

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0100/1dn
FFK:sac:rs

September 12, 2013

To Gary Bennett:

1. Sections 1–7 of the draft remain unchanged. Those sections are necessary, in accordance with LRB drafting conventions, to show that the cross–references to s. 118.40 (2r) (cm) refer to s. 118.40 (2r) (cm), 2011 stats., even though that paragraph is repealed under the draft. Additionally, I didn't alter s. 118.40 (2m) (b) as suggested in your instructions because there is nothing to comply with under the consolidated s. 118.40 (2) (b). Under the draft, s. 118.40 (2) (b) authorizes the school board to grant a petition subject to a certain condition.
2. The draft allows a pupil to attend any charter established under s. 118.40 (2r) regardless of location. For charters established under s. 118.40 (2) or (2m), a pupil may enroll in a charter school in a nonresident school district using the open enrollment process under s. 118.51. Section 118.51 (5) lists the specific criteria that the nonresident school district may use in determining whether to accept or deny a pupil's application. Please confirm that the criteria in s. 118.51 for accepting an open enrollment application is consistent with your intent.
3. Under this draft, the comparison for demonstrating a proven track record of success is between the pupils attending a charter school and the pupils attending public schools (including charter schools) in the school district where that charter school is located. Please confirm that this is consistent with your concept of the “surrounding school district.”

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