

## 2013 DRAFTING REQUEST

### Bill

Received: 2/4/2014 Received By: fknepp  
Wanted: As time permits Same as LRB:  
For: Luther Olsen (608) 266-0751 By/Representing: Sarah  
May Contact: Drafter: fknepp  
Subject: Education - charter schools Addl. Drafters:  
Extra Copies: PG  
TKK

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

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### Pre Topic:

No specific pre topic given

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### Topic:

Alternate process for educator effectiveness

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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> |
|--------------|---------------------|----------------------|-----------------------|----------------|-----------------------|--------------------|-----------------|
| /?           | fknepp<br>2/4/2014  | csicilia<br>2/4/2014 | jfrantze<br>2/4/2014  | _____          |                       |                    |                 |
| /P1          |                     |                      |                       | _____          | lparisi<br>2/4/2014   |                    |                 |
| /1           | fknepp<br>2/11/2014 | jdyer<br>2/11/2014   | rschluet<br>2/11/2014 | _____          | sbasford<br>2/11/2014 | srose<br>2/11/2014 |                 |

FE Sent For:

*None  
needed*

<END>

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| /P1          |                     |                      |                       | _____          | lparisi<br>2/4/2014   |                 |                 |
| /1           | fknepp<br>2/11/2014 | jdyer<br>2/11/2014   | rschluet<br>2/11/2014 | _____          | sbasford<br>2/11/2014 |                 |                 |

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|-------|--------------------|----------------------|----------------------|-------------------------------|---------------------|----------|----------|
| /?    | fknepp<br>2/4/2014 | csicilia<br>2/4/2014 | jfrantze<br>2/4/2014 | _____                         | _____               | _____    | _____    |
| /P1   |                    | <i>1/2/11 jcd</i>    | <i>jd</i>            | <i>[Signature]</i><br>2/11/14 | Iparisi<br>2/4/2014 |          |          |

FE Sent For:

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /?           | fknepp         | 1 js 2/4<br>14  | Jb           | 2/4            |                  |                 |                 |

FE Sent For:

<END>

## Knepp, Fern

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**From:** Archibald, Sarah  
**Sent:** Tuesday, February 04, 2014 8:03 AM  
**To:** Knepp, Fern  
**Cc:** Pettack, Dee  
**Subject:** Drafting request

Hi Fern,

Please place the language you drafted for SSA 3 to SB 76 on teacher effectiveness regarding non-instrumentality charter schools in a stand alone bill and forward to our office ASAP.

Thank you,  
Sarah





**ASSEMBLY BILL 549**

This bill eliminates the petition process for a school board to establish a charter school and eliminates the requirement that a contract to operate a charter school include the petition information. The bill also eliminates the requirement under current law that, if a school board must hold a public hearing on a contract to establish a charter school, the school board must consider the level of employee support for the proposed charter school or the fiscal impact of the proposed charter school on the school district.

Under current law, subject to certain exceptions, a school board determines whether a charter school established by the school board is an instrumentality of the school district. If a charter school is an instrumentality of the school district, the school board must employ all personnel for the charter school. Under the bill, a charter school established by a school board is not an instrumentality of the school district and the school board is prohibited from employing any personnel for the charter school.

***Magnet schools; school boards***

This bill authorizes a school board to establish magnet schools, which are defined as schools that offer a special curriculum capable of attracting substantial numbers of students of different racial backgrounds. Under the bill, magnet schools are provided the same exemption from state education laws that charter schools are provided under current law. The processes to establish a magnet school are the same as the processes by which a school board may establish a charter school under current law. Additionally, a contract to operate a magnet school is subject to similar requirements and restrictions as a contract to operate a charter school, including that a contract to operate a magnet school may not be for a term that exceeds five school years. Finally, the bill requires that the school board employ all personnel for a magnet school.

***Charter school governing boards***

This bill requires that every charter school be operated by a governing board. The bill further provides that a charter school governing board has all powers necessary to carry out the terms of its contract to operate a charter school.

***Educator effectiveness; alternative process***

Current law directs the Department of Public Instruction (DPI) to develop a system to evaluate the effectiveness of teachers and principals in public schools, including independent charter schools. DPI must also promulgate rules establishing an equivalency process aligned with its evaluation system for a school district or independent charter school that wishes to use an alternative method of evaluating teachers and principals. This bill allows a charter school under contract with a school board that is not an instrumentality of the school district to use an alternative method of evaluating teachers and principals.

Analysis  
3595



Insert 1

**SENATE SUBSTITUTE AMENDMENT 3,  
TO SENATE BILL 76**

December 10, 2013 – Offered by Senators OLSEN and DARLING.

1 AN ACT *to amend* 115.415 (3) (a) (intro.); and *to create* 118.40 (3) (f) of the  
2 statutes; **relating to** replicating charter schools and utilizing an alternative  
3 process for educator effectiveness.

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

Insert 1

4 SECTION 1. 115.415 (3) (a) (intro.) of the statutes is amended to read:  
5 115.415 (3) (a) (intro.) The department shall promulgate by rule an equivalency  
6 process aligned with the evaluation system established under sub. (2) for a school  
7 district, a charter school under contract with a school board that is not an  
8 instrumentality of the school district, or a charter school established under s. 118.40  
9 (2r) seeking to utilize an alternative process for the evaluation of teacher and  
10 principal practice. The process under this subsection shall be based on the criteria  
11 established in the 2011 Interstate Teacher Assessment and Support Consortium and

1 the 2008 Interstate School Leaders Licensure Consortium Educational Leadership  
2 Policy Standards, and a school district, <sup>el</sup> a charter school under contract with a school  
3 board that is not an instrumentality of the school district, or charter school  
4 established under s. 118.40 (2r) that uses the process under this subsection shall  
5 evaluate the performance of teachers in the following domains:

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

7 118.40 (3) (f) 1. In this paragraph, a person has a proven track record of success  
8 if, during each of the 2 immediately preceding school years, a person operated a  
9 charter school in which the total percentage of pupils attending the charter school  
10 who received a score of advanced or proficient on the state assessments for math and  
11 reading under ss. 118.30 and 121.02 (1) (r), or on an alternate assessment for math  
12 or reading under an individualized education program, in all tested grades is at least  
13 10 percentage points greater than the total percentage of pupils attending public  
14 schools operated by the school board that governs the school district in which the  
15 charter school is located who received the same scores on the same assessments in  
16 the same grades.

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

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

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-4182/P1dn

FFK./:....

*cjs*

*- date -*

To Sarah:

*and principals of*

- \* It is not clear that teachers ~~at~~ non-instrumentality charter schools are subject to the general requirement under s. 115.415 (1). However, this draft makes the alternative process for evaluating teachers available to non-instrumentality charter schools. Okay? It might be useful to contact DPI to find out if DPI interprets s. 115.415 (1) to apply to non-instrumentality charter schools.
- \* ~~It~~

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

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

LRB-4182/P1dn  
FFK:cjs:jf

February 4, 2014

To Sarah:

It is not clear that teachers and principals of non-instrumentality charter schools are subject to the general requirement under s. 115.415 (1). However, this draft makes the alternative process for evaluating teachers available to non-instrumentality charter schools. Okay? It might be useful to contact DPI to find out if DPI interprets s. 115.415 (1) to apply to non-instrumentality charter schools.

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



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-4182/P1

FFK:cjs:jf

↑  
keep

In 2-11  
No changes  
Now

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2013 BILL

✓

Regen

1 AN ACT *to amend* 115.415 (3) (a) (intro.) of the statutes; **relating to:** utilizing  
2 an alternative process for educator effectiveness.

***Analysis by the Legislative Reference Bureau***

Current law directs the Department of Public Instruction (DPI) to develop a system to evaluate the effectiveness of teachers and principals in public schools, including independent charter schools. DPI must also promulgate rules establishing an equivalency process aligned with its evaluation system for a school district or independent charter school that wishes to use an alternative method of evaluating teachers and principals. This bill allows a charter school under contract with a school board that is not an instrumentality of the school district to use an alternative method of evaluating teachers and principals.

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

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1 instrumentality of the school district, or a charter school established under s. 118.40  
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5 the 2008 Interstate School Leaders Licensure Consortium Educational Leadership  
6 Policy Standards, and a school district, charter school under contract with a school  
7 board that is not an instrumentality of the school district, or charter school  
8 established under s. 118.40 (2r) that uses the process under this subsection shall  
9 evaluate the performance of teachers in the following domains:

10 (END)

**Rose, Stefanie**

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**From:** Archibald, Sarah  
**Sent:** Tuesday, February 11, 2014 10:04 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -4182/1 Topic: Alternate process for educator effectiveness

Rush – thanks!

Please Jacket LRB -4182/1 for the SENATE.