

## 2011 DRAFTING REQUEST

### Senate Amendment (SA-SSA1-SB22)

Received: 10/12/2011

Received By: pgrant

Wanted: As time permits

Companion to LRB:

For: Alberta Darling (608) 266-5830

By/Representing: Jim Emerson

May Contact:

Drafter: pgrant

Subject: Education - charter schools

Addl. Drafters:

Extra Copies: TKK

Submit via email: YES

Requester's email: Sen.Darling@legis.wisconsin.gov

Carbon copy (CC:) to:

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Replication of charter schools

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#### Instructions:

See attached

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#### 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 10/12/2011	csicilia 10/17/2011		_____			
/1	pgrant 10/18/2011	csicilia 10/18/2011	rschluet 10/17/2011	_____	ggodwin 10/17/2011 ggodwin 10/17/2011	ggodwin 10/17/2011	
/2			rschluet 10/18/2011	_____	lparisi 10/18/2011	lparisi 10/18/2011	

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

FE Sent For:

**<END>**

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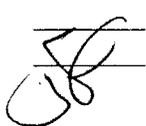
**Instructions:**

See attached

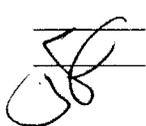
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/?	pgrant	1 js 10/17					
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1 js 10/17  
11/21/11  
10/12/11



FE Sent For:

<END>

SA to SSA1  
to SB22

Jim Emerson / Darling etc.  
6-5830

Rec'd  
10/11/11  
PM

**Existing Authorizer Involvement:**

if nonprofit  
want to  
open another  
school  
(share # in K)

- Replication request goes to existing authorizer
- Approval is presumptive upon authorizer verification of:
  1. A timeline for the commencement of instruction at each school.  
(Commencement of instruction must begin during the term of the existing charter.)
  2. The general location of each school and the school district and county in which each school is to be located.
  3. A description of the potential facilities to be used at each school.
  4. The approximate number of pupils that can safely be accommodated by each school facility.
  5. Successful attainment of required academic performance benchmarks. - ?  
for existing sch. in K

**Geographic Limitations**

- Expedited/automatic replication provisions are limited to districts with graduation rates lower than 75%.  
sd pupils, not charter

**Demographic Limitations**

→ s.d. pupils

- In districts with less than 50% free and reduced priced lunch, automatic replication performance trigger is 90% proficient or advanced in reading and math (based on a 3-year rolling average).
- In districts with greater than 50% free and reduced priced lunch, automatic replication performance trigger is 75% proficient or advanced in reading and math (based on a 3-year rolling average).

ch. school pupils

Tc w/ Jim 10/12/11

this applies to a new K w/  
the CSAB; can skip requirements  
under (2v)(h) in sub.

eg. nonprofit has K UW-M;  
can go to CSAB + K w/ them  
w/out following (2v)(h) if above  
conditions are met.

exempt from (2v)(h)?

## Grant, Peter

---

**From:** Emerson, James  
**Sent:** Tuesday, October 11, 2011 3:00 PM  
**To:** Emerson, James; Grant, Peter  
**Cc:** Archibald, Sarah  
**Subject:** RE:

Peter:

Sarah pointed out that what I sent doesn't restrict the replication to only in the school district in which the current charter school serves. So, if a charter school is in MPS, it can only get the expedited replication process for another school in Milwaukee.

It should have included that.

Thanks,  
Jim

*W CESA*

---

**From:** Emerson, James  
**Sent:** Tuesday, October 11, 2011 2:32 PM  
**To:** Grant, Peter  
**Cc:** Archibald, Sarah  
**Subject:**

Peter:

Senator Darling would like an amendment to Senate Bill 22, the charter school bill. The amendment would make it easier for an existing charter school to open another school. If you have any questions, please feel free to call me.

Sincerely,  
Jim Emerson  
Senator Darling's Office  
608-266-5830

<< File: Replication amendment language.doc >>

Date (time) needed

TODAY  
*(Signature)*

LRBa 1597 / 1

# AMENDMENT

PG: gjs : \_\_\_\_\_

See form **AMENDMENTS — COMPONENTS & ITEMS.**

## S A AMENDMENT

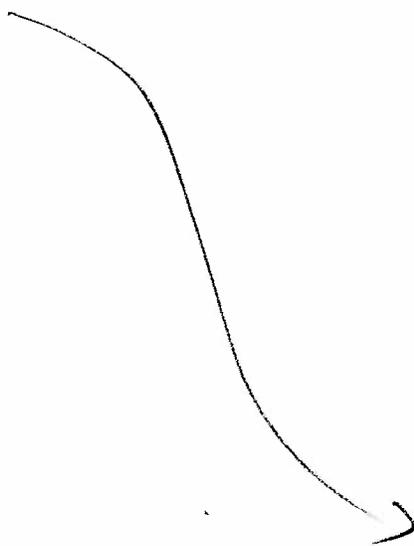
TO S A AMENDMENT \_\_\_\_\_ (LRBa / ),

TO S A SUBSTITUTE AMENDMENT 1 (LRBs / ),

TO 2011 SB SJR SR AB AJR AR 22 (LRB- / )

At the locations indicated, amend the substitute amendment as follows:  
 (fill ONLY if “engrossed ...” or “as shown by .....”)

- #. Page . . . . , line . . . . :
  
- #. Page . . . . , line . . . . :
  
- #. Page . . . . , line . . . . :
  
- #. Page . . . . , line . . . . :



④

# Page 13, line 2: delete "If" and  
substitute "✓ Except as provided in sub. (2s), if ✓ ⊙

^

⑦

# Page 14, line 5: after that line insert:

⑦

SEC. 34 m. CR; 118.40 (2s)

⑦

118.40 <sup>(B)</sup>(2s)(a) The governing board of a

nonprofit corporation that it has established one or more charter schools under a contract with a school board or entity under <sup>sub. (2r)</sup> other than the charter school authorizing board may contract with the charter school authorizing board to operate a charter school without following the requirements in sub. (2r)(b) if the charter school authorizing board approves. (A)

board

under sub. (2r)

under sub. (2r)

⑦

(b) The charter school authorizing board of the nonprofit corporation shall contract with the governing board of the nonprofit corporation if it determines <sup>that</sup> all of the following apply:

proposed charter school (B)

④

2. The school district specified in subd. 1.

~~located~~ has a graduation rate that is lower than 75 percent; ~~not~~ excluding the located pupils attending charter schools in the school district.

(9) 3. If the school district specified in ~~no~~  
~~located in a school district~~ subd. 1. is one in which fewer  
 than 50 percent of the pupils  $\uparrow$  excluding pupils  
 attending charter schools located in the school  
 district, are eligible for a free or reduced-

price lunch under 42 USC 175B(b) ~~an average~~  
 in the <sup>3</sup><sub>1</sub> previous school years, an average of  
 at least 90 percent of the pupils attending

charter schools operated by the governing  
 board of the nonprofit corporation in that  
 school district scored at the  
~~at the~~ proficient or  
 advanced level the in reading and mathematics  
 portions of the examinations administered  
 under s. 118.30.

④ 4. If the ~~proposed charter school will~~  
 school district specified in subd. 1. is one  
~~be located in a school district~~ in which at  
 least 50 percent of the pupils, excluding  
 pupils attending charter schools located in the  
 school district, are eligible for a free or  
 reduced-price lunch under 42 USC 1758(b),  
~~an average over~~ <sup>in</sup> the 3 previous school years  
 an average of at least 75 percent of the pupils attending  
 charter schools operated by the governing board  
 of the nonprofit corporation ~~under the~~ in that  
~~contract with the charter school authorizer~~  
 school district scored at the level the  
~~proficient or advanced~~ in reading and  
 mathematics portions of the examinations  
 administered under s. 118.30 <sup>✓</sup> <sub>○</sub>

(END)

(A)

(rw 9) The governing board shall provide the charter school authorizing board with all of the following information:

(9)

1. A timeline for the opening of the proposed charter school.

(9)

2. The location of the proposed charter school.

(9)

3. A description of the proposed charter school's facilities.

(9)

4. The maximum number of pupils who may be safely accommodated at the proposed charter school.

(B)

(P)

1. The proposed charter school will be located in a school district in which the nonprofit <sup>corporation</sup> has established one or more charter schools under <sup>a</sup> contract with a school board or entity under sub. <sup>2r</sup> (2r) other than the charter school authorizing board.



State of Wisconsin  
2011 - 2012 LEGISLATURE

Wed



LRBa1597/2

PG:cjs:rs

T  
stays

SENATE AMENDMENT ,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2011 SENATE BILL 22

bellini

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 13, line 2: delete "If" and substitute "Except as provided in sub. (2s),  
3 if".

4 **2.** Page 14, line 5: after that line insert:

5 "SECTION 34m. 118.40 (2s) of the statutes is created to read:

6 118.40 (2s) (a) The governing board of a nonprofit corporation that has  
7 established one or more charter schools under a contract with a school board or entity

8 under sub. (2r) ~~other than the charter school authorizing board~~ may contract with  
9 the charter school authorizing board under sub. (2r) to operate a charter school

10 without following the requirements in sub. (2r) (h) ~~if the charter school authorizing~~  
11 ~~board approves~~. The governing board shall provide the charter school authorizing

12 board with all of the following information:

- 1           1. A timeline for the opening of the proposed charter school.
- 2           2. The location of the proposed charter school.
- 3           3. A description of the proposed charter school’s facilities.
- 4           4. The maximum number of pupils who may be safely accommodated at the
- 5 proposed charter school.

6           (b) The charter school authorizing board shall contract with the governing  
7 board of the nonprofit corporation under sub. (2r) to operate the proposed charter  
8 school if it determines that all of the following apply:

9           1. The proposed charter school will be located in a school district in which the  
10 nonprofit corporation has established one or more charter schools under a contract  
11 with a school board or entity under sub. (2r) ~~other than the charter school authorizing~~

11  
12 board.

13           2. The school district specified in subd. 1. has a graduation rate that is lower  
14 than 75 percent, excluding the pupils attending charter schools located in the school  
15 district.

16           3. If the school district specified in subd. 1. is one in which fewer than 50 percent  
17 of the pupils, excluding pupils attending charter schools located in the school district,  
18 are eligible for a free or reduced-price lunch under 42 USC 1758 (b), in the 3 previous  
19 school years an average of at least 90 percent of the pupils attending charter schools  
20 operated by the governing board of the nonprofit corporation in that school district  
21 scored at the proficient or advanced level in the reading and mathematics portions  
22 of the examinations administered under s. 118.30.

23           4. If the school district specified in subd. 1. is one in which at least 50 percent  
24 of the pupils, excluding pupils attending charter schools located in the school district,  
25 are eligible for a free or reduced-price lunch under 42 USC 1758 (b), in the 3 previous

1 school years an average of at least 75 percent of the pupils attending charter schools  
2 operated by the governing board of the nonprofit corporation in that school district  
3 scored at the proficient or advanced level in the reading and mathematics portions  
4 of the examinations administered under s. 118.30.”.

5

(END)