter school under s. 118.40
4 (2r) ~~or (2x)~~, or the governing body of a private school participating in a program under
5 s. 118.60 or 119.23 administers an alternative examination under sub. (3), the school
6 board, operator, or governing body shall submit the examination results to the
7 research center.

8 **SECTION 38.** 118.33 (1) (f) 2. of the statutes, as affected by 2015 Wisconsin Act
9 55, is amended to read:

10 118.33 (1) (f) 2. The operator of a charter school under s. 118.40 (2r) ~~or (2x)~~ that
11 operates high school grades and an individual or group or a person that, pursuant
12 to s. 115.999 (3), 119.33 (2) (c) 1. or 2., or 119.9002 (3) (a) or (b), is responsible for the
13 operation and general management of a school transferred to an opportunity schools
14 and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119
15 and that operates high school grades shall develop and periodically review and revise
16 a policy specifying criteria for granting a high school diploma. The criteria shall
17 include the pupil's academic performance, successful completion of the civics test
18 under sub. (1m) (a), and the recommendations of teachers.

19 **SECTION 39.** 118.33 (1) (f) 3. of the statutes, as affected by 2015 Wisconsin Act
20 55, is amended to read:

21 118.33 (1) (f) 3. Neither a school board nor an operator of a charter school under
22 s. 118.40 (2r) ~~or (2x)~~ nor an individual or group or person that, pursuant to s. 115.999
23 (3), 119.33 (2) (c) 1. or 2., or 119.9002 (3) (a) or (b), is responsible for the operation and
24 general management of a school transferred to an opportunity schools and
25 partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119 may

1 grant a high school diploma to any pupil unless the pupil has satisfied the criteria
2 specified in the school board's or charter school's policy under subd. 1. or 2. Neither
3 the governing body of a private school participating in the program under s. 119.23
4 nor a governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2)
5 (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management
6 of a school transferred to an opportunity schools and partnership program under s.
7 119.33, subch. IX of ch. 115, or subch. II of ch. 119 may grant a high school diploma
8 to any pupil attending the private school under s. 119.23 or the school transferred
9 to an opportunity schools and partnership program under s. 119.33, subch. IX of ch.
10 115, or subch. II of ch. 119 unless the pupil has satisfied the criteria specified in the
11 governing body's policy under subd. 2m. The governing body of a private school
12 participating in the program under s. 118.60 may not grant a high school diploma to
13 any pupil attending the private school under s. 118.60 unless the pupil has satisfied
14 the criteria specified in the governing body's policy under subd. 2r.

15 **SECTION 40.** 118.33 (1m) (a) 1. of the statutes, as affected by 2015 Wisconsin
16 Act 55, is amended to read:

17 118.33 **(1m)** (a) 1. Beginning in the 2016-17 school year, no school board,
18 operator of a charter school under s. 118.40 (2r) ~~or (2x)~~, or governing body of a private
19 school participating in a program under s. 118.60 or 119.23 may, except as provided
20 in subd. 2. and subject to the policies under sub. (2) (m), grant a high school diploma
21 to any pupil unless the pupil takes, during the high school grades, a civics test
22 comprised of 100 questions that are identical to the 100 questions that may be asked
23 of an individual during the process of applying for U.S. citizenship by the United
24 States Citizenship and Immigration Services and the pupil correctly answers at least
25 60 of those questions.

1 **SECTION 42.** 118.33 (1m) (a) 2. a. of the statutes, as affected by 2015 Wisconsin
2 Act 212, is amended to read:

3 118.33 **(1m)** (a) 2. a. Except as provided in subd. 2. b., a school board, operator
4 of a charter school under s. 118.40 (2r) ~~or (2x)~~, and governing body of a private school
5 participating in a program under s. 118.60 or 119.23 shall require a pupil for whom
6 an individualized education program under s. 115.787 is in effect and a parentally
7 placed child with a disability, as defined in 34 CFR 300.130, to complete the civics
8 test described under subd. 1. but may not condition graduation on the successful
9 completion of the test.

10 **SECTION 43.** 118.33 (1m) (a) 2. b. of the statutes, as created by 2015 Wisconsin
11 Act 212, is amended to read:

12 118.33 **(1m)** (a) 2. b. If a pupil's individualized education program under s.
13 115.787 or a services plan, as defined in 34 CFR 300.37, includes a statement that
14 it is not appropriate to administer the civics test under subd. 1. to the pupil, a school
15 board, operator of a charter school under s. 118.40 (2r) ~~or (2x)~~, and governing body
16 of a private school participating in a program under s. 118.60 or 119.23 may not make
17 completion of the civics test described under subd. 1. a condition of graduation for
18 that pupil.

19 **SECTION 44.** 118.33 (1m) (a) 3. of the statutes, as created by 2015 Wisconsin Act
20 55, is amended to read:

21 118.33 **(1m)** (a) 3. A school board, operator of a charter school under s. 118.40
22 (2r) ~~or (2x)~~, and governing body of a private school participating in a program under
23 s. 118.60 or 119.23 shall permit a limited-English proficient pupil, as defined in s.
24 115.955 (7), to take the civics test described under subd. 1. in the pupil's language
25 of choice.

1 **SECTION 45.** 118.33 (1m) (b) of the statutes, as created by 2015 Wisconsin Act
2 55, is amended to read:

3 118.33 **(1m)** (b) A school board, operator of a charter school under s. 118.40 (2r)
4 ~~or (2x)~~, and governing body of a private school participating in a program under s.
5 118.60 or 119.23 may determine the format of the civics test required under this
6 subsection and when in the school year to administer the test.

7 **SECTION 46.** 118.33 (6) (b) 1. of the statutes, as affected by 2015 Wisconsin Act
8 55, is amended to read:

9 118.33 **(6)** (b) 1. Each operator of a charter school under s. 118.40 (2r) ~~or (2x)~~
10 shall adopt a written policy specifying the criteria for promoting a pupil from the 4th
11 grade to the 5th grade and from the 8th grade to the 9th grade. The criteria shall
12 include the pupil's score on the examination administered under s. 118.30 (1r) (a) or
13 (am) or s. 118.301 (3), unless the pupil has been excused from taking the examination
14 under s. 118.30 (2) (b); the pupil's academic performance; the recommendations of
15 teachers, which shall be based solely on the pupil's academic performance; and any
16 other academic criteria specified by the operator of the charter school.

17 **SECTION 47.** 118.33 (6) (b) 2. of the statutes, as affected by 2015 Wisconsin Act
18 55, is amended to read:

19 118.33 **(6)** (b) 2. Beginning on September 1, 2002, an operator of a charter
20 school under s. 118.40 (2r) ~~or (2x)~~ may not promote a 4th grade pupil to the 5th grade,
21 and may not promote an 8th grade pupil to the 9th grade, unless the pupil satisfies
22 the criteria for promotion specified in the charter school operator's policy under subd.
23 1.

24 **SECTION 48.** 118.33 (6) (cm) 4. of the statutes, as affected by 2015 Wisconsin Act
25 55, is amended to read:

1 118.33 (6) (cm) 4. Except as provided in subds. 5. and 6., beginning on
2 September 1, 2011, the operator of a charter school under s. 118.40 (2r) ~~or (2x)~~ may
3 not enroll a child in the first grade in the school unless the child has completed
4 5-year-old kindergarten. Each operator of a charter school under s. 118.40 (2r) ~~or~~
5 ~~(2x)~~ that operates a 5-year-old kindergarten program shall adopt a written policy
6 specifying the criteria for promoting a pupil from 5-year-old kindergarten to the
7 first grade.

8 **SECTION 49.** 118.33 (6) (cm) 5. of the statutes, as affected by 2015 Wisconsin Act
9 55, is amended to read:

10 118.33 (6) (cm) 5. Each operator of a charter school under s. 118.40 (2r) ~~or (2x)~~
11 that operates a 5-year-old kindergarten program shall establish procedures,
12 conditions, and standards for exempting a child from the requirement that the child
13 complete kindergarten as a prerequisite to enrollment in the first grade and for
14 reviewing the denial of an exemption upon the request of the pupil's parent or
15 guardian.

16 **SECTION 50.** 118.33 (6) (cm) 6. (intro.) of the statutes, as affected by 2015
17 Wisconsin Act 55, is amended to read:

18 118.33 (6) (cm) 6. (intro.) The operator of a charter school under s. 118.40 (2r)
19 ~~or (2x)~~ that operates a 5-year-old kindergarten program shall enroll in the first
20 grade a child who has not completed kindergarten but who is otherwise eligible to
21 be admitted to and to enroll in first grade as a new or continuing pupil at the time
22 the child moves into this state if one of the following applies:

23 **SECTION 51.** 118.40 (1) of the statutes, as affected by 2015 Wisconsin Act 55,
24 is amended to read:

1 118.40 (1) NOTICE TO STATE SUPERINTENDENT. Whenever a school board intends
2 to establish a charter school, it shall notify the state superintendent of its intention.
3 Whenever one of the entities under sub. (2r) (b) ~~or the director under sub. (2x)~~ intends
4 to establish a charter school, it shall notify the state superintendent of its intention
5 by February 1 of the previous school year. A notice under this subsection shall
6 include a description of the proposed school.

7 **SECTION 52.** 118.40 (2x) of the statutes, as created by 2015 Wisconsin Act 55,
8 is repealed.

9 **SECTION 53.** 118.40 (3) (b) of the statutes, as affected by 2015 Wisconsin Act 55,
10 is amended to read:

11 118.40 (3) (b) A contract under par. (a) or under sub. (2m), or (2r), ~~or (2x)~~ may
12 be for any term not exceeding 5 school years and may be renewed for one or more
13 terms not exceeding 5 school years. The contract shall specify the amount to be paid
14 to the charter school during each school year of the contract.

15 **SECTION 54.** 118.40 (3) (f) of the statutes, as created by 2015 Wisconsin Act 55,
16 is amended to read:

17 118.40 (3) (f) A contract with a school board, or an entity under sub. (2r) (b),
18 ~~or the director under sub. (2x)~~ may provide for the establishment of more than one
19 charter school, and a charter school governing board may enter into more than one
20 contract with a school board, or an entity under sub. (2r) (b), ~~or the director under~~
21 ~~sub. (2x)~~.

22 **SECTION 55.** 118.40 (3) (g) 1. of the statutes, as created by 2015 Wisconsin Act
23 55, is amended to read:

24 118.40 (3) (g) 1. Except as provided in subds. 2. and 3. and sub. (4) (ar) 1., a
25 contract with a school board, or an entity under sub. (2r) (b), ~~or the director under~~

1 ~~sub. (2x)~~ shall require that if the capacity of the charter school is insufficient to accept
2 all pupils who apply, the charter school shall accept pupils at random.

3 **SECTION 56.** 118.40 (3) (h) of the statutes, as affected by 2015 Wisconsin Act 55,
4 is amended to read:

5 118.40 (3) (h) A school board, or an entity under sub. (2r), ~~or the director under~~
6 ~~sub. (2x)~~ may contract for the establishment of a charter school that enrolls only one
7 sex or that provides one or more courses that enroll only one sex if the school board,
8 or entity under sub. (2r), ~~or the director under sub. (2x)~~ makes available to the
9 opposite sex, under the same policies and criteria of admission, schools or courses
10 that are comparable to each such school or course.

11 **SECTION 57.** 118.40 (3m) (intro.) of the statutes, as created by 2015 Wisconsin
12 Act 55, is amended to read:

13 118.40 (3m) AUTHORIZING ENTITY DUTIES. (intro.) A school board, and an entity
14 under sub. (2r) (b), ~~and the director under sub. (2x)~~ shall do all of the following:

15 **SECTION 58.** 118.40 (3m) (f) 3. of the statutes, as created by 2015 Wisconsin Act
16 55, is amended to read:

17 118.40 (3m) (f) 3. The operating costs the school board, or entity under sub. (2r)
18 (b), ~~or director under sub. (2x)~~ incurred under pars. (a) to (e), detailed in an audited
19 financial statement prepared in accordance with generally accepted accounting
20 principles.

21 **SECTION 59.** 118.40 (3m) (f) 4. of the statutes, as created by 2015 Wisconsin Act
22 55, is amended to read:

23 118.40 (3m) (f) 4. The services the school board, or entity under sub. (2r) (b),
24 ~~or director under sub. (2x)~~ provided to the charter schools under contract with it and
25 an itemized accounting of the cost of the services.

1 **SECTION 60.** 118.40 (5) (intro.) of the statutes, as affected by 2015 Wisconsin
2 Act 55, is amended to read:

3 118.40 **(5)** CHARTER REVOCATION. (intro.) A charter may be revoked by the school
4 board, or the entity under sub. (2r) (b), ~~or the director under (2x)~~ that contracted with
5 the charter school if the school board or, if applicable, the entity under sub. (2r) (b)
6 ~~or the director under sub. (2x)~~ finds that any of the following occurred:

7 **SECTION 61.** 118.40 (5) (a) of the statutes, as affected by 2015 Wisconsin Act 55,
8 is amended to read:

9 118.40 **(5)** (a) The charter school violated its contract with the school board, or
10 the entity under sub. (2r) (b), ~~or the director under sub. (2x)~~.

11 **SECTION 62.** 118.40 (7) (am) 2. of the statutes, as affected by 2015 Wisconsin
12 Act 55, is amended to read:

13 118.40 **(7)** (am) 2. A charter school established under sub. (2r) ~~or (2x)~~ or a
14 private school located in the school district operating under ch. 119 that is converted
15 to a charter school is not an instrumentality of any school district and no school board
16 may employ any personnel for the charter school. If the chancellor of the University
17 of Wisconsin-Parkside contracts for the establishment of a charter school under sub.
18 (2r), the board of regents of the University of Wisconsin System may employ
19 instructional staff for the charter school. If the Gateway technical college district
20 board contracts for the establishment of a charter school under sub. (2r), Gateway
21 technical college may employ instructional staff for the charter school.

22 **SECTION 63.** 118.51 (1) (ad) of the statutes, as created by 2015 Wisconsin Act
23 55, is amended to read:

24 118.51 **(1)** (ad) "Charter school" excludes a school under contract with an entity
25 under s. 118.40 (2r) (b) ~~or the director under s. 118.40 (2x)~~.

1 **SECTION 64.** 118.56 (intro.) of the statutes, as affected by 2015 Wisconsin Act
2 55, is amended to read:

3 **118.56 Work based learning programs.** (intro.) A school board, a governing
4 board of a charter school established under s. 118.40 (2r) ~~or (2x)~~, or a governing body
5 of a private school may create a work based learning program for pupils in grades 9
6 to 12. A school board or governing body that creates a work based learning program
7 under this section shall create the program to do all of the following:

8 **SECTION 65.** 118.57 (2) of the statutes, as created by 2015 Wisconsin Act 55, is
9 amended to read:

10 118.57 (2) The school board shall include in the notice under sub. (1) the most
11 recent performance category assigned under s. 115.385 (2) to each school within the
12 school district boundaries, including charter schools established under s. 118.40 (2r)
13 ~~or (2x)~~ and private schools participating in a parental choice program under s. 118.60
14 or 119.23. The notice published by the school board shall inform parents that the full
15 school and school district accountability report is available on the school board's
16 Internet site.

17 **SECTION 66.** 119.61 (1) (a) 1. of the statutes, as created by 2015 Wisconsin Act
18 55, is amended to read:

19 119.61 (1) (a) 1. The operator of a charter school established under s. 118.40 (2r)
20 ~~or (2x)~~.

21 **SECTION 67.** 119.61 (1) (a) 4. of the statutes, as created by 2015 Wisconsin Act
22 55, is amended to read:

23 119.61 (1) (a) 4. An individual or group that is pursuing a contract with an
24 entity under s. 118.40 (2r) (b) ~~or the director under s. 118.40 (2x)~~ to operate a school
25 as a charter school.

1 **SECTION 68.** 120.13 (1) (f) 3. of the statutes, as affected by 2015 Wisconsin Act
2 55, is amended to read:

3 120.13 (1) (f) 3. No school board is required to enroll a pupil during the term
4 of his or her expulsion from a charter school established under s. 118.40 (2r) ~~or (2x)~~
5 if the school board determines the conduct giving rise to the pupil's expulsion would
6 have been grounds for expulsion under par. (c) 1., 2., or 2m. If a pupil who has been
7 expelled from a charter school established under s. 118.40 (2r) ~~or (2x)~~ seeks to enroll
8 in a school district during the term of his or her expulsion, upon request of the pupil
9 or, if the pupil is a minor, the pupil's parent or guardian, the governing body of the
10 charter school shall provide the school board of the school district with a copy of the
11 expulsion findings and order, a written explanation of the reasons why the pupil was
12 expelled, and the term of the expulsion.

13 **SECTION 69.** 121.05 (1) (a) 9. of the statutes, as affected by 2015 Wisconsin Act
14 55, is amended to read:

15 121.05 (1) (a) 9. Pupils enrolled in a charter school, other than a charter school
16 under s. 118.40 (2r) ~~or (2x)~~.

17 **SECTION 70.** 121.07 (2) (f) of the statutes, as created by 2015 Wisconsin Act 55,
18 is repealed.

19 **SECTION 71.** 121.085 of the statutes, as created by 2015 Wisconsin Act 55, is
20 amended to read:

21 **121.085 State aid; other reductions.** (1) The department shall make state
22 aid adjustments under s. 118.51 (16) and (17) before making a reduction under s.
23 115.7915 (4m) (f), 118.40 (2r) (g) ~~or (2x) (f)~~, or 118.60 (4d) (b).

24 (2) For purposes of ss. 115.7915 (4m) (f) 2., 118.40 (2r) (g) 2. ~~and (2x) (f) 2.~~, and
25 118.60 (4d) (b) 2., a school district's aid under s. 121.08 is insufficient to cover a

1 reduction if, after making state aid adjustments under s. 118.51 (16) and (17), the
2 amount of the school district's aid under s. 121.08 is insufficient to cover all of the
3 reductions under ss. 115.7915 (4m) (f) 1., 118.40 (2r) (g) 1. and ~~(2x) (f) 1.~~, and 118.60
4 (4d) (b) 1.

5 **(3)** The state superintendent shall ensure that the aid reductions under ss.
6 115.7915 (4m) (f) 1., 118.40 (2r) (g) 1. and ~~(2x) (f) 1.~~, and 118.60 (4d) (b) 1. lapse to the
7 general fund.

8 **SECTION 72.** 121.58 (1) (b) of the statutes, as created by 2015 Wisconsin Act 55,
9 is amended to read:

10 121.58 **(1)** (b) Annually, by the time the department prescribes under s. 120.18,
11 an operator of a charter school authorized under s. 118.40 (2r) ~~or (2x)~~ that provides
12 transportation to and from the charter school shall provide a report to the
13 department that includes the number of pupils for whom transportation is provided
14 and any other information the department requires related to the transportation of
15 those pupils.

16 **SECTION 73.** 121.58 (2) (a) (intro.) of the statutes, as affected by 2015 Wisconsin
17 Act 55, is amended to read:

18 121.58 **(2)** (a) (intro.) A school district that provides transportation to and from
19 a school under ss. 118.50 (3) (a), 121.54 (1) to (3), (5), and (6), and 121.57, a
20 nonresident school district that a pupil attends under s. 118.51 or 121.84 (4) which
21 elects to provide transportation under s. 121.54 (10), and an operator of a charter
22 school authorized under s. 118.40 (2r) ~~or (2x)~~ that provides transportation under s.
23 118.40 (2r) (dm) shall be paid state aid for such transportation at the following rates:

24 **SECTION 74.** 121.90 (1) (f) 3. of the statutes, as created by 2015 Wisconsin Act
25 55, is repealed.

