

CR 94-84

CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPARTMENT OF PUBLIC INSTRUCTION)

I, State Superintendent of the Department of Public Instruction and custodian of the official records of said Department, do hereby certify that the annexed rule relating to charter school instructional staff was duly approved and adopted by this Department on the first day of the month following publication in the Wisconsin Administrative Register.

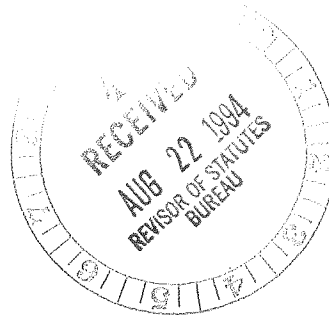
I further certify that said copy has been compared by me with the original on file in this Department and the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the official seal of the Department at General Executive Facility (GEF) 3, 125 South Webster Street, P.O. Box 7841, in the city of Madison, this 22nd day of August, 1994.

John T. Benson
State Superintendent
State Department of Public Instruction

11-1-94



94-84
CHR 93-236
8/19/94
Page 1

ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
CREATING\AMENDING RULES

The state superintendent of public instruction hereby renumbers PI 8.01(1)(a) and creates PI 3.03(10), PI 8.001(2m) and (6m), and PI 8.01(2)(a)2, relating to charter school instructional staff.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 121.02(1)(a)2 and 227.11(2)(a), Stats.

Statute interpreted: ss. 118.19(1) and 121.02(1), Stats.

1993 Wisconsin Act 16 allows school boards to request approval from the state superintendent to establish up to 2 charter schools in the school district. The state superintendent shall ensure that charter schools are established in no more than 10 school districts. The Act also requires that all instructional staff of charter schools located in the school district hold a license or permit to teach issued by the department.

In accordance with the Act, the proposed rules define the term "instructional staff" and require each school district board to ensure that all instructional staff of charter schools hold a department issued license or permit to teach at the level and in the subject of their assignments or a charter school instructional staff license or permit. The proposed rules also create a charter school instructional staff license and permit and specify how to apply and what criteria must be met in order to obtain the license or permit.

SECTION 1. PI 3.03(10) is created to read:

PI 3.03(10) CHARTER SCHOOL INSTRUCTIONAL STAFF LICENSE AND PERMIT. (a)

Charter school instructional staff license.

1. A charter school instructional staff license may be issued to an individual who holds a valid license issued by the department and shall have the same renewal interval as the existing license. A license issued under this paragraph authorizes the holder to perform any instructional duty in a charter school established under s. 118.40, Stats.

2. The district administrator or a designated official of the employing school district may request that a license be issued under this paragraph on behalf of the individual receiving the license.

(b) Charter school instructional staff permit. 1. An individual who

does not hold a current license or permit issued by the department to teach in a specific subject area or grade level or does not hold a charter school instructional staff license under par. (a) may be employed as a member of the instructional staff in a charter school if he or she obtains a charter school instructional staff permit from the department. A 1-year permit under this paragraph may be issued if all of the following apply:

a. A district administrator or designated official of the employing school district requests the permit following a search for a qualified, licensed individual.

b. The individual receiving the permit has a bachelor's degree in the subject that he or she is assigned to teach or in a related field, or has formal proof of mastery in a trade that he or she is assigned to teach.

c. Except as specified under ^{subpar d} ~~subd. 4~~, the individual receiving the permit receives 6 credits of training or the equivalent each school year that he or she is employed in a charter school. These credits shall be part of an approved license program in the assigned teaching area.

d. An individual who holds a terminal degree in his or her field and who is a full-time employee of an approved teacher preparation institution in Wisconsin or an individual who has formal proof of mastery in a trade and who is a full-time employee of a Wisconsin technical college district board is exempt from the requirement under ^{Subpar C} ~~subd. 3~~.

e. A permit holder's practice shall be coordinated, directed, and inspected by a person who is licensed by the department to teach the subject or trade that the permit holder is teaching.

2. An individual may renew a permit under this paragraph if he or she meets the requirements under subd. 1.

SECTION 2. PI 8.001 (2m) and (6m) are created to read:

PI 8.001 (2m) "Charter school" means a school established under s. 118.40, Stats.

(6m) "Instructional staff" for the purposes of charter schools, means all professional employees who have as part of their responsibility direct contact with students or with the instructional program of the school. Instructional

staff includes, but is not limited to, teachers, librarians, pupil services staff, and administrative staff who supervise licensed staff.

SECTION 3. PI 8.01 (2) (a) is renumbered PI 8.01 (2) (a) 1.

SECTION 4. PI 8.01 (2) (a) 2 is created to read:

PI 8.01 (2) (a) 2 a. Each school district board shall ensure that all instructional staff of charter schools located in the school district hold a department issued license or permit to teach at the level and in the subject of their assignments or a charter school instructional staff license or permit issued under PI 3.03 (10).

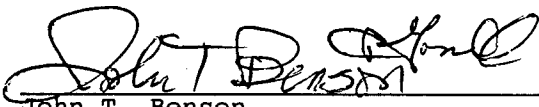
b. The district administrator or designated official of the employing school district may request a charter school instructional staff license or permit be issued as specified under s. PI 3.03 (10) to an instructional staff member to work in a charter school in an assignment outside of his or her department issued license or permit.

c. A charter school instructional staff license shall allow the holder to perform any instructional duty in a charter school if the holder volunteers for that assignment and may be issued to an individual as specified under s. PI 3.03 (10).

d. The liability immunity provisions of ss. 115.31(5)(b), 118.126(2), 118.257, and 118.295, Stats., shall apply to charter school instructional staff.

The rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22 (2) (intro.), Stats.

Dated this 22nd day of August, 1994


John T. Benson
State Superintendent

