



# Charter Schools

Informational Paper 27

Wisconsin Legislative Fiscal Bureau

January, 2017



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# Charter Schools

The movement for charter schools emerged in the late 1980s as a strategy for education reform. Minnesota initiated the first charter school law in 1991 and California followed suit in 1992. In 1993, Wisconsin was one of six states to pass charter school legislation, enacted as part of the 1993-95 state budget (1993 Act 16). As of 2016, 43 states and the District of Columbia had enacted some type of charter school legislation.

While the specific provisions of charter school legislation vary widely among the states that have enacted it, certain characteristics are generally associated with charter schools. Charter schools are usually exempt from most laws and rules governing traditional public schools. In some cases, charter schools may also be exempt from a sponsoring school district's policies. However, it is generally required that charter schools be free of tuition, be nonsectarian, have nonselective admission policies, and abide by the same health, safety, and nondiscrimination laws that apply to non-charter schools. A public authority or sponsor, such as a local or state educational agency, usually has oversight or approval responsibilities, but a charter school may be operated by a separate entity such as a corporation or a group of teachers or parents. The school may be legally or fiscally autonomous, or it may remain a part of the school district. The schools are operated under a limited-term contract, or charter, which the sponsoring agency can revoke or not renew upon expiration.

Charter school legislation is intended to accomplish four primary objectives: (a) to encourage the development and implementation of innovative teaching methods through increased flexibility and freedom from regulations; (b) to improve the educational system as a whole by increasing competition for pupils among schools; (c) to provide increased accountability for ac-

complishing educational goals; and (d) to offer additional educational options to pupils and parents.

This paper provides a description of charter school law and charter school funding as it applies to charter schools authorized by local school boards, including virtual charter schools, and by independent charter school authorizers. The appendix to this paper lists the charter schools that operated in the state in the 2015-16 school year.

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## Charter School Law

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### **Establishment of School District Charters.**

An unlimited number of charter schools may be established by school districts in the state. There are two methods under which local school boards may authorize charter schools.

First, a school board may, on its own initiative, contract to operate a school as a charter school. Under this process, a board may convert all of the district's schools to charter schools as long as the board provides alternative public school attendance arrangements for pupils who do not wish to attend or are not admitted to a charter school. 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, the board must hold a public hearing on the contract. At the hearing, the board must consider employee and parental support for the charter school and the fiscal impact of the charter school on the district.

Second, a school board may authorize the establishment of a charter school upon receipt and approval of a written petition requesting the board

to do so. The petition must be signed by at least 10% of the teachers employed by the district or by at least 50% of the teachers employed at one school in the district.

The petition must include the following 15 provisions:

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

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

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

4. The methods the school will use to enable pupils to attain the state's statutory educational goals and expectations related to academic skills and knowledge, vocational skills, citizenship, and personal development.

5. The method by which pupil progress in attaining the state's educational goals and expectations will be measured.

6. The governance structure of the school, including the method to be followed by the school to ensure parental involvement.

7. The qualifications that must be met by the individuals to be employed in the school.

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

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

10. The requirements for admission to the school.

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

12. The procedures for disciplining pupils.

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

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

15. The effect of the establishment of the charter school on the liability of the school district.

The board must hold a public hearing within 30 days of receiving the petition. At the hearing, the board must consider the level of employee and parental support for the school and the fiscal impact of the charter school on the district. After the hearing, the board may grant the petition.

A school board may grant a petition to convert all of the district's schools to charter schools if the petition is signed by at least 50% of the district's teachers and 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 Board of Directors of the Milwaukee Public Schools (MPS) is required to grant or deny a charter school petition within 30 days after a public hearing. If the MPS Board denies the petition, the person seeking to establish the charter school may, within 30 days after the denial, appeal the decision to the Department of Public Instruction (DPI). The Department must issue a decision within 30 days after receiving the appeal. This decision is final and not subject to judicial review.

**Establishment of Independent Charter Schools.** Statutes also allow certain entities to contract to operate a charter school. Under 1997 Act 27, the Common Council of the City of Milwau-

kee, the Chancellor of the University of Wisconsin-Milwaukee (UWM), and the Milwaukee Area Technical College (MATC) District Board were authorized to operate, or contract to operate, charter schools. The Chancellor of the University of Wisconsin-Parkside was authorized to operate, or contract to operate, one charter school under 2001 Act 16.

Prior to 2015 Act 55, there were a number of restrictions on these independent charter authorizers who had previously been allowed to authorize schools. Under prior law, approval of the Board of Regents was required for charter schools established by UW-Milwaukee and UW-Parkside. UW-Milwaukee could establish schools in Milwaukee County or in an adjacent county. Schools chartered by the City of Milwaukee had to be located in the City. UW-Parkside could establish one school located in a unified school district in the county in which UW-Parkside (Racine County) is located or in an adjacent county. That school could not operate high school grades and had an enrollment limit of 480 pupils. Pupils residing in Milwaukee County or in an adjacent county could attend any of these charter schools. All of these restrictions were deleted under Act 55. As a result of these changes, there are no geographic restrictions within the state on where prior law authorizers can locate a school or on which pupils can attend these schools.

Under 2015 Act 55, independent charter school authorizers are required to contract to operate a charter school, rather than operating the school directly. A prior law authorizer that was operating a school itself immediately prior to the effective date of the act (July 14, 2015) is permitted to continue to do so.

Under 2015 Act 55, five new entities are allowed to authorize independent charter schools: (a) the Office of Educational Opportunity (OEO) in the UW System; (b) the Gateway Technical College District Board; (c) the College of Menominee Nation; (d) the Lac Courte Oreilles Ojibwa

Community College; and (e) the County Executive of Waukesha County. As of the 2016-17 school year, none of these entities have authorized charter schools.

The Director of the OEO may contract for the establishment of charter schools located only in school districts with membership over 25,000 pupils (currently Milwaukee and Madison).

The Gateway Technical College District Board may authorize charter schools located only in the district. Only pupils who reside within the boundaries of the district or in a county adjacent to the district may attend these charter schools. The Board may authorize charter schools only if the school operates high school grades only and provides a curriculum focused on science, technology, engineering, and mathematics, or occupational education and training. The technical college is allowed to employ instructional staff for the charter school.

The two tribal colleges can authorize up to a total of six charter schools between them, with no geographic limitation on the location of the schools.

The County Executive of Waukesha County can authorize charter schools located in Waukesha County.

In the 2015-16 school year, 13 schools operated under UWM's chartering authority, 10 schools operated under the City's authority, and one operated under the UW-Parkside's authority. These schools are listed in the appendix to this paper.

**Authorizing Entity Duties.** A school board or an independent charter school authorizer is required to:

1. Solicit and evaluate charter school applications.

2. Adhere to the principles and standards for quality charter schools established by the National Association of Charter School Authorizers when contracting for the establishment of a charter school.

3. Give preference in awarding contracts for the operation of charter schools to those charter schools that serve children at risk.

4. Approve only high-quality charter school applications that meet identified educational needs and promote a diversity of educational choices.

5. Notify DPI of its intention to create a charter school. The notice must include a description of the proposed school. An independent charter authorizer is required to do so by February 1 of the previous school year. The Department does not have the authority to approve or deny charter school notifications.

6. Monitor the performance and compliance with state charter school law of each charter school with which it contracts, in accordance with the terms of each charter school contract.

7. Submit an annual report to the State Superintendent and Legislature that includes the following information:

a. An identification of each charter school operating under contract with the authorizer, each charter school that operated under contract with the authorizer but had its contract nonrenewed or revoked or that closed, and each charter school under contract with the authorizer that has not yet begun to operate.

b. The academic and financial performance of each charter school operated under contract with the authorizer.

c. The operating costs of the school board or independent charter school authorizer incurred under its required duties, detailed in an audited

financial statement prepared in accordance with generally accepted accounting principles.

d. The services that the school board or independent charter school authorizer has provided to the charter schools under contract with it and an itemized accounting of the costs of the services.

**Charter School Contract.** If a charter school is established through the petition process, the school board is required to contract with the person named in the petition to operate the school. The contract must include all of the provisions specified in the petition and may include other provisions agreed upon by the parties. If a charter school is established on the initiative of the school board, the contract must include the 15 provisions required to be a petition for a charter and may include other provisions agreed upon by the parties.

A school board generally may not enter into a contract for the establishment of a charter school located outside the district. If two or more school boards enter into a contractual agreement to establish a charter school, the school must be located in one of the establishing districts. If one or more school boards enter into an agreement with the board of control of a cooperative educational service agency (CESA) to establish a charter school, the school must be located within the boundaries of the CESA. If a school board enters into an agreement with a federally-recognized American Indian tribe or band in the state to establish a charter school, the school must be located within the district or within the boundaries of the tribe's or band's reservation.

A school board may not enter into a contract that would result in the conversion of a private sectarian school to a charter school.

A charter school contract may be for any term not exceeding five school years and can be renewed for one or more terms not exceeding five school years. The contract must specify the amount to be paid to the charter school during



each year of the contract.

A contract with a school board or independent charter school authorizer may provide for the establishment of more than one charter school, and a charter school governing board may enter into more than one contract with a school board or an independent charter school authorizer.

A charter for an independent charter school is required to include all of the items for a petition to establish a charter school by a school board, except: (a) the name of the person who would operate the charter school; (b) the name of the person who would be in charge of the charter school and the manner in which administrative services would be provided; and (c) the effect of the establishment of the charter school on the liability of the school district. A contract to operate an independent charter school is required to include all of the items required for a petition to establish a charter school by a school board with one exception. Instead of including a description of the effect of the establishment of the charter school on the liability of the school district, the contract must specify the effect of the establishment of the charter school on the liability of the authorizing entity. A contract may include other provisions agreed to by the parties.

A charter or contract for an independent charter school may include grounds for expelling a pupil from the school. If the charter or contract includes those grounds, it must include the procedures to be followed by the school prior to expelling a pupil.

Under 2015 Act 55, the contracts between the governing boards of independent charter schools and their authorizers are also required to include the following, with one exception for one authorizer noted below:

1. A requirement that a charter school governing board adhere to specified annual academic and operational performance standards developed

in accordance with the performance framework of the entity with which it is contracting.

2. Provisions detailing the corrective measures the charter school governing board will take if the charter school fails to meet performance standards.

3. A provision allowing the governing board to open one or more additional charter schools if all of the charter schools operated by the governing board were assigned one of the top two performance categories in the most recent school accountability report published by DPI and, if the charter school governing board opens one or more additional charter schools, the existing contract applies to the new school or schools unless the parties agree to amend the existing contract or enter into a new contract. (This provision does not apply to charter schools authorized by the Director of the OEO.)

4. The methodology that will be used by the charter school governing board to monitor and verify pupil enrollment, credit accrual, and course completion.

5. A requirement that the authorizing entity have direct access to pupil data.

6. A description of the administrative relationship between the parties to the contract.

7. A requirement that the charter school governing board hold parent-teacher conferences at least annually.

8. A requirement that if more than one charter school is operated under the contract, the charter school governing board report to the authorizing entity on each charter school separately.

9. A requirement that the charter school governing board provide the data needed by the authorizing entity for purposes of making the required annual report to the State Superintendent

and Legislature.

10. A requirement that the charter school governing board participate in any training provided by the authorizing entity.

11. A description of all fees the authorizing entity will charge the charter school governing board.

A school board or independent charter school authorizer may enter into a contract for the establishment of a charter school that enrolls only one sex or that provides one or more courses that enroll only one sex if the school board or independent charter school authorizer makes comparable schools or courses available to the opposite sex under the same policies and criteria of admission.

Under 2015 Act 55, a contract with a school board or independent charter school authorizer must specify that if the capacity of the charter school is insufficient to accept all pupils who apply, the charter school would have to accept pupils at random. Act 55 also requires that a charter school give preference in enrollment to pupils who were enrolled in the charter school in the previous school year, and to siblings of pupils who are enrolled in the charter school. Charter schools are allowed by law to give preference in enrollment to the children of the charter school's founders, governing board members, and full-time employees, but the total number of such children given preference can be no more than 10% of the charter school's total enrollment.

**Legal Status.** The law specifies, with one exception, that the school board of the school district in which a charter school is located determines whether or not the charter school is an instrumentality of the district. If the board determines that the charter school is an instrumentality of the district, the board must employ all personnel for the charter school. If the board decides the charter school is not an instrumentality of the district, the board cannot employ any personnel for the charter

school. The exception to this provision specifies that an independent charter school or a private school located in MPS which is converted to an MPS charter school is not an instrumentality of MPS. Therefore, MPS cannot employ any personnel for such a charter school.

Under 2015 Act 55, independent charter schools are considered local education agencies (LEAs) for the purpose of federal law, and as such are eligible for funding as LEAs and are required to comply with all federal requirements of LEAs. In general, independent charter schools cannot be instrumentalities of any district and no school board may employ any personnel for these charter schools. However, any charter school authorized by the City of Milwaukee that is established and operated by a for-profit entity must be an instrumentality of MPS and all staff employed by the charter school must be employees of MPS.

**Charter School Governing Boards.** A charter school is required by law to be governed by a governing board that is a party to the contract with the authorizing entity. No more than a minority of the governing board's members may be employees of the charter school or employees or officers of the school district in which the charter school is located.

Subject to the terms of its contract, a charter school governing board has all the powers necessary to carry out the terms of its contract, including the following:

1. To receive and disburse funds for school purposes.
2. To secure appropriate insurance.
3. To enter into contracts, including contracts with a University of Wisconsin institution or college campus, technical college district board, or private college or university, for technical or financial assistance, academic support, curriculum review, or other services.

4. To incur debt in reasonable anticipation of the receipt of funds.

5. To pledge, assign, or encumber its assets to be used as collateral for loans or extensions of credit.

6. To solicit and accept gifts or grants for school purposes.

7. To acquire real property for its use.

8. To sue and be sued in its own name.

A charter school governing board may not charge tuition, with an exception for out-of-state pupils enrolled in virtual charter schools, which is described below.

A charter school governing board is prohibited from discriminating in admission or denying participation in any program or activity on the basis of a person's sex, race, religion, national origin, ancestry, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability, with an exception for single-sex schools or classes previously described.

A charter school governing board must be non-sectarian in its programs, admission policies, employment practices and all other operations.

If a charter school replaces a public school, in whole or in part, the charter school governing board must give preference in admission to any pupil residing within the current or former attendance area of that public school.

**Charter School Requirements.** Charter schools are subject to all federal laws governing education, including the Elementary and Secondary Education Act and the Individuals with Disabilities Education Act. Unless specified in statute, charter schools are not subject to the provisions of Chapters 115 through 121 of the Wisconsin Statutes, which are generally the provisions that gov-

ern K-12 education. Charter schools are required to:

a. Administer state standardized pupil assessments, including the civics assessment required for high school graduation, to pupils in the required grade levels.

b. Adopt pupil academic standards in mathematics, science, reading and writing, geography, and history.

c. Develop and enforce a policy specifying criteria for promoting a pupil from 4<sup>th</sup> grade to 5<sup>th</sup> grade, from 8<sup>th</sup> grade to 9<sup>th</sup> grade, and for granting a high school diploma. A charter school cannot promote a pupil from 4<sup>th</sup> to 5<sup>th</sup> grade or from 8<sup>th</sup> grade to 9<sup>th</sup> grade unless the pupil satisfies the promotion criteria, and cannot grant a high school diploma unless the pupil has satisfied these criteria.

d. Be included in a school district's annual school performance report, DPI school accountability reports, and the statewide student information system.

e. Participate in the DPI educator effectiveness evaluation system or an alternative process in accordance with DPI administrative rule.

f. Assess pupils in pupils enrolled in four-year-old kindergarten through second grade for reading readiness.

g. Provide to the parent of each enrolled pupil a list of the educational options available to children who reside in the pupil's resident school district.

h. Ensure that all of the school's instructional staff hold a license or permit to teach issued by DPI.

The Department has promulgated an administrative rule defining "instructional staff" to mean

all professional employees who have direct contact with students or with the instructional program of the school, including teachers, librarians, pupil services staff and administrative staff who supervise licensed staff.

In addition, DPI has established, by rule, a charter school instructional staff license. This license may be issued to an individual who holds a valid Wisconsin teaching license issued by DPI, and authorizes that individual to teach any grade or any subject outside his or her teaching license in a non-virtual charter school. An individual assigned to teach a core academic subject in a non-virtual charter school must verify that he or she has done one of the following: (a) completed a major or minor from a regionally-accredited institution in the assigned core academic subject; (b) passed a content knowledge exam prescribed by DPI in the core academic subject; or (c) demonstrated knowledge and competence in the assigned core academic subject based on an assessment process approved by DPI. An individual assigned to teach a subject that is not considered a core academic subject is eligible for this license without verification of those criteria. A charter school instructional staff license has the same term as the applicant's valid initial or professional teaching license. The license term for those holding a master educator or life license may not exceed five years.

A one-year charter school instructional staff license may be issued to an applicant who holds a valid teaching license but has not demonstrated content knowledge in a core academic subject area. The license may be issued for any assigned grade level and any assigned subject in a non-virtual charter school. To receive this one-year license, a district administrator or designated official of the employing school district or charter school must request a license on behalf of the applicant following a search for a qualified, licensed individual. This license is renewable for one-year periods if the applicant is making adequate progress toward eligibility for the charter school in-

structional staff license with verification that he or she has earned six semester credits each licensure term toward a content minor in his or her assigned teaching area until such time that one of the three criteria listed above for the license has been completed.

Under 2013 Act 20, DPI is required to grant a three-year charter school teaching license to any person who has a bachelor's degree and demonstrates, based upon criteria established by DPI, that the person is proficient in the subjects that he or she intends to teach. The license authorizes the person to teach those subjects in a charter school, and is valid for three years and renewable for three-year periods. Under DPI rule, an applicant must demonstrate proficiency by verifying, for their assigned academic subjects, one of three criteria listed above for the charter school instructional staff license.

**Pupil Rights.** No pupil may be required to attend a charter school without the approval of his or her parents or legal guardian, or the pupil's approval if the pupil is an adult.

**Transportation.** Charter schools are not required, under current law, to provide transportation for their pupils. Similarly, the law does not specifically include charter pupils among the pupils that school districts are required to transport. However, if the parties agree, then the contract between a charter school and school board or an independent charter school authorizer may provide for the transportation of charter school pupils.

**Charter Revocation.** A school board or independent charter school authorizer can revoke a contract with a charter school if the board or authorizer finds that any of the following occurred: (a) the school violated the contract; (b) the school's pupils failed to make sufficient progress toward attaining the state's educational goals and expectations; (c) the school failed to comply with generally accepted accounting standards of fiscal management; or (d) the school violated the charter

school law.

## **Virtual Charter School Provisions**

**Virtual Charter School Requirements.** A virtual school is defined in statute as one in which all or a portion of instruction is provided on the Internet, and pupils and staff are geographically remote from each other. In the 2015-16 school year, 35 virtual charter schools (authorized by 30 school districts) enrolled a total of over 6,300 pupils. These virtual charter schools are marked with an asterisk in the list of charter schools in the appendix to this paper.

Access to instructional staff is provided by the virtual schools, but pupils generally complete work independently under the supervision of their parents. Teachers in virtual charter schools must be appropriately licensed by DPI in the subject and grade level for each virtual course taught. DPI is prohibited by law from requiring professional development for an appropriately-licensed person teaching in a virtual charter school that would not otherwise be required for a similarly-licensed person teaching outside of a virtual charter school. Anyone providing educational services to a virtual charter pupil in the pupil's home who is not instructional staff employed by the school, including the pupil's parent or guardian, is not required to hold a license or permit to teach issued by DPI.

Virtual charter schools are required to provide educational services to pupils at least 150 days each school year, and instructional staff duties are enumerated in statute. Teachers must be available for direct instruction for at least the same number of hours of instruction as are required for regular public school pupils, which varies by grade level, but no more than 10 hours per day can count towards this requirement. Teachers in virtual charter schools must respond to any inquiries by pupils and parents within one full school day. Pupils are required to participate in state pupil assessments.

The governing body of a virtual charter school must establish a parent advisory council that meets regularly. At the beginning of each school term, the governing body must inform its pupils' parents in writing of the names of, and how to contact, the school's staff and the members of the school's governing body, authorizing school board, and parent advisory council.

A virtual charter school is considered to be located in the school district that contracts for the establishment of the school. If a district enters into an agreement with another district or CESA to establish a virtual charter, the school is considered to be located in the district specified under that agreement. If the virtual charter enrolls pupils from outside the school district, other specified requirements under the open enrollment program also apply.

**Virtual Charter School Restrictions.** Independent charter school authorizers are prohibited from establishing virtual charter schools. Like other charter schools, virtual charters are prohibited from charging tuition, except that virtual operators are required to charge tuition to out-of-state pupils enrolled in the school, in an amount equal to at least the open enrollment payment amount.

Pupils attending a virtual school are not subject to the usual compulsory school attendance requirements, but are subject to specified requirements regarding participation. Statutes define the equivalent of excused absences for virtual charter school pupils. If a pupil fails to adequately participate in the virtual school, the pupil may be transferred back to his or her resident district, or, if attending a virtual school within the resident district, to another school or program within that district. A parent or guardian may appeal such transfers to DPI.

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## Charter School Funding

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The way in which charter schools are funded differs based on the authorizing entity. Charter schools authorized by a school board receive funding in a manner similar to other public schools, based on whether the pupils attending the schools are residents of the district or not. While independent charter schools receive per pupil funding in a similar manner, their effect on the school finance system depends on whether or not the authorizing entity had chartering authority prior to 2015 Act 55.

**School District Charters.** For a charter school authorized by a school district, the contract between the school board and the person operating the charter school must specify the amount to be paid to the charter school during each school year of the contract. The contract costs are aidable under the equalization formula.

Resident pupils enrolled in a charter school are counted by the school district for revenue limits and general aid purposes. Nonresident pupils may enroll in a charter school through the open enrollment program. Under open enrollment, a pupil may attend a public school outside his or her district of residence, provided the pupil's parent complies with certain application procedures and the applicable acceptance criteria are met. The district of residence counts an open-enrolled pupil for revenue limit and general school aid purposes. The nonresident district operating the charter receives a statutorily-determined per pupil transfer amount, which is equal to \$6,748 in 2016-17. [For more information on this program, see the Legislative Fiscal Bureau's informational paper entitled, "Open Enrollment Program."]

As a result, a "brick and mortar" charter school that enrolls mostly resident pupils is funded in a manner similar to a traditional non-charter school operated by the district. Conversely, for a virtual

charter school that enrolls a large number of non-resident pupils, the contract costs for the services of the private curriculum provider can be primarily funded by the open enrollment payments received from the pupils' school districts of residence.

**Independent Charter Schools.** DPI is required to pay the operators of an independent charter schools (with the exception of tribal college charters) a statutorily-specified amount per pupil. In 2016-17, that payment is \$8,188 per pupil. Under current law, the per pupil payment is indexed, so that the payment in a given year is equal to the sum of the amount paid per pupil in the previous year plus the per pupil revenue limit adjustment for the current year, if positive, plus the change in the amount of statewide categorical aid per pupil between the previous year and the current year, if positive. The per pupil payment for a tribal college charter school will be an amount equal to the per pupil academic base funding provided to tribal schools by the federal Bureau of Indian Education in the previous school year.

DPI is required to make payments equal to 25% of the total due to each school in September, December, February and June of each school year and send the check to the operator of the charter school. For payment purposes, independent charter pupils are counted on a full-time equivalency (FTE) basis, rather than a headcount basis. By statute, pupils in grades 1-12 are generally counted as 1.0 FTE pupil, while kindergarten pupils are counted as fractions of a pupil, generally based on the amount of educational programming provided.

Payments for the independent charter school program (with the exception of payments to schools authorized by the Director of the OEO) are funded from a sum sufficient appropriation from the general fund. Payments to charter schools authorized by the OEO are made from a separate sum sufficient general fund appropria-

tion.

By law, DPI is required to proportionally reduce the general school aid for which each school district is eligible by an amount totaling the estimated payments for schools chartered by prior law authorizers who had that authority prior to 2015 Act 55 (UW-Milwaukee, the City of Milwaukee, and UW-Parkside). For the October 15, 2016, general school aid distribution, each district's general aid was reduced by nearly 1.4% in 2016-17 to generate a statewide amount equal to the estimated \$62.2 million in independent charter school program expenditures for that year.

A school district's revenue limit calculation is not affected by the aid reduction for independent charter schools established by prior law authorizers. Thus, a school district can increase its property tax levy to offset this aid reduction. Pupils in independent charter schools established by prior law authorizers are not counted by any school district for revenue limit and general aid purposes.

The table shows the number of FTE pupils, the per pupil payment, and program expenditures for the independent charter school program for each year since 1998-99. (The expenditures shown in the table include, for the relevant years, prior law payments from the independent charter school appropriation to the Racine Unified School District related to the number of pupils attending the UW-Parkside charter school who were previously enrolled in the District.)

Pupils that attend a charter school authorized by any of the five new authorizers under 2015 Act 55 will be counted by their district of residence for revenue limit and general aid purposes. DPI will reduce the district's general aid payment (and categorical aid, if necessary) in an amount equal to the total of the per pupil payments made for pupils residing in the district. Districts will not be allowed to levy to backfill, or replace, that aid reduction.

### Independent Charter School Program Expenditures

	FTE Pupils	Payment	Expenditures (In Millions)
1998-99	55	\$6,062	\$0.4
1999-00	193	6,272	1.2
2000-01	1,411	6,494	9.2
2001-02	2,046	6,721	13.8
2002-03	3,360	6,951	24.2
2003-04	3,601	7,050	26.7
2004-05	4,066	7,111	30.0
2005-06	4,473	7,519	34.8
2006-07	4,826	7,669	38.5
2007-08	5,487	7,669	43.5
2008-09	5,296	7,775	42.7
2009-10	6,124	7,775	49.7
2010-11	7,159	7,775	56.9
2011-12	6,863	7,775	54.4
2012-13	7,459	7,775	58.7
2013-14	7,964	7,925	63.1
2014-15	8,413	8,075	67.9
2015-16	8,807	8,079	71.2
2016-17	7,600*	8,188	62.2*

\*Estimated

**Categorical Aid Eligibility.** A charter school established by a school district may participate in categorical school aid and grant programs, but such participation needs to be included in the charter. A district-sponsored non-instrumentality charter school can be reimbursed for special education costs in the same manner as other types of charter schools, if the school board contracts with the charter school to provide special education services to pupils attending the school. A charter school must comply with all requirements associated with the categorical aid program in which it participates.

By statute, independent charter schools are also eligible for state special education, pupil transportation, and school lunch categorical aid, in addition to the per pupil payment, if they provide services that are eligible for reimbursement.

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## **Status of Wisconsin's Charter Schools**

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Since the inception of the charter school program through the 2015-16 school year, 437 charter schools have been created. A total of 195 schools subsequently closed due to funding issues, low enrollment, failure to meet academic goals, or other issues. In 2015-16, 242 charter schools were open, chartered by 102 authorizers. In total, enrollment in all types of charter schools was approximately 44,300 pupils in 2015-16.

According to DPI, 12 charter schools either closed or converted to regular public school status at the end of 2015-16, while six new charter schools opened for the 2016-17 school year, meaning that 236 charter schools were operating in the fall of 2016.

A comprehensive list of charter schools in operation in Wisconsin, including newly opened schools and those that have closed since the inception of the program, is published annually by DPI as the "Wisconsin Charter Schools Yearbook." This document can be found online at: [[dpi.wi.gov/sites/default/files/imce/sms/2015-16yearbook.pdf](http://dpi.wi.gov/sites/default/files/imce/sms/2015-16yearbook.pdf)]

Using the information drawn from that publication, the appendix lists the charter schools in operation in 2015-16 by school district or chartering authority. The September headcount enrollment of and grade levels operated by each charter school for that year are also shown. Virtual charter schools are marked with an asterisk in the appendix.



## APPENDIX

### Wisconsin Charter Schools 2015-16 School Year

<u>District/Authorizer</u>	<u>School Name</u>	<u>Enrollment</u>	<u>Grade Level(s)</u>
<b>School District Authorized Charter Schools</b>			
Albany	Albany Community Middle School	89	5-8
Appleton Area	Appleton Bilingual School	148	K-4
Appleton Area	Appleton Career Academy	111	9-12
Appleton Area	Appleton Central High School	101	6-12
Appleton Area	Appleton Public Montessori	158	K4-6
Appleton Area	Appleton Technical Academy	73	9-12
Appleton Area	Appleton eSchool *	14	7-12
Appleton Area	Classical School	477	K-8
Appleton Area	Fox River Academy	78	1-8
Appleton Area	Kaleidoscope Academy	347	6-8
Appleton Area	Odyssey-Magellan Charter School	171	3-8
Appleton Area	Renaissance School for the Arts	195	9-12
Appleton Area	Foster (Stephen) Elementary Charter School	306	PK-6
Appleton Area	Tesla Engineering Charter School	130	9-12
Appleton Area	Valley New School	65	7-12
Appleton Area	Wisconsin Connections Academy *	616	K-12
Ashland	Ashland Charter High School	43	9-12
Ashland	Ashland Elementary Charter School	69	3-5
Ashland	Oredocker Project School	66	6-8
Augusta	Wildlands Science Research Charter School	64	6-12
Barron Area	Advanced Learning Academy of Wisconsin *	67	K-12
Barron Area	Barron Area Montessori School	52	K4-4
Beloit	Roy Chapman Andrews Academy	45	6-12
Birchwood	Birchwood Blue Hills Charter School	17	7-12
Birchwood	Birchwood Public Montessori Charter School	46	K4-6
Birchwood	Bobcat Virtual Academy *	2	PK-12
Blair-Taylor	School of Science, Engineering & Technology (SoSet)	58	K-6
Butternut	Promethean Charter School	1	9-12
Cameron	Cameron Academy of Virtual Education (CAVE) *	82	K-12
Cameron	North Star Academy	37	9-12
Chequamegon	Class ACT	0	9-12
Chetek-Weyerhaeuser	Link2Learn Virtual Charter School *	63	K4-12
Columbus	Discovery Charter School	111	K-3
Cumberland	Island City Academy	37	7-12
Cumberland	Island City Virtual Academy *	13	K4-12
D C Everest Area	D C Everest Idea School	55	6-11
DeSoto Area	DeSoto Virtual School *	1	K-12
Denmark	Denmark Community School	35	7-12
Eau Claire Area	McKinley Charter School	126	6-12
Eau Claire Area	Chippewa Valley Montessori Charter School	293	K4-5

<u>District/Authorizer</u>	<u>School Name</u>	<u>Enrollment</u>	<u>Grade Level(s)</u>
Elkhorn Area	Elkhorn Options Virtual School *	67	K4-12
Elkhorn Area	Walworth Co Educ Consortium Alternative High	71	11-12
Fond du Lac	Fond du Lac STEM Academy	67	3-5
Fond du Lac	Fond du Lac STEM Institute	107	6-8
Gillett	CRE8 Charter School *	3	K4-5
Gillett	Gillett Occupation and Leadership GOAL Charter School *	17	6-12
Glenwood City	Transitional Skills Center	10	10-12
Grantsburg	iForward *	541	6-12
Green Bay Area	John Dewey Academy of Learning	77	8-12
Greendale	Time 4 Learning Charter School	100	K4
Hartland-Lakeside J3	Hartland School of Fine Arts Leadership Academy	67	K-2
Hayward Community	Hayward Center for Individualized Learning *	200	K4-12
Hayward Community	Northern Waters Environmental School	38	6-10
Highland	Highland Community Elementary School	150	K4-5
Highland	Highland Community High School	84	9-12
Highland	Highland Community Middle School	77	6-8
Hortonville	Fox West Academy	60	6-8
Janesville	ARISE Virtual Academy *	93	K-12
Janesville	Rock River Charter School	201	6-12
Janesville	Rock University High School	43	10-12
Janesville	TAGOS Leadership Academy	65	7-12
Kaukauna Area	New Directions Learning Community	240	K-4
Kaukauna Area	Park Community Charter School	230	1-4
Kenosha	Brompton School	214	K4-8
Kenosha	Dimensions of Learning Academy	220	K4-8
Kenosha	Harborside Academy	602	6-12
Kenosha	Kenosha School of Technology Enhanced Curriculum	973	K4-8
Kenosha	Kenosha eSchool K-12 *	111	K-12
Kettle Moraine	High School of Health Sciences	113	9-12
Kettle Moraine	KM Explore	133	K-5
Kettle Moraine	KM Global Charter School for Leadership and Innovation *	71	9-12
Kettle Moraine	KM School for Arts and Performance	161	9-12
Kewaskum	i4Learning Community School	99	K-5
Kiel Area	Kiel eSchool *	0	7-12
LaCrosse	Seven Rivers Community Charter High School	31	9-10
LaCrosse	Coulee Montessori Charter School	159	K4-8
LaCrosse	La Crosse Design Institute	55	6-8
LaCrosse	LaCrossroads Charter Schools (5)	50	9-12
LaCrosse	School of Technology & Arts (SOTA)	128	K-5
LaCrosse	School of Technology & Arts II (SOTA II)	45	6-8
Ladysmith	Health Care Academy	26	9-12
Little Chute Area	Flex Academy	60	K-8
Little Chute Area	Little Chute Career Pathways Academy	90	9-12
Lodi	Ouisconsin School of Collaboration	80	3-5
Madison Metropolitan	Badger Rock Middle School	73	6-8
Madison Metropolitan	James C. Wright Middle School	256	6-8
Madison Metropolitan	Nuestro Mundo Community School	314	K-5
Manitowoc	Manitowoc County Comprehensive Charter School	6	1-8
Manitowoc	McKinley Academy	61	9-12
Marathon City	Marathon Venture Academy	141	6-8

<u>District/Authorizer</u>	<u>School Name</u>	<u>Enrollment</u>	<u>Grade Level(s)</u>
Marshall	Marshall Charter School	5	10-12
Mauston	Mauston Montessori Charter School	6	K4-3
Mauston	iLEAD Charter School	40	7-12
McFarland	Wisconsin Virtual Academy High (WIVA) *	994	9-12
McFarland	Wisconsin Virtual Academy K-8 (WIVA) *	903	K-8
Medford Area	Rural Virtual Academy *	297	K4-12
Merrill Area	Bridges Virtual School *	610	K4-12
Merrill Area	Maple Grove Schoolhouse	80	K-5
Merrill Area	Merrill Adult Diploma Academy	16	12-12+
Middleton-Cross Plains	21st Century eSchool *	56	K-12
Middleton-Cross Plains	Clark Street Community School	97	9-12
Milwaukee	Academia de Lenguaje y Bellas Artes-ALBA	449	K3-5
Milwaukee	Alliance School	203	7-12
Milwaukee	Business & Economics Academy of Milwaukee (BEAM)	762	K4-8
Milwaukee	Carmen High School of Science and Technology	366	9-12
Milwaukee	Carmen Northwest Campus School	507	6-12
Milwaukee	Community High School	247	9-12
Milwaukee	Kathryn T. Daniels University Preparatory Academy	215	K-8
Milwaukee	Hmong American Peace Academy (HAPA)	1,325	K4-12
Milwaukee	Highland Community School	375	K3-8
Milwaukee	Honey Creek Continuous Progress School	394	K4-5
Milwaukee	I.D.E.A.L. Charter School	285	K3-8
Milwaukee	La Causa Charter School	800	K4-8
Milwaukee	Milwaukee College Preparatory - 38th Street	521	K4-7
Milwaukee	Milwaukee College Preparatory - Lloyd Street	499	K4-8
Milwaukee	Milwaukee Community Cyber (MC2) High School	169	9-12
Milwaukee	Milwaukee Environmental Sciences	310	K4-6
Milwaukee	NOVA Tech (Northwest Opportunities Vocational Academy)	99	9-12
Milwaukee	Next Door Charter School	182	K4-K
Milwaukee	Universal Academy for the College Bound	1,051	K4-8
Milwaukee	Whittier Elementary School	213	K3-5
Minocqua J1	Creative Minds Charter School	50	3-5
Minocqua J1	Woodland Progressive School for 21st Century Citizens	51	6-8
Monona Grove	Monona Grove Liberal Arts Charter Sch. for the 21st Century	32	9-12
Montello	Forest Lane Charter School	357	K4-6
Montello	High Marq Environmental Charter School	29	7-12
Montello	Montello Junior/Senior High School	291	9-12
Montello	Montello Virtual Charter School *	13	K-12
Mukwonago	Eagleville Elementary Charter School	81	1-6
Neenah	Alliance Charter Elementary	116	K-5
Nekoosa	Central Wisconsin STEM Academy	66	4-8
Nekoosa	Niikuusra Community School	10	4-8
New Lisbon	Juneau County Charter School	11	7-12
New London	Catalyst Academy Charter School	42	7-12
New London	Next Generation Academy	54	7-12
New Richmond	NR4Kids Charter School	255	K4
Northern Ozaukee	Wisconsin Virtual Learning (WVL) *	422	K4-12
Northland Pines	Northland Pines Montessori Learning Center (NPMLC)	48	K4-4
Northland Pines	School of Options and Applied Research (SOAR) High Sch.	11	8-12
Northland Pines	School of Options and Applied Research (SOAR) Middle Sch.	57	5-8

<u>District/Authorizer</u>	<u>School Name</u>	<u>Enrollment</u>	<u>Grade Level(s)</u>
Northwood	NorthStar Community Charter School	30	4-8
Northwood	Northwood Elementary School	150	K4-5
Northwood	Northwood High/Middle School	168	6-12
Northwood	Northwood Virtual Charter School *	0	K-12
Oconto Falls	Falls Alternative Learning Site	15	9-12
Oconto Falls	New Path Charter School	14	6-12
Oconto	Bayshore Community Academy	72	5-8
Osceola	Osceola Charter Preschool	88	K4
Oshkosh Area	ALPs Accelerated Alternative Learning Program	56	4-8
Oshkosh Area	Jacob Shapiro Brain Based Instruction Laboratory School	265	K4-5
Portage Community	Portage Academy of Achievement	22	9-12
Prairie du Chien Area	Mighty River Academy of Virtual Education *	15	K-12
Racine	Racine Civil Leaders Academy	191	K4-5
Racine	REAL School	342	6-12
Rhineland	Northwoods Community Elementary School	128	K4-5
Rhineland	Northwoods Community Secondary School	77	6-12
Rice Lake Area	Northern Lakes Regional Academy	40	9-12
Richland	Richland Online Academy (ROA) *	12	6-12
Ripon	Catalyst Charter Middle School	142	6-8
Ripon	Journey Charter School	123	K-2
Ripon	Lumen Charter High School	79	9-12
Ripon	Quest Charter School	142	3-5
River Falls	Renaissance Charter Alternative Academy	33	9-12
River Falls	River Falls Public Montessori Academy	167	K4-6
River Valley	Arena Community Elementary School (ACES)	114	PK-5
Rosendale-Brandon	Cirrus Charter High School	22	9-12
Saint Croix Central	Saint Croix Academy of Virtual Education *	17	K-12
Sauk Prairie	Merrimac Community Charter School	107	PK-5
Shawano	LEADS Primary Charter School	72	K4-2
Sheboygan Area	Central High School	214	9-12
Sheboygan Area	Elementary School of the Arts and Academics	184	K4-5
Sheboygan Area	George D. Warriner High School for Personalized Learning *	116	9-12
Sheboygan Area	George D. Warriner Middle School *	67	6-8
Sheboygan Area	I.D.E.A.S. Academy	160	9-12
Sheboygan Area	Lake Country Academy	387	K4-8
Sheboygan Area	Mosaic School	96	6-8
Sheboygan Area	Northeast Wisconsin Montessori School	25	K4-6
Sheboygan Area	Sheboygan Leadership Academy	225	K4-8
Shorewood	New Horizons for Learning	20	9-12
Sparta Area	Innovations STEM Academy	60	6-8
Sparta Area	Lakeview Montessori School	192	K4-6
Sparta Area	Sparta Area Independent Learning Charter School (SAILS)	30	9-12
Sparta Area	Sparta Charter Preschool	165	K4-PK
Sparta Area	Sparta High Point Charter School	31	7-12
Stevens Point Area	C.A.R.E. (Concerned About Reaching Everyone)	39	7-9
Stevens Point Area	Point of Discovery School	52	6-8
Tomah Area	Tomah Area Montessori School	44	K4-6
Tomorrow River	Tomorrow River Community School	109	K4-6
Turtle Lake	Laker Online Virtual Charter School *	1	K-12
Verona Area	Core Knowledge Charter School	414	K-8

<u>District/Authorizer</u>	<u>School Name</u>	<u>Enrollment</u>	<u>Grade Level(s)</u>
Verona Area	Exploration Academy	74	9-12
Verona Area	New Century School	126	K-5
Verona Area	Verona Area International School	94	K-3
Viroqua Area	Laurel High School	35	9-12
Viroqua Area	Vernon County Better Futures High School	5	9-12
Viroqua Area	Viroqua Area Montessori School	66	K4-3
Watertown	Endeavor Charter School	51	9-12
Waukesha	Waukesha Academy of Health Professions	149	9-12
Waukesha	Waukesha East Alternative School	82	9-12
Waukesha	Waukesha Engineering Preparatory Academy	175	9-12
Waukesha	Waukesha STEM Academy	816	K-8
Waukesha	eAchieve Academy - Wisconsin *	595	K-12
Waukesha	eAchieve Elementary *	51	K5-5
Waupun	School for Agricultural and Environmental Studies	130	K-7
Wausau	Enrich, Excel, Achieve Academy (EEA)	80	6-12
Wausau	Wausau Engineering and Global Leadership Academy	84	9-12
Wausau	Wausau Area Montessori Charter School	115	K-6
Wauwatosa	Wauwatosa STEM	136	K-5
Wauwatosa	Wauwatosa Virtual Academy *	115	6-12
West Allis	Shared Journeys	21	7-12
West Bend	Pathways	69	7-10
West DePere	Phantom Knight School of Opportunity	30	7-12
Weyauwega-Fremont	Waupaca County Charter School	7	6-12
Whitewater	JEDI Virtual Charter School *	58	K-12
Whitewater	Lincoln Inquiry Charter School	378	K4-5
Whitnall	CORE 4	122	K4
Wisconsin Rapids	Mead Elementary Charter School	431	K4-5
Wisconsin Rapids	THINK Academy	<u>163</u>	K4-5
Subtotal - School District Authorized Charter Schools		35,006	
<b>Independent Charter Schools</b>			
City of Milwaukee	Central City Cyberschool	440	K4-8
City of Milwaukee	Darrell Lynn Hines (DLH) Academy	283	K4-8
City of Milwaukee	Downtown Montessori Academy	247	K3-8
City of Milwaukee	Escuela Verde	110	7-12
City of Milwaukee	Kings Academy	211	K4-8
City of Milwaukee	Milwaukee Academy of Science	1,042	K4-12
City of Milwaukee	Milwaukee Collegiate Academy	298	9-12
City of Milwaukee	Milwaukee Math and Science Academy	341	K4-8
City of Milwaukee	North Point Lighthouse Charter	341	K4-6
City of Milwaukee	Rocketship Southside Community Prep	425	K4-5
UW-Milwaukee	Bruce Guadalupe Community School	1,194	K4-8
UW-Milwaukee	Capitol West Academy	287	K4-8
UW-Milwaukee	La Casa de Esperanza Charter School	82	K4-8
UW-Milwaukee	Milwaukee College Preparatory School - 36th Street	503	K4-8
UW-Milwaukee	Milwaukee College Preparatory School - North Campus	472	K4-8
UW-Milwaukee	Milwaukee Scholars Charter School	570	K4-8
UW-Milwaukee	School for Early Development & Achievement (SEDA)	97	K3-2
UW-Milwaukee	Seeds of Health Elementary Elementary School	465	K4-8
UW-Milwaukee	Tenor High School	248	9-12
UW-Milwaukee	Urban Day Charter School	423	K4-8

<u>District/Authorizer</u>	<u>School Name</u>	<u>Enrollment</u>	<u>Grade Level(s)</u>
UW-Milwaukee	Veritas High School	253	9-12
UW-Milwaukee	Woodlands School - Bluemound Campus	346	K4-8
UW-Milwaukee	Woodlands School East (WSE) - State Street Campus	214	K4-8
UW-Parkside	21st Century Preparatory School	<u>445</u>	K4-8
	Subtotal - Independent Charter Schools	9,337	
	Total Charter School Enrollment	44,343	

\* Virtual charter school