



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0584/1

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Stays

THURSDAY
DN

2011 BILL

regen.

1 AN ACT *to repeal* 118.40 (2r) (b) 1. b., c. and d., 118.40 (2r) (b) 4., 118.40 (2r) (c)
2 and (cm), 118.40 (7) (am) 3., 118.40 (8) (h) and 118.51 (3) (a) 7.; *to renumber*
3 118.40 (4) (a) and 118.51 (1) (a); *to renumber and amend* 118.40 (3) (e); *to*
4 *amend* 20.923 (6) (m), 40.51 (1), 111.81 (7) (f), 111.815 (1), 111.825 (2) (f), 111.92
5 (1) (c), 115.001 (1), 115.001 (16), 118.40 (2m) (a), 118.40 (2r) (b) 1. (intro.), 118.40
6 (2r) (b) 2., 118.40 (2r) (b) 3. (intro.), 118.40 (2r) (bm), 118.40 (2r) (d) (intro.),
7 118.40 (2r) (e) 2., 118.40 (2r) (f), 118.40 (3) (b), 118.40 (4) (title), 118.40 (4) (c),
8 118.40 (7) (am) 1., 118.40 (8) (a) (intro.), 118.40 (8) (f) 1., 118.40 (8) (g) 2., 118.40
9 (8) (g) 3., 118.51 (3) (a) 6., 118.51 (3) (b), 121.02 (1) (a) 2., 121.08 (4) (a) 1., 230.08
10 (2) (dm) and 230.35 (1s); and *to create* 15.07 (1) (a) 7., 15.56, 20.265, 20.515 (1)
11 (g), 20.923 (4) (e) 1. c., 20.923 (6) (aLm), 40.515, 118.19 (14), 118.395, 118.40 (2r)
12 (b) 1. e. to j., 118.40 (2r) (g), 118.40 (3) (e) 1., 3. and 4., 118.40 (3) (f), 118.40 (3)
13 (g), 118.40 (3) (h), 118.40 (4) (ag), 118.40 (4) (d), 118.40 (9), 118.51 (1) (ag), 119.60
14 (5) and 230.08 (2) (wc) of the statutes; **relating to:** creating a Charter School

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1 Authorizing Board, providing additional charter school authorizers,
 2 eliminating the limit on the number of pupils who may attend virtual charter
 3 schools, modifying teacher licensure requirements, eliminating the limit on the
 4 reduction in general school aid used to fund independent charter schools,
 5 covering certain charter school employees under the Group Insurance Board
 6 health coverage plan for local government employees, granting rule-making
 7 authority, and making an appropriation.

allowing a charter school to elect to participate in the Wisconsin Retirement System

Analysis by the Legislative Reference Bureau

Under current law, school boards may enter into contracts with individuals, groups, businesses, or governmental bodies to establish charter schools, which operate with fewer constraints than traditional public schools. Current law also permits the University of Wisconsin (UW)-Milwaukee, UW-Parkside, the Milwaukee Area Technical College, and the city of Milwaukee to operate charter schools (independent charter schools) directly or to contract for the operation of charter schools. In general, only pupils who reside in the school district in which an independent charter school is located may attend the charter school. No entity authorized to establish an independent charter school may establish a virtual charter school.

This bill allows ~~any 2-year or 4-year institution within the UW System, any technical college, any cooperative educational service agency, and any private college or university that is a member of the Wisconsin Association of Independent Colleges and Universities,~~ to establish an independent charter school. The bill also creates an independent state agency, the Charter School Authorizing Board (CSAB), and authorizes it to contract for the establishment of independent charter schools. The CSAB consists of nine members, of whom three are appointed by the governor, three by the senate majority leader, and three by the speaker of the assembly. The bill prohibits the CSAB from promulgating administrative rules.

The bill requires that every charter school be operated by a governing board and that every contract for the establishment of a charter school be with a nonprofit corporation. The bill removes the restrictions that limit who may attend an independent charter school and allows an entity that is authorized to establish an independent charter school to establish a virtual charter school. The bill eliminates the cap on the number of pupils who may attend virtual charter schools through the Open Enrollment Program, currently set at 5,250.

The bill allows ~~charter school contracts to exceed five years in certain circumstances, allows~~ a contract to provide for more than one charter school, and allows a charter school governing board to enter into more than one contract. The

charter school

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bill provides that a charter school authorizer is immune from civil and criminal liability for the activities of the charter schools with which it has contracted.

The bill requires every charter school under contract with the CSAB to pay an annual fee to the CSAB. The bill allows every charter school under contract with the CSAB to provide health care for its employees under the Group Insurance Board health coverage plan for local government employees. ^(A)

The bill provides that any person who holds a teaching license issued by the Department of Public Instruction (DPI) may perform any instructional duty at any grade level in a charter school. Under the bill, any person who does not hold a DPI-issued teaching license may be employed as instructional staff in a charter school if he or she obtains a charter school instructional staff permit from DPI. The bill allows DPI to require that an applicant for such a permit hold a bachelor's degree, but prohibits DPI from limiting the subjects the applicant may teach based upon his or her major field of study.

Under current law, state aid to independent charter schools is funded by a reduction in general school aid, applied on a prorated basis to all school districts. Current law provides that beginning in the 2011-12 school year, instead of reducing general school aid by the amount of charter school aid paid in the same school year, general school aid will be reduced by the amount of charter school aid paid in the 2010-11 school year. This bill eliminates this cap on the reduction in general school aid described above.

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

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

1 **SECTION 1.** 15.07 (1) (a) 7. of the statutes is created to read:

2 15.07 (1) (a) 7. Members of the charter school authorizing board appointed
3 under s. 15.56 shall be appointed as provided in that section.

4 **SECTION 2.** 15.56 of the statutes is created to read:

5 **15.56 Charter school authorizing board.** (1) There is created a charter
6 school authorizing board consisting of the following members appointed for 3-year
7 terms:

8 (a) Three members appointed by the governor, no more than 2 of whom may
9 belong to the same political party.

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1 (b) Three members appointed by the senate majority leader, no more than 2 of
2 whom may belong to the same political party.

3 (c) Three members appointed by the speaker of the assembly, no more than 2
4 of whom may belong to the same political party.

5 (2) The appointing authorities under sub. (1) shall ensure to the extent feasible
6 that members appointed to the board are geographically diverse and have experience
7 and expertise in governing public and nonprofit organizations; in management and
8 finance; in public school leadership, assessment, and curriculum and instruction;
9 and in education law; and understand and are committed to the use of charter schools
10 to strengthen public education.

11 (3) No member of the board may serve more than 2 consecutive terms.

12 (4) The board does not have rulemaking authority.

13 **SECTION 3.** 20.265 of the statutes is created to read:

14 **20.265 Charter school authorizing board.** There is appropriated to the
15 charter school authorizing board for the following programs:

16 (1) SUPPORT OF CHARTER SCHOOLS. (g) *Oversight.* All moneys received as fees
17 under s. 118.40 (9) (b) to perform its functions under s. 118.40.

18 (h) *Gifts and grants.* All moneys received from gifts and grants for the purposes
19 for which made.

20 **SECTION 4.** 20.515 (1) (g) of the statutes is created to read:

21 20.515 (1) (g) *Benefit and coverage payments; charter school health care*
22 *coverage.* All moneys received from charter school governing boards under s. 40.515
23 who elect to provide coverage for their employees in a health care coverage plan
24 under s. 40.51 (7), for the payment of benefits and the cost of administering benefits
25 under s. 40.515.

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1 **SECTION 5.** 20.923 (4) (e) 1. c. of the statutes is created to read:

2 20.923 (4) (e) 1. c. Charter school authorizing board: executive director.

3 **SECTION 6.** 20.923 (6) (aLm) of the statutes is created to read:

4 20.923 (6) (aLm) Charter school authorizing board: unclassified professional
5 staff.

6 **SECTION 7.** 20.923 (6) (m) of the statutes is amended to read:

7 20.923 (6) (m) University of Wisconsin System: deans, principals, professors,
8 instructors, research assistants, librarians and other teachers, as defined in s. 40.02
9 (55), the staff of the environmental education board, and instructional staff
10 employed by the board of regents of the University of Wisconsin System who provide
11 services for a charter school established by contract under s. 118.40 (2r) (cm), 2009
12 stats.

13 **SECTION 8.** 40.51 (1) of the statutes is amended to read:

14 40.51 (1) The procedures and provisions pertaining to enrollment, premium
15 transmitted and coverage of eligible employees and employees eligible for health
16 care coverage under s. 40.515 for health care benefits shall be established by contract
17 or rule except as otherwise specifically provided by this chapter.

18 **SECTION 9.** 40.515 of the statutes is created to read:

19 **40.515 Health care coverage for individuals employed by charter**
20 **school governing boards.** Beginning on the January 1 that first occurs after the
21 effective date of this subsection [LRB inserts date], any charter school governing
22 board operating a charter school under contract with the charter school authorizing
23 board may elect coverage for its employees under any health care coverage plan
24 offered to local government employees under s. 40.51 (7), during any applicable

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1 enrollment period, subject to any conditions established by contract or by rule under
2 s. 40.51 (1).

3 **SECTION 10.** 111.81 (7) (f) of the statutes is amended to read:

4 111.81 (7) (f) Instructional staff employed by the board of regents of the
5 University of Wisconsin System who provide services for a charter school established
6 by contract under s. 118.40 (2r) (cm), 2009 stats.

7 **SECTION 11.** 111.815 (1) of the statutes is amended to read:

8 111.815 (1) In the furtherance of this subchapter, the state shall be considered
9 as a single employer and employment relations policies and practices throughout the
10 state service shall be as consistent as practicable. The office shall negotiate and
11 administer collective bargaining agreements except that the department of health
12 services, subject to the approval of the federal centers for medicare and medicaid
13 services to use collective bargaining as the method of setting rates for
14 reimbursement of home care providers, shall negotiate and administer collective
15 bargaining agreements entered into with the collective bargaining unit specified in
16 s. 111.825 (2g). To coordinate the employer position in the negotiation of agreements,
17 the office, or the department of health services with regard to collective bargaining
18 agreements entered into with the collective bargaining unit specified in s. 111.825
19 (2g), shall maintain close liaison with the legislature relative to the negotiation of
20 agreements and the fiscal ramifications of those agreements. Except with respect
21 to the collective bargaining units specified in s. 111.825 (1m), (2) (f), and (2g), the
22 office is responsible for the employer functions of the executive branch under this
23 subchapter, and shall coordinate its collective bargaining activities with operating
24 state agencies on matters of agency concern. The legislative branch shall act upon
25 those portions of tentative agreements negotiated by the office that require

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1 legislative action. With respect to the collective bargaining units specified in s.
2 111.825 (1m), the University of Wisconsin Hospitals and Clinics Board is responsible
3 for the employer functions under this subchapter. With respect to the collective
4 bargaining unit specified in s. 111.825 (2) (f), the governing board of the charter
5 school established by contract under s. 118.40 (2r) (cm), 2009 stats., is responsible
6 for the employer functions under this subchapter. With respect to the collective
7 bargaining unit specified in s. 111.825 (2g), the department of health services is
8 responsible for the employer functions of the executive branch under this
9 subchapter.

10 **SECTION 12.** 111.825 (2) (f) of the statutes is amended to read:

11 111.825 (2) (f) Instructional staff employed by the board of regents of the
12 University of Wisconsin System who provide services for a charter school established
13 by contract under s. 118.40 (2r) (cm), 2009 stats.

14 **SECTION 13.** 111.92 (1) (c) of the statutes is amended to read:

15 111.92 (1) (c) Any tentative agreement reached between the governing board
16 of the charter school established by contract under s. 118.40 (2r) (cm), 2009 stats.,
17 acting for the state, and any labor organization representing a collective bargaining
18 unit specified in s. 111.825 (2) (f) shall, after official ratification by the labor
19 organization and approval by the chancellor of the University of
20 Wisconsin-Parkside, be executed by the parties.

21 **SECTION 14.** 115.001 (1) of the statutes is amended to read:

22 115.001 (1) CHARTER SCHOOL. "Charter school" means a school under contract
23 with a school board under s. 118.40 or with one of the entities under s. 118.40 (2r) (b),
24 ~~or a school established and operated by one of the entities under s. 118.40 (2r) (b).~~

25 **SECTION 15.** 115.001 (16) of the statutes is amended to read:

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1 115.001 (16) VIRTUAL CHARTER SCHOOL. "Virtual charter school" means a charter
 2 school ~~under contract with a school board under s. 118.40~~ in which all or a portion
 3 of the instruction is provided through means of the Internet, and the pupils enrolled
 4 in and instructional staff employed by the school are geographically remote from
 5 each other.

6 **SECTION 16.** 118.19 (14) of the statutes is created to read:

7 118.19 (14) (a) Any person who holds a teaching license issued by the
 8 department may perform any instructional duty at any grade level in a charter
 9 school.

10 (b) Any person who does not hold a teaching license issued by the department
 11 may be employed as instructional staff in a charter school if he or she obtains a
 12 charter school instructional staff permit from the department. ~~The department shall~~

13 ~~promulgate rules establishing the requirements for obtaining a charter school~~
 14 ~~instructional staff permit.~~ The department may require that an applicant ^{for a permit} have a

15 bachelor's degree, but may not limit the subjects that the applicant may teach based
 16 upon the applicant's major field of study.

17 **SECTION 17.** 118.395 of the statutes is created to read:

18 **118.395 Charter school authorizing board; executive director, staff. (1)**

19 The charter school authorizing board shall appoint an executive director outside the
 20 classified service. The executive director shall coordinate the activities of the board
 21 and exercise such further powers, functions and duties as the board prescribes.

22 (2) The executive director of the charter school authorizing board may employ
 23 4 professional staff members outside the classified service. Subject to authorization
 24 under s. 16.505, the executive director may employ additional professional staff
 25 members outside the classified service.

*under s. PE 34.34 (2) ↑
 Wis. Adm. Code*

The department shall promulgate rules establishing the requirements for obtaining a charter school instructional staff permit.

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1 **SECTION 18.** 118.40 (2m) (a) of the statutes is amended to read:

2 118.40 (2m) (a) A school board may on its own initiative contract with a person
3 nonprofit corporation to operate a school as a charter school. The contract shall
4 include all of the provisions specified under sub. (1m) (b) and may include other
5 provisions agreed to by the parties.

6 **SECTION 19.** 118.40 (2r) (b) 1. (intro.) of the statutes is amended to read:

7 118.40 (2r) (b) 1. (intro.) ~~All Any of the following entities may establish by~~
8 ~~charter and operate a charter school or, on behalf of their respective entities, may~~
9 ~~initiate a contract with an individual or group~~ a nonprofit corporation to operate a
10 school as a charter school:

11 ~~**SECTION 20.** 118.40 (2r) (b) 1. b., c. and d. of the statutes are repealed.~~ X

12 **SECTION 21.** 118.40 (2r) (b) 1. e. ^{g and f.} (to j.) of the statutes are created to read:

13 118.40 (2r) (b) 1. e. The board of control of a cooperative educational service
14 agency.

15 f. The charter school authorizing board.

16 g. A private college or university that is a member of the Wisconsin Association
17 of Independent Colleges and Universities. X

18 h. A technical college district board. X

19 i. The chancellor of an institution within the University of Wisconsin System. X

20 j. The dean of a college campus within the University of Wisconsin System. X

21 **SECTION 22.** 118.40 (2r) (b) 2. of the statutes is amended to read:

22 118.40 (2r) (b) 2. ~~A charter shall include all of the provisions specified under~~
23 ~~sub. (1m) (b) 3. to 14.~~ A contract shall include all of the provisions specified under
24 sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter
25 school on the liability of the contracting entity under this paragraph. The contract

BILL**SECTION 22**

1 may include other provisions agreed to by the parties. ~~The chancellor of the~~
2 ~~University of Wisconsin-Milwaukee or of the University of Wisconsin-Parkside may~~
3 ~~not establish or enter into a contract for the establishment of a charter school under~~
4 ~~this paragraph without the approval of the board of regents of the University of~~
5 ~~Wisconsin System.~~

6 **SECTION 23.** 118.40 (2r) (b) 3. (intro.) of the statutes is amended to read:

7 118.40 (2r) (b) 3. (intro.) If the chancellor of the University of
8 Wisconsin-Parkside contracts for the establishment of a charter school, ~~the contract~~
9 ~~shall also provide that the charter school must be operated by a governing board and~~
10 ~~that the chancellor or his or her designee must be a member of the~~ charter school's
11 ~~governing board.~~ and ~~In addition, if the contract provides that the instructional staff of~~
12 the charter school shall consist of employees of the board of regents of the University
13 of Wisconsin System, the contract shall also include provisions that do all of the
14 following:

15 **SECTION 24.** 118.40 (2r) (b) 4. of the statutes is repealed.

16 **SECTION 25.** 118.40 (2r) (bm) of the statutes is amended to read:

17 118.40 (2r) (bm) The common council of the city of Milwaukee, the chancellor
18 of the University of Wisconsin-Milwaukee, and the Milwaukee area technical college
19 district board may only ~~establish or enter into a~~ contract for the establishment of a
20 charter school located in the school district operating under ch. 119. The chancellor
21 of the University of Wisconsin-Parkside may only ~~establish or enter into a~~ contract
22 for the establishment of a charter school located in a unified school district that is
23 located in the county in which the University of Wisconsin-Parkside is situated or
24 in an adjacent county. The board of control of a cooperative educational service

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1 agency may only contract for the establishment of a charter school located in the
2 agency's territory.

3 **SECTION 26.** 118.40 (2r) (c) and (cm) of the statutes are repealed.

4 **SECTION 27.** 118.40 (2r) (d) (intro.) of the statutes is amended to read:

5 118.40 (2r) (d) (intro.) The ~~chartering or~~ contracting entity under par. (b) shall
6 do all of the following:

7 **SECTION 28.** 118.40 (2r) (e) 2. of the statutes is amended to read:

8 118.40 (2r) (e) 2. If the chancellor of the University of Wisconsin–Parkside
9 ~~establishes or~~ contracts for the establishment of a charter school under this
10 subsection, in March the department shall pay to the unified school district in which
11 the charter school is located, from the appropriation under s. 20.255 (2) (fm), an
12 amount equal to the amount of school aid per pupil to which the unified school district
13 is eligible in the current school year multiplied by the number of pupils attending the
14 charter school who attended the charter school in the 2010–11 school year and who
15 were previously enrolled in the unified school district.

16 **SECTION 29.** 118.40 (2r) (f) of the statutes is amended to read:

17 118.40 (2r) (f) If the chancellor of the University of Wisconsin–Parkside
18 ~~establishes or~~ contracts for the establishment of a charter school under this
19 subsection, biennially the chancellor shall submit a report to the legislature under
20 s. 13.172 (2). The report shall include information on the academic performance of
21 the pupils who attend the charter school and on the success of the governance
22 structure of the charter school.

23 **SECTION 30.** 118.40 (2r) (g) of the statutes is created to read:

24 118.40 (2r) (g) If a school board leases a building to the governing body of a
25 charter school, the lease may not include a provision specifying that it terminates if

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SECTION 30

1 the lessee enters into a contract with an entity under par. (b) to operate a charter
2 school.

3 **SECTION 31.** 118.40 (3) (b) of the statutes is amended to read:

4 118.40 (3) (b) A contract under par. (a) or under subs. (2m) or (2r) may be for
5 any term not exceeding 5 school years and may be renewed for one or more terms not
6 exceeding 5 school years, except that a school board or entity under sub. (2r) (b) may
7 contract for a term greater than 5 years based on the performance, demonstrated
8 capacities, and particular circumstances of the charter school. A school board or
9 entity under sub. (2r) (b) may renew a contract conditioned upon the charter school
10 implementing specified improvements. The contract shall specify the amount to be
11 paid to the charter school during each school year of the contract.

12 **SECTION 32.** 118.40 (3) (e) of the statutes is renumbered 118.40 (3) (e) (intro.)

13 and amended to read:

14 118.40 (3) (e) (intro.) When establishing or A school board or entity under sub.

15 (2r) (b) shall do all of the following:

16 (b) (2) When contracting for the establishment of a charter school under this

17 section, a school board or entity specified under sub. (2r) (b) shall consider adhere

18 to the principles and standards for quality charter schools established by the

19 National Association of Charter School Authorizers.

20 **SECTION 33.** 118.40 (3) (e) 1., 3. and 4. of the statutes are created to read:

21 118.40 (3) (e) (a) Solicit and evaluate charter school applications.

22 (d) Approve only high quality charter school applications that meet identified
23 educational needs and promote a diversity of educational choices.

12-11

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P-12

X

X X

(3m) (a) and (d) to (f)

(3m) (a)

(d)

(3m) B

(b)

(b)

(3m)

(intro.)

(w 9)

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move below

(1) (e) In accordance with the terms of each charter school contract, monitor the performance and compliance with this section of each charter school with which it contracts.

SECTION 34. 118.40 (3) (f) of the statutes is created to read:

118.40 (3) (f) A contract with a school board or an entity under sub. (2r) (b) may provide for the establishment of more than one charter school, and a charter school governing board may enter into more than one contract with a school board or entity under sub. (2r) (b).

SECTION 35. 118.40 (3) (g) of the statutes is created to read:

118.40 (3) (g) Except as provided in sub. (4) (ar) 1., a contract with a school board or an entity under sub. (2r) (b) shall require that if the capacity of the charter school is insufficient to accept all pupils who apply, the charter school shall accept pupils at random.

move to p. 14

SECTION 36. 118.40 (3) (h) of the statutes is created to read:

118.40 (3) (h) A school board or an entity under sub. (2r) (b), and its officers and employees, are immune from civil and criminal liability for any activities of a charter school with which the school board or entity under sub. (2r) (b) contracts.

13-17

insert from pp. 12-13 & from p. 17

SECTION 37. 118.40 (4) (title) of the statutes is amended to read:

118.40 (4) (title) CHARTER SCHOOL GOVERNING BOARD; DUTIES, POWERS, AND RESTRICTIONS.

13-21

~~SECTION 38. 118.40 (4) (a) of the statutes is renumbered 118.40 (4) (ar).~~

SECTION 39. 118.40 (4) (ag) of the statutes is created to read:

118.40 (4) (ag) *Governing board.* Each charter school shall be organized as a nonprofit corporation and shall be governed by a governing board that is a party to the contract with the authorizing entity. No governing board member may be a

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SECTION 39

fix component
x

1 member or employee of the governing body of the authorizing entity. No more than
2 a minority of the governing board's members may be charter school staff.

14-2
insert from P. 16

3 **SECTION 40.** 118.40 (4) (c) of the statutes is ^{renumbered 118.40 (3) (h) and} amended to read:

4 118.40 ^{(3) (h)} (4) (c) ~~Single sex schools and courses.~~ A school board may enter into a
5 ~~contract for,~~ and an entity under sub. (2r) may ~~establish or enter into a~~ contract for,
6 the establishment of a charter school that enrolls only one sex or that provides one
7 or more courses that enroll only one sex if the school board or entity under sub. (2r)
8 makes available to the opposite sex, under the same policies and criteria of
9 admission, schools or courses that are comparable to each such school or course.

10 **SECTION 41.** 118.40 (4) (d) of the statutes is created to read:

11 118.40 (4) (d) Powers. Subject to the terms of its contract, a charter school ^{governing board} has
12 all the powers necessary to carry out the terms of its contract, including the following:

13 1. To receive and disburse funds for school purposes.

14 2. To secure appropriate insurance ~~and enter into contracts.~~

15 4. ~~2~~ To incur debt in reasonable anticipation of the receipt of funds. x

16 5. ~~3~~ To pledge, assign, or encumber its assets to be used as collateral for loans or
17 extensions of credit. x

18 6. ~~4~~ To solicit and accept gifts or grants for school purposes. x

19 7. ~~5~~ To acquire real property for its use. x

20 8. ~~6~~ To sue and be sued in its own name. x

21 **SECTION 42.** 118.40 (7) (am) 1. of the statutes is amended to read:

22 118.40 (7) (am) 1. Except as provided in ~~subds. subd. 2. and 3.,~~ if a charter
23 school is established under sub. (2m) and located in the school district operating
24 under ch. 119, the school board of that school district shall determine whether or not
25 the charter school is an instrumentality of the school district. If the school board

14-14

INS FROM P. 13 & 14-20

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

5 **SECTION 43.** 118.40 (7) (am) 3. of the statutes is repealed.

6 **SECTION 44.** 118.40 (8) (a) (intro.) of the statutes is amended to read:

7 118.40 (8) (a) *Location.* (intro.) For the purposes of sub. (7) (a), (am), and (ar),
8 a virtual charter school under contract with one or more school boards is considered
9 to be located in the following school district:

10 **SECTION 45.** 118.40 (8) (f) 1. of the statutes is amended to read:

11 118.40 (8) (f) 1. The members of the ~~school board~~ governing body of the entity
12 that contracted for the establishment of the virtual charter school and the
13 administrators of that ~~school district~~ entity.

14 **SECTION 46.** 118.40 (8) (g) 2. of the statutes is amended to read:

15 118.40 (8) (g) 2. Subject to subd. 2m., the third time in the same semester that
16 a pupil attending a virtual charter school fails to respond appropriately to a school
17 assignment or directive from instructional staff within 5 school days, the governing
18 body of the virtual charter school shall also notify the ~~school board~~ governing body
19 of the entity that contracted for the establishment of the virtual charter school, the
20 school board of the pupil's resident school district, and the department. The ~~school~~
21 ~~board~~ governing body of the entity that contracted for the establishment of the
22 virtual charter school may transfer the pupil to his or her resident school district.
23 If the pupil is a resident of the school district that contracted for the establishment
24 of the virtual charter school, the school board may assign the pupil to another school
25 or program within that school district. If the ~~school board~~ governing body transfers

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SECTION 46

1 or the school board assigns a pupil, it shall notify the pupil's parent or guardian and
2 the department.

3 **SECTION 47.** 118.40 (8) (g) 3. of the statutes is amended to read:

4 118.40 (8) (g) 3. The parent or guardian of a pupil transferred to the pupil's
5 resident school district under subd. 2. may appeal the transfer to the department
6 within 30 days after receipt of the notice of transfer. The department shall affirm
7 the school board's governing body's decision unless the department finds that the
8 decision was arbitrary or unreasonable.

9 **SECTION 48.** 118.40 (8) (h) of the statutes is repealed.

10 **SECTION 49.** 118.40 (9) of the statutes is created to read:

11 118.40 (9) CHARTER SCHOOL AUTHORIZING BOARD. (a) *Definition.* In this
12 subsection, "board" means the charter school authorizing board.

13 3. ~~By fee annually~~ ^{if the} each charter school governing board ^{is} under contract with the
14 board ^{charter school authorizing} shall pay to the board a fee equal to the amount determined by dividing the
15 operational costs of all charter schools that it operated under contract with the board
16 in the previous school year by the total number of pupils enrolled in all such charter
17 schools in the previous school year and multiplying the quotient by 0.02. In order
18 to determine the fee payable in the first school year of operation, the charter school
19 governing board shall estimate its total operational costs and total pupil enrollment
20 in that school year.

21 (c) *Audits.* At least once every 5 years, the legislative audit bureau shall
22 prepare a financial and performance evaluation audit of each charter school operated
23 by a governing board under contract with the board. The bureau shall file a copy of
24 the report of the audit with the board and with the state superintendent.

move to p. 14

X

BILL

1 (1) ~~(d) Reports~~ ^(f) Annually, ~~the board shall~~ submit to the state superintendent and
2 to the legislature under s. 13.172 (2) a report that includes all of the following:

3 1. An identification of each charter school operating under contract with the
4 ^{school} board, ^{or entity under sub. (2r)(b)} each charter school that operated under a contract with the ^{school} board ^{or entity} but had its
5 contract nonrenewed or revoked or that closed, and each charter school under
6 contract with the ^{school} board ^{or entity} that has not yet begun to operate.

move
to
p. 13

7 2. The academic and financial performance of each charter school operated
8 under contract with the ^{school} board ^{or entity under sub. (2r)(b)}

9 3. The services the ^{school} board ^{or entity under sub. (2r)(b)} has provided to the charter schools under contract
10 with ^{it} the board and an itemized accounting of the cost of the services.

11 4. The ~~board's~~ ^{of the school board or entity under sub. (2r)(b)} operating costs, detailed in an audited financial statement
12 prepared in accordance with generally accepted accounting principles.

13 SECTION 50. 118.51 (1) (a) of the statutes is renumbered 118.51 (1) (ar).

14 SECTION 51. 118.51 (1) (ag) of the statutes is created to read:

15 118.51 (1) (ag) "Charter school" excludes a school under contract with an entity
16 under s. 118.40 (2r) (b).

17 SECTION 52. 118.51 (3) (a) 6. of the statutes is amended to read:

18 118.51 (3) (a) 6. If an application is accepted, on or before the first Friday
19 following the first Monday in June following receipt of a notice of acceptance, ~~or~~
20 ~~within 10 days of receiving a notice of acceptance if a pupil is selected from a waiting~~
21 ~~list under s. 118.40 (8) (h) 5.,~~ the pupil's parent shall notify the nonresident school
22 board of the pupil's intent to attend school in that school district in the following
23 school year.

24 SECTION 53. 118.51 (3) (a) 7. of the statutes is repealed.

25 SECTION 54. 118.51 (3) (b) of the statutes is amended to read:

incurred in performing its
duties under par. (a) to (e)

BILL**SECTION 54**

1 118.51 (3) (b) *Notice to resident school district.* Annually by June 30, each
2 nonresident school board that has accepted a pupil under this section for attendance
3 in the following school year shall report the name of the pupil to the pupil's resident
4 school board. ~~If a pupil is selected from a waiting list under s. 118.40 (8) (h) 5., the~~
5 ~~nonresident school board shall report the name of the pupil to the pupil's resident~~
6 ~~school board within 10 days of receiving notice of the pupil's selection from the~~
7 ~~department.~~

8 **SECTION 55.** 119.60 (5) of the statutes is created to read:

9 119.60 (5) Annually by August 1 the common council shall report to the
10 department, the charter school authorizing board, and the legislature under s.
11 13.172 (2) all of the following:

12 (a) All instances in the previous school year in which a person expressed
13 interest in purchasing or leasing any city-owned property used for school purposes
14 to a city official or employee. If the property was not sold or leased, the report shall
15 indicate the reason.

16 (b) All sales of city-owned property used for school purposes that occurred in
17 the previous school year and all leases of such property that were entered into in the
18 previous school year.

19 **SECTION 56.** 121.02 (1) (a) 2. of the statutes is amended to read:

20 121.02 (1) (a) 2. ~~Subject~~ Except as provided in s. 118.40 (2r) (d) 1. and subject
21 to s. 118.40 (8) (b) 2., ensure that all instructional staff of charter schools located in
22 the school district hold a license or permit to teach issued by the department. For
23 purposes of this subdivision, a virtual charter school under contract with one or more
24 school boards is located in the school district specified in s. 118.40 (8) (a) and a charter
25 school established under s. 118.40 (3) (c) 1. c. is located in the school district specified

BILL

1 in s. 118.40 (3) (c) 1. c. The state superintendent shall promulgate rules defining
2 “instructional staff” for purposes of this subdivision.

3 **SECTION 57.** 121.08 (4) (a) 1. of the statutes is amended to read:

4 121.08 (4) (a) 1. ~~In the 2009–10 and 2010–11 school year, add~~ Add the amounts
5 paid under s. 118.40 (2r) in the current school year, ~~and in the 2011–12 school year~~
6 ~~and each school year thereafter, add the amounts paid under s. 118.40 (2r) in the~~
7 ~~2010–11 school year.~~

8 **SECTION 58.** 230.08 (2) (dm) of the statutes is amended to read:

9 230.08 (2) (dm) Instructional staff employed by the board of regents of the
10 University of Wisconsin System who provide services for a charter school established
11 by contract under s. 118.40 (2r) (cm), 2009 stats.

12 **SECTION 59.** 230.08 (2) (wc) of the statutes is created to read:

13 230.08 (2) (wc) Professional staff members of the charter school authorizing
14 board authorized under s. 118.395 (2).

15 **SECTION 60.** 230.35 (1s) of the statutes is amended to read:

16 230.35 (1s) Annual leave of absence with pay for instructional staff employed
17 by the board of regents of the University of Wisconsin System who provide services
18 for a charter school established by contract under s. 118.40 (2r) (cm), 2009 stats.,
19 shall be determined by the governing board of the charter school established by
20 contract under s. 118.40 (2r) (cm), 2009 stats., as approved by the chancellor of the
21 University of Wisconsin–Parkside and subject to the terms of any collective
22 bargaining agreement under subch. V of ch. 111 covering the instructional staff.

23 **SECTION 61. Nonstatutory provisions.**

24 (1) Notwithstanding section 15.56 (1) of the statutes, as created by this act, of
25 the initial members appointed to the charter school authorizing board under section

BILL

SECTION 61

1 15.56 (1) (a) of the statutes, as created by this act, one member shall be appointed
 2 for a term expiring on May 1, 2013, and one member shall be appointed for a term
 3 expiring on May 1, 2015; of the initial members appointed under section 15.56 (1) (b)
 4 of the statutes, as created by this act, one member shall be appointed for a term
 5 expiring on May 1, 2013, and one member shall be appointed for a term expiring on
 6 May 1, 2015; and of the initial members appointed under section 15.56 (1) (c) of the
 7 statutes, as created by this act, one member shall be appointed for a term expiring
 8 on May 1, 2013, and one member shall be appointed for a term expiring on May 1,
 9 2015. All other initial members appointed to the charter school authorizing board
 10 shall be appointed for terms expiring on May 1, 2014.

SECTION 62. Initial applicability.

12 (1) CHARTER SCHOOL CONTRACTS. The treatment of sections 118.40 (2m) (a), (2r)
 13 (b) 1. (intro.) and 2. and (e) 2., (3) (e) 2., (f) (g), and (h), (4) (ag) and (d), and (7) (am)
 14 3. of the statutes first applies to a contract for the establishment of a charter school
 15 that is entered into, renewed, or modified on the effective date of this subsection.

16 (2) SCHOOL LEASES. The treatment of section 118.40 (2r) (g) of the statutes first
 17 applies to a lease entered into, renewed, or modified on the effective date of this
 18 subsection.

(END)

D-note.

and (e) 3

and
 and
 and

(A)

(no 9) Although ^(a) charter school's employees are not state employees and may not be local government employees; the bill provides that a charter school's governing board may elect to become a participating employer under the Wisconsin Retirement System.

5-12:1

Section #. 40.02 (28) of the statutes is amended to read:



40.02 (28) "Employer" means the state, including each state agency, any county, city, village, town, school district, other governmental unit or instrumentality of 2 or more units of government now existing or hereafter created within the state, any federated public library system established under s. 43.19 whose territory lies within a single county with a population of 500,000 or more, a local exposition district created under subch. II of ch. 229, a transit authority created under s. 66.1039, and a long-term care district created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3). "Employer" does not include a local cultural arts district created under subch. V of ch. 229. Each employer shall be a separate legal jurisdiction for OASDHI purposes.

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16, 38, 103, 104, 109; 2003 a. 33; 2005 a. 153, 335; 2007 a. 20, 131, 226; 2009 a. 15, 28.

any charter school under contract
with a school board or with
an entity specified in s. 118.40 (2)(b) 1.

5-12:2



Section #. 40.02 (36) of the statutes is amended to read:

40.02 (36) "Governing body" means the legislature or the head of each state agency with respect to employees of that agency for the state, the common council in cities, the village board in villages, the town board in towns, the county board in counties, the school board in school districts, or the board, commission or other governing body having the final authority for any other unit of government, for any agency or instrumentality of 2 or more units of government, for any federated public library system established under s. 43.19 whose territory lies within a single county with a population of 500,000 or more, for a local exposition district created under subch. II of ch. 229 or for a long-term care district created under s. 46.2895, but does not include a local cultural arts district created under subch. V of ch. 229.

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16, 38, 103, 104, 109; 2003 a. 33; 2005 a. 153, 335; 2007 a. 20, 131, 226; 2009 a. 15, 28.

for a charter school
under contract with a
school board or with
an entity specified in
s. 108.40 (2r) (b) 6.

8-16

④

(c) ~~any person~~ who holds a charter staff school instructional license or a charter school instructional staff permit ^{issued by the department} as a highly qualified teacher under 20 usc ⁶³¹⁹ 6319 $\text{\textcircled{X}}$

The department shall consider a person ^{and each local educational agency}

In this paragraph "local educational agency" includes a charter school.

under s. PI 34.34 (1) or (2) Wis. Adm. Code

12-11

X

(c)

Section #. 118.40 (3) (d) of the statutes is renumbered 118.40(3m)(a) and amended to read:

118.40 (3m) (a) ^(c) ~~A school board or an entity under sub. (2r) (b) shall give~~ ^{Give} preference in awarding contracts for the operation of charter schools to those charter schools that serve children at risk, as defined in s. 118.153 (1) (a).

History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33, 156; 2005 a. 25, 111, 346; 2007 a. 222; 2009 a. 28, 61, 276.

13-17

⑨ sec. #. CR; 118.40 (3m) ~~118.40~~ (intro.)

⑨ 118.40 (3m) (title) CHARTER SCHOOL AUTHORIZER (CS)

(CS) DUTIES. (intro.) A school board or entity under sub. (2r) (b) shall do all of the following :

13-21

118.40(4)(ar)(intro.) as
renumbered
15

Section #. 118.40 (4) (a) (intro.) of the statutes is renumbered 118.40(4)(ar)(intro.) and amended to read:

governing board

118.40 (4) (ar) *Duties.* (intro.) A charter school shall do all of the following:

History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33, 156; 2005 a. 25, 111, 346; 2007 a. 222; 2009 a. 28, 61, 276.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

14-2

91

sec. ~~7~~. CR; 118.40 (4) (a) 3.

14-14

¶ 3. To enter into contracts, ~~including contracts~~ for technical or financial assistance, academic support, curriculum review, or other services.

including contracts with a University of Wisconsin institution or college campus, technical college district board, or private college or university.

(7)

SEC. #. CR. 118.40 (4) (f)

(B)

(I)

Local educational agency.

(9)

118.40 (4) (f)

A charter school is a local educational

agency under 20 USC 6301 to 6578 and as such is

6578
6578

comply with all requirements of local educational

agencies, under 20 USC 6301 to 6578.

eligible for funding as a
local educational agency; and
shall

15-5

7 c

1+

9

SEC. #. CR. 118.40 (7) (c)

9

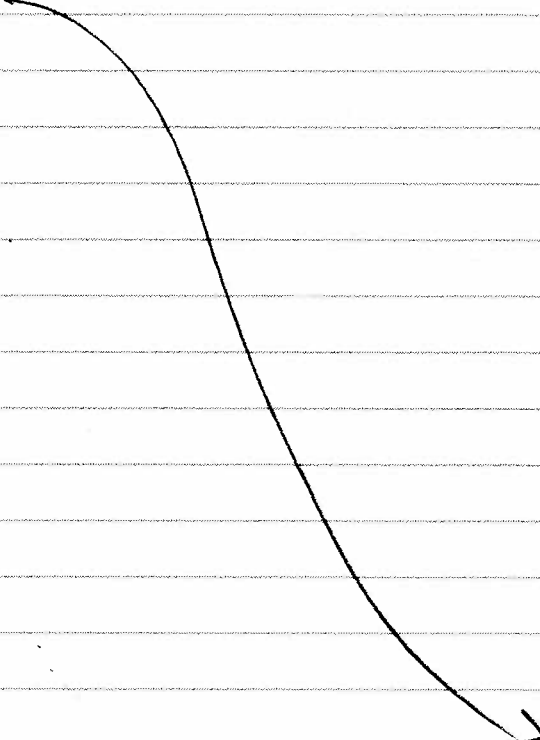
118.40 (7)(c) For the purpose of

eligibility for participation in the Wisconsin Retirement System, a charter school is considered a public entity carrying out that is carrying out a governmental purpose.

DN

⑨ Senator Darling:

⑨ I think there is an ^{issue} issue remaining relating to the requirement under Federal law ~~that~~ that teachers be highly qualified. ✓



DN (continued)

Grant, Peter

From: Grant, Peter
Sent: Tuesday, January 18, 2011 1:27 PM
To: 'jgee@wcharterschools.org'; 'Todd Ziebarth'
Cc: 'dennis@dconta.com'; Schulze, Connie; Archibald, Sarah
Subject: RE: Charter Schools

Hi John and Todd,

Have you had a chance to check into the issue I raised at Friday's conference call regarding "highly qualified teachers"? As I read federal law, in order to be considered "highly qualified," a teacher must meet three requirements:

1. The teacher must hold a license to teach issued by the state.
2. The teacher must hold a bachelor's degree.
3. The teacher must demonstrate subject matter competency in each of the academic subjects in which he or she teaches, in the manner determined by the state.

If a teacher is employed to teach core subjects in a charter school, the first element above is met if the teacher meets the requirements set forth in the state's charter school law regarding licensure. But all other elements of the "highly qualified teacher" requirement (in other words, items 2 and 3, above) still apply to charter school teachers.

I think the bill contradicts federal law in two areas. First, the bill states that a person who holds a teaching license issued by DPI may perform *any* instructional duty at *any* grade level in a charter school, even if he or she has not demonstrated competency in each of the academic subjects that he or she teaches. And second, the bill states that a person who doesn't hold a teaching license may be employed as instructional staff in a charter school if he or she holds an instructional staff permit issued by DPI. The bill states that DPI may require a bachelor's degree for issuance of this permit, but may not limit the subjects that the applicant may teach based upon the applicant's major field of study. I suppose DPI could require that the applicant demonstrate in some other way that he or she is competent in the subject areas that he or she teaches, but the clear implication in the bill is that such a demonstration is not necessary. (Otherwise, why wouldn't the bill allow DPI to require such a demonstration for a person who holds a DPI-issued teaching license?)

Do you want to modify the bill at all to address this issue ~~or do you want to leave the bill as is?~~

Thanks,

Peter *PG*

From: Todd Ziebarth [mailto:Todd@publiccharters.org]
Sent: Friday, January 14, 2011 9:43 AM
To: Grant, Peter
Cc: Schulze, Connie; Dennis Conta; John Gee
Subject: Re: Charter Schools

Thanks Peter. Here is the short list of other items I mentioned yesterday. Will you be on the phone for today's meeting?

Todd Ziebarth
Vice President, State Advocacy and Support
National Alliance for Public Charter Schools
todd@publiccharters.org
414-288-0756 (office)
720-252-8076 (cell)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0584/2dn
PG:cjs:jf

January 24, 2011

Senator Darling:

I think there is an issue remaining relating to the requirement under federal law that teachers be "highly qualified."

As I read federal law, in order to be considered "highly qualified," a teacher must meet three requirements:

1. The teacher must hold a license to teach issued by the state.
2. The teacher must hold a bachelor's degree.
3. The teacher must demonstrate subject matter competency in each of the academic subjects in which he or she teaches, in the manner determined by the state.

If a teacher is employed to teach core subjects in a charter school, the first element above is met if the teacher meets the requirements set forth in the state's charter school law regarding licensure. But all other elements of the "highly qualified teacher" requirement (in other words, items 2 and 3, above) still apply to charter school teachers.

I think the bill contradicts federal law in two areas. First, the bill states that a person who holds a teaching license issued by DPI may perform any instructional duty at any grade level in a charter school, even if he or she has not demonstrated competency in each of the academic subjects that he or she teaches. And second, the bill states that a person who doesn't hold a teaching license may be employed as instructional staff in a charter school if he or she holds an instructional staff permit issued by DPI. The bill states that DPI may require a bachelor's degree for issuance of this permit, but may not limit the subjects that the applicant may teach based upon the applicant's major field of study. I suppose DPI could require that the applicant demonstrate in some other way that he or she is competent in the subject areas that he or she teaches, but the clear implication in the bill is that such a demonstration is not necessary. (Otherwise, why wouldn't the bill allow DPI to require such a demonstration for a person who holds a DPI-issued teaching license?)

Do you want to modify the bill at all to address this issue?

Thanks,

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.wisconsin.gov

Grant, Peter

From: Emerson, James
Sent: Thursday, January 27, 2011 3:04 PM
To: Grant, Peter
Subject: FW: FW: Teacher Licensing

From: Dennis Conta [mailto:dennis@dconta.com]
Sent: Thursday, January 27, 2011 2:59 PM
To: Emerson, James
Subject: Re: FW: Teacher Licensing

I am providing with the only language we need to address a major objective of charter school teachers: to each multiple subjects with a license that DPI issues under rules promulgated by the the state superintendent. I would read:

The Superintendent of Public Instruction would promulgate rules that would require a person to teach multiple subjects with a teaching license.

I will call you to discuss this sentence..

On 1/27/2011 9:26 AM, Emerson, James wrote:
Gentleman:

This is the response I received from Peter Grant this morning. The suggested comments from John and Todd don't really address Peter's concerns. Any ideas?

Jim Emerson
Policy Director
Senator Alberta Darling's Office
608-266-5830

-----Original Message-----

From: Grant, Peter
Sent: Thursday, January 27, 2011 8:09 AM
To: Emerson, James
Subject: RE: Teacher Licensing

Jim, I apologize. In my effort to respond to you quickly yesterday, I misspoke. The crux of the problem is that the draft allows charter school teachers to teach any subject without demonstrating competence in that subject. I don't see how the addition of the sentence suggested below changes that. Because the draft states that a person who holds a teaching license issued by DPI allows the person to teach any subject in a charter school, the state superintendent would be unable to promulgate rules that require the teacher to demonstrate competence in the subject the person teaches.

Again, I apologize for leading you astray yesterday. Please let me know how you'd like me to proceed.

1/27/2011

Peter

-----Original Message-----

From: Emerson, James
Sent: Wednesday, January 26, 2011 3:07 PM
To: Grant, Peter
Subject: FW: Teacher Licensing

Peter:

This is the change that was suggested from the conference call. Do you feel it addresses your concern?

Jim Emerson
Senator Alberta Darling's Office
608-266-5830

-----Original Message-----

From: John Gee [<mailto:jgee@wicharterschools.org>]
Sent: Wednesday, January 26, 2011 12:34 PM
To: Emerson, James
Subject: Teacher Licensing

Add this sentence.

The State Superintendent of the Department of Public Instruction will establish rules for charter school teachers to teach multiple subjects and be considered highly qualified.

John Gee
WCSA
608-886-4339
jgee@wicharterschools.org

Tel call
Jim Emerson (Darling) 1/27/11

&
Dennis Conta RE - 0584
414-276-3337

alt req. St. Sup prom rules nec. for t. to teach
multiple subjects w/ a t. license

new licence }
for
charter school
teachers }

can get multi-disciplinary licence
if satisfy rules

(demonstrate competency)

Grant, Peter

From: Grant, Peter
Sent: Thursday, January 27, 2011 3:38 PM
To: 'dennis@dconta.com'; Emerson, James
Subject: New charter school license

Hi Dennis and Jim,

Here's the language I've come up with. Let me know if it accomplishes your intent. Dennis, you didn't explicitly say that you wanted the last part of the second sentence ("...and shall provide several means for the applicant to demonstrate such competence"), but I thought it made sense. If you want to delete it, that's OK.

118.19 (14) The department shall promulgate rules establishing a charter school teaching license that allows the licensee to teach multiple subjects in a charter school. The rules shall require the applicant to demonstrate competence in each subject that he or she wishes to teach and shall provide several means for the applicant to demonstrate such competence.

Peter

Peter Grant, Managing Attorney
Wisconsin Legislative Reference Bureau
608-267-3362
peter.grant@legis.wi.gov

Grant, Peter

From: Dennis Conta [dennis@dconta.com]
Sent: Thursday, January 27, 2011 4:21 PM
To: Grant, Peter; Emerson, James
Cc: John Yingling
Subject: Re: New charter school license

Peter and Jim - this language works. Please put it in the bill and let me know if you have any other questions. I believe now that we have completed our analysis and recommendations.

Your patience and skill in this important area has been of great value to the process.

Dennis

On 1/27/2011 3:38 PM, Grant, Peter wrote:

Hi Dennis and Jim,

Here's the language I've come up with. Let me know if it accomplishes your intent. Dennis, you didn't explicitly say that you wanted the last part of the second sentence ("... and shall provide several means for the applicant to demonstrate such competence"), but I thought it made sense. If you want to delete it, that's OK.

118.19 (14) The department shall promulgate rules establishing a charter school teaching license that allows the licensee to teach multiple subjects in a charter school. The rules shall require the applicant to demonstrate competence in each subject that he or she wishes to teach and shall provide several means for the applicant to demonstrate such competence.

Peter

Peter Grant, Managing Attorney
Wisconsin Legislative Reference Bureau
608-267-3362
peter.grant@legis.wi.gov

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