



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2017 Wisconsin Act 30**  
[January 2017 Special Session  
Assembly Bill 6]

**Recovery Charter High School**

2017 Wisconsin Act 30 authorizes the Director of the Office of Educational Opportunity (OEO) in the University of Wisconsin System to contract with a person for the establishment and operation of one recovery charter high school for up to four consecutive school years. Under the terms of the contract, the charter school operator must do the following:

- Provide academic curriculum that satisfies state high school graduation requirements.
- Provide therapeutic programming and support for pupils recovering from substance use disorder or dependency.
- Establish suspension and expulsion policies, modeled after state expulsion law.
- Permit a pupil to withdraw from the school upon completion of any required treatment program.

The recovery charter school may enroll no more than 15 pupils at a time. To be initially eligible to enroll in the school, a pupil must first do the following:

- Begin treatment in a substance use disorder or dependency program.
- Maintain sobriety for at least 30 days prior to attending the school.
- Submit to a drug screening assessment, and, if indicated, a drug test. Applicants who test positive for drugs may not be enrolled in the school.

As a condition of continuing enrollment, a pupil must: (1) receive counseling from substance use disorder or dependency counselors employed by the school; and (2) if the pupil has a health care plan that covers mental health services, submit claims for coverage of therapy and counseling provided by the school to that plan.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

The Act requires that health care policies, plans, and contracts cover the mental health or behavioral health treatments or services provided by the recovery charter school if they cover those same treatments or services when provided by another health care provider. When a pupil enrolls in the recovery charter school, the charter school operator must notify the health care policy, plan, or contract that covers the pupil's mental health or behavioral health treatment or services of any services provided by the school. If requested by a policy, plan, or contract, the charter school operator must enter into a memorandum of understanding with the policy, plan, or contract on matters other than the required coverage, including reimbursement, payment terms, and compliance with state and federal health information privacy laws.

Upon a pupil's withdrawal from the recovery charter school, the pupil's resident school board must assist the pupil in complying with state compulsory school attendance law. If the pupil enrolls in a school within the school district, the school board must ensure that the school applies all credits earned at the charter school towards high school graduation requirements.

After the third year of operation, the OEO director must report to the Department of Health Services (DHS) on the operation and effectiveness of the charter recovery school, including an evaluation of its effectiveness on long-term student recovery outcomes.

The Act authorizes DHS to seek, apply for, and award federal funding to the OEO for the purpose of operating the recovery charter school. The Act also creates a new sum sufficient appropriation for the purposes of: (1) providing per-pupil payments to the recovery charter school equal to the per-pupil payments provided to other independent charter schools; and (2) providing one start-up grant of up to \$50,000 to the OEO director that may be used to establish the recovery charter school. The Department of Public Instruction may award the start-up grant only if the OEO director procures matching funds equal to the amount of the grant.

*Effective date:* The Act takes effect on July 19, 2017, except that the creation of the sum sufficient appropriation for per-pupil payments and the start-up grant will take effect on the second day after publication of the 2017-19 Biennial Budget. The portion of the sum sufficient appropriation for the start-up grant and the authority to award the start-up grant will be repealed, effective July 1, 2018.

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July 20, 2017

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