



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBs0209/1  
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**SENATE SUBSTITUTE AMENDMENT 3,  
TO SENATE BILL 76**

December 10, 2013 – Offered by Senators OLSEN and DARLING.

1     **AN ACT** *to amend* 115.415 (3) (a) (intro.); and *to create* 118.40 (3) (f) of the  
2             statutes; **relating to:** replicating charter schools and utilizing an alternative  
3             process for educator effectiveness.

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

4             **SECTION 1.** 115.415 (3) (a) (intro.) of the statutes is amended to read:  
5             115.415 (3) (a) (intro.) The department shall promulgate by rule an equivalency  
6             process aligned with the evaluation system established under sub. (2) for a school  
7             district, a charter school under contract with a school board that is not an  
8             instrumentality of the school district, or a charter school established under s. 118.40  
9             (2r) seeking to utilize an alternative process for the evaluation of teacher and  
10            principal practice. The process under this subsection shall be based on the criteria  
11            established in the 2011 Interstate Teacher Assessment and Support Consortium and

1 the 2008 Interstate School Leaders Licensure Consortium Educational Leadership  
2 Policy Standards, and a school district, a charter school under contract with a school  
3 board that is not an instrumentality of the school district, or charter school  
4 established under s. 118.40 (2r) that uses the process under this subsection shall  
5 evaluate the performance of teachers in the following domains:

6 **SECTION 2.** 118.40 (3) (f) of the statutes is created to read:

7 118.40 (3) (f) 1. In this paragraph, a person has a proven track record of success  
8 if, during each of the 2 immediately preceding school years, a person operated a  
9 charter school in which the total percentage of pupils attending the charter school  
10 who received a score of advanced or proficient on the state assessments for math and  
11 reading under ss. 118.30 and 121.02 (1) (r), or on an alternate assessment for math  
12 or reading under an individualized education program, in all tested grades is at least  
13 10 percentage points greater than the total percentage of pupils attending public  
14 schools operated by the school board that governs the school district in which the  
15 charter school is located who received the same scores on the same assessments in  
16 the same grades.

17 2. Subject to subd. 4., an entity under sub. (2r) (b) 1. a., b., or d. that has  
18 contracted with a person to operate a charter school shall, upon receiving a letter of  
19 intent under subd. 3. from the person, amend the existing contract or enter into a new  
20 contract with the person to authorize the person to operate one or more additional  
21 charter schools if the person has a proven track record of success for each charter  
22 school the person operates in this state.

23 3. To operate an additional charter school under subd. 2., a person must submit  
24 to the entity under sub. (2r) (b) 1. a., b., or d. a letter of intent that includes all of the  
25 following:

1 a. The date on which instruction will begin at each additional charter school.

2 b. The general location of each additional charter school.

3 c. A description of any potential facility that may be used by each additional  
4 charter school, including the approximate number of pupils that each facility may  
5 safely accommodate.

6 d. Evidence demonstrating that the person has a proven track record of success  
7 for each charter school the person operates in this state.

8 4. An entity under sub. (2r) (b) 1. a., b., or d. shall authorize a person to operate  
9 no more than 2 additional charter schools per school year under this paragraph,  
10 unless the parties agree to more than 2.

11 5. An additional charter school authorized under this paragraph is not a  
12 satellite or subsidiary campus of the charter school for which the operator  
13 demonstrated a proven track record of success under subd. 2. and is considered an  
14 individual school for funding purposes.

15 **SECTION 3. Initial applicability.**

16 (1) CHARTER SCHOOLS CONTRACTS. The creation of section 118.40 (3) (f) of the  
17 statutes first applies to a contract for the establishment of a charter school that is  
18 entered into, modified, or renewed on the effective date of this subsection.

19 (END)