



**ASSEMBLY AMENDMENT 3,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2011 ASSEMBLY BILL 51**

October 26, 2011 – Offered by JOINT COMMITTEE ON FINANCE.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 13, line 2: delete “If” and substitute “Except as provided in sub. (2s),  
3 if”.

4 **2.** Page 14, line 5: after that line insert:

5 “**SECTION 34m.** 118.40 (2s) of the statutes is created to read:

6 118.40 (2s) (a) The governing board of a nonprofit corporation that has  
7 established one or more charter schools under a contract with a school board or entity  
8 under sub. (2r) may contract with the charter school authorizing board under sub.  
9 (2r) to operate a charter school without following the requirements in sub. (2r) (h).  
10 The governing board shall provide the charter school authorizing board with all of  
11 the following information:

12 1. A timeline for the opening of the proposed charter school.

1           2. The location of the proposed charter school.

2           3. A description of the proposed charter school's facilities.

3           4. The maximum number of pupils who may be safely accommodated at the  
4 proposed charter school.

5           (b) The charter school authorizing board shall contract with the governing  
6 board of the nonprofit corporation under sub. (2r) to operate the proposed charter  
7 school if it determines that all of the following apply:

8           1. The proposed charter school will be located in a school district in which the  
9 nonprofit corporation has established one or more charter schools under a contract  
10 with a school board or entity under sub. (2r).

11           2. The school district specified in subd. 1. has a graduation rate that is lower  
12 than 75 percent, excluding the pupils attending charter schools located in the school  
13 district.

14           3. If the school district specified in subd. 1. is one in which fewer than 50 percent  
15 of the pupils, excluding pupils attending charter schools located in the school district,  
16 are eligible for a free or reduced-price lunch under 42 USC 1758 (b), in the 3 previous  
17 school years an average of at least 90 percent of the pupils attending charter schools  
18 operated by the governing board of the nonprofit corporation in that school district  
19 scored at the proficient or advanced level in the reading and mathematics portions  
20 of the examinations administered under s. 118.30.

21           4. If the school district specified in subd. 1. is one in which at least 50 percent  
22 of the pupils, excluding pupils attending charter schools located in the school district,  
23 are eligible for a free or reduced-price lunch under 42 USC 1758 (b), in the 3 previous  
24 school years an average of at least 75 percent of the pupils attending charter schools  
25 operated by the governing board of the nonprofit corporation in that school district

1 scored at the proficient or advanced level in the reading and mathematics portions  
2 of the examinations administered under s. 118.30.”.

3 (END)