



## 1999 ASSEMBLY BILL 840

March 7, 2000 - Introduced by Representatives DUFF, RHOADES and ALBERS, cosponsored by Senator DARLING, by request of Governor Tommy G. Thompson. Referred to Committee on Education Reform.

1     **AN ACT to amend** 118.40 (3) (b) and 118.40 (7) (am) 1.; and **to create** 118.40 (2g)  
2             and 118.40 (7) (am) 1m. of the statutes; **relating to:** school board contracts with  
3             University of Wisconsin System institutions and technical college district  
4             boards to operate charter schools.

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### *Analysis by the Legislative Reference Bureau*

Current law authorizes a school board, on its own initiative, to contract with any person to operate a school as a charter school. A charter school is exempt from numerous statutory requirements that apply to public schools.

This bill provides that if a University of Wisconsin System institution or a technical college district board requests a school board to contract with the institution or district board to operate a charter school, the school board must hold a public hearing on the request within 30 days of receiving the request. The bill also provides that whenever a school board contracts with a University of Wisconsin institution or a technical college district board to operate a charter school, the charter school is not an instrumentality of the school district and the school board may not employ any personnel for the charter school.

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

5             **SECTION 1.** 118.40 (2g) of the statutes is created to read:

**ASSEMBLY BILL 840****SECTION 1**

1           118.40 **(2g)** REQUEST. (a) The chancellor of a University of Wisconsin System  
2 institution with the approval of the board of regents of the University of Wisconsin  
3 System, and the director of a technical college district with the approval of the  
4 technical college system board, may request a school board to contract with the  
5 institution or district board to operate a charter school, by filing a written request  
6 with the school district clerk. The request shall include all of the provisions specified  
7 under sub. (1m) (b) 3. to 15.

8           (b) Within 30 days after receiving a request under par. (a), the school board  
9 shall hold a public hearing on the request. At the hearing, the school board shall  
10 consider the level of employe and parental support for the establishment of the  
11 charter school described in the request and the fiscal impact of the establishment of  
12 the charter school on the school district. After the hearing, the school board may  
13 grant the request and contract with the institution or district board to operate a  
14 charter school. The contract shall include all of the provisions specified under sub.  
15 (1m) (b) and may include additional provisions.

16           (c) A school board may not enter into a contract under par. (b) that would result  
17 in the conversion of all of the public schools in the school district to charter schools  
18 unless the school board complies with sub. (2) (b) 2.

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

20           118.40 **(3)** (b) A contract under par. (a) or under subs. (2g), (2m) or (2r) may be  
21 for any term not exceeding 5 school years and may be renewed for one or more terms  
22 not exceeding 5 school years. The contract shall specify the amount to be paid to the  
23 charter school during each school year of the contract.

24           **SECTION 3.** 118.40 (7) (am) 1. of the statutes is amended to read:

**ASSEMBLY BILL 840**

1           118.40 (7) (am) 1. Except as provided in subds. ~~2.~~ and 1m. to 3., if a charter  
2 school is established under sub. (2m) and located in the school district operating  
3 under ch. 119, the school board of that school district shall determine whether or not  
4 the charter school is an instrumentality of the school district. If the school board  
5 determines that a charter school is an instrumentality of the school district, the  
6 school board shall employ all personnel for the charter school. If the school board  
7 determines that a charter school is not an instrumentality of the school district, the  
8 school board may not employ any personnel for the charter school.

9           **SECTION 4.** 118.40 (7) (am) 1m. of the statutes is created to read:

10           118.40 (7) (am) 1m. A charter school established under sub. (2g) or (2m) that  
11 is operated by an institution within the University of Wisconsin System or by a  
12 technical college district board is not an instrumentality of the school district and the  
13 school board may not employ any personnel for the charter school.

14           **(END)**