



State of Wisconsin
2013 – 2014 LEGISLATURE



LRBs0171/1
FFK:sac:jf

**SENATE SUBSTITUTE AMENDMENT 2,
TO SENATE BILL 76**

October 31, 2013 – Offered by Senators DARLING and OLSEN.

1 **AN ACT** *to repeal* 118.40 (2) (b) 1. and 2.; *to renumber and amend* 118.40 (2)
2 (b) (intro.); *to amend* 115.415 (3) (a) (intro.), 118.40 (2m) (b) and 118.40 (6); and
3 **to create** 115.385 (3) and 118.40 (3) (f) of the statutes; **relating to:** replicating
4 charter schools, utilizing an alternative process for educator effectiveness,
5 establishing a charter school district, and school district accountability.

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

6 **SECTION 1.** 115.385 (3) of the statutes is created to read:
7 115.385 (3) For purposes of measuring a school district's performance under
8 sub. (1), the department may not include data derived from a virtual charter school
9 that is considered to be located in the school district under s. 118.51 (18) if at least
10 50 percent of the pupils are attending the virtual charter school under s. 118.51.

11 **SECTION 2.** 115.415 (3) (a) (intro.) of the statutes is amended to read:

1 115.415 (3) (a) (intro.) The department shall promulgate by rule an equivalency
2 process aligned with the evaluation system established under sub. (2) for a school
3 district, a charter school under contract with a school board that is not an
4 instrumentality of the school district, or a charter school established under s. 118.40
5 (2r) seeking to utilize an alternative process for the evaluation of teacher and
6 principal practice. The process under this subsection shall be based on the criteria
7 established in the 2011 Interstate Teacher Assessment and Support Consortium and
8 the 2008 Interstate School Leaders Licensure Consortium Educational Leadership
9 Policy Standards, and a school district, a charter school under contract with a school
10 board that is not an instrumentality of the school district, or charter school
11 established under s. 118.40 (2r) that uses the process under this subsection shall
12 evaluate the performance of teachers in the following domains:

13 **SECTION 3.** 118.40 (2) (b) (intro.) of the statutes is renumbered 118.40 (2) (b) and
14 amended to read:

15 118.40 (2) (b) A school board may grant a petition that would result in the
16 conversion of all of the public schools in the school district to charter schools ~~if all of~~
17 ~~the following apply:~~.

18 **SECTION 4.** 118.40 (2) (b) 1. and 2. of the statutes are repealed.

19 **SECTION 5.** 118.40 (2m) (b) of the statutes is amended to read:

20 118.40 (2m) (b) A school board may not enter into a contract under par. (a) that
21 would result in the conversion of all of the public schools in the school district to
22 charter schools ~~unless the school board complies with sub. (2) (b) 2.~~

23 **SECTION 6.** 118.40 (3) (f) of the statutes is created to read:

24 118.40 (3) (f) 1. In this paragraph, a person has a proven track record of success
25 if, during each of the 2 immediately preceding school years, a person operated a

1 charter school in which the total percentage of pupils attending the charter school
2 who received a score of advanced or proficient on the state assessments for math and
3 reading under ss. 118.30 and 121.02 (1) (r), or on an alternate assessment for math
4 or reading under an individualized education program, in all tested grades is at least
5 10 percentage points greater than the total percentage of pupils attending public
6 schools operated by the school board that governs the school district in which the
7 charter school is located who received the same scores on the same assessments in
8 the same grades.

9 2. Subject to subd. 4., an entity under sub. (2r) (b) 1. a., b., or d. that has
10 contracted with a person to operate a charter school shall, upon receiving a letter of
11 intent under subd. 3. from the person, amend the existing contract or enter into a new
12 contract with the person to authorize the person to operate one or more additional
13 charter schools if the person has a proven track record of success for each charter
14 school the person operates in this state.

15 3. To operate an additional charter school under subd. 2., a person must submit
16 to the entity under sub. (2r) (b) 1. a., b., or d. a letter of intent that includes all of the
17 following:

- 18 a. The date on which instruction will begin at each additional charter school.
- 19 b. The general location of each additional charter school.
- 20 c. A description of any potential facility that may be used by each additional
21 charter school, including the approximate number of pupils that each facility may
22 safely accommodate.
- 23 d. Evidence demonstrating that the person has a proven track record of success
24 for each charter school the person operates in this state.

