

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Senate Committee on
Education (SC-Ed)

Sample:

Record of Comm. Proceedings ... RCP

- 05hrAC-EdR_RCP_pt01a
- 05hrAC-EdR_RCP_pt01b
- 05hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

➤ **

➤ Miscellaneous ... Misc

➤ 97hrSC-Ed_Misc_pt05

➤ Record of Comm. Proceedings ... RCP

➤ **




State of Wisconsin Department of Public Instruction

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John T. Benson
State Superintendent

Steven B. Dold
Deputy State Superintendent

TO: Members, Senate Education Committee

FROM: Steven B. Dold 
Deputy State Superintendent

DATE: January 27, 1998

SUBJ: Senate Bill 383, Related to Charter Schools

The following summarizes the DPI's position on the provisions of Senate Bill 383.

We support the bill's attempt to involve Cooperative Educational Service Agencies (CESAs) in the establishment and operation of charter schools. The department's 1997-99 biennial budget request included a proposal to authorize CESAs to operate charter schools under a charter from a school district or districts within the CESA. Under our proposal, the employees of the charter school would be employees of the CESA and would be required to be licensed in the same manner as employees of school district charter schools. We believe charter schools operated by CESAs could be effective providers of alternative educational opportunities, including, for example, opportunities for gifted and talented or for expelled students.

However, we do not support the bill's repeal of the requirement that all charter schools, except for MPS charter schools, be instrumentalities of the school district in which they are located and that the school board of those districts must employ all the charter school personnel.

It should be noted that this bill could have a state and local fiscal effect if the provision to permit school districts to convert private schools to charter schools is enacted. Assuming public school district enrollments increase as a result of this provision, revenue limits would also increase, thereby affecting the amount of state funding needed to pay two thirds of partial; school revenues.

We appreciate your consideration of these comments. If you have questions, please call me at 266-1771.

STATE OF WISCONSIN

To Paul

Date 7/4 Time 4:20

WHILE YOU WERE OUT

M Georgia

of Luther Olson

Phone 6-8077

Telephoned	<input checked="" type="checkbox"/>	Please Call	<input checked="" type="checkbox"/>
Called to See You	<input type="checkbox"/>	Rush	<input type="checkbox"/>
Returned Your Call	<input type="checkbox"/>	Will Call Again	<input type="checkbox"/>

Message Charles Schore

Call Zieglerbauer

Send



PH
Party Receiving Call

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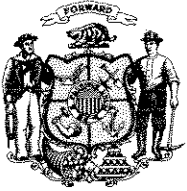
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State of Wisconsin
Lieutenant Governor

Scott McCallum
Lieutenant Governor

State Capitol, Room 22 East • Madison, Wisconsin 53702
608/266-3516 Fax 267-3571

January 21, 1998

Senator Calvin Potter, Chairman
Senate Education Committee
100 North Hamilton Street
Room 407
Madison, Wisconsin 53707-7882

Re: Senate Bill 383, relating to charter schools.

Dear Senator Potter and Members of the Senate Education Committee:

Early last month I wrote to Representative Olsen and the members of the Assembly Education Committee to express my support for Assembly Bill 631, relating to charter schools. Today, I am writing in support of Senate Bill 383, the Senate companion to AB-631. I have been a charter school proponent for many years, introducing legislation as far back as 1993 which included many of the changes proposed in today's SB 383. These changes would help strengthen Wisconsin's charter school laws, which are currently among the weakest in the nation. The provisions in SB 383 create more options -- not mandates -- for local educators, parents, and school officials. Options, and freedom from regulations are, after all, the main tenets of charter schools.

SB-383 should be approved for a number of reasons. First, repealing the requirements that a charter school outside MPS must be an instrumentality of the school district, and that the school board shall employ all personnel for the charter school, would greatly expand organizational options for charter schools. It would also create more opportunities in the planning stages for teachers and educators.

Second, the charter school concept should not be limited in any way, with respect to the population served. The options provided by charter schools, shown to be effective and successful, should be open and accessible to all students, without preference to those schools serving children "at-risk."

Third, expanding the types of entities which can sponsor a charter school greatly increases the possibilities for this educational option.

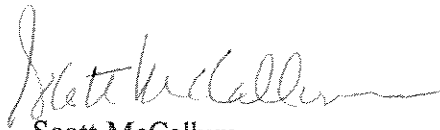
Senator Calvin Potter
Members, Senate Education Committee
January 21, 1998
Page -2-

I believe these three points to be the most important in the legislation, and urge the committee to approve this measure. To further strengthen this bill, I suggest the inclusion of provisions that would repeal the requirement that charter schools employ only DPI licensed individuals, and allow current public school teachers to receive a leave of absence for up to four years to teach in a charter school.

Charter schools are intended to represent a fundamental change for Wisconsin's schools, from concentrating on compliance with regulations to an unfettered push for student achievement. With the modifications contained in SB-383, and by the inclusion of the two provisions I have suggested above, we have the opportunity to provide parents, teachers and school boards at the local level with the tools to make charter schools work even better for our students.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Scott McCallum".

Scott McCallum
Lieutenant Governor

SUPPORT FOR SB 383

TO: The Senate Education Committee
Public Hearing on SB 383
January 28, 1998, 10:00 a.m.
Joint Finance Committee Area
119 Martin Luther King, Jr. Blvd.
Madison, WI 53703

FROM: J. Gary Lilyquist, Ph.D.
Vice President of Development and Quality Management
The Tesseract Group, Inc.
Wisconsin office:
P.O. Box 490, 44 Bank Street
Milltown, WI 54858-0490
715-825-3580
FAX: 715-825-3585

TO: The Senate Education Committee
Public Hearing on SB 383
January 28, 1998, 10:00 a.m.
Joint Finance Committee Area
119 Martin Luther King, Jr. Blvd.
Madison, WI 53703

FROM: J. Gary Lilyquist, Ph.D.
Vice President of Development and Quality Management
The Tesseract Group, Inc.
Wisconsin office:
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RE: Support of SB 383

Specifically, I will address the current charter school law that requires, 1) a charter school must be an instrumentality of the school district, 2) the school board shall employ all personnel for the school, and a needed addition to the law authorizing a school board, Cooperative Education Service Agencies or others to contract with a partnership, individual, association or corporate entity to operate charter schools.

Charter Schools legislation across the country is founded in response to wide spread demands for better public education and for more choice among public schools (A Study on Charter Schools, RPP International and the University of Minnesota, 1997). In other words, charter schools will meet unfulfilled student educational needs and/or provide parents with a choice as to educational programs for their children. In either case, charter schools must operate differently than the current education system. Without the freedom to operate differently it is likely charter schools will mirror our current educational system. Therefore, Charter Schools will not meet unfulfilled student needs or offer parents a choice of educational opportunities for their children.

The current Charter School law supports maintaining the current educational system under a different name. The same political structure will control how charter schools conduct their business of educating children. The requirement for charters to be instruments of the school district and for personnel to be the district's employees, promotes the same educational culture we have in Wisconsin's educational community today. Maintaining the ridged cultural beliefs, values, norms, and mores controlled by the local political structure will prevent Charters from being innovative and meeting unfulfilled student needs.

To support my claim, a study completed in 1995, titled, "Factors that affect teacher attitude

toward school improvement," explains how dominant cultures in the local community and the school place a stranglehold on school improvement. In sharing this information with others, I found people want to blame either the communities, or the educational staff, or point fingers at each other. The study makes it clear, no matter which position an individual or group takes in a community or school, their choice to support, or block improvements are based on their vision of a good school. Unfortunately, there is lack of a common vision or definition of a good school among communities or educators.

In 25 years in education, I never found a teacher, administrator, board member, parent, or community member that worked toward creating a poor school, or wanted students to do poorly. However, there is a paradoxical behavior that is prevalent in our education system. By failing to recognize the existence of the phenomenon places a stranglehold on educational improvements.

The paradoxical behavior is this, teachers said they wanted to work in schools that focused on improving student learning; they reported using their time on self-preservation issues: power, status, reward, and well-being. This is the paradox. (Do not prejudge the teachers' response, or let it make you angry. As you'll discover, these are perfectly rational uses of time in the current political structure under which our educational system functions.)

This paradox raises a new question. Why would teachers focus on self-preservation more than on improving student learning? The short answer is that schools are too politically driven and unstructured to offer teachers much choice in their behavior.

The stranglehold is created by a powerful few individuals in the community or school district to protect their vision of a good school or classroom. These political forces have the influence to block charter schools from being innovative or simply providing an educational program that is flexible to meet all children's needs in a given school.

To reinforce the point of repealing: 1) A charter school must be an instrumentality of the school district. 2) The school board shall employ all personnel for the school. Here are examples of how individual or a group's vision of a good school has blocked school improvement.

In three schools I found, teachers place themselves at great risk when attempting to carry out innovations. Teachers recognize that taking a risk and failing place them personally and professionally at risk of being labeled a poor teacher or having their school being labeled as a failure. On the other hand successful innovations pay few rewards.

The Wisconsin's third grade reading test is a good example. In one district, all three elementary schools the scores were above the 85th percentile. However, two of the schools were well above the 90th percentile. The community raised questions as to why this school did so poorly. The reality was all schools did extremely well. This resulted in all three schools taking action to insure all schools scored close to the same. The local impact of one school scoring low caused changes on the

school board which disrupted the school and community as a whole. The change of board members resulted in board action that blocked planned innovations from being carried out. The new board members forced the return to the use of basal readers. Teachers took action so that one school could not be singled out. Why? The status quo was a safe position to take. The tragedy is nothing changed in the teaching methods. What changed was which students were allowed to take the test. The point is teacher and administrator success was in high test scores, however, the powerful few in the community forced a return to outdated teaching methods. Why? Because the new methods appeared to the community to produce poor results. The reality was improvements in reading in all schools were caused by teachers using a wide-range of methods. Now they are blocked from doing so.

In another district, the Board of Education and administration followed the effective school research in an attempt to improve student learning. They employed a nationally known firm to insure a high-level of teacher, parent, and community involvement. Over 350 people were involved. Unfortunately, a small portion of the population successfully blocked the plan from being carried out. Why? because they did not hold the same beliefs as the major of people in the district. This occurred five years ago, and the district is struggling to regain harmony. Well intended people worked hard to improve what they believed to be best for children. What resulted was teachers retreating to the use of old methods to protect themselves from the power few and being labeled as poor teachers.

In another district, teachers blocked the administrations efforts to improve school through the use of committees. Teachers made the system complex by creating sub-committee's, of the sub-committee's, of the committee. This blocked the main committee from functioning, do to waiting for reports to take action and resolving issue between sub-committees. A handful of powerful teachers insisted more input was needed from teacher and the community. The powerful teachers took this action to protect what they believed to be a good classroom. Observation and interviews, suggested most teachers did not hold the same belief. The weaker teachers conformed to the powerful few out of fear of reprisal.

In New Jersey, school boards, administration, and teachers block the creation of charter schools based on the lose of students and resources (Goodnougii, The New York Times, March 30, 1997; Chiles, Sunday Star-Ledger, December 15, 1996). Several trips to Michigan in the last few months, suggest local school boards are blocked from granting charter by community members or the educational community. (This has resulted in Universities and Intermediate School District, similar to a CESA, being the primary granting organizations.)

In each case, good well intended people blocked school improvement based on their beliefs, vision of a good school, or threats to their financial security. Individuals and groups blocked innovation by using their political influence based on self-preservation beliefs. What was interesting is people did not block innovation based on specific met or unmet needs of children or to provide parents with an educational choice.

In each case, teachers were subjected to the "Teacher Paradox" Teachers used their power and influence derived from rewards that built status, resulting in power, to protect their well-being which is their vision of a good classroom.

The point, if charter schools operate under the above list of political influences from the community or the educational community, the efforts charter schools make can easily be blocked by political pressure applied to the school board by the local community or educational community. This will reinforces the paradoxical behavior that is currently blocking school reform.

Charter schools must have the ability to take action to correct weaknesses in curriculum and instruction methods without fear of sanction. The question becomes, who is in charge? The parents and students can control the activities of a charter school simply by leaving. If charter school fail to meet high-levels of academic growth or fails in meeting the mission of the school, parents can simply leave and the school will not exist.

This is a major difference between public charter schools and the current public schools, there are no guarantees that students will remain in charters when the students have the option to return to their public schools. This is what will make charter schools meet student needs and provide parents a choice.

Repealing the law on 1) A charter school must be an instrumentality of the school district. 2)The school board shall employ all personnel for the school. Will help remove the political pressure that promotes the "Teacher's Paradox" and places a stranglehold on school improvement. Charters must be accountable for results, but they need the freedom to achieve them.

Addition to the charter school law authorizing a school board, Cooperative Education Service Agencies or others to contract with a partnership, individual, association or corporate entity to operate charter schools.

This addition to the law will support the above comments. This expands the opportunities to meet unique needs of children. Having other monitoring institutions will allow well constructed educational programs to be carried out even if local school boards are influenced by those that wish to protect a ridged vision of a good school. By allowing partnerships, individuals, association or corporate entities to operate charter schools provide opportunities for teachers, administrators, and others to weaken the hold of the "Teachers Paradox." This will help teachers and administrators to focus first on improving education and cause self-preservation issues to be secondary.

Resistance to charter schools is a cry to maintain the status quo. Effective charter schools in other states are not status quo learning institutions.

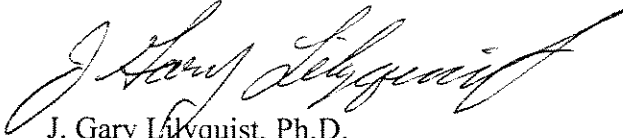
This is not a testament to charter schools to do as they wish. With this new provision in the law, charter schools must be required to state:

1. The need to address a problem not presently met by the local public schools.
2. The mission and vision consistent with an educational philosophy.
3. Educational goals that are measurable and consistent with the charter schools mission and state standards.
4. Demonstrate a budget reflecting a sense of fairness and balance with the majority of dollars committed to the instructional program.
5. The size and general location of a school building that is comfortable and safe for children.
6. That the curriculum goals are comprehensive and appropriate for each grade level.
7. A plan for recruiting students.

Also, a contract length of five years will provide time for a charter school to demonstrate success.

If we hope to change the results our current education system produces, the structure (system under which schools operate) must change. Positive Charter School Legislation can make an impact to change the structure.

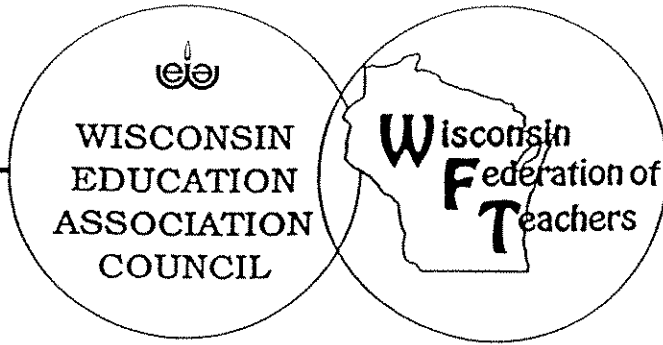
Thank you for your consideration for SB 383 and suggested changes.



J. Gary Llyquist, Ph.D.
Vice President of Development and Quality Management
The Tesseract Group, Inc.

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**SENATE EDUCATION COMMITTEE TESTIMONY
WEDNESDAY, JANUARY 28, 1998
OPPOSITION TO SENATE BILL 383**

**By: Katie Stout,
WEAC Instructional and Professional Development Director**

My name is Katie Stout. I am the Instructional and Professional Development Director for the Wisconsin Education Association Council. I would like to thank Chairperson Potter and members of the Senate Education Committee for providing this opportunity today to testify on Senate Bill 383. I appear before you today on behalf of the Wisconsin Education Association Council and the Wisconsin Federation of Teachers.

Charter schools provide districts with a unique opportunity to establish innovative programs in Wisconsin's public schools. The present charter school law works because of a strong commitment to maintaining accountability to the parents, educators, school boards, politicians, and the broad based community that create them.

Local school boards are responsible to local taxpayers for spending on k-12 school programs. The current law requires a periodic review of charter school contracts that ensures taxpayers are getting their money's worth. Under current law, local school districts are responsible for ensuring that charter schools are held accountable in three major areas: student performance, fiscal management and adherence to their contract and the charter school law.

Every charter school contract must clearly state the school's curricular goals, methodology, and means of assessing student performance.

Since passage of the law, a total of seventeen charter schools have been created. In addition, federal establishment grants have been made available to provide an \$800,000 infusion of funding administered by the DPI to generate even greater levels of experimentation. This experimentation should not, however, lead to a deterioration of the responsibility and accountability that is the foundation of the current system.

By any standard, the existing charter schools in Wisconsin are innovative, creative, and leaders in the area of educational reform. The argument that charter schools which are authorized and supervised by school boards in Wisconsin are, or cannot be, innovative and creative is simply not true.

Among the charter schools currently operating in Wisconsin, it is safe to say that all the so-called alternative charters schools are innovative. They are using a variety of imaginative strategies to reach students who often cannot succeed in a traditional setting. For example, the Ladysmith Evening Alternative School is a school which begins each day in the late afternoon/early evening to meet the needs of students who have serious learning and personal challenges, including those who are under the jurisdiction of the court system, who are teenage parents, or who might not even be in school.

Likewise, the McKinley Charter School in Eau Claire is an alternative school which seeks to meet the needs of the most "behaviorally challenging" students in Eau Claire. The Deerfield Alternative School, Affiliated Alternatives in Madison (a group of "accelerated" alternative schools), Middleton Alternative High School and the Beaver Dam Charter School are all

alternative schools which are both creative and successful.

Among the charter schools which are not defined as alternative schools, Verona currently has two elementary charter schools. The Core Knowledge School is based on the principles of E.D. Hirsh and the Core Knowledge Institute, while the New Century School emphasizes a hands-on curriculum, with a focus on science education.

The Paidea Charter School Academy in Kenosha, the School of Technology & Arts (SOTA) in La Crosse, and the Kickapoo River Institute in North Crawford also are creative and innovative charter schools. The Kickapoo River Institute in North Crawford is a year-round, multi-district, charter school which uses an interdisciplinary curriculum based on community outreach. And most interestingly, their science instruction uses the Kickapoo River as its hands-on laboratory.

It is without question, that those who administer, teach and work in these charter schools are enthusiastic, creative, and committed to success. Perhaps the most important distinction about these existing charter schools is that they are under the jurisdiction of a publicly-elected school board and are accountable to the taxpayers of the local school district.

Several key provisions of Senate Bill 383 may appear to foster opportunities in public education, but in reality could lead to dire unintended consequences. Senate Bill 383 must be scrutinized carefully to prevent a system where entities that sponsor a charter school are given so much authority that they go beyond the true intent of serving the public interest.

Some questions related to key provisions of Senate Bill 383:

- What evidence is there which justifies the proposed expansion of the law at this time? Is there any evidence to suggest that the current law is not working?
- What level of accountability will exist once a school board authorizes creation of a charter school that is not an instrumentality? What liabilities might ensue? How will the rights of the public be protected if on-going accountability is no longer provided?
- With the removal of preference for serving at-risk students, might passage of SB 383 result in nothing more than “cherry-picking” by those interested in serving only a select group of easy-to-educate students? What will happen to students left behind?
- What consideration was given to the experiences of other states such as Arizona which adopted a similar law? Has any thought been given to the possible unintended consequences of the proposed expansions listed in the bill?
- What is the consequence for the children of a charter school if an individual or corporate entity is given a charter contract and decides to stop operation mid-year?
- What are the consequences for the children of a charter school if an individual or corporate entity is given a charter contract and decides to stop operation at any time?
- What are the implications of this legislation for the current state funding of public schools in Wisconsin? How might this affect equity in funding, particularly in light of the revenue limits placed on other public schools?
- Development of an innovative charter school is a high risk endeavor. Real innovation is best done in an environment that provides support and a modicum of security for those taking the risks. Some of our members in charter schools have expressed the opinion that remaining employees of the school district has allowed, and even encouraged them, to act boldly in creating innovative instructional approaches to learning. Why would Wisconsin want to modify the law to endanger this relationship?
- What is the role of the practitioners in the process of creating charter schools if SB 383 becomes law? WEAC and the WFT believe that public school employees should be full partners in the establishment and implementation of charter schools in Wisconsin. The charter schools operating in Wisconsin are a success because all the important players were involved in their creation. Parents, educators, students, community leaders and school boards working together make up the best formula for success in charter school development.

Wisconsin's public schools are number one and getting better. We continue to lead the entire United States in ACT test scores. Not only were we alone in first place this year, but Wisconsin students had their highest scores ever. In fact, in some test results, if Wisconsin were a country, we would be among a handful of the best in the world.

The results of the ACT scores are especially significant because this year's scores represent the largest number of students participating in history. Wisconsin can say, once again, we are number one.

WEAC and the WFT have for a long time supported a high quality public school system. We are raising expectations for students and teachers through tougher academic standards and enhanced professional development; seeking quality investment in the future of our children through lower class sizes and improved technology and assuring accountability at every level of innovation in programs for school districts who embrace the charter school concept.

Setting high standards and accountability in a public school system is easy work -- maintaining those standards and accountability is the more difficult task. If these important goals are not maintained; parents, educators, school boards, politicians, and the broad based community must find common ground and work for what is important for our children.

Again, thank you Chairperson Potter and members of the Senate Education Committee for holding this public hearing on Senate Bill 383.

WCSA

Wisconsin Charter School Association

Terri McCormick
President
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Appleton, WI 54914

Telephone: 920-830-3560
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Strengthening Education Through Innovation & Public School Choice

TO: SENATE EDUCATION COMMITTEE MEMBERS
FROM: Terri McCormick President WCSA

SB 383

I support SB 383 as a first step measure, for defining public charter schools within the existing public school structure in the state of Wisconsin.

As President of the Wisconsin Charter School Association, I draw your attention to the 1994 Bipartisan Congressional Record dated September 28, 1994 H10089, H10090, H10091 Part C-Public Charter Schools, sec. 10301: Findings and Purpose of Public Charter Schools:

"(a) Findings. - The Congress finds that

"(1) enhancement of parent and student choices among public schools can assist in promoting comprehensive educational reform and give more students the opportunity to learn challenging State content standards and challenging State student performance standards, if sufficiently diverse and high-quality choices, and genuine opportunities to take advantage of such choices, are available to all students.

As Wisconsin state legislators: you must ask yourself how the current Wisconsin Education system plans to "enhance parent and student choices." How does Wisconsin assist its public school districts in promoting comprehensive educational reforms based on student achievement. And finally, which programs in the state offer "high-quality choices and genuine opportunities for all students."

The answer to these questions lie, in part with SB 383. SB 383 would expand the public charter school law in the following ways:

- a. Authorizes a CESA board of control to contract with one or more school boards to operate a charter school. (Offering collaborative opportunities with other educational professionals)
- b. Repeals current law that prohibits a school board from contracting with a charter school resulting from the conversion of a private, nonsectarian school. (Offering a broader definition of public schools serving all children)

- c. Repeals the current law's requirement that a charter school must be an instrumentality of the school district and the school board shall employ all personnel for the charter school. (Creating more opportunities for professional teachers and educators in the administration and collaboration stages)
- d. Authorizes a school board to contract with a partnership, individual, association or corporate entity to operate a charter school. (Providing more choices to school boards in order to meet the needs of a diverse student population)
- e. Eliminates the current law's requirement that a school board give preference to contracting with charter schools that serve children at risk. (Creating consistent definitions of public charter schools with that of President Bill Clinton and Secretary of Education Richard Riley.)

Without SB383 as a first step, the state of Wisconsin can not hope to meet the demanding Federal Department of Education criteria for public charter school funding. Public charter schools challenge all public school counterparts to *look within* in order create quality public innovations, and quality public school choices that will meet the needs of all students.

As President of the WCSA, I urge you to vote for SB 383 as a first step toward meeting the needs of all students in the state of Wisconsin. Public Charter Schools may not discriminate against any student, for any purpose. Public charter schools must willingly be held accountable for student academic performance. Please support Wisconsin public schools through your support of Wisconsin public charter schools.

I urge you to remember the Congressional definition of public charter schools, and the rigorous accountability standards placed on these public entites. Please continue to ask yourselves as legislators how you may help foster the growth of innovation in public education, through the development of public charter schools.

Thank you,

Terri McCormick

Terri McCormick
President of the Wisconsin Charter School Association

PROGRAM SCHEDULE

CHARTER SCHOOLS IN WISCONSIN



8:00 AM CHECK-IN AND COFFEE
9:00 AM OPENING GENERAL SESSION

WELCOME

- Nancy Donovan, WASB President
- John Benson, State Superintendent, DPI
- Terri McCormick, WCSA President

A CHOICE TO CHARTER

- Doug Thomas, Lesueur-Henderson (MN) School Board, Minnesota New Country Charter School and Center for School Change

10:00 AM BREAK

10:15 AM CONCURRENT SESSIONS

CURIOUS ABOUT CHARTER SCHOOLS?

- Basic overview of charter schools — purposes and policies.
- Key features of Wisconsin's charter schools initiative.

FROM PLANNING TO IMPLEMENTATION

- How do organizers move from planning to implementation?
- Gaining support, negotiating and obtaining approval by school board sponsor.

OPERATIONAL SUCCESSES, CHALLENGES AND NEXT STEPS

- Operators and sponsors of charter schools share insights and visions.
- Charter school governance options.
- Unique challenges of a multi-district charter school.

11:45 AM LUNCHEON

12:45 PM CONCURRENT SESSIONS

ACCOUNTABILITY FOR STUDENT LEARNING

- What's the charter school's vision and mission?
- What does the charter (contract) say about assessment methodologies?

CHARTER SCHOOL FINANCIAL MANAGEMENT

- Budgeting for start-up and ongoing operations.
- Establishing sound fiscal relationships with the sponsoring district.

WHY WOULD A SCHOOL BOARD SPONSOR A CHARTER SCHOOL?

- How might boards create a positive setting that encourages charter school innovations in their community?
- Have boards established criteria and procedures for receiving and evaluating charter school proposals?

1:45 PM CONCURRENT SESSIONS

SERVING ALL CHILDREN

- Innovations in educating children with disabilities, gifted and talented or at-risk.
- Achieving a charter school enrollment that reflects the school district population.

LEGAL AND PERSONNEL ISSUES

- Relationship between charter schools and the new open enrollment program.
- Content of the contract between the school board and charter school.
- Teacher certification requirements.

COMMUNITY SUPPORT AND ADVOCACY FOR YOUR CHARTER SCHOOL

- Involving citizens in the governance of the charter school.
- Effective communications to build strong support in the community.

2:45 PM CONCLUDING GENERAL SESSION

CHARTER SCHOOL OPPORTUNITIES

- Howard Fuller, Institute for the Transformation of Learning.
- Marquette University

3:30 PM ADJOURN

MARCH 19, 1998
 RAMADA PLAZA HOTEL
 FOND DU LAC

Sponsored by:

- Wisconsin Association of School Boards
- Wisconsin Department of Public Instruction
- Wisconsin Charter School Association
- Wisconsin Charter School Resource Center
- Charter Friends National Network



WISCONSIN ASSOCIATION OF SCHOOL BOARDS
 122 WEST WASHINGTON AVENUE, SUITE 400
 MADISON, WI 53703

CURIOUS ABOUT CHARTER SCHOOLS?

Seventeen charter schools are operating this year in Wisconsin. Many others are being planned by parents and teachers. School boards have a key role as charter school sponsors. Charter school organizers (parents, educators and others) and sponsors (school boards) attending the conference will learn how this option can best serve the interests of students and families within the public education system.

PRESENTERS



Doug Thomas

Doug Thomas is a member of the Lesseur-Henderson School Board (MN) and the outreach coordinator for the Center for School Change at the University of Minnesota's Hubert Humphrey Institute for Public Policy. He helped plan and start the Minnesota New Country Charter School.

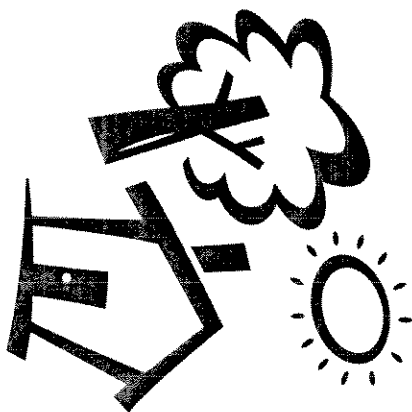


Howard Fuller

Howard Fuller is a Distinguished Professor of Education and Director of the Institute for the Transformation of Learning at Marquette University. Dr. Fuller served as superintendent of the Milwaukee Public Schools from June 1991 to June 1995.

WHAT IS A CHARTER SCHOOL?

A charter school in Wisconsin is a public school operated by a group of educators, parents and/or other community members as a semi-autonomous school of choice within a school district. It operates under a contract or "charter" between the organizers of the charter school and the school board. School-centered governance, autonomy and a clear design for how and what students will learn are the essential characteristics of a charter school.



DISCUSSION LEADERS

You will have an opportunity to learn about charter schools from many resource people including:

- Jon Schroeder, Charter Friends National Network
- Cindy Zautcke, Wisconsin Charter School Resource Center
- James Lewicki, Coordinator, Kickapoo River Institute Charter School
- June Coleman, Parent Organizer, New Century Charter School
- Richard Fitzpatrick, Superintendent, Beaver Dam Public Schools
- John Sauerberg, Charter Schools Coordinator, DPI

LODGING INFORMATION

Ramada Plaza Hotel
One North Main Street
Fond du Lac, WI 54935
920-923-3000

A block of rooms has been reserved for March 18. The room rate is \$52.00 - single and \$62.00 - double. Room reservations must be made by March 11 to receive the special rate. After that date the rooms will be released to the public and the special room rate may no longer apply. To reserve a room, call the hotel directly and mention that you are attending the WASB Charter Schools Conference.

Directions: The Ramada Plaza Hotel is on the corner of Main and Division streets in downtown Fond du Lac.

Parking: There is complimentary parking in the city ramp adjacent to the hotel — enter from Main Street or Portland Street behind hotel.

REGISTRATION INFORMATION

The registration fee is \$30.00 per person, which includes the program, materials and lunch.

REGISTRATION DEADLINE: Tuesday, March 17, 1998

CANCELLATION DEADLINE

NO REFUNDS will be given unless cancellation is received by the WASB's Madison office by noon, two business days prior to the seminar. To cancel, please call 608-257-2622.

DPI Equivalency Clock Hours have been applied for:



CHARTER SCHOOLS IN WISCONSIN

MARCH 19 • FOND DU LAC
REGISTRATION FORM

Name _____

Title _____

School District _____

Billing Address _____

City/State/Zip _____

Telephone _____

Please check here if you have a disability that requires special provisions of services.

FEE: \$30.00 per person, which includes the program, materials and lunch. Make check payable to the Wisconsin Association of School Boards.

Check enclosed (amount) \$ _____

Bill the district using P.O. # _____

DEADLINE: Tuesday, March 17, 1998

NO REFUNDS unless cancellation is received by the WASB by noon, two business days prior to the seminar.

SIGNATURE _____

DATE _____

Send registration and payment to:

Wisconsin Association of School Boards
122 West Washington Avenue, Suite 400
Madison, WI 53703
Phone: 608-257-2622
Fax: 608-257-8386

FOR WASB USE ONLY

Date Rec'd _____

Ck. # _____

P.O. # _____

Ck. Amt. \$ _____

724021

Please - MAY I get A copy of
All of the CHARTER School
WRITTEN testimony? I work at
DPA, and this is A hot item.
(L. Allen) Thank you very much!

Please, MAY I have A copy of
the CHARTER School WRITTEN testi-
mony? I work @ DPA, and this
is A hot topic
L. Allen (Room) Thank you
340

Alberta Darling

Wisconsin State Senator

TESTIMONY IN FAVOR OF SB383 EXPANSION OF CHARTER SCHOOL LAWS

Wisconsin should be a leader for the nation

- Well over half of the nation now has laws regarding charter schools.
- Wisconsin original charter school law was enacted in 1993 that allowed one or two charters in ten districts.
- The 1995 budget expanded the law to allow an unlimited number of charter schools to be created in any district.
- There are now 17 charter schools operating today.

Wisconsin's Law regarding charters isn't strong enough. It doesn't allow for options necessary to make this Law successful for our children to truly succeed. We need to be a leader in this educational choice – for our state and our families. AB631 makes adjust to the charter school law to expand options to provide for our children.

This bill makes five changes:

1. It allows for CESA's to operate charter schools. Wisconsin Policy Research Institute, The Department of Public Instruction and others have recognized Wisconsin's need for this opportunity. (Ex. A group of small districts need a larger CESA for support as in Dane County).
2. It removes current law that prohibits a school board from contracting with a school resulting from the conversion of a private, nonsectarian school. It leaves the current law in place for MPS, but provides options for school board across the state to charter a converted private nonsectarian school.
3. Repeals the requirement that a charter school must be an instrumentality of the school district and the school board shall employ the personnel.
4. It authorizes a school board to contract with a partnership, cooperative, individual, association or corporate entity (for-profit or not-for-profit). This allows school organizers to determine organizational structure to a charter school.
5. It eliminates the requirement that a school board give preference to contracting with charter schools that serve children at risk. It allows communities to determine the type of charter schools that will be established.

Why Wisconsin needs this to be law

- AB631 helps strengthen Wisconsin Law regarding charter schools.
- It is a law that will provide more opportunities for providers and consumers to innovate and thus opening more choices.
- This will hopefully provide more accountability in the public school enterprise.
- Charter school laws will become a policy tool to help move Wisconsin towards an outcome based educational model.

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Start-Up Lessons

Arizona Takes the Lead In Charter Schools— For Better or Worse

Many Students Are Helped,
But Some Operators Get
Into Trouble With State
'Grand Canyon' of Loopholes

By STEVE STECKLOW

Staff Reporter of THE WALL STREET JOURNAL
PHOENIX — An effort to improve Arizona public schools is beginning to resemble a Clint Eastwood movie — nasty shoot-outs, fists full of dollars, and a cast that manifests the good, the bad and the ugly of educational reform.

Trying to prod entrenched educators to change and give parents more choice, 25 states and the District of Columbia now permit charter schools. President Clinton wants 3,000 of them by the year 2000. But at the moment, no place has more, with fewer restrictions, than Arizona.

In just two years, 167 charter schools have sprung up in Arizona — one-third of the nation's total—with an enrollment surpassing 17,000 students. Their embrace of innovation is sweeping. They are adopting a variety of teaching methods, expanding horizons in the arts and offering hope to dropouts and low-income parents.

But there also has been a rush to cash in on charters, which bring about \$4,000 in state funds to their operators for every student signed up.

A Bankruptcy Filing

One Phoenix school, Citizen 2000, shut its doors last month and filed for bankruptcy protection, leaving more than 200 students in the lurch amid state allegations of mismanagement. "Those kids were counted like gold and treated like dirt," says Eric Helming, who taught there.

School districts on Indian reservations have been charging fees as high as \$175,000 to issue charters to schools far outside their area—money the state intended to go to the start-ups' students. And a charter school in Phoenix is under state investigation for alleged financial impropriety after a wild year of court fights, firings and power struggles. Its disaffected principal opened a new charter school — and took dozens of students with him.

Charter-school proponents say such incidents are to be expected in an environment designed to mirror a free marketplace. "We've sort of intentionally created this chaos," says state Sen. Tom Patterson, who helped to write the law. He says he isn't bothered by the fees. And he expresses surprise that more charter schools haven't gone under. "It's important to allow for failure, it really is. Public schools never fail. They just keep graduating kids that can't read or write."

But some charter-school advocates, who hope to pass laws in 10 more states next year, worry that Arizona might tarnish the movement. Ted Kolderie, an early proponent in Minnesota, which passed the nation's first charter law in 1991, recently described Arizona as "the Wild West." (Just last week, charter proponents were dealt a public-relations setback when the principal and three staff members of a District of Columbia charter school were indicted for allegedly assaulting a Washington Times reporter researching a story on charter schools; they deny the charges.)

Many states take a go-slow approach to charter schools, limiting their number and providing them with varying degrees of autonomy from state and local regulations and union rules. Arizona's law is considered the most free-wheeling. It doesn't cap the number of charters that can be issued, they are good for 15 years, and anyone can apply, including private schools that want to convert to charter status and scrap their tuition. And even though Arizona charter schools get about the same per-student aid as other public schools, their operators retain ownership rights to any property purchased with the money.

That provision of the law was intended to help charter operators, who receive few funds to build or renovate their schools, to borrow money for capital expenses. But state officials concede it expands the possibilities for abuse. In the case of Citizen 2000, the state has no standing as a secured creditor in bankruptcy court to recover computers and other equipment purchased with taxpayer money, state officials say.

"People who really believe in charter schools . . . should be looking at this and thinking, 'We better tighten things up here or it's going to kill the movement,'" says Arizona state Sen. Mary Hartley. "Arizona's law really has loopholes the size of the Grand Canyon."

A Rocky Start

The state's venture into charter schools got off to a rocky start. The legislature, deadlocked over a voucher bill that would have given direct aid to parents to pay private-school tuition, passed the charter bill as a compromise in 1994. "Rather than do all the planning you should, we just blew it into existence," Sen. Patterson says.

Initially left unclear were such issues as whether the schools can keep money left over at year end (they can), and whether teachers for disabled students must be certified (they must). "There was such a state of confusion at the state Department of Education because nobody really knew what the law meant," says Michael R. Matwick, a charter-school operator.

The state's method for funding transportation costs turned into a boondoggie

Please Turn to Page A4, Column 1

Charter Schools Proliferate in Arizona

Continued From First Page

for some charter schools. The state normally pays public schools \$1.95 a mile per student to cover busing expenses. But many parents drive their kids to charter schools, up to 40 miles each way. "Some charter schools were giving the parents 25 cents a mile and keeping the rest," says Jaime Molera, an Education Department official. So, the state changed the transportation formula for charter schools to a flat annual rate of \$174 per student.

Critics say Arizona's law requires too little accountability for charter schools, especially regarding student achievement. The statewide mandatory testing program currently is on hold, and a state contract for an independent evaluation of the schools still hasn't been awarded.

Arizona Schools Superintendent Lisa Graham Keegan, a former state representative who helped draft the charter law, concedes that the state won't know for another five years whether the schools are an academic success. But she says early anecdotal evidence is promising; so is parental demand. "Say what you want about Arizona's charter-school program, parents have chosen to place their kids there. And they don't do that lightly."

At Arizona Career Academy, a high school with branches in Mesa and Tempe, about 400 students take courses in English, math, social studies and science, all via computer. The only "off-line" work is writing assignments and exams, plus a career-exploration program in which students spend weeks observing employees at local businesses. Students can enroll at any time and graduate when they complete their course work. There are no grade levels and little homework, and school is open mornings, afternoons and evenings.

All Former Dropouts

"Our kids are all former high-school dropouts or kids who did not integrate well into the regular system," says Dr. Matwick, the school's director and a former dropout-prevention coordinator for the Tempe school district.

Fourteen-year-old Mandy Nolen says she enrolled because she was bored at public school and couldn't arrange her schedule to accommodate both homework and a part-time job. At the charter school, she says, "You work at your own pace. You don't wait for lunch. You don't wait for the teacher to quit talking so you can work. . . . It's just you and the computer."

In Phoenix, the charter law has revived Atop Academy College Preparatory, which two years ago was a financially strapped, inner-city private school with just 33 students. Its founder, Raymond Jackson, says he was so in debt, he couldn't pay the rent. But after converting to a charter school, Atop now has 310 students and a waiting list of 150.

In a kindergarten class, Terri Watson, a former private-school teaching assistant who isn't certified, teaches children phonics, addition and subtraction, Spanish and nutrition. She frequently assigns homework, sometimes more than an hour a night. Five-year-old Kristian Joseph says he doesn't mind such rigor "because we get to learn things, like our ABCs and our numbers and our colors and our sounds." He and most of his classmates now can count and write up to 60 — more than half-way to their goal of 100.

Karyn Hart, who sends her five-year-old son, Arik, to Atop, is pleased. "He's

reading, he's writing, he knows his numbers. He can sound out letters," she says. She adds that Arik's nine-year-old brother, who attends public school, didn't get homework until second grade.

A 'Stressful' First Year

Dr. Jackson says Atop's first year as a charter school was "real stressful." He says some of its 14 teachers tried to unionize and organized sick-ins and other disruptions. He didn't want to deal with a union, and his solution was simple. "I fired them," he says. "That's the beauty of a charter school. I don't have to keep them." In all, he says, he let go 11 teachers. He also lost half Atop's students but says he easily found replacements.

Turmoil isn't unusual at Arizona charter schools. At Dragonfleye, a science-oriented school in Phoenix that opened in the fall of 1995, the players change so often, the students may need a scorecard.

After the first month, the principal stepped down, saying he was overwhelmed. Six months later, the school's board fired Gail Battistella, a Dragonfleye founder who ran the science lab, saying she was verbally abusive to students and staff and wasn't doing her job. Mrs. Battistella, who denies this, went to court and won reinstatement. When she returned in May, the new principal, Greg Miller, and 10 of the 11 full-time teachers quit, refusing to work with her. Most of the school's 150 students followed them to a nearby church, where Mr. Miller and the teachers taught unauthorized classes for several weeks.

To obtain a charter quickly, they went to a school district at a distant Indian reservation and, in exchange for a 3% cut of revenues, opened a new school. Most of the charters granted by Arizona school districts — which, like the state, can also issue them — have been given out by districts on Indian reservations, in exchange for a fee. Indian school administrators say they view the charter law as a legitimate way to bring in more state money to Indian schools, which they say have long been chronically underfunded.

The turmoil is continuing. In recent weeks, Dragonfleye's new principal, the third in 15 months, and four teachers quit because of conflicts with Mrs. Battistella. The principal and three of the teachers found jobs at Mr. Miller's school. State officials say they are investigating Dragonfleye for alleged fiscal irregularities and will consider revoking its charter at a hearing next month. Says Kevin Ahern, Mrs. Battistella's attorney, "Probably every single thing that could go wrong with a charter school has."

Many Relatives Hired

Maybe not. Citizen 2000, originally with kindergarten through high school with a multicultural theme, attracted hundreds of students. Its founder, Lawndia White Venerable, a former associate public-school principal, hired her sister to keep the books, her mother to teach etiquette, another sister to teach science, her brother to head security and her brother-in-law to work as a guard. Bankruptcy filings show Dr. Venerable paid herself about \$89,000 a year, and her bookkeeping sister \$79,000. Both got \$350-a-month car allowances.

Dr. Venerable's attorney, Charles W. Herf, says "it may not look good" that she hired so many family members, but he adds, "This was a dream and a commitment to education that she had, and she

brought in the people she thought would work the hardest to make it happen."

Earlier this year, the state's auditor general found that the school's financial controls were "practically nonexistent." An audit found poor record-keeping for cash, payroll and student attendance. "The school did not maintain adequate records to support its . . . attendance calculations which provide the primary basis upon which state aid is apportioned to the school," it said.

Victor Diaz, who had two daughters in the school and served on its board, says he was distressed by the nepotism and complained to Dr. Venerable, but to no avail. Under the charter law, he says, "This was her own business. She could employ anybody she wants at any salary she wants."

Over the summer, the school closed its high school. Last month, the school and Dr. Venerable both filed for Chapter 7 bankruptcy protection, and Citizen 2000 shut down. The state revoked its charter and accused it of inflating its enrollment by 100 students, resulting in an overpayment of \$250,000 in state aid. Mr. Herf denies it.

Mr. Herf says his client "was qualified as an educator. She was not qualified as a bean counter." He says Dr. Venerable and the state share blame and faults legislators for failing to provide "enough funding to train and pre-clear the owners of schools." He adds that "if the state would put the other charter schools under this degree of scrutiny, substantial numbers of charters would be revoked, if not the vast majority." He also accuses the legislature of rushing "to try to have the most charter schools in the country."

A Reservation's Bonanza

Arizona education officials concede that the charter law is flawed. So does Quincy Natay, business manager for the Chinle Unified School District on an Indian reservation in northeast Arizona.

Last year, the district was approached by the Tolchii Kooch school, on another reservation about 140 miles away that was seeking a charter to qualify it for \$1.9 million in extra state aid. But Tolchii Kooch had been unable to get a charter from the state or nearby districts. So, Mr. Natay negotiated a deal in which the school agreed to pay Chinle, his district, \$175,000. Tolchii Kooch's superintendent, Mark Sorensen, says, "I felt like Chinle was making money from us, and it seemed high, but it's legitimate within the entrepreneurial spirit of the charter law."

The deal got even sweeter for Chinle. Distressed at the high fee, Dr. Sorensen approached another Indian school district, which agreed to give Tolchii Kooch a new charter this year for \$20,000. Tolchii Kooch didn't renew its contract with Chinle.

Mr. Natay didn't mind. Under Arizona's funding formula, districts such as his receive funding based on the student head count in the prior school year, not the current one. So, Tolchii Kooch's 500 students were counted in Chinle's figures, qualifying the district for an extra \$1.9 million this year. Tolchii Kooch also got its \$1.9 million this year because charter schools receive funding based on current-year enrollment. So the state paid twice.

State officials say they have since corrected what Mr. Natay himself describes as a "loophole" in the charter law. "I think they were really trying to push the charter concept without really figuring out all the bugs in the system," he says.

12/24/96

22 January 98

Senator Calvin Potter
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Dear Senator Potter,

I am writing to ask you to give your full support to SB 383 which would strengthen Wisconsin's Charter School Law.

In this morning's *Milwaukee Journal Sentinel*, MPS Superintendent Alan Brown, in his response to Governor Thompson's ultimatum for school improvement, is quoted as saying that MPS will need help "from our entire community" in order to improve. He goes on to state, "We can't do this alone."

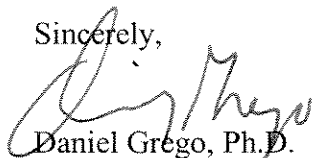
Bringing the entire community back to public education is what the Charter School movement is all about. Charter schools offer parents and teachers ways to innovate and to create more options for students.

Charter Schools are, by definition, **public schools**. People who argue that Charter Schools would undermine public education are either misinformed or are intentionally being misleading. When a student in Milwaukee transfers from North Division to the High School for the Arts, does that "defund public education"? Of course not! Charter Schools allow school districts to offer additional options for their students. The evidence so far is that Charter Schools bring **more** resources to public education.

Wisconsin's progressive tradition demands that we lead the way by creating the strongest Charter School law in the country. SB 383 is another step in that direction. Again, please give it your full support.

If I can be of any further help to you in this or any other matter, do not hesitate to call on me.

Sincerely,



Daniel Grego, Ph.D.
Director of Educational Services,
Transcenter for Youth, Inc.



STATE OF WISCONSIN

Department of Employee Trust Funds

Eric O. Stanchfield

Secretary

801 West Badger Road

P.O. Box 7931

Madison, WI 53707-7931

January 28, 1998

In Reply Refer To:

Honorable Calvin Potter, Chair
Senate Committee on Education
407 Hamilton Building
Madison WI 53702

Subject: Senate Bill 383

Dear Senator Potter:

We do not take a position on the merits of Senate Bill 383 or charter schools in general. However, we do want to advise the committee of the relationship between charter school teachers and the Wisconsin Retirement System (WRS).

Our department originally became involved in the issue when interested parties wanted to have all charter school teachers covered under the WRS. Since 1921 all public school teachers have been covered under a public pension plan. First, it was the State Teachers Retirement System. Since the merger of three major public plans in 1982, it has been the WRS. Because the WRS is a qualified governmental pension plan under Internal Revenue Service (IRS) rules, we advised the Legislature that charter school teachers could only be covered under the WRS if they were employees of the public school district. Including employees of private employers, in this case charter schools, in the WRS would jeopardize the plan's governmental status under the federal tax code. For these reasons, s. 118.40 (7) (a), Stats., was enacted to make it clear that charter schools are instrumentalities of the public school district and that all charter school teachers are employees of the public school district and subsequently covered under the WRS.

Merely repealing s. 118.40 (7) (a), Stats., in the Department's opinion, will not automatically relieve public school districts of the employer/employee relationship with charter school teachers. This is because the federal FICA (social security) regulations contain several criteria defining when a person is an employee of a specific employer. Those criteria include such items as: who hires the person; who has control over the hours of employment; who sets the standards and provides supplies; who determines the content of the instruction; etc.

If s. 118.40 (7) (a), Stats., is repealed, we will follow our normal policy and apply the federal FICA regulations to determine who is the employer -- the public school district or the charter school. Depending upon the school district's contract with the charter school and how the charter school is established, the school district may or may not be the employer for FICA purposes. If the school district is the employer for social security purposes, the school district must continue to cover charter school teachers under the WRS. If the relationship between the public school

Honorable Calvin Potter
January 28, 1998
Page 2

district and the charter school teacher does not meet FICA's employer/employee test, the teacher may not be covered under the WRS.

Teachers who have been covered by the WRS and are found to be employed by the charter school will not lose any benefits that they have already accrued. They will, however, not accrue additional WRS benefits unless they again become employed by a public school district or other public employer.

Before the committee takes executive action on the bill, we suggest an amendment to s. 40.02(55), Stats., which defines "teacher" for WRS purposes. The definition includes all teachers in charter schools. Unless amended, it will be in conflict with Chapter 118.

We hope this discussion is helpful to you. We will be happy to work with you to draft an amendment or answer any questions you may have.

Sincerely,



Sandy Drew, Director
Legislation and Planning

cc: Members of the Committee
Secretary Eric Stanchfield

Ruth E. Streck
516 East Forest Avenue
Neenah, Wisconsin 54956
103344,1461

January 27, 1998

TO: Assembly and Senate Education Committee Members
FROM: Ruth E. Streck
RE: AB631 and SB383, Expansion of Wisconsin's Charter School Program

My name is Ruth Streck. I grew up in the northwest suburbs of Chicago when Dick and Jane ruled in the world of reading and foreign languages were in vogue. Shortly after earning a BA degree in elementary education, I became married and moved to Milwaukee. After ten years, and four children, we moved to Florida. Five years later, thanks to my husband's job change, my family and I returned to Wisconsin in 1989. I am a member of the Wisconsin Charter School Association Steering Committee but am not a part of any group developing or promoting any specific charter school project. I strongly support the legislative effort that would expand the public charter school law.

Nearly fifteen years ago, a presidential commission issued a report, "A Nation at Risk." At that time there was growing concern about "a rising tide of mediocrity" threatening America's public schools. It seems today, even here in Wisconsin, that tide continues to threaten and in some areas it has seriously eroded our public schools and drowned our students. While we are relieved and rejoice that our students' 1996-97 ACT composite score was 22.3, we cannot ignore the significance of 3,400 dropouts in MPS. Great ACT-SAT scores do not absolve any of us from our responsibilities for Wisconsin schools or give us permission to become distracted. Mediocrity still threatens, Wisconsin has not escaped being a part of the Nation at Risk.

The November 1997 issue of Wisconsin Update reported results from Wisconsin Policy Research Institute's latest citizen survey. The number one issue needing most attention was our public schools. On the January 20, 1998, front page of the Milwaukee Journal-Sentinel appeared an article "Test takers brace parents for scores." Instead of reporting how we look, when compared to other students, we are going to reveal their actual proficiency in subject areas. "While Wisconsin students typically have ranked around the 70th percentile on nationally normed tests, the new scoring system is expected to show that 40-60% of student work is less than proficient." I applaud Superintendent Benson for his role in promoting and supporting this change in reporting. Governor Thompson's State of the State address brought the spotlight to MPS. The same paper's headline January 21, 1998, read "MPS given 2 years or else."

MPS is not suffering from an image problem, the consequence of an unkind media. Some of the chronic concerns such as reading, attendance and dropouts have begun to look like a metastasized cancer, defying our efforts at control. To portray MPS and our other woes like a terminal patient without a physician or hospital is unfair.

I am reminded after numerous feisty debates and the exhaustive efforts of many, we recently adopted a Wisconsin Model for Academic Standards. Additionally, a phonics bill was passed with a voice vote, signaling the depth of interest and passion swirling around reading. It is marvelous these issues have drawn sustained public attention. I'm hopeful the recent headlines and test results will not just result in yet another task force and additional committees "to study the problem." I'm hopeful also that our first response isn't damage control and our priority isn't to find a group who will deliberate and agonize seeking for new and novel, yet plausible, explanations that will pacify and comfort local school districts, teachers, parents, students, Wisconsin businesses and taxpayers while somehow managing to mask or mitigate our less than satisfactory results. Will we worry about on whom or what we can establish blame? Will we again be ^{most} concerned with our students' perceived loss of self-esteem? I hope we are willing to look beyond these moldy and mundane responses. I trust the time has come for us to honestly revisit the question of charter school development in Wisconsin.

There is a national plea for greater community involvement in our public schools encouraging businesses to form partnerships with school to work, our President's call for us to volunteer and especially support helping our children learn to read.

Governor Thompson proposed last week we provide a Golden Book to each newborn; I'm certain with the assumption someone would read to the child. Hasn't it also been suggested in numerous reports that students and schools that are faltering often claim a lack of sufficient parental and community involvement as one of their difficulties?

This legislation touches on the involvement issue by extending the current charter school focus beyond the labeled "at risk" student population. It opens possibilities statewide for school boards to contract with an individual, association or corporate entity and allows for charters resulting from the conversion of a private nonsectarian school. Additionally, the ability for a CESA Board of Control to authorize contracts with one or more school boards to operate a charter school effectively applies this legislation to less populated rural areas. These changes encourage broad based community involvement and ownership in public schools. Citizens and parents who in the past complained they were only welcomed with hollow invitations and lip service could now become vital contributors.

Our state doesn't reflect the diversity of population found in Los Angeles, New York or Miami but I surely wouldn't consider Wisconsinites homogenized or easily characterized, except for our nearly universal love of the Green Bay Packers. There has been, there is now and there will continue to be debate and disagreement regarding what should be taught and how and when. Is it phonics or whole language, OBE or Ed Hirsh, cooperative learning or direct instruction, four or seven period days,

no grades or weighted grades and on and on.

It seems to me while in the decade of promoting diversity and tolerance we might now put down our ideological pitchforks, jump beyond preconceived ideas, beyond the egalitarian issues and the notion there is one perfect ideal school for us to clone that will solve all our problems, calm all our fears. In an age when pet food manufacturers design products for every conceivable size, age and condition of animal you would think we could consider the possibility our teachers and children might also benefit from choices. A variety of school programs could speak to the differing needs and abilities of both students and teachers. I hope we might be able to accept the differences within our student and staff population. I hope we are ready to accept our differences and to agree to disagree with regard to our philosophical and ideological differences. Could it be more than one model will work well? How will we know?

In addition to having accountability written into a charter school's contract, there is another big word added to the public school performance dialogue. That word is consequences. If the terms of the contract are not met, these public charter schools close. Failing schools and programs cannot continue to eat our tax dollars and disappoint our students. A most difficult question in public education today swirls around money and funding. Who pays, how much and how are these dollars divided around the state and within local districts.

Many Wisconsin residents question how their tax dollars are currently spent in education. Public charter schools, I believe, would clearly demonstrate effective use of those dollars since all their operations are closely scrutinized. They must continually improve and produce results to justify a renewed contract.

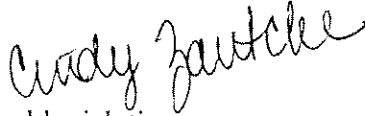
In conclusion, here in Wisconsin we are blessed to have in place the essential raw materials for successful public schools. Although not perfect we do have buildings, staff, books, technology and caring and concerned citizens that any number of other state cannot imagine. Wisconsin does not have an image problem when it comes to education. As we approach the millennium armed with these resources and a measure of success should we, must we, be concerned about all our children and the future of public education? Indeed we must not allow the wave of mediocrity to further erode our schools. We must wrestle with the uneasy questions for which there are no fast, easy or obvious answers. For some, the charter question is an unresolved issue. The charter idea is not new. It has a successful history and a long prestigious bipartisan list of advocates. Today there are over 700 charter school in 28 states. This is not an unknown risk. These questions remain. Where are our allegiances and where are our priorities? Where is the bottom line? My bottom line is obtaining a successful education for my children. No one need apologize for loving ~~their~~ ^{our} children and valuing their education as their #1 priority.

Do support the future of Wisconsin public education with this legislation!

Cindy Zautcke
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January 27, 1998

To: Senate Education Committee
From: Cindy Zautcke
Re: SB383, expanding charter school legislation



I am here today to offer my support for Senate Bill 383, which would expand the charter school law in Wisconsin. I would like to share with you why, as a teacher, I think the legislation in SB 383 helps improve an already exciting opportunity for professionals in Wisconsin.

For several years, a group of teachers I worked with kicked around the idea of creating a school to serve a specific group of kids--the idea was a rigorous math/science school for high school students who typically struggle with math and science. But we had no real way of getting the school off the ground.

Enter the Milwaukee charter school legislation. This legislation provided the vehicle for getting our school off the ground and allowed the school board to work with a group of people outside the school system who had demonstrated success working with students and their families.

The law as it currently exists in the rest of the state makes this difficult to do. In order for a school board to work with a non-profit, youth serving agency or an existing independent school, they must implement the ideas submitted by the group, but not work with the people from the group.

But it is difficult to separate the successful idea from the people who implement it. SB383 allows schools boards the flexibility they need to work with successful programs--and the people who run those programs--in establishing schools for students whom the district has not served effectively.

School districts around the state do a good job of educating a significant amount of their students. But for the students they struggle to serve, the proposed legislation offers schools boards an opportunity to work with people who have demonstrated success with these students.

January 26, 1998

To: Senate Education Committee Members
Re: Senate Bill 383 - charter school laws
From: Pat Fero, parent, teacher, charter school veteran

You have the opportunity to change the current charter school law by voting for SB 383. I am particularly interested in repealing the following laws:

1. The requirement that a charter school be an instrumentality of the school district and that the school board employ all personnel for the school.
2. That a school board give preference to contracting with charter schools that serve children at risk.

From my 3 year experience as chair of the Sun Prairie Community Learning Center Charter School Committee, I can tell you that opening a charter school is dependent on the whim of the local school board and the district administration. The school institution has its own agenda and a top priority is to perpetuate itself. Hence, charter school organizers who work outside the system find themselves embroiled in district politics, and always in a position of not having the right information at the right time.

The Sun Prairie Community Learning Center Charter School Committee operated for about two and one half years. Against the backdrop of a second failed referendum, a successful referendum, and community turmoil over the non-renewal of three district administrators, we created a proposal, had community meetings, and surveyed the community about charter schools. I did my homework by reading, attending charter school conferences, and by networking with other charter school organizers.

The proposal was a K - 8, multi age cluster, alternative program open to any student in Sun Prairie. Three members of the CLC Committee had experience working with at risk high school students, so the decision to go alternative K - 8 was a result of careful discussion. *Prevention. Intervention. Catch them long before they get to the edge of the cliff.* It made good sense to the committee, and we did not use at risk language in the proposal.

Along the way, we discovered that two day care centers in Sun Prairie offered care and schooling through 4th grade and a third day care was going to open upon completion of a new facility. *Parents who could pay already had the choice* to transition to the public school in Kindergarten or keep a child at the day care center. Our committee decided that all parents, regardless of finances should have educational alternatives for their children.

After a year and a half of work, school and community members began to take our proposal seriously. In the fall of 1996, the union president, in a public forum, spoke against the charter proposal without having seen anything but the original outline. Administrators who were supportive initially began to hedge. For these reasons, some district teachers on the committee became intimidated and gradually withdrew their support. In the Spring of 1997 when it became clear to the remaining committee members (more parents had joined) that the school board and administration would not support the proposal, the committee folded, never having presented the full document to the school board.

The Community Learning Center would have been a wonderful public school alternative for ALL the children and parents of Sun Prairie. The ideal is to say that the school institution will do the right thing, but in practice, it may be too much to expect the institution to have the flexibility to welcome a charter school initiative when the plan is not a part of their larger, long range agenda. If you support the continued development of charter schools in Wisconsin, then you must support contracting options for developers. Please vote yes to Senate Bill 383.

Sincerely,

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Pat Fero, MEPD
1408 Coral Drive
Sun Prairie, WI 53590 (608 837 9540)



Wisconsin's Charter School Law As amended October, 1997

118.40 Charter Schools. (1) NOTICE TO STATE SUPERINTENDENT. Whenever a school board intends to establish a charter school, it shall notify the state superintendent of its intention. Whenever one of the entities under sub. (2r)(b) intends to establish a charter school, it shall notify the state superintendent of its intention by February 1 of the previous school years. A notice under this subsection shall include a description of the proposed school.

(1m) PETITION. (a) A written petition requesting the school board to establish a charter school under this section may be filed with the school district clerk. The petition shall be signed by at least 10% of the teachers employed by the school district or by at least 50% of the teachers employed at one school of the school district.

(b) The petition shall include all of the following:

1. The name of the person who is seeking to establish the charter school.
2. The name of the person who will be in charge of the charter school and the manner in which administrative services will be provided.
3. A description of the educational program of the school.
4. The methods the school will use to enable pupils to attain the educational goals under s.118.01.
5. The method by which pupil progress in attaining the educational goals under 118.01 will be measured.
6. The governance structure of the school, including the method to be followed by the school to ensure parental involvement.
7. Subject to ~~sub. (7) (a) and (am)~~ and ss. 118.19 (1) and 121.02(1) (a) 2., the qualifications that must be met by the individuals to be employed in the school.
8. The procedures that the school will follow to ensure the health and safety of the pupils.
9. The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the school district population.
10. The requirements for admission to the school.
11. The manner in which annual audits of the financial and programmatic operations of the school will be performed.
12. The procedures for disciplining pupils.
13. The public school alternative for pupils who reside in the school district and do not wish to attend or are not admitted to the charter school.
14. A description of the school facilities and the types and limits of the liability insurance that the school will carry.
15. The effect of the establishment of the charter school on the liability of the school district.

(2) PUBLIC HEARING; GRANTING OF PETITION. (a) Within 30 days after receiving a petition under sub. (1m) the school board shall hold a public hearing on the petition. At the hearing, the school board shall consider the level of employe and parental support for the establishment of the charter school described in the petition. After the hearing, the school board may grant the petition.

(b) A school board may grant a petition that would result in the conversion of all of the public schools in the school district to charter schools if all of the following apply:

1. At least 50% of the teachers employed by the school district sign the petition.
2. The school board provides alternative public school attendance arrangements for pupils who do not wish to attend or are not admitted to a charter school.

(c) The school board of the school district operating under ch. 119 shall either grant or deny the petition within 30 days after the public hearing. If the school board of the

sec. 990.01 (2b) "Person" includes all partnerships, associations and bodies politic and corporate.

Amend by substituting "a person" for "an individual or group." sec. 990.01 (2b) defines "person."

school district operating under ch. 119 denies a petition, the person seeking to establish the charter school may, within 30 days after the denial, appeal the denial to the department. The department shall issue a decision within 30 days after receiving the appeal. The department's decision is final and not subject to judicial review under ch. 227.

(2m) SCHOOL BOARD INITIATIVE. (a) A school board may on its own initiative contract with an individual or group to operate a school as a charter school. The contract shall include all of the provisions specified under sub. (1m) (b) and may include other provisions agreed to by the parties.

(2r) OTHER INITIATIVES (a) In this subsection:

1. "Membership" has the meaning given in s. 121.004 (5).
2. "Shared cost per member" means the shared cost under s. 121.07 (6) (a) divided by the school district's membership.

(b) The common council of the city of Milwaukee, the chancellor of the University of Wisconsin-Milwaukee and the Milwaukee area technical college district board may establish by charter and operate a charter school or, on behalf of their respective entities, may initiate a contract with an individual or group to operate a school as a charter school. A charter shall include all of the provisions specified under sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified under sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter school on the liability of the contracting entity under this paragraph. The contract may include other provisions agreed to by the parties. The chancellor of the University of Wisconsin-Milwaukee may not establish or enter into a contract for the establishment of a charter school under this paragraph without the approval of the board of regents of the University of Wisconsin System.

(c) An entity under par. (b) may not establish or enter into a contract for the establishment of a charter school located outside of the school district operating under ch. 119. A pupil residing within the school district operating under ch. 119 may attend a charter school established under this subsection only if one of the following applies:

1. In the previous school year, the pupil was enrolled in the school district operating under ch. 119.
2. In the previous school year, the pupil was attending a private school under s. 119.23.
3. In the previous school years, the pupil was enrolled in grades kindergarten to 3 in a private school located in the city of Milwaukee other than under s. 119.23.
4. In the previous school year, the pupil was not enrolled in school.
5. In the previous school years, the pupil was enrolled in a charter school under this subsection.

(d) The chartering or contracting entity under par. (b) shall do all of the following:

1. Ensure that all instructional staff of charter schools under this subsection hold a license or permit to teach issued by the department.
2. Administer the examinations under ss. 118.30 (1m) and 121.02 (1) (r) to pupils enrolled in charter schools under this subsection.

(e) From the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the shared cost per member in the previous school year of the school district operating under ch. 119 multiplied by the number of pupils attending the charter school. The department shall pay 25% of the total amount in September, 25% in December, 25% in February and 25% in June. The department shall send the check to the operator of the charter school.

(f) The department shall annually reduce the aid paid under s. 121.08 to the board of a school district operating under ch. 119 by an amount equal to the shared cost per member in the previous school years of the school district operating under ch. 119 multiplied by the number of pupils attending charter schools under this subsection.

(g) The department shall ensure that aid paid to other school district under s. 121.08 is neither reduced nor increased as a result of the payments under par. (e) or the

Add following: ", and if one or more school boards enter into an agreement with the board of control of a CESA to establish a charter school, the charter school shall be located within the boundaries of the CESA.

reduction in aid to the board under par. (f) and that the amount of the aid reduction under par. (f) lapses to the general fund.

(3) CONTRACT. (a) If the school board grants the petition under sub. (2), the school board shall contract with the person named in the petition under sub. (1m) (b) 1. to operate the school as a charter school under this section. The contract shall include all of the provisions specified in the petition and may include other provisions agreed to by the parties.

(b) A contract under par. (a) or under subs. (2m) or (2r) may be for any term not exceeding 5 school years and may be renewed for one or more terms not exceeding 5 school years. The contract shall specify the amount to be paid to the charter school during each school year of the contract.

(c) A school board may not enter into a contract for the establishment of a charter school located outside the school district, except that if two or more school boards enter into an agreement under s. 66.30 to establish a charter school, the charter school shall be located within one of the school districts. A school board, other than the school board of the school district operating under ch. 119, may not enter into a contract that would result in the conversion of a private school to a charter school.

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(d) A school board or an entity under s. 118.40 (2) (b) shall give preference in awarding contracts for the operation of charter schools to those charter schools that serve children at risk, as defined in s. 118.153 (1) (a).

(4) CHARTER SCHOOL DUTIES AND RESTRICTIONS. (a) Duties. A charter school shall do all of the following:

1. If the charter school replaces a public school in whole or in part, give preference in admission to any pupil who resides within the attendance area or former attendance area of the public school.

2. Be nonsectarian in its programs, admissions policies, employment practices and all other operations.

(b) Restrictions. A charter school may not be any of the following:
1. Charge tuition.
2. Discriminate in admission or deny participation in any program or activity on the basis of a person's sex, race, religion, national origin, ancestry, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.

(5) CHARTER REVOCATION. A charter may be revoked by the school board or the entity under sub. (2r) (b) that contracted with the charter school if the school board or, if applicable, the entity under sub. (2r) (b) finds that any of the following occurred:

(a) The charter school violated its contract with the school board or the entity under sub (2r) (b).

(b) The pupils enrolled in the charter school failed to make sufficient progress toward attaining the educational goals under s. 118.01.

(c) The charter school failed to comply with generally accepted accounting standards of fiscal management.

(d) The charter school violated this section.

(6) PROGRAM VOLUNTARY. No pupil may be required to attend a charter school without his or her approval, if the pupil is an adult, or the approval of his or her parents or legal guardian, if the pupil is a minor.

(7) LEGAL STATUS: APPLICABILITY OF SCHOOL LAWS. (a) Except as provided in par. (am), a charter school is an instrumentality of the school district in which it is located and the school board of that school district shall employ all personnel for the charter school.

(am) 1. Except as provided in subs. 2. and 3., if a charter school is established under sub. (2m) and located in the school district operating under ch. 119, the school board of that school district shall determine whether or not the charter school is an instrumentality of the school district. If the school board determines that a charter school is an

instrumentality of the school district, the school board shall employ all personnel for the charter school. If the school board determines that a charter school is not an instrumentality of the school district, the school board may not employ any personnel for the charter school.

2. A charter school established under sub. (2r) or a private school located in the school district operating under ch. 119 that is converted to a charter school is not an instrumentality of the school district operating under ch. 119 and the school board of that school district may not employ any personnel for the charter school.

3. Notwithstanding subd. 2., if the city of Milwaukee contracts with an individual or group operating for profit to operate a school as a charter school, the charter school is an instrumentality of the school district operating under ch. 119 and the board of the school district operating under ch. 119 shall employ all personnel for the charter school.

(ar) Nothing in this subsection affects the rights of personnel of a charter school that is an instrumentality of the school district in which it is located to engage in collective bargaining pursuant to subch. IV of ch. 111.

(b) Except as otherwise explicitly provided, chs. 115 to 121 do not apply to charter schools.

(8) AUDIT. The joint legislative audit committee may direct the legislative audit bureau to perform a financial and performance evaluation audit of the charter school program under this section. The legislative audit bureau shall file its report as provided under s. 13.94 (1) (b) by January 1, 2000.

Section 116.032 (1), relating to CESA powers, amended to include provision that a CESA board of control may contract with one or more school boards to operate a charter school.

Section 10. Initial Applicability. (1) The treatment of section 118.40 (7) (a) of the statutes first applies to the legal status of charter schools that are established on the effective date of this subsection.