STR14: Charter Schools WLC: 0020/2

DLL:jal 11/04/2014

- AN ACT to amend 118.40 (2r) (a); and to create 118.40 (2r) (a) 2. and 118.40 (2r) (b)
- 2 1. e. of the statutes; **relating to:** authorizing a tribal college to sponsor a charter
- 3 school.

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

Joint Legislative Council's Special Committee on State—Tribal Relations. Under current law, a school district may contract with another entity to operate a charter school within the district. The process may be commenced by a petition by the teachers of a school or of the district or on the school board's own initiative. If approved, the proposed charter school is established by a contract between the school board and the charter school operator. In addition, the common council of the city of Milwaukee, the chancellor of the University of Wisconsin (UW)—Milwaukee, the chancellor of the UW—Parkside, and the Milwaukee area technical college district board may initiate a contract for the operation of a charter school. This draft authorizes a tribal college to initiate a contract for the operation of a charter school and creates a definition of "tribal college".

- 4 Section 1. 118.40 (2r) (a) of the statutes is amended to read:
- 5 118.40 (2r) (a) In this subsection, "instructional:
- 6 <u>1. "Instructional</u> staff" has the meaning given in the rules promulgated by the department under s. 121.02 (1) (a) 2.
- 8 SECTION 2. 118.40 (2r) (a) 2. of the statutes is created to read:
- 9 118.40 (2r) (a) 2. "Tribal college" means an accredited college operated or controlled
- by a federally-recognized American Indian tribe or band in this state [that meets the
- 11 requirements of 25 USC 1804].

**Note:** This definition includes optional language in brackets. Without the bracketed language, the definition is substantially the same as the

definition of "tribally controlled college or university" in the chapter of the U.S. code of that same title, except that it requires that the college be accredited.

The bracketed language limits the definition to colleges eligible for federal funding under that same chapter. 25 USC 1804, referenced in the bracketed language, establishes that, to be eligible for that funding, a tribal college must meet all of the following conditions:

- It is governed by a board of directors or board of trustees a majority of which are Indians.
- It demonstrates adherence to stated goals, a philosophy, or a plan of operation which is directed to meet the needs of Indians.
- If in operation for more than one year, it has students a majority of whom are Indians.
- It is accredited by a nationally recognized accrediting agency or association determined by the Secretary of Education to be a reliable authority with regard to the quality of training offered or, according to such an agency or association, is making reasonable progress toward accreditation.
- SECTION 3. 118.40 (2r) (b) 1. e. of the statutes is created to read:
- 2 118.40 (**2r**) (b) 1. e. A tribal college.

3 (END)