



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5662/1
KRP:amn

2021 SENATE BILL 965

February 9, 2022 - Introduced by Senators DARLING, ROTH, STROEBEL and WANGGAARD, cosponsored by Representatives WITTKKE, THIESFELDT, DITTRICH, BRANDTJEN, KNODL, MACCO, MAGNAFICI, MURPHY and ROZAR. Referred to Committee on Education.

- 1 **AN ACT to amend** 118.40 (2m) (a) and 118.40 (3) (a) of the statutes; **relating to:**
2 high-performing charter schools authorized by school boards.

Analysis by the Legislative Reference Bureau

Under current law, a school board, the Office of Educational Opportunity in the UW System (OEO), the City of Milwaukee, the chancellor of an institution in the UW System, a technical college district board, the county executive of Waukesha County, the college of Menominee Nation, and the Lac Courte Oreilles Ojibwa community college may contract with a person to operate a charter school. Those entities are commonly referred to as charter school authorizers.

This bill provides that a contract to operate a charter school between a school board and a charter school governing board must allow the governing board to open additional charter schools if all of the charter schools operated by the governing board are in one of the top two performance categories on the Department of Public Instruction's most recent school and school district accountability report.

Current law requires that a contract between a charter school governing body and an authorizer other than a school board or the OEO must include such a provision.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

SENATE BILL 965**SECTION 1**

1 **SECTION 1.** 118.40 (2m) (a) of the statutes is amended to read:

2 118.40 **(2m)** (a) A school board may on its own initiative contract with a person
3 to operate a school as a charter school. The contract shall include all of the provisions
4 specified under sub. (1m) (b) and may include other provisions agreed to by the
5 parties. The contract also shall include a provision allowing the governing board of
6 the charter school to open one or more additional charter schools if all of the charter
7 schools operated by the governing board were assigned to one of the top 2
8 performance categories in the most recent school and school district accountability
9 report published under s. 115.385. If the charter school governing board opens one
10 or more additional charter schools, the existing contract applies to the new school or
11 schools unless the parties agree to amend the existing contract or enter into a new
12 contract.

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

14 118.40 **(3)** (a) If the school board grants the petition under sub. (2), the school
15 board shall contract with the person named in the petition under sub. (1m) (b) 1. to
16 operate the school as a charter school under this section. The contract shall include
17 all of the provisions specified in the petition and may include other provisions agreed
18 to by the parties. The contract also shall include a provision allowing the governing
19 board of the charter school to open one or more additional charter schools if all of the
20 charter schools operated by the governing board were assigned to one of the top 2
21 performance categories in the most recent school and school district accountability
22 report published under s. 115.385. If the charter school governing board opens one
23 or more additional charter schools, the existing contract applies to the new school or
24 schools unless the parties agree to amend the existing contract or enter into a new
25 contract.

