



**SENATE SUBSTITUTE AMENDMENT 1,
TO 2005 SENATE BILL 96**

March 7, 2006 – Offered by Senator DARLING.

1 **AN ACT to amend** 118.40 (2r) (b) 2., 118.40 (2r) (bm) and 118.40 (2r) (c) 1.; and
2 **to create** 118.40 (2r) (b) 1. e., 118.40 (2r) (c) 4. and 118.40 (2r) (cr) of the statutes;
3 **relating to:** authorizing the University of Wisconsin–Madison to establish or
4 contract for the establishment of a charter school.

Analysis by the Legislative Reference Bureau

Under current law, school boards may enter into contracts with individuals, groups, businesses, or governmental bodies to establish charter schools, which operate with fewer constraints than traditional public schools. Current law also permits the University of Wisconsin–Milwaukee, the University of Wisconsin–Parkside, the Milwaukee Area Technical College, and the city of Milwaukee to operate charter schools (independent charter schools) directly or to contract for the operation of charter schools. In general, only pupils who reside in the school district in which an independent charter school is located may attend the charter school.

This substitute amendment allows the University of Wisconsin–Madison to operate or to contract for the operation of a charter school with the approval of the Board of Regents. The charter school must be located in Dane County and may accept any pupil who resides in Dane County. The school may accommodate up to

700 pupils in its first school year (which may be no sooner than 2007–08), and up to 1,400 pupils thereafter.

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

1 **SECTION 1.** 118.40 (2r) (b) 1. e. of the statutes is created to read:

2 118.40 (2r) (b) 1. e. The chancellor of the University of Wisconsin–Madison.

3 **SECTION 2.** 118.40 (2r) (b) 2. of the statutes is amended to read:

4 118.40 (2r) (b) 2. A charter shall include all of the provisions specified under
5 sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified under
6 sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter
7 school on the liability of the contracting entity under this paragraph. The contract
8 may include other provisions agreed to by the parties. The chancellor of the
9 University of Wisconsin–Milwaukee ~~or~~ the chancellor of the University of
10 Wisconsin–Parkside, and the chancellor of the University of Wisconsin–Madison
11 may not establish or enter into a contract for the establishment of a charter school
12 under this paragraph without the approval of the board of regents of the University
13 of Wisconsin System.

14 **SECTION 3.** 118.40 (2r) (bm) of the statutes is amended to read:

15 118.40 (2r) (bm) The common council of the city of Milwaukee, the chancellor
16 of the University of Wisconsin–Milwaukee, and the Milwaukee area technical college
17 district board may only establish or enter into a contract for the establishment of a
18 charter school located in the school district operating under ch. 119. The chancellor
19 of the University of Wisconsin–Parkside may only establish or enter into a contract
20 for the establishment of a charter school located in a unified school district that is
21 located in the county in which the University of Wisconsin–Parkside is situated or

1 in an adjacent county. The chancellor of the University of Wisconsin-Madison may
2 only establish or enter into a contract for the establishment of a charter school
3 located in Dane County.

4 **SECTION 4.** 118.40 (2r) (c) 1. of the statutes is amended to read:

5 118.40 (2r) (c) 1. Except as provided in ~~subd.~~ subds. 3. and 4., only pupils who
6 reside in the school district in which a charter school established under this
7 subsection is located may attend the charter school.

8 **SECTION 5.** 118.40 (2r) (c) 4. of the statutes is created to read:

9 118.40 (2r) (c) 4. Only pupils who reside in Dane County may attend the charter
10 school established under this subsection by the chancellor of the University of
11 Wisconsin-Madison.

12 **SECTION 6.** 118.40 (2r) (cr) of the statutes is created to read:

13 118.40 (2r) (cr) The chancellor of the University of Wisconsin-Madison may
14 establish or enter into a contract for the establishment of only one charter school
15 under this subsection, which may accommodate no more than 700 pupils in its first
16 school year of operation and no more than 1,400 pupils in any school year thereafter.

17 **SECTION 7. Nonstatutory provisions.**

18 (1) No charter school established by the chancellor of the University of
19 Wisconsin-Madison may begin operating before July 1, 2007.

20 (END)