

2007 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB870)

Received: 02/26/2008

Received By: pgrant

Wanted: As time permits

Identical to LRB:

For: Brett Davis (608) 266-1192

By/Representing: Luke

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: Joyce.Kiel@legis.wisconsin.gov

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 02/27/2008	lkunkel 02/27/2008		_____			
/P1	pgrant 02/27/2008	lkunkel 02/27/2008	rschluet 02/27/2008	_____	mbarman 02/27/2008		
/1	pgrant 02/28/2008	bkraft 02/28/2008	rschluet 02/27/2008	_____	cduerst 02/27/2008	cduerst 02/27/2008	
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/3			jfrantze _____ 02/28/2008 _____		mbarman 02/28/2008	mbarman 02/28/2008	

FE Sent For:

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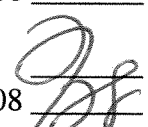
Topic:

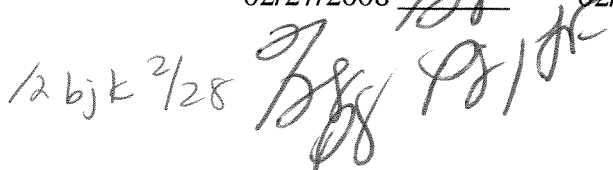
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WISCONSIN LEGISLATIVE COUNCIL

Terry C. Anderson, Director
Laura D. Rose, Deputy Director

TO: MEMBERS OF THE ASSEMBLY COMMITTEE ON EDUCATION

FROM: Joyce L. Kiel, Senior Staff Attorney

RE: Comparison of 2007 Assembly Bill 870, Relating to Virtual Charter Schools, to 2007 Senate Bill 396, as Amended and Passed by the Senate

DATE: January 28, 2008

This memorandum compares 2007 Assembly Bill 870, relating to virtual charter schools, to 2007 Senate Bill 396, as amended and passed by the Senate.

Assembly Bill 870 was introduced by Representative Davis and others; cosponsored by Senator Liebham and others. The Assembly Committee on Education is scheduled to hold a public hearing on the bill on February 25, 2008 and an executive session on the bill on February 26, 2008.

Senate Bill 396 was introduced by Senator Lehman and others; cosponsored by Representative Pope-Roberts and others. The Senate Committee on Education recommended adoption of Senate Substitute Amendment 1¹ to the bill. The Senate adopted Senate Amendment 1 to Senate Substitute Amendment 1 on a vote of Ayes, 17; Noes, 16. Senate Substitute Amendment 1, as amended, was adopted on a vote of Ayes, 18; Noes, 15. The bill, as amended, was passed on a vote of Ayes, 18; Noes, 15. (The bill, as amended by the Senate, is hereinafter referred to as "amended Senate Bill 396.")

This memorandum first describes the differences between Assembly Bill 870 and amended Senate Bill 396. The memorandum then describes the provisions of the bills that are identical.

A. DIFFERENCES BETWEEN ASSEMBLY BILL 870 AND AMENDED SENATE BILL 396

The differences between Assembly Bill 870 and amended Senate Bill 396 are as follows:

¹ Senate Substitute Amendment 1 to Senate Bill 396 is identical to Assembly Substitute Amendment 1 to 2007 Assembly Bill 697, although those two bills are not identical.

Enrollment Limit

Amended Senate Bill 396

Amended Senate Bill 396 provides the following enrollment limit on the number of pupils that a virtual charter school may enroll under the open enrollment program by school year:

School Year 2008-09

No limit.

School Years 2009-10 and 2010-11

The number of pupils enrolled at that school through the open enrollment program on September 19, 2008. However, the limit does not apply during these two school years to: (a) siblings of such pupils; or (b) a pupil who was enrolled in a different virtual charter school on September 19, 2008 (or a sibling of such a pupil).

School Year 2011-12

The number of pupils enrolled at that school through the open enrollment program on September 19, 2008

plus 25% of

(the number of pupils enrolled at that school through the open enrollment program on September 19, 2008 divided by the total number of all pupils attending all virtual charter schools under the open enrollment program on September 19, 2008) multiplied by (4,500 minus the total number of all pupils attending all virtual charter schools under the open enrollment program on September 19, 2008).

Example A. For example, if a virtual charter school had 400 open enrolled pupils on September 19, 2008 and all virtual charter schools together had 4,000 open enrolled pupils on that date, the limit on open enrolled pupils for that virtual charter school for the 2011-12 school year would be:

$$400 + (.25 \times (400/4,000) \times (4,500 - 4,000)) = 400 + (.25 \times .10 \times 500) = 412.5 \text{ pupils}$$

Example B. For example, if a virtual charter school had 400 open enrolled pupils on September 19, 2008 and all virtual charter schools together had 5,000 open enrolled pupils on that date, the limit on open enrolled pupils for that virtual charter school for the 2011-12 school year would be:

$$400 + (.25 \times (400/5,000) \times (4,500 - 5,000)) = 400 + (.25 \times .08 \times (-500)) = 390 \text{ pupils}$$

School Year 2012-13

The number of pupils enrolled at that school through the open enrollment program on September 19, 2008

plus 50% of

(the number of pupils enrolled at that school through the open enrollment program on September 19, 2008 divided by the total number of all pupils attending all virtual charter schools under the open enrollment program on September 19, 2008) multiplied by (4,500 minus the total number of all pupils attending all virtual charter schools under the open enrollment program on September 19, 2008).

Example A. -- 425 pupils.

Example B. -- 380 pupils.

School Year 2013-14

The number of pupils enrolled at that school through the open enrollment program on September 19, 2008

plus 75% of

(the number of pupils enrolled at that school through the open enrollment program on September 19, 2008 divided by the total number of all pupils attending all virtual charter schools under the open enrollment program on September 19, 2008) multiplied by (4,500 minus the total number of all pupils attending all virtual charter schools under the open enrollment program on September 19, 2008).

Example A. -- 437.5 pupils.

Example B. -- 370 pupils.

School Year 2014-15

The number of pupils enrolled at that school through the open enrollment program on September 19, 2008

plus 100% of

(the number of pupils enrolled at that school through the open enrollment program on September 19, 2008 divided by the total number of all pupils attending all virtual charter schools under the open enrollment program on September 19, 2008) multiplied by (4,500 minus the total number of all pupils attending all virtual charter schools under the open enrollment program on September 19, 2008).

Example A. -- 450 pupils.

Example B. -- 360 pupils.

School Years 2015-16 and Subsequent School Years

No limit.

Assembly Bill 870

Assembly Bill 870 does not include an enrollment limit.

*add new
Ver/1/10/17*

Audit by Legislative Audit Bureau

Both bills² require the Legislative Audit Bureau (LAB) to perform a financial and performance evaluation of virtual charter schools and submit the audit report to the Legislature by December 30, 2009. The required elements of the audit that are the same are as follows:

- 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.
- 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.
- 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.
- Determine the percentage of pupils attending virtual charter schools to which each of the following applied in the previous school year: (1) pupils who did not attend school; (2) pupils who attended a public school other than a virtual charter school; (3) pupils who attended a private school; and (4) pupils who attended a home-based private educational program.

Amended Senate Bill 396

Amended Senate Bill 396 includes the following additional elements:

- Determine the amount of pupil-teacher contact, categorized by grade level, occurring in virtual charter schools.
- Determine the effect of the enrollment limit (as discussed above) on the ability of pupils to attend virtual charter schools.

Assembly Bill 870

In contrast, Assembly Bill 870 includes the following additional elements:

- Compare the cost of educating pupils in virtual charter schools to the cost of educating pupils in other public schools.
- Determine the amount of pupil-teacher contact and one-on-one pupil-teacher interaction, categorized by grade level, occurring in virtual charter schools, as compared to other public schools.

² Hereinafter, a reference to "both bills" is a reference to Assembly Bill 870 and amended Senate Bill 396.

all the rest is
No
yes

- Determine the level of satisfaction that pupils attending virtual charter schools and their parents or guardians enjoy with their schools.
- Determine the extent to which virtual charter schools have created innovative educational programs.
- Determine the extent to which special education and related services are provided to children with disabilities who attend virtual charter schools.

Statewide Web Academy

Amended Senate Bill 396

yes Amended Senate Bill 396 requires the State Superintendent of Public Instruction (State Superintendent) to make online courses available *for a reasonable fee*, through a statewide web academy, to: school districts, cooperative educational service agencies (CESAs), charter schools, and private schools located in the state.

Assembly Bill 870

no Assembly Bill 870 requires the State Superintendent to make online courses available, through a statewide web academy, to: school districts, CESAs, charter schools, and private schools located in the state. *The Department of Public Instruction (DPI) may contract with any person to provide this service. DPI is prohibited from using amounts appropriated from general purpose revenues (GPR) to provide this service.*

Compulsory School Attendance and Virtual Charter School Pupil's Failure to Participate

Current Law

Current law provides that, with limited exceptions, unless the child is excused, a person having under his or her control a child who is between the ages of six and 18 years must "cause the child to attend school regularly during the full period and hours, religious holidays excepted, that the public or private school in which the child should be enrolled is in session until the end of the school term, quarter or semester of the school year in which the child becomes 18 years of age." [s. 118.15 (1) (a), Stats.] (For example, one of the exceptions under current law is the statute which provides that instruction in a "home-based private educational program" that meets certain criteria may be substituted for attendance at a public or private school. [s. 118.15 (4), Stats.]

Both Bills

Both bills specify that this requirement does not apply to a person having under his or her control a child who is enrolled in a virtual charter school.

Both bills include the following provisions for a virtual charter school pupil relating to failure to participate:

- Provides that if a virtual charter school pupil fails to respond appropriately to a school assignment or directive from instructional staff within five school days, the governing body of the virtual charter school must notify the pupil's parent or guardian.
- Provides that the third time in the same semester that a virtual charter school pupil fails to respond appropriately to a school assignment or directive from instructional staff within five school days, the governing body of the virtual charter school must notify the pupil's parent or guardian, the school board that contracted for the establishment of the virtual charter school, the school board of the pupil's resident school district, and DPI.
 - If this occurs and the pupil is attending a virtual charter school contracted for by the *pupil's resident school district*, the school board may assign the pupil to another school or program in the school district.
 - If this occurs and the pupil is *not a resident of the school district* that contracted for the establishment of the virtual charter school (for example, if the pupil is attending the virtual charter school under the open enrollment program), the school board that contracted for the establishment of the virtual charter school may transfer the pupil to the pupil's resident school district. The school board must notify the pupil's parent or guardian and DPI. The pupil's parent or guardian may appeal the transfer to DPI within 30 days after receipt of the notice of transfer. DPI must affirm the school board's decision unless DPI finds that the decision was arbitrary or unreasonable.

Assembly Bill 870

yes
Assembly Bill 870 additionally provides that if the parent or guardian of a pupil attending a virtual charter school notifies the virtual charter school in writing before a 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 the provision noted above regarding potential consequences for failing to respond appropriately within five school days for three times in a school semester. However, the virtual charter school must require the pupil to complete any assignment missed during the period. Also, this provision applies to no more than 10 school days in a school year.³

B. IDENTICAL PROVISIONS IN ASSEMBLY BILL 870 AND AMENDED SENATE BILL 396

This section of the memorandum describes the provisions in Assembly Bill 870 and amended Senate Bill 396 that are identical. Some of the identical provisions are directly related to a court decision. In addition, both bills include identical provisions that are not directly related to the court decision. These are described separately below.

³ This provision is comparable to current s. 118.15 (3) (c), Stats., which provides that: (a) the compulsory attendance law does not apply to a child excused in writing by his or her parent or guardian before an absence; (b) the school board must require the child to complete any course work missed during the absence; and (c) such excused absences cannot exceed 10 days in a school year.

First, it should be noted that current law does not define a virtual charter school. Both bills define a “virtual charter school” as a “charter school under contract with a school board under s. 118.40 [the charter school statute] in which all or a portion of the instruction is provided through means of the Internet, and the pupils enrolled in and instructional staff employed by the school are geographically remote from each other.”

PROVISIONS DIRECTLY RELATED TO COURT DECISION

In *Johnson v. Burmaster*, 2006 AP 1380 (December 5, 2007), the Wisconsin Court of Appeals held that the Northern Ozaukee School District’s operation of the Wisconsin Virtual Academy (WIVA) violated: (1) the charter school statute; (2) the open enrollment statute; and (3) the teacher licensing statute. The following identical provisions in both bills are directly related to the Court of Appeals decision:

Charter School Statute

Court Decision

Current s. 118.40 (3) (c), Stats., provides that a “school board may *not* enter into a contract for the establishment of a charter school *located outside* the school district.” (Emphases added.) The exceptions are: (1) when two or more school boards enter into an agreement (in which case the charter school must be located within one of the school districts); and (2) when one or more school boards enter into an agreement with a CESA (in which case the charter school must be located within the CESA boundaries).

The Court of Appeals agreed that part of WIVA is “located” in the Northern Ozaukee School District, namely, the part of WIVA that constituted the administration of the school inasmuch as the principal, vice-principal, and other administrators were physically located in that school district.

However, because the large majority of WIVA pupils receive their education at locations outside the Northern Ozaukee School District from teachers located outside that school district, the court concluded that WIVA also is, in part, located outside the Northern Ozaukee School District. The court held that this was in violation of s. 118.40 (3) (c), Stats., which prohibits a school board from entering into a contract to establish a charter school located outside the school district.

Both Bills

Both bills amend s. 118.40 (3) (c), Stats., to specify that the provisions in current law restricting where a school board, consortium of school boards, or consortium of one or more school boards and a CESA may establish a charter school do *not* apply to the establishment of a virtual charter school.

Open Enrollment Statute

Court Decision

Section 118.51, Stats., is the full-time open enrollment statute under which a pupil may apply to a nonresident school district (that is, a school district other than the school district in which the pupil

resides) to attend school in that nonresident school district. Among other things, s. 118.51 sets forth the application procedures and deadlines and the nonresident school district acceptance criteria (including availability of space) for the open enrollment program.

Most of WIVA's pupils reside outside the Northern Ozaukee School District but had become pupils of Northern Ozaukee through the open enrollment program. As noted above, the court held that WIVA is, in part, located outside the Northern Ozaukee School District. Thus, the court held that WIVA's open enrollment pupils are attending school outside the Northern Ozaukee School District. The court held that this was a violation of the open enrollment statute which permits a pupil to attend school only in the nonresident school district in which the pupil has open enrolled.

Both Bills

Both bills amend s. 118.51 (2), Stats., to clarify that a pupil may attend a charter school under the open enrollment program. (This amendment applies to all charter schools, not just virtual charter schools.)

In addition, both bills specify that for purposes of the open enrollment program, a virtual charter school is located in the school district specified in s. 118.40 (8) (a). Section 118.40 (8) (a) is created to specify that a virtual charter school is considered to be located in the following school district: (1) if a school board contracts for the establishment of a virtual charter school--in the school district governed by that school board; and (2) if a consortium of school boards or consortium of one or more school boards and a CESA establish a virtual charter school by agreement--in the school district specified in the agreement. Under both bills, this provision also applies to where a virtual charter school is considered to be located for purposes of s. 118.40 (7) (a), (am), and (ar), Stats. (statutes which generally provide that the school board of the school district in which a charter school is located determines whether or not the charter school is or is not an instrumentality of the school district).

Thus, for example, if the Northern Ozaukee School District contracted for the establishment of a virtual charter school, the school is deemed to be located in the Northern Ozaukee School District. If a pupil open enrolled into the Northern Ozaukee School District and was attending that virtual charter school, the pupil would be attending school in the nonresident school district in compliance with the open enrollment statute.

Teacher Licensing Statute

Court Decision

Section 118.19 (1), Stats., provides that: "Any person seeking to teach in a public school, including a charter school, or in a school or institution operated by a county or the state shall first procure a license or permit from [DPI]." While the statutes do not define "teach" for this purpose, the Court of Appeals noted that "teaching" is defined for purposes of ch. PI 34, Wis. Adm. Code (Teacher Education Program Approval and Licensing), as meaning "improving pupil learning by planning instruction, diagnosing learning needs, prescribing content delivery through classroom activities, assessing student learning, reporting outcomes to administrators and parents and evaluating the effects of instruction." [s. PI 34.01 (59), Wis. Adm. Code.]

The court noted that while the parties to the case had somewhat different descriptions of a WIVA parent's role, it was undisputed that a WIVA parent works one-on-one with a pupil, presents the lesson, answers questions, and assesses progress. Moreover, the court indicated that WIVA required the parents to do so in order for WIVA to function. The court essentially characterized this as having unlicensed individuals be the primary teachers of the WIVA pupils. According to the court, this constituted teaching in a public school without a license--in violation of the teacher licensing statute.

Both Bills

Both bills specify that 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 DPI.

ADDITIONAL PROVISIONS NOT DIRECTLY RELATED TO COURT DECISION

Both bills also include the following identical provisions that are not directly related to the court decision. (It should also be noted that the non-identical provisions noted above under "Differences Between Assembly Bill 870 and Amended Senate Bill 396" are also not directly related to the court decision. Thus, this section is entitled "Additional Provisions Not Directly Related to Court Decision.")

Required Days and Hours and Required Teacher Response Time in Virtual Charter Schools

Current Law

Under current law, a school board is required to annually schedule certain minimum amounts of direct pupil instruction as follows: (1) for kindergarten--at least 437 hours (for four-year-old kindergarten, up to 87.5 of those hours may be for outreach activities); (2) for grades one to six--at least 1,050 hours; and (3) for grades seven to twelve--at least 1,137 hours. In addition, the school board is required to schedule at least 180 school days annually. [s. 121.02 (1) (f), Stats.] These provisions do not apply to charter schools. [s. 118.40 (7) (b), Stats.]

Both Bills

Both bills require a virtual charter school to do all of the following effective July 1, 2008:

- Ensure that its teachers are available to provide direct pupil instruction for at least the minimum numbers of hours specified by grade level under current law as noted above. No more than 10 hours in any 24-hour period may count toward this requirement.
- Provide educational services to its pupils for at least 150 days each school year.
- Ensure that its teachers respond to inquiries from pupils or from the parents or guardians of pupils by the end of the first school day following the day on which the inquiry is received.

Virtual Charter School--Licensure and Staff Duties

Current Law

Current law requires that all instructional staff at a charter school hold a license or permit to teach issued by DPI. [s. 118.19 (1), Stats. (See also, s. 121.02 (1) (a) 2., Stats., requiring that a school board ensure that all instructional staff⁴ of charter schools located in the school district hold a license or permit to teach issued by DPI.)]

Current administrative rules generally provide for licenses issued at particular developmental levels (for example, early childhood) and in particular subject categories⁵ (for example, language arts). [See generally, ch. PI 34, Wis. Adm. Code.]

Current rules also provide for a “charter school instructional staff license” under s. PI 34.34 (1) and a “charter school instructional staff permit” under s. PI 34.34 (2). These charter school licenses and permits do not require completion of an approved program or institutional endorsement from a college or university for issuance. [s. PI 34.34 (intro.), Wis. Adm. Code.] Under current administrative rules:

- ***A charter school instructional staff license*** may be issued to an individual who holds a valid license issued by DPI upon the request of a school district administrator or a designated official of the employing school district or a (2r) independent charter school. A charter school instructional staff license allows the license holder to perform any instructional duty in a charter school, that is, the license holder is not restricted to teaching at the developmental level and in the subject category in which the underlying license may have been issued.
- ***A charter school instructional staff permit*** may be issued under certain circumstances to a person who does not hold a current license or permit to teach at a specific developmental level in a specific category.

Under current administrative rules, a school board is required to ensure that all instructional staff of charter schools hold either: (1) a DPI license or permit to teach at the developmental level and in the subject of their assignments; or (2) a charter school instructional staff license or a charter school instructional staff permit. [s. PI 8.02 (2) (a) 2. a., Wis. Adm. Code.] As noted above, the charter school license and permit are not at specific developmental levels or in specific subject categories.

⁴ The State Superintendent is required to define “instructional staff” for this purpose by administrative rule [s. 121.02 (1) (a) 2., Stats.] and has done so in s. PI 8.001 (6m), Wis. Adm. Code, which provides that:

Instructional staff for the purposes of charter schools, means all professional employees who have as part of their responsibility direct contact with students or with the instructional program of the school. Instructional staff includes, but is not limited to, teachers, librarians, pupil services staff, and administrative staff who supervise licensed staff.

⁵ Categories also have subcategories.

Both Bills

Both bills specify that, in a virtual charter school, an instructional staff member is responsible for all of the following for each pupil the instructional staff member teaches: (1) improving learning by planned instruction; (2) diagnosing learning needs; (3) prescribing content delivery through class activities; (4) assessing learning; (5) reporting outcomes to administrators and parents and guardians; and (6) evaluating the effects of instruction.

Effective July 1, 2009, both bills require the governing body of a virtual charter school to assign an appropriately licensed teacher for each online course offered by the virtual charter school.

In addition, beginning July 1, 2009, amended Senate Bill 396 provides that: (1) notwithstanding ss. PI 8.02 (2) (a) 2. and 34.34 (1) (a), a charter school instructional staff license provides no additional authority to the license holder in a virtual charter school; and (2) notwithstanding ss. PI 8.02 (2) (a) 2. and 34.34 (2), no person may teach in a virtual charter school if the person holds only a charter school instructional staff permit. Although worded differently,⁶ Assembly Bill 870 has the same effect by specifying that, beginning July 1, 2009: (1) 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; and (2) no person holding only a permit to teach exclusively in a charter school may teach in a virtual charter school.

Parent Advisory Council for Virtual Charter School

Both bills require the governing body of a virtual charter school to establish a parent advisory council for the school. The governing body is required to determine the selection process for members of the council. The governing body also must ensure that the council meets on a regular basis.

Contact Information for Virtual Charter Schools

Both bills require the governing body of a virtual charter school, at the beginning of each school term, to inform the parent or guardian of each pupil attending the school, in writing, of the name, and how to contact, all of the following: (1) members of the school board that contracted for the establishment of the school; (2) the administrators of that school district; (3) the members of the virtual charter school's governing body (if different than the school board members); (4) members of the school's parent advisory council; and (5) staff of the virtual charter school.

Prohibition on (2r) Virtual Charter Schools

Current law authorizes the entities specified in s. 118.40 (2r) (b) 1., Stats. (that is, the University of Wisconsin (UW)-Milwaukee, City of Milwaukee, Milwaukee Area Technical College, and the UW-Parkside⁷) to establish or contract for the establishment of charter schools (sometimes referred to as

⁶ Although not worded identically, these provisions are included in the section of the memorandum describing identical provisions as they have the same effect.

⁷ The UW-Parkside is limited to one charter school with a maximum of 480 pupils.

independent or (2r) charter schools). Both bills prohibit these entities from establishing a virtual charter school.

Tuition Charge to Out-of-State Virtual Charter School Pupils

Current law prohibits a charter school from charging tuition. [s. 118.40 (4) (b) 1., Stats.]

Effective July 1, 2008, both bills make one exception to that prohibition and require a school board that has contracted for the establishment of a virtual charter school to charge tuition for a pupil at the school who is not a resident of Wisconsin. The minimum amount that must be charged is the amount used for the per pupil state aid adjustment under the open enrollment program.

Professional Development Requirement to Teach Online Courses

Beginning July 1, 2010, both bills prohibit any person from teaching an online course in a public school, including a charter school, unless the person has completed at least 30 hours of professional development designed to prepare a teacher for online teaching.

Availability of Contracts Relating to Online Courses

Both bills provide that any contract entered into by a school board that relates to providing online courses is open to public inspection and copying.

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

JLK:ksm

POINTS ON A COMPROMISE VIRTUAL CHARTER SCHOOL CAP

beg. 09-10 to 2014-15

- Overall open enrollment transfer cap to virtual charter schools limited to 1.5% of total public school enrollment in the previous school year. Sept. count
- If cap is reached, current enrollees given first preference. Siblings exempted from the cap.
- Random draw of other applicants to stay within cap.
- Waiting list process so that slots for students that apply, but do not enroll can be moved to students on the wait list.
- Exemption from cap for students where the sending district notifies the receiving district in writing that it concurs in the enrollment.
- Expires, per Senate provision, in 2014/2015 school year.

Chris Manner
608-469-7508

Mechanics of the Cap:

1. The form designated by DPI for 118.51 open enrollment application shall include a designation if the student is applying to participate in a virtual charter school, and if the applicant is the sibling of an existing enrollee in a virtual charter school.

& designate if sibling

virtual

2. Within 1 week of receipt of the application by the resident school board, the resident school board may notify the non-resident school board that it concurs in the application.

4th Mon in Feb. notice of

& designate how many schools applying to (1-3)

3. Within three weeks of the close of open enrollment, each virtual charter school shall report to DPI the number of open enrollment applications received for participation in the virtual charter school, not including siblings, or applications where notification has been received from the resident school board of concurrence in the application.

i.e. 3rd Fri in 1st Mon in Feb.

include current enrollees (see 118.51 (3)(c)) count

4. If the total number reported by the virtual charter schools to DPI is less than 1.5% of total public school enrollment in the previous school year, DPI shall notify the charter schools to proceed with enrollment as per current law.

net of applicants Sept. count

& how many picked one, 2, or 3

5. If the total number of applications reported by the virtual charter schools is greater than 1.5% of total public school enrollment in the previous school year, DPI shall first remove existing virtual charter school enrollees from the applicant pool (siblings are exempt per above), and then implement a random draw of the remaining applicants. Those applicants not selected, shall be placed on a waiting list, and if selected applicants or exempted applicants do not enroll, students on the waiting list will have the opportunity to enroll in the virtual charter school they applied to.

applicants (incl. current enrollees)

6. Each student shall count as one applicant, even if the student applies to more than one virtual charter school.

*(the ones that get preference)
if current (non-used) enrollees put you over cap all get in anyway.*

(not pupil counts; all other siblings then exempt & stay exempt & other exempt (ed concurs) neither ever counted

parents? (if you want)

& charter sch. to DPI of pupils who do not enroll so DPI can go to waiting list

Now

PG 10/11
LRB 5 0310/P
PG 6K
e/k

A. SUBST. AMD T. —
TO **2007 ASSEMBLY BILL 870**

February 22, 2008 – Introduced by Representatives DAVIS, LEMAHIEU, PRIDEMORE, GOTTLIEB, GUNDERSON, KERKMAN, KESTELL, KRAMER, LOTHIAN, MONTGOMERY, MURSAU, MURTHA, NEWCOMER, NYGREN, A. OTT, SUDER, TAUCHEN, TOWNSEND, VUKMIR, ZIEGELBAUER and ZIPPERER, cosponsored by Senators LEIBHAM, GROTHMAN, KAPANKE, LAZICH and ROESSLER. Referred to Committee on Education.

LPS: insert
Z inserts

regen.

✓

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

ASSEMBLY BILL 870

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, through a statewide web academy, to public, private, and charter schools located in this state and to cooperative educational service agencies. The bill allows the department to contract for this purpose but prohibits the use of 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.

ASSEMBLY BILL 870

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, through a
9 statewide web academy, to school districts, cooperative educational service agencies,
10 and charter schools and private schools located in this state. The department may
11 contract with any person to provide this service. The department may not use
12 amounts appropriated from general purpose revenues, as defined in s. 20.001 (2) (a),
13 to provide this service.

for a reasonable
for a reasonable
fee

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

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

ASSEMBLY BILL 870**SECTION 4**

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

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

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

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

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

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

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

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

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

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

ASSEMBLY BILL 870

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

ASSEMBLY BILL 870**SECTION 10**

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

ASSEMBLY BILL 870

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

ASSEMBLY BILL 870

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.

8-16 →

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.

8-25 →

ASSEMBLY BILL 870

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

ASSEMBLY BILL 870**SECTION 17**

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.

8-16:1

(h) Enrollment limit 1. Subject to subd. 1

20, 30, and 50, in the 2009-10 to 2014-15 school

years the total number of pupils attending charter schools

virtual charter schools through the open enrollment program under S. 118.51 in the

school year or in any of the 5 ^{succeeding} succeeding ~~enter 2014-15~~ school years may not exceed a

number equal to 1.5 percent of the total number of pupils enrolled in all public schools

on the 3rd Friday of September of the previous school year.

2. The limit under subd. 1. does not apply to the sibling of a pupil who is enrolled in a virtual charter school.

3. The limit under subd. 1. does not apply to a pupil if the school board

8-16:2

resides
school district in which the pupil resides
notifies the board school district
notifies the school board of the school district
that the pupil wishes to attend by the
first Monday in March following the close
of the open enrollment application period under s. 118.51 (3) (a) 1. a
that it approves the pupil's application.

4. By the third Friday following the
close of the open enrollment application period
under s. 118.51 (3) (a) 1. a, the governing body
of each virtual charter school shall report to
the department all of the following: a.
The number of pupils who
have applied to attend the virtual charter
school through the open enrollment program
under s. 118.51 excluding pupils
described under subds. 2. and 3.

b. The number of pupils attending the virtual

8-16-3

charter
charter school through the open enrollment
program under s. 118.51 in the current school
current school
attending
year who are expected to continue attending
the virtual charter school through the open
enrollment program under s. 118.51 in the
enrollment program under s. 118.51 in the
succeeding school year; excluding pupils
subds.
described under subds. 20 and 30

department
s. If the department determines that the sum of
the pupils reported subd.
the pupils reported under subd. 4. b. by all
virtual charter schools is equal to or greater
greater

~~performing this calculation, the department shall count a
pupil who has applied to more than one virtual charter school
as one pupil.~~

~~If the department determines that the sum~~

then the limit allowed under
the department shall notify the virtual charter schools
subd. 1.5 that all pupils reported under subd. 4. b. may

8-16:4

attend virtual charter schools in the succeeding
notwithstanding
school year notwithstanding the limit under
that is reported
subd. 1. a. and if pupils reported under subd.

4. a. may do so.

6. If the department determines that the sum
under subd. 5. ~~that the sum~~² is less than the
department shall
limit under subd. 1. a., the department shall add
sum reported
to the sum the number of pupils reported
all
under subd. 4. a. for all virtual charter schools.
For the purpose of performing this calculation, the
department shall count a pupil who has applied to
more virtual
more than one virtual charter school only once.

(A) → new is
If the sum is greater than the limit allowed
subd. 1. a. the department shall notify the virtual charter schools
under subd. 1. a. that all pupils reported by the
charter schools
virtual charter schools under subd. 4. b. may
attend virtual charter schools in the succeeding

8-16:5

school year \odot and ^{shall} The department shall
select pupils for the remaining
spaces available ^{on a random basis} from the pupils reported
by the virtual charter schools under
subd. 4. a. and ^{shall} notify the virtual charter
schools of the ~~random~~ selection so

MOVE

8-16-6

~~charter school under the open enrollment
program under s. 118.51 on a random basis
after giving preference to all pupils reported
under subd. 4. b.~~

7. The department shall maintain a waiting list for those pupils not selected at random under subd. 6. Each virtual charter school shall notify the department whenever it determines that a pupil eligible to attend the virtual charter school under subd. 6. will not be attending the virtual

charter school. The department shall select pupils on a random basis from the waiting list to fill the newly available spaces.

end of 8-16

NOT
A
If the new sum is less than the limit
department shall notify
allowed under subd. 1.0. The department shall notify
charter schools all pupils reported
the virtual charter schools that all pupils reported
subd. virtual charter
under subd. 4. may attend virtual charter
schools succeeding school year
schools in the succeeding school year

8-25:1

SEC. CR. 118.51 (3)(a)7.

118.51 ^{5B}

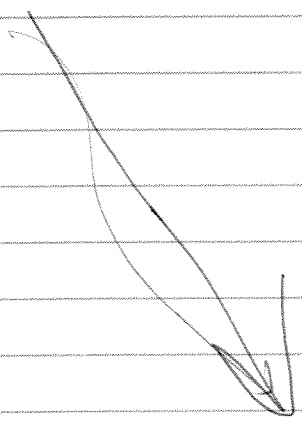
118.51 (3)(a)7. ~~Notwithstanding subds. 3 and 5,~~

If the department has not notified a virtual charter school of the applications it may accept under s. 118.40 (8)(a) by the deadline for informing applicants

informing ~~the~~ applicants under subdo 3. or 5. ^{or} the nonresident school district shall specify in its notices under subdo 3. or 5. that acceptance is conditional.

the nonresident school district shall specify in its notices under subdo 3. or 5. that acceptance is conditional.

the school district's



8-25: 2

Section #. 118.51 (15) (a) of the statutes is amended to read:

118.51 (15) (a) *Application form.* Prepare, distribute to school districts and make available to parents an application form to be used by parents under sub. (3) (a). The form shall include provisions that permit a parent to apply for transportation reimbursement under sub. (14) (b).

History: 1997 a. 27, 41, 164; 1999 a. 117, 118; 2001 a. 16, 104; 2003 a. 55; 2005 a. 258.

who is applying to attend a virtual charter school and

The form shall require an applicant who is a sibling of a pupil currently enrolled in a virtual charter school through the open enrollment program under this section to so indicate. The form shall also require an applicant to indicate the number of virtual charter schools to which he or she is applying.

end of 8-25

11-15

10. 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.

Grant, Peter

From: Grant, Peter
Sent: Wednesday, February 27, 2008 2:06 PM
To: Bacher, Luke
Subject: RE: Virtual school amendment

See my answers below.

From: Bacher, Luke
Sent: Wednesday, February 27, 2008 1:45 PM
To: Grant, Peter
Subject: Virtual school amendment

Peter -

Here are some questions/changes:

P7, Ln 21: Does it need to be clarified which "governing body" is responsible for the report: the school board, or the contractee holding the charter.

It says "governing body of each virtual charter school." That could be the school board in some cases and a different board in other cases. Is that OK?

P8, Ln 12: We think the reference to subsection "5" is supposed to be "4.b."

You are correct.

P8, Ln 24: The pupil needs notice of selection as well as the district.

I thought the virtual charter schools would notify the applicants.

P9, Ln 6: Students on wait list who are selected need an exemption from the deadlines to accept in 118.51(3)(a)6. and (b)

OK, I'll provide an exemption.

P10, Ln 1: The application must indicate separately if the student is applying to a virtual charter school, not just if they are a sibling.

OK, will do.

P11, Ln8-9: "Instructional staff" is already defined in rule by DPI at PI 8.001(6m). It is that definition we have always wanted to key off of because it specifically requires the person to be an "employee."

You are looking at current law here, not changes being made by the sub.

Thanks

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also
Δ to 1%
Δ to membership instead of enrollment