

## 2013 DRAFTING REQUEST

### Senate Substitute Amendment (SSA-SB76)

Received: 12/3/2013 Received By: fknepp  
Wanted: As time permits Same as LRB:  
For: Alberta Darling (608) 266-5830 By/Representing: Gary Bennett  
May Contact: Drafter: fknepp  
Subject: Education - charter schools Addl. Drafters:  
Extra Copies: TKK  
PG

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

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Charter school replication process and an alternate process for measuring educator effectiveness

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#### Instructions:

13s0171, take out language related to establishing a charter school district and excluding certain virtual school data for purposes of school district accountability

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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>
/?	fknepp 12/3/2013	scalvin 12/5/2013		_____			
/1			lparisi 12/5/2013	_____		lparisi 12/5/2013	

FE Sent For:

<END>

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/?	fknepp	1 sac 12/05/2013 2013	1 sac 12/05/2013	<i>[Signature]</i> 12/15			

FE Sent For:

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## Knepp, Fern

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**From:** Bennett, Gary  
**Sent:** Tuesday, December 03, 2013 10:47 AM  
**To:** Knepp, Fern  
**Subject:** SSA2 to SB76 Redraft

Hi Fern,

Our charter bill is coming back in an even more narrowed down version for the 12/18 education committee hearing.

Please Provide SSA3 to SB76 which will only include Secs 2 and Sec. 6.

Our intent is to preserve the educator effectiveness fix and replication language.

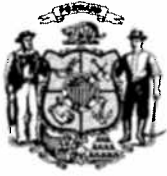
Anything related to the process for converting a district to a charter district should be removed.

As always, please feel free to call with questions.

If possible, AD would like the draft by the end of the week.

Best,

Gary Allen Bennett  
Office of Senator Alberta Darling  
317 East, State Capitol  
608-266-5830



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBs 0171/1 50209/  
FFK:sac  
Stays RMNR

In 12-3-13  
and 12-5-13

SENATE SUBSTITUTE AMENDMENT 2,  
TO SENATE BILL 76

PP  
LPS: text and comments  
were copy/pasted from  
source draft, not redone.

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

Gen Act

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, *and* 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.

1           4. An entity under sub. (2r) (b) 1. a., b., or d. shall authorize a person to operate  
2 no more than 2 additional charter schools per school year under this paragraph,  
3 unless the parties agree to more than 2.

4           5. An additional charter school authorized under this paragraph is not a  
5 satellite or subsidiary campus of the charter school for which the operator  
6 demonstrated a proven track record of success under subd. 2. and is considered an  
7 individual school for funding purposes.

8           **SECTION 7.** 118.40 (6) of the statutes is amended to read:

9           118.40 (6) PROGRAM VOLUNTARY. No pupil may be required to attend a charter  
10 school without his or her approval, if the pupil is an adult, or the approval of his or  
11 her parents or legal guardian, if the pupil is a minor, unless the pupil resides in a  
12 school district in which all of the public schools have been converted to charter  
13 schools under sub. (2) (b) or (2m) (b).

14           **SECTION 8. Initial applicability.**

15           (1) CHARTER SCHOOLS CONTRACTS. The creation of section 118.40 (3) (f) of the  
16 statutes first applies to a contract for the establishment of a charter school that is  
17 entered into, modified, or renewed on the effective date of this subsection.

18           (END)