APPENDIX B

State Charter School Requirements (3)

Indicates name of the person seeking to establish the charter school.
§118.40(1m)(b)1

Indicates name of the person who will be in charge of the charter school.
§118.40(1m)(b)2

Describes the manner in which administrative services will be provided.
§118.40(1m)(b)2

Identifies the status of the school as a non-instrumentality or instrumentality of the school district.
§118.40(7)(a)

Describes the charter school educational program offered and students served.
§118.40(1m)(b)3

Describes the method used to enable pupils to attain educational goals under Wisconsin Statutes.
§118.40(1m)(b)4

Describes the method by which evidence of student achievement or progress attaining academic skills and knowledge will be measured.
§118.40(1m)(b)5

Describes how the school will be governed, including method to be followed to ensure parental involvement.
§118.40(1m)(b)6

Includes methods employed to review qualifications that must be met by individuals employed by the school, assuring that every teacher, supervisor, administrator or professional staff member holds a certificate, permit or license issued by the department before entering duties for such a position [Wisconsin Statutes §118.19(10 and 121.02(1)(a)2.] §118.40(1m)(b)7

Provides procedures by which the school will follow to ensure the health and safety of the pupils.
§118.40(1m)(b)8

Provides the procedures used to achieve a racial and ethnic balance among its pupils that is reflective of the school district population.
§118.40(1m)(b)9
Provides the requirements for admission to the school.
§118.40(1m)(b)10

Describes procedures school will follow if more students apply for admission than can be admitted, including a lottery process.
§5210(1)(h) of the Elementary and Secondary Education Act (ESEA) as amended by the No Child Left Behind Act of 2001

Describes the level of autonomy afforded the charter school relative to policy and budget development, staffing and evaluation.
§5210(1)(a) of the ESEA

Describes the procedures by which students will be disciplined.
§118.40(1m)(b)12

Identifies the public school alternatives for pupils who reside in the school district and do not wish to attend or are not admitted to the charter school.
§118.40(1m)(b)13

Indicates how the program and attendance at the charter school is voluntary.
§118.40(6)

Clearly states that the charter school does not charge tuition.
§118.40(4)(b)1

Describes the manner in which annual audits of the financial and programmatic operations of the school will be performed.
§118.40(1m)(b)11

Provides a description of the facilities and the types and limits of the liability insurance that the school will carry.
§118.40(1m)(b)14

Describes the effects of the establishment of the charter school on the liability of the school district and the effect of the establishment of the charter school on the liability of the contracting entity.
§118.40(1m)(b)15

The contract specifies the amount to be paid to the charter school each year of the contract.
§118.40(3)(b)

Contract addresses how the school district will allocate federal funding for which the charter school is eligible.
§5203(b)(2) of the ESEA
Describes a program which is nonsectarian in its practices, programs, admission policies, employment practices and all other operations.
§118.40(4)(a)2

Includes a nondiscrimination clause stating the charter school will not deny admission or participation in any program or activity on the basis of a person’s sex, race, religion, national origin, ancestry, pregnancy, marital or parental status, sexual orientation of physical, mental, or emotional or learning disability.
§118.40(4)(b)2

Addresses the procedures or reasons by which either party may withdraw or revoke the contract.
§118.40(5)

Describes or identifies any waivers of school district policy agreed to by the authorizer and the operator of the charter school.
§5210(1)A of the ESEA

Specifies any administrative fee paid to the authorizer and agreed to by the authorizer and the operator of the charter school.
§5204(f)(4)(B) of the ESEA

The length of the contract is specified, not to exceed 5 years.
§118.40(3)(b)

The contract is dated and signatures of the authorizer and the operator of the charter school are provided.
§118.40(3)(a)

Describes the effect of the establishment of the charter school on the liability of the authorizer where the authorizer is not a school district.
§118.40(2r)(b)2

If the charter school replaces a public school in whole or part, describes how it will give preference in admission to any pupil who resides in the attendance area or the former attendance area of the public school.
§118.40(4)(a)1

By September 1, 2004 operators of high school grades describe policy specifying criteria for granting high school diploma.
§118.33(1)(f)2

Describes manner of transportation, if provided, to and from the charter school.  (Note – school districts are not required to provide transportation to charter schools.)
WISCONSIN CHARTER SCHOOL LAW

The following **abridged statement** of the Wisconsin charter school law provides information regarding the application of the law to the operation of the Office of Charter Schools of the University of Wisconsin-Milwaukee (UNIVERSITY) and charter schools authorized by the UNIVERSITY.

WIS. STAT. 118.40 CHARTER SCHOOLS

(2r)(b)1. The UNIVERSITY may establish by charter and operate a charter school or may initiate a contract with an individual or group to operate a school as a charter school.(1) Whenever the UNIVERSITY intends to establish a charter school, it shall notify the State Superintendent of Schools of its intention by February 1 of the previous school year. The notice shall include a description of the proposed school.

2. A charter shall include provisions 3 through 14 specified below. A contract shall include provisions 1 through 14 specified below and shall specify the effect of the establishment of the charter school on the liability of the contracting entity under this paragraph.

   1. The name of the person (group) who is seeking to establish the charter school.

   2. The name of the person who will be in charge of the charter school and the manner in which administrative services will be provided.

   3. A description of the educational program of the school.

   4. The methods the school will use to enable pupils to attain the educational goals and expectations established by the state of Wisconsin Stats. 118.01 Educational Goals and Expectations (See following Additional Laws Referenced by 118.40.)

   5. The method by which pupil progress in attaining the educational goals and expectations established by the state of Wisconsin Stats. 118.01 Educational Goals and Expectations (See following Additional Laws Referenced by 118.40) will be measured.

   6. The governance structure of the school, including the method to be followed by the school to ensure parental involvement.
7. The requirement that all instructional staff, as defined by the Department of Public Instruction, hold a license or permit to teach issued by the department.

8. The procedures that the school will follow to ensure the health and safety of the pupils.

9. The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the school district population.

10. The requirements for admission to the school.

11. The manner in which annual audits of the financial and programmatic operations of the school will be performed.

12. The procedures for disciplining pupils.

13. The public school alternatives for pupils who reside in the school district and do not wish to attend or are not admitted to the charter school.

14. A description of the school facilities and the types and limits of the liability insurance that the school will carry.

15. The contract may include other provisions agreed to by the parties.

The chancellor of the UNIVERSITY may not establish or enter into a contract for the establishment of a charter school without the approval of the Board of Regents of the University of Wisconsin System.

(bm) The chancellor of the UNIVERSITY may only establish or enter into a contract for the establishment of a charter school located in the city of Milwaukee.

(c)
1. Except as provided below, only pupils who reside in the city of Milwaukee may attend a charter school authorized by the UNIVERSITY.

3. A pupil may attend Woodlands School regardless of the pupil's school district of residence, if any of the following applies:

a. The pupil attended Woodlands School in the previous school year.

b. A member of the pupil's family who resides in the same household as the pupil attended Woodlands School in the 2003-04 school year.

(d) The UNIVERSITY shall do all of the following:
1. Ensure that all instructional staff of charter schools under this subsection hold a license or permit to teach issued by the department.

2. Administer the examinations under 121.02 (1) (r) (See following Additional Laws Referenced by 118.40) to pupils enrolled in charter schools under this subsection.

(e)
1. From the general equalization aid appropriation, the Department of Public Instruction shall pay to the operator of a charter school an amount equal to the sum of the amount paid per pupil to charter schools in the previous school year and the increase in the per pupil amount paid to private schools under 119.23(4)(b)2 the Milwaukee Parental Choice Program in the current school year as compared to the previous school year, multiplied by the number of pupils attending the charter school. The amount paid per pupil may not be less than the amount paid per pupil under this subdivision in the previous school year. The department shall pay 25% of the total amount in September, 25% in December, 25% in February, and 25% in June. The department shall send the check to the operator of the charter school.

(3) Contract.

(b) A contract for an individual or group to operate a charter school may be for any term not exceeding 5 school years and may be renewed for one or more terms not exceeding 5 school years per term. The contract shall specify the amount to be paid to the charter school during each school year of the contract.

(d) The University shall give preference in awarding contracts for the operation of charter schools to those charter schools that serve children at risk, as defined in s. 118.153 (1) (a). (See following Additional Laws Referenced by 118.40)

(4) Charter school duties and restrictions.

(a) Duties. A charter school shall do all of the following:

1. If the charter school replaces a public school in whole or in part, give preference in admission to any pupil who resides within the attendance area or former attendance area of that public school.

2. Be nonsectarian in its programs, admissions policies, employment practices and all other operations.

(b) Restrictions. A charter school may not do any of the following.

1. Charge tuition.

2. Except as provided in 118.40(c) par. (c), discriminate in admission or deny participation in any program or activity on the basis of a person's sex, race, religion,
national origin, ancestry, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.

(c) Single-sex schools and courses. The University may establish or enter into a contract for, the establishment of a charter school that enrolls only one sex or that provides one or more courses that enroll only one sex if the University makes available to the opposite sex, under the same policies and criteria of admission, schools or courses that are comparable to each such school or course.

(5) Charter revocation. A charter may be revoked by the University if the University finds that any of the following occurred:

(a) The charter school violated its contract with the University.

(b) The pupils enrolled in the charter school failed to make sufficient progress toward attaining the educational goals under s.118.01. (See following Additional Laws Referenced by 118.40)

(c) The charter school failed to comply with generally accepted accounting standards of fiscal management.

(d) The charter school violated this section.

(6) Program voluntary. No pupil may be required to attend a charter school without his or her approval, if the pupil is an adult, or the approval of his or her parents or legal guardian, if the pupil is a minor.

(7) Legal status; applicability of school laws.

2. A charter school established by the UNIVERSITY or a private school that is converted to a charter school by the UNIVERSITY is not an instrumentality of the Milwaukee Public Schools and Milwaukee Board of School Directors may not employ any personnel for the charter school.

(b) Except as otherwise explicitly provided, Wisconsin Statutes, Chapters 115 through 121 do not apply to charter schools authorized by the UNIVERSITY.
Wis. Stat. 118.01 Educational Goals and Expectations.

(1) Purpose. Public education is a fundamental responsibility of the state. The constitution vests in the state superintendent the supervision of public instruction and directs the legislature to provide for the establishment of district schools. The effective operation of the public schools is dependent upon a common understanding of what public schools should be and do. Establishing such goals and expectations is a necessary and proper complement to the state's financial contribution to education. Each school board should provide curriculum, course requirements and instruction consistent with the goals and expectations established under 118.01(2) sub. (2). Parents and guardians of pupils enrolled in the school district share with the state and school board the responsibility for pupils meeting the goals and expectations under 118.01(2) sub. (2).

(2) Educational goals.

(a) Academic skills and knowledge. Since the development of academic skills and knowledge is the most important goal for schools, each school board shall provide an instructional program designed to give pupils:

1. Basic skills, including the ability to read, write, spell, perform basic arithmetical calculations, learn by reading and listening and communicate by writing and speaking.

2. Analytical skills, including the ability to think rationally, solve problems, use various learning methods, gather and analyze information, make critical and independent judgments and argue persuasively.

3. A basic body of knowledge that includes information and concepts in literature, fine arts, mathematics, natural sciences, including knowledge of the elements of agriculture and the conservation of natural resources, and social sciences, including knowledge of the rights and responsibilities of the family as a consumer, cooperative marketing and consumers' cooperatives.

4. The skills and attitudes that will further lifelong intellectual activity and learning.

5. Knowledge in computer science, including problem solving, computer applications and the social impact of computers.

(b) Vocational skills. Each school board shall provide an instructional program designed to give pupils:

1. An understanding of the range and nature of available occupations and the required skills and abilities.
2. Preparation to compete for entry level jobs not requiring postsecondary school education.

3. Preparation to enter job-specific vocational training programs.

4. Positive work attitudes and habits.

(c) Citizenship. Each school board shall provide an instructional program designed to give pupils:

1. An understanding of the basic workings of all levels of government, including the duties and responsibilities of citizenship.

2. A commitment to the basic values of our government, including by appropriate instruction and ceremony the proper reverence and respect for and the history and meaning of the American flag, the Declaration of Independence, the U.S. constitution and the constitution and laws of this state.

3. The skills to participate in political life.

4. An understanding of the function of organizations in society.

5. Knowledge of the role and importance of biological and physical resources.

6. Knowledge of state, national and world history.

7. An appreciation and understanding of different value systems and cultures.

8. At all grade levels, an understanding of human relations, particularly with regard to American Indians, Black Americans and Hispanics.

(d) Personal development. Each school board shall provide an instructional program designed to give pupils:

1. The skills needed to cope with social change.

2. Knowledge of the human body and the means to maintain lifelong health, including:

   a. Knowledge of the theory and practice of physical education, including the development and maintenance of physical fitness;

   b. Knowledge of the true and comparative vitamin content of food and food and health values of dairy products and their importance for the human diet; and

   c. Knowledge of physiology and hygiene, sanitation, the effects of controlled substances under ch. 961 and alcohol upon the human system, symptoms of disease and the proper
care of the body. No pupil may be required to take instruction in these subjects if his or her parent files with the teacher a written objection thereto. If a pupil does not take instruction in these subjects as a result of parental objection, the pupil may not be required to be examined in the subjects and may not be penalized in any way for not taking such instruction, but if the subjects receive credit toward graduation, the school board may require the pupil to complete an alternative assignment that is similar to the subjects in the length of time necessary to complete. Instruction in physiology and hygiene shall include instruction on sexually transmitted diseases and shall be offered in every high school.

3. An appreciation of artistic and creative expression and the capacity for self-expression.

4. The ability to construct personal ethics and goals.

5. Knowledge of morality and the individual's responsibility as a social being, including the responsibility and morality of family living and the value of frugality and other basic qualities and principles referred to in article I, section 22, of the constitution insofar as such qualities and principles affect family and consumer education.

6. Knowledge of the prevention of accidents and promotion of safety on the public highways, including instruction on the relationship between highway safety and the use of alcohol and controlled substances under ch. 961.

7. The skills needed to make sound decisions, knowledge of the conditions which may cause and the signs of suicidal tendencies, knowledge of the relationship between youth suicide and the use of alcohol and controlled substances under ch. 961 and knowledge of the available community youth suicide prevention and intervention services. Instruction shall be designed to help prevent suicides by pupils by promoting the positive emotional development of pupils.

8. Knowledge of effective means by which pupils may recognize, avoid, prevent and halt physically or psychologically intrusive or abusive situations which may be harmful to pupils, including child abuse, sexual abuse and child enticement. Instruction shall be designed to help pupils develop positive psychological, emotional and problem-solving responses to such situations and avoid relying on negative, fearful or solely reactive methods of dealing with such situations. Instruction shall include information on available school and community prevention and intervention assistance or services and shall be provided to pupils in elementary schools.

Wis. Stat. 118.30 (1r) Pupil Assessment.

(1r) Annually each operator of a charter school under s. 118.40 (2r) shall do all of the following:
(a) 1. Except as provided in 118.30(6) sub. (6), administer the 4th grade examination adopted or approved by the state superintendent under 118.30(1) to all pupils enrolled in the charter school in the 4th grade. 2. Beginning on July 1, 2002, if the operator of the charter school has developed or adopted its own 4th grade examination, administer that examination to all pupils enrolled in the charter school in the 4th grade.

(am) 1. Except as provided in 118.30(6), administer the 8th grade examination adopted or approved by the state superintendent under 118.30(1) to all pupils enrolled in the charter school in the 8th grade. 2. Beginning on July 1, 2002, if the operator of the charter school has developed or adopted its own 8th grade examination, administer that examination to all pupils enrolled in the charter school in the 8th grade. (b) Administer the 10th grade examination to all pupils enrolled in the charter school in the 10th grade.

(2) (a) To the extent possible, all examinations under this section shall be free of bias.

(b) 1. If a pupil is enrolled in a special education program under subch. V of ch. 115, the school board or operator of the charter school under s. 118.40 (2r) shall comply with s. 115.77 (1m) (bg). 2. According to criteria established by the state superintendent by rule, the school board or operator of the charter school under s. 118.40 (2r) may determine not to administer an examination under this section to a limited-English proficient pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or her native language or may modify the format and administration of an examination for such pupils. 3. Upon the request of a pupil's parent or guardian, the school board shall excuse the pupil from taking an examination administered under 118.30(1m). 4. Upon the request of a pupil's parent or guardian, the operator of a charter school under s. 118.40 (2r) shall excuse the pupil from taking an examination administered under 118.30(1r).

Wis. Stat. 118.19 Teacher Certificates And Licenses.

(1) Any person seeking to teach in a public school, including a charter school, or in a school or institution operated by a county or the state shall first procure a license or permit from the department.

Wis. Stat. 121.02 School District Standards.

(1) (a) 2. Ensure that all instructional staff of charter schools located in the school district hold a license or permit to teach issued by the department. The state superintendent shall promulgate rules defining "instructional staff" for purposes of this subdivision.


(1) In this section: (a) "Children at risk" means pupils in grades 5 to 12 who are at risk of not graduating from high school because they are dropouts or are 2 or more of the following:
1m. One or more years behind their age group in the number of high school credits attained.

2. Two or more years behind their age group in basic skill levels.

2m. Habitual truants, as defined in s. 118.16 (1) (a).

3. Parents.

4. Adjudicated delinquents.

5. Eighth grade pupils whose score in each subject area on the examination administered under s. 118.30 (1m) (am) 1. was below the basic level, 8th grade pupils who failed the examination administered under s. 118.30 (1m) (am) 2., and 8th grade pupils who failed to be promoted to the 9th grade.

(b) "Dropout" means a child who ceased to attend school, does not attend a public or private school, technical college or home-based private educational program on a full-time basis, has not graduated from high school and does not have an acceptable excuse under s. 118.15 (1) (b) to 118.15(1)(d) or 118.15(3)(3).

(a) "Habitual truant" means a pupil who is absent from school without an acceptable excuse under 118.16(4) and s. 118.15 for part or all of 5 or more days on which school is held during a school semester.

1. Except as provided in 118.30(6), administer the 8th grade examination adopted or approved by the state superintendent under 118.30(1) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 8th grade.

Wis. Stat. 118.15 Compulsory School Attendance

(I) (a) Except as provided under 118.15(1)(b) to 118.15(1)(d) and 118.(15)(4), unless the child is excused under118.15(3) or has graduated from high school, any person having under control a child who is between the ages of 6 and 18 years shall cause the child to attend school regularly during the full period and hours, religious holidays excepted, that the public or private school in which the child should be enrolled is in session until the end of the school term, quarter or semester of the school year in which the child becomes 18 years of age.

(b) Upon the child's request of the school board and with the written approval of the child's parent or guardian, any child who is 16 years of age or over and a child at risk, as defined in s. 118.153 (1) (a), may attend, in lieu of high school or on a part-time basis, a technical college if the child and his or her parent or guardian agree, in writing, that the child will participate in a program leading to the child's high school graduation. The
district board of the technical college district in which the child resides shall admit the child. Every technical college district board shall offer day class programs satisfactory to meet the requirements of this paragraph and s. 118.33 (3m) as a condition to the receipt of any state aid.

(c) 1. Upon the child's request and with the written approval of the child's parent or guardian, any child who is 16 years of age may be excused by the school board from regular school attendance if the child and his or her parent or guardian agree, in writing, that the child will participate in a program or curriculum modification under 118.15(1)(d) leading to the child's high school graduation.

2. Upon the child's request and with the written approval of the child's parent or guardian, any child who is 17 years of age or over may be excused by the school board from regular school attendance if the child and his or her parent or guardian agree, in writing, that the child will participate in a program or curriculum modification under 118.15(1)(d) leading to the child's high school graduation or leading to a high school equivalency diploma under s. 115.29 (4).

3. Prior to a child's admission to a program leading to the child's high school graduation or a high school equivalency program under 118.15(1)(b) or 118.15(1)(c) or 118.15(1)(c)2, the child, his or her parent or guardian, the school board and a representative of the high school equivalency program or program leading to the child's high school graduation shall enter into a written agreement. The written agreement shall state the services to be provided, the time period needed to complete the high school equivalency program or program leading to the child's high school graduation and how the performance of the pupil will be monitored. The agreement shall be monitored by the school board on a regular basis, but in no case shall the agreement be monitored less frequently than once per semester. If the school board determines that a child is not complying with the agreement, the school board shall notify the child, his or her parent or guardian and the high school equivalency program or program leading to the child's high school graduation that the agreement may be modified or suspended in 30 days.

(cm) 1. Upon the child's request and with the approval of the child's parent or guardian, any child who is 17 years of age or over shall be excused by the school board from regular school attendance if the child began a program leading to a high school equivalency diploma in a juvenile correctional facility, as defined in s. 938.02 (10p), a secured residential care center for children and youth, as defined in s. 938.02 (15g), a juvenile detention facility, as defined in s. 938.02 (10r), or a juvenile portion of a county jail, and the child and his or her parent or guardian agree under 118.15(1)(cm)2 that the child will continue to participate in such a program. For purposes of this subdivision, a child is considered to have begun a program leading to a high school equivalency diploma if the child has received a passing score on a minimum of one of the 5 content area tests given under the general educational development test or has demonstrated under a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency to high school graduation a level of proficiency in a minimum of one of the 5 content areas specified in s. 118.33 (1) (a) 1. that is
equivalent to the level of proficiency that he or she would have attained if he or she had satisfied the requirements under s. 118.33 (1) (a) 1.

2. Prior to the admission of a child under 118.15(1)(cm)1 to a program leading to a high school equivalency diploma, the child, his or her parent or guardian, the school board and a representative of the agency providing the program shall enter into a written agreement. The agreement shall specify that the child is excused from regular school attendance while he or she is enrolled in the program and making progress toward completion of the program, or successfully completes the program. If the agency providing the program determines that the child is not making progress toward completion of the program, the agency shall notify the child and his or her parent or guardian that the agreement may be suspended within 30 days. If the agency suspends the agreement, the agency shall notify the child, his or her parent or guardian and the school board.

3. If the program that the child wishes to attend is provided by a technical college district, the technical college district board shall admit the child.

4. A child attending a program under this paragraph shall not be included in membership, as defined in s. 121.004 (5).

5. The state superintendent shall grant a high school equivalency diploma to a child under this paragraph who completes the general educational development test with a passing score, as determined by the state superintendent, and completes the additional requirements determined by the state superintendent under s. 115.29 (4).

(d) Any child's parent or guardian, or the child if the parent or guardian is notified, may request the school board, in writing, to provide the child with program or curriculum modifications, including but not limited to: