



2005 SENATE BILL 96

March 2, 2005 - Introduced by Senators DARLING, ROESSLER, STEPP, GROTHMAN, KANAVAS and LAZICH, cosponsored by Representatives VUKMIR, NASS, ZIEGELBAUER, TOWNS, JENSEN, VAN ROY, F. LASEE, VOS, TOWNSEND, MCCORMICK, GUNDERSON, WOOD, STONE and KREIBICH. Referred to Committee on Higher Education and Tourism.

1 **AN ACT** *to amend* 118.40 (2r) (a) and 118.40 (2r) (b) 2.; and *to create* 118.40 (2r)
2 (a) 2., 118.40 (2r) (b) 1. e. and 118.40 (2r) (br) of the statutes; **relating to:**
3 independent charter schools established by University of Wisconsin
4 institutions.

Analysis by the Legislative Reference Bureau

Under current law, school boards may enter into contracts with individuals, groups, businesses, or governmental bodies to establish charter schools, which operate with fewer constraints than traditional public schools. Current law also permits the University of Wisconsin-Milwaukee, the University of Wisconsin-Parkside, the Milwaukee Area Technical College, and the city of Milwaukee to operate charter schools (independent charter schools) directly or to contract for the operation of charter schools. Only pupils who reside in the school district in which an independent charter school is located may attend the charter school.

This bill allows any baccalaureate or graduate degree granting institution within the University of Wisconsin System to operate or to contract for the operation of a charter school with the approval of the Board of Regents. Under the bill, the chancellor of any such University of Wisconsin System institution (other than the University of Wisconsin-Milwaukee or the University of Wisconsin-Parkside) may request the state superintendent of public instruction for approval to establish or contract for the establishment of up to five charter schools. The state superintendent must approve the first five requests received and must maintain a waiting list. Each

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approved institution must submit a charter school plan to the state superintendent. Among other things, the plan must describe the institution's plan for soliciting charter school proposals and for monitoring charter schools that are established.

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.** 118.40 (2r) (a) of the statutes is amended to read:

2 118.40 (2r) (a) In this subsection, “instructional;

3 1. “Instructional staff” has the meaning given in the rules promulgated by the
4 department under s. 121.02 (1) (a) 2.

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

6 118.40 (2r) (a) 2. “University” has the meaning given in s. 36.05 (13).

7 **SECTION 3.** 118.40 (2r) (b) 1. e. of the statutes is created to read:

8 118.40 (2r) (b) 1. e. The chancellor of a university, as provided in par. (br).

9 **SECTION 4.** 118.40 (2r) (b) 2. of the statutes is amended to read:

10 118.40 (2r) (b) 2. A charter shall include all of the provisions specified under
11 sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified under
12 sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter
13 school on the liability of the contracting entity under this paragraph. The contract
14 may include other provisions agreed to by the parties. The chancellor of the
15 ~~University of Wisconsin–Milwaukee or of the University of Wisconsin–Parkside a~~
16 university may not establish or enter into a contract for the establishment of a
17 charter school under this paragraph without the approval of the board of regents of
18 the University of Wisconsin System.

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

