



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-0851/3  
PG:wlj:jf

DOA:.....Hynek, BB0186 - Charter schools; allow UW 4-year institutions to establish

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

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 UW-Milwaukee, UW-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. In general, only pupils who reside in the school district in which an independent charter school is located may attend the charter school.

This bill allows any four-year institution within the UW System to operate or to contract for the operation of a charter school with the approval of the Board of Regents.

Currently, if UW-Milwaukee establishes a charter school, it must be located in the city of Milwaukee. UW-Parkside may establish only one charter school. It must be located in a unified school district that is located in the county in which UW-Parkside is located (the Racine school district) or in an adjacent county, it may not enroll more than 480 pupils, and it may not operate high school grades. This bill eliminates all of these restrictions.

Currently, the Racine school district receives additional state aid if UW-Parkside establishes a charter school. This bill eliminates this payment.

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

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

**SECTION 1.** 20.255 (2) (fm) of the statutes is amended to read:

20.255 (2) (fm) *Charter schools.* A sum sufficient to make the payments to charter schools and to the unified school district under s. 118.40 (2r) (e).

**SECTION 2.** 20.923 (6) (m) of the statutes is amended to read:

20.923 (6) (m) University of Wisconsin System: deans, principals, professors, instructors, research assistants, librarians and other teachers, as defined in s. 40.02 (55), the staff of the environmental education board, and instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e.

**SECTION 3.** 111.81 (7) (f) of the statutes is amended to read:

111.81 (7) (f) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e.

**SECTION 4.** 111.825 (2) (f) of the statutes is amended to read:

111.825 (2) (f) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e.

**SECTION 5.** 111.92 (1) (c) of the statutes is amended to read:

111.92 (1) (c) Any tentative agreement reached between the governing board of ~~the a~~ charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e., acting for the state, and any labor organization representing a collective bargaining unit specified in s. 111.825 (2) (f) shall, after official ratification by the labor organization and approval by the chancellor of the University of Wisconsin–Parkside, be executed by the parties.

**SECTION 6.** 118.40 (2r) (b) 1. b. and c. of the statutes are repealed.

**SECTION 7.** 118.40 (2r) (b) 1. e. of the statutes is created to read:

118.40 (2r) (b) 1. e. The chancellor of an institution, as defined in s. 36.05 (9), within the University of Wisconsin System.

**SECTION 8.** 118.40 (2r) (b) 2. of the statutes is amended to read:

118.40 (2r) (b) 2. A charter shall include all of the provisions specified under sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified under sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter school on the liability of the contracting entity under this paragraph. The contract may include other provisions agreed to by the parties. The chancellor of ~~the University of Wisconsin–Milwaukee or of the University of Wisconsin–Parkside~~ may ~~not~~ an institution within the University of Wisconsin System may ~~not~~ establish or enter into a contract for the establishment of a charter school under this paragraph without the approval of the board of regents of the University of Wisconsin System.

**SECTION 9.** 118.40 (2r) (b) 3. of the statutes is repealed.

**SECTION 10.** 118.40 (2r) (bm) of the statutes is amended to read:

118.40 (2r) (bm) The common council of the city of Milwaukee, ~~the chancellor of the University of Wisconsin–Milwaukee,~~ and the Milwaukee area technical college district board may ~~only~~ establish or enter into a contract for the establishment of a

~~charter school located only in the school district operating under ch. 119. The chancellor of the University of Wisconsin-Parkside may only establish or enter into a contract for the establishment of a charter school located in a unified school district that is located in the county in which the University of Wisconsin-Parkside is situated or in an adjacent county.~~

**SECTION 11.** 118.40 (2r) (cm) of the statutes is repealed.

**SECTION 12.** 118.40 (2r) (e) 1. a. of the statutes is repealed.

**SECTION 13.** 118.40 (2r) (e) 1. b. of the statutes is renumbered 118.40 (2r) (e) 1m.

**SECTION 14.** 118.40 (2r) (e) 1. c. of the statutes is renumbered 118.40 (2r) (e) 2m.

**SECTION 15.** 118.40 (2r) (e) 2. of the statutes is repealed.

**SECTION 16.** 118.40 (2r) (f) of the statutes is repealed.

**SECTION 17.** 118.40 (7) (am) 2. of the statutes is amended to read:

118.40 (7) (am) 2. A charter school established under sub. (2r) or a private school located in the school district operating under ch. 119 that is converted to a charter school is not an instrumentality of any school district and no school board may employ any personnel for the charter school. If the chancellor of an institution within the University of Wisconsin-Parkside Wisconsin System contracts for the establishment of a charter school under sub. (2r), the board of regents of the University of Wisconsin System may employ instructional staff for the charter school.

**SECTION 18.** 230.08 (2) (dm) of the statutes is amended to read:

230.08 (2) (dm) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e.

**SECTION 19.** 230.35 (1s) of the statutes is amended to read:

230.35 (1s) Annual leave of absence with pay for instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e. shall be determined by the governing board of the charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e., as approved by the chancellor of the appropriate University of Wisconsin-Parkside Wisconsin System institution and subject to the terms of any collective bargaining agreement under subch. V of ch. 111 covering the instructional staff.

(END)