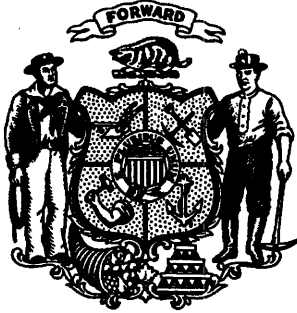


# State of Wisconsin



2003 Senate Bill 253

Date of enactment:  
Date of publication\*:

## 2003 WISCONSIN ACT

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

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

SECTION 1. 118.40 (2r) (a) of the statutes is amended to read:

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

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

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

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

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

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

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

118.40 (2r) (b) 2. 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 or of the University of Wisconsin—Parkside a university 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.

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

118.40 (2r) (br) The chancellor of a university, other than those specified in par. (b) 1. b. and c., may request the state superintendent for approval to establish or contract for the establishment of up to 5 charter schools. The state superintendent shall approve the first 5 requests received and shall maintain a waiting list of universities whose requests are received after the first 5.

2. By March 1, 2005, or by a date specified by the state superintendent for universities selected from the waiting list, the chancellor of each approved university shall submit a charter school plan to the state superintendent. The plan shall describe the university's plan for soliciting charter school proposals and for monitoring charter schools that are established. The plan shall also describe how the university intends to collaborate with school boards and state and local organizations to establish charter schools that encourage the development and implementation of innovative teaching methods and the improvement of the educational system. The state super-

\* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

intendent shall post the plans on the department's Internet site.

3. If an approved university fails to submit a plan by the date specified under subd. 2., the university may not establish or contract for the establishment of a charter school. Instead, the state superintendent shall notify all of the remaining universities that the first to submit a plan, as described under subd. 2., will be eligible to estab-

lish or contract for the establishment of up to 5 charter schools.

**SECTION 6. Nonstatutory provisions.**

(1) No charter school established by a university, other than the University of Wisconsin-Milwaukee or the University of Wisconsin-Parkside, may begin operating before July 1, 2005.

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**SENATE BILL 253 (LRB -3122)**

An Act to repeal 118.40 (2r) (b) 1. b. and c.; to amend 118.40 (2r) (b) 2.; and to create 118.40 (2r) (b) 1. e. and f. of the statutes; relating to: independent charter schools established by University of Wisconsin institutions and college campuses. (FE)

**2003**

09-17.	S.	Introduced by Senators <b>Darling, Stepp, Reynolds, Kanavas</b> and <b>Lazich</b> ; cosponsored by Representatives <b>Jensen, Ziegelbauer, Vrakas, Nass, Ladwig, McCormick, Towns, Stone, Gielow, Van Roy</b> and <b>Weber</b> .	
09-17.	S.	Read first time and referred to committee on Higher Education and Tourism .....	366
10-06.	S.	Fiscal estimate received.	
10-23.	S.	Withdrawn from committee on Higher Education and Tourism and referred to committee on Education, Ethics and Elections .....	445
12-16.	S.	Fiscal estimate received.	
12-17.	S.	Public hearing held.	

**2004**

01-20.	S.	Executive action taken.	
01-20.	S.	Report passage recommended by committee on Education, Ethics and Elections, Ayes 5, Noes 2 .....	556
01-20.	S.	Available for scheduling.	
02-02.	S.	Placed on calendar 2-3-2004 by committee on Senate Organization.	
02-03.	S.	Referred to joint committee on Finance .....	588
02-03.	S.	Senate amendment 1 offered by Senator Decker ( <b>LRB a2075</b> ) .....	592
02-17.	S.	Executive action taken.	
02-19.	S.	Report introduction and adoption of Senate Substitute Amendment 1 recommended by joint committee on Finance, Ayes 14, Noes 1 ( <b>LRB s0305</b> ) .....	619
02-19.	S.	Report passage as amended recommended by joint committee on Finance, Ayes 11, Noes 4 .....	619
02-19.	S.	Available for scheduling.	
02-24.	S.	Placed on calendar 2-26-2004 by committee on Senate Organization.	
02-26.	S.	Read a second time .....	639
02-26.	S.	Senate substitute amendment 1 <b>adopted</b> .....	639
02-26.	S.	Placed at the foot of the 11th order of business on the calendar of 2-26-2004 .....	639
02-26.	S.	Senate amendment 1 to Senate substitute amendment 1 offered by Senator Decker ( <b>LRB a2414</b> ) .....	641
02-26.	S.	Point of order that Senate amendment 1 to Senate substitute amendment 1 not germane well taken .....	641
02-26.	S.	Decision of the Chair stands as the judgement of the Senate, Ayes 16, Noes 15 .....	641
02-26.	S.	Ordered to a third reading .....	641
02-26.	S.	Rules suspended .....	641
02-26.	S.	Read a third time and <b>passed</b> , Ayes 19, Noes 14 .....	641
02-26.	S.	Ordered immediately messaged .....	643
02-27.	A.	Received from Senate .....	755
02-27.	A.	Read first time and referred to committee on Education Reform .....	756
03-02.	A.	Public hearing held.	
03-02.	A.	Executive action taken.	
03-04.	A.	Report concurrence recommended by committee on Education Reform, Ayes 8, Noes 4 .....	784
03-04.	A.	Referred to committee on Rules .....	784
03-10.	A.	Made a special order of business at 9:04 A.M. on 3-11-2004 pursuant to Assembly Resolution 39 .....	860
03-11.	A.	Read a second time.	
03-11.	A.	Ordered to a third reading.	
03-11.	A.	Rules suspended.	
03-11.	A.	Read a third time and <b>concurred in</b> , Ayes 59, Noes 40.	
03-11.	A.	Ordered immediately messaged.	
03-11.	S.	Received from Assembly concurred in.	

**2003  
ENROLLED BILL**

03en S B-253

**ADOPTED DOCUMENTS:**

Orig     Engr

S SubAmdt 1

03s 03051

Amendments to above (if none, write "NONE"):

None

Corrections - show date (if none, write "NONE"):

None

Topic

relatey

3/12/04

Date

[Signature]

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**SENATE SUBSTITUTE AMENDMENT 1,  
TO 2003 SENATE BILL 253**

February 19, 2004 - Offered by JOINT COMMITTEE ON FINANCE.

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

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8 department under s. 121.02 (1) (a) 2.

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10 118.40 (2r) (a) 2. “University” has the meaning given in s. 36.05 (13).

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

12 118.40 (2r) (b) 1. e. The chancellor of a university, as provided in par. (br).

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

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

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13 (b) 1. b. and c., may request the state superintendent for approval to establish or  
14 contract for the establishment of up to 5 charter schools. The state superintendent  
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17           2. By March 1, 2005, or by a date specified by the state superintendent for  
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21 monitoring charter schools that are established. The plan shall also describe how the  
22 university intends to collaborate with school boards and state and local  
23 organizations to establish charter schools that encourage the development and  
24 implementation of innovative teaching methods and the improvement of the

1 educational system. The state superintendent shall post the plans on the  
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3 3. If an approved university fails to submit a plan by the date specified under  
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5 charter school. Instead, the state superintendent shall notify all of the remaining  
6 universities that the first to submit a plan, as described under subd. 2., will be  
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11 operating before July 1, 2005.

12

(END)