

2007 DRAFTING REQUEST

Bill

Received: **02/20/2008**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Brett Davis q**

By/Representing: **Luke Bacher**

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - charter schools**

Extra Copies: **TKK**

Submit via email: **YES**

Requester's email: **Rep.Davis@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Virtual charter schools

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 02/20/2008	bkraft 02/21/2008		_____			
/1	pgrant 02/22/2008	bkraft 02/22/2008	pgreensl 02/21/2008	_____	lparisi 02/21/2008	cduerst 02/21/2008	
/2			jfrantze 02/22/2008	_____	cduerst 02/22/2008	cduerst 02/22/2008	

FE Sent For:

No

<END>

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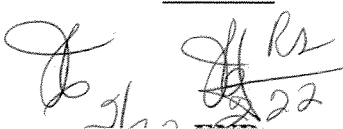
Virtual charter schools

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1/2 bjk 2/22

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1?	pgrant	1 bjk 2/21					

FE Sent For:

<END>

Grant, Peter

From: Bacher, Luke
Sent: Wednesday, February 20, 2008 10:24 AM
To: Grant, Peter
Cc: Kiel, Joyce; Davis, Brett
Subject: Urgent Drafting Request

Peter -

I will call to follow-up, but can you start drafting a new bill with the following:

✓ Start with the compromise language (LRB 4073/1, I believe).

Please add the following:

- ✓ Audit language from the Governor's amendment that was offered in the Senate yesterday.
- ✓ No cap language.
- ✓ Add the truancy language that Rep. Nass wanted (Joyce did a memo on this for Nass, I believe). It had to do with allowing parents 10 days that they can pull their kids out of school for whatever reason.
- ✓ Prohibit DPI from using GPR for their web academy.

Our goal is to have a public hearing on Monday, so as fast as you can move on this, the better.

Thank you!

Luke Bacher
Research Assistant
State Representative Brett Davis
Phone: (608)-266-1192
Toll Free: 888-534-0080
Fax: 608-282-3680
luke.bacher@legis.wi.gov
<http://www.brettdavis.us>

Grant, Peter

From: Kiel, Joyce
Sent: Wednesday, February 20, 2008 11:06 AM
To: Grant, Peter
Subject: Virtual Charter School Bill Draft--Nonresponsiveness component

Peter:

To deal with Rep. Nass' concern about providing something comparable to s. 118.15 (3) (c), Stats., (10 day parent excused absence provision) for pupils at a virtual charter school--here is a draft of some possible language:

A. Change proposed s. 118.40 (8) (g) 2. to read: "Subject to subd. 2m., the third time in the same semester"

B. Create s. 118.40 (8) (g) 2m. to read something like: "If a pupil's parent or guardian notifies the virtual charter school in writing before a school assignment or directive is made that the pupil will not be available to respond to a school assignment or directive during a specified period of time, the school days during that specified period of time are not counted for purposes of subd. 2. The virtual charter school shall require the pupil to complete any assignment missed during this period. This subdivision applies to no more than 10 school days in a school year."

Peter--I tried to roughly follow the pattern in s. 118.15 (3) (c), but feel free to do otherwise or reorganize.

I have a call in to Rep. Nass' office to run this by them, so you can start thinking about this and editing. But, don't go final until I let you know they agree with this concept.

I'll let you know as soon as I hear from them.

Joyce L. Kiel, Senior Staff Attorney
Wisconsin Legislative Council Staff
Suite 401, One East Main Street
Madison, WI 53703
608-266-3137
608-266-3830 (fax)
joyce.kiel@legis.wisconsin.gov

TC from Luke:

bill must have no fiscal implications
and not have to go to JFC.

Grant, Peter

From: Kiel, Joyce
Sent: Wednesday, February 20, 2008 1:45 PM
To: Bacher, Luke; Mikalsen, Mike
Cc: Grant, Peter
Subject: RE: Virtual Charter School--10 Day Parent Excused

Hi Mike and Luke:

There was only one option given in the proposed language. The substantive language is in Item B; the language in Item A is just the cross-reference needed to that language.

I take it from your email and Mike's phone message that this approach is acceptable. I am sending a copy of this email to Peter Grant as clearance to put that into the draft. (Peter may have some editing changes.)

Let me know if you have any questions or if this is not what you intend.

Joyce L. Kiel, Senior Staff Attorney
Wisconsin Legislative Council Staff
Suite 401, One East Main Street
Madison, WI 53703
608-266-3137
608-266-3830 (fax)
joyce.kiel@legis.wisconsin.gov

From: Bacher, Luke
Sent: Wednesday, February 20, 2008 1:12 PM
To: Mikalsen, Mike; Kiel, Joyce
Subject: RE: Virtual Charter School--10 Day Parent Excused

Joyce - Please have Peter draft option B

From: Mikalsen, Mike
Sent: Wednesday, February 20, 2008 12:47 PM
To: Kiel, Joyce
Cc: Bacher, Luke
Subject: RE: Virtual Charter School--10 Day Parent Excused

Option B would be Rep. Nass' choice.

From: Kiel, Joyce
Sent: Wednesday, February 20, 2008 11:24 AM
To: Mikalsen, Mike
Subject: Virtual Charter School--10 Day Parent Excused

Mike:

To deal with Rep. Nass' concern about providing something comparable to s. 118.15 (3) (c), Stats., (10 day parent excused absence provision) for pupils at a virtual charter school--here is a draft of some possible language that would have the language in proposed s. 118.40 (8) (g) in Assembly Substitute Amendment 1 to AB697 with the following changes:

A. Change proposed s. 118.40 (8) (g) 2. (in the substitute amendment) to read: "Subject to subd. 2m., the third time in the same semester that a pupil attending a virtual charter school fails to respond appropriately to a school assignment or directive from instructional staff within 5 school days,"

B. Create s. 118.40 (8) (g) 2m. to read something like: "If a pupil's parent or guardian notifies the virtual charter school in writing before a school assignment or directive is made that the pupil will not be available to respond to a school assignment or directive during a specified period of time, the school days during that specified period of time are not counted for purposes of subd. 2. The virtual charter school shall require the pupil to complete any assignment missed during this period. This subdivision applies to no more than 10 school days in a school year."

Mike: I did not think it was necessary to change proposed s. 118.40 (8) (g) 1. since the only consequence of failing to respond within five days is notice to a parent--and the parent would know about the failure anyway since the parent would be involved in notifying the school about unavailability.

It is proposed s. 118.40 (8) (g) 2. that provides the real consequences--potentially being transferred out of the virtual charter school if the five school days of no appropriate happens three times in a semester. So, the proposed language says that days the parent has preexcused the pupil don't count for that purpose--if the parent notified the school before the assignment and the pupil makes up the work--but this only works for 10 school days per school year. I patterned this off of s. 118.15 (3) (c).

I need to get something to Peter Grant ASAP. Could you please look this over and give me your thoughts on whether this accomplish what Rep. Nass wants.

Thanks.

Joyce L. Kiel, Senior Staff Attorney
Wisconsin Legislative Council Staff
Suite 401, One East Main Street
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608-266-3830 (fax)
joyce.kiel@legis.wisconsin.gov

Grant, Peter

From: Bacher, Luke
Sent: Wednesday, February 20, 2008 1:27 PM
To: Grant, Peter
Subject: RE: Urgent Drafting Request

Yes, Peter, make this change.

From: Grant, Peter
Sent: Wednesday, February 20, 2008 1:15 PM
To: Bacher, Luke
Subject: RE: Urgent Drafting Request

Luke, I have an issue I'd like to address in the draft, dealing with instructional staff licenses and permits. See 118.40 (8) (b) on page 5, lines 13 to 18 of LRB-4073. The statutes really shouldn't refer to sections of the administrative code like this. First, the administrative code is "subservient" to the statutes, so it's not really appropriate in the statutes to "notwithstanding" the code. Second, DPI could simply renumber the notwithstanding sections and continue doing what they're doing now. Third, if DPI repeals the administrative code sections that we cross-reference, we have blind cross references in the statutes. So what I'd like to substitute for the second and third sentences of (8) (b) is this, which I think would not substantively change the meaning:

The department may not promulgate rules authorizing the holder of a charter school instructional staff license issued by the department to work in an assignment other than that authorized by his or her regular teaching license or permit. No person may teach in a virtual charter school if the person holds only a charter school instructional staff permit issued by the department.

Is it OK if I go ahead and do that?

Peter

From: Bacher, Luke
Sent: Wednesday, February 20, 2008 12:42 PM
To: Grant, Peter; Kiel, Joyce
Subject: FW: Urgent Drafting Request

In addition, it is extremely important this bill has no fiscal implications and does not have to go to JFC.

From: Bacher, Luke
Sent: Wednesday, February 20, 2008 10:24 AM
To: Grant, Peter
Cc: Kiel, Joyce; Davis, Brett
Subject: Urgent Drafting Request

Peter -

I will call to follow-up, but can you start drafting a new bill with the following:

Start with the compromise language (LRB 4073/1, I believe).

Please add the following:

Audit language from the Governor's amendment that was offered in the Senate yesterday.

No cap language.

Add the truancy language that Rep. Nass wanted (Joyce did a memo on this for Nass, I believe). It had to do with allowing parents 10 days that they can pull their kids out of school for whatever reason.

Prohibit DPI from using GPR for their web academy.

Our goal is to have a public hearing on Monday, so as fast as you can move on this, the better.

Thank you!

Luke Bacher
Research Assistant
State Representative Brett Davis
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Toll Free: 888-534-0080
Fax: 608-282-3680
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<http://www.brettdavis.us>

Grant, Peter

From: Grant, Peter
Sent: Wednesday, February 20, 2008 2:34 PM
To: Bacher, Luke
Subject: RE: Urgent Drafting Request

I'm sorry, Luke. After further conversations with Joyce, I find that the language keeps changing. Here's what I have now:

A charter school instructional staff license or permit issued by the department may not be used by an employee of a virtual charter school.

I think this is one of those instances where any language you come up with has certain deficiencies. The problem is that there is no way to refer to a "regular teaching license" (because in the statutes, there's no such thing), DPI's terms for its licenses also don't exist in the statutes, and (in my opinion) DPI has gone beyond its authority in allowing a charter school instructional staff license to expand the subjects and levels at which a regular license holder may teach. I *think* the above language accomplishes the objective and it has the virtue of being short as well.

From: Bacher, Luke
Sent: Wednesday, February 20, 2008 2:04 PM
To: Grant, Peter
Subject: RE: Urgent Drafting Request

OK!

From: Grant, Peter
Sent: Wednesday, February 20, 2008 1:55 PM
To: Bacher, Luke
Subject: RE: Urgent Drafting Request

Luke, Joyce had some legitimate concerns about my language, but together we came up with a substitute. It reads, "No license or permit issued by the department to teach exclusively in a charter school authorizes the holder to teach in a virtual charter school."

OK?

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Sent: Wednesday, February 20, 2008 1:27 PM
To: Grant, Peter
Subject: RE: Urgent Drafting Request

Yes, Peter, make this change.

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To: Bacher, Luke
Subject: RE: Urgent Drafting Request

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Is it OK if I go ahead and do that?

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Sent: Wednesday, February 20, 2008 12:42 PM
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Subject: FW: Urgent Drafting Request

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Sent: Wednesday, February 20, 2008 10:24 AM
To: Grant, Peter
Cc: Kiel, Joyce; Davis, Brett
Subject: Urgent Drafting Request

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2002 Open Enrollment audit

- Senate Amendment 1 to Senate Sub 1 to SB 396, page 2, line 21 through page 3 line 23, with the following additions and changes:

✓page 3, line 11, add, "compared to bricks and mortar schools, and the amount of one-on-one pupil-teacher interaction in both kinds of schools."

Add the following to the study:

✓ -Satisfaction of pupils and parents with the program

✓ -Extent to which the program has resulted in the creation of new or innovative programs by schools districts.

✓ -Cost comparison with bricks and mortar schools

✓ -Services to students with special needs

Grant, Peter

From: Grant, Peter
Sent: Wednesday, February 20, 2008 4:53 PM
To: Bacher, Luke
Subject: RE:

Luke, I swear this is the last version of the licensure language. I wouldn't even have looked at it again, but you wanted some additions to the audit portion, so I thought I'd read it over. I think the language below would be better (and Joyce is OK with it), and I'm going with it unless I hear from you otherwise. Again, sorry for bothering you with this.

No person holding only a permit to teach exclusively in a charter school may teach in a virtual charter school, and no person holding both a license to teach exclusively in a charter school and a license to teach in other public schools may teach, in a virtual charter school, a subject or at a level that is not authorized by the latter license.

If you get this draft Thursday afternoon, is that OK?

Peter

From: Bacher, Luke
Sent: Wednesday, February 20, 2008 3:17 PM
To: Grant, Peter
Subject:

Peter -

Please make the following changes to the audit portion of the bill:

<< File: audit.pdf >>

Luke Bacher
Research Assistant
State Representative Brett Davis
Phone: (608)-266-1192
Toll Free: 888-534-0080
Fax: 608-282-3680
luke.bacher@legis.wi.gov
<http://www.brettdavis.us>

THURSDAY
NOON

LRB - 4137 A
PG: bk:

2007 BILL

Inserts

SAV

1 AN ACT *to renumber* 120.21 (1); *to renumber and amend* 118.40 (3) (c) and
 2 120.21 (2); *to amend* 118.15 (1) (a), 118.19 (1), 118.40 (4) (b) 1., 118.51 (2),
 3 119.04 (1) and 121.02 (1) (a) 2.; and *to create* 115.001 (16), 115.28 (53), 118.15
 4 (1) (g), 118.19 (13), 118.40 (2r) (b) 4., 118.40 (8), 118.51 (18), 120.21 (3) and
 5 121.83 (4) of the statutes; **relating to:** virtual charter schools.

regen.

Analysis by the Legislative Reference Bureau

Under current law, any person who teaches in a public school, including a charter school, must hold a teaching license or permit issued by the Department of Public Instruction (DPI). This bill specifies that if a pupil attends a virtual charter school, a person who provides educational services to the pupil in the pupil's home, other than instructional staff of the virtual charter school, is not required to hold a teaching license or permit. The bill defines a virtual charter school as a charter school in which all or a portion of the instruction is provided through means of the Internet and the pupils and teachers are geographically remote from each other.

Current law provides that a charter school established by a school board must be located in the school district. This bill provides that this restriction does not apply to virtual charter schools. The bill allows virtual charter schools only if they are established under contract with a school board.

The bill requires a virtual charter school governing board to assign an appropriately licensed teacher for each online course offered by the virtual charter school. The bill provides that no person may teach in a virtual charter school if he

11/14/07

BILL

or she holds only a charter school instructional staff permit, and specifies that a charter school instructional staff license provides no additional authority to the license holder in a virtual charter school. Under current law, a charter school instructional staff license authorizes the holder to teach in a charter school at any level and in any subject.

Current administrative rules authorize the holder of

The bill requires a virtual charter school to provide educational services to its pupils for at least 150 days each school year; to ensure that its teachers are available to provide direct pupil instruction for at least the number of hours specified under current law for public school pupils; and to ensure that its teachers respond to inquiries from pupils and parents or guardians by the end of the first school day following the day on which the inquiry is received.

The bill requires a virtual charter school to establish a parent advisory council and to provide certain specified information to parents or guardians at the beginning of each school term.

The bill provides that the compulsory school attendance requirement does not apply to pupils enrolled in a virtual charter school. Under the bill, if a pupil attending a virtual charter school fails to respond appropriately to a school assignment or directive from instructional staff within five school days, the virtual charter school must notify the pupil's parent or guardian. If the pupil fails to so respond three times in one semester, the school board that contracted for the establishment of the virtual charter school may transfer the pupil to his or her resident school district. If the pupil is a resident of the contracting school district, the school board may assign the pupil to another school or program within that school district. A pupil's parent or guardian may appeal a transfer (but not assignment within the same school district) to DPI.

ah

The bill directs DPI to make online courses available for a reasonable fee, through a statewide web academy, to public, private, and charter schools located in this state and to cooperative educational service agencies. Any contract entered into by a school board that relates to providing online courses is open to public inspection and copying.

The bill provides that beginning July 1, 2010, no person may teach an online course in a public or charter school unless he or she completes at least 30 hours of professional development designed to prepare a teacher for online teaching.

The bill provides that if a pupil who is not a resident of this state attends a virtual charter school in this state, the school board must charge the pupil tuition in an amount equal to at least the amount used for the per pupil state aid adjustment under the Open Enrollment Program.

Finally, the bill clarifies that a pupil may attend a charter school in a nonresident school district through the Open Enrollment Program.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

The bill prohibits the department from using general purpose revenue for this purpose.

BILL

✓
1 **SECTION 1.** 115.001 (16) of the statutes is created to read:

2 115.001 (16) VIRTUAL CHARTER SCHOOL. "Virtual charter school" means a charter
3 school under contract with a school board under s. 118.40 in which all or a portion
4 of the instruction is provided through means of the Internet, and the pupils enrolled
5 in and instructional staff employed by the school are geographically remote from
6 each other.

✓
7 **SECTION 2.** 115.28 (53) of the statutes is created to read:

8 115.28 (53) ONLINE COURSES. Make online courses available for a reasonable
9 fee, through a statewide web academy, to school districts, cooperative educational
10 service agencies, and charter schools and private schools located in this state. ✓

✓
11 **SECTION 3.** 118.15 (1) (a) of the statutes is amended to read:

12 118.15 (1) (a) Except as provided under pars. (b) to (d) and (g) and sub. (4),
13 unless the child is excused under sub. (3) or has graduated from high school, any
14 person having under control a child who is between the ages of 6 and 18 years shall
15 cause the child to attend school regularly during the full period and hours, religious
16 holidays excepted, that the public or private school in which the child should be
17 enrolled is in session until the end of the school term, quarter or semester of the
18 school year in which the child becomes 18 years of age.

✓
19 **SECTION 4.** 118.15 (1) (g) of the statutes is created to read:

20 118.15 (1) (g) Paragraph (a) does not apply to a person having under control
21 a child who is enrolled in a virtual charter school.

✓
22 **SECTION 5.** 118.19 (1) of the statutes is amended to read:

23 118.19 (1) Any Except as provided in s. 118.40 (8) (b) 2., any person seeking to
24 teach in a public school, including a charter school, or in a school or institution

3-10

BILL**SECTION 5**

1 operated by a county or the state shall first procure a license or permit from the
2 department.

3 **SECTION 6.** 118.19 (13) of the statutes is created to read:

4 118.19 (13) Beginning July 1, 2010, no person may teach an online course in
5 a public school, including a charter school, unless he or she has completed at least
6 30 hours of professional development designed to prepare a teacher for online
7 teaching.

8 **SECTION 7.** 118.40 (2r) (b) 4. of the statutes is created to read:

9 118.40 (2r) (b) 4. No chartering or contracting entity under subd. 1. may
10 establish or enter into a contract for the establishment of a virtual charter school.

11 **SECTION 8.** 118.40 (3) (c) of the statutes is renumbered 118.40 (3) (c) 1. and
12 amended to read:

13 118.40 (3) (c) 1. A school board may not enter into a contract for the
14 establishment of a charter school located outside the school district, except that if 2
15 or more school boards enter into an agreement under s. 66.0301 to establish a charter
16 school, the charter school shall be located within one of the school districts, and if one
17 or more school boards enter into an agreement with the board of control of a
18 cooperative educational service agency to establish a charter school, the charter
19 school shall be located within the boundaries of the cooperative educational service
20 agency. This subdivision does not apply to the establishment of a virtual charter
21 school.

22 2. A school board may not enter into a contract that would result in the
23 conversion of a private, sectarian school to a charter school.

24 **SECTION 9.** 118.40 (4) (b) 1. of the statutes is amended to read:

25 118.40 (4) (b) 1. Charge tuition, except as otherwise provided in s. 121.83 (4).

BILL

SECTION 10. 118.40 (8) of the statutes is created to read:

118.40 (8) VIRTUAL CHARTER SCHOOLS. (a) *Location*. For the purposes of sub. (7) (a), (am), and (ar), a virtual charter school is considered to be located in the following school district:

1. If a school board contracts with a person to establish the virtual charter school, in the school district governed by that school board.

2. If 2 or more school boards enter into an agreement under s. 66.0301 to establish the virtual charter school, or if one or more school boards enter into an agreement with the board of control of a cooperative educational service agency to establish the virtual charter school, in the school district specified in the agreement.

(b) *Licensure*. 1. The governing body of a virtual charter school shall assign an appropriately licensed teacher for each online course offered by the virtual charter school. ~~Notwithstanding ss. PI 8.01 (2) (a) 2. and 34.34 (1) (a), Wis. Adm.~~

~~Code, a charter school instructional staff license provides no additional authority to the license holder in a virtual charter school. Notwithstanding ss. PI 8.01 (2) (a) 2. and 34.34 (2), Wis. Adm. Code, no person may teach in a virtual charter school if the person holds only a charter school instructional staff permit issued under s. PI 34.34 (2), Wis. Adm. Code.~~ 5-18 ✓

2. If a pupil attends a virtual charter school, any person providing educational services to the pupil in the pupil's home, other than instructional staff of the virtual charter school, is not required to hold a license or permit to teach issued by the department.

(c) *Staff duties*. In a virtual charter school, an instructional staff member is responsible for all of the following for each pupil the instructional staff member teaches:

BILL

- 1 1. Improving learning by planned instruction.
- 2 2. Diagnosing learning needs.
- 3 3. Prescribing content delivery through class activities.
- 4 4. Assessing learning.
- 5 5. Reporting outcomes to administrators and parents and guardians.
- 6 6. Evaluating the effects of instruction.

7 (d) *Required days and hours.* A virtual charter school shall do all of the
8 following:

- 9 1. Provide educational services to its pupils for at least 150 days each school
10 year.
- 11 2. Ensure that its teachers are available to provide direct pupil instruction for
12 at least the applicable number of hours specified in s. 121.02 (1) (f) 2. each school year.
13 No more than 10 hours in any 24-hour period may count toward the requirement
14 under this subdivision.
- 15 3. Ensure that its teachers respond to inquiries from pupils and from parents
16 or guardians of pupils by the end of the first school day following the day on which
17 the inquiry is received.

18 (e) *Parent advisory council.* The governing body of a virtual charter school shall
19 ensure that a parent advisory council is established for the school and that it meets
20 on a regular basis. The governing body shall determine the selection process for
21 members of the parent advisory council.

22 (f) *Required notices.* At the beginning of each school term, the governing body
23 of a virtual charter school shall inform the parent or guardian of each pupil attending
24 the virtual charter school, in writing, the name of, and how to contact, each of the
25 following persons:

BILL

1 1. The members of the school board that contracted for the establishment of the
2 virtual charter school and the administrators of that school district.

3 2. The members of the virtual charter school's governing body, if different than
4 the persons under subd. 1.

5 3. The members of the virtual charter school's parent advisory council
6 established under par. (e).

7 4. The staff of the virtual charter school.

8 (g) *Pupil's failure to participate.* 1. Whenever a pupil attending a virtual
9 charter school fails to respond appropriately to a school assignment or directive from
10 instructional staff within 5 school days, the governing body of the virtual charter
11 school shall notify the pupil's parent or guardian.

12 2. The third time in the same semester that a pupil attending a virtual charter
13 school fails to respond appropriately to a school assignment or directive from
14 instructional staff within 5 school days, the governing body of the virtual charter
15 school shall ^{also} notify ~~the pupil's parent or guardian,~~ the school board that contracted
16 for the establishment of the virtual charter school, the school board of the pupil's
17 resident school district, and the department. The school board that contracted for
18 the establishment of the virtual charter school may transfer the pupil to his or her
19 resident school district. If the pupil is a resident of the school district that contracted
20 for the establishment of the virtual charter school, the school board may assign the
21 pupil to another school or program within that school district. If the school board
22 transfers or assigns a pupil, it shall notify the pupil's parent or guardian and the
23 department.

24 3. The parent or guardian of a pupil transferred to the pupil's resident school
25 district under subd. 2. may appeal the transfer to the department within 30 days

Subject to subd 2 mon

✓
7-23 →

BILL**SECTION 10**

1 after receipt of the notice of transfer. The department shall affirm the school board's
2 decision unless the department finds that the decision was arbitrary or
3 unreasonable.

4 **SECTION 11.** 118.51 (2) of the statutes is amended to read:

5 118.51 (2) APPLICABILITY. A pupil may attend a public school, including a
6 charter school, prekindergarten, 4-year-old kindergarten, or early childhood or
7 school-operated day care program, in a nonresident school district under this
8 section, except that a pupil may attend a prekindergarten, 4-year-old kindergarten,
9 or early childhood or school-operated day care program in a nonresident school
10 district only if the pupil's resident school district offers the same type of program that
11 the pupil wishes to attend and the pupil is eligible to attend that program in his or
12 her resident school district.

13 **SECTION 12.** 118.51 (18) of the statutes is created to read:

14 118.51 (18) LOCATION OF VIRTUAL CHARTER SCHOOLS. For purposes of this section,
15 a virtual charter school is located in the school district specified in s. 118.40 (8) (a).

16 **SECTION 13.** 119.04 (1) of the statutes, as affected by 2007 Wisconsin Act 20,
17 is amended to read:

18 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
19 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
20 115.345, 115.361, 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045, 118.06,
21 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16,
22 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8),
23 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12
24 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34),

BILL

1 (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class
2 city school district and board.

3 **SECTION 14.** [✓] 120.21 (1) of the statutes is renumbered 120.21 (1) (a).

4 **SECTION 15.** [✓] 120.21 (2) of the statutes is renumbered 120.21 (1) (b) and
5 amended to read:

6 120.21 (1) (b) The cost of such contracts under this subsection shall be paid out
7 of the school district general fund.

8 **SECTION 16.** [✓] 120.21 (3) of the statutes is created to read:

9 120.21 (3) Any contract entered into by a school board that relates to providing
10 online courses is open to public inspection and copying.

11 **SECTION 17.** [✓] 121.02 (1) (a) 2. of the statutes is amended to read:

12 121.02 (1) (a) 2. ~~Ensure~~ Subject to s. 118.40 (8) (b) 2., ensure that all
13 instructional staff of charter schools located in the school district hold a license or
14 permit to teach issued by the department. For purposes of this subdivision, a virtual
15 charter school is located in the school district specified in s. 118.40 (8) (a). The state
16 superintendent shall promulgate rules defining "instructional staff" for purposes of
17 this subdivision.

18 **SECTION 18.** [✓] 121.83 (4) of the statutes is created to read:

19 121.83 (4) Notwithstanding subs. (1) and (2), if a pupil who is not a resident
20 of this state attends a virtual charter school in this state, the school board that
21 contracted for the establishment of the virtual charter school shall charge tuition for
22 the pupil in an amount equal to at least the amount determined under s. 118.51 (16)
23 (a) 3.

✓
9-23 →

24 **SECTION 19. Effective dates.** This act takes effect on the day after publication,
25 except as follows:

BILL

1 (1) The treatment of sections 118.40 (4) (b) 1. and (8) (d) and 121.83 (4) of the
2 statutes takes effect on July 1, 2008.

3 (2) The treatment of section 118.40 (8) (b) 1. of the statutes takes effect on July
4 1, 2009.

5 (END)

2A

(nw 9) The bill provides ^{that if a pupil's} parent or guardian ~~is~~

notifies the virtual charter school before an assignment or directive is given that the

pupil will not be available to respond ^{to it} within a specified period, the school days within that

period do not count toward the five-day response requirement.

However, no more than

ten school days in a school year may be

excused in this fashion.

end insert 2A

3-10

amounts appropriated from

NOTE The department may not use general purpose revenues as defined in \S 20001(2)(a) for this purpose.

end insert 3-10

5-18

^{not} No ^{person} person holding only a ~~transfer~~ permit to teach exclusively in a charter school may teach in a virtual charter school, and no person holding both a license to teach exclusively in a charter school and a license to teach in other public schools ^{may} teach in a virtual charter school ^{at} a subject or ^{at} a level that is not ^{authorized} authorized by the latter ^{latter} license.

end of insert 5-18

7-23 ✓

¶ 2m) If the parent or guardian of a pupil attending a virtual charter school ^{notifies} notifies the virtual charter school in writing before a ^{school} school assignment or directive is given that the pupil will not be available to respond to the assignment or directive during a specified period, the school days during that period do not count for purposes of subd. 2. The virtual charter school shall require the pupil to complete any assignment missed during the ^{period} period. This subdivision applies to no more than 10 school days in a school year.

end of insert 7-23

9-23A

¶ 20 Compare the ^{cost} of ^{educating} pupils in virtual charter schools to the cost of educating pupils in other public schools.

9-23B

¶ 21 Determine the level of satisfaction that pupils attending virtual charter schools and their parents or guardians enjoy with their schools.

¶ 22 Determine the extent to which virtual charter schools have ^{created innovative} ~~created innovative~~ educational programs.

¶ 23 Determine the extent to which virtual ~~charter schools~~ ^{provide} special education and related ^{services} ~~are provided~~ to children with disabilities who attend virtual charter schools.

end of insert 9-23

end of inserts

9-23:1

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

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

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

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

- a. In the 2011-12 school year, 25 percent.
- b. In the 2012-13 school year, 50 percent.
- c. In the 2013-14 school year, 75 percent.
- d. In the 2014-15 school year, 100 percent.”.

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

SECTION 18m. Nonstatutory provisions.

(1) AUDIT.

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

auto-number, not fr.



- 3 -
9-23:2

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

9-23A

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

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

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

and one-on-one pupil-teacher interaction

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

has compared to other public schools

a. The pupils did not attend school.

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

c. The pupils attended a private school.

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

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

9-23B

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

(END)

Duerst, Christina

From: Bacher, Luke
Sent: Thursday, February 21, 2008 4:19 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-4137/1 Topic: Virtual charter schools

Please Jacket LRB 07-4137/1 for the ASSEMBLY.

THIS a.m.

2
Stays

PP. 2 & 3

2007 BILL

SAV

regen. cat.

1 AN ACT *to renumber* 120.21 (1); *to renumber and amend* 118.40 (3) (c) and
 2 120.21 (2); *to amend* 118.15 (1) (a), 118.19 (1), 118.40 (4) (b) 1., 118.51 (2),
 3 119.04 (1) and 121.02 (1) (a) 2.; and *to create* 115.001 (16), 115.28 (53), 118.15
 4 (1) (g), 118.19 (13), 118.40 (2r) (b) 4., 118.40 (8), 118.51 (18), 120.21 (3) and
 5 121.83 (4) of the statutes; **relating to:** virtual charter schools.

Analysis by the Legislative Reference Bureau

Under current law, any person who teaches in a public school, including a charter school, must hold a teaching license or permit issued by the Department of Public Instruction (DPI). This bill specifies that if a pupil attends a virtual charter school, a person who provides educational services to the pupil in the pupil's home, other than instructional staff of the virtual charter school, is not required to hold a teaching license or permit. The bill defines a virtual charter school as a charter school in which all or a portion of the instruction is provided through means of the Internet and the pupils and teachers are geographically remote from each other.

Current law provides that a charter school established by a school board must be located in the school district. This bill provides that this restriction does not apply to virtual charter schools. The bill allows virtual charter schools only if they are established under contract with a school board.

The bill requires a virtual charter school governing board to assign an appropriately licensed teacher for each online course offered by the virtual charter school. The bill provides that no person may teach in a virtual charter school if he

BILL

or she holds only a charter school instructional staff permit, and specifies that a charter school instructional staff license provides no additional authority to the license holder in a virtual charter school. Current administrative rules authorize the holder of a charter school instructional staff license to teach in a charter school at any level and in any subject.

The bill requires a virtual charter school to provide educational services to its pupils for at least 150 days each school year; to ensure that its teachers are available to provide direct pupil instruction for at least the number of hours specified under current law for public school pupils; and to ensure that its teachers respond to inquiries from pupils and parents or guardians by the end of the first school day following the day on which the inquiry is received.

The bill requires a virtual charter school to establish a parent advisory council and to provide certain specified information to parents or guardians at the beginning of each school term.

The bill provides that the compulsory school attendance requirement does not apply to pupils enrolled in a virtual charter school. Under the bill, if a pupil attending a virtual charter school fails to respond appropriately to a school assignment or directive from instructional staff within five school days, the virtual charter school must notify the pupil's parent or guardian. If the pupil fails to so respond three times in one semester, the school board that contracted for the establishment of the virtual charter school may transfer the pupil to his or her resident school district. If the pupil is a resident of the contracting school district, the school board may assign the pupil to another school or program within that school district. A pupil's parent or guardian may appeal a transfer (but not an assignment within the same school district) to DPI. The bill provides that if a pupil's parent or guardian notifies the virtual charter school, before an assignment or directive is given, that the pupil will not be available to respond to it within a specified period, the school days within that period do not count toward the five-day response requirement. However, no more than ten school days in a school year maybe excused in this fashion.

The bill directs DPI to make online courses available ~~for a reasonable fee~~, through a statewide web academy, to public, private, and charter schools located in this state and to cooperative educational service agencies. The bill ~~prohibits the department from using~~ general purpose revenue for this purpose. Any contract entered into by a school board that relates to providing online courses is open to public inspection and copying.

The bill provides that beginning July 1, 2010, no person may teach an online course in a public or charter school unless he or she completes at least 30 hours of professional development designed to prepare a teacher for online teaching.

The bill provides that if a pupil who is not a resident of this state attends a virtual charter school in this state, the school board must charge the pupil tuition in an amount equal to at least the amount used for the per pupil state aid adjustment under the Open Enrollment Program.

use of

allows the department to contract for this purpose but

BILL

Finally, the bill clarifies that a pupil may attend a charter school in a nonresident school district through the Open Enrollment Program.

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

1 SECTION 1. 115.001 (16) of the statutes is created to read:

2 115.001 (16) VIRTUAL CHARTER SCHOOL. "Virtual charter school" means a charter
3 school under contract with a school board under s. 118.40 in which all or a portion
4 of the instruction is provided through means of the Internet, and the pupils enrolled
5 in and instructional staff employed by the school are geographically remote from
6 each other.

7 SECTION 2. 115.28 (53) of the statutes is created to read:

8 115.28 (53) ONLINE COURSES. Make online courses available for a reasonable
9 fee, through a statewide web academy, to school districts, cooperative educational
10 service agencies, and charter schools and private schools located in this state. The
11 department may not use amounts appropriated from general purpose revenues, as
12 defined in s. 20.001 (2) (a), ^{to provide service} ~~for this purpose~~.

13 SECTION 3. 118.15 (1) (a) of the statutes is amended to read:

14 118.15 (1) (a) Except as provided under pars. (b) to (d) and (g) and sub. (4),
15 unless the child is excused under sub. (3) or has graduated from high school, any
16 person having under control a child who is between the ages of 6 and 18 years shall
17 cause the child to attend school regularly during the full period and hours, religious
18 holidays excepted, that the public or private school in which the child should be
19 enrolled is in session until the end of the school term, quarter or semester of the
20 school year in which the child becomes 18 years of age.

21 SECTION 4. 118.15 (1) (g) of the statutes is created to read:

The department may contract with any person to provide this service.

BILL

1 118.15 (1) (g) Paragraph (a) does not apply to a person having under control
2 a child who is enrolled in a virtual charter school.

3 **SECTION 5.** 118.19 (1) of the statutes is amended to read:

4 118.19 (1) Any Except as provided in s. 118.40 (8) (b) 2., any person seeking to
5 teach in a public school, including a charter school, or in a school or institution
6 operated by a county or the state shall first procure a license or permit from the
7 department.

8 **SECTION 6.** 118.19 (13) of the statutes is created to read:

9 118.19 (13) Beginning July 1, 2010, no person may teach an online course in
10 a public school, including a charter school, unless he or she has completed at least
11 30 hours of professional development designed to prepare a teacher for online
12 teaching.

13 **SECTION 7.** 118.40 (2r) (b) 4. of the statutes is created to read:

14 118.40 (2r) (b) 4. No chartering or contracting entity under subd. 1. may
15 establish or enter into a contract for the establishment of a virtual charter school.

16 **SECTION 8.** 118.40 (3) (c) of the statutes is renumbered 118.40 (3) (c) 1. and
17 amended to read:

18 118.40 (3) (c) 1. A school board may not enter into a contract for the
19 establishment of a charter school located outside the school district, except that if 2
20 or more school boards enter into an agreement under s. 66.0301 to establish a charter
21 school, the charter school shall be located within one of the school districts, and if one
22 or more school boards enter into an agreement with the board of control of a
23 cooperative educational service agency to establish a charter school, the charter
24 school shall be located within the boundaries of the cooperative educational service

BILL

1 agency. This subdivision does not apply to the establishment of a virtual charter
2 school.

3 2. A school board may not enter into a contract that would result in the
4 conversion of a private, sectarian school to a charter school.

5 **SECTION 9.** 118.40 (4) (b) 1. of the statutes is amended to read:

6 118.40 (4) (b) 1. Charge tuition, except as otherwise provided in s. 121.83 (4).

7 **SECTION 10.** 118.40 (8) of the statutes is created to read:

8 118.40 (8) VIRTUAL CHARTER SCHOOLS. (a) *Location.* For the purposes of sub.
9 (7) (a), (am), and (ar), a virtual charter school is considered to be located in the
10 following school district:

11 1. If a school board contracts with a person to establish the virtual charter
12 school, in the school district governed by that school board.

13 2. If 2 or more school boards enter into an agreement under s. 66.0301 to
14 establish the virtual charter school, or if one or more school boards enter into an
15 agreement with the board of control of a cooperative educational service agency to
16 establish the virtual charter school, in the school district specified in the agreement.

17 (b) *Licensure.* 1. The governing body of a virtual charter school shall assign
18 an appropriately licensed teacher for each online course offered by the virtual
19 charter school. No person holding only a permit to teach exclusively in a charter
20 school may teach in a virtual charter school, and no person holding both a license to
21 teach exclusively in a charter school and a license to teach in other public schools may
22 teach, in a virtual charter school, a subject or at a level that is not authorized by the
23 latter license.

24 2. If a pupil attends a virtual charter school, any person providing educational
25 services to the pupil in the pupil's home, other than instructional staff of the virtual

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1 charter school, is not required to hold a license or permit to teach issued by the
2 department.

3 (c) *Staff duties.* In a virtual charter school, an instructional staff member is
4 responsible for all of the following for each pupil the instructional staff member
5 teaches:

- 6 1. Improving learning by planned instruction.
- 7 2. Diagnosing learning needs.
- 8 3. Prescribing content delivery through class activities.
- 9 4. Assessing learning.
- 10 5. Reporting outcomes to administrators and parents and guardians.
- 11 6. Evaluating the effects of instruction.

12 (d) *Required days and hours.* A virtual charter school shall do all of the
13 following:

- 14 1. Provide educational services to its pupils for at least 150 days each school
15 year.
- 16 2. Ensure that its teachers are available to provide direct pupil instruction for
17 at least the applicable number of hours specified in s. 121.02 (1) (f) 2. each school year.
18 No more than 10 hours in any 24-hour period may count toward the requirement
19 under this subdivision.
- 20 3. Ensure that its teachers respond to inquiries from pupils and from parents
21 or guardians of pupils by the end of the first school day following the day on which
22 the inquiry is received.

23 (e) *Parent advisory council.* The governing body of a virtual charter school shall
24 ensure that a parent advisory council is established for the school and that it meets

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1 on a regular basis. The governing body shall determine the selection process for
2 members of the parent advisory council.

3 (f) *Required notices.* At the beginning of each school term, the governing body
4 of a virtual charter school shall inform the parent or guardian of each pupil attending
5 the virtual charter school, in writing, the name of, and how to contact, each of the
6 following persons:

7 1. The members of the school board that contracted for the establishment of the
8 virtual charter school and the administrators of that school district.

9 2. The members of the virtual charter school's governing body, if different than
10 the persons under subd. 1.

11 3. The members of the virtual charter school's parent advisory council
12 established under par. (e).

13 4. The staff of the virtual charter school.

14 (g) *Pupil's failure to participate.* 1. Whenever a pupil attending a virtual
15 charter school fails to respond appropriately to a school assignment or directive from
16 instructional staff within 5 school days, the governing body of the virtual charter
17 school shall notify the pupil's parent or guardian.

18 2. Subject to subd. 2m., the third time in the same semester that a pupil
19 attending a virtual charter school fails to respond appropriately to a school
20 assignment or directive from instructional staff within 5 school days, the governing
21 body of the virtual charter school shall also notify the school board that contracted
22 for the establishment of the virtual charter school, the school board of the pupil's
23 resident school district, and the department. The school board that contracted for
24 the establishment of the virtual charter school may transfer the pupil to his or her
25 resident school district. If the pupil is a resident of the school district that contracted

BILL**SECTION 10**

1 for the establishment of the virtual charter school, the school board may assign the
2 pupil to another school or program within that school district. If the school board
3 transfers or assigns a pupil, it shall notify the pupil's parent or guardian and the
4 department.

5 2m. If the parent or guardian of a pupil attending a virtual charter school
6 notifies the virtual charter school in writing before a school assignment or directive
7 is given that the pupil will not be available to respond to the assignment or directive
8 during a specified period, the school days during that period do not count for purposes
9 of subd. 2. The virtual charter school shall require the pupil to complete any
10 assignment missed during the period. This subdivision applies to no more than 10
11 school days in a school year.

12 3. The parent or guardian of a pupil transferred to the pupil's resident school
13 district under subd. 2. may appeal the transfer to the department within 30 days
14 after receipt of the notice of transfer. The department shall affirm the school board's
15 decision unless the department finds that the decision was arbitrary or
16 unreasonable.

17 **SECTION 11.** 118.51 (2) of the statutes is amended to read:

18 118.51 (2) APPLICABILITY. A pupil may attend a public school, including a
19 charter school, prekindergarten, 4-year-old kindergarten, or early childhood or
20 school-operated day care program, in a nonresident school district under this
21 section, except that a pupil may attend a prekindergarten, 4-year-old kindergarten,
22 or early childhood or school-operated day care program in a nonresident school
23 district only if the pupil's resident school district offers the same type of program that
24 the pupil wishes to attend and the pupil is eligible to attend that program in his or
25 her resident school district.

BILL

1 **SECTION 12.** 118.51 (18) of the statutes is created to read:

2 **118.51 (18) LOCATION OF VIRTUAL CHARTER SCHOOLS.** For purposes of this section,
3 a virtual charter school is located in the school district specified in s. 118.40 (8) (a).

4 **SECTION 13.** 119.04 (1) of the statutes, as affected by 2007 Wisconsin Act 20,
5 is amended to read:

6 **119.04 (1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
7 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
8 115.345, 115.361, 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045, 118.06,
9 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16,
10 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8),
11 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12
12 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34),
13 (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class
14 city school district and board.

15 **SECTION 14.** 120.21 (1) of the statutes is renumbered 120.21 (1) (a).

16 **SECTION 15.** 120.21 (2) of the statutes is renumbered 120.21 (1) (b) and
17 amended to read:

18 **120.21 (1) (b)** The cost of such contracts under this subsection shall be paid out
19 of the school district general fund.

20 **SECTION 16.** 120.21 (3) of the statutes is created to read:

21 **120.21 (3)** Any contract entered into by a school board that relates to providing
22 online courses is open to public inspection and copying.

23 **SECTION 17.** 121.02 (1) (a) 2. of the statutes is amended to read:

24 **121.02 (1) (a) 2.** ~~Ensure~~ Subject to s. 118.40 (8) (b) 2., ensure that all
25 instructional staff of charter schools located in the school district hold a license or

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1 permit to teach issued by the department. For purposes of this subdivision, a virtual
2 charter school is located in the school district specified in s. 118.40 (8) (a). The state
3 superintendent shall promulgate rules defining “instructional staff” for purposes of
4 this subdivision.

5 **SECTION 18.** 121.83 (4) of the statutes is created to read:

6 121.83 (4) Notwithstanding subs. (1) and (2), if a pupil who is not a resident
7 of this state attends a virtual charter school in this state, the school board that
8 contracted for the establishment of the virtual charter school shall charge tuition for
9 the pupil in an amount equal to at least the amount determined under s. 118.51 (16)
10 (a) 3.

11 **SECTION 19. Nonstatutory provisions.**

12 (1) AUDIT.

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

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

18 2. Compare the cost of educating pupils in virtual charter schools to the cost
19 of educating pupils in other public schools.

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

23 4. Compare the academic achievement of pupils who attend virtual charter
24 schools to the academic achievement of pupils of similar socioeconomic backgrounds
25 who attend other public schools.

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1 5. Determine the amount of pupil-teacher contact and one-on-one
2 pupil-teacher interaction, categorized by grade level, occurring in virtual charter
3 schools, as compared to other public schools.

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

6 a. The pupils did not attend school.

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

8 c. The pupils attended a private school.

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

10 7. Determine the level of satisfaction that pupils attending virtual charter
11 schools and their parents or guardians enjoy with their schools.

12 8. Determine the extent to which virtual charter schools have created
13 innovative educational programs.

14 9. Determine the extent to which special education and related services are
15 provided to children with disabilities who attend virtual charter schools.

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

19 **SECTION 20. Effective dates.** This act takes effect on the day after publication,
20 except as follows:

21 (1) The treatment of sections 118.40 (4) (b) 1. and (8) (d) and 121.83 (4) of the
22 statutes takes effect on July 1, 2008.

23 (2) The treatment of section 118.40 (8) (b) 1. of the statutes takes effect on July
24 1, 2009.

25 **(END)**