

2005 BILL

1 **AN ACT** *to amend* 118.40 (2r) (bm) and 118.40 (2r) (c) 1.; and *to create* 15.07 (1)
2 (a) 7., 15.97, 20.240, 118.40 (2r) (b) 1m. and 118.40 (2r) (c) 4. of the statutes;
3 **relating to:** the creation of the Tribal Charter School Authorizing Board, the
4 establishment of charter schools by the board, and making an appropriation.

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. With certain exceptions, only pupils who reside in the school district in which an independent charter school is located may attend the charter school. The operators of the independent charter schools receive state aid for each pupil attending the charter school.

This bill creates an independent state agency, the Tribal Charter School Authorizing Board. The board consists of one member representing each of Wisconsin's 11 federally recognized American Indian tribes and bands, appointed by and serving at the pleasure of the governing body of each tribe. The bill authorizes the board to contract for the establishment of charter schools. The bill requires that any charter school established be located on reservation or off-reservation trust

BILL

land. Only pupils who reside in the attendance area established by the board for that charter school may attend the charter school.

For further information see the *state* 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:

SECTION 1. 15.07 (1) (a) 7. of the statutes is created to read:

15.07 (1) (a) 7. Members of the tribal charter school authorizing board shall be appointed as provided under s. 15.97.

SECTION 2. 15.97 of the statutes is created to read:

15.97 Tribal charter school authorizing board. (1) There is created a tribal charter school authorizing board consisting of one person representing each of the following federally recognized American Indian tribes and bands, appointed by and serving at the pleasure of the governing body of that tribe:

(a) Bad River Band of Lake Superior Chippewa Indians.

(b) Red Cliff Band of Lake Superior Chippewa Indians.

(c) Forest County Potawatomi Indian Community.

(d) Ho-Chunk Nation of Wisconsin.

(e) Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

(f) Lac du Flambeau Band of Lake Superior Chippewa Indians.

(g) Menominee Indian Tribe of Wisconsin.

(h) Oneida Tribe of Indians of Wisconsin.

(i) Sokaogon Chippewa (Mole Lake) Community of Wisconsin.

(j) St. Croix Chippewa Indians of Wisconsin.

(k) Stockbridge-Munsee Community of Wisconsin.

BILL

(2) Notwithstanding s. 15.07 (4), a majority of the persons who have been appointed to the tribal charter school authorizing board constitutes a quorum to do business. Whenever the governing body of a tribe specified in sub. (1) appoints a person to or removes a person from the tribal charter school authorizing board, the governing body shall notify the chairperson of the board.

SECTION 3. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

	2005–06	2006–07
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20.240 Tribal charter school authorizing board

(1) AUTHORIZING CHARTER SCHOOLS

(a) General program operations	GPR	A	–0–	–0–
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SECTION 4. 20.240 of the statutes is created to read:

20.240 Tribal charter school authorizing board. There is appropriated to the tribal charter school authorizing board for the following program:

(1) AUTHORIZING CHARTER SCHOOLS. (a) *General program operations.* The amounts in the schedule for general program operations of the tribal charter school authorizing board.

SECTION 5. 118.40 (2r) (b) 1m. of the statutes is created to read:

118.40 (2r) (b) 1m. The tribal charter school authorizing board may initiate a contract with an individual or group to operate a school as a charter school. The board shall designate an attendance area for each charter school established under this subdivision and shall include a provision in the contract prohibiting the charter school from enrolling any pupil who does not reside in that attendance area.

SECTION 6. 118.40 (2r) (bm) of the statutes is amended to read:

BILL**SECTION 6**

1 118.40 (2r) (bm) The common council of the city of Milwaukee, the chancellor
2 of the University of Wisconsin–Milwaukee, and the Milwaukee area technical college
3 district board may only establish or enter into a contract for the establishment of a
4 charter school located in the school district operating under ch. 119. The chancellor
5 of the University of Wisconsin–Parkside may only establish or enter into a contract
6 for the establishment of a charter school located in a unified school district that is
7 located in the county in which the University of Wisconsin–Parkside is situated or
8 in an adjacent county. The tribal charter school authorizing board may only enter
9 into a contract for the establishment of a charter school located on reservation or
10 off-reservation trust land.

11 **SECTION 7.** 118.40 (2r) (c) 1. of the statutes is amended to read:

12 118.40 (2r) (c) 1. Except as provided in ~~subd.~~ subds. 3. and 4., only pupils who
13 reside in the school district in which a charter school established under this
14 subsection is located may attend the charter school.

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

16 118.40 (2r) (c) 4. A pupil may attend a charter school established under par.
17 (b) 1m. if the pupil resides in the attendance area established for that charter school
18 by the tribal charter school authorizing board.

19 **SECTION 9. Nonstatutory provisions.**

20 (1) Notwithstanding section 15.97 (2) of the statutes, as created by this act,
21 until the first meeting of the tribal charter school authorizing board, the governing
22 body of each tribe authorized to appoint a person to the board shall notify the
23 secretary of administration when it appoints a person to the board.

24 **(END)**