



WISCONSIN LEGISLATIVE COUNCIL
PROPOSED REPORT TO THE LEGISLATURE

SPECIAL COMMITTEE ON
CHARTER SCHOOLS

July 19, 2007

PRL 2007-16

Special Committee on Charter Schools

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July 19, 2007

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PART I

NO RECOMMENDATION

The Special Committee on Charter Schools has permanently adjourned. The Special Committee makes no recommendation.

The Special Committee held five meetings. The first two focused on receiving background information and recommendations for amending charter school law. The next two meetings focused on developing and reviewing preliminary bill drafts that would expand the number of entities authorized to create independent charter schools and create an appeals process for decisions relating to denial of a charter request and nonrenewal of an existing charter.

A preliminary bill draft (WLC: 0087/1) was prepared for consideration at a fifth meeting. The bill draft would have done the following:

- Permitted the following additional entities to establish independent charter schools: all University of Wisconsin campuses (including two-year college campuses); all technical college district boards; cooperative educational service agencies; and accredited private colleges and universities.
- Created a process to request that a charter school be established.
- Created a process to appeal a decision not to establish a charter school or not to renew a charter.

On June 12, 2007, the Joint Legislative Council adopted a motion to give the committee until July 15, 2007 to complete its work and to dissolve the committee if its work was not completed by that date.

The fifth meeting of the committee was held on June 25, 2007 to consider WLC: 0087/1. Because a quorum was not present, the committee could take no action. Based on the availability of committee members, it was not possible to schedule a subsequent meeting of the committee before the July 15 deadline. Therefore, the committee has been dissolved and makes no recommendation.

PART II

COMMITTEE ACTIVITY

Assignment

The Joint Legislative Council established the Special Committee on Charter Schools and appointed the chairperson by a June 9, 2006 mail ballot. The Special Committee was directed to study current state laws relating to charter schools and to develop proposed legislation for new charter schools to be created and to improve the ability of charter schools to serve pupils. The committee was authorized to examine funding of charter schools, including providing funding for technology in charter schools and financing of charter school facilities; accountability for charter school pupil performance; transportation of pupils to charter schools; the types of entities that may establish or contract for the establishment of charter schools; the types of entities with which a chartering entity may contract to operate a charter school; benefits provided to charter school employees; the process by which charter schools are established or a contract is renewed or terminated; benefits or protections provided to other schools that may be expanded to apply to charter schools; and other issues relating to modernizing charter school law.

Membership of the Special Committee, appointed by an August 1, 2006 mail ballot, consisted of two Senators, three Representatives, and 11 public members. A list of committee members is included as *Appendix 2* to this report.

Summary of Meetings

The Special Committee held five meetings in Madison on the following dates:

September 26, 2006
October 17, 2006
November 28, 2006
December 19, 2006
June 25, 2007

At the September 26, 2006 meeting, the Special Committee heard testimony from a number of invited speakers, including staff from the Department of Public Instruction and the Legislative Fiscal Bureau. In addition, **Todd Ziebarth**, Senior Policy Analyst with the National Alliance for Public Charter Schools, and **Senn Brown**, Executive Secretary of the Wisconsin Charter School Association, testified on national trends in charter schools and possible changes in Wisconsin law relating to charter schools. The committee also discussed and planned possible presentations for future meetings.

At the October 17, 2006 meeting, **Ted Kolderie**, Center for Policy Studies, and **Joe Graba**, Hamline University, Minnesota, discussed the history and purpose of charter schools and, in particular, discussed Minnesota charter school law. **Sheri Krause**, Legislative Services Coordinator, Wisconsin Association of School Boards (WASB), explained WASB's position with respect to charter schools and indicated that WASB generally supports charter schools if they are authorized by school boards but has concerns about independent charter schools. **Russ Allen**, Wisconsin Education Association Council (WEAC), explained that WEAC supports charter schools but is opposed to the expansion of independent charter schools.

The committee briefly discussed its study assignment, and Chairperson Vukmir indicated that she wanted the committee to focus on two or three issues in its recommendations, which she thought should include creating an appeals process when a charter is denied, revoked, or nonrenewed and permitting additional entities to authorize independent charter schools.

At the November 28, 2006 meeting, the Special Committee heard testimony from representatives of the Department of Employee Trust Funds on issues relating to having charter school employees participate in the Wisconsin Retirement System (WRS).

In addition, the committee reviewed papers relating to allowing additional entities to authorize charter schools and relating to creating an appeals process for charter school decisions made by school boards and other entities. The committee did not reach any final conclusions but asked that preliminary bill drafts be prepared for review at the next meeting.

At the December 19, 2006 meeting, the Special Committee discussed two preliminary bill drafts. The first (WLC: 0030/1) would have permitted additional entities to establish independent charter schools. The second (WLC: 0031/1) would have created a process to appeal a decision not to establish a charter school or not to renew a charter. The committee requested modifications to both drafts to review at the committee's next meeting and asked that the two drafts be combined into one draft. The committee also decided not to pursue the issue of making employees of a charter school that is not an instrumentality of a school district eligible under the WRS. (A subsequent meeting was scheduled for April 9, 2007 but was cancelled due to scheduling conflicts.)

At the June 25, 2007 meeting, the Special Committee was to consider the combined draft (WLC: 0087/1). However, because a quorum was not present, the committee could take no action.

Joint Legislative Council

[Joint Legislative Council Members Who Selected and Appointed Committee and Its Membership]

Co-Chair

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This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the co-chairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.

Joint Legislative Council

[Current Joint Legislative Council Members Receiving Committee Report]

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This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the co-chairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.

Special Committee on Charter Schools

Representative Leah Vukmir, Chair
2544 North 93rd Street
Wauwatosa, WI 53226

Senator Ted Kanavas
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Representative Christine Sinicki
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301 W. Coventry Ct. #116
Glendale, WI 53217

STUDY ASSIGNMENT: The committee is directed to study current state laws relating to charter schools and to develop proposed legislation for new charter schools to be created and to improve the ability of charter schools to serve pupils. The committee may examine funding of charter schools, including providing funding for technology in charter schools and financing of charter school facilities; accountability for charter school pupil performance; transportation of pupils to charter schools; the types of entities that may establish or contract for the establishment of charter schools; the types of entities with which a chartering entity may contract to operate a charter school; benefits provided to charter school employees; the process by which charter schools are established or a contract is renewed or terminated; benefits or protections provided to other schools that may be expanded to apply to charter schools; and other issues relating to modernizing charter school law.

16 MEMBERS: 2 Senators, 3 Representatives, and 11 Public Members.

LEGISLATIVE COUNCIL STAFF: Joyce L. Kiel and Russ Whitesel, Senior Staff Attorneys; and Kelly Mautz, Support Staff.

Appendix 3

Committee Materials List

(Copies of documents are available at www.legis.state.wi.us/lc)

June 25, 2007 Meeting (no quorum)	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • WLC: 0087/1, relating to permitting additional entities to establish charter schools and creating a process to request consideration be given to establishing a charter school, a process to request that a charter school be established, and a process to appeal a decision not to establish a charter school or not to renew a charter. • A map to the Legislative Council Staff offices. • Letter from Public Member Noelle Mudrak (June 22, 2007). 				
June 12, 2007 Joint Legislative Council Meeting				
<ul style="list-style-type: none"> • Memorandum to the Joint Legislative Council, from Representative Leah Vukmir, Chair, Special Committee on Charter Schools, regarding status of the Special Committee on Charter Schools (6/5/07) 				
April 9, 2007 Meeting [CANCELED]	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • WLC: 0087/1, relating to permitting additional entities to establish charter schools and creating a process to request consideration be given to establishing a charter school, a process to request that a charter school be established, and a process to appeal a decision not to establish a charter school or not to renew a charter. 				
December 19, 2006 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • Memo No. 4, <i>Draft Legislation to Authorize Additional Entities to Establish Charter Schools</i> (December 11, 2006) <ul style="list-style-type: none"> ◦ WLC: 0030/1, relating to permitting additional entities to establish charter schools • WLC: 0031/1, relating to creating a process to request that consideration be given to establishing a charter school and a process to appeal a decision not to establish a charter school or not to renew a charter school • Members of Wisconsin Association of Independent Colleges and Universities • List, of colleges and schools accredited by the Higher Learning Commission • Internal Revenue Service letter, relating to Minnesota retirement plan, distributed by Department of Employee Trust Funds • Memorandum, <i>Charter school inquiries to the Institute for the Transformation of Learning's offices</i>, from Public Member Cindy Zautcke 				
November 28, 2006 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • Memo No. 2, <i>Creating an Appeal Process for Denial, Nonrenewal, and Revocation of a Charter</i> (November 20, 2006) • Memo No. 3, <i>Expanding the Entities Which May Authorize Charter Schools</i> (November 21, 2006) • Outline of remarks, by John Vincent, Administrator, Division of Trust Finance and Employer Services, and Bob Conlin, Director, Legislation, Communications, and Planning (November 28, 2006) 				
October 17, 2006 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • Report, <i>2003-2004 Legislative Report on Charter Schools</i>, DPI (August 2006) • Handout, <i>Authorizers and Appeals From Education Commission of the States Database "State Policies for Charter Schools"</i>, distributed by Todd Ziebarth, Senior Policy Analyst, National Alliance for Public Charter Schools • Handout, <i>Charter Law Provisions Regarding State Retirement Systems</i>, distributed by Todd Ziebarth, Senior Policy Analyst, National Alliance for Public Charter Schools • Remarks, <i>The Importance of Innovation in Chartering</i>, by Ted Kolderie and Joe Graba, Education/Evolving (October 17, 2006) • Memo, <i>WASB Charter School Position</i>, from Sheri Krause, Legislative Services Coordinator, Wisconsin Association of School Boards (October 17, 2006) • Written testimony, submitted by Russ Allen, Wisconsin Education Association Council (October 17, 2006) 				

September 26, 2006 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> • Memo No. 1, <i>Background Information About Charter School Law and Charter Schools in Wisconsin</i> (September 11, 2006) <ul style="list-style-type: none"> ○ Section 118.40, Stats. ○ Wisconsin Charter Schools Yearbook 2005-2006, published by the Wisconsin Department of Public Instruction ○ Charter Schools, Informational Paper 31, Legislative Fiscal Bureau (January 2005) • Presentation, by Brian Pahnke, Assistant State Superintendent, Department of Public Instruction (DPI) • Presentation, by Robert Soldner, School Management Services Director, DPI • Presentation, by David Loppnow, Legislative Fiscal Bureau (September 26, 2006) • Testimony, by Senn Brown, Executive Secretary, Wisconsin Charter Schools Association (September 26, 2006) • Presentation, by Todd Ziebarth, Senior Policy Analyst, National Alliance for Public Charter Schools (September 26, 2006) 				