

2013 DRAFTING REQUEST

Bill

Received: 1/17/2013 Received By: fknepp
Wanted: As time permits Same as LRB:
For: Alberta Darling (608) 266-5830 By/Representing: Nick Kitzman
May Contact: Drafter: fknepp
Subject: Education - charter schools Addl. Drafters:
Extra Copies: Peter Grant

Submit via email: YES
Requester's email: Sen.Darling@legis.wisconsin.gov
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Authorization process for replicating 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>
/?	fknepp 1/25/2013	jdyer 1/30/2013	phenry 1/30/2013	_____			
/P1	fknepp 1/31/2013			_____	mbarman 1/30/2013		
/P2	fknepp	jdyer	rschluet	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	2/7/2013	2/1/2013	2/1/2013	_____	2/1/2013		
/1	fknepp 2/14/2013	jdyer 2/7/2013	jfrantze 2/7/2013	_____	mbarman 2/7/2013	sbasford 2/7/2013	
/2	fknepp 2/15/2013	jdyer 2/14/2013	rschluet 2/14/2013	_____	lparisi 2/14/2013	lparisi 2/14/2013	
/3		jdyer 2/15/2013	jfrantze 2/15/2013	_____	srose 2/15/2013	srose 2/15/2013	

FE Sent For:

<END>

NOT
NEEDED

2013 DRAFTING REQUEST

Bill

Received: 1/17/2013 Received By: fknepp
Wanted: As time permits Same as LRB:
For: Alberta Darling (608) 266-5830 By/Representing: Nick Kitzman
May Contact: Drafter: fknepp
Subject: Education - charter schools Addl. Drafters:
Extra Copies: Peter Grant

Submit via email: YES
Requester's email: Sen.Darling@legis.wisconsin.gov
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Authorization process for replicating 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>
/?	fknepp 1/25/2013	jdyer 1/30/2013	phenry 1/30/2013	_____			
/P1	fknepp 1/31/2013			_____	mbarman 1/30/2013		
/P2	fknepp	jdyer	rschluet	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	2/7/2013	2/1/2013	2/1/2013	_____	2/1/2013		
/1	fknepp 2/14/2013	jdyer 2/7/2013	jfrantze 2/7/2013	_____	mbarman 2/7/2013	sbasford 2/7/2013	
/2	fknepp 2/15/2013	jdyer 2/14/2013	rschluet 2/14/2013	_____	lparisi 2/14/2013	lparisi 2/14/2013	
/3		jdyer 2/15/2013	jfrantze 2/15/2013	_____	srose 2/15/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 1/17/2013 Received By: fknepp
Wanted: As time permits Same as LRB:
For: Alberta Darling (608) 266-5830 By/Representing: Nick Kitzman
May Contact: Drafter: fknepp
Subject: Education - charter schools Addl. Drafters:
Extra Copies: Peter Grant

Submit via email: YES
Requester's email: Sen.Darling@legis.wisconsin.gov
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Authorization process for replicating 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>
/?	fknepp 1/25/2013	jdyer 1/30/2013	phenry 1/30/2013	_____			
/P1	fknepp 1/31/2013	3/2/15 jld	Jb 2/15	Rs 2/15	mbarman 1/30/2013		
/P2	fknepp	jdyer	rschlue	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	2/7/2013	2/1/2013	2/1/2013	_____	2/1/2013		
/1	fknepp 2/14/2013	jdyer 2/7/2013	jfrantze 2/7/2013	_____	mbarman 2/7/2013	sbasford 2/7/2013	
/2		jdyer 2/14/2013	rschluet 2/14/2013	_____	lparisi 2/14/2013	lparisi 2/14/2013	

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 1/17/2013 Received By: fknepp
Wanted: As time permits Same as LRB:
For: Alberta Darling (608) 266-5830 By/Representing: Nick Kitzman
May Contact: Drafter: fknepp
Subject: Education - charter schools Addl. Drafters:
Extra Copies: Peter Grant

Submit via email: YES
Requester's email: Sen.Darling@legis.wisconsin.gov
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Authorization process for replicating 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>
/?	fknepp 1/25/2013	jdyer 1/30/2013	phenry 1/30/2013	_____			
/P1	fknepp 1/31/2013	1/22/14 jld	rsch/fuef	_____	mbarman 1/30/2013		
/P2	fknepp	jdyer	rsch/fuef	_____	sbasford		

2/12/13

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	2/7/2013	2/1/2013	2/1/2013	_____	2/1/2013		
/1		jdye 2/7/2013	jfrantze 2/7/2013	_____	mbarman 2/7/2013	sbasford 2/7/2013	

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 1/17/2013 Received By: fknepp
Wanted: As time permits Same as LRB:
For: Alberta Darling (608) 266-5830 By/Representing: Nick Kitzman
May Contact: Drafter: fknepp
Subject: Education - charter schools Addl. Drafters:
Extra Copies: Peter Grant

Submit via email: YES
Requester's email: Sen.Darling@legis.wisconsin.gov
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Authorization process for replicating 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>
/?	fknepp 1/25/2013	jdyer 1/30/2013	phenry 1/30/2013	_____			
/P1	fknepp 1/31/2013			_____	mbarman 1/30/2013		
/P2	fknepp	jdyer	rschluet	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	2/7/2013	2/1/2013	2/1/2013	_____	2/1/2013		
/1		jdye 2/7/2013	jfrantze 2/7/2013	_____ _____	mbarman 2/7/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 1/17/2013 Received By: **fknepp**
Wanted: As time permits Same as LRB:
For: Alberta Darling (608) 266-5830 By/Representing: **Nick Kitzman**
May Contact: Drafter: **fknepp**
Subject: Education - charter schools Addl. Drafters:
Extra Copies: **Peter Grant**

Submit via email: YES
Requester's email: **Sen.Darling@legis.wisconsin.gov**
Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

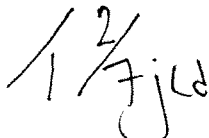

Topic:

Authorization process for replicating 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>
/?	fknepp 1/25/2013	jdyer 1/30/2013	phenry 1/30/2013	_____			
/P1	fknepp 1/31/2013			<u>2/7</u>	mbarman 1/30/2013		
/P2		jdyer	rschluet	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		2/1/2013	2/1/2013	_____	2/1/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 1/17/2013 Received By: **fknepp**
Wanted: **As time permits** Same as LRB:
For: **Alberta Darling (608) 266-5830** By/Representing: **Nick Kitzman**
May Contact: Drafter: **fknepp**
Subject: **Education - charter schools** Addl. Drafters:
Extra Copies: **Peter Grant**

Submit via email: **YES**
Requester's email: **Sen.Darling@legis.wisconsin.gov**
Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Authorization process for replicating 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>
/?	fknepp 1/25/2013	jdyer 1/30/2013	phenry 1/30/2013	_____			
/P1		<i>P2</i> <i>2/1 jld</i>	<i>S</i> <i>2/13</i>	<i>3</i> _____	mbarman 1/30/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 1/17/2013 Received By: fknepp
 Wanted: As time permits Same as LRB:
 For: Alberta Darling (608) 266-5830 By/Representing: Nick Kitzman
 May Contact: Drafter: fknepp
 Subject: Education - charter schools Addl. Drafters:
 Extra Copies: Peter Grant

Submit via email: YES
 Requester's email: Sen.Darling@legis.wisconsin.gov
 Carbon copy (CC) to: tracy.kuczynski@legis.wisconsin.gov
 fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Authorization process for replicating 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>
1/2	fknepp	PI 1/30 jld	1/30 ph	JF PK			

FE Sent For:

<END>

Knepp, Fern

From: Kitzman, Nick
Sent: Thursday, January 17, 2013 11:28 AM
To: Knepp, Fern
Subject: Replication of high performing charter school draft

Fern,
I thought you would be the appropriate person to contact regarding another bill that I am interested in drafting. Below are the details of this for replication of high-performing charter schools draft. In general, I would like the draft to make the authorization process easier for replication of existing, high-performing charters in Wisconsin. Please let me know if you have any questions.

Sincerely,
Nick Kitzman
Senator Darling
608-266-5830

Charter Replication Language

Existing Authorizer Involvement:

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

Geographic Limitations

- Expedited/automatic replication provisions are limited to districts with graduation rates lower than 75%

Demographic Limitations

- 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 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).



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1232?
FFK: A.....

In 1-25-2013
~~XXXXXXXXXX~~
owd 2-4-2013

PI
JLD
RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

PWF ✓

✓

Gen

1 AN ACT ...; relating to: contracts for additional charter schools. ✓

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

2 SECTION 1. 118.40 (3) (f) of the statutes is created to read: ✓

3 118.40 (3) (f) 1. A school board or entity under sub. (2r) (b) ✓ that has contracted
4 with a person to operate a charter school shall, upon receiving an application under
5 subd. 2. ✓ from the person and verifying the information required under ✓ subd. 2. d.,
6 amend the existing contract or enter into a new contract with the person to allow the
7 person to operate an additional charter school if the additional charter school will be
8 located in a school district that has a high school graduation rate of less than 75
9 percent and any of the following apply: ✓ g-applies

9

***NOTE: The draft requires the authorizer only to verify that the existing charter school has attained the applicable academic performance benchmarks because it was not clear to me how an authorizer would verify the remainder of the information submitted in the application. If there is other information in the application that is in fact verifiable and that you would like to require the authorizer to verify, please let me know so that I can include it in this subdivision.

check A

***NOTE: Your instructions included geographic and demographic limitations. I assumed that both had to be satisfied in order for the authorizer to follow the automatic authorization process under this paragraph. If this assumption is incorrect, please let me know.

***NOTE: Is it your intent that an authorizer is required to approve an unlimited number of additional charter schools based on one high performing charter school that satisfies the requirements under this paragraph? Is the authorizer required to automatically authorize additional school based on a high performing charter school if subsequent charter schools approved under this paragraph are not "high performing?"

*

an

- 1 a. If less than 50 percent of the pupils enrolled in the school district where the
- 2 existing charter school is located are eligible for a free or reduced-price lunch under
- 3 42 USC 1758 (b), at least 90 percent of the pupils enrolled in the existing charter
- 4 school are proficient or advanced in reading and math, as determined by the
- 5 department. Whether a threshold in met under this subd. 1. a. is determined using
- 6 a 3-year rolling average.

***NOTE: I wasn't sure how it is determined whether a pupil is proficient or advance in reading and math. If the department is not the correct entity to determine whether a pupil is proficient or advanced in these subjects, please let me know how it is determined.

***NOTE: How would the threshold for pupils who are proficient or advanced in reading and math a person be measured for a person who operates more than one charter school in a school district? Is it your intent that the authorization process under subd. 1. is available to the person as long as one of the existing charter schools operated by the person satisfies the requirement?

- 7 b. If 50 percent or more of the pupils enrolled in the school district where the
- 8 existing charter school is located are eligible for a free or reduced-price lunch under
- 9 42 USC 1758 (b), at least 75 percent of the pupils enrolled in the existing charter
- 10 school are proficient or advanced in reading and math, as determined by the
- 11 department. Whether a specific threshold in met under this subd. 1. b. is determined
- 12 using a 3-year rolling average.

1 2. A person applying to operate an additional charter school under this
 2 paragraph shall submit to the school board or entity under sub. (2r) (b) with which
 3 that person has an existing contract an application containing all of the following:

4 a. The date on which instruction will begin at the additional charter school.
 5 The date must be during the term of the existing contract.

6 b. The general location of the additional charter school.

 ***NOTE: Currently, subject to limited exceptions, a school board may not enter into a contract for the establishment of a charter school located outside the school district and the entities under sub. (2r) (b) are similarly restricted to contracting for charter schools in the Milwaukee school district and the Racine unified school district. Therefore, the draft does not require the applicant to include the school district and county in which the additional school would be located because presumably the authorizer can authorize additional schools only within a certain school district.

7 c. A description of any potential facility that may be used by the additional
 8 charter school, including the approximate number of pupils that each facility may
 9 safely accommodate.

10 d. Information demonstrating that the charter school that the person operates
 11 under the existing contract has satisfied any academic performance benchmarks
 12 established by the department.

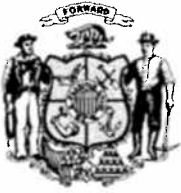
 ***NOTE: The instructions required the existing authorizer to verify "successful attainment of required academic performance benchmarks" that are currently in place. There are specific academic benchmarks in the statutes for choice schools under s. 119.23 (7)(a) but there are no similar requirements for charter schools. Is it possible that these benchmarks are in the contract? Are these benchmarks related to the demographic limitations in subd. 1.? Please let me know if there are specific requirements you would like described or referenced in this subdivision.

 ***NOTE: How would this requirement be applied if a person is currently operating multiple charter schools, some of which may satisfy academic performance benchmarks and some of which may not? Is it your intent that such an applicant would be eligible for the automatic process under subd. 1?

⊙(END)

Telephone Call w/ Nick 1-30-2013

- ① To qualify, all of the charter schools must be high performing. As long as all are high performing, can get unlimited number of additional schools under this process.
- ② Demographic requirements - Proficient & advanced correspond to DPI's usage for report cards. Tied to exam results.
- ③ No intention to allow authorizer to authorize new schools outside the authorizer's jurisdiction.
- ④ "Academic performance benchmarks" means a high performing charter, i.e. satisfies the reading & math requirements.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1232/P1
FFK:jld:ph

In 1-31-2013

Soon

Handwritten initials and notes

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

4x Regen

1 AN ACT to create 118.40 (3) (f) of the statutes; relating to: contracts for
2 additional charter schools.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

3 SECTION 1. 118.40 (3) (f) of the statutes is created to read:

4 118.40 (3) (f) 1. A school board or entity under sub. (2r) (b) that has contracted

5 with a person to operate a charter school shall, upon receiving an application under

6 subd. 2. from the person and verifying the information required under subd. 2. d.

7 amend the existing contract or enter into a new contract with the person to allow the

8 person to operate an additional charter school if the additional charter school will be

9 located in a school district that has a high school graduation rate of less than 75

10 percent and any of the following applies:

For purposes of this paragraph, a person is a high performing charter school operator if each of the charter schools operated by the person in this state satisfy the following criteria:

that the person is a high performing charter school operator

where the additional charter school will be located

~~****NOTE: The draft requires the authorizer only to verify that the existing charter school has attained the applicable academic performance benchmarks because it was not clear to me how an authorizer would verify the remainder of the information submitted in the application. If there is other information in the application that is in fact verifiable and that you would like to require the authorizer to verify, please let me know so that I can include it in this subdivision.~~

~~****NOTE: Your instructions included geographic and demographic limitations. I assumed that both had to be satisfied in order for the authorizer to follow the automatic authorization process under this paragraph. If this assumption is incorrect, please let me know.~~

~~****NOTE: Is it your intent that an authorizer is required to approve an unlimited number of additional charter schools based on one high performing charter school that satisfies the requirements under this paragraph? Is the authorizer required to automatically authorize an additional school based on a high performing charter school if subsequent charter schools approved under this paragraph are not "high performing?"~~

- ✓ (1)
- INS (2)
- 2-2 (3)
- (4)
- (5)
- 6
- ✓ (7)
- INS (8)
- 2-5 (9)
- (10)
- (11)
- 12

a. If less than 50 percent of the pupils enrolled in the school district where the existing^{g a} charter school is located are eligible for a free or reduced-price lunch under 42 USC 1758 (b), at least 90 percent of the pupils enrolled in the existing charter school are proficient or advanced in reading and math, as determined by the department. Whether a threshold^{is} is met under this subd. 1. a. is determined using a 3-year rolling average.

~~****NOTE: I wasn't sure how it is determined whether a pupil is proficient or advance in reading and math. If the department is not the correct entity to determine whether a pupil is proficient or advanced in these subjects, please let me know how it is determined.~~

~~****NOTE: How would the threshold for pupils who are proficient or advanced in reading and math a person be measured for a person who operates more than one charter school in a school district? Is it your intent that the authorization process under subd. 1. is available to the person as long as one of the existing charter schools operated by the person satisfies the requirement?~~

b. If 50 percent or more of the pupils enrolled in the school district where the existing^{g a} charter school is located are eligible for a free or reduced-price lunch under 42 USC 1758 (b), at least 75 percent of the pupils enrolled in the existing charter school are proficient or advanced in reading and math, as determined by the department. Whether a specific threshold^{is} is met under this subd. 1. b. is determined using a 3-year rolling average.

1 2. A person applying to operate an additional charter school under this
2 paragraph shall submit to ^athe school board or entity under sub. (2r) (b) [✓]with which
3 ~~that~~ ^{the} person has an existing contract an application containing all of the following:

4 a. The date on which instruction will begin at the additional charter school.
5 The date must be during the term of the existing contract.

6 b. The general location of the additional charter school.

~~****NOTE: Currently, subject to limited exceptions, a school board may not enter into a contract for the establishment of a charter school located outside the school district and the entities under sub. (2r) (b) are similarly restricted to contracting for charter schools in the Milwaukee school district and the Racine unified school district. Therefore, the draft does not require the applicant to include the school district and county in which the additional school would be located because presumably the authorizer can authorize additional schools only within a certain school district.~~

7 c. A description of any potential facility that may be used by the additional
8 charter school, including the approximate number of pupils that each facility may
9 safely accommodate.

10 d. Information demonstrating that ^{each}the charter school that the person operates
11 under the existing contract has satisfied any academic performance benchmarks
12 established by the department. ^{in this state satisfies the rule in}
^{in subd. 1, a. or b; whichever applies}

~~****NOTE: The instructions required the existing authorizer to verify "successful attainment of required academic performance benchmarks" that are currently in place. There are specific academic benchmarks in the statutes for choice schools under s. 119.23 (7) (a) but there are no similar requirements for charter schools. Is it possible that these benchmarks are in the contract? Are these benchmarks related to the demographic limitations in subd. 1.? Please let me know if there are specific requirements you would like described or referenced in this subdivision.~~

~~****NOTE: How would this requirement be applied if a person is currently operating multiple charter schools, some of which may satisfy academic performance benchmarks and some of which may not? Is it your intent that such an applicant would be eligible for the automatic process under subd. 1.?~~

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1232/P2ins
FFK:.....

INS. 2-2

~~NO~~ charter school's pupil scores on examinations that are required under s. 118.30
(1r) demonstrate that the pupils are proficient or advanced in reading and math, as
defined by the department. ✓ ~~NO~~

END INS. 2-2

INS. 2-8

~~NO~~ charter school's pupil scores on examinations that are required under ✓ s. 118.30
(1r) demonstrate that the pupils are proficient or advanced in reading and math, as
defined by the department. ~~NO~~

END INS. 2-8



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1232/P2

FFK:jld:rs

3/1
RMR

In 2-7-2013

Scan

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2013 BILL

X

Regen

1 AN ACT *to create* 118.40 (3) (f) of the statutes; **relating to:** contracts for
2 additional charter schools.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

3 SECTION 1. 118.40 (3) (f) of the statutes is created to read:
4 118.40 (3) (f) 1. A school board or entity under sub. (2r) (b) that has contracted
5 with a person to operate a charter school shall, upon receiving an application under
6 subd. 2. from the person and verifying that the person is a high performing charter
7 school operator, amend the existing contract or enter into a new contract with the
8 person to allow the person to operate an additional charter school if the school district
9 where the additional charter school will be located has a high school graduation rate

Analysis Insert
→

1 of less than 75 percent. For purposes of this paragraph, a person is a high performing
2 charter school operator if each of the charter schools operated by the person in this
3 state satisfy the following criteria:

4 a. If less than 50 percent of the pupils enrolled in the school district where a
5 charter school is located are eligible for a free or reduced-price lunch under 42 USC
6 1758 (b), at least 90 percent of the charter school's pupil scores on examinations that
7 are required under s. 118.30 (1r) demonstrate that the pupils are proficient or
8 advanced in reading and math, as defined by the department. Whether a threshold
9 is met under this subd. 1. a. is determined using a 3-year rolling average.

10 b. If 50 percent or more of the pupils enrolled in the school district where a
11 charter school is located are eligible for a free or reduced-price lunch under 42 USC
12 1758 (b), at least 75 percent of the charter school's pupil scores on examinations that
13 are required under s. 118.30 (1r) demonstrate that the pupils are proficient or
14 advanced in reading and math, as defined by the department. Whether a specific
15 threshold is met under this subd. 1. b. is determined using a 3-year rolling average.

16 2. A person applying to operate an additional charter school under this
17 paragraph shall submit to a school board or entity under sub. (2r) (b) with which the
18 person has an existing contract an application containing all of the following:

19 a. The date on which instruction will begin at the additional charter school.
20 The date must be during the term of the existing contract.

21 b. The general location of the additional charter school.

22 c. A description of any potential facility that may be used by the additional
23 charter school, including the approximate number of pupils that each facility may
24 safely accommodate.

1 d. Information demonstrating that each charter school that the person
2 operates in this state satisfies the criteria in subd. 1. a. or b., whichever applies.

3 (END)

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1232/lins

FFK:.....

ANALYSIS INSERT

Under current law, a school board may enter into a contract with an individual, group, business, or governmental body to establish a charter school, which operates 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.

This bill requires a school board or other entity that has contracted with a person to operate a charter school to amend the contract or enter into a new contract with the operator to allow the operator to establish an additional charter school if the additional charter school will be located in a school district that has a high school graduation rate of less than 75 percent and the operator is a high performing charter school operator. Under the bill, an operator is a high performing charter operator if pupil test scores at each of the charter schools that the operator operates in this state satisfy certain academic benchmarks in reading and math.

END ANALYSIS INSERT

Basford, Sarah

From: Kitzman, Nick
Sent: Thursday, February 07, 2013 4:01 PM
To: LRB.Legal
Subject: Draft Review: LRB -1232/1 Topic: Authorization process for replicating charter schools

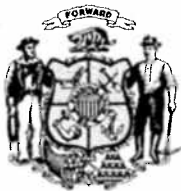
Please Jacket LRB -1232/1 for the SENATE.

Telephone call from Nick Kitzman

2-13-13

Changes requirements for qualifying for expedited process ~~to~~ as follows:

- ① remove grad rate requirement
- ② Instead of 1% of population in reading & math dependency or 1% of free & reduced lunch, all charters must be in top 2 categories of report card
DPI



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-12321

FFK:jld:jf

TODAY

2/12
RMR

2013 BILL

→ In the most recent school report published by the Department of Public Instruction, each of the charter schools operated by the person in this state received a rating of "significantly exceeds expectations" or "exceeds expectations." Regen

- 1 ✓ AN ACT to create 118.40 (3) (f) of the statutes; relating to: contracts for
- 2 additional charter schools. ✓

Analysis by the Legislative Reference Bureau

Under current law, a school board may enter into a contract with an individual, group, business, or governmental body to establish a charter school, which operates 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.

This bill requires a school board or other entity that has contracted with a person to operate a charter school to amend the contract or enter into a new contract with the operator to allow the operator to establish an additional charter school if the additional charter school will be located in a school district that has a high school graduation rate of less than 75 percent and the operator is a high performing charter school operator. Under the bill, an operator is a high performing charter operator if pupil test scores at each of the charter schools that the operator operates in this state satisfy certain academic benchmarks in reading and math.

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

- 3 SECTION 1. 118.40 (3) (f) of the statutes is created to read:

BILL

SECTION 1

1 118.40 (3) (f) 1. A school board or entity under sub. (2r) (b) that has contracted
 2 with a person to operate a charter school shall, upon receiving an application under
 3 subd. 2. from the person and verifying that the person is a high performing charter
 4 school operator, amend the existing contract or enter into a new contract with the

5 person to allow the person to operate an additional charter school if the school district
 6 where the additional charter school will be located has a high school graduation rate
 7 of less than 75 percent. For purposes of this paragraph, a person is a high performing

8 charter school operator if each of the charter schools operated by the person in this
 9 state satisfy the following criteria: *(i) the most recent school report published by the Department of Public School Services received a rating of "significantly exceeds expectations" or "exceeds expectations" or the equivalent highest 2 performance categories.*

10 a. If less than 50 percent of the pupils enrolled in the school district where a
 11 charter school is located are eligible for a free or reduced-price lunch under 42 USC
 12 1758 (b), at least 90 percent of the charter school's pupil scores on examinations that
 13 are required under s. 118.30 (1r) demonstrate that the pupils are proficient or
 14 advanced in reading and math, as defined by the department. Whether a threshold
 15 is met under this subd. 1. a. is determined using a 3-year rolling average.

16 b. If 50 percent or more of the pupils enrolled in the school district where a
 17 charter school is located are eligible for a free or reduced-price lunch under 42 USC
 18 1758 (b), at least 75 percent of the charter school's pupil scores on examinations that
 19 are required under s. 118.30 (1r) demonstrate that the pupils are proficient or
 20 advanced in reading and math, as defined by the department. Whether a specific
 21 threshold is met under this subd. 1. b. is determined using a 3-year rolling average.

22 2. A person applying to operate an additional charter school under this
 23 paragraph shall submit to a school board or entity under sub. (2r) (b) with which the
 24 person has an existing contract an application containing all of the following:

BILL

1 a. The date on which instruction will begin at the additional charter school.
2 The date must be during the term of the existing contract.

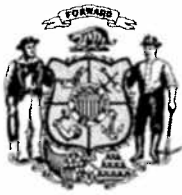
3 b. The general location of the additional charter school.

4 c. A description of any potential facility that may be used by the additional
5 charter school, including the approximate number of pupils that each facility may
6 safely accommodate.

7 d. Information demonstrating ^{g. The rating} that each charter school that the person
8 operates in this state satisfies the criteria in subd. 1. a. or b., whichever applies

9 (END)

received on the ^{most} recent school report
published by the department.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-12322

FFK:jld:rs

2-15-2013

J-note

Now

2013 BILL

RMR

(Handwritten initials)

lx

Regen

1 AN ACT to create 118.40 (3) (f) of the statutes; relating to: contracts for
2 additional charter schools. ✓

Analysis by the Legislative Reference Bureau

Under current law, a school board may enter into a contract with an individual, group, business, or governmental body to establish a charter school, which operates 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.

This bill requires a school board or other entity that has contracted with a person to operate a charter school to amend the contract or enter into a new contract with the operator to allow the operator to establish an additional charter school if, in the most recent school report published by the Department of Public Instruction, each of the charter schools operated by the person in this state received a rating of "significantly exceeds explanations" or "exceeds expectations." ✓

expectations

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

3 SECTION 1. 118.40 (3) (f) of the statutes is created to read:
4 118.40 (3) (f) 1. A school board or entity under sub. (2r) (b) that has contracted
5 with a person to operate a charter school shall, upon receiving an application under

for the two most recent school years

BILL

1 subd. 2. from the person, amend the existing contract or enter into a new contract
 2 with the person to allow the person to operate an additional charter school if, in the
 3 most recent school report^s published by the department, ^{for the 2 most recent} each of the charter schools^{school years}
 4 operated by the person in this state received a rating of "significantly exceeds
 5 expectations" or "exceeds expectations," or the equivalent highest 2 performance
 6 categories.

7 2. A person applying to operate an additional charter school under this
 8 paragraph shall submit to a school board or entity under sub. (2r) (b) with which the
 9 person has an existing contract an application containing all of the following:

10 a. The date on which instruction will begin at the additional charter school.
 11 The date must be during the term of the existing contract.

12 b. The general location of the additional charter school.

13 c. A description of any potential facility that may be used by the additional
 14 charter school, including the approximate number of pupils that each facility may
 15 safely accommodate.

16 d. The rating that each charter school that the person operates in this state
 17 received in the most recent school report^s published by the department.

(END)

for the 2 most recent school years ✓

D-note
 ↓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1232/3dn

FFK: a:...

date

jld

To Nick:

Under this draft, an applicant is not eligible for the expedited process unless all charter schools operated in this state by the applicant receive certain ratings in school report cards during the ^{two} 2 school years prior to the application. As a result of this language, there is an implied requirement that each charter school that the person operates in this state is in operation for at least ^{two} 2 school years prior to an application and during those years receive a performance category rating from DPI under the school report cards. Based on DPI's website, it appears that a school may not receive a performance category rating under the school report card if the school is new, too small, or an alternative program. Additionally, at this time, no school has received more than one rating under the school report card published by DPI so the earliest an applicant could apply for the expedited process proposed under this bill would be following the release of the next report card, assuming that all of the applicant's charter schools received a performance category rating for the 2011-12 school year. Please confirm that this is consistent with your intent.

Fern Knepp
Legislative Attorney
Phone: (608) 261-6927
E-mail: fern.knepp@legis.wisconsin.gov

Internet

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1232/3dn
FFK:jld:jf

February 15, 2013

To Nick:

Under this draft, an applicant is not eligible for the expedited process unless all charter schools operated in this state by the applicant receive certain ratings in school report cards during the two school years prior to the application. As a result of this language, there is an implied requirement that each charter school that the person operates in this state is in operation for at least two school years prior to an application and during those years receive a performance category rating from DPI under the school report cards. Based on DPI's Internet site, it appears that a school may not receive a performance category rating under the school report card if the school is new, too small, or an alternative program. Additionally, at this time, no school has received more than one rating under the school report card published by DPI so the earliest an applicant could apply for the expedited process proposed under this bill would be following the release of the next report card, assuming that all of the applicant's charter schools received a performance category rating for the 2011-12 school year. Please confirm that this is consistent with your intent.

Fern Knepp
Legislative Attorney
Phone: (608) 261-6927
E-mail: fern.knepp@legis.wisconsin.gov