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January 9, 2014

Assembly Committee on Urban Education

Public Hearing

10:00 AM – 413North

Chairman Pridemore and Members of the Committee:

I want to thank you for the opportunity to testify on behalf of AB 549. This legislation allows high performing charter schools to replicate themselves, expands the number of entities permitted to authorize a charter school and standardizes Wisconsin's statutory language regarding charter schools to the national standards.

AB 549 gives high performing charter schools the ability to replicate without authorization from their original charter. High performing charter schools are those schools whose math and reading scores exceed ten percent or more of the local public schools for two consecutive years.

This legislation expands the number of authorizes for charter schools. Currently, the City of Milwaukee, UW-Milwaukee, UW-Parkside, Milwaukee Area Technical College (MATC) and local school boards are the only entities allowed to authorize these schools. AB 549 broadens the authorizers to any University of Wisconsin school, any Wisconsin Technical college and to Cooperative Educational Service Agencies (CESA).

Finally, AB 549 adopts Wisconsin's statutory language regarding charter schools to the national standards. Charter and magnet schools receive federal funds. Instrumentality schools on the other hand may not receive any federal funds as this term is unique to the state of Wisconsin. This legislation helps to establish a standardization between the national standards and Wisconsin standards.

Thank for you taking the time to discuss AB 549. I am open to any questions the committee may have.

Thank you

A handwritten signature in black ink that reads "Dale P. Kooyenga". The signature is fluid and cursive.

Dale P. Kooyenga



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY BILL 549

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 20, line 18: after that line insert:

3 **"SECTION 57m.** 118.40 (4m) of the statutes is created to read:

4 118.40 (4m) MAGNET SCHOOLS; DUTIES. A magnet school shall do all of the
5 following:

6 (a) Give preference in admission to a pupil who during the immediately
7 preceding school year was enrolled in a charter school that was an instrumentality
8 of the school district that authorized the magnet school.

9 (b) Give preference in admission to a sibling of a pupil who is enrolled in the
10 magnet school or who during the immediately preceding school year was enrolled in

1 in a charter school that was an instrumentality of the school district that authorized
2 the magnet school.”.

3 (END)

Assembly Committee on Urban Education
January 9, 2014

Department of Public Instruction Testimony
on 2013 Assembly Bill 549

I want to thank Chairman Pridemore and members of the committee for the opportunity to testify before you today on behalf of the State Superintendent in opposition to Assembly Bill 549 (AB 549). My name is Jennifer Kammerud and I am the legislative liaison for the Department of Public Instruction.

AB 549 would eliminate 78 percent of charter schools in the state, change the oversight of education by locally elected officials, cut off access to charter school grants, and take money out of local school district budgets.

78 percent of charter schools in the state are instrumentality charters. This means they are authorized by school districts and have staff that is employed by school boards. These schools are independently governed schools with their own governing boards. AB 549 would eliminate all of these schools upon the completion of their contracts and their operators can decide how, or if, they want to try and seek permission to operate in a different manner.

What are the policy implications for this change? It could spell the end of many new and innovative home grown charters across the state. The vast majority of this state's existing charter schools were created using funds from federal charter school grants. If you are not a charter school you do not have access to these funds. For the 2009-14 grant cycle, DPI was awarded \$69.6 million in federal funds, the largest award in the country.

Additionally, we suddenly look like we have few charter schools. Right now Wisconsin has 243 charter schools. This is one of the largest numbers in the country. This bill would suddenly change that making it appear that overnight we have shrunk to having only 54 charter schools.

While the bill creates a new designation in state statute called magnet schools, committee members should be aware that magnet schools already exist in Wisconsin. School districts have opened and operated magnet schools in Wisconsin for years. This bill would change how boards authorize these schools. It would also make them virtually indistinguishable from charter schools, calling into question why the designation is needed at all.

AB 549 also cuts to the heart of the local control of public education. This oversight has traditionally been vested locally in elected school board members. Suddenly, under this bill there would be over 40 new UW campuses, Wisconsin Technical College boards, and CESA boards authorizing charter schools. With the potential for vast new networks of schools across the state, that any student in the state may attend, what does this do to the concept of locally elected officials overseeing education in their districts? What implications does it hold for the

constitutionality of a system that, under Article X, Section 3 of the state constitution, states that the legislature shall provide by law for the establishment of district schools which shall be as nearly uniform as practicable?

Moreover, the bill would continue the state's current manner of paying for students not enrolled in school board authorized charter schools by taking state general school aids away from each school district in the state, which directly results in higher property taxes.

For nearly 15 years, the state's method of paying for students enrolled in non-school board authorized charter schools has been to not only fund such charter schools by reducing nearly every school district's state general aid entitlement but to also not allow school districts (currently the Milwaukee and Racine school districts in which these students reside) to count these students for state general aid or revenue limit purposes.

Based on the 2013-15 biennial budget bill (Act 20), the state reduced nearly all school districts' 2013-14 state general aid by nearly 1.5 percent of their entitlement, to fund a sum sufficient appropriation, which totaled over \$64 million to pay for the 8,100 students attending non-school district authorized charter schools in Milwaukee and Racine this year.

School districts are allowed to replace this lost general aid with property taxes under their revenue limit. Ultimately, nearly all school boards choose to raise additional property taxes, instead of cutting their own existing school programs or laying off staff.

Finally it should be noted that the automatic replication process in AB 549 raises some significant questions.

- Who is doing the calculation? The bill does not direct DPI to calculate it so is it the intent of the legislature that the charter school seeking replication is doing this calculation?
- How does the legislature plan to ensure a consistent calculation? For instance, are only full academic year student results used or are the scores from everyone tested used? The department reports both.
- What about cell size? Is there a point at which the number of students tested in a charter is too small to be comparable?
- Is the intent to allow charter schools performing well in one district to replicate in completely different school districts? County boundaries referenced in the bill are not contiguous with school district ones, technical college and UW boundaries overlap, and CESAs contain multiple school districts.

The department supports charter schools and charter school expansion, but not at the expense of the existing successful public school infrastructure that exists in this state.

At this time I would be happy to answer any questions you may have.

2013-14 Independent (2r) Charter Deductions

District Name	2r Charter ded
Abbotsford	-78,911
Adams-Friendship Area	-65,621
Albany	-34,890
Algoma	-48,040
Alma	-12,775
Alma Center	-63,900
Almond-Bancroft	-46,164
Altoona	-157,015
Amery	-131,203
Antigo	-219,568
Appleton Area	-1,119,975
Arcadia	-120,334
Argyle	-32,154
Arrowhead UHS	-84,597
Ashland	-213,110
Ashwaubenon	-98,563
Athens	-48,363
Auburndale	-85,878
Augusta	-61,440
Baldwin-Woodville Area	-166,596
Bangor	-57,448
Baraboo	-226,476
Barneveld	-38,489
Barron Area	-180,185
Bayfield	-4,268
Beaver Dam	-301,618
Beecher-Dunbar-Pembine	-2,325
Belleville	-80,335
Belmont Community	-28,735
Beloit	-901,450
Beloit Turner	-131,068
Benton	-30,659
Berlin Area	-150,935
Big Foot UHS	-1,536
Birchwood	-931
Black Hawk	-35,034
Black River Falls	-149,033
Blair-Taylor	-51,379
Bloomer	-106,277
Bonduel	-70,261
Boscobel	-85,061
Bowler	-44,283
Boyceville Community	-81,616
Brighton #1	-4,631
Brillion	-85,079

Bristol #1	-41,599
Brodhead	-100,665
Brown Deer	-75,398
Bruce	-36,774
Burlington Area	-224,194
Butternut	-10,242
Cadott Community	-80,381
Cambria-Friesland	-28,321
Cambridge	-50,781
Cameron	-87,233
Campbellsport	-90,857
Cashton	-60,581
Cassville	-15,181
Cedar Grove-Belgium Are	-84,135
Cedarburg	-129,150
Central/Westosha UHS	-81,131
Chequamegon	-47,656
Chetek-Weyerhaeuser	-63,361
Chilton	-99,647
Chippewa Falls Area	-410,234
Clayton	-38,964
Clear Lake	-64,628
Clinton Community	-110,903
Clintonville	-137,193
Cochrane-Fountain City	-51,668
Colby	-96,524
Coleman	-41,746
Colfax	-76,825
Columbus	-82,404
Cornell	-41,892
Crandon	-37,727
Crivitz	-7,890
Cuba City	-52,086
Cudahy	-248,238
Cumberland	-54,357
D C Everest Area	-550,399
Darlington Community	-72,615
Deerfield Community	-72,669
Deforest Area	-235,711
Delavan-Darien	-159,044
Denmark	-123,795
Depere	-313,161
Desoto Area	-42,761
Dodgeland	-88,407
Dodgeville	-96,340
Dover #1	-10,867
Drummond	-590

Durand	-77,302
East Troy Community	-55,393
Eau Claire Area	-876,928
Edgar	-71,908
Edgerton	-142,958
Elcho	-543
Eleva-Strum	-60,076
Elk Mound Area	-117,996
Elkhart Lake-Glenbeulah	-8,415
Elkhorn Area	-206,207
Ellsworth Community	-137,227
Elmbrook	-76,983
Elmwood	-34,104
Erin	-6,831
Evansville Community	-178,057
Fall Creek	-83,563
Fall River	-49,527
Fennimore Community	-74,379
Flambeau	-57,772
Florence	-11,262
Fond Du Lac	-600,409
Fontana J8	-161
Fort Atkinson	-239,178
Fox Point J2	-22,170
Franklin Public	-228,570
Frederic	-35,499
Freedom Area	-136,425
Friess Lake	-3,942
Galesville-Ettrick	-126,481
Geneva J4	0
Genoa City J2	-72,905
Germantown	-180,650
Gibraltar Area	-100
Gillett	-55,442
Gilman	-28,803
Gilmanton	-15,135
Glendale-River Hills	-5,569
Glenwood City	-73,899
Goodman-Armstrong	-4,197
Grafton	-76,946
Granton Area	-23,440
Grantsburg	-74,148
Green Bay Area	-1,976,652
Green Lake	-321
Greendale	-172,348
Greenfield	-182,772
Greenwood	-31,121

Gresham	-24,159
Hamilton	-277,108
Hartford J1	-153,839
Hartford UHS	-77,481
Hartland-Lakeside J3	-59,157
Hayward Community	-8,183
Herman #22	-3,272
Highland	-33,236
Hilbert	-37,032
Hillsboro	-49,113
Holmen	-399,355
Horicon	-68,562
Hortonville	-272,908
Howards Grove	-69,609
Howard-Suamico	-507,399
Hudson	-401,497
Hurley	-39,810
Hustisford	-20,816
Independence	-36,997
Iola-Scandinavia	-50,666
Iowa-Grant	-78,824
Ithaca	-36,129
Janesville	-974,291
Jefferson	-173,712
Johnson Creek	-54,402
Juda	-26,145
Kaukauna Area	-376,604
Kenosha	-2,178,102
Kettle Moraine	-127,986
Kewaskum	-114,021
Kewaunee	-77,268
Kickapoo Area	-40,657
Kiel Area	-111,136
Kimberly Area	-414,509
Kohler	-5,708
Lac Du Flambeau #1	-3,251
Lacrosse	-433,424
Ladysmith	-105,491
Lafarge	-25,777
Lake Country	-1,276
Lake Geneva J1	-95,532
Lake Geneva-Genoa UHS	-19,400
Lake Holcombe	-6,819
Lake Mills Area	-96,456
Lakeland UHS	-1,002
Lancaster Community	-85,953
Laona	-10,563

Lena	-38,876
Linn J4	-135
Linn J6	-31
Little Chute Area	-147,269
Lodi	-83,292
Lomira	-98,937
Loyal	-55,207
Luck	-27,455
Luxemburg-Casco	-158,405
Madison Metropolitan	-776,235
Manawa	-66,263
Manitowoc	-447,665
Maple	-83,483
Maple Dale-Indian Hill	-6,961
Marathon City	-51,633
Marinette	-186,415
Marion	-38,108
Markesan	-37,597
Marshall	-131,234
Marshfield	-307,046
Mauston	-125,358
Mayville	-102,278
McFarland	-155,569
Medford Area	-182,169
Mellen	-26,272
Melrose-Mindoro	-70,946
Menasha	-370,967
Menominee Indian	-94,570
Menomonee Falls	-106,978
Menomonie Area	-277,283
Mequon-Thiensville	-31,580
Mercer	-153
Merrill Area	-262,120
Merton Community	-65,915
Middleton-Cross Plains	-145,276
Milton	-280,736
Milwaukee	-8,785,394
Mineral Point	-72,603
Minocqua J1	-607
Mishicot	-66,599
Mondovi	-95,220
Monona Grove	-150,735
Monroe	-239,701
Montello	-20,191
Monticello	-33,835
Mosinee	-174,150
Mount Horeb Area	-172,652

Mukwonago	-266,454
Muskego-Norway	-289,794
Necedah Area	-43,227
Neenah	-436,141
Neillsville	-85,544
Nekoosa	-47,116
Neosho J3	-14,517
New Auburn	-7,250
New Berlin	-68,002
New Glarus	-76,604
New Holstein	-81,559
New Lisbon	-41,925
New London	-220,784
New Richmond	-314,592
Niagara	-40,965
Nicolet UHS	-17,718
Norris	-4,276
North Cape	-12,051
North Crawford	-42,504
North Fond Du Lac	-112,054
North Lake	-16,323
North Lakeland	0
Northern Ozaukee	-39,449
Northland Pines	-1,621
Northwood	-564
Norwalk-Ontario-Wilton	-76,234
Norway J7	-3,162
Oak Creek-Franklin	-430,959
Oakfield	-46,109
Oconomowoc Area	-128,350
Oconto	-106,768
Oconto Falls	-156,655
Omro	-116,984
Onalaska	-201,553
Oostburg	-74,251
Oregon	-277,123
Osceola	-159,763
Oshkosh Area	-768,806
Osseo-Fairchild	-99,390
Owen-Withee	-50,863
Palmyra-Eagle Area	-80,608
Pardeeville Area	-60,256
Paris J1	-3,918
Parkview	-83,946
Pecatonica Area	-36,447
Pepin Area	-6,916
Peshtigo	-116,150

Pewaukee	-19,854
Phelps	-147
Phillips	-40,031
Pittsville	-51,261
Platteville	-113,456
Plum City	-24,557
Plymouth	-146,827
Port Edwards	-39,302
Port Washington-Saukvil	-191,758
Portage Community	-206,661
Potosi	-36,253
Poynette	-77,145
Prairie Du Chien Area	-105,708
Prairie Farm	-37,662
Prentice	-23,069
Prescott	-113,629
Princeton	-5,699
Pulaski Community	-339,390
Racine	-1,944,095
Randall J1	-23,981
Randolph	-48,143
Random Lake	-68,159
Raymond #14	-13,857
Reedsburg	-198,251
Reedsville	-52,521
Rhineland	-54,259
Rib Lake	-36,565
Rice Lake Area	-156,439
Richfield J1	-16,916
Richland	-116,430
Richmond	-37,385
Rio Community	-43,076
Ripon Area	-166,638
River Falls	-220,414
River Ridge	-46,508
River Valley	-73,941
Riverdale	-64,839
Rosendale-Brandon	-92,852
Rosholt	-40,998
Royall	-67,295
Rubicon J6	-6,229
Saint Croix Central	-164,230
Saint Croix Falls	-79,332
Saint Francis	-48,749
Salem	-90,275
Sauk Prairie	-163,625
Seneca	-23,249

Sevastopol	-652
Seymour Community	-261,801
Sharon J11	-33,720
Shawano	-189,660
Sheboygan Area	-1,019,950
Sheboygan Falls	-138,498
Shell Lake	-41,733
Shiocton	-78,307
Shorewood	-76,460
Shullsburg	-34,736
Silver Lake J1	-40,766
Siren	-10,468
Slinger	-173,490
Solon Springs	-11,482
Somerset	-164,127
South Milwaukee	-303,014
South Shore	-2,023
Southern Door County	-26,300
Southwestern Wisconsin	-50,491
Sparta Area	-261,552
Spencer	-87,440
Spooner	-14,304
Spring Valley	-72,591
Stanley-Boyd Area	-96,842
Stevens Point Area	-525,903
Stockbridge	-7,451
Stone Bank School Distr	-1,230
Stoughton Area	-224,712
Stratford	-84,434
Sturgeon Bay	-50,324
Sun Prairie Area	-581,224
Superior	-405,509
Suring	-3,994
Swallow	-12,451
Thorp	-49,125
Three Lakes	-910
Tigerton	-21,408
Tomah Area	-271,388
Tomahawk	-29,367
Tomorrow River	-87,808
Trevor-Wilmot Consolida	-56,091
Tri-County Area	-49,982
Turtle Lake	-6,292
Twin Lakes #4	-29,415
Two Rivers	-183,912
Union Grove J1	-79,760
Union Grove UHS	-41,261

Unity	-19,666
Valders Area	-73,368
Verona Area	-354,926
Viroqua Area	-92,803
Wabeno Area	-3,342
Walworth J1	-46,379
Washburn	-35,096
Washington	-60
Washington-Caldwell	-14,223
Waterford Graded	-90,705
Waterford UHS	-77,951
Waterloo	-78,506
Watertown	-336,571
Waukesha	-752,433
Waunakee Community	-276,961
Waupaca	-132,525
Waupun	-171,359
Wausau	-757,025
Wausaukee	-5,050
Wautoma Area	-83,309
Wauwatosa	-287,562
Wauzeka-Steuben	-37,563
Webster	-1,727
West Allis	-651,602
West Bend	-436,406
West Depere	-211,665
West Salem	-159,396
Westby Area	-111,337
Westfield	-36,744
Weston	-27,170
Weyauwega-Fremont	-49,371
Wheatland J1	-26,659
White Lake	-6,901
Whitefish Bay	-166,801
Whitehall	-73,287
Whitewater	-98,565
Whitnall	-90,993
Wild Rose	-10,026
Williams Bay	-547
Wilmot UHS	-77,780
Winneconne Community	-87,137
Winter	-2,690
Wisconsin Dells	-10,185
Wisconsin Heights	-30,352
Wisconsin Rapids	-479,460
Wittenberg-Birnamwood	-105,625
Wonewoc-Union Center	-22,631

Woodruff J1	-2,565
Wrightstown Community	-111,503
Yorkville J2	-7,143
Total	-64,192,503



DATE: JANUARY 9, 2014

TO: ASSEMBLY COMMITTEE ON URBAN EDUCATION

FROM: STEVE BAAS, VICE PRESIDENT OF GOVERNMENT AFFAIRS
METROPOLITAN MILWAUKEE ASSOCIATION OF COMMERCE

RE: AB 549

On behalf for the Metropolitan Milwaukee association of Commerce (MMAC) I would like to urge your support for Assembly Bill 549.

The MMAC represents over 1800 member businesses employing over 300,000 workers throughout the metropolitan Milwaukee region. As such, we have a firsthand awareness of the fact that to create a region that is globally competitive in an innovation economy we need a strong system of educational options that help develop a workforce capable of fueling that economy. Charter schools are an important piece of that system and it is our belief that this bill makes them even stronger.

For years, Milwaukee has had the luxury of multiple authorizers for independent charter schools. With the UW-Milwaukee, the City of Milwaukee, MPS, and MATC all empowered to authorize charter schools, we already enjoy the flexibility that this bill, with its approval of additional charter authorizers, would offer the rest of the state. We have seen in Milwaukee the kind of creative, competitive, and cooperative energy having multiple charter authorizers has brought to our city's education landscape and we are confident that other areas of the state would see similar benefits under the provisions of this bill.

One specific portion of this bill I would like to highlight, however, is the presumptive charter school replication authority. This provision is critically important to the MMAC. The MMAC is in the midst of an effort to increase the number of available seats in high-performing schools in Milwaukee by 20,000 by 2020. While there are many facets to this strategy, one of the simplest and most effective ones is to encourage expansion or replication of schools that are already performing at a high level in our community. Simply put, enabling growth in these schools who have successfully "cracked the code" of urban education in Milwaukee is the most efficient and most certain way to expand access to educational excellence for our students.

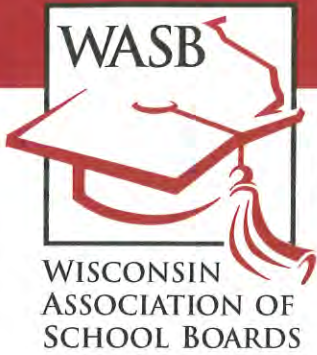
The presumptive replication section of the bill recognizes this fact and simplifies the path to expansion or replication for charter schools who are the best of the best – delivering proficiency rates that are 10% or higher than those in their school district. Currently, if these schools would like to grow, they must go back to square one of the charter authorization process and jump through all the administrative hoops a new school with no track record would have to. This bill simplifies the process and move these schools with a proven track record of success to the front of the line for any additional schools they would like to start.

Quite frankly, given the magnitude of the challenge facing us in education - and particularly urban education – we should be begging these “star schools” to grow and doing everything we can to facilitate that expansion or replication. While the presumptive replication provision of AB 549 does not resort to begging, it does take a strong positive step by removing administrative barriers to growth that might serve as disincentives to these schools.

The performance standard set for presumptive replication in this bill is a high one. It will be difficult for even very good charter schools to meet. But for those that do, we owe it to our children and to our economy to recognize that high performance and do all we can to find ways to export that level of educational opportunity to more children.

Once again, on behalf of MMAC, thank you for your work on this bill. We are confident that this measure will make our state charter school system an even stronger partner in our state’s effort to create a generation of lifelong learners prepared to fuel a growing Wisconsin economy.

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JOHN H. ASHLEY, EXECUTIVE DIRECTOR

TO: Members, Assembly Committee on Urban Education
FROM: Dan Rossmiller, WASB Government Relations Director
RE: OPPOSITION to Assembly Bill 549
DATE: January 9, 2014

Twenty years ago, Wisconsin was among the very first states to adopt a framework for creating charter schools. At that time, the Wisconsin Association of School Boards (WASB) was instrumental in developing that framework and in encouraging the formation of charter schools in our state. A charter school is, as the name implies, a separate school established by a charter (e.g. a contract) with an authorizer. A charter school is not merely a program within a school. It is a separate school.

Wisconsin is unique in how charter schools can be authorized, with three categories of charter authorization: instrumentality, non-instrumentality, and independent. Across Wisconsin, a school board can authorize a charter school within its district and determine whether the charter school will be an instrumentality of the district or a non-instrumentality school.

The WASB continues to encourage the formation of high quality charter schools in Wisconsin with school boards as the chartering agency.

Assembly Bill 549 unnecessarily threatens this model.

Wisconsin school boards play a vital role in creating and operating charter schools in our state. During the 2012-13 school year, 97 school districts—nearly a quarter of Wisconsin's 424 school districts—authorized and operated charter schools. In two districts, Highland and Montello, all of the district schools are operated as charter schools.

Overall, public school districts operated 215 charter schools in our state in the past (2012-13) school year, enrolling over 35,000 students. In the 2012-13 school year alone, Wisconsin school boards authorized and opened 21 new charter schools. In the current 2013-14 school year, Wisconsin school boards authorized 22 new charter schools. Clearly, new charter schools are coming on line in many Wisconsin districts.

But all of that progress could come grinding to a halt if Assembly Bill 549 is adopted.

The Wisconsin Association of School Boards opposes Assembly Bill 549 because, among other things, the bill would effectively:

- Redefine the types of charter schools that school boards may authorize in such a way that it would effectively eliminate 78 percent of the existing charter schools in Wisconsin;
- Change governance of public schools in Wisconsin to eliminate ongoing school board oversight over the charter schools they have created and mute the community's voice in the operation of what are deemed "public" schools;
- Cut off school district access to federal charter school grants;
- Allow a statewide expansion of independent charter schools—charter schools not authorized by a school board and not governed by locally elected boards--and would remove current geographic limitations on enrollment in independent charter schools
- Maintain in place a flawed funding mechanism for independent charter schools that takes ever increasing amounts of state aid funding away from public school districts.

To understand this bill, it is important to understand the concept of an independent charter school and how it has been expanded already this session.

In Milwaukee, for example, multiple charter authorizers have historically been allowed beyond the Milwaukee Public School District. The charter schools authorized outside the school district are called "independent" or "2r" charters after the section of the statutes under which these schools can be created. These authorizers include:

- The University of Wisconsin-Milwaukee
- The City of Milwaukee Common Council
- The Milwaukee Area Technical College (MATC), which has not created any charter schools

In Racine, an independent charter school was historically allowed to be authorized by the University of Wisconsin-Parkside.

However, the independent charter school model was dramatically expanded by 2013 Wisconsin Act 20, the 2013-15 state budget to allow these authorizers to create and operate or contract for the operation of independent charter schools in a five-county region surrounding Milwaukee. As a result, independent charter schools may currently operate within a 5-county region surrounding Milwaukee and may only enroll students residing within that 5-county region. And now, before that expansion has even been implemented or evaluated, Assembly Bill 549 seeks to expand the model statewide.

The bill would accomplish this statewide expansion by greatly expanding the list of entities that are authorized to establish or contract for the establishment of independent charter schools—charter schools that are not authorized by local school boards—to include the chancellors of all four-year UW campuses, the deans of all the two-year UW feeder campuses, the boards of all technical colleges in the state, and the boards of control of all the cooperative educational services agencies, or CESAs, in the state. It is important to note that to our knowledge, the expansion of authority to establish or contract for the establishment of independent charter schools in this bill is not something any of these entities has requested.

In addition, the bill would open up enrollment in any independent charters established by these entities to any student in the state. The bill would accomplish this by removing current geographic limitations on enrollment in independent charter schools. (Currently, as noted above, only students who reside within the 5-county region in which independent charter schools may be located can attend an independent charter school located within that 5-county region.)

Public school boards find this expansion of independent charters especially troubling because of the way independent (also known as “2r”) charter schools are funded. Currently, the per pupil payments for these independent charter schools—which are scheduled to be \$7,925 in 2013-14 and \$8,075 in 2014-15—are funded by drawing money away from the general aid allotments of every public school district in the state. Independent charter schools funded from a first draw on the general aid appropriation. In other words, they are funded through a statewide cut to general school aids that would otherwise be payable to every school district in the state.

Because local school boards are allowed to raise property taxes to make up for the lost aid, most do so in order to preserve existing educational programs within their districts. The result is higher property taxes. In the 2012-13 school year, the reduction in general aid attributable to independent charters was 1.4 percent statewide, costing the average district \$140,000 in state aid.

In the current 2013-14 school year, \$64 million in state general aid (about 1.5 percent) will be drawn away from school districts. This aid cut hurts the property poorest districts in our state the hardest, and many of these are small rural school districts with declining enrollment. One of the best ways to help many of our state’s small and rural school districts is to stop skimming aid away from them to fund independent charters.

The per pupil payments to the potentially vast array of new independent charter schools that could be created if Assembly Bill 549 is enacted would be funded from additional reductions in state general aid paid to every public school district in the state. As noted, per pupil payments to independent charter schools are currently responsible for about a 1.5% reduction statewide (\$64 million) in state general aid to school districts. The size of this aid reduction will only grow if this bill is enacted because per pupil payments to independent charter schools will grow: a) in parallel with adjustments to school district revenue limit authority (under Act 20); and b) in proportion to enrollment increases as more independent charter schools open up.

We believe the legislature ought to adopt a separate appropriation for funding independent charter schools, as you did for the statewide voucher expansion, so that the cost of independent charter schools relative to the benefits of those schools can be evaluated separately on its merits. The current system obscures the costs of those schools by burying them within the general aid appropriation.

Importantly, it is unclear whether many of these new independent charter school authorizers have either an interest in or expertise overseeing K-12 schools or would even welcome this authority if it were given to them. Perhaps this is irrelevant given that the bill provides that independent charter authorizers would no longer be able to directly establish and operate any independent charter school they authorize. In effect, authorizers would become simply the funders of these independent charters with little say over the schools beyond the provisions spelled out in the contract or charter that creates the school. Indeed, the bill

specifies that every charter school must be operated by a governing board that has all powers necessary to carry out the terms of its contract to operate a charter school.

The proposed expansion of independent charter schools raises important governance questions. Independent charters may be operated by either for-profit or not-for-profit operators. Indeed, the whole notion that charter schools are public schools relies on three things: 1) they are created by public entities; 2) they are not supported in any way by private tuition but entirely by public (taxpayer) funds; and 3) are subject some of the same requirements as regular public schools including that they must be non-sectarian, may not discriminate and are subject to state assessments and teacher licensing requirements.

However, independent charter schools are not governed by democratically elected boards and it is unclear just what say the public (including parents) has over them. In theory, the governing board of an independent charter could, if it wanted, tell the local community "take a hike; we're running this school, not you." Because the governing board members do not stand for election, there would be no way for the community to remove its members, either at the next regular election or by recall.

The provisions granting charter school governing boards all powers necessary to carry out the terms of its contract to operate a charter school have implications for charter schools authorized by school boards as well. Coupled with provisions in the bill that would eliminate school board authorization of "instrumentality" charters—i.e., charters in which the employees of the charter school are employees of the school district this would force school boards and districts to make a decision about continuing as authorizers and funders. Upon the modification or renewal of an existing charter contract, school boards would be prohibited from employing any personnel for the charter school.

While some charter school proponents argue that non-instrumentality charters are characterized by more freedom from the district, most often they have emphasized that non-instrumentality charters are not required to hire union teachers. To the extent that Act 10 has limited collective bargaining, this is arguably much less of an advantage than it may have been in the past.

However, it should be noted that there are advantages for school boards to operate charter schools as instrumentalities. One is that the school district's licensed special education could easily flow to the instrumentality charter school to address the needs of any students with special needs. Another is that it allows for local oversight by the school board and allows the human resources, payroll, and purchasing functions and other resources of the district to be used while freeing the governing councils of the charter to focus on the primary task at hand -- innovation. Adding the responsibilities required of a non-instrumentality charter school would seriously hamper the progress many public school districts with charters have made, and it would detract from the primary purposes of those charter initiatives.

Mandating that school districts may create only non-instrumentality charters would diminish the role of locally elected school boards in overseeing the charter schools they have created and remove the public by an additional measure. Charter school governing bodies are not elected, and it is not always clear to the public (and, importantly, to parents) how they can have input into their operation and to whom they should address their concerns. It should be noted that these concerns about transparency and lack of public oversight are only amplified with respect to independent charter schools where, with only one

exception, the authorizers are not elected by, nor necessarily accountable to, the community. Assembly Bill 549 does not address this issue.

We have strong concerns that removing the ability of school districts to create instrumentality charters would likely cut off the federal charter school grant funding that school districts have been able to receive under current law. Without such grant funding, and under revenue limits, many school districts would not have the financial resources able to implement charter school initiatives. Under the bill, almost by definition, only non-instrumentality charters authorized by school districts would be eligible for federal charter school grants.

Finally, we note that the bill creates a definition of “magnet schools” and a petition process for their creation along the lines of the current petition process by which school boards currently can create charter schools. (At the same time the bill eliminates that existing petition process.) Assembly Bill 549 incorporates by reference to a federal statute, a definition of “magnet school” that defines a magnet school as “a public elementary school, public secondary school, public elementary education center, or public secondary education center that offers a special curriculum capable of attracting substantial numbers of students of different racial backgrounds.”

While we do not necessarily object to creating a statutory process for creating “magnet schools,” the need for such a provision is not clear. The option of a magnet school to increase racial diversity seems to have little or no applicability in most Wisconsin districts because of the populations of those districts. And it is unclear whether most Wisconsin school districts would be able to receive federal magnet school grants. Certainly, those grants, even if available, would be no substitute for federal charter school grants.

The federal Magnet Schools Assistance program provides grants to eligible local educational agencies to establish and operate magnet schools that are operated under a court-ordered or federally approved voluntary desegregation plan. These grants assist in the desegregation of public schools by supporting the elimination, reduction, and prevention of minority group isolation in elementary and secondary schools with substantial numbers of minority group students.

Many of the biggest constraints on the creation of charter schools by school boards are financial. When a school district is struggling just to maintain its current program and the schools they currently operate -- and many districts are struggling to do just that-- it is difficult to create an entirely new school and add it to the district's budget. Under revenue limits, many school districts may be unable to afford to open another new (i.e., charter) school or would do so only with great difficulty. Charter school grants, which are received outside the revenue limit, often play a key role in enabling districts to create and maintain new charter schools. As noted, this bill would severely limit, if not eliminate school districts' ability to obtain charter school grants.

The proposal before you today is fraught with problems. It starts down a road of disregarding local control, and raising property taxes. For those reasons, and others presented above, the WASB opposes Assembly Bill 549.



TALKING POINTS AB 549

Wisconsin was one of the first states to enact a charter school law in 1993. Throughout the mid- to late 1990s and into the early part of the 2000s, the state continued to make major improvements to the law. Since 2002, however, the state has largely failed to make similar improvements, leaving it behind many of the other states that have made refinements to reflect lessons learned about how charter laws can best promote high-quality charter schools.

In fact, according to a January 2013 report by the National Alliance For Public Charter Schools (NAPCS) that ranks state charter school laws, Wisconsin's law was ranked 37th out of the 43 states and jurisdictions with charter school laws. The study addressed quality and accountability, funding equity, facilities support, autonomy, and growth and choice.

AB 549 makes significant changes to Wisconsin's outdated law which will bring us in line with states that have successful laws and quality charter schools.

The WCSA supports the following key provisions that have been included in AB 549.

Allowing Multiple Authorizers

AB 549 includes language supported by WCSA that would allow several new entities to authorize charter schools—Technical Colleges, UW-System Schools and CESA's.

Authorizers are the entities that approve charter applications and monitor charter school performance. Most states with charter laws allow local school boards to serve as charter authorizers. 30 states and the District of Columbia also permit non-district entities (such as universities, colleges, and state charter school boards) to serve as charter authorizers, usually in addition to local school boards.

In Milwaukee, Wisconsin law allows the local school board, the city of Milwaukee, the University of Wisconsin-Milwaukee, and the Milwaukee Area Technical College to serve as authorizers. Outside of Milwaukee, Wisconsin law only allows local school boards to serve as authorizers. In addition, it allows the University of Wisconsin-Parkside to sponsor one charter school in the Racine School District.

States allow non-district entities to serve as authorizers because they believe that charter applicants should have a choice of authorizers, particularly in districts that are skeptical – if not downright hostile – toward charters. In addition to providing charter applicants multiple avenues toward authorization, allowing non-district entities to become authorizers forces districts to take their authorizing roles seriously. If they don't, charter applicants will go to the non-district entity.

While local school districts often understand the importance of charter schools, it is usually difficult for them to understand the differences between managing traditional public schools and authorizing public charter schools. The creation of additional authorizing entities takes the burden off local school districts that support more public school options, but don't have the capacity to authorize charter schools.

Allowing Alternate Educator Effectiveness for Non-Instrumentalities

AB 549 exempts non-instrumentality charter schools from Educator Effectiveness requirements and allows them to be approved for an alternative process for the evaluation of teachers and principals.

WCSA supports exempting non-instrumentality charter schools for the same reasons that "2R" schools are exempted—teachers and principals are employed by the school and not the school district. Therefore, the charter school must be responsible for staff authorizations and not the district. Mandating non-instrumentalities to evaluate teachers using district standards takes away their autonomy and ability to adopt systems more suitable to their programs.

Charter School Replication

AB 549 provides that a charter school that is in operation when the bill becomes law and that receives a rating of "exceeds expectations" or "significantly exceeds expectations" in the most recent school report published by the department may open one or more additional charter schools under the existing contract.

WCSA supports replication of high quality charter schools as it has been proven in successful chartering states as the best and most immediate way in which to increase quality educational options for students.

Strengthen Charter Autonomy

AB 549 clearly defines what a charter school is—a fiscally and legally autonomous entity governed by an independent board. Because most charter schools in Wisconsin are not "true charter schools" as defined above, AB 549 creates a definition for "Magnet Schools" which will apply to existing instrumentality charter schools.

This item is the single most important issue facing Wisconsin Charter Schools.

Federal law defines charter schools as independent public schools designed and operated by educators, parents, community leaders, educational entrepreneurs, and others. They are sponsored by designated local or state educational organizations, who monitor their quality and effectiveness but allow them to operate outside of the traditional system of public schools.

By definition, Charter Schools are supposed to be schools given a high degree of autonomy in exchange for strict accountability. However, Wisconsin's law was silent on items that are critical to a charter school's autonomy—personnel issues, budget and governing boards. Therefore, school districts that became authorizers did not address these issues and the charter

schools they created are entrenched in their bureaucracies and not much different than other schools in the district.

The charter schools authorized by the non-district entities in Wisconsin have high levels of autonomy that are part of the charter bargain of more flexibility in exchange for increased accountability. Unfortunately, the vast majority of the charter schools authorized by school districts in the state don't have that same level of autonomy.

There have been several legislative attempts to fix this mistake, with no success. School districts that are currently authorizers, do not want to give up the "control" over these charter schools. If these changes are not made, schools that aren't autonomous cannot be responsible for student achievement results.

AB 549 includes the following components that address the autonomy issue as follows:

- Ensure that charter schools are fiscally autonomous schools (e.g., schools have clear statutory authority to receive and disburse funds, incur debt, and pledge, assign or encumber assets as collateral).
- Ensure that charter schools are legally autonomous schools (e.g., schools have clear statutory authority to enter into contracts and leases, sue and be sued in their own names, and acquire real property).
- Ensure that school governing boards are created specifically to govern their charter schools and operate independent from their authorizer.
- Provide an exemption from all state and district laws except for those pertaining to health, safety, civil rights, student accountability, employee criminal history checks, open meetings, freedom of information, and generally accepted accounting principles.
- Ensure that charter schools authorized by local boards are exempt from participation in any district collective bargaining agreements.

Archdiocese of Milwaukee

Association of
Christian Schools
International

Christian Schools
International

Diocese of Green Bay

Diocese of LaCrosse

Diocese of Madison

Diocese of Superior

Lutheran Church
Missouri Synod
North Wisconsin District

Lutheran Church
Missouri Synod
South Wisconsin District

Wisconsin Association
of Independent Schools

Wisconsin Conference of
Seventh Day Adventists

Wisconsin Evangelical
Lutheran Synod
Northern Wisconsin District

Wisconsin Evangelical
Lutheran Synod
Western Wisconsin District

Wisconsin Evangelical
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To: Assembly Urban Education Committee
RE: Assembly Bill 549
Date: January 9, 2014

The **Wisconsin Council of Religious and Independent Schools (WCRIS)** is concerned about the impact Assembly Bill 549 will have on private schools, primarily religious schools, which exist in areas outside Milwaukee and Racine.

While the Wisconsin Legislature has taken bold steps to expand opportunities for low-income parents, the educational opportunities in this state are still several steps away from a true free market environment. National research indicates the expansion of charter schools has a direct negative impact on private school enrollments which charge parents tuition, resulting in the closure of a substantial number of private schools. Richard Buddin, adjunct senior economist with the RAND Corporation concluded that in 2011 alone, "about 183,000 charter students were drawn from private schools," estimating that 32% of charter students attending elementary schools were syphoned away from private, tuition-paying schools.

While the attached studies document this problem in other states, an eight year history in Wisconsin indicates we have seen 139 private schools close during a period when 71 charter schools opened. In no way do I suggest this correlation is directly responsible for all 139 closures. It is simply part of the problem facing private schools in our state. However, from Green Bay, to Sheboygan, to Manitowoc, to nearly every other area of the state which has witnessed the opening of a charter school, our principals are reporting a loss of as much as 20% of their student body to charters. In many cases, the loss is too significant to keep their doors open. It is a function of the marketplace whenever a private entity is competing against a free government service.

The indirect result of the expansion of charter schools is to eliminate religion from our schools. Private schools in our nation are faced with the decision to convert to charters schools or close their doors forever. Take the religion out of the curriculum, remove the religious symbolism from the halls, change St. Peter School to just Peter's School, and the government will fund every student who walks in the door. I do not believe Wisconsin parents are well served by this incentive.

WCRIS would encourage legislators to support an equitable advancement of choice and charter initiatives to help ensure parents have a full array of options to consider when choosing the best educational option for their children.

Thank you for your consideration.

8 Year Trend

	Private Education: Students	Private Education: Schools	Charter: Students	Charter: Schools
2004-05	136,623	1015	24,646	
2005-06	135,033	1010	27,512	161
2006-07	133,419	997	29,751	183
2007-08	133,606	972	35,437	190
2008-09	130,800	958	35,767	231
2009-10	126,812	944	36,268	221
2010-11	125,372	924	37,171	206
2011-12	124,668	876	40,329	232
Net difference	(-11,955 students)	(-139 schools)	+ 15,061 students	+ 71 schools

Council for American Private Education

CAPE outlook

Voice of America's private schools

Report Examines Charter School / Catholic School Interplay

The story of a single school exemplifies the findings of a new study on the interplay between charter schools and Catholic schools. For 112 years, Saint Casimir Catholic School in Albany, NY, was a neighborhood anchor—until it closed in 2009. As reported by Abraham M. Lackman, a scholar-in-residence at Albany Law School's Government Law Center, "Saint Casimir was located in a poor neighborhood with a median family income of \$25,800, less than half of the statewide average of \$55,600." Eighty-nine percent of the school's students were African American and 5 percent were Hispanic.

But as Lackman notes in a draft version of "The Collapse of Catholic School Enrollment: The Unintended Consequence of the Charter School Movement," slated for publication in the next issue of the *Albany Government Law Review*, three charter schools opened in the immediate neighborhood of Saint Casimir, draining the school's enrollment and forcing it to close.

In a sad irony, the state has since shuttered one of the charter schools "for failing to provide an adequate education," and another announced plans to close at the end of the 2012-13 school year because of "poor academic performance." As Lackman puts it, "It is tragic when a 112-year-old Catholic school providing a solid education and a disciplined learning environment is forced to shut down by the competitive pressures of substandard charter schools providing little education and a tumultuous environment."

Not Alone

Saint Casimir School is not alone. Lackman reports that "of the 2,400 stu-

dents in the Albany charter schools, approximately 1,000 students were siphoned from the Catholic school system." State-wide, he estimates that about one-third of the current 60,000 students in charter schools in New York State come from Catholic schools. The results have been a slew of Catholic school closings, a drain on government budgets, and an enormous cost to taxpayers.

Tipping Point

Lackman says charter schools affect Catholic schools in stages. The first stage involves the siphoning off of an

initial set of students to the tuition-free charters. But then the effect is amplified when the Catholic school's declining enrollment reaches a tipping point that forces the school to shut down and the remaining students to seek alternatives. The study found that between 2000 and 2010, Catholic school enrollment in New York State fell 34.8 percent, from 275,175 students to 179,310. Just under one-third of the decline in grades K-8 reflects transfers to charter schools.

Although some observers of charter schools charge that they weaken traditional public schools, few people, writes Lackman, have pointed out "that charters also undermine private schools—especially Catholic schools." In fact, "in New York the charter school movement has affected the traditional public schools far less than it has Catholic schools—whose enrollment has been devastated." Starkly put, in the

past 10 years (from 2000 to 2010), "One Catholic school has closed for every charter school that has opened." In hard counts, "185 Catholic schools closed in New York while 184 charter schools opened."

Cost to Taxpayers

When students move from Catholic schools to charter schools, "the cost of their education is now borne by the taxpayer." Lackman estimates the added cost to taxpayers of the migration of students from Catholic schools to charter schools in New York State is \$320 million per year. But that's not the half of it. "As more charter schools continue to open, it is estimated that by 2025 the fiscal burden to New York's taxpayers will increase to \$875 million per year."

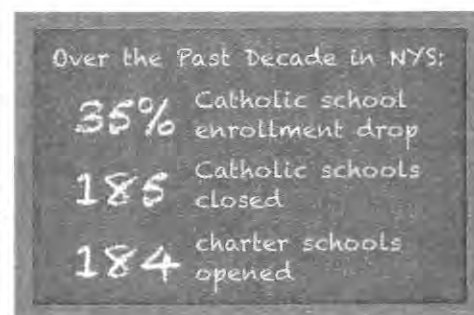
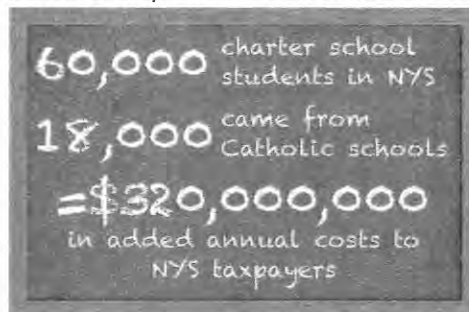
National Picture

Offering a national perspective, Lackman reports that Catholic school enrollment went from 2.5 million students in 1990 to 1.9 million in 2010. By way of contrast, charter school enrollment grew from zero students in 1990 (the first charter school opened in 1992) to over two million students today, "exceeding Catholic school enrollment."

Disruptive

Drawing on a concept from Clayton Christensen, Lackman describes charter schools as a "disruptive innovation," providing "a cheaper and, in many cases, less effective educational alternative to Catholic schools."

The paper cites other studies on the impact of charter schools, the first being a 2006 econometric analysis by University



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Charter Schools Causing Collapse of Religious Schools

Catholic elementary school enrollment in New York State has plummeted 43 percent in the past decade, and “a significant factor in this collapse is the advent of charter schools,” according to new research from Abraham Lackman, scholar in residence at Albany Law School.

Lackman presented his findings February 13 at St. Francis College in Brooklyn, NY, at a forum fittingly titled “The Tension Between Catholic Schools and Charter Schools.”

At the K-8 level, state Catholic school enrollment went from 202,722 students in 2000 to 115,492 students in 2010. About 24 percent of the 87,230 enrollment drop was attributable to an overall statewide decline in available students, but 38 percent was traced to a migration out of Catholic schools to traditional public schools, and 37 percent to a similar exodus to charter schools. Lackman noted that over 4,000 traditional public schools absorbed the 38 percent of transfers, while only 180 charter schools captured the 37 percent share. Charter schools are attracting Catholic school students in disproportionately large numbers. Lackman estimates that of the 54,527 students in the state’s charter schools in 2010, 32,495 came from Catholic schools.

Based on past transfer rate—along with recent legislation that more than doubled the maximum number of charter schools in the state to 460—Lackman concluded that, absent a change in law, the outlook for Catholic schools “is bleak.” He predicted that the higher charter school cap would cause Catholic school enrollment to decline by an astounding 50,000 students by 2020. “I don’t think this system can sustain that,” he said. “I have no good news.”

Several panelists at the forum responded to Lackman’s findings. James Cultrara, director for education for the NYS Catholic Conference and co-chair of the NYS CAPE, said he was alarmed by the report, adding, “I hope parents are alarmed; I hope taxpayers are alarmed; I hope lawmakers are alarmed.”

Cultrara explained that when families transfer to charter schools, private schools have to raise tuition for the remaining students in order to make up for the revenue loss. Thus, the ef-

fect is “compounding.” By subsidizing only public schools, lawmakers force private school tuition to rise, force families to leave, and force schools to close. The result is an increase in cost to taxpayers, a disruption in the lives of thousands of children, and the loss of lifelines for families. He called for a level playing field in government subsidies for education.



NYS CAPE Co-Chair James Cultrara, right, speaks at St. Francis College, Brooklyn, NY, as Sol Stern, center, contributing editor of *City Journal*, and Timothy Houlihan, provost of the college, listen. (photo, St. Francis College)

and the decline of Catholic schools, especially in New York City. Stern said current Mayor Michael Bloomberg generated huge increases in funding for public schools since 2003, essentially doubling spending to \$23.7 billion and presiding over what was “likely the biggest increase in education spending by any school district in the history of American education.” Unfortunately, although “not very much” was accomplished by that spending spree in terms of academic improvement, the impact of those additional billions of dollars on Catholic schools was “very, very serious.” A huge amount went to “a 43 percent across the board” increase in teacher salaries in public schools, putting “tremendous financial pressure on the Catholic schools to raise their own teacher salaries.” Further, said Stern, “the Mayor brought in at least another \$200 million in contributions to the public schools from his friends in the philanthropic community.” Some of that money was spent on an “advertising campaign touting the progress of the public schools” and some of it went into “poaching the Catholic school students.” A charter school campaign in Harlem purchased signs on buses and enlisted community workers to go door to door “selling the charter schools to parents.”

Noting that Mayor Bloomberg has “never spoken a word about the crisis of the Catholic schools,” Stern observed, “It seems to me that just as a matter of smart public policy, if not morality, that is extremely short sighted, because as these schools close, the kids inevitably will be coming into the public schools where the city is now spending over \$20,000 per pupil for an inferior product. It just doesn’t make sense.”

Concrete Steps

Nine scholars and analysts took to the pages of *Education Week* last month to issue a thoughtful statement on “What the Research Says About School Choice.” They conclude that “the early evidence is promising” and that the case “for expanding our ongoing national experiment with school choice is strong.”

Noting the “unprecedented wave of new school choice programs” launched last year, the authors say these programs “reflect a growing sophistication regarding the design and implementation of school choice policies.”

Their commentary covers the gamut of choice options, including vouchers, tax-credit scholarships, education savings accounts, and charter schools.

Commenting on studies of voucher programs, the writers note that “random-assignment studies generally find modest improvements in reading or math scores, or both.” Although achievement gains “are typically small in each year,” they are “cumulative over time.” More limited evidence on graduation rates “indicates a substantial positive impact.” Further, findings on “student safety, parent satisfaction, racial integration, services for students with disabilities, and outcomes related to civic participation and values” have been “consistently positive.”

As for the fiscal impact of choice, “Even under conservative assumptions... the net impact of school choice on public finances is usually positive and has never been found to be negative.”

In an age obsessed with math and reading performance, the writers want a broader research agenda on the effects of school choice, looking into “everything from character traits to content mastery to broader life outcomes.”

Bottom line: Early evidence on choice “is promising, and the grounds for concern have been shown to be largely baseless.”

Charter Schools Impact Private Schools

Charter schools are drawing a large share of students from private schools, presenting “a potentially devastating impact on the private education market, as well as a serious increase in the financial burden on taxpayers,” according to a new study published by the Cato Institute’s Center for Educational Freedom. The center commissioned Richard Buddin, adjunct senior economist with the RAND Corporation, to look at the effects of charter schools on other schools. The findings are alarming.

Buddin’s report, titled *The Impact of Charter Schools on Public and Private School Enrollments*, found that “about 8 percent of charter elementary students and 11 percent of middle and high school students are drawn from private schools.” But the charter impact on private schools in highly urban areas is much greater in that “private schools contribute 32, 23, and 15 percent of charter elementary, middle, and high school enrollments, respectively.”

Shift in Financial Burden

The report notes that when students move from private schools to public charter schools, the government must either decrease services or increase education spending, which means raising tax revenues or decreasing spending elsewhere. As the study succinctly puts it, “The shift of students from private to public schools represents a significant shift in the financial burdens for education from the private to the public sector.”

Varied Impact

The impact of charter schools on private schools varies by the level of education (elementary school, middle school, and high school) and the type of district (non-urban areas, some urban areas, highly urban). For example, at the elementary school level in highly urban districts, about 32 percent of charter students come from private schools, though the same is true for only 7 percent of charter students in non-urban districts and 9 percent for districts with some urban students.

Buddin estimates that overall, “about 183,000 charter students were drawn from private schools in 2011.” He writes, “If these students had attended private schools instead of charters, the private enrollment would increase by about 4 percent.”

In a companion piece to the Buddin study, Adam Schaeffer, a policy analyst with the Center for Educational Freedom, argues that charter schools “take a significant portion of their students from private schools, causing a drop in private enrollment, driving some schools entirely out of business, and thereby raising public costs while potentially diminishing competition and diversity in our education system overall.”

Charter School Paradox



Schaeffer’s paper, “The Charter School Paradox,” points out the “unintended consequences of inadequate, public-sector-only reform.”

He asks and answers a series of questions on the charter/private interplay and the policy implications thereof. For starters, “What is the impact on overall competition and achievement if charter schools are driving private schools out of business?” Schaeffer responds that charter schools increase internal

competition within the public school sector but decrease outside competitive pressures from private schools, which is “vital for innovation.” He writes, “More research needs to be conducted to determine whether or not there is a net increase in competition and achievement when considering these substantial, if unintended, consequences of charter schools for the private education market.”

True Cost of Charter Schools

Schaeffer also examines the “true cost of expanding public charter schools when the formerly private school students are properly counted as a new expenditure.” He draws from Buddin’s data to report that “the direct public cost of charter students who migrated from private schools is about \$1.8 billion a year,” but goes on to note that the data are from 2008 and the figure is “likely much higher today.”

School Choice Reform

Asking whether the “negative, unintended consequences of charter school reform” can be mitigated, Schaeffer concludes that indeed they can be “by enacting good private school choice reform, such as education tax credit programs.” Such reforms “will prevent the erosion of private educational options while driving greater competition across the board.”

Buddin’s report and Schaeffer’s companion piece are available at <www.cato.org>.

Pennsylvania and New Hampshire kept the momentum for school choice alive this summer with the enactment of legislation empowering parents to direct their child’s education.

Shortly before a midnight budget deadline on the last day of June, lawmakers in Pennsylvania approved an Educational Opportunity Scholarship Tax Credit program designed to bring school choice to low- and middle-income students who live within the attendance areas of the state’s worst schools. Students must come from households that fall at or below an annual income threshold to receive scholarships worth a maximum of \$8,500. For students with disabilities, scholarships are worth up to \$15,000.

According to Merle Skinner, executive director of the Christian Family & Children’s Center and a leader of the Pennsylvania CAPE, early indications are that parents “are extremely interested” in the new program. Given the high level of interest, Skinner believes, “We are just beginning to touch the surface of the school choice movement in Pennsylvania.”

Meanwhile, lawmakers in New Hampshire approved a tax credit for businesses that contribute to organizations providing scholarships for students to attend private schools or home schools.

The bill provides scholarships averaging \$2,500 for private school students and not more than \$650 for home school students, with amounts adjusted after the first year based on the Consumer Price Index. Scholarships are limited to students from families with annual incomes up to 300 percent of the federal poverty line. Seventy percent of scholarships in the program’s first year must go to students enrolled in public schools, and 40 percent of those must go to students who qualify for the federal school meal program.

So far 11 states have enacted tax credit scholarship legislation.



**Todd Ziebarth, Senior Vice President, State Advocacy and Support,
National Alliance for Public Charter Schools
Testimony before the Assembly Urban Education Committee
Thursday, January 9, 2014**

Introduction

- Good morning Mr. Chairman and Members of the Committee. I'm Todd Ziebarth, the Senior Vice President of State Advocacy and Support at the National Alliance for Public Charter Schools.
- Thank you for giving me the opportunity to address the Committee today.
- The National Alliance is a national nonprofit organization committed to advancing the public charter school movement.
- As one way of doing so, the National Alliance advocates for strong state charter school laws, which is why I'm here today.

Wisconsin Charter School Law Languishes at Bottom of Rankings, While Other States Make Improvements to Their Laws

- Each year, the National Alliance releases a report that ranks state charter school laws by how well they align with a model charter school law that we created based upon what's worked and what hasn't worked in charter school law.
- In the most recent rankings report released in January 2013, Wisconsin's charter school law was ranked #37 (out of 43), down from #36 (out of 42) the previous year.
- At the same time that Wisconsin's charter school law languishes at the bottom of the National Alliance's annual rankings report, 36 other states have made policy improvements since 2010 that resulted in increases in their scores in the report, significantly so in many cases.
- However, Wisconsin is one of only six states that have failed to make significant enough improvements to their charter school laws to increase its score in the National Alliance's report.
- As Wisconsin's current federal grant to support the start-up activities of charter schools comes to a close, this point is particularly relevant.
- The competition among states for these dollars has become fierce.

- The first major new competition for these dollars in several years will be held in Fiscal Year 2015. Most of the 42 states and the District of Columbia will be participating in it.
- Given all of the major changes that other states have made since 2010 while Wisconsin has pretty much stayed pat, it is safe to assume that Wisconsin will not be competitive for these dollars.

Wisconsin's Law Creates a Bifurcated Charter School Movement

- The major reason that Wisconsin's law is ranked so low is that it has created a bifurcated charter school movement in the state between true public charter schools that have autonomy (i.e., "2r charter schools" and "non-instrumentality charter schools") and faux public charter schools that lack autonomy (i.e., "instrumentality charter schools").
- Such bifurcation has led to much confusion about what public charter schools are.
- There are currently 22 2r charters, 32 non-instrumentality charters, and 190 instrumentality charters.
- These numbers beg the question: Why are there so few true charters and so many faux charters in the state?
- There are three answers to this question.
- **First, 2r charters are primarily allowed only in Milwaukee.** The law allows the University of Wisconsin-Milwaukee (UWM), the City of Milwaukee (City), and the Milwaukee Area Technical College (MATC) to authorize 2r charters in Milwaukee.
- The law also provides that one 2r charter school is allowed in Racine. This school must be authorized by the University of Wisconsin-Parkside and may serve no more than 480 students.
- These schools aren't allowed in any other school district in the state.
- **Second, non-instrumentality charters don't have access to the state's retirement system, while instrumentality charters do.** These provisions create a disincentive for district educators to start and teach in non-instrumentality charters. Instead, these provisions push these folks to start and teach in instrumentality charters.
- **The third reason for this situation is the way the federal Charter Schools Program (CSP) has been implemented in the state.** This program provides grants to states to support the start-up of charters. States, in turn, provides sub-grants to schools.
- In Wisconsin, this grant program is run by the Department of Public Instruction (DPI), which has consistently opposed true charters and supported faux charters.
- The existence of these funds – and the way that DPI has managed this program – has led districts to open a large number of instrumentality charters.

- However, districts have too often closed these schools after the grants run out.
- In fact, the closure rate for charters in Wisconsin is almost three times the national closure rate: 34% in Wisconsin vs. 13% nationally.
- Furthermore, only three states had more closures between 2007-08 and 2011-12, all of which had significantly more charters and substantially lower closure rates:
 - Wisconsin: 83 charters closed. 243 charters were open (34% closure rate).
 - California: 134 charters closed, but 1,065 charters were open (12% closure rate).
 - Arizona: 85 charters closed, but 535 charters were open (16% closure rate).
 - Florida: 83 charters closed, but 583 charters were open (14% closure rate).
- Let me be clear: We support the closure of chronically low-performing charters. That's not what's happening in Wisconsin, though.
- Districts are too often creating charters with little autonomy and little performance-based accountability, receiving federal grants for them, and closing them after the grants run out no matter the performance of the schools.
- It is a much better use of taxpayer dollars to invest them in new public schools that will become viable institutions in their communities (like 2r charter schools and non-instrumentality charter schools), instead of in programs that will close soon after the grant money runs out.

AB 549

- AB 549 addresses two of these three issues.
- Most significantly, this bill will allow independent public charter schools outside of Milwaukee by providing that potential charter operators may apply to a four-year UW institution, a two-year UW campus, a CESA, or a technical college district board.
- Given the track record of independent charters in Milwaukee and the need of some families for more public school options, we think this change is long overdue.
- The percentage of students proficient in math in independent charters is more than 50% higher than the percentage proficient in MPS.
- The rate of independent charters "meeting expectations" in the state's report card is 50% higher than the rate for traditional public schools in MPS.
- In another important provision, AB 549 takes a good first step to align Wisconsin nomenclature with the national norms for public charter schools by relabeling instrumentality charter schools as magnet schools.

- This change would allow those schools to continue with their missions and draw down remaining federal funding on existing grants while eliminating confusion which will likely cost Wisconsin charter schools federal dollars from pots of money set aside only for independent charter schools.

Additional Improvements

- In addition to the changes currently included in the bill, Wisconsin's charter law needs improvement in other areas.
- First, state law should ensure that all types of authorizers use transparent and rigorous charter application processes, performance-based charter contracts, monitoring procedures, and renewal and closure processes.
- Second, state law should also require authorizers to submit an annual report that summarizes their authorizing activities, their authorizing expenditures, and their school portfolio performance.
- Third, state law should ensure equitable operational, categorical, transportation, and facilities funding for public charter school students.

Conclusion

- In conclusion, let me reiterate that the National Alliance supports the changes proposed in AB 549.
- As the bill makes it way through the legislative process, we urge you to stick with the changes proposed in the bill and make these additional recommended changes to ensure that Wisconsin has one of the best charter school laws and one of the highest quality sectors of charters in the country.
- Thank you again for the opportunity to present to you today. I'm happy to answer any questions you may have at the appropriate time.

Brown Deer January 9, 2014

Cudahy

Elmbrook

Fox Point/
Bayside

Franklin

Glendale/
River Hills

Greendale

Greenfield

Hamilton

Hartford

Kenosha

Kettle Moraine

Milwaukee

Menomonee Falls

Mequon-Thiensville

Muskego-Norway

Nicolet

Oak Creek/
Franklin

Oconomowoc

Pewaukee

Port Washington/
Saukville

St. Francis

Shorewood

South Milwaukee

Waukesha

West Allis/
West Milwaukee

Westosha UHS

Whitefish Bay

Whitnall

My name is Terri Phillips and I am the Executive Director for the Southeastern Wisconsin Schools Alliance (SWSA). We represent 29 school districts in the Southeastern Wisconsin region and educate approximately 200,000 students.

As a large organization representing many public schools families, we appreciate the opportunity to testify at today's public hearing and share our position on the proposed Assembly Bill 549 which allows for statewide expansion of independent charter schools.

The SWSA expressed grave concern last fall when the Senate Education Committee debated Senate Bill 76. Public school districts across the state highlighted the issues, both financial and loss of local control that would impact local schools if the charter expansion bill was passed. We voiced our concerns with Senator Farrow and Senator Olsen and felt that many, but not all, of our deepest concerns were heard.

Unfortunately, we have returned again to debate many of the same issues that were discussed last fall. Once again, the SWSA would like to register our opinion on the following issues included in the proposed legislation:

1. The SWSA opposes the expansion of authorizers for independent charter schools. This expansion removes local control from our school boards and removes the right for our citizens to make the right decisions for their local community.
2. The SWSA opposes elimination for local school boards to authorize instrumentality charter schools. Many of the SWSA member districts have deployed nationally recognized instrumentality charter schools as part of their school district. These school districts have been able to share resources and cost efficiencies between charters and their traditional legacy schools. Most importantly, these districts have been able to expand best practice and innovation to their legacy schools impacting even more children in their local communities. These are *local* decisions being made by *local* school boards in the best interest of their communities.

Terri Phillips
Executive Director

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Wales, WI 53183
p: 262.442-0047

The Mission of the Southeastern Wisconsin Schools Alliance is to support and promote world class schools through research, advocacy, public policy and effective communication for the benefit of students and the economic vitality of the region.

3. A magnet school is different from our school district charter schools. Magnet schools are highly competitive and selective schools. Our charter schools in our local public school districts cannot use academic performance or testing to deny a student admission to our district charter schools. By allowing school districts to only authorize magnet schools, you are taking away **OUR SCHOOL CHOICE**.
4. Funding independent charter schools reduces general aid paid to every public school in the state. By expanding independent charter schools statewide, you are defunding local schools and continue to undermine our ability to deliver educational opportunities to our local communities.

The vast majority of Wisconsin public schools are delivering high quality education. Despite a growing number of challenges facing public schools, 97.2% of the 424 traditional public school districts met or exceeded expectations based on the recently released state report cards.

Members of our communities are trying to understand this constant barrage against traditional public schools, and they are growing weary trying to defend their school choice, which are their local community schools.

We ask that you reconsider legislation to defund and dismantle our traditional public schools, but rather spend time considering the 850,000 traditional public school students you are representing and impacting.

Respectfully submitted,

Terri Phillips
SWSA Executive Director

Assembly Committee on Urban Education - AB 549

January 9, 2014

Good morning. My name is Gary Vose and I have been a resident of Delafield, WI since 1980, a member of the Kettle Moraine School Board for the past 27 years and currently serve as Board President. However, I am speaking today as an individual citizen since our board has not had a chance to specifically discuss my testimony.

When I first heard of this hearing and reviewed the bill itself, I was a bit confused as to why the Assembly Committee on Urban Education would be proposing a bill that essentially expands the use of independent charter schools across the state and therefore has a much greater impact on suburban and rural areas than urban areas.

However, let's talk about the merits of this bill. First of all, I believe the header on your own website is either wrong or very misleading and I would appreciate your clarification. The website states in part, "eliminating noninstrumentality charter schools", yet when I

read this bill it seems to eliminating instrumentality charter schools. Is my interpretation correct?

Secondly, Kettle Moraine is in the heart of Waukesha County, a very conservative area, and is one of the highest performing and innovative districts in the state. We currently have 3 instrumentality charter schools and our board reviewed the charter agreement for a 4th instrumentality charter school, High School of Health Sciences just two days ago. This charter school is being formed based on Kettle Moraine's partnership with Aurora, ProHealth Care and the Medical College of Wisconsin and is scheduled to open this fall. All of these instrumentality charter schools are successful since they are student centered with a significant emphasis on personalized learning. In addition, these instrumentality charter schools have encouraged greater personalized learning in our legacy schools. This has truly been a "win-win" approach for all of our students - charters are not better than legacy nor is legacy better than charters. They both have served students very effectively based on the different individualized needs and interests of our students.

AB 549 would result in having to close down our existing three charter schools and would force us to cancel the opening of our new charter school. I believe the High School of Health Sciences will become a model not only in Wisconsin but nationally as well. So why would these charter schools shutdown? Simply because this bill prohibits the use of Kettle Moraine staff, many of which teach both in a charter school as well as a legacy school.

Third, lets take a look at funding. State aid for independent charter schools amounts to approximately \$8,000 per student regardless of where the school is located. Now it has been argued that these charters are less expensive and therefore more cost effective to run since most public schools districts spend in the range of \$10,000-\$12,000 per student (FYI, Kettle Moraine's revenue limit is \$9670). But here is the problem, Kettle Moraine only receives approximately \$2,100 from the state. So, a new independent charter school could open across the street from our high school, receive \$8,000 per student instead of the \$2,100 Kettle Moraine receives and our local tax payers will have to make up the

difference. In fact, our local property taxes have already gone up due to a funding formula that pays for charter and voucher schools around the state by receiving their funding “off the top”. As more money is taken “off the top”, local property owners have to make up the difference through higher property taxes.

Lastly, we all know the biggest issue relative to student performance is Milwaukee. My strong recommendation to the Assembly Committee on Urban Education is to focus on the problem – which I might add we all know goes well beyond MPS. Dramatically expanding independent charter schools across the state while closing existing instrumentality charter schools, will not solve the urban problem and will eliminate much of the innovation and improved student performance taking place by current or planned instrumentality charter schools.

Thank you for considering my comments and I am available now or in the future to answer any questions you may have.

Sincerely,

Gary Vose



AB 549 – Opposed

January 9, 2014

Good morning, I am Pat Deklotz, Superintendent in the Kettle Moraine School district located about 45 minutes east of here, right in the heart of Waukesha County. We serve approximately 4,000 students and 8,700 households. We have one traditional high school, two charter high schools, one middle school, four traditional elementary schools and one charter elementary school. Tuesday night my board approved the first reading of a charter contract that will establish our fourth charter high school. I am speaking against this bill.

As I reviewed the language of the bill, I am wondering, “Why is this legislation needed? What problem are you trying to solve?” This legislation undermines the work we have been doing for the past eight years.

Currently magnet schools do not enjoy the exemptions to state regulations that are permissible for charter schools. The charter schools that have been established in Kettle Moraine all have contracts, policies, stationary, web sites, videos, logos, building signage, business cards and report cards. Our high schools have graduation diplomas. All of these artifacts contain language stating that our schools are charter schools.

I understand that this legislation expands the permissions of a magnet school. If you enact legislation that would give those permissions to magnet schools, you will have created an unfunded public relations issue for our schools with our community and you will have imposed unfunded legal expenses to align all those documents. These changes are not necessary. They would create busy work that takes the focus of our educators and board off the primary responsibility of educating our students to the highest level possible.

In our district, our charter schools are working. They have been recognized on a national level. We have community support and student success. They utilize the services of highly trained, certified instructors. They are accountable to our public through open meeting and public record requirements. Student achievement scores and per-student expenditures are transparent and available via the web. We do not need this distraction to create misunderstanding in our community. It will get in the way of the real work that we need to do.

Again, I would ask, what is the problem that you are trying to fix? Why does this bill have the broad sweeping expansion of chartering authority that undermines the role and responsibility of local school boards? This bill will undermine the great work of districts across the State and it does not address the real needs of education in our state. Contrary to legislation that governs independent charters, school district charters are held accountable. Before you expand the chartering authority of independent charter schools, first develop an accountability system so that the public has assurance that the money being invested is having a return. Rather than drafting legislation to meet the wishes of lobbying interests, represent the needs of Wisconsin students. Community support is the reason for the development and expansion of charter schools. This legislation takes local control and community out of public education, adds expense and confusion to local decisions, diverts funding away from locally controlled schools and distracts educators from the most important work – educating our students.



School Administrators Alliance

Representing the Interests of Wisconsin School Children

TO: Assembly Committee on Urban Education
FROM: John Forester, Director of Government Relations
DATE: January 9, 2014
RE: Assembly Bill 549 – Independent Charter School Expansion

The SAA strongly opposes Assembly Bill 549, relating to the expansion of independent charter schools in Wisconsin. If adopted, AB 549 will greatly expand the number of entities permitted to authorize independent charter schools, drain resources from students attending traditional public schools throughout Wisconsin, strip school boards of their ability to authorize instrumentality charter schools and reduce public oversight over the spending of public education funds.

The SAA has the following major concerns/questions about AB 549.

What Problem is the Bill Designed to Fix?

Clearly, the objective of the bill is to dramatically increase the number of independent charter schools in Wisconsin, as well as the number of students attending those schools. AB 549 would allow UW System institutions (both 2-year and 4-year) and technical colleges to authorize independent charter schools not only in the county in which they are located but in an adjacent county as well. The bill also allows CESA's to authorize independent charter schools within their boundaries.

AB 549 removes current geographic limitations on enrollment in independent charter schools. Therefore, under the bill, students from any district in the state could attend an independent charter school located anywhere in the state.

The objective of the bill raises several questions:

- Have the proponents of AB 549 provided a realistic projection of new independent charter schools created under this proposal? What about the number of new students attending independent charter schools?
- How many private schools may switch to become independent charter schools if this bill becomes law?

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An Alliance of:

Association of Wisconsin
School Administrators

Wisconsin Association of
School District Administrators

Wisconsin Association of
School Business Officials

Wisconsin Council for
Administrators of Special Services

Currently, there is no shortage of charter schools in Wisconsin. Of the 243 charter schools currently in operation, 220 have been authorized by school districts – 189 as instrumentalities of the school district and 31 as non-instrumentality charters.

The obvious conclusion from this data is there has been no lack of willingness on the part of school administrators and school boards to use the tools available through the current charter school law to offer creative and innovative instructional opportunities for the children they serve.

Mr. Chairman, again I ask the question, “What education policy problem is this dramatic statewide expansion of independent charter schools designed to fix?”

New Charter School Funding

The per pupil payments to independent charter schools (currently \$7,925 per pupil) are funded as a draw on the general school aids that would otherwise be payable to all school districts receiving general aid in the state. Given the clear objective of this bill, it will result in a growing aid reduction to public schools. Currently, the reduction in general school aids attributable to independent charters is \$64 million, or about a 1.5 percent reduction statewide. For every additional 1,000 students enrolling in independent charter schools, \$7,925,000 will be taken from the general school aid appropriation. And because local school districts are allowed to levy property taxes to cover the reduction in state aid, this bill could result in increases in local property taxes.

Given the financial implications for children attending traditional public schools, it is vitally important for lawmakers to have answers to the questions I posed earlier about projected new charter schools and charter school students.

Magnet Schools

AB 549 effectively strips local school boards of their ability to authorize instrumentality charter schools. Instead, public school boards would be allowed to authorize “magnet” schools, which apparently would have the same type of operational flexibility currently enjoyed by charter schools. However, magnet schools would be ineligible for federal charter school grants.

I struggle to see a reasonable policy objective for this change that justifies the potential disruption incurred by school districts currently utilizing instrumentality charter schools. Because these provisions would greatly reduce the number of charter schools in Wisconsin, the bill, if passed, would undoubtedly lead independent charter school advocates to argue for more authorizers because we have so few charter schools.

The Problem of Governance

Independent charter schools may be operated by for-profit or not-for-profit operators. The contention by charter school advocates that independent charters are “public” schools relies upon their creation by public entities and their funding with public dollars. But, unlike public school districts, independent charter schools are not governed by democratically elected boards. In fact, the independent charter school governing boards that will be created under this bill will be far removed from any democratically elected official. This raises serious questions about the accountability of the governing boards to the public (including parents of the students these schools serve).

Sum Certain vs. Sum Sufficient

Finally, I would like to comment on the policy of providing independent charter schools with a sum sufficient appropriation. To my knowledge, it is one of only five sum sufficient appropriations in K-12 education. The others are national board certified teachers and the private school voucher programs. The general school aid appropriation, from which the sum sufficient appropriation for independent charter schools comes, is sum certain. Special education is sum certain. School day milk is sum certain. School breakfast is sum certain. Pupil transportation, which is reimbursed at less than six cents on the dollar, is sum certain. The SAA believes that providing independent charter schools with a sum sufficient appropriation is simply not justified.

Thank you for your consideration of our views. If you have any questions regarding the SAA’s position on AB 549, please call me at (608) 242-1370.

January 9, 2014

My name is Sean Roberts, I'm the director for Milwaukee Charter School Advocates. We represent the independent "2R" and district-authorized non-instrumentality charter schools in Milwaukee and Racine. To provide some context around the issues at hand, we should recognize that these public schools outperform the local traditional public schools by any measure, while having non-selective admissions and serving a similar rate of students receiving free and reduced lunch benefits. The rate of independent charters deemed "meeting expectations" on the most recent statewide report card was 50% higher than that of traditional public schools in Milwaukee. Likewise, math and reading proficiency rates are higher in independent charter schools, and show a strong upward trajectory for the past five years compared to the traditional public schools.

I'm speaking today on behalf of Assembly Bill 549 and want to focus my testimony on a few key provisions that I encourage the legislature to consider.

First, the provision that reclassifies "instrumentality" charter schools into "magnet" schools is a strong step forward in updating our state's charter school law. This distinction provides transparency in how our schools operate- parents, students, and the public will know that "charter" schools are governed by independent boards, and "magnet" schools will be governed by the local school board, providing greater accountability for all schools. To clarify, these magnet schools will have the exact same exemptions that are currently granted to charter schools, and districts may still authorize charters—those schools' independent boards will just be held accountable by the local school board. This is simply a much-needed clarification toward school accountability.

I also encourage the legislature to act quickly with regard to the provision that allows district-authorized non-instrumentality charter schools to apply for equivalency in the state's educator effectiveness system. This does not "exempt" any school from participating in the system, it simply allows independent schools that happen to be authorized by a district to have the same ability that "2R" charters have as well as every other public school district in the state. We believe this was an oversight when the initial educator effectiveness bill was passed. DPI, MPS, nor the schools themselves have an answer for how to go about having the district determine the evaluation goals and testing instruments for an independent non-profit entity, nor how to administer such a requirement. Again, these schools are not asking for anything that school districts and "2R" charter schools do not already have the ability to do in state law.

In conclusion, independent charter schools have provided quality options to families in Milwaukee and Racine. We need to ensure that these schools have the autonomy, transparency, and accountability to continue to serve students, and this bill contributes to that without detriment to our traditional public schools. Thank you for your consideration.

Sean Roberts
Executive Director, Milwaukee Charter School Advocates
sean@milwaukeecharteradvocates.org
(414) 763-1261
700 W Virginia St, Ste 602 Milwaukee, WI 53204



Charter School FAQ

What is a Charter School?

A charter school is a public school authorized to operate through a contract with a local school district or other approved entity. These schools seek more autonomy, and are often focused on innovation, in exchange for more accountability. Charter schools that do not perform according to their contract can be closed by the authorizer.

Are charter schools really public schools?

Yes. They are open to the public for free and are paid for with public funding at a per-pupil allocation. Charter schools may accept private monies, however, through grants, just like a public school district. For example, in 2011, the GE Foundation awarded Milwaukee Public Schools (MPS) with \$20.4 million to overhaul and standardize the MPS science and math curriculum; and in 2003, the Gates Foundation awarded \$17 million to redesign 7 large MPS high schools and create 40 small schools throughout Milwaukee. Charter schools can also apply for, and receive, private funds to supplement their budgets.

Do charter schools have selective admissions to screen out students?

No. Charter schools cannot apply any admissions criteria to their students. If more students apply to the school than there are seats available, they must hold a lottery for the seats available. Traditional public schools in Milwaukee, however, have some selective admissions. According to MPS, many of its high schools "have testing or admission requirements," as part of an Early Admission option in the district.

Do charter schools enroll students with Special Needs?

Yes. Charter schools must adhere to all federal laws regarding special education. About 9 percent (9.3%) of students who attend independent charter schools in Milwaukee are identified with special needs. Charter schools are actually on par with MPS in several special education categories based on the percentage of students enrolled with Autism, Emotional-Behavioral Disabilities, and Speech and Language disabilities. The Stanford University CREDO 2013 national charter school study also found that students with special needs benefitted more from attending charter schools than traditional public schools.

Do charter schools have licensed teachers?

Yes. Charter schools operate with licensed teachers, as required by law.

Who can authorize a charter school contract?

Across the state local school districts can authorize a charter school through a contract. In Milwaukee, authorizers include Milwaukee Public Schools, UW-Milwaukee, the City of Milwaukee, and Milwaukee Area Technical College (MATC), although MATC has not chartered any schools. In Racine, UW-Parkside may authorize a charter school.

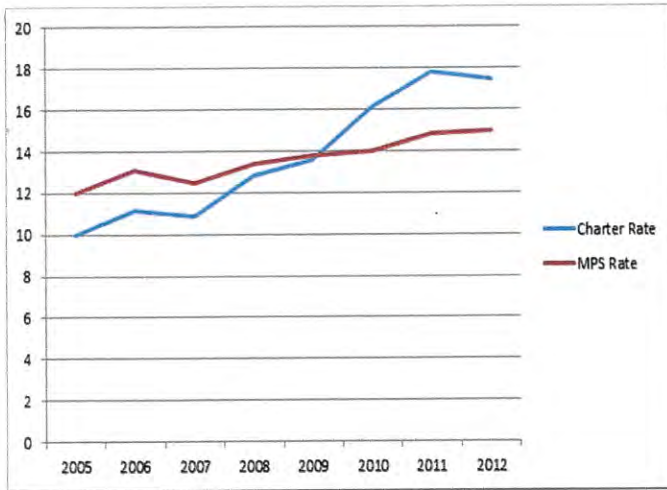
What does an "independent" charter school mean?

"Independent" charter schools are defined as those schools that operate with autonomy from the school district through a Non-Instrumentality Charter or 2R Charter. Their employees are not employees of the district. Milwaukee has both of these categories of "independent" charter schools, whereas Racine has just the "2R" category. "2R" is simply the legislative code under which these schools were created. Very few charter schools in the state, outside of Milwaukee and Racine, are considered independent charter schools because nearly all of them operate directly through their school district.

How are charter schools in Milwaukee performing?

In the most recent statewide report card, nearly 50% more independent charters were rated as “meeting expectations” compared to traditional public schools in Milwaukee. Furthermore, independent charters outpaced both the city and the state overall in terms of student growth last year. This means that a student attending an independent charter was more likely to demonstrate significant growth last school year than a student in an average school anywhere in the state. The same is true for independent charters on the report card’s “gap-closing” scores, which measure how well schools are doing at closing the achievement gap between groups of students.

Reading Advanced/Proficient Rates

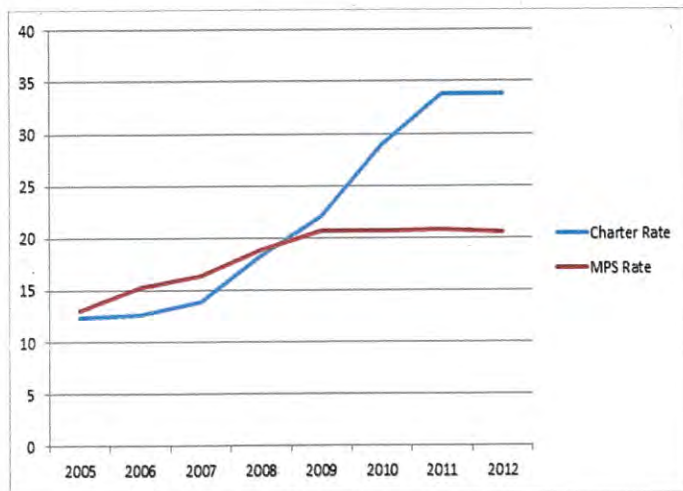


Number of Students Enrolled in Independent Charters: **11,880**

Rate of Students Receiving Free and Reduced Lunch: **81%**

Number of Students on Waitlist For Charters to Start the 2013 School Year: **600+**

Math Advanced/Proficient Rates



Charter School Expulsion Rate was **42% lower** than traditional public schools in 2011

Rate of Students Identified for Special Education Services: **9.2%**



MEMORANDUM

TO: Assembly Committee on Urban Education

FROM: Wisconsin Charter Schools Association, National Heritage Academies, Milwaukee Metropolitan Association of Commerce (MMAC), Milwaukee Charter School Advocates, American Federation for Children and National Alliance for Public Charter Schools

DATE: January 9, 2014

RE: AB 549

Parents in Wisconsin deserve to have the best options available for educating their children. In Southeastern Wisconsin, independent charter schools have been one of those options since 1997 under Wisconsin's "2r" charter school law. These independent charter schools differ from the charter schools established by school districts themselves (often called "instrumentality schools"). They trade the autonomy to innovate for accountability for results and are at the forefront of education reform in Milwaukee and Racine.

The City of Milwaukee, the Milwaukee Area Technical College (MATC), UW-Parkside, and UW-Milwaukee have the ability to authorize non-profit boards to operate public charter schools and have done so with great success. For example, UW-Milwaukee currently authorizes 11 charter schools. UW-Milwaukee enters into five-year contracts with the non-profit boards creating these schools. UW-Milwaukee uses these contracts to hold the boards accountable for results. These charter schools provide tremendous value to the students attending them and to the broader community.

Given the track record of success of 2r public charter schools, AB 549 seeks to expand those options beyond Southeastern Wisconsin. This legislation would provide the ability to authorize independent charter schools to all UW chancellors, technical college district boards, and Cooperative Education Service Associations (CESA's).

This change would facilitate the creation of high-quality, autonomous charter schools where it makes sense. Not only would there have to be demand from parents for educational options, motivated and qualified local supporters, and financial support available, but the local UW chancellor, technical college district board, or CESA would need to be willing to get involved. Clearly, this change would

not create a huge proliferation of charter schools, but instead would provide options where genuine need and capacity exist.

This legislation also takes a good first step to align Wisconsin nomenclature with the national norms for public charter schools. After further research, we suggest that existing instrumentality charter schools be able to continue to operate 'as is' while the nomenclature for future schools be labeled "innovative schools" (the bill currently labels them as "magnet schools"). This change would allow those schools currently in operation to continue with their missions and draw down remaining federal funding on existing grants while eliminating confusion in the future which will likely cost Wisconsin charter schools federal dollars from pots of money set aside only for independent charter schools. This clarification will also add transparency in determining which body is accountable for individual schools. Furthermore, the Wisconsin Department of Public Instruction (DPI) has already created the Wisconsin Innovative Schools Network to serve these schools, so it would align with DPI practice as well.

Committee on Urban Education (PUBLIC HEARING)
January 9, 2014

Subject: Assembly Bill 549
Authorizing the Expansion of Charter Schools

This bill will only contribute to the dissolving of Traditional Public Schools, especially in the City of Milwaukee.

As written, it indicates that the charter schools would be allowed to operate with fewer constraints than traditional public schools. This would be a great disservice to the students and the taxpayers of the State. We need more accountability in all schools, not less.

Milwaukee has reported abuses or school closures every few months by the Department of Public Instruction. This disrupts the education of students as in most instances, they must be absorbed by the Milwaukee Public Schools.

African-Americans are the students most impacted by all changes placed on public education. MPS is required to try to educate all students, providing all the ancillary service they require. These are the students with all sorts of issues that make it very difficult to succeed in any school. Many experience homelessness, drugs, and live very transient lives, perhaps moving every month. They are the same students that require all of the additional services. When the schools decide they don't want to deal with problem or special needs students, they will advise them to leave or kick them out after the 3rd Friday in September count. MPS must then take the students, upon their return, without any funding to pay for their education.

Opening more schools without regulation does nothing to solve the poor education performance of students in the City of Milwaukee. I specify Milwaukee, as Milwaukee students will be mainly impacted. This bill clearly states that charter school may not open in cities where most schools are "meeting expectation". Cities, such as Milwaukee, Beloit and Green Bay will be the ground zero for more unregulated, Charter School expansion.

I attached a portion of the DPI School Report Card for 2012-2013. This document shows that Charter schools have the same or worse results from African-American students. This is because they are trying to educate the same students with the same problems.

There are cities, such as Kansas City Mo., that have closed most Traditional Public Schools to expand Charters. In such case, students that are kicked out are basically on the streets. This increases the destruction of the quality of life in any urban area, not improve it. Further, these students don't receive an education, but they do receive a diploma from high school, although they weren't in attendance. I have first-hand knowledge of this from family members in that City.

What will happen to Milwaukee students, when they are kicked out of the Charter schools and no Traditional Public School is available??

The State must acknowledge the fact that Charters are not keeping students that cause problems for a variety of reasons and do not provide adequate services for Special Needs students. When Charter or Voucher schools are closed, DPI directs the Milwaukee Public Schools to make space for the displaced students. What will happen to such students if no Milwaukee Public Schools exist?

Please don't pass this bill until such questions are resolved.

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School Overall Accountability Statistics

Charter Schools

Exceeds Expectations	3	6.3%
Meets few Expectations	14	29.7%
Meets Expectations	12	25.5%
Fails to Meet Expectations	10	21.2%
Not Rated*	8	17.2%
Total	47	

PUBLIC SCHOOLS

Significantly Exceeds Expectations	1	0.8%
Exceeds Expectations	3	2.5%
Meets few Expectations	47	40.5%
Meets Expectations	21	18.1%
Fails to Meet Expectations	41	35.3%
Not Rated*	3	2.5%
Total	116	

Alternative Schools are not rated

School Year	District Code	School Code	District Name	School Name	Overall Accountability Score	Overall Accountability Rating	Lowest Grade in the School	Highest Grade in the School	School Enrollment	Percent Black not Hispanic
2012-13	3619	316	Milwaukee	Acad of Accelerated Learning	65.6	Meets Expectations	K3	5	626	8.10%
2012-13	3619	412	Milwaukee	ALAS-AdvLang&Acad Studies	38.3	Fails to Meet Expectations		9	255	2.70%
2012-13	3619	75	Milwaukee	Alcott El	71.5	Meets Expectations	K3	8	340	11.20%
2012-13	3619	73	Milwaukee	Allen-Field El	60.4	Meets Few Expectations	K3	5	748	9.90%
2012-13	3619	77	Milwaukee	Auer Avenue El	43.6	Fails to Meet Expectations	K3	8	329	95.70%
2012-13	3619	188	Milwaukee	Barbee El	44.4	Fails to Meet Expectations	K3	5	300	96.30%
2012-13	3619	81	Milwaukee	Barton El	55.7	Meets Few Expectations	K3	6	374	87.70%
2012-13	3619	12	Milwaukee	Bay View Mid and Hi	45.8	Fails to Meet Expectations		6	1,404	55.30%
2012-13	3619	356	Milwaukee	Bethune Acad	48.9	Fails to Meet Expectations	K3	8	509	74.30%
2012-13	3619	14	Milwaukee	Bradley Tech Hi	32.1	Fails to Meet Expectations		9	1,063	86.00%
2012-13	3619	89	Milwaukee	Brown Street Acad	46.3	Fails to Meet Expectations	K3	5	300	97.00%
2012-13	3619	92	Milwaukee	Browning El	51.7	Fails to Meet Expectations	K3	5	310	95.20%
2012-13	3619	93	Milwaukee	Bruce El	53	Meets Few Expectations	K3	5	318	86.20%
2012-13	3619	94	Milwaukee	Bryant El	61.1	Meets Few Expectations	K3	5	245	86.50%
2012-13	3619	95	Milwaukee	Burbank El	64.1	Meets Expectations	K3	8	604	35.60%
2012-13	3619	98	Milwaukee	Burdick El	69.6	Meets Expectations	K3	8	662	9.80%
2012-13	3619	108	Milwaukee	Carson Acad	51.7	Fails to Meet Expectations	K3	8	504	97.00%
2012-13	3619	178	Milwaukee	Carver Acad	44.3	Fails to Meet Expectations	K3	8	450	92.40%
2012-13	3619	104	Milwaukee	Cass Street El	57.9	Meets Few Expectations	K3	8	330	81.50%
2012-13	3619	110	Milwaukee	Clarke Street El	48	Fails to Meet Expectations	K3	8	364	97.30%
2012-13	3619	114	Milwaukee	Clemens El	50.6	Fails to Meet Expectations	K3	5	397	97.00%
2012-13	3619	113	Milwaukee	Clement Avenue El	65.4	Meets Expectations	K3	8	474	10.30%
2012-13	3619	116	Milwaukee	Congress El	55.8	Meets Few Expectations	K3	8	846	95.20%
2012-13	3619	117	Milwaukee	Cooper El	67.6	Meets Expectations	K3	8	441	10.70%

School Year	District Code	School Code	District Name	School Name	Overall Accountability Score	Overall Accountability Rating	Lowest Grade in the School	Highest Grade in the School	School Enrollment	Percent Black not Hispanic
2012-13	3619	501	Milwaukee	Craig Montessori Sch	63.6	Meets Expectations	K3	8	521	78.70%
2012-13	3619	122	Milwaukee	Curtin El	66	Meets Expectations	K3	8	365	17.00%
2012-13	3619	125	Milwaukee	Doerfler El	58.7	Meets Few Expectations	K3	8	822	12.30%
2012-13	3619	131	Milwaukee	Dover Street El	64.5	Meets Expectations	K3	6	286	17.10%
2012-13	3619	143	Milwaukee	Eighty-First Street El	54.2	Meets Few Expectations	K3	8	409	77.00%
2012-13	3619	148	Milwaukee	Elm Creative Arts El	55.3	Meets Few Expectations	K3	5	540	90.20%
2012-13	3619	150	Milwaukee	Emerson El	52.1	Fails to Meet Expectations	K3	5	257	77.80%
2012-13	3619	152	Milwaukee	Engleburg El	56.8	Meets Few Expectations	K3	5	415	91.10%
2012-13	3619	158	Milwaukee	Fernwood Montessori	83.2	Significantly Exceeds Expecta	K3	8	611	5.90%
2012-13	3619	170	Milwaukee	Fifty-Third Street El	61.5	Meets Few Expectations	K3	8	466	94.40%
2012-13	3619	173	Milwaukee	Forest Home El	49.6	Fails to Meet Expectations	K3	5	894	16.00%
2012-13	3619	179	Milwaukee	Franklin El	61.4	Meets Few Expectations	K3	8	355	95.80%
2012-13	3619	182	Milwaukee	Fratney El	68.1	Meets Expectations	K3	5	459	25.10%
2012-13	3619	185	Milwaukee	Gaenslen El	59.7	Meets Few Expectations	K3	8	722	75.60%
2012-13	3619	191	Milwaukee	Garland El	57.1	Meets Few Expectations	K3	6	364	8.20%
2012-13	3619	192	Milwaukee	Goodrich El	57.2	Meets Few Expectations	K3	5	310	71.00%
2012-13	3619	193	Milwaukee	Grant El	50.1	Fails to Meet Expectations	K3	8	703	11.70%
2012-13	3619	196	Milwaukee	Grantosa Drive El	53.3	Meets Few Expectations	K3	8	628	87.10%
2012-13	3619	202	Milwaukee	Greenfield Bilingual	65.5	Meets Expectations	K3	8	649	4.30%
2012-13	3619	18	Milwaukee	Hamilton Hi	48.3	Fails to Meet Expectations		9 12	1,693	38.60%
2012-13	3619	205	Milwaukee	Hampton El	57.8	Meets Few Expectations	K3	5	332	87.30%
2012-13	3619	208	Milwaukee	Hartford Avenue El	59.7	Meets Few Expectations	K3	8	678	80.10%
2012-13	3619	212	Milwaukee	Hawthorne El	51.7	Fails to Meet Expectations	K3	5	290	92.10%
2012-13	3619	214	Milwaukee	Hayes Bilingual Sch	57.5	Meets Few Expectations	K3	6	406	2.20%

School Year	District Code	School Code	District Name	School Name	Overall Accountability Score	Overall Accountability Rating	Lowest Grade in the School	Highest Grade in the School	School Enrollment	Percent Black not Hispanic
2012-13	3619	217	Milwaukee	Hi-Mount El	48.3	Fails to Meet Expectations	K3	8	385	90.90%
2012-13	3619	218	Milwaukee	Holmes El	54.1	Meets Few Expectations	K3	8	378	96.30%
2012-13	3619	253	Milwaukee	Hopkins Lloyd	52.5	Fails to Meet Expectations	K3	8	429	96.30%
2012-13	3619	377	Milwaukee	Jackson El	55	Meets Few Expectations	K3	5	323	96.90%
2012-13	3619	232	Milwaukee	Kagel El	48.3	Fails to Meet Expectations	K3	5	392	15.10%
2012-13	3619	235	Milwaukee	Keefe Avenue El	55	Meets Few Expectations	K3	8	383	96.30%
2012-13	3619	237	Milwaukee	Kilbourn El	49	Fails to Meet Expectations	K3	5	268	88.40%
2012-13	3619	20	Milwaukee	King International	64.2	Meets Expectations	6	12	1,917	69.50%
2012-13	3619	199	Milwaukee	King Jr El	45.8	Fails to Meet Expectations	K3	8	504	96.40%
2012-13	3619	337	Milwaukee	Kluge El	54.8	Meets Few Expectations	K3	5	382	75.90%
2012-13	3619	238	Milwaukee	LaFollette El	48.3	Fails to Meet Expectations	K3	8	266	95.90%
2012-13	3619	241	Milwaukee	Lancaster El	49.5	Fails to Meet Expectations	K3	8	381	91.30%
2012-13	3619	250	Milwaukee	Lincoln Avenue El	56.5	Meets Few Expectations	K3	5	606	25.10%
2012-13	3619	6	Milwaukee	Lincoln Mid	50.1	Fails to Meet Expectations	6	8	735	65.40%
2012-13	3619	256	Milwaukee	Longfellow El	58.9	Meets Few Expectations	K3	8	948	13.50%
2012-13	3619	257	Milwaukee	Lowell El	68.9	Meets Expectations	K3	5	238	14.70%
2012-13	3619	870	Milwaukee	MacDowell Montessori Sch K: NA	Not Rated*		K3	12	710	79.40%
2012-13	3619	409	Milwaukee	Madison Academic Campus	36.5	Fails to Meet Expectations	9	12	1,045	93.10%
2012-13	3619	265	Milwaukee	Manitoba El	57.4	Meets Few Expectations	K3	8	537	19.40%
2012-13	3619	267	Milwaukee	Maple Tree El	53	Meets Few Expectations	K3	5	307	84.00%
2012-13	3619	268	Milwaukee	Maryland Montessori	69.7	Meets Expectations	K3	8	382	27.00%
2012-13	3619	176	Milwaukee	Meir El	77.7	Exceeds Expectations	3	8	520	58.50%
2012-13	3619	525	Milwaukee	Metcalfe El	45.7	Fails to Meet Expectations	K3	8	342	98.50%
2012-13	3619	103	Milwaukee	Milw Acad of Chinese Lang	53.8	Meets Few Expectations	K3	8	399	73.70%

School Year	District Code	School Code	District Name	School Name	Overall Accountability Score	Overall Accountability Rating	Lowest Grade in the School	Highest Grade in the School	School Enrollment	Percent Black not Hispanic	
2012-13	3619	140	Milwaukee	Milw French Immersion	70.7	Meets Expectations	K3	5	439	64.50%	
2012-13	3619	146	Milwaukee	Milw German Immersion	82.9	Exceeds Expectations	K3	5	635	21.40%	
2012-13	3619	38	Milwaukee	Milw Hi Sch of the Arts	57.4	Meets Few Expectations		9	12	992	64.40%
2012-13	3619	23	Milwaukee	Milw Sch of Entrepreneurship NA		Not Rated*		11	12	175	91.40%
2012-13	3619	71	Milwaukee	Milw Sch of Languages	62.1	Meets Few Expectations		6	12	1,152	51.00%
2012-13	3619	226	Milwaukee	Milw Sign Language EI	55.4	Meets Few Expectations	K3	8	568	79.20%	
2012-13	3619	167	Milwaukee	Milw Spanish Immersion	70.6	Meets Expectations	K3	5	571	25.40%	
2012-13	3619	274	Milwaukee	Mitchell EI	54	Meets Few Expectations	K3	8	745	15.60%	
2012-13	3619	277	Milwaukee	Morgandale EI	64.7	Meets Expectations	K3	8	588	7.10%	
2012-13	3619	52	Milwaukee	Morse Marshall	55.6	Meets Few Expectations		6	12	1,464	78.80%
2012-13	3619	283	Milwaukee	Neeskara EI	58.3	Meets Few Expectations	K3	5	414	71.00%	
2012-13	3619	27	Milwaukee	New Sch for Comm Serv	NA	Not Rated*		11	12	167	87.40%
2012-13	3619	289	Milwaukee	Ninety-Fifth Street EI	62.3	Meets Few Expectations	K3	5	368	56.30%	
2012-13	3619	428	Milwaukee	Northwest Secondary Sch	46.5	Fails to Meet Expectations		6	12	327	93.00%
2012-13	3619	350	Milwaukee	Obama EI	38.6	Fails to Meet Expectations	K3	8	263	92.80%	
2012-13	3619	301	Milwaukee	Parkview EI	63.1	Meets Expectations	K3	5	372	50.80%	
2012-13	3619	307	Milwaukee	Pierce EI	45.9	Fails to Meet Expectations	K3	5	429	63.40%	
2012-13	3619	26	Milwaukee	Pulaski Hi	37.2	Fails to Meet Expectations		9	12	1,309	54.40%

School Year	District Code	School Code	District Name	School Name	Overall Accountability Score	Overall Accountability Rating	Lowest Grade in the School	Highest Grade in the School	School Enrollment	Percent Black not Hispanic
2012-13	3619	435	Milwaukee	Reagan HI	67.3	Meets Expectations	9	12	1,182	13.20%
2012-13	3619	313	Milwaukee	Riley EI	56.7	Meets Few Expectations	K3	5	588	14.10%
2012-13	3619	194	Milwaukee	River Trail EI	55.2	Meets Few Expectations	K3	8	563	76.90%
2012-13	3619	29	Milwaukee	Riverside HI	54.9	Meets Few Expectations	9	12	1,608	69.20%
2012-13	3619	177	Milwaukee	Rogers Street Acad	58.6	Meets Few Expectations	K3	8	681	8.70%
2012-13	3619	59	Milwaukee	Roosevelt Mid	46.9	Fails to Meet Expectations	6	8	690	92.00%
2012-13	3619	319	Milwaukee	Sherman EI	46.4	Fails to Meet Expectations	K3	8	459	95.40%
2012-13	3619	107	Milwaukee	Siefert EI	61.7	Meets Few Expectations	K3	5	307	93.50%
2012-13	3619	325	Milwaukee	Silver Spring EI	55	Meets Few Expectations	K3	5	335	94.00%
2012-13	3619	32	Milwaukee	South Division HI	32.2	Fails to Meet Expectations	9	12	1,138	32.40%
2012-13	3619	312	Milwaukee	Starms Discovery	54.8	Meets Few Expectations	1	8	416	96.60%
2012-13	3619	343	Milwaukee	Story EI	48	Fails to Meet Expectations	K3	8	463	63.90%
2012-13	3619	344	Milwaukee	Stuart EI	59.4	Meets Few Expectations	K3	5	331	71.90%
2012-13	3619	360	Milwaukee	Thoreau EI	49.4	Fails to Meet Expectations	K3	8	573	92.00%
2012-13	3619	154	Milwaukee	Thurston Woods EI	47.1	Fails to Meet Expectations	K3	8	509	93.10%
2012-13	3619	362	Milwaukee	Tippecanoe EI	71	Meets Expectations	K3	8	359	17.30%
2012-13	3619	365	Milwaukee	Townsend Street EI	46.5	Fails to Meet Expectations	K3	8	342	95.00%
2012-13	3619	368	Milwaukee	Trowbridge Street EI	61.2	Meets Few Expectations	K3	8	269	19.30%
2012-13	3619	387	Milwaukee	Victory EI	54.4	Meets Few Expectations	K3	8	574	20.90%
2012-13	3619	390	Milwaukee	Vieau EI	63.6	Meets Expectations	K3	8	745	1.60%
2012-13	3619	33	Milwaukee	Vincent HI	39.5	Fails to Meet Expectations	9	12	1,274	91.10%
2012-13	3619	204	Milwaukee	Wedgewood Park Sch	62.1	Meets Few Expectations	6	8	763	20.30%
2012-13	3619	397	Milwaukee	Whitman EI	77.4	Exceeds Expectations	K3	6	262	16.80%
2012-13	3619	424	Milwaukee	WHS Info Technology	35	Fails to Meet Expectations	9	12	737	91.60%

School Year	District Code	School Code	District Name	School Name	Overall Accountability Score	Overall Accountability Rating	Lowest Grade in the School	Highest Grade in the School	School Enrollment	Percent Black not Hispanic
2012-13	3619	399	Milwaukee	WI Consvr Lifelong Learning	47.2	Fails to Meet Expectations	K3	12	792	73.00%
2012-13	3619	295	Milwaukee	Zablocki El	60.6	Meets Few Expectations	K3	5	520	16.00%

School Year	District Code	School Code	District Name	School Name	Overall Accountability Score	Overall Accountability Rating	Lowest Grade in the School	Highest Grade in the School	School Enrollment	Percent Black not Hispanic
2012-13	3619	282	Milwaukee	CYD - Career Youth Dvlp	NA	Not Rated*	9	12	51	94.10%
2012-13	3619	447	Milwaukee	Achievement Ctr	NA	Not Rated*	6	12	4	100.00%
2012-13	3619	410	Milwaukee	Grandview Hi	NA	Not Rated*	9	12	221	19.50%
2012-13	3619	236	Milwaukee	Groppi Hi	NA	Not Rated*	6	12	408	87.70%
2012-13	3619	315	Milwaukee	Milw Co Youth Educ Center	NA	Not Rated*	6	12	21	81.00%
2012-13	3619	296	Milwaukee	Lad Lake Synergy	NA	Not Rated*	6	12	123	76.40%
2012-13	3619	1066	Milwaukee	Centro Hispano Hi	NA	Not Rated*	9	12	79	10.10%
2012-13	3619	1078	Milwaukee	Lad Lake Ultra	NA	Not Rated*	6	12	10	100.00%
2012-13	3619	432	Milwaukee	Banner Prep	NA	Not Rated*	6	12	71	94.40%
2012-13	3619	1063	Milwaukee	ASSATA	NA	Not Rated*	9	12	111	94.60%
2012-13	3619	865	Milwaukee	Project Excel	NA	Not Rated*	6	12	12	66.70%
2012-13	3619	458	Milwaukee	Project STAY	NA	Not Rated*	9	12	287	77.70%
2012-13	3619	1074	Milwaukee	Shalom Hi	NA	Not Rated*	9	12	105	97.10%
2012-13	3619	1086	Milwaukee	Southeastern	NA	Not Rated*	6	8	29	100.00%
2012-13	3619	825	Milwaukee	St Charles Behav	NA	Not Rated*	6	12	24	83.30%
2012-13	3619	1072	Milwaukee	NOVA	NA	Not Rated*	7	12	111	91.90%
2012-13	3619	805	Milwaukee	St Charles Intensive Day Treat	NA	Not Rated*	7	12	6	100.00%
2012-13	3619	433	Milwaukee	Transition Hi	NA	Not Rated*	9	12	117	94.90%

School Year	District Code	School Code	District Name	School Name	Overall Accountability Score	Overall Accountability Rating	Lowest Grade in the School	Highest Grade in the School	School Enrollment	Percent Black not Hispanic
2012-13	8110	100	21st Century	21st Century Prep Sch	62.9	Meets Few Expectations	K4	8	490	47.60%
2012-13	3619	162	Milwaukee	ALBA	75	Exceeds Expectations	K3	5	358	1.40%
2012-13	3619	413	Milwaukee	Alliance Sch of Milw	34.8	Fails to Meet Expectations	7	12	178	42.10%
2012-13	3619	434	Milwaukee	Audubon Hi	58.5	Meets Few Expectations	9	12	299	5.70%
2012-13	3619	41	Milwaukee	Audubon Mid	51.6	Fails to Meet Expectations	6	8	612	13.70%
2012-13	3619	109	Milwaukee	BEAM	47.2	Fails to Meet Expectations	K4	8	721	98.80%
2012-13	8114	100	Capitol West	Capitol West Academy	71.2	Meets Expectations	K4	8	276	87.70%
2012-13	3619	16	Milwaukee	Career and Technical Educatio	34.6	Fails to Meet Expectations	9	12	355	96.60%
2012-13	3619	407	Milwaukee	Carmen Hi	59.1	Meets Few Expectations	9	12	287	0.70%
2012-13	8105	1211	Central City C	Central City Cyberschool	62.9	Meets Few Expectations	K4	8	439	98.20%
2012-13	3619	416	Milwaukee	Community High Sch	39.3	Fails to Meet Expectations	9	12	241	78.40%
2012-13	3619	820	Milwaukee	Daniels Univ Prep	52.2	Fails to Meet Expectations	K4	8	229	98.30%
2012-13	8109	100	DLH Academ	DLH Academy	61.2	Meets Few Expectations	K4	8	309	93.20%
2012-13	8101	1056	Downtown Iv	Downtown Montessori	75.2	Exceeds Expectations	K3	8	152	19.10%
2012-13	8131	400	Escuela Verd	Escuela Verde	NA	Not Rated*	7	12	62	27.40%
2012-13	3619	155	Milwaukee	Fairview El	66.7	Meets Expectations	K3	8	648	8.80%
2012-13	3619	175	Milwaukee	HAPA-Hmong Amer Peace Ac	69.4	Meets Expectations	K3	8	771	1.60%
2012-13	3619	211	Milwaukee	Hawley Environmental Sch	64.2	Meets Expectations	K4	5	366	57.90%
2012-13	3619	852	Milwaukee	Highland Community Sch	59.6	Meets Few Expectations	K3	6	254	55.90%
2012-13	3619	334	Milwaukee	Honey Creek El	75.5	Exceeds Expectations	K3	5	408	17.90%
2012-13	3619	223	Milwaukee	Humboldt Park El	69.6	Meets Expectations	K3	8	597	8.50%
2012-13	3619	165	Milwaukee	IDEAL	65.6	Meets Expectations	K3	8	228	9.20%
2012-13	3619	436	Milwaukee	International Peace Acad	66.6	Meets Expectations	9	12	203	0.50%
2012-13	8126	100	King's Acad	King's Acad	57.1	Meets Few Expectations	K4	8	182	96.70%

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2012-13	3619	203	Milwaukee	Kosciuszko Montessori	NA	Not Rated*	K3	3	163	2.50%
2012-13	3619	1121	Milwaukee	La Causa Charter Sch	57.4	Meets Few Expectations	K4	8	773	3.40%
2012-13	8103	100	Milw College	Milw College Prep--36th St	72.2	Meets Expectations	K4	8	506	99.60%
2012-13	3619	111	Milwaukee	Milw College Prep--38th St	62.4	Meets Few Expectations	K4	5	347	96.30%
2012-13	3619	145	Milwaukee	Milw College Prep--Lloyd St	58.4	Meets Few Expectations	K4	8	478	97.90%
2012-13	3619	441	Milwaukee	Milw Community Cyber HI	NA	Not Rated*	9	12	171	55.00%
2012-13	3619	446	Milwaukee	Milw Excel HI	NA	Not Rated*	9	12	116	76.70%
2012-13	8106	1251	Milwaukee A	Milwaukee Acad of Science	58.4	Meets Few Expectations	K4	12	967	98.30%
2012-13	8127	400	Milwaukee C	Milwaukee Collegiate Acaden	40.5	Fails to Meet Expectations	9	12	181	98.90%
2012-13	8128	800	Milwaukee Iv	Milwaukee Math and Science	49	Fails to Meet Expectations	K4	6	236	96.20%
2012-13	8129	100	Milwaukee Si	Milwaukee Scholars Charter S	55.3	Meets Few Expectations	K4	8	465	95.50%
2012-13	3619	419	Milwaukee	North Division Charter HI	27.8	Fails to Meet Expectations	9	12	436	97.70%
2012-13	8130	800	North Point L	North Point Lighthouse Chart	NA	Not Rated*	K4	4	173	97.10%
2012-13	3619	450	Milwaukee	Professional Learning Inst	NA	Not Rated*	9	12	77	59.70%
2012-13	8107	1279	Sch for Early	Sch for Early Dvlpt & Achieve	NA	Not Rated*	K3	2	75	92.00%
2012-13	8121	100	Seeds of Hea	Seeds of Health EI	64.4	Meets Expectations	K4	8	408	4.90%
2012-13	8115	400	Tenor High Si	Tenor High School	63.8	Meets Expectations	9	12	208	35.60%
2012-13	3619	443	Milwaukee	Transformation Learning Com	NA	Not Rated*	11	12	121	96.70%
2012-13	8125	100	Urban Day Sc	Urban Day Sch	56.8	Meets Few Expectations	K4	8	627	98.20%
2012-13	8124	400	Veritas HI	Veritas HI	59.9	Meets Few Expectations	9	12	241	2.10%
2012-13	3619	130	Milwaukee	Westside Acad	43.3	Fails to Meet Expectations	K3	8	622	94.70%
2012-13	3619	398	Milwaukee	Whittier EI	70	Meets Expectations	K3	5	214	11.70%
2012-13	8111	100	YMCA Young	YMCA Young Leaders Acad	67.1	Meets Expectations	K4	8	526	97.70%

January 9, 2014

To: Committee On Urban Education

Chairman: Representative Pridemore

Vice Chairman: Representative Theisfeldt

Assembly/Committee Members

I would like to commend you on such a well thought out proposal. It provides support, direction and accountability to every school district throughout the state except the city of Milwaukee. Milwaukee is unique. We have schools in certain areas of the city that continue to progress. Then we have schools that continue to decline. The schools that are located in the areas of decline we must take into account community/family structure, stability, safety and quality of life necessities. Without the presence of these basics, no progress will ever be obtained.

The schools that exist on the North and Northwest side of the city are the schools with the most significant academic and enrollment problems. This population is the one that continues to be subjected to the different experiments of the charter and voucher school movement. No other district or community sanctions this movement for the education of their children. The Department of Public Instruction published a list of schools that closed from 1998 to 2012. These schools have come and gone for the past decade or more and the academic progress of the students continues to decline. We are now looking at two generations of children subjected to these experiments. Mind you many of these schools have experimental curriculums and inexperienced staff.

We need our elected officials to look at data and research before implementing such a Bill. I would encourage you to come to Milwaukee and let us take you on a tour of some of these charter and voucher schools. My cohort and I have provided this experience for several of the news media personnel. After the tour we wanted to know which school would be the best fit for their child. Needless to say they were astonished and could not understand why parents would place their children in such an environment. Nor could they understand why parents would enroll their children in schools that have no academic record of success.

We need educated, consistent, stable staff to bring about positive change. We need a school policy that requires a student to meet their academic grade requirements before moving to the next grade. We need for teachers to be able to teach and not have the learning environment destroyed by one student. We need for the school environment to be safe for students as well as staff. Many of the children come to school unprepared to learn and unwilling to cooperate. Therefore, to consequence or suggest that the

educational staff is responsible for the students lack of progress is grossly unethical and detrimental to the teaching profession.

If your goal is to raise the academic performance for all students citywide, eliminate non-instrumentality charter schools, replicate best practices and get the best from the educational staff please do not consider going forth with this Bill as written. I urge you to examine additional data and research on this subject before proceeding. We will be more than happy to share our research with you.

Gail Hicks

Wisconsin State Assembly: The Pioneering Story of Charter Schools

January 9, 2014

Former Minnesota State Senator Ember Reichgott Junge

Mr. Chairman, my name is Ember Reichgott Junge, and I was a Democratic member of the Minnesota state senate for 18 years. In 1991, I authored the first charter school law in Minnesota and the nation. In honor of the 20th anniversary of chartering, I wrote *Zero Chance of Passage: The Pioneering Charter School Story* about the origins of chartering, the passage of the legislation, and the immediate response on a national level. Today I will share highlights of that pioneering story that are directly relevant to your current chartering law in Wisconsin and the legislation before you.

Wisconsin quickly followed Minnesota's lead by passing your law in 1993. So this is the 20th anniversary year of the passage of your charter school law. There is no better time for you to pass AB 549. This bill will create a strong and robust charter sector which provides real choices and opportunities for the families and children of Wisconsin. That does not currently exist in the state of Wisconsin, with the exception of the city of Milwaukee.

I know you are hearing a long list of objections about this legislation from opponents. What you are hearing today are the same objections and concerns that we heard in Minnesota over 20 years ago. They are the same objections and concerns heard in nearly every state around the country before they passed their chartering law.

Yet today, 2.3 million students attend over 6,000 chartered schools in 42 states and the District of Columbia. Over one million names are on waiting lists. Chartering is supported by nearly 70% of the American public, according to the September Kappan/Gallup poll. Can you even name another issue supported by 70% of Americans today? Chartering is supported by all presidential candidates since Bill Clinton.

Now to the origins of Chartering. Three visionaries came together in this effort.

First, a visionary Democratic governor in Minnesota named Rudy Perpich proposed to a firestorm of protest the first public school choice initiative in the nation—open enrollment. He opened the door to chartering. Once we had more access to choices, we asked...what if all the choices were the same? We needed more choices to access.

Second, it was the president of the American Federation of Teachers--Al Shanker--who first wrote about chartered schools in the *New York Times* as a way to provide teacher autonomy and professionalism. This may surprise you. The well-respected union leader told us at an education reform conference in MN: "the districts can take their customers for granted." He was right!

So a committee of civic leaders called the Citizens League stepped up and shaped Shanker's idea into a legislative proposal. They didn't have a political agenda. Chartering came from *outside* the political system. Sometimes the best thing policymakers can do is to step back, remove the barriers, and let citizens take the lead!

So why chartering? Chartering is a way to open up the K-12 public education system to provide options and innovations...to provide flexibility within the system. It does that by allowing groups *other than the local districts* to deliver public education. Groups like teachers and parents. Key was choices *outside* the current system, to make the K-12 system more responsive to the needs of students, parents and teachers, so they could no longer "take their customers for granted."

It's important to note that nationally an average of about five percent of the public school students in a charter state actually attend a charter school. But 100% of the students have a choice. That is what creates the dynamic that causes K-12 district schools to be more responsive. So all public school students benefit—the 5% who attend the charter schools and the others who attend district public schools. So unless you have charter school choices *outside* the district, you do not honor the underlying rationale of chartering.

Note that chartering is a *process* of granting a charter to a school. It's not a school or a building. It is the *permission* for another group to deliver public education in ways they see fit to meet the needs of their students. In return for granting the group autonomy and independence, the school leaders commit to *accountability* in their performance contract. They must live up to their performance commitments, or the school can be closed. That kind of accountability is not present in district schools.

Charters trade regulation for results; bureaucracy for accountability.

The idea of opening up the K-12 system wasn't easy to pass at the legislature. Resistance came from everywhere. The powerful Minnesota teacher unions were opposed. So that created political pressure on the large Democratic-Farmer-Labor majorities in our legislature—my political party. Our new Republican governor had defeated Gov. Perpich with endorsement of a teachers union—in part because Perpich had championed Open Enrollment.

For me, a union-endorsed Democrat, it was a painful three-year journey. In the end, chartering passed by only three votes over intense opposition. How did it pass?

Bipartisan coalition: Passed with 42% of the majority Dems and 56% of the minority Repubs, with a friendly Democratic speaker of the house.

It survived for two reasons.

First, chartering came from the middle of the political spectrum. It was bipartisan.

Second, the bill was compromised. I was devastated. I thought the bill was essentially defeated because the compromise *meant that only the local school district could approve a charter*. There was no alternate sponsor or state appeals process to make the system more responsive. I thought a charter school would never open.

My colleagues had to convince me to accept the compromise and vow to come back to improve the law.

To my enormous surprise, within two weeks, Minnesota's Republican US Senator David Durenberger and Arkansas Governor Bill Clinton, head of the Democratic Leadership Council, took hold of the chartering bill as a bipartisan form of public school choice.

They saw it as a centrist and pragmatic alternative between President George H.W. Bush's proposal for private school vouchers and the status quo desired by House Democrats. They knew the public was demanding "tradition-shattering changes" in K-12 public education and that the public wanted results.

But the local school boards back in Minnesota did not see it the same way. As I feared, local school boards *rejected* seven of the first nine applicants for chartered schools. One state official called it the "fox guarding the chickens." The two chartered schools approved by local school boards? The first was City Academy, which served youth who *dropped out* of the system. The other was the Metro Deaf School, serving a special population.

It was these rejections by local school boards that created support to amend our law in 1993 to add a state appeals process. Later our legislature allowed alternative authorizers as well, including nonprofit state chartering boards, higher education institutions, and large nonprofit organizations. Minnesota's law became a model for the nation and is currently ranked #1 by the National Alliance for Public Charter Schools.

But one very important feature was retained in the original Minnesota law *without compromise*. This is autonomy. You cannot call a school a chartered school if the charter school leaders do not have true independence to manage their own budget, hire and compensate their teachers, select their curriculum and lead their school. They cannot be held accountable for their results if they have to turn over these functions to the district.

What I love about chartering is how it continues to evolve over twenty years. Teachers in Minnesota are coming full circle back to Al Shanker's vision through chartering. In Minnesota, the first *union-initiated* chartered school authorizer has been approved by the state. (Funded by Innovation Fund of AFT). The same union leaders who vigorously opposed chartering 20 years ago are now board members of this authorizer. Note Commentary by Louise Sundin in the book.

Wisconsin Law

So, how did the Wisconsin law come to be? I followed closely the original passage of your law, because I noted something very interesting was happening. The opponents of chartering, primarily the unions, were changing their position by 1993. No longer were they opposing chartering outright, they were now “embracing” the concept of chartering, *as long as the law was modified to their liking*. So Wisconsin and a few other states responded by removing some key components like autonomy from the charter model law of Minnesota, and passed a law more in line with the view of opponents. But they still called it a charter law. That is what Wisconsin has today. You have a law that was shaped by the opponents of chartering twenty years ago. They essentially took the chartering out of your charter school law. And it has survived to this day. Most of the other states in this position long ago upgraded their law to a true charter law—a law that facilitates autonomous and accountable schools rather than district-dependent schools.

The result is this: Today the city of Milwaukee has genuine charter schools. You call them non-instrumentality schools or independent schools. Except for Sheboygan, the rest of Wisconsin does not have real charter schools. Your law has only been used for district controlled schools. District controlled schools are what you call instrumentality schools.

There is nothing wrong with district-controlled schools. The more choices the better. They are just not chartered schools. And the most interesting thing is that you don't need any specific law at all to create them. They are just like magnet schools, under district control.

The irony is that your current law *has only added more bureaucracy to something the school districts can already do on their own*—the law added an authorizing process, administrative overhead, more expense, and angst for both educators and parents.

As I said earlier, charter schools trade bureaucracy for accountability. Your current instrumentality law adds bureaucracy without adding any more accountability for results.

So I invite you to consider this: **Either pass this legislation and create a real charter school law in Wisconsin or repeal the law that you have.** Your existing district-controlled schools will actually function better without the added bureaucracy of authorization. They don't need it because they aren't charter schools. And as for the genuine charter schools in Milwaukee, consider making Milwaukee a charter district on its own similar to DC or New Orleans.

Again, consider this: Either pass this legislation and create a real charter school law in Wisconsin, or repeal the law you have on the books.

This is your opportunity, twenty years later, to finally bring a genuine charter school law to the state of Wisconsin and provide the full benefits and opportunities of public school choice to the families, children, and teachers of Wisconsin. They deserve the same choices that are being provided in 41 other charter school states and the District of Columbia. I urge you to pass AB 549. I appreciate the opportunity to appear before you and look forward to your questions. Thank you.



School District of
West Allis-West Milwaukee, et al.
EDUCATIONAL ADMINISTRATION CENTER

January 9, 2014

Don Pridemore
22nd Assembly District
State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Representative Pridemore,

I am writing regarding Assembly Bill 549 and the potential negative impact it will have on the West Allis-West Milwaukee School District.

Instrumentality Charters present the option for public school districts to create unique learning opportunities waiving identified State requirements, as private and other entities can do through the independent charter process. Eliminating this option again puts public schools at a disadvantage. In addition, what is most confusing is that the intent of this legislation to expand private and independent charters using funding from the Education General Fund but at the same time eliminating access of public schools for a similar opportunity.

Currently we operate and oversee an instrumentality charter school called Shared Journeys. Shared Journeys functions as a Charter School to meet the needs of school-aged parents. The flexibility that the Instrumentality Charter status brings waives key mandates that create flexibility for these students to waive certain mandates that allow for their continuation of learning and achievement in spite of their personal situation. Also, in conjunction with the School District we are able to share services in a prudent financial structure.

It is our belief that this proposed legislation should include ALL charter school elimination or NO charter school elimination. Otherwise it will be problematic or nearly impossible for programs like Shared Journeys to continue. To pick and choose specific types of charter school elimination between public and private entities is troubling to say the least.

Our specific concerns with this AB-549 are:

- Public Schools have no instrumentality charter opportunities moving forward.
- A state-wide expansion of independent charter schools will create a further reduction in the general aid funding pot which will affect all public schools in Wisconsin. Currently instrumentality charter schools like ours are given the ability to provide resources which are not duplicated by our district; and therefore, it is not nearly the funding burden of independent charters.
- The proposed criteria set forth which would allow districts with at least 80 percent of their public schools receiving the highest level of performance on the latest accountability report to have first refusal of independent charter school expansion. In this legislation no definition is given to "highest level of accountability."
- A magnet school concept is being advanced with no definition or description. Will there be a continuation of funding resources for these newly formed magnet schools? How will this compare to current instrumentality charter protocols and opportunities?
- The allowance of non-instrumentality charter schools to opt out of the teacher effectiveness system for an alternative system and public schools cannot. It's our belief that ALL schools receiving public funding to educate children should adhere to the same guidelines.

Thank you for your attention and consideration of the above information. Please contact my office with any questions.

Kurt Wachholz,
Superintendent of Schools

My name is Shawn Dzwonkowski I am here on behalf of Lake Country Academy a Pre K-

8th grade non-instrumentality charter school located in Sheboygan, Wisconsin. I want to thank

the committee for this opportunity to convey my support for Assembly Bill 549.

Lake Country Academy started as a private school, converted to an instrumentality charter school, & converted ~~yet again~~ again to a non-instrumentality
As a non-instrumentality charter school we have the autonomy to operate

independently of our authorizer, the Sheboygan Area School District. This autonomy has been

pivotal in our success and growth, allowing us to manage everything that happens in our

As a teacher in a non-instrumentality I have ~~been experienced~~ the autonomy ~~in my classroom~~ ~~at the school~~ ~~to have~~ the ability in my classroom has led
school. I would like to express my dissatisfaction with the current charter law limitations, in

regards to authorizers. Currently 8th grade students graduating from Lake Country Academy *stronger stuff it is the heart of the school as we call it a teacher led school* are finding few options for high school that hold them as students to the same standards and

their teachers to the same level of accountability. Our parents have been expressing interest

in a high school component for years, we started investigating this option two years ago and

recently we were informed that the Sheboygan Area School District has put a two year

moratorium on starting new charter schools. As the current charter law stands, our students

will not be able to attend a high school that offers the same classically based, core value

infused, student accountability piece that we have built upon since they were 4 years old. In

fact, in our current 8th grade class maybe 50% of them are finding adequate educational

offerings in the Sheboygan Area School District.

The way the current law reads we have to get approval from the local school district to

have permission to open our high school. This would be like each of you asking the other

political party for permission to participate in an election! Is it just me or does this make little

to no sense?

Secondly I would like to discuss the need for charter schools to have the ability to opt out of the State mandated Educator Effectiveness program in favor of individual charter school approved systems. I am currently receiving training for the Educator Effectiveness system that the Sheboygan Area School District is going to adopt and honestly it is a system that does not match up ~~well~~ with our current evaluation system nor our teaching methods. On average each staff member at Lake Country Academy is formally observed 3 times per year by ^{Lake Country Academy's} administration as well as a peer observations throughout the school year. ~~Our current system~~ does not match the Sheboygan Area School District's "~~cyclical~~" three year evaluation system.

Also, because of the different teaching methods and curriculum that charter schools employ

~~I~~ ^I can't expect ^{you} ~~a one size fits all~~ ^{imagine this state} state mandated Educator Effectiveness system to work ^{is going} ~~as~~ ^{for}

many charter schools. Due to these differences, charter schools should have the ability to have their ~~own~~ or current educator evaluation systems approved. The innovation of charter schools happens in a variety of ways due to different teaching methods, different curricula and different ped-a-gog-ic methods. How can you expect this traditional school educator

effectiveness program to accurately measure educator effectiveness in a team teaching

^{Project Based Learning} environment or a school that uses direct instruction? ^{like LCA} ~~Simply put, you can't~~ ^{To me, it seems a little} like cramming a square peg in a round hole

I would like to thank the committee again for allowing me this opportunity to shed some light on the need for multiple authorizers and on charter school educator effectiveness evaluation programs.



**School District of
West Allis-West Milwaukee, et al.
EDUCATIONAL ADMINISTRATION CENTER**

January 9, 2014

Robin Hutton
13th Assembly District
Room 3 North, State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Representative Hutton,

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Kurt Wachholz,
Superintendent of Schools