



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Senate Bill 628

**Senate Substitute
Amendment 1**

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Senate Substitute Amendment 1 to 2005 Senate Bill 628, relating to licensure of teachers in virtual charter schools, does the following:

Definition of Virtual Charter School

Senate Substitute Amendment 1 to the bill defines “virtual charter school” as a charter school in which instruction is provided primarily through means of the Internet and the pupils enrolled in and instructional staff employed by the charter school are geographically remote from each other.

Licensure of Teachers in Virtual Charter Schools

Under current law, any person seeking to teach in a public school, including a charter school, must first procure a license or permit from the Department of Public Instruction (DPI). The substitute amendment provides that, in a virtual charter school, “teaching” means assigning grades or credits to pupils.

Current law also requires that all “instructional staff” of charter schools established or contracted for by entities other than school districts (City of Milwaukee, Milwaukee Area Technical College, University of Wisconsin-Milwaukee, and University of Wisconsin-Parkside) (commonly referred to as independent charter schools or (2r) charter schools) hold a license or permit to teach issued by DPI. The substitute amendment specifies that for this purpose, in a virtual charter school, “instructional staff” means the employees who assign grades or credits to pupils.

Current law also requires each school board, as a part of the so-called “20 standards,” to ensure that all “instructional staff” of charter schools located in the school district hold a license or permit to teach issued by DPI. DPI is required to promulgate, and has promulgated, administrative rules defining “instructional staff” for this purpose. The substitute amendment provides that, rather than being defined

in rule, in a virtual charter school, “instructional staff” means the employees who assign grades or credits to pupils.

Charging Tuition at Charter Schools

Current law prohibits charter schools from charging tuition. The substitute amendment provides that charter schools may charge tuition for pupils who are not residents of the state but who are admitted to the charter school. (This applies to all charter schools, including those that are not virtual charter schools.)

Legislative History

Senate Substitute Amendment 1 was introduced by Senator Olsen. The Senate Committee on Education recommended adoption of the substitute amendment on a vote of Ayes, 4; Noes, 3. The committee then recommended the bill, as amended, for passage on a vote of Ayes, 4; Noes, 3.

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