



Alberta Darling

Wisconsin State Senator
Member, Joint Committee on Finance

Testimony on Senate Bill 76 Charter School Replication

Good morning Chairman Olsen. Thank you for providing a hearing on my charter bill.

I will ask legislative council to explain the bill shortly. Before I do that, I want to explain why I am offering this bill.

You all know that advancing legislation that helps children is a signature issue of mine. Like you, I believe providing access to excellent educational opportunities is crucial to transforming the lives of students, their families and our communities.

I offer this bill because I believe a child's ability to attend a school with a proven track record of success should not depend on luck – whether that luck is living in a zip code with strong schools or winning the voucher or charter lottery.

For years, we've watched families pursue access to schools with proven track records of success only to be denied the opportunity because there are not enough seats. Demand for seats at high quality schools like Milwaukee College Prep is so high that families are forced to resort to lotteries and waitlists. Accordingly we are letting chance determine whether a student can access an excellent education.

Whether it's losing a lottery or living near a failing school, we can't afford to let bad luck dictate the future of our great state.

We cannot, no we must not allow political fights between adults to block the ability of successful schools to provide more seats to students who are asking for them.

My bill is a common sense solution to match supply with demand. It is not political, it is pragmatic: if a charter school is delivering results that are better than a surrounding district then Wisconsin law should enable them to easily replicate.

To be clear, enabling replication is different than mandating it. We allow for charter schools and authorizers to make common sense decisions about whether to replicate.

Additionally, we should trust those who are involved in education to make decisions about how to improve educational opportunities in Wisconsin. Accordingly, my proposal expands the number of charter school authorizers to include all UW-System Chancellors, UW College Deans, Tech College Boards and CESAS. I acknowledge that some academic's political views result in criticisms of this proposal, but the reality is that education is the industry of all of my proposed authorizers— who better to review and monitor charter schools to expand the availability of excellent educational opportunities? My proposal doesn't mandate charter authorization, but I know that the new authority will be used by forward thinking leaders.

I hope you all will support my proposal to ensure that all Wisconsin students can more easily access seats at schools with proven track records of success.



WISCONSIN LEGISLATIVE COUNCIL

Terry C. Anderson, Director
Laura D. Rose, Deputy Director

TO: SENATOR ALBERTA DARLING

FROM: Anne Sappenfield, Senior Staff Attorney

RE: Senate Substitute Amendment 1 to 2013 Senate Bill 76, Relating to Authorizing Independent Charter Schools, Replicating Charter Schools, and Utilizing an Alternative Process for Educator Effectiveness

DATE: October 2, 2013

This memorandum describes Senate Substitute Amendment 1 to 2013 Senate Bill 76, relating to authorizing independent charter schools, replicating charter schools, and utilizing an alternative process for educator effectiveness. The substitute amendment was offered by you and Senator Olsen on October 1, 2013.

CONDITIONS FOR CONVERTING ALL PUBLIC SCHOOLS INTO CHARTER SCHOOLS

Current Law

Under current law, a written petition requesting the school board to establish a charter school may be filed with the school district. The petition must be signed by at least 10% of the teachers employed by the school district or by at least 50% of the teachers employed at one school of the school district. A school board may also, on its own initiative, enter into a contract with a person to operate a school as a charter school.

Within 30 days of receiving a petition to establish a charter school, the school board must hold a hearing on the petition. At the hearing, the school board must consider the level of employee and parental support for the establishment of the charter school and the fiscal impact of the establishment of the charter school on the school district. After the hearing, the school board may grant the petition. For a school board initiative, the school board must hold such a hearing at least 30 days before entering into a contract that would convert a private school to a charter school or that would establish a charter school that is not an instrumentality of the school district.

A school board may not grant a petition that would result in the conversion of all public schools in the school district to charter schools unless all of the following apply:

- At least 50% of the teachers employed by the school district sign the petition.
- The school board provides alternative public school attendance arrangements for pupils who do not wish to attend or are not admitted to a charter school.

A school board may not enter into a contract that would result in the conversion of all of the public schools in the district to charter schools unless the school board provides alternative public school attendance arrangements for pupils who do not wish to attend or are not admitted to a charter school.

The Substitute Amendment

Under the substitute amendment, the requirements to consider the level of employee support for the establishment of a charter school and the fiscal impact of the establishment of a charter school on the school district at a hearing on the establishment of a charter school through petition or school board initiative are repealed. In addition, the substitute amendment eliminates the provision prohibiting a school board from approving a petition to establish a charter school that would convert all public schools in a school district to charter schools unless at least 50% of the teachers employed by the school district sign the petition to establish a charter school.

ENTITIES AUTHORIZED TO ESTABLISH A CHARTER SCHOOL

Current Law

As noted above, under current law, a school board, on its own initiative or upon the petition of a specific percentage of the school district's teachers, may contract with a person to operate as a charter school.

Current law also permits all of the following entities to establish and operate a charter school or, on behalf of their respective entities, to initiate a contract with an individual or group to operate a school as a charter school:

- The Common Council of the City of Milwaukee.
- The chancellor of the University of Wisconsin (UW)-Milwaukee.
- On a pilot basis, the chancellor of the UW-Parkside.
- The Milwaukee Area Technical College district board.

These schools are referred to as independent charter schools.

The Substitute Amendment

Under the substitute amendment, the following entities are authorized to establish an independent charter school:

- The Common Council of the City of Milwaukee.
- The chancellor of an institution offering four-year degrees within the UW System.
- The dean of a college campus offering two-year degrees within the UW System.
- The board of control of a Cooperative Educational Service Agency (CESA).
- A technical college district board.

WHO MAY ATTEND AN INDEPENDENT CHARTER SCHOOL

Current Law

Under current law, in general, only pupils who reside in the school district in which an independent charter school is located may attend the charter school.

The Substitute Amendment

The substitute amendment repeals this provision and provides that a pupil may attend any independent charter school.

WHERE AN INDEPENDENT CHARTER SCHOOL MAY BE LOCATED

Current Law

Under current law, the Common Council of the City of Milwaukee and the Milwaukee Area Technical College district board may establish or enter into a contract to establish a charter school in the Milwaukee Public School (MPS) district only. UW-Milwaukee may establish or contract for the establishment of a charter school in Milwaukee County or in an adjacent county. UW-Parkside may establish or contract for the establishment of a charter school located a unified school district located in the county in which UW-Parkside is located or an adjacent county.

The Substitute Amendment

The substitute amendment authorizes the following entities to establish or contract for the establishment of a charter school in the following locations:

- The Common Council of the City of Milwaukee in the MPS district.
- The chancellor of an institution within the UW System in the county in which the institution is located or in an adjacent county.

- The dean of a college campus within the UW System in the county in which the college campus is located or in an adjacent county.
- The board of control of a CESA within the boundaries of the CESA.
- A technical college district board in the technical college district or in a county adjacent to the district.

ADDITIONAL SCHOOLS IF AN AUTHORIZER HAS A PROVEN TRACK RECORD OF SUCCESS

The substitute amendment creates a new provision permitting the establishment of additional charter schools by an authorizer who has a proven track record of success.

Under the substitute amendment, a person has a proven track record of success if, during the two immediately preceding school years, a person operated a charter school in which the percentage of pupils attending the charter school who received a score of advanced or proficient in statewide standardized assessments for math and reading in all tested grades is at least 10 percentage points greater than the percentage of pupils attending public schools in the school district where the charter school is located who received the same scores on the same assessments in the same grades.

The substitute amendment provides that a school board or other authorizing entity that has contracted with a person to operate a charter school must, upon receiving a letter of intent from the person, amend the existing contract or enter into a new contract with the person to authorize the person to operate one or more additional charter schools if the person has a proven track record of success operating a charter school under a contract with the school board or entity.

The letter of intent must include all of the following:

- The date on which instruction will begin at each additional charter school.
- The general location of each additional charter school.
- A description of any potential facility that may be used by each additional charter school, including the approximate number of pupils that each facility may safely accommodate.
- Evidence demonstrating that the person has a proven track record of success.

The substitute amendment provides that a school board or other entity must authorize a person to operate no more than two additional charter schools per school year under this provision, unless the parties agree to more than two.

The substitute amendment specifies that an additional charter school authorized under this provision is not a satellite or subsidiary campus of the charter school for which the

operator demonstrated a proven track record of success and is considered an individual school for funding purposes.

EDUCATOR EFFECTIVENESS EVALUATIONS

Current Law

Under current law, the Department of Public Instruction must develop an educator effectiveness evaluation system (state system) and develop, by rule, an equivalency process aligned with the state system (equivalency process) to assist school districts in the evaluation of the performance of teachers and principals in the district.

Each school district and independent charter school must begin evaluating teachers and principals using either the state system or the equivalency process in the 2014-15 school year. Current law provides that teachers and principals evaluated under both the state system and the equivalency process must be placed in one of multiple performance categories.

The Substitute Amendment

The substitute amendment specifies that a charter school that is under contract with a school board and that is not an instrumentality of the school district may use an equivalency process to evaluate educators.

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

AS:ksm

**Senate Substitute Amendment 1 to Senate Bill 76
October 3, 2013**

Good morning, I am Gary Vose, Board President—Kettle Moraine School District. I have very brief comments this morning due to the fact this substitute amendment to senate bill 76 and this hearing were just announced a couple of days ago and this has not provided sufficient time to review and fully understand the implications of the substitute amendment.

However, based on a quick review, it appears to significantly remove any local control over the establishment of new charter schools, significantly increases the number of entities with authority to establish new charter schools and will likely cause a significant increase in local property taxes.

Based on these factors, I would oppose passage of this substitute amendment to Senate Bill 76 and will work to schedule a meeting with our local Senator, Senator Farrow to discuss in more detail.

Thank you.

Senate Committee on Education
October 3, 2013

Department of Public Instruction
Testimony on 2013 Senate Bill 76

I want to thank Chairperson Olsen and members of the committee for the opportunity to testify before you today on behalf of the State Superintendent in opposition to Senate Substitute Amendment 1 to 2013 Senate Bill 76.

While the department has multiple concerns related to this bill, of particular concern are the impacts this bill would have on the authority of locally elected school boards and funding for schools and school districts.

The bill takes away the rights of local school boards, as well as other proposed newly authorized entities including UW campuses, technical college boards and CESAs, to determine whether or not they wish to authorize additional charter schools. Under section 28 of the substitute amendment, the bill specifically states that a school board or other authorized entity shall either amend their existing contract or enter into a new contract if the person operating an existing charter school with the board has a “proven record of success” under newly proposed criteria elsewhere in this bill.

Placing such a mandate upon locally-elected school board officials is an affront to local control. Nowhere in state history has the legislature required a school board to create another school, charter or traditional, under its authority and stripped locally-elected officials of their ability to make such a decision on their own.

Last year, Wisconsin had 238 charter schools in operation, one of the largest numbers in the country, as each of our 424 school districts has had the ability to authorize charter schools since their inception here in 1993. Notably, over 90% of our charter schools last year were authorized by locally-elected school boards, whose sole mission is to educate PK-12 students.

In addition, this bill would permit over 40 new UW campuses, Wisconsin Technical College boards, and CESA boards to also authorize charter schools. This is extremely troubling in light of the fact that 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 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. This has had two effects. First, revenue limits, or

how much districts can spend, are based on enrollment. Secondly, fewer students enrolled makes a district look wealthier under the school aid formula as there is more property value behind every student. For individual districts this pushes a district's general equalization aid per student to a lower amount, resulting in an increase in property taxes to make up the difference.

Using data from our department's July 1st state general school aids estimate this year (we will actually certify 2013-14 state general school aids in less than two weeks), which is based on the 2013-15 biennial budget bill (Act 20), we reduced nearly all school districts' state general aid by nearly 1.5 percent of their entitlement, which totaled over \$64 million to pay for the estimated 8,100 students attending non-school district authorized charter schools in Milwaukee and Racine this year.

While this 1.5 percent is taken from each district's general school aids, it affects school districts differently by amplifying the inequities in our current school funding system. Our general school aids, which we often refer to as equalization aids, steers money to poorer school districts using property value as the measure of wealth. Thus, the property poor school districts in the state, who generally receive more aid, will be the ones who will be disproportionately paying for independent charter schools, regardless of where they are located.

As I stated a minute ago, school districts do not receive this state general aid under current law and are allowed to replace it with property taxes under their revenue limit. Ultimately, nearly all school boards choose to raise additional property taxes, instead of cutting existing school programs. Notably, this year the \$75 revenue limit per pupil adjustment represents only a 0.8% increase in revenue limit authority for the average district.

Thus, in most cases, if a school board chooses to not raise its property taxes to replace this mandatory state general aid reduction, it will likely give up much, if not all, of the additional per pupil revenue limit authority provided under state law this year. This situation will be exacerbated next year as well, regardless of this bill, as the per pupil state aid payment to non-school board authorized charter schools will once again be double that provided to school districts under revenue limits (\$150 per pupil increase versus a \$75 per pupil increase).

This \$64 million reduction in state general school aids this year and estimated increase in property tax levies is estimated to represent nearly 1.4% of all gross school property taxes statewide this fall according to the Legislative Fiscal Bureau's estimate of statewide property taxes under the state biennial budget from this summer. These figures will only increase, and perhaps significantly so, if non-elected charter school authorizers are expanded statewide.

There are a number of questions that remain unanswered in the substitute amendment that I would like to bring to your attention.

- If a charter school operator is running multiple schools and only one meets the standard for replication is it intended that they should be able to have an automatic replication?
- If a charter school is authorized by a CESA, for instance, which district do we use to compare their performance, the one they are located in or do they get to pick which district they are comparing themselves to?
- Is the intent of the bill to compare the combined test scores in each grade in reading and

- math or the test scores in reading and math in each grade?
- Does the school have to beat the 10 percent reading and math thresholds in both the preceding years or an average of the preceding years?
 - Is each charter school compared to the entire district, including other district charters?
 - Are only students who are enrolled for the full academic year in school included for both the charter and the district?
 - Are both the WKCE and WAA tests included in the calculation?
 - What about cell sizes? Is there a point at which the group is too small to compare and thus automatic replication doesn't apply?
 - How are we to treat replicated charters for purposes of accountability?

Finally, I should note that this bill will affect private schools' receipt of federal dollars. All charter schools serving low-income children are entitled to federal Title I funds, but they are not subject to the Title I requirement that public school districts are to provide equitable services to private school children. In essence, fewer Title I dollars for public school districts will mean fewer Title I dollars for private schools.

Thank you for the opportunity to testify on this bill today.

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT		
ABBOTSFORD	\$	(68,089)
ADAMS-FRIENDSHIP AREA	\$	(62,967)
ALBANY	\$	(32,408)
ALGOMA	\$	(45,434)
ALMA	\$	(14,297)
ALMA CENTER	\$	(63,062)
ALMOND-BANCROFT	\$	(43,995)
ALTOONA	\$	(138,659)
AMERY	\$	(128,315)
ANTIGO	\$	(216,321)
APPLETON AREA	\$	(1,036,632)
ARCADIA	\$	(107,951)
ARGYLE	\$	(30,701)
ARROWHEAD UHS	\$	(61,449)
ASHLAND	\$	(198,982)
ASHWAUBENON	\$	(110,309)
ATHENS	\$	(47,818)
AUBURNDALE	\$	(80,453)
AUGUSTA	\$	(57,439)
BALDWIN-WOODVILLE AREA	\$	(154,602)
BANGOR	\$	(55,688)
BARABOO	\$	(213,818)
BARNEVELD	\$	(37,002)
BARRON AREA	\$	(156,255)
BAYFIELD	\$	(4,776)
BEAVER DAM	\$	(283,887)
BEECHER-DUNBAR-PEMBINE	\$	(2,603)
BELLEVILLE	\$	(79,222)
BELMONT COMMUNITY	\$	(27,064)
BELOIT	\$	(808,288)
BELOIT TURNER	\$	(130,641)
BENTON	\$	(28,007)
BERLIN AREA	\$	(143,358)
BIG FOOT UHS	\$	(1,304)
BIRCHWOOD	\$	(1,042)
BLACK HAWK	\$	(34,572)

2012-13 Independent
Charter Schools Aid

SCHOOL DISTRICT	Deduction
BLACK RIVER FALLS	\$ (140,850)
BLAIR-TAYLOR	\$ (55,507)
BLOOMER	\$ (99,858)
BONDUEL	\$ (70,205)
BOSCOBEL AREA SCHOOLS	\$ (76,954)
BOWLER	\$ (40,869)
BOYCEVILLE COMMUNITY	\$ (75,860)
BRIGHTON #1	\$ (5,183)
BRILLION	\$ (81,557)
BRISTOL #1	\$ (29,914)
BRODHEAD	\$ (96,973)
BROWN DEER	\$ (63,174)
BRUCE	\$ (32,048)
BURLINGTON AREA	\$ (205,371)
BUTTERNUT	\$ (10,708)
CADOTT COMMUNITY	\$ (76,563)
CAMBRIA-FRIESLAND	\$ (28,539)
CAMBRIDGE	\$ (48,746)
CAMERON	\$ (82,351)
CAMPBELLSPORT	\$ (89,719)
CASHTON	\$ (58,873)
CASSVILLE	\$ (16,991)
CEDAR GROVE-BELGIUM AREA	\$ (82,302)
CEDARBURG	\$ (126,689)
CENTRAL/WESTOSHA UHS	\$ (73,621)
CHEQUAMEGON	\$ (45,335)
CHETEK-WEYERHAUESER	\$ (60,147)
CHILTON	\$ (91,179)
CHIPPEWA FALLS AREA	\$ (383,640)
CLAYTON	\$ (37,103)
CLEAR LAKE	\$ (61,677)
CLINTON COMMUNITY	\$ (104,429)
CLINTONVILLE	\$ (130,470)
COCHRANE-FOUNTAIN CITY	\$ (44,589)
COLBY	\$ (89,196)
COLEMAN	\$ (45,806)

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT		
COLFAX	\$	(71,214)
COLUMBUS	\$	(76,492)
CORNELL	\$	(43,030)
CRANDON	\$	(36,775)
CRIVITZ	\$	(8,830)
CUBA CITY	\$	(50,232)
CUDAHY	\$	(230,258)
CUMBERLAND	\$	(50,160)
D C EVEREST AREA	\$	(506,746)
DARLINGTON COMMUNITY	\$	(72,371)
DEERFIELD COMMUNITY	\$	(67,616)
DEFOREST AREA	\$	(213,250)
DELAVAN-DARIEN	\$	(137,679)
DENMARK	\$	(116,721)
DEPERE	\$	(298,925)
DESOTO AREA	\$	(34,376)
DODGELAND	\$	(84,030)
DODGEVILLE	\$	(90,788)
DOVER #1	\$	(9,799)
DRUMMOND	\$	(660)
DURAND	\$	(72,417)
EAST TROY COMMUNITY	\$	(49,314)
EAU CLAIRE AREA	\$	(782,461)
EDGAR	\$	(68,938)
EDGERTON	\$	(122,915)
ELCHO	\$	(608)
ELEVA-STRUM	\$	(53,838)
ELK MOUND AREA	\$	(108,366)
ELKHART LAKE-GLENBEULAH	\$	(9,418)
ELKHORN AREA	\$	(187,039)
ELLSWORTH COMMUNITY	\$	(126,392)
ELMBROOK	\$	(77,095)
ELMWOOD	\$	(33,947)
ERIN #2	\$	(7,645)
EVANSVILLE COMMUNITY	\$	(168,718)
FALL CREEK	\$	(79,766)

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT		
FALL RIVER	\$	(48,518)
FENNIMORE COMMUNITY	\$	(68,936)
FLAMBEAU	\$	(57,059)
FLORENCE	\$	(12,604)
FOND DU LAC	\$	(555,349)
FONTANA J8	\$	(180)
FORT ATKINSON	\$	(217,846)
FOX POINT J2	\$	(21,584)
FRANKLIN	\$	(197,018)
FREDERIC	\$	(32,520)
FREEDOM AREA	\$	(131,743)
FRIESS LAKE	\$	(4,412)
GALESVILLE-ETTRICK	\$	(120,158)
GENEVA J4	\$	-
GENOA CITY J2	\$	(64,666)
GERMANTOWN	\$	(155,697)
GIBRALTAR AREA	\$	(112)
GILLETT	\$	(57,469)
GILMAN	\$	(32,236)
GILMANTON	\$	(14,433)
GLENDALE-RIVER HILLS	\$	(4,420)
GLENWOOD CITY	\$	(70,822)
GOODMAN-ARMSTRONG	\$	(4,697)
GRAFTON	\$	(78,995)
GRANTON AREA	\$	(21,164)
GRANTSBURG	\$	(74,062)
GREEN BAY AREA	\$	(1,803,875)
GREEN LAKE	\$	(359)
GREENDALE	\$	(161,021)
GREENFIELD	\$	(137,654)
GREENWOOD	\$	(32,172)
GRESHAM	\$	(22,969)
HAMILTON	\$	(249,705)
HARTFORD J1	\$	(139,538)
HARTFORD UHS	\$	(80,955)
HARTLAND-LAKESIDE J3	\$	(53,878)

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT		
HAYWARD COMMUNITY	\$	(9,158)
HERMAN #22	\$	(3,662)
HIGHLAND	\$	(28,542)
HILBERT	\$	(39,639)
HILLSBORO	\$	(47,526)
HOLMEN	\$	(372,576)
HORICON	\$	(70,135)
HORTONVILLE	\$	(261,276)
HOWARDS GROVE	\$	(69,028)
HOWARD-SUAMICO	\$	(476,032)
HUDSON	\$	(332,777)
HURLEY	\$	(38,933)
HUSTISFORD	\$	(19,759)
INDEPENDENCE	\$	(36,078)
IOLA-SCANDINAVIA	\$	(50,062)
IOWA-GRANT	\$	(77,690)
ITHACA	\$	(32,502)
JANESVILLE	\$	(909,797)
JEFFERSON	\$	(153,573)
JOHNSON CREEK	\$	(47,390)
JUDA	\$	(27,211)
KAUKAUNA AREA	\$	(334,278)
KENOSHA	\$	(2,083,111)
KETTLE MORAIN	\$	(131,401)
KEWASKUM	\$	(112,746)
KEWAUNEE	\$	(70,258)
KICKAPOO AREA	\$	(37,895)
KIEL AREA	\$	(103,941)
KIMBERLY AREA	\$	(385,291)
KOHLER	\$	(6,389)
LAC DU FLAMBEAU #1	\$	(2,642)
LACROSSE	\$	(440,813)
LADYSMITH	\$	(100,526)
LAFARGE	\$	(21,124)
LAKE COUNTRY	\$	(1,273)
LAKE GENEVA J1	\$	(62,910)

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT		
LAKE GENEVA-GENOA UHS	\$	(21,713)
LAKE HOLCOMBE	\$	(7,632)
LAKE MILLS AREA	\$	(79,325)
LAKELAND UHS	\$	(1,122)
LANCASTER COMMUNITY	\$	(77,989)
LAONA	\$	(11,822)
LENA	\$	(34,928)
LINN J4	\$	(151)
LINN J6	\$	(35)
LITTLE CHUTE AREA	\$	(138,894)
LODI	\$	(80,268)
LOMIRA	\$	(92,769)
LOYAL	\$	(53,658)
LUCK	\$	(28,553)
LUXEMBURG-CASCO	\$	(151,269)
MADISON METROPOLITAN	\$	(826,216)
MANAWA	\$	(65,719)
MANITOWOC	\$	(419,298)
MAPLE	\$	(77,509)
MAPLE DALE-INDIAN HILL	\$	(6,269)
MARATHON CITY	\$	(46,216)
MARINETTE	\$	(180,549)
MARION	\$	(40,454)
MARKESAN	\$	(25,593)
MARSHALL	\$	(125,923)
MARSHFIELD	\$	(295,373)
MAUSTON	\$	(116,340)
MAYVILLE	\$	(94,202)
MCFARLAND	\$	(130,039)
MEDFORD AREA	\$	(172,891)
MELLEN	\$	(25,289)
MELROSE-MINDORO	\$	(63,817)
MENASHA	\$	(337,090)
MENOMINEE INDIAN	\$	(86,069)
MENOMONEE FALLS	\$	(117,266)
MENOMONIE AREA	\$	(253,804)

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT		
MEQUON-THIENSVILLE	\$	(30,143)
MERCER	\$	(171)
MERRILL AREA	\$	(264,460)
MERTON J9	\$	(66,180)
MIDDLETON-CROSS PLAINS	\$	(112,689)
MILTON	\$	(267,454)
MILWAUKEE	\$	(8,312,054)
MINERAL POINT	\$	(70,843)
MINOCQUA J1	\$	(679)
MISHICOT	\$	(61,373)
MONDOVI	\$	(95,700)
MONONA GROVE	\$	(149,300)
MONROE	\$	(218,434)
MONTELLO	\$	(22,597)
MONTICELLO	\$	(32,604)
MOSINEE	\$	(167,916)
MOUNT HOREB AREA	\$	(161,249)
MUKWONAGO	\$	(249,056)
MUSKEGO-NORWAY	\$	(267,685)
NECEDAH AREA	\$	(46,501)
NEENAH	\$	(399,511)
NEILLSVILLE	\$	(77,007)
NEKOOSA	\$	(47,491)
NEOSHO J3	\$	(13,546)
NEW AUBURN	\$	(8,114)
NEW BERLIN	\$	(76,105)
NEW GLARUS	\$	(70,383)
NEW HOLSTEIN	\$	(77,872)
NEW LISBON	\$	(40,295)
NEW LONDON	\$	(216,854)
NEW RICHMOND	\$	(280,579)
NIAGARA	\$	(44,444)
NICOLET UHS	\$	(19,324)
NORRIS	\$	(6,498)
NORTH CAPE	\$	(12,034)
NORTH CRAWFORD	\$	(40,431)

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT		
NORTH FOND DU LAC	\$	(101,631)
NORTH LAKE	\$	(13,568)
NORTH LAKELAND	\$	-
NORTHERN OZAUKEE	\$	(40,485)
NORTHLAND PINES	\$	(1,814)
NORTHWOOD	\$	(631)
NORWALK-ONTARIO-WILTON	\$	(71,255)
NORWAY J7	\$	(3,538)
OAK CREEK-FRANKLIN	\$	(371,775)
OAKFIELD	\$	(43,715)
OCONOMOWOC AREA	\$	(72,614)
OCONTO	\$	(101,248)
OCONTO FALLS	\$	(152,255)
OMRO	\$	(107,605)
ONALASKA	\$	(193,302)
OOSTBURG	\$	(69,188)
OREGON	\$	(259,975)
OSCEOLA	\$	(149,083)
OSHKOSH AREA	\$	(725,780)
OSSEO-FAIRCHILD	\$	(95,768)
OWEN-WITHEE	\$	(48,894)
PALMYRA-EAGLE AREA	\$	(77,141)
PARDEEVILLE AREA	\$	(59,086)
PARIS J1	\$	(4,002)
PARKVIEW	\$	(82,069)
PECATONICA AREA	\$	(36,052)
PEPIN AREA	\$	(7,740)
PESHTIGO	\$	(107,215)
PEWAUKEE	\$	(22,229)
PHELPS	\$	(164)
PHILLIPS	\$	(35,898)
PITTSVILLE	\$	(46,813)
PLATTEVILLE	\$	(104,026)
PLUM CITY	\$	(21,404)
PLYMOUTH	\$	(144,821)
PORT EDWARDS	\$	(36,718)

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT		
PORT WASHINGTON-SAUKVILLE	\$	(180,932)
PORTAGE COMMUNITY	\$	(180,294)
POTOSI	\$	(34,796)
POYNETTE	\$	(73,069)
PRAIRIE DU CHIEN AREA	\$	(103,224)
PRAIRIE FARM	\$	(35,829)
PRENTICE	\$	(21,702)
PRESCOTT	\$	(100,211)
PRINCETON	\$	(6,378)
PULASKI COMMUNITY	\$	(322,220)
RACINE	\$	(1,746,800)
RANDALL J1	\$	(26,839)
RANDOLPH	\$	(42,945)
RANDOM LAKE	\$	(64,830)
RAYMOND #14	\$	(15,503)
REEDSBURG	\$	(179,842)
REEDSVILLE	\$	(51,371)
RHINELANDER	\$	(60,725)
RIB LAKE	\$	(33,011)
RICE LAKE AREA	\$	(144,998)
RICHFIELD J 1	\$	(13,757)
RICHLAND	\$	(103,704)
RICHMOND	\$	(36,028)
RIO COMMUNITY	\$	(40,161)
RIPON	\$	(159,729)
RIVER FALLS	\$	(196,833)
RIVER RIDGE	\$	(48,502)
RIVER VALLEY	\$	(75,788)
RIVERDALE	\$	(60,286)
ROSENDALE-BRANDON	\$	(87,424)
ROSHOLT	\$	(40,766)
ROYALL	\$	(64,530)
RUBICON J6	\$	(5,497)
SAINT CROIX CENTRAL	\$	(150,640)
SAINT CROIX FALLS	\$	(72,635)
SAINT FRANCIS	\$	(47,636)

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT	\$	
SALEM J2	\$	(80,459)
SAUK PRAIRIE	\$	(153,893)
SENECA	\$	(23,652)
SEVASTOPOL	\$	(730)
SEYMOUR COMMUNITY	\$	(241,807)
SHARON J11	\$	(31,132)
SHAWANO	\$	(171,544)
SHEBOYGAN AREA	\$	(943,007)
SHEBOYGAN FALLS	\$	(134,727)
SHELL LAKE	\$	(38,086)
SHIOCTON	\$	(76,449)
SHOREWOOD	\$	(68,789)
SHULLSBURG	\$	(34,417)
SILVER LAKE J1	\$	(37,032)
SIREN	\$	(11,715)
SLINGER	\$	(163,408)
SOLOON SPRINGS	\$	(12,851)
SOMERSET	\$	(154,570)
SOUTH MILWAUKEE	\$	(275,876)
SOUTH SHORE	\$	(2,264)
SOUTHERN DOOR	\$	(29,433)
SOUTHWESTERN WISCONSIN	\$	(46,761)
SPARTA AREA	\$	(243,113)
SPENCER	\$	(81,347)
SPOONER	\$	(16,008)
SPRING VALLEY	\$	(66,818)
STANLEY-BOYD AREA	\$	(89,835)
STEVENS POINT AREA	\$	(509,430)
STOCKBRIDGE	\$	(7,036)
STONE BANK	\$	(1,265)
STOUGHTON AREA	\$	(204,979)
STRATFORD	\$	(78,534)
STURGEON BAY	\$	(48,244)
SUN PRAIRIE AREA	\$	(491,873)
SUPERIOR	\$	(385,876)
SURING	\$	(4,470)

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT		
SWALLOW	\$	(13,934)
THORP	\$	(47,545)
THREE LAKES	\$	(1,019)
TIGERTON	\$	(22,827)
TOMAH AREA	\$	(257,424)
TOMAHAWK	\$	(32,867)
TOMORROW RIVER	\$	(80,946)
TREVOR-WILMOT	\$	(51,181)
TRI-COUNTY AREA	\$	(45,577)
TURTLE LAKE	\$	(7,042)
TWIN LAKES #4	\$	(20,472)
TWO RIVERS	\$	(168,326)
UNION GROVE J1	\$	(71,079)
UNION GROVE UHS	\$	(44,890)
UNITY	\$	(22,093)
VALDERS	\$	(73,463)
VERONA AREA	\$	(286,019)
VIROQUA AREA	\$	(86,828)
WABENO AREA	\$	(3,740)
WALWORTH J1	\$	(37,857)
WASHBURN	\$	(33,109)
WASHINGTON	\$	(67)
WASHINGTON-CALDWELL	\$	(15,919)
WATERFORD J1	\$	(96,955)
WATERFORD UHS	\$	(70,005)
WATERLOO	\$	(75,015)
WATERTOWN	\$	(300,102)
WAUKESHA	\$	(644,535)
WAUNAKEE COMMUNITY	\$	(255,337)
WAUPACA	\$	(125,571)
WAUPUN	\$	(166,377)
WAUSAU	\$	(694,521)
WAUSAUKEE	\$	(5,652)
WAUTOMA AREA	\$	(76,915)
WAUWATOSA	\$	(239,463)
WAUZEKA-STEUBEN	\$	(36,931)

**2012-13 Independent
Charter Schools Aid
Deduction**

SCHOOL DISTRICT	\$	Deduction
WEBSTER	\$	(1,934)
WEST ALLIS	\$	(558,441)
WEST BEND	\$	(395,865)
WEST DEPERE	\$	(193,071)
WEST SALEM	\$	(156,575)
WESTBY AREA	\$	(109,261)
WESTFIELD	\$	(39,368)
WESTON	\$	(23,779)
WEYAUWEGA-FREMONT	\$	(48,481)
WHEATLAND J1	\$	(25,116)
WHITE LAKE	\$	(7,724)
WHITEFISH BAY	\$	(142,722)
WHITEHALL	\$	(68,951)
WHITEWATER	\$	(100,763)
WHITNALL	\$	(85,787)
WILD ROSE	\$	(11,220)
WILLIAMS BAY	\$	(612)
WILMOT UHS	\$	(63,109)
WINNECONNE COMMUNITY	\$	(85,920)
WINTER	\$	(3,011)
WISCONSIN DELLS	\$	(8,512)
WISCONSIN HEIGHTS	\$	(33,969)
WISCONSIN RAPIDS	\$	(464,153)
WITTENBERG-BIRNAMWOOD	\$	(98,447)
WONEWOC-UNION CENTER	\$	(25,329)
WOODRUFF J1	\$	(2,871)
WRIGHTSTOWN COMMUNITY	\$	(105,413)
YORKVILLE J2	\$	(7,994)
STATEWIDE TOTAL	\$	(59,840,000)

2012-13 deduction is 1.4% of state gross general school aids

Instrumentality Charter Schools In Wisconsin

History of Charter Schools

- In March of 1987 in an address to the National Press Club in Washington, D.C., Albert Shanker, President of the American Federation of Teachers, first proposed the creation of "charter schools" – publically funded institutions that would be given greater flexibility to experiment with new ways of educating students
- Minnesota was the first state to pass a charter school law
- City Academy in St Paul, MN established in 1990 was the first charter school in the country
- Wisconsin passed its first charter school law in 1993
- In 2007, the Wisconsin Department of Public Instruction listed 231 charter schools serving about 40,000 students
- In 2005 about one million students attend 3400 public charter schools in 41 states

Purpose of Charter Schools – Autonomy for Accountability

- To provide high quality educational choices for students and parents
- To provide unique options and educational opportunities for students
- To foster educational change and increase student achievement
- To create partnerships to maximize opportunities and resources

Reasons for Charter Schools

- Traditional schools do not meet the needs of all students
- Charter schools provide unique opportunities for area students
- Charter schools can use unique curricular and delivery models
- Charter schools allow for greater participation in the decision making process and/or collaboration with community members, business partners, educational partners, and parents
- Recent realities:
 1. Competition (not only from the existing private and parochial school systems, but also from anyone with a good and financially viable idea.)
 2. Financial issues
 3. Virtual schools
 4. Charter schools vs. vouchers
 5. Multiple chartering entities

Types of Wisconsin Charters

- Instrumentality
 1. Staff is employed by chartering school district
 2. Staff is eligible for the state retirement system
 3. Can be a 501(c)3 non-profit corporation
- Non-instrumentality
 1. Staff is employed by the charter school governing board
 2. Staff is not eligible for the state retirement system
 3. Usually is a 501(c)3 non-profit corporation
- Milwaukee and UW Parkside Independent Charter Schools

Current Ways to Establish a Charter School in Wisconsin

- Petition to the school board
- School board initiated

Objectives of Wisconsin Legislation

("Charter Schools" by Joanne Harmon Curry, November 14, 2007)

- Provide options for students and parents
- Encourage the development and implementation of innovative teaching methods through increased flexibility and freedom from regulation
- Improve education by increasing competition
- Provide increased accountability

History of the Wisconsin Charter Law - Wis. Stat. 118.40

(Note: for more details see Informational Paper 31 – "Charter Schools, Wisconsin Legislative Fiscal Bureau," January 2007)

- The first Wisconsin Charter School law passed in 1993. It allowed 10 districts to each establish 2 charter schools. The districts were to give preference to schools for at-risk students.
- The law was expanded in 1995 to allow all districts in the state to charter an unlimited number of charter schools.
- The law was expanded in 1997 to allow the City of Milwaukee, the Milwaukee Area Technical College and UW-Milwaukee to serve as chartering entities for schools established in Milwaukee and to allow for profit providers
- The laws related to charter schools in Milwaukee were revised in 1999
- The law was again expanded in 2001 to allow UW-Park Side in Racine to establish a charter school.

Statutory Limits on Wisconsin Charter Schools – Wis. Stat. 118.40(4)

- May not charge tuition
- May not be a converted private sectarian school
- May not discriminate in admission policies
- Must have voluntary enrollment
- Must comply with all federal education laws (i.e. NCLB, IDEA, OCR, etc.)

- Must administer state tests (Wis. Stat. 118.40(2r)(d))
- Must adopt a policy specifically stating promotion and graduation requirements
- Must provide information for the annual state performance report
- Must ensure all “instructional staff” hold a DPI teaching license or permit Wis. Stat. 11.840(2r)(d)
 1. Includes: all professional employees with direct contact with students or the educational program
 2. Includes - teachers, librarians, pupil services staff, and administrators supervising licensed staff
 3. Special charter instructional permit may be requested if person has a bachelor’s degree but does not have a DPI teaching license (Wis. Administrative Code PI 34.34)
- May be for single sex or provide one or more courses for one sex if the school board makes available to the opposite sex the same schools or courses with admission qualifications and policies that are comparable
- Contract must stipulate a dollar amount per year that the charter school will receive for each year of the contract (118.40(3)c)

Flexibility Allowed under Wisconsin Law

- Exempt from state statutes 115-121 unless the statute specifically states that it applies to charter schools (Wis. Stat. 118.40(7)(b), Examples of possible exemptions include:
 1. Length of school year or day
 2. Minutes of instruction
 3. Calendar

Special Education for Wisconsin Instrumentality Charter Schools

- LEA (local school board authorizing the charter):
 1. Retains responsibility for IDEA compliance
 2. Provides SPED services and auxiliary aides or contract must stipulate how services will be provided to meet federal law
 3. Must provide the same type and level of services as provided to students in other schools serving similar grade levels
- The charter school:
 1. Must comply with federal laws, including special education
 2. May not discriminate in recruitment or administration in any way including disability
 3. Must not counsel students out based on disability
 4. Must provide an accessible facility

No Child Left Behind (NCLB) Requirements

- Must:
 1. Meet adequate yearly progress (AYP)

- 2. Meet accountability provisions or NCLB
- May include AYP goals in the contract, but they are NOT required

Accountability Measures

- Held accountable through charter law and accountability measures established in the contract (The essence of chartering is "Accountability for Freedom")
- Must meet federal school related laws and requirements
- Must pass authorizer, state and federal audits
- Must comply with federal and state accountability measures and with grant assurances if grant funds are accepted

Reasons a charter (contract) can be revoked:

- The charter school violated its contract with the authorizer
- The charter school students did not make sufficient progress toward attaining state goals
- The charter school failed to comply with generally accepted accounting standards of fiscal management
- The charter school violated the state charter school law

Summary - A charter school in Wisconsin is:

- A public school
- Non-sectarian
- Free - cannot charge tuition
- Created through a contract or "charter" between the operators and authorizer
- Exempt from most state statutes (115- 121) which govern K-12 public schools
- Autonomous (autonomy for accountability)
- Free to experiment with curriculum, schedules, methods of instruction, staffing patterns, etc.
- Allowed to establish policies different from its authorizer
- Required to comply with federal laws and regulations such as the Individuals with Disabilities Education Act (IDEA), Family Education Rights and Privacy Act (FERPA), and Office of Civil Rights (OCR), etc.
- Accountable for the goals, measures and standards established in the charter
- Required to participate in state accountability tests required under No Child Left Behind (NCLB), namely the Wisconsin Knowledge and Concept Exam (WKCE)
- Required to comply with federal and state health and safety requirements
- Required to use a lottery to admit students if more qualified students apply than can be served
- Required to comply with state and federal audit requirements
- Required to operate within the confines of the state charter school law and the local charter agreement

- Required to stipulate in the contract “an amount per year” that the school will receive (Wisconsin State Statute 118.40(3)c)
- Required to meet the federal definitions of autonomy and the definition of a school if it is seeking or receiving federal Charter School Program (CPS) grant funding
 1. Autonomy - authority over setting policies, determining the curriculum, establishing and providing over-site of the budget and financial operations of the school, hiring and supervision of staff, and evaluation of the staff, administrator and program
 2. Autonomy – less than 50% of the governing board of the charter school are district employees
 3. Definition of a school – provides over 51% of the students education in core academic subject areas

Unique characteristics of Charter Schools

- Have a separate governing board which has the authority as set forth in the contract to determine:
 1. Governance process
 2. School policies
 3. Budget
 4. Contracts as specified in its by-laws and charter
 5. Staffing selection and supervision (within union master agreement or MOU with charter, district and union)
 6. Admissions criteria
 7. Methods of student, program and administrative assessment
 8. Educational program(s)
 9. Discipline process
- Perform a contracted service for an established amount as set forth in the charter contract
- Secure funds from the charter contract, state and federal entitlements/grants, donations, and other private sources
- Receive a fair share of state and federal entitlement and grant funds
- Receive an amount for each year of the contract as stipulated in the charter {Wisconsin state statute 118.40(3)(c)}
- Provide for student/parent choice and competition within the educational marketplace
- Cannot require students to attend
- Can be closed by the charter authorizer if the charter school does not comply with charter law and/or does not meet the accountability terms of the contract

How Charter Schools Differ from Programs/Alternative or Magnet Schools

- Shift of control from district board, administration and staff to charter board

Charter School	Program/Alternative or Magnet School
Governing Board has over-site	District Administration has over-site
School has autonomy	District maintains control
Governing Board establishes policies	Follows district policies
Governing Board sets budget within contracted amount	District establishes and controls budget
Governing Board determines/approves expenditures	District approves expenditures
Governing Board evaluates administrator	District evaluates administrator
Governing Board evaluates the educational programs of the school	District evaluates the educational programs of the school
Governing Board determines policies and processes (such as admissions, calendar, discipline, etc.)	Follows district policies and processes

Characteristics of a High Quality Charter School

- High student achievement
- Financial Stewardship
- Responsible governance
- Autonomy

Advantages of Charter Schools

- For students
 1. Allows additional educational options/choices for students
 2. Provides opportunities for post secondary credit, alternative delivery models, business/school partnerships, community collaboration, shared resources

- For the authorizer
 1. Provides additional opportunities for students
 2. Provides additional resources through CPS funding and other grants and donations
 3. Maintains the district as a player at the table (instrumentality)
 4. Maintains student count and state aid (instrumentality)
- For the Community
 1. Provides additional options
 2. Provides opportunities for collaboration
 3. Provides an opportunity for parent and public participation in education at the decision making level
 4. Fosters change and serves as an on-going restructuring mechanism

Additional Resources

Wisconsin Charter Schools Association

www.wicharterschools.org

- Information on Wisconsin charter school best practices
- Publications
 1. "Governance of Instrumentality Charter Schools in Wisconsin" (2008)
 2. "Template for Alignment of the Curriculum to the Wisconsin State Standards" (2006)
 3. A Sample Alignment to the Wisconsin State Standards using the Montessori K-5 Lessons (2007)
 4. An Elementary (K-5) School Book Room List Sorted by Theme, Title and Reading Level (2006)

Department of Public Instruction – Charter Schools

www.dpi.state.wi.us

- Grant Information
- Federal Requirements for Grant Funding
- Primer - Special Education in Wisconsin Charter Schools

US Department of Education

www.ed.gov

- Federal policies and non-regulatory guidance documents
- Federal grant guideless and requirements



School Administrators Alliance

Representing the Interests of Wisconsin School Children

TO: Senate Committee on Education
FROM: John Forester, Director of Government Relations
DATE: October 3, 2013
RE: SSA1 to Senate Bill 76 – Charter Schools

The School Administrators Alliance (SAA) opposes Senate Substitute Amendment 1 to Senate Bill 76, relating to authorizing independent charter schools and replicating charter schools. SSA1 has been available to us for a very short time. In conducting our analysis of the substitute amendment, the SAA has not had the benefit of an LRB analysis much less a Legislative Council summary. Suffice to say, our analysis continues. Nonetheless, we do wish to share a few preliminary comments on SSA1.

If adopted, SSA1 to SB 76 will greatly expand the number of entities authorized to expand independent charter schools. Those additional authorizers will surely increase the number of independent charter schools authorized. Given that 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 every school district in the state, this bill will result in a growing aid reduction to public schools. In 2012-13, the reduction in general school aid attributable to independent charters was 1.4 percent statewide on average. And because local school districts are allowed to levy property taxes to cover the reduction in state aid, this may result in an increase in local property taxes.

The charter school replication provisions of the bill, if adopted, will result in a loss of local control as school district contracting authority over district charter schools is weakened significantly.

For these reasons and more the SAA opposes SSA1 to SB 76. Thank you for your consideration of our position.

An Alliance of:



October 2, 2013

The Honorable Luther Olsen
Chairman, Senate Education Committee

The Honorable Alberta Darling
Senate Education Committee

RE: SUPPORT for Charter School Reform
Senate Bill 76
Senate Substitute Amendment 1 (10/1/2013)

Dear Chairman Olsen and Senator Darling,

I am writing today to voice the National Association of Charter School Authorizer's support for charter school reform in Wisconsin.

NACSA works to improve public education by improving the policies and practices of the organizations responsible for authorizing and overseeing charter schools. We advocate for authorizers to hold themselves, and the schools they oversee, to high standards based on national best practices for charter school authorizing. These standards are defined in our Principles & Standards for Quality Charter School Authorizing. Genuine reform through charter schools occurs when authorizers adhere to three principles: maintaining high standards for schools, upholding school autonomy, and protecting student and public interests.

NACSA applauds Senators Olsen and Darling for their leadership in sponsoring charter reform legislation. SB 76 includes three significant policies that overcome hurdles to charter school growth. First, it expands the availability of non-LEA authorizers to the entire state. This will allow quality charters to grow and avoids obstacles where reluctant LEAs stifle quality charter school growth. A non-LEA authorizer is also less prone to political influence and is more likely to make charter school decisions based on the merits of an application or the achievements of a school. Second, SB 76 eliminates the current geographic enrollment restrictions for non-instrumentality charter schools. Any student wishing to attend a non-instrumentality charter school would now be able to enroll in the school of their choice—regardless of their district of residence. Finally, SB 76 contains provisions designed to grow the most successful charter schools. NACSA supports these efforts in principle and looks forward to working with the author and the sponsors to refine this policy effort.

In addition to these positive elements in the current proposal, we strongly encourage the Committee to seize this opportunity to make broader reforms to Wisconsin's charter school law. An expansive reform bill would grow a high quality charter sector and fulfill



nacsa

NATIONAL ASSOCIATION OF
CHARTER SCHOOL AUTHORIZERS

quality charter schools

the promise of public accountability for authorizers and charter schools. We encourage the Committee to expand these reform efforts and consider policies such as:

- Stop calling instrumentality charter schools charters. We recommend the state change the name of instrumentality charter schools to a non-charter moniker. Several other states refer to these schools with a connection to their local districts and a similar degree of autonomy as “innovation schools”. These semi-autonomous district schools can play an important role in the Wisconsin education sector but, fundamentally, they are not fully autonomous and should not be defined as charter schools. By distinguishing between them, the state will be better able to enact an accountability system and the associated flexibility that a robust charter school system requires. Further, if Wisconsin keeps these schools under the charter school umbrella it will have little chance of winning a federal Public Charter School Program grant in the next round of competition.
- Set high standards for charter school approval, expansion and renewal to encourage only high-quality growth of the charter sector. Statutory language on these issues directs authorizers to act in the best interest of the public.
- Require regular reporting and evaluation of authorizer performance to hold all authorizers accountable for their actions as the sector grows. This is especially important when moving to a multiple authorizer environment.

Each of these policy changes will support the growth of a high quality charter school sector. They are consistent with the National Association of Public Charter Schools’ model law and will significantly improve the competitiveness of Wisconsin in the next grant cycle of the federal Public Charter School Program. We urge the Committee to consider broader charter school law reform.

Thank you for your consideration.

Sincerely,

Alex Medler, PhD
Vice President of Policy and Advocacy
National Association of Charter School Authorizers

Cc: Carrie Bonk, Executive Director, Wisconsin Charter Schools Association

105 W. Adams Street, Suite 3500
Chicago, IL 60603-6253

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www.qualitycharters.org



October 2, 2013

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Senator Alberta Darling
317 East State Capitol
Madison, WI 53707-7882

Dear Senator Darling:

On behalf of the Thomas B. Fordham Institute, thank you for the opportunity to comment on this potentially important set of charter school reforms for Wisconsin. Our organization is one of the nation's leading education-policy think tanks, working to advance educational excellence for every child through quality research, analysis, and commentary. We are supporters of high standards, greater educational options, and accountability-driven reform because every child deserves access to a quality education that prepares him or her for productive work and citizenship. We are also longtime veterans of, and analysts and commentators on, charter schools as a valuable vehicle for providing quality choices to children who need them and Fordham even authorizes a dozen charter schools in Ohio.

We appreciate your leadership in the area of education reform and are pleased to see Wisconsin taking positive steps to improve its worthy but weak charter law. With one of the nation's earliest charter programs, the Badger State has long been a leader in promoting school choice. The state is also home to the country's first true publicly supported voucher program—a program that, with your leadership, was made statewide just this year. The state's new Course Options program and private school tuition tax deduction should also make a difference for children in the state.

Unfortunately, while innovation and boldness have accelerated in many areas of education choice in Wisconsin, charter schools have lagged, due in no small part to an outdated regulatory framework in severe need of an update.

As you may know, in its most recent (January 2013) evaluation of state charter laws, the National Alliance for Public Charter Schools ranked Wisconsin's law 37th out of forty-three states with such statutes on the books, largely due to a lack of accountability and flexibility for charters. There were also weaknesses in areas like charter school approval and availability of school facilities. With efforts underway in other states to strengthen their charter laws (or, in a few cases, pass new ones), we worry that Wisconsin may fall even further behind. We encourage you to measure Wisconsin's current law against the NAPCS rating criteria when considering reforms (You can find those criteria on-line at <http://www.publiccharters.org/law/>).

There is considerable merit in the proposed Senate Substitute Amendment to Senate Bill 76 (LRBs0100/1), as far as it goes. For example, the proposed expansion of authorizing to include schools in the University of Wisconsin and Wisconsin Technical College systems is a positive step that will allow for independent (2r) charter schools for the first time outside of the state's southeastern corner. In addition, the bill allows high performing charter schools to open additional campuses, a commonsense step that we applaud, although the mechanism for replication would be improved and simplified if it were tied to state report cards that measure both proficiency and growth.

Yet so much more would be worth doing for the sake of Wisconsin's children, and many of the additional steps that would strengthen the state's charter law would not, we think, even prove controversial.

Greater Autonomy and Accountability for Charter Schools

Charter schools were created, in part, to allow for greater innovation by removing regulation in exchange for increased results-based accountability. Unfortunately, Wisconsin's charters are sorely overregulated to the extent that many are charter schools in name only. In 2010, the Fordham Institute issued a report, *Charter School Autonomy: A Half-Broken Promise*, which analyzed charter governance to determine whether schools have the freedom to govern themselves in areas ranging from discipline policies to work rules to procurement. On this gauge, Wisconsin fared poorly. The state's instrumentality charter schools were graded F for autonomy (really the lack thereof) while non-instrumentality charter schools, which enjoy slightly greater flexibility (mostly related to staffing), earned a C.

While changes in the 2011-13 and 2013-15 biennial budgets made a difference for charter schools and other reforms like 2011 Act 10 allow for greater flexibility for all schools, including many charters, Wisconsin's charter schools still do not enjoy the same autonomy as those in other states. We respectfully suggest that you and your colleagues add to the pending bill provisions that ensure that neither state nor local authorizers—including school districts—overly burden these schools.

Excellent points of departure are the provisions in Governor Walker's most recent budget proposal (2013 Assembly Bill 40) that dealt with governance, accountability, and transparency. These set clear guidelines as to the roles of both authorizer and school and create mechanisms for evaluating and improving school performance. In addition to those specific provisions, we would recommend addressing an issue whereby district-authorized charter schools are not fundamentally different from traditional public specialty, magnet, or alternative schools. We encourage local school boards to approve charter schools but the state must ensure that these schools have a governance structure that is separate and distinct from the school district and is accountable for results. Specifically, we would recommend granting true autonomy to schools that are truly charters (like most 2r and non-instrumentality charter schools) while not assigning the label "charter" to schools that more resemble traditional district schools (like many current instrumentality charter schools).

Focus on Performance

A major area of weakness in Wisconsin's current charter law is its lack of results-based accountability for both schools and authorizers. Charter schools are designed to be innovative but sometimes these innovations falter and require course corrections. Charter schools—like all schools—need to be held responsible for their results and, if they remain low-performing, should close or be radically overhauled, probably by a third party.

Wisconsin policymakers would be well advised to develop a solid process by which to hold all publicly funded schools accountable for their results. Such a system must of course be transparent and contain provisions to ensure fairness to all schools, regardless of sector.

Finally, Wisconsin could strengthen its law further by requiring charter school contracts to set clear expectations for the financial and academic performance of the school as well as clear consequences if the school does not meet them.

I hope this letter proves helpful as you and your colleagues work on charter legislation. We are confident that these recommendations would improve the quality of education delivered to Wisconsin students—and along the way might also widen support for this bill itself.

Thanks very much for this opportunity to share what we have learned as well as for your leadership of this important effort. Please do not hesitate to contact me or my staff if we can do anything further to be helpful.

Sincerely,

Chester E. Finn, Jr.
President



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 double the rate of 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.



**Todd Ziebarth, Senior Vice President, State Advocacy and Support,
National Alliance for Public Charter Schools
Testimony before the Senate Education Committee
Thursday, October 3, 2013**

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.
- Before I present my brief remarks, I'd like to say a quick word about the National Alliance.
- The National Alliance is a national nonprofit organization solely committed to advancing the public charter school movement.
- The National Alliance's ultimate goal is to increase the number of high-quality public charter schools available to all families, particularly those whose access to high-quality public education options is limited.
- 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.
- Not surprisingly given such a low ranking, we conclude that much improvement is needed in Wisconsin's charter school law.
- 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 put, it is safe to assume that Wisconsin will not be competitive for these dollars.

Impact of SB 76 on Wisconsin's Ranking Is Minimal

- In regards to SB 76, the National Alliance supports the changes proposed in it.
- If Wisconsin were to enact all of the changes from SB 76, however, the state's ranking in the National Alliance's annual report would only increase from #37 to #36.
- The bottom line is that there is a lot more that the state can do to improve its law to lead to the development of more high-quality public charter school options for students, particularly those most in need of such alternatives.

Recommendations for Additional Changes to Wisconsin's Charter School Law

- In fact, we recommend improvements in three areas.
- The first area is ensuring that all types of charters have the flexibility to innovate that's at the heart of the charter bargain.
- Specifically, state law should ensure that all types of charters:
 - Are fiscally and legally autonomous schools with independent public charter school boards;
 - Receive automatic exemptions from many state and districts laws and regulations; and,
 - Have access to the state benefits systems available to other public schools.
- The second area is ensuring that all types of authorizers hold up the other end of the charter bargain: accountability for results.
- Specifically, 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.
- State law should also require authorizers to submit an annual report that summarizes their authorizing activities, their authorizing expenditures, and their school portfolio performance.

- The third area relates to funding.
- Specifically, state law should ensure:
 - Equitable operational, categorical, transportation, and facilities funding for public charter school students;
 - Public charter schools have a right of first refusal to purchase or lease at or below fair market value a closed, unused, or underused public school facility or property; and,
 - Adequate and guaranteed authorizer funding.
- If Wisconsin were to enact all of the changes from SB 76 and our recommendations for further strengthening Wisconsin's charter school law, the state would move from #37 to having the nation's strongest charter school law.

Conclusion

- In conclusion, let me reiterate that the National Alliance supports the changes proposed in SB 76.
- However, we believe that Wisconsin's charter school law needs a major overhaul to create the conditions that allow high-quality public charter schools to better help the state close achievement gaps.
- As the bill makes its way through the legislative process, we urge you to make these recommended changes to ensure that Wisconsin has the best charter school law 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.



Metropolitan Milwaukee
Association of Commerce

DATE: OCTOBER 3, 2013

TO: SENATE COMMITTEE ON EDUCATION

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

RE: SB 76

On behalf for the Metropolitan Milwaukee association of Commerce (MMAC) I would like to thank the committee for holding this hearing today on Senate Bill 76, and to speak in favor of the substitute amendment before you. As you know, modifications to strengthen Wisconsin's charter school laws have been under discussion for quite some time, and I want to especially commend Senator Olsen and Senator Darling and their staffs for their persistent commitment to crafting the thoughtful product you have before you.

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, 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. In light of that fact, I will not speak at length to those sections of the bill other than to say that 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.

A portion of this bill I would like to speak at more length however is the presumptive charter school replication authority contained in Section 28 of the substitute amendment. 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 substitute amendment 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 would simplify 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 substitute amendment 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 with the provisions in the substitute amendment 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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Wisconsin Charter Schools Association

Supporting innovation and
accountability in public education

TALKING POINTS SB 76/SSA-1

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. Todd Ziebarth from NAPCS recently did an analysis of the substitute amendment to SB 76 (SSA1 to SB 76) and, as currently written, the bill will only increase Wisconsin's score by a few points and will move us up from the 37th spot to the 36th spot.

The WCSA supports the following key provisions that have been included in SB 76 and SSA 1:

Allowing Multiple Authorizers

The Substitute Amendment to Senate Bill 76 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

SSA-1 to SB 76 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 evaluations 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

Senate Bill 76 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.

Caps and Open Enrollment

SSA to SB 76 removes the caps limiting the University of Wisconsin-Parkside to authorizing only one school. In addition, the substitute amendment clearly requires charter schools to provide open enrollment to any student in the state. The WCSA supports both of these initiatives.

While the above provisions are necessary additions to Wisconsin's state law, there are additional changes needed for Wisconsin to have a comprehensive charter school law which would in turn allow for the growth of high quality charter schools in our state:

Strengthen Charter School Autonomy

The WCSA supports including language that ensures charter schools are fiscally and legally autonomous entities and governed by independent boards:

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 schools. It is time we address this issue and we suggest these Instrumentality Charter Schools no longer be called Charter Schools. There are a number of other states who have addressed this issue by naming the semi-autonomous district run schools "Innovation schools" or "Pilot schools". Another option is Magnet Schools.

Another positive aspect to this proposed change is to restore our eligibility for the significant funds available from the competitive federal charter school state grant program.

Accountability

The WCSA supports language that creates quality control through rigorous but fair application, contracting, oversight, and renewal, non-renewal, and revocation processes.

It is critical to the quality of public charter schools and the credibility of the public charter school movement that charters be held accountable for their results – and authorizers have an essential role to play in ensuring such accountability. Across the country, however, state laws have too often given short shrift to ensuring that authorizers are appropriately exercising their quality control responsibilities – which are defined as creating rigorous but fair application, contracting, oversight, and renewal, non-renewal, and revocation processes. When authorizers are exercising their quality control responsibilities, they should be primarily focused on outputs, primarily student achievement.

Specifically, the following must be included:

- *A strategic plan for contracting with charter school governing boards that submit high-quality proposals for charter schools that meet identified educational needs and promote a diversity of educational choices.*
- *A performance framework for use in supervising and evaluating charter schools that addresses pupil academic proficiency, growth in pupil academic achievement, gaps in achievement between groups of pupils, pupil attendance, the readiness of pupils for postsecondary education, the financial proficiency and sustainability of charter schools, and charter school management.*
- *An assurance that the organization or consortium will ensure accountability and transparency on the part of those charter school governing boards with which it contracts.*
- *A plan, including corrective action strategies, designed to improve a charter school under contract with the organization or consortium, or to close such a charter school, based on contractual performance standards.*
- *Language to limit reasons for dissolution or non-renewal of charter school contracts to: 1) students not making contractually agreed upon academic and/or behavioral progress; 2) fiscal irregularities; and 3) major contract violations.*

Annual reporting of each charter school operating under contract that includes: academic and financial performance; operating costs detailed in an audited financial statement prepared in accordance with generally accepted accounting principles; and services provided to the charter schools under contract with it and an itemized accounting of the cost of the services.

Appeals Process

The WCSA supports creating a process to address disputes between the authorizer and charter schools.

WCSA supports the creation of an independent state arbitration committee of neutral persons.

The state arbitration committee would determine: 1) if the contract was being violated by either party; and 2) to work out a remedy for damages if any occurred as a result of the violation.

Deletion of Authorizer's Authority to Operate a Charter School

This provision was included in SB22 and the Governor's latest 2013-15 Budget Bill. We are hopeful this was just a technicality but it behooves speaking to. When the charter school language was pulled from the Governors Budget bill it was to be put forth in a stand alone bill. This provision is a key element in a successful authorizer/operator delineation of authority and responsibilities. We would like to see an amendment to delete an Independent authorizer's authority to operate a charter school. We would welcome the opportunity to provide you with what we would feel to be necessary deletions of the current statutes and SSA1 to SB76.

1. *Deletion of the appropriate language from s.118.40 (2r) (b) 1.*
2. *Deletion of Sections 1-7 and 29-31 from SSA 1 to SB 76*

Carmen High School of Science & Technology

October 3, 2013

Re: Comments on Senate Substitute Amendment to Senate Bill 76

My name is Aaron Lippman and I am Principal of Carmen High School of Science and Technology, South Campus, a non-instrumentality charter school authorized by the Milwaukee Board of School Directors. I am speaking today on behalf of Patricia Hoben, Head of Schools, and Mary Diez, Chair of the Carmen Board of Directors. Thank you for the opportunity to comment on the proposed amendment to Senate Bill 76. Our comments are focused specifically in support of the proposed amendment to Section 8, which would include in the eligibility for an equivalent teacher and principal evaluation process a charter school under contract with a school board that is not an instrumentality of the school district.

We applaud the Wisconsin Department of Public Instruction for spearheading statewide changes in systems for evaluating teacher and principal effectiveness that give significant weight to measures of student achievement. However, we are submitting these comments because we are concerned that without this proposed amendment, the autonomy of a specific category of charter schools, namely the non-instrumentality charter schools authorized by Milwaukee Public Schools, would be compromised. Non-instrumentality charter schools were not listed in the original legislation as eligible to apply for an equivalent process, and thus the rules as drafted by DPI mandate that MPS non-instrumentality charter schools such as Carmen's two schools follow the same educator effectiveness process approved by the Department for MPS, the Local Education Agency. We have seen nothing in the legislative history that shows intent to give 2r independent charter schools the ability to apply to DPI for an equivalency educator effectiveness process and not independent, non-instrumentality charter schools authorized by an LEA. Thus we strongly support this amendment that would include non-instrumentality charter schools as eligible to apply independently for an alternative but equivalent process.

As you know, Wisconsin charter school law gives charter schools freedom from most state rules and regulations in exchange for greater accountability for results. The charter itself defines the missions and methods of the charter school, including how personnel are evaluated. The role of the chartering authority is to hold the school accountable to its charter. The reason for having charter schools is to explore potential innovations that can ultimately positively impact the larger public school system. The "2(r)" independent charter schools enjoy these autonomies as they are stand-alone LEAs. However, the Milwaukee Public Schools non-instrumentality schools, such as Carmen, routinely have to seek special exemptions from DPI, such as the alternative compliance plans charters had to have approved for math and literacy because MPS is a school district under corrective action.

Page 2 – Comments of Aaron Lippman et.al.

An MPS non-instrumentality school, by definition, has its own autonomous governing board of directors and directly employs its own staff. The governing boards of non-instrumentality charter schools oversee all personnel matters for instructional and non-instructional staff, including supervision, disciplinary actions, recommendation of new hires and layoffs, collective bargaining, claims, complaints, and benefits. The role of MPS as the charter authorizer of Carmen High School of Science and Technology is to monitor and ascertain that the school is compliant with the charter contract provisions. The Carmen Board of Directors has a strong relationship with the authorizer and has been successful in maintaining its autonomy with respect to its authority to set financial, program, curriculum, human resource and all other policies and practices required to operate the school. Indeed, in administering No Child Left Behind charter school development sub-grants to Carmen, the Wisconsin DPI has required MPS and Carmen to agree in writing to such autonomies.

We strongly urge you to consider this information and support the amendment to Section 8 to afford non-instrumentality charter schools the opportunity to apply for an equivalent educator effectiveness process.

Aaron Lippman
Principal, Carmen High School of Science and Technnology

Patricia Hoben
Head of Schools

Mary Diez
Chair, Board of Directors

**Testimony on 2013 Senate Bill 184
Senate Committee on Education**

**Shel Gross, Director of Public Policy
Mental Health America of Wisconsin**

October 2, 2013

Thank you for the opportunity to present testimony on SB184. Mental Health America of Wisconsin (MHA) supports this bill as a reasonable and necessary update to current law to account for the use of various types of social media in bullying behavior. Current law covers email but not other types of electronic means of communicating information.

MHA is particularly concerned about the relationship between bullying and mental health. The following conveys some of what we know about this relationship.

Wisconsin is home to one of the foremost researches in the area of cyber-bullying: Dr. Justin Patchin of the University of Wisconsin—Eau Claire, who is co-director of the CyberBullying Research Center (www.cyberbullying.us). In a paper on their website, *The Current State of Cyberbullying Research: A Brief Summary*, the Center provides the following information:

- Anywhere from 15-35% of teens have experienced some form of cyberbullying, depending on who is sampled and how cyberbullying is defined and measured (see chart with our rates here). Some studies report lower or much higher rates, but we feel reasonably confident in estimating that about 20% of teens have been the victim of cyberbullying at some point in their lifetime (Smith, Mahdavi, Carvalho, Fisher, Russell, & Tippett, 2008).
- Cyberbullying is related to low self-esteem, suicidal ideation, anger, frustration, and a variety of other emotional and psychological problems (Hinduja & Patchin, forthcoming; Patchin & Hinduja, 2006; Patchin & Hinduja, in review)
- Cyberbullying is related to other issues in the 'real world' including school problems, antisocial behavior, substance use, and delinquency (Hinduja & Patchin, 2007; Hinduja & Patchin, 2008)

And issue brief on *Suicide and Bullying* on the website of the Suicide Prevention Resource Center (http://www.sprc.org/sites/sprc.org/files/library/Suicide_Bullying_Issue_Brief.pdf) provides this additional information:

- Both victims and perpetrators of bullying are at a higher risk for suicide than their peers. Children who are both victims and perpetrators of bullying are at the highest risk (Kim & Leventhal, 2008; Hay & Meldrum, 2010; Kaminski & Fang, 2009).

- It is often the children most at risk for suicide who are bullied, which in turn further raises their risk of suicide (as well as of anxiety, depression, and other problems associated with suicidal behavior).
- A review of the research found that the relationship between bullying and suicide risk was stronger for LGB youth than for heterosexual youth (Kim & Leventhal, 2008).

For these reasons MHA urges you to support SB184.

Please feel free to contact me at 608-250-4368 or shelgross@tds.net if you have any questions.

Thank you.