

# **Statutory Report Series**

## **Legislative Report on Charter Schools**



**Prepared by School Management Services  
Department of Public Instruction**

**2002-2003 School Year**

# Acknowledgements

---

This is the second report prepared by the Wisconsin Department of Public Instruction which gathers statewide data on the number of charter school petitions and proposals and the action taken by school boards on these petitions and proposals. This study shows the number of school districts with charter school activity during the 2002-2003 school year.

The research for this report was undertaken by staff at the Wisconsin Department of Public Instruction. The report was prepared by Paula Crandall Decker, Lisa Geraghty and Sharon Wendt. Robert A. Soldner provided support and supervision for the project. Finally, Patricia Stutz created the maps, Jon Wellskopf created the electronic survey, and Kathy Addie formatted the report.

Prepared by Paula Crandall Decker,  
Lisa Geraghty,  
and Sharon Wendt

November 2004

# Table of Contents

---

Acknowledgements.....	ii
Table of Contents.....	iii
Tables.....	iv
Figures.....	v
Executive Summary.....	1
Introduction.....	2
Charter Schools in Wisconsin and Other States.....	3
Two Methods to Create a Charter School: Petitions and Proposals.....	4
Charter School Petition.....	4
Public Hearing or Granting of Petition.....	5
Charter School Proposal.....	5
School Board Initiative or Charter School Proposal.....	5
Public Hearing on Granting of Proposal.....	5
Contract.....	5
Wisconsin Charter Schools.....	6
Survey Results.....	8
First Level Decisions.....	9
Questions 6-10.....	9
Second Level Decisions.....	11
Questions 11-15.....	11
Source of Petitions/Proposals.....	12
Comments.....	12
Question 17.....	12
2002-2003 Charter School and Federal Grant Status.....	14
References.....	17
Appendix A.....	18
Appendix B.....	20
Appendix C.....	21

# Tables

---

Table 1	States with the Most Charter Schools as of Fall 2003 .....	3
Table 2	Charter School Population by School Year .....	6
Table 3	Charter School Growth in Wisconsin .....	7
Table 4	Reasons for Approval of First Level Decisions .....	10
Table 5	Reasons for Denial of First Level Decisions .....	11
Table 6	Reasons for Approval of Second Level Decisions .....	11
Table 7	Source of Charter School Concepts or Proposals.....	12
Table 8	Action Taken by the Department of Public Instruction.....	14
Table 9	Schools Engaged in Multi-District Charter Activity.....	15

# Figures

---

Figure 1	New charter school petitions in the 12 Cooperative Educational Service Agency (CESA) areas during the 2002-2003 school year compared to 2001-2002.....	8
Figure 2	School districts with new charter school petitions are compared with school districts operating charter schools in 2002-2003 by CESA.....	9
Figure 3	Statewide Charter School Petition Activity Map for 2002-2003.....	16



# Executive Summary

---

The purpose of this study was to identify and describe the actions taken on new charter school petitions or proposals. This report offers a summary of charter school activity in the 426 Wisconsin school districts during the 2002-2003 school year. The data is based upon an electronic survey administered by the Wisconsin Department of Public Instruction (DPI), document review, and follow up phone calls. As required by s. 115.28 (49), Wis. Stats., the department is required to submit this report to the Legislature in the manner provided under s. 13.172 (2), Wis. Stats., regarding the status of existing charter schools, the number of petitions for new charter schools, and school board as well as departmental action on petitions for new charter schools.

An electronic survey was administered to 426 Wisconsin public school district superintendents in the state. Using a mixed mode methodology that included a survey, emails, letters and phone calls, a 100 percent response rate was achieved. Document review included federal charter school grant applications and annual charter school publications. Additionally, follow-up phone calls were made to districts that submitted federal charter school grant applications or were identified as members of a consortium on a grant application submitted to the Wisconsin Department of Public Instruction and not reported on the electronic survey.

For the purposes of this study, two distinct levels of decision-making were documented. A first-level decision is defined as a concept approval or participation in a consortium whereby a school board supported further study or a school board clerk and district administrator provided a signature on a charter school planning grant application submitted to the department for the purposes of seeking federal grant funds to develop a new charter school. A second-level decision is defined as a decision to issue a charter, or provide a signature on an agreement to participate in a multi-district charter school, or a school board official signature on an implementation grant to seek federal charter school start up funds from the department.

There were 67 first level charter school decisions made by 47 school boards statewide and 36 second level charter school decisions made by 27 school boards statewide. Sixty-one (91.0 percent) proposals were approved at the level one decision, and six (9.0 percent) were denied. At the level two decision, 36 (100 percent) proposals were approved. Three school districts reported a second level decision but not a first level decision, bringing the total number of districts reporting charter school activity between July 1, 2002 and June 30, 2003 to 50 (11.7 percent) of Wisconsin's 426 public school districts.

This study showed that planners sought petition approval and school boards approved proposals at the first and second-level in order to realize an alternative vision for schooling and to serve a special population, among other reasons. Denial of or the limitation of federal charter school grant funds—which cannot be used for salaries, lease of facility, or for student transportation—was indicated as a reason for lack of charter school development at the first-level decision.

# Introduction

---

The Wisconsin Charter School Program was established in 1993 to provide educational alternatives for students in kindergarten through grade twelve. The law permitted 10 school districts to establish up to two charter schools each and created a ceiling of 20 schools statewide. Thirteen charter schools were initially created under this early law. In 1995, revisions to charter school law gave chartering authority to all school boards statewide and eliminated the cap on the total number of charter schools that could be created. In 1997, the state legislature gave chartering authority in Milwaukee to the chancellor of the University of Wisconsin–Milwaukee (UWM), to the Milwaukee Area Technical College (MATC), and to the Common Council of the City of Milwaukee. In 2001 Wisconsin Act 16, the 2001-2003 budget bill, limited chartering authority was given to the University of Wisconsin-Parkside to create a charter school for no more than 400 children.

During the 2002-2003 school year there were 117 operating charter schools authorized by Wisconsin school boards and 11 charter schools authorized by non-school board sponsors. A recent report evaluating the role and processes of authorizers in 24 states gave Wisconsin above average scores for every criterion used to evaluate the charter approval process (Palmer, Dau, & Shekerjian, 2003). Respondents in this study described the approval process in Wisconsin to be nonpolitical and focused on application quality. Application procedures were noted as varying from district to district, with some but not all having formal application processes.

While there are multiple authorizers in the state of Wisconsin, this report specifically addresses local school board action as required by the legislature and does not include activity or action taken on new charter school petitions or proposals by non-school board sponsors.

In 2002, the DPI applied for and was awarded a three year, \$27 million federal grant by the United States Department of Education (USDE) to support planning and start up of new charter schools and the dissemination of best practice to increase student achievement. The state charter plan submitted to the USDE by DPI projects 150 operating charter schools by the 2004-2005 school year. There are currently 161 operating charter schools; thus, the number of charter schools has already exceeded this projection.



# Charter Schools in Wisconsin and Other States

Charter schools fall under the bigger umbrella of public school choice. At the federal level, significant funding has been allocated to promote charter schools and to encourage states to enact charter school legislation. Currently, 41 states have enacted charter school legislation (Center for Education Reform, 2004), and 38 have operating charter schools (United States Department of Education, 2004). The first charter school law in the country was created in Minnesota in 1991 and the country's first charter school opened in the Minneapolis-St. Paul area in 1992. Ten years later, according to the United States Department of Education (USDE), there were between 1,735 and 1,790 charter schools operating in the 2000-2001 school year, serving approximately 430,000 school children (Hill et al., 2001). Today, the number of charter schools has grown to 2,993 serving 685,000 school children (Center for Education Reform, 2004).

Wisconsin enacted charter legislation in 1993. The first charter school was authorized by the Stevens Point Area School Board in 1994. Today, in terms of the number of charter schools operating, Wisconsin ranks seventh (134 Schools) of the 38 states in total numbers of operating charter schools. Minnesota has 95, Illinois has 30, Indiana has 17, and Iowa is planning to open its first charter school in the fall of 2004. Table 1 presents the top ten states in the country with the largest number of operating charter schools.

■ Table 1

*States with the Most Charter Schools as of Fall 2003 compared to Fall 2002*

State	Number of Charters		Change	
	2002	2003	Number	Percent
California	428	500	72	17%
Arizona	464	491	27	6%
Florida	227	258	31	14%
Texas	221	241	20	9%
Michigan	196	210	14	7%
Ohio	131	142	11	8%
<b>Wisconsin</b>	<b>128</b>	<b>134</b>	<b>6</b>	<b>5%</b>
Pennsylvania	91	103	12	13%
Minnesota	92	95	3	3%
North Carolina	93	94	1	1%

Source: Data obtained from the Center for Education Reform, March 2004. Wisconsin numbers were obtained from the Wisconsin Department of Public Instruction (2004).

Federal charter school planning and implementation start-up funds, awarded to the Department of Public Instruction by the USDE, are disseminated through the Wisconsin Charter School Program to support the development of successful charter schools which are believed to increase student achievement in public schools. While charter school grant funds may influence and encourage the development of charter schools, chartering a new school at the local level is a separate and distinct activity from applying for charter school grant funds. Chartering requires communication and decision making between the operator of the charter school and the local school administration and school board. There are two approaches to developing a charter school at the local level, petitions and proposals.

# Two Methods to Create a Charter School: Petitions and Proposals

---

## Charter School Petition

A written petition requesting the school board to establish a charter school must be filed with the school district clerk. A petition must be signed by at least 10 percent of the teachers employed by the school district or by at least 50 percent of the teachers employed at one school of the school district. By law, a petition includes all of the following:

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 educational goals under s. 118.01, Wis. Stats.
5. The method by which pupil progress in attaining the educational goals under s. 118.01, Wis. Stats. will be measured.
6. The governance structure of the school - including the method to be followed by the school to ensure parental involvement.
7. Subject to sub. (7) (a) and (am) and s. 118.19 (1), Wis. Stats. and s. 121.02 (1) (a) 2., Wis. Stats., 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.
16. The amount to be paid to the charter school during each school year of the contract.

To assist planners and authorizers, the DPI has established a contract benchmark sheet for guidance purposes that outlines required and suggested items for inclusion in a charter school contract (see Appendix A).

A petition is a culmination of collaborative effort between local groups, usually including teachers, administrators, parents, community members, universities or technical colleges, cooperative educational service agencies, students, and-not-for profit or for-profit businesses or agencies. Planning requires an understanding of state and federal law as it relates to education, local needs and educational options.

### *Public Hearing or Granting of Petition*

A school board must hold a public hearing within 30 days after receiving a charter petition. At the hearing, the school board, as part of the review process, considers the level of employee and parental support for the establishment of the charter school described in the petition and the fiscal impact of the establishment of the charter school on the school district. After the hearing, the school board may grant or deny the petition.

A school board may grant a petition that would result in the conversion of all of the public schools in the school district to charter schools if all of the following apply:

1. At least 50 percent of the teachers employed by the school district sign the petition.
2. 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.

In Milwaukee, if a school board denies a petition, the person seeking to establish the charter school may, within 30 days after receiving the denial, appeal the denial to the DPI. The department shall issue a decision within 30 days after receiving the appeal. The DPI's decision is final, and by statute is not subject to judicial review.

## Charter School Proposal

### *School Board Initiative or Charter School Proposal*

A school board may on its own initiative contract with a person to operate a charter school. The contract must include all of the 16 provisions required in a petition and may include other provisions as agreed to by all parties. Planning requires an understanding of state and federal law as it relates to education and an awareness of local needs and educational options.

### *Public Hearing on Granting of Proposal*

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 school board shall hold a public hearing on the contract. At the hearing, the school board shall 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. A school board may not enter into a contract that would result in the conversion of all of the public schools in the school 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.

### *Contract*

Whenever a school board intends to establish a charter school, s. 118.40 (1), Wis. Stats., requires notification of the State Superintendent of its intention. A notice must include a description of the proposed school. A charter school contract, submitted to the department and which must include sixteen items according to s. 118.40, Wis. Stats., satisfies this required notification.

A contract between a school board and a charter school operator may be for any term not exceeding five school years and may 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 school year of the contract. The contract often includes reasons and procedures for revocation or renewal.

## Wisconsin Charter Schools

Wisconsin's charter schools are intended to encourage innovation in school organization and instruction. Charter schools are accountable in three major areas: 1) student performance, 2) fiscal management, and 3) adherence to their contracts and the charter school law. Charter schools in Wisconsin are exempt from most state requirements regarding public education but are not exempt from federal laws governing regular or special education or civil rights policies, nor are they exempt from local school board policies unless negotiated in the charter contract. They are free to be creative in setting up their governance and administrative structure.

A charter school cannot charge tuition and must be equally accessible to all students in the school district. Preference in admission must be given to students living within the attendance area of an existing school that is converted to a charter school.

Charter schools may not discriminate on the basis of sex, race, religion, national origin, ancestry, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability. Specific information regarding special education may be found at the web address: <http://www.dpi.state.wi.us/dpi/dlsea/een/index.html> .

The charter school contract must clearly spell out how the school will achieve a racial and ethnic balance among its pupils and how the population of a charter school reflects the balance in the school district as a whole. Attendance at a charter school must be voluntary. Additionally, the district must provide alternative public education for pupils who do not wish to attend the charter school or who are not admitted to the charter school. Table 2 is a breakdown of the Wisconsin charter school population compared to statewide data.

■ Table 2

*Charter School Population by School Year*

	Charter 2001-2002	State 2001-2002	Charter 2002-2003	State 2002-2003
Asian/Pacific Islander	4.4%	3.4%	3.8%	3.3%
African American	37.4%	10.2%	40.2%	10.4%
Hispanic	12.7%	5.0%	11.8%	5.4%
Native American	1.3%	1.4%	1.2%	1.5%
Caucasian	44.3%	80.1%	43.0%	79.5%

Table 3 shows the growth of Wisconsin charter schools from 1994 to 2004. In the fall of 2003 there were 134 operating charter schools in Wisconsin. The net increase of six charter schools reflects 13 new charter schools and 7 closed charter schools from the 2002-2003 school year. The department publishes an annual charter school directory that includes a history of the Wisconsin charter school law, charter licensing requirements, and a description of each operating charter school in the state. This and other related information can be found on the charter school website at <http://www.dpi.state.wi.us/dpi/dfm/sms/csindex.html> .

■ Table 3

---

*Charter School Growth in Wisconsin*

<b>Year</b>	<b>Number of Charter Schools</b>
1994-1995	1
1995-1996	8
1996-1997	13
1997-1998	18
1998-1999	34
1999-2000	87
2000-2001	92
2001-2002	109
2002-2003	128
2003-2004	134
2004-2005	161

This section reviewed the procedures for developing a charter school using two approaches, a petition or a proposal. The next section will provide an overview of petition and proposal activity in school districts and action taken by school districts and the department.

## Survey Results

The department contacted all 426 school district superintendents by email with an introductory letter from the State Superintendent (see Appendix B). The information contained within this report reflects petition or proposal activity during the 2002-2003 school year collected from 426 school districts (100 percent) via an electronic online survey (see Appendix C).

Questions one through five identified the school code, name, title, e-mail address and phone number of the person completing the survey. Questions six through sixteen dealt with substantive issues related to charter school creation. Of the 426 survey respondents, 362 (85 percent) indicated their title as being superintendents, 21 (5 percent) secretaries to the superintendent, 19 (4 percent) other, which was comprised of school administrators including director of curriculum and instruction, director of pupil/student services, principal, or charter school administrator, 16 (4 percent) were bookkeepers/business managers, and 8 (2 percent) were assistant superintendents. Where inconsistencies were noted between survey data and grant documentation, follow up contacts were made. The results are a compilation from all data sources.

Figure 1 provides a breakdown of new charter school petitions or proposals by CESA. Figure 1 displays the comparison of number of new petitions, with increases indicated for CESAs 1, 2, 3, 4, 7, 8, and 12. CESAs 5, 6, 9, 10, and 11 experienced no change or a decrease in the number of new petitions from the 2001-2002 to 2002-2003 school year.

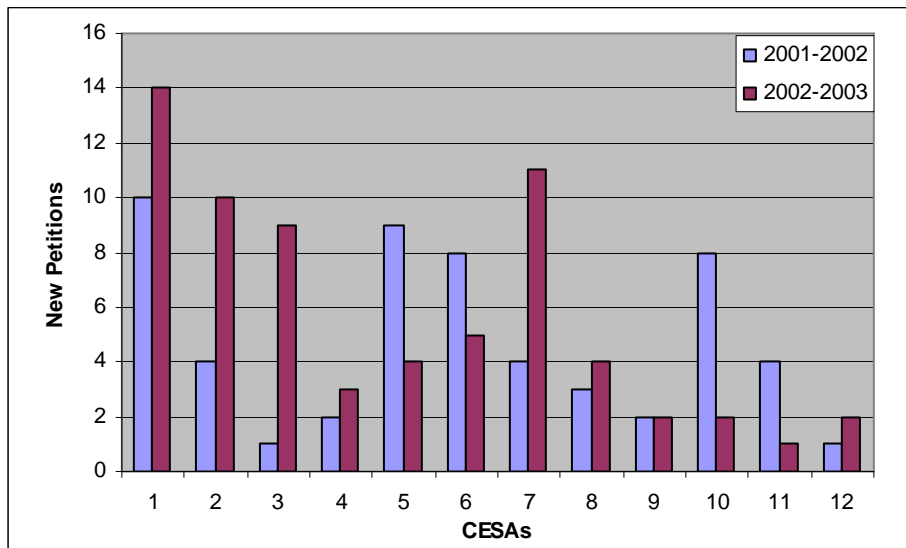


Figure 1. New charter school petitions in districts in the 12 Cooperative Educational Service Agency areas during the 2002-2003 school year compared to new charter school petitions received in 2001-2002 from all data sources.

Maps published by the department depicting charter schools by location were obtained and compared to determine growth in the number of authorizers in the state. Specifically, for the 2002-2003 school year, the number of authorizers with open charter schools indicated in DPI annual charter school publications was compared with the number of new authorizers.

Figure 2 displays the comparison of districts in 2002-2003 with operating charter schools to the number of districts with new petitions. Increases are most notably indicated for CESAs 3 and 7.

Kohler data reflects activity that includes multiple school districts participating in a proposed online charter school. Seven of the schools made decisions about the Kohler/CESA 7 managed school during this reporting period. As of May of 2004, 27 schools had submitted contractual agreements indicating their commitment to the Kohler/CESA 7 program. This activity will be included in the 2003-2004 Legislative Report. Twenty-five (53.1 percent) of the districts with petitions in 2002-2003 were first time authorizers.

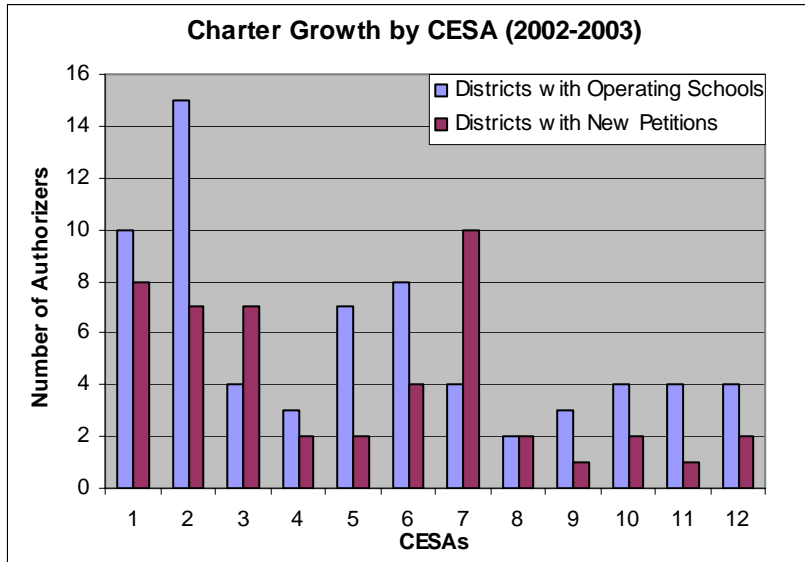


Figure 2. A comparison of existing authorizers to new authorizers in 2002-2003 by CESA.

## First Level Decisions

### *Questions 6-10*

District administrators were asked to report on the number of first level decisions approved and the number of first level decisions denied. Between July 1, 2002 and June 30, 2003, 47 (11.0 percent) of 426 school districts in the state of Wisconsin reported a total of 67 petitions or proposals filed with their school board. Respondents reported that at the first level, 61 (91.0 percent) petitions or proposals were approved of the 67 petitions or proposals filed.

Districts reporting approval of a petition or proposal on the electronic survey provided a rationale for the action taken.

■ Table 4

*Reasons for Approval of First Level Decisions*

<b>Reason</b>	<b>Number (n=61)</b>	<b>Percentage</b>
Realizes an alternative vision for schooling	35	57.4%
Serves a special population	32	52.5%
Increases student achievement	25	41.0%
Increases parent/community involvement	24	39.3%
Attracts students	23	37.7%
Participates in a charter school consortium	8	13.1%
Other	5	8.2%

*Note:* Districts could provide more than one reason for approval, therefore, the total exceeds 100%.

Reasons given by superintendents for approval of new charter school petitions or proposals by school boards mirror the reasons charters are founded, as revealed in national studies (Berman, Nelson, & Seppanen, 1997; Berman, Nelson, et al. 1998). “Realizes an alternative vision for schooling” was the most frequently cited reason for approving a petition. Wisconsin cites “serving a special population” more frequently than the first national study, or 52.5 percent as compared to 12.7 percent (Berman, Nelson, & Seppanen, 1997) and more than the second national study, or 52.5 percent as compared to 22.1 percent (Berman, Nelson, et. al. 1998). This may be due to the reference in Wisconsin law giving preference to at-risk programs.

While “increases parent/community involvement” may appear low in Wisconsin, it was cited more frequently at the state level (39.3 percent) as compared nationally where 9.8 percent of respondents identified this reason (Berman, et al. 1998). However, one difference may be that this study collapsed “parent and community involvement” into one category leading to an over-representation of the percentage for “parent involvement.”

Respondents indicating “other” provided further explanation. Some of the reasons included “our mission is to educate all children,” “increases course selections,” “provides educational options,” and for “planning only.”

Five districts reported the denial of a first level decision. Among the five districts, six (9.0 percent) of the 67 petitions or proposals were denied. Two petitions or proposals were denied by a single school district. School boards have the authority to approve or deny new petitions or proposals. Reasons for denial are presented in Table 5. “Financial reasons” was identified by three of the five authorizers as a reason for denying a petition at the first level decision. One district reported withdrawing from a consortium as a reason for denying a petition. Another district reported “other” and explained that the proposed charter school was too far from the authorizer.



■ Table 5

*Reasons for Denial of First Level Decisions*

<b>Reason</b>	<b>Number (n=6)</b>	<b>Percentage</b>
Financial reasons	3	50.0%
Program not unique or innovative	1	16.7%
Withdrew from a multi-district consortium	1	16.7%
Other	1	16.7%
Declining enrollment	0	0.0%
Lack of teacher, parent, or community support	0	0.0%
Liability of district	0	0.0%

*Note:* Districts could provide more than one reason for denial, therefore, the total exceeds 100%.

Creating charter schools is labor intensive and requires leadership at the local level. Despite the politics involved at the local level, and because the charter law requires districts to consider the level of parent support for the establishment of a charter school, lack of community or parent support was not seen to be a reason for denial at the district level.

## Second Level Decisions

### *Questions 11-15*

District administrators were asked to report on the number of second level decisions approved and the number of second level decisions denied. Between July 1, 2002 and June 30, 2003, 27 (6.3 percent) of 426 school districts in the state of Wisconsin reported a total of 36 second level decisions made by their school board. All proposed second level decisions were approved. Districts making a second level decision provided reasons for the approval of the proposal.

■ Table 6

*Reasons for Approval of Second Level Decisions*

<b>Reason</b>	<b>Number (n=36)</b>	<b>Percentage</b>
Realizes an alternative vision for schooling	19	52.8%
Serves a special population	19	52.8%
Increases student achievement	16	44.4%
Attracts students	14	38.9%
Increases parent/community involvement	12	33.3%
Participates in a charter school consortium	6	16.7%
Other	3	8.3%

*Note:* Districts could provide more than one reason for approval, therefore, the total exceeds 100%.

The reasons that respondents provided for approving second level decisions are consistent with the reasons provided for approving first level decisions. “Realizes an alternative vision for schooling” was cited most frequently as a reason for approving a second level decision. The reason “increases parent/community involvement” for a second level decision is not reported to

be as important as it is for a first level decision. Conversely, “increases student achievement” is reported to be more important in a second level decision than a first level decision.

Districts reporting “other” explained that decisions were approved in order to “educate all children” and “increases course offerings.”

## Source of Petitions/Proposals

### *Question 16*

Respondents were asked to indicate who initiated charter school concepts or proposals.

■ Table 7

*Source of Charter School Concepts or Proposals*

<b>Source</b>	<b>Number (n=50)</b>	<b>Percentage</b>
School administration	29	58.0%
District superintendent	24	48.0%
Teachers	21	42.0%
Parents	14	28.0%
Other	13	26.0%
Community (not for profit)	9	18.0%
Business for profit	3	6.0%

*Note:* Districts could provide more than one source, therefore, the total exceeds 100%.

Survey responses indicated that the majority of charter school concepts or proposals came from staff members of school districts. It should be noted that a distinction between the individuals who initiated a concept and the individuals who were members of a planning group was not made for this survey. Ten of the 13 districts reporting “other” as a source for concepts or proposals cited CESAs as the initiator. One district reported a private management company as the initiator.

## Comments

### *Question 17*

Question 17 of the electronic survey provided space for “*Comments.*” Of the 50 districts that indicated activity of charter proposals, fourteen (28.0 percent) offered comments. Of the 376 school districts with no charter school petitions filed, 81 (21.5 percent) provided comments. Thirty-two districts made positive references to existing charter schools within their district. Appleton reported that they “have found [their] charter schools to meet the needs of targeted groups of students which adds to the overall success of student achievement in the District.” The School District of La Crosse commented that their “experience with five charter schools has allowed [them] to develop a deeper understanding of the benefits of charter schools to the whole School District. Each charter came to life for different reasons to meet the unique needs of [their] student population. This experience also allowed [them] to discover that traditional public schools and charter schools can co-exist in the same facility.”

Districts without charter schools offered comments covering several themes. Fifteen of these school districts made positive comments about charter schools. Seventeen districts indicated that they are not interested in charters. Ten districts indicated plans to implement charter schools in their districts in the future. One district has been “visiting charter schools and feels very good about the possibility of moving forward.” Twenty-one school districts expressed concerns about charter schools and how they are monitored by authorizers. Responses indicated the need for greater dissemination of information and explanation about the financial and instructional aspects of charter schools.

## 2002-2003 Charter School and Federal Grant Status

There were 128 operating charter schools in the 2002-2003 school year, of which 117 were authorized by 66 school districts. Of the remaining eleven charter schools, five were authorized by the City Council of Milwaukee, five were authorized by University of Wisconsin-Milwaukee, and one was authorized by UW-Parkside. Seven charter schools closed at the end of the 2002-2003 school year.

A listing of charter proposals, type of federal charter school grant application submitted to the department, the status of the application as funded or not funded, and status as to whether efforts ultimately led to a school being opened or not opened are revealed in Table 8.

■ Table 8

### *2002-2003 Action Taken By the Department of Public Instruction and School Status*

<b>District</b>	<b>Type of Grant</b>	<b>Date Signed by School Board</b>	<b>Funding Status</b>	<b>School Status</b>
Appleton – Odyssey Charter School	Implementation	7/22/2002	Not Funded	Open
Appleton – eSchool	Implementation	7/24/2002	Funded	Open
Appleton – Tesla Engineering	Implementation	7/24/2002	Funded	Open
Appleton – Valley New School	Planning	7/31/2002	Funded	Open
Appleton – Wisconsin Connections Academy	Implementation	7/29/2002	Not Funded	Open
Argyle – Lafayette County Community Charter School	Implementation	7/29/2002	Funded	Open
City of Milwaukee – Academy of Learning and Leadership	Planning	6/27/2003	Funded	Open
City of Milwaukee – DLH Academy	Implementation	8/1/2002	Funded	Open
City of Milwaukee – Environmental Technologies Institute	Planning	8/1/2002	Not Funded	Did Not Open
Eau Claire – Health	Implementation	7/1/2002	Funded	Closed 2003
Eau Claire – Montessori	Implementation	7/1/2002	Funded	Open
Glidden – Forest View School	Planning	7/23/2002	Not Funded	Did Not Open
Greendale – Greendale Charter School	Planning	7/29/2002	Funded	Open
Hillsboro – TIGER Academy	Planning	7/22/2002	Not Funded	Did Not Open
Kiel Area – K.I.E.L Charter School	Implementation	7/19/2002	Funded	Open
Kohler – CESA 7 Online	Planning	6/10/2003	Funded	Planning
Ladysmith-Hawkins – Project Learning!	Implementation	7/29/2002	Funded	Open
Madison – Nuestro Mundo	Planning	6/26/2003	Funded	Planning
Milwaukee – Afro Urban	Implementation	7/26/2002	Funded	Open
Milwaukee – Irma Guerra	Planning	7/18/2002	Funded/Declined	Did Not Open
Milwaukee – Malcolm X	Implementation	7/26/2002	Funded	Open
Milwaukee – Northern Star	Implementation	7/26/2002	Funded	Open
Milwaukee – Project Based High School	Planning	Not Signed	Not Funded	Did Not Open
Milwaukee – St. Aemilian-Lakeside (Capitol West)	Planning	9/17/2002	Funded/Declined	Planning
Milwaukee – Siefert	Implementation	7/26/2002	Funded	Open
Milwaukee – Wings	Implementation	7/26/2002	Funded	Open
New London – Middle School	Planning	7/30/2002	Funded	Did Not Open

New London – CASTLE	Implementation	7/30/2002	Funded	Open
Oshkosh – Environmental Education	Planning	7/11/2002	Funded	Open
Portage – River Crossing Charter School	Implementation	7/18/2002	Funded	Open
River Falls – Montessori Charter School	Implementation	7/15/2002	Funded	Open
Sparta Area – High Point School	Implementation	7/23/2002	Funded	Open
Stevens Point – Jackson	Implementation	8/22/2002	Funded	Open
Stevens Point – McDill	Implementation	11/25/2002	Funded	Open
Stevens Point – Rivers	Implementation	8/22/2002	Funded	Open
Stevens Point – Washington Service Center	Planning	6/11/2003	Funded	Planning
UW-Milwaukee – Marva Collins	Implementation	8/1/2002	Funded	Open
UW-Milwaukee – YMCA	Implementation	7/31/2002	Funded	Open
UW-Parkside – 21 <sup>st</sup> Century Prep.	Implementation	7/29/2002	Funded	Open
Waukesha – Project Change	Implementation	7/30/2002	Funded	Open
Wilmot UHS – Western Kenosha Consortium	Planning	7/23/2002	Not Funded	Did Not Open

Funding status and school status are closely related. Only two of the seven schools that did not get funding opened. Conversely, for one district, funding did not lead to a school opening. Two districts were funded but opted to decline the funding.

Several school districts indicated participation in multi-district charter activity during the 2002-2003 reporting period. Follow up phone calls revealed that 16 school districts were part of three active consortia. The districts involved are identified in Table 9.

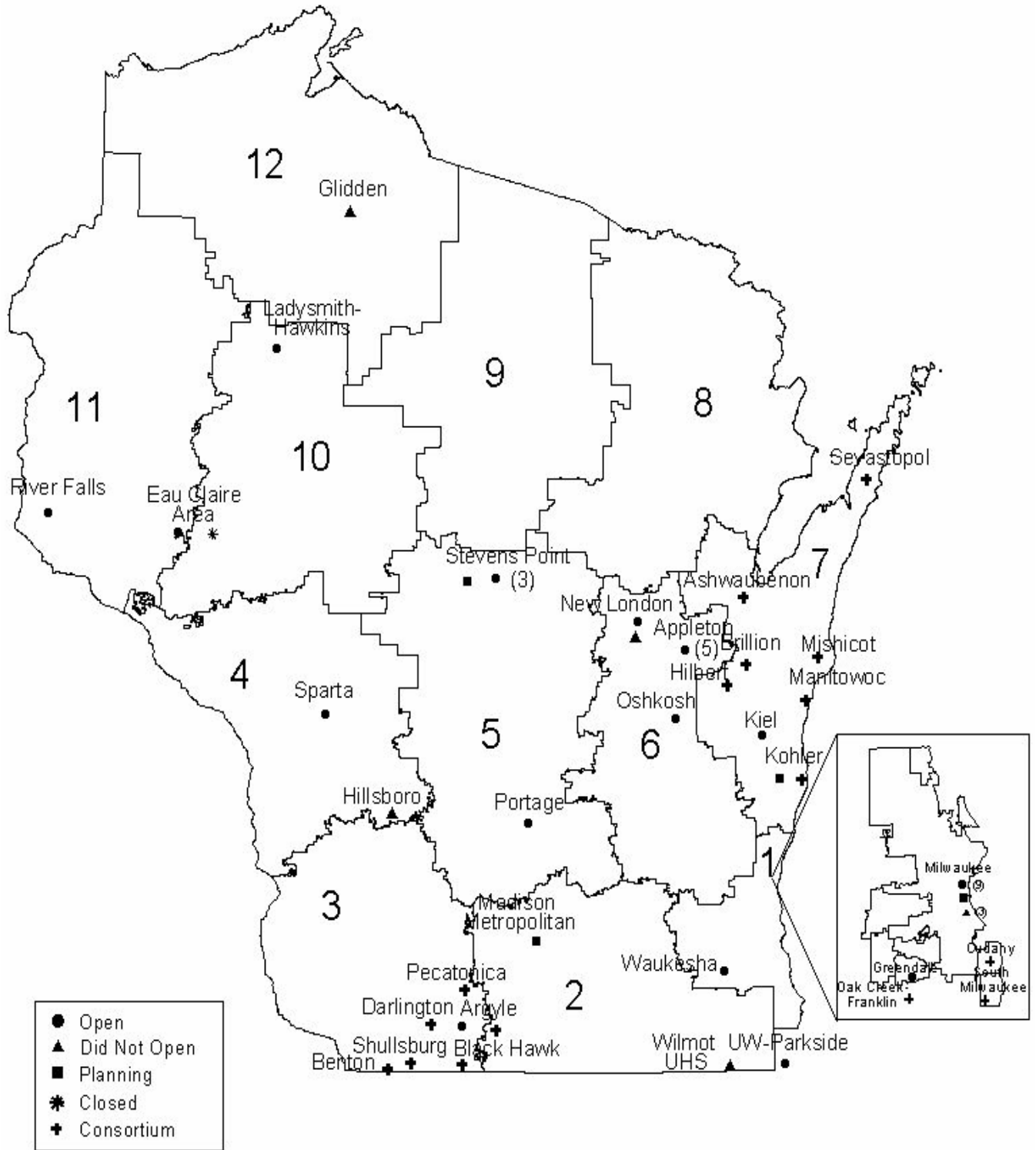
■ Table 9

*Schools Engaged in Multi-District Charter Activity*

<u>Sponsor District</u>	<u>Consortium Districts</u>	<u>Sponsor District</u>	<u>Consortium Districts</u>
Argyle	Benton Blackhawk Darlington Pecatonica Shullsburg	Kohler*	Ashwaubenon Brillion Hilbert Manitowoc Mishicot Sevastopol
South Milwaukee	Oak Creek/Franklin Cudahy		

\*CESA 7 – managed charter school

The following map depicts the outcome of new charter school petitions or proposals filed during the 2002-2003 school year (see figure 3).



*Figure 3: Statewide new petition/proposal in 2002-2003. Picture includes districts with petitions or proposals and multi-district charter school consortium partners in all 12 Cooperative Education Service Agency (CESA) areas.*

*Note: The symbols indicate the ultimate outcome of the charter school petition or proposal.*

## References

---

- Center for Education Reform. (2004). Charter school laws across the states: Ranking score card and legislative profiles. Washington, DC: Author.
- Hill, P., Lake, R., Celio, M. B., Campbell, C., Herdman, P., & Bulkley, K., (2001). *Study of Charter School Accountability: National Charter School Accountability Study*. (OERI Publication No. RC9711032). Washington, DC: US Department of Education, Office of Educational Research and Improvement.
- Palmer, L. B., Gau, R., & Shekerjian, O. (2003). *Charter School Authorizing: Are States Making the Grade*. Washington, DC: Thomas B. Fordham Institute.
- United States Department of Education. *Overview of charter schools*. Retrieved on July 25, 2003 from <http://www.uscharterschools.org/pub/uscs/docs/gi/overview.htm>

# Appendix A



## Wisconsin Department of Public Instruction Charter School Contract Reviewer Benchmarks

School District/Chartering Authority Name	Charter School Name
---	---------------------

### Rating

Criteria	Rating	
	Present	Absent
<b>General Information</b>		
Indicates name of the person seeking to establish the charter school.	<input type="checkbox"/>	<input type="checkbox"/>
Indicates name of the person who will be in charge of the charter school.	<input type="checkbox"/>	<input type="checkbox"/>
Describes the manner in which administrative services will be provided.	<input type="checkbox"/>	<input type="checkbox"/>
Contract identifies the status of the school as a non-instrumentality or instrumentality of the school district.	<input type="checkbox"/>	<input type="checkbox"/>
<b>Charter School Program Description</b> <i>Well organized description of school.</i>		
Describes the charter school educational program offered and students served.	<input type="checkbox"/>	<input type="checkbox"/>
Describes the method used to enable pupils to attain educational goals under Wisconsin Statutes 118.01 <i>academic skills and knowledge.</i>	<input type="checkbox"/>	<input type="checkbox"/>
Describes the method by which evidence of student achievement or progress in attaining academic skills and knowledge will be measured.	<input type="checkbox"/>	<input type="checkbox"/>
<b>Governance/Structure</b>		
Describes how the school will be governed, including method to be followed to ensure parental involvement.	<input type="checkbox"/>	<input type="checkbox"/>
Includes methods employed to review qualifications that must be met by individuals employed by the school, assuring that every teacher, supervisor, administrator or professional staff member holds a certificate, permit or license issued by the department before entering duties for such a position [Wisconsin Statutes 118.19(10 and 121.02(1)(a)2.]	<input type="checkbox"/>	<input type="checkbox"/>
Provides procedures which the school will follow to ensure the health and safety of the pupils.	<input type="checkbox"/>	<input type="checkbox"/>
Provides the procedures used to achieve a racial and ethnic balance among its pupils that is reflective of the school district population.	<input type="checkbox"/>	<input type="checkbox"/>
Outlines the admission policy or provides the requirements, if any, for admission to the school.	<input type="checkbox"/>	<input type="checkbox"/>
Describes procedures school will follow if more students apply for admission than can be admitted, including a lottery process.	<input type="checkbox"/>	<input type="checkbox"/>
Describes the level of autonomy afforded the charter school relative to policy and budget development, staffing and evaluation.		
Describes the procedures by which students will be disciplined.	<input type="checkbox"/>	<input type="checkbox"/>



Criteria	Rating	
	Present	Absent
Identifies 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.	<input type="checkbox"/>	<input type="checkbox"/>
Indicates how the program and attendance at the charter school is voluntary.	<input type="checkbox"/>	<input type="checkbox"/>
Clearly states that the charter school does not charge tuition.	<input type="checkbox"/>	<input type="checkbox"/>
<b>Financial/Operational Criteria</b>		
Describes the manner in which annual audits of the financial and programmatic operations of the school will be performed.	<input type="checkbox"/>	<input type="checkbox"/>
Provides a description of the facilities and the types and limits of the liability insurance that the school will carry.	<input type="checkbox"/>	<input type="checkbox"/>
Describes the effects of the establishment of the charter school on the liability of the school district or the effect of the establishment of the charter school on the liability of the contracting entity.	<input type="checkbox"/>	<input type="checkbox"/>
The contract specifies the amount to be paid to the charter school each year of the contract.	<input type="checkbox"/>	<input type="checkbox"/>
Contract addresses how the school district will allocate federal funding for which the charter school is eligible.	<input type="checkbox"/>	<input type="checkbox"/>
Describes a program which is nonsectarian in its practices, programs, admission policies, employment practices and all other operations.	<input type="checkbox"/>	<input type="checkbox"/>
Includes a nondiscrimination clause stating the charter school will not deny admission or 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.	<input type="checkbox"/>	<input type="checkbox"/>
Addresses the procedures or reasons by which either party may withdraw or revoke the contract.	<input type="checkbox"/>	<input type="checkbox"/>
Describes or identifies any waivers of school district policy agreed to by the authorizer and the operator of the charter school.	<input type="checkbox"/>	<input type="checkbox"/>
Specifies any administrative fee paid to the authorizer and agreed to by the authorizer and the operator of the charter school.	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other</b>		
The length of the contract is specified, not to exceed five years.	<input type="checkbox"/>	<input type="checkbox"/>
The contract is dated and signatures of the authorizer and the operator of the charter school are provided.	<input type="checkbox"/>	<input type="checkbox"/>
If the charter school replaces a public school, in whole or part, describes how it will give preference in admission to any pupil who resides in the attendance area or the former attendance area of that public school.	<input type="checkbox"/>	<input type="checkbox"/>
By September 1, 2004 operators of high school grades describe policy specifying criteria for granting high school diploma.	<input type="checkbox"/>	<input type="checkbox"/>
Describes manner of transportation, if provided, to and from the charter school.	<input type="checkbox"/>	<input type="checkbox"/>

# Appendix B



## State of Wisconsin Department of Public Instruction

**Elizabeth Burmaster, State Superintendent**

August 28, 2003

Dear District Administrator:

Under 2001 Act 16, the Department of Public Instruction is required to report annually to the legislature on the status of existing charter schools, the number of petitions for new charter schools, and school board and departmental action on petitions for new charter schools.

To comply with this requirement, the department has developed an electronic survey to gather the data to be included in our report to the legislature. The website address for the survey is <http://www4.dpi.state.wi.us/sms-css/home.do>. Your password, which is case sensitive, is wdw371. The information requested specifically complies with s. 115.28(49), Wis. Stats., and is being collected for charter activity between July 1, 2002 and June 30, 2003. Thank you for feedback regarding survey improvement and for a 100 percent response rate for last year.

Please complete and submit your survey responses electronically no later than September 12, 2003. If you have questions regarding the survey, you may contact Paula Crandall Decker at [paula.crandall.decker@dpi.state.wi.us](mailto:paula.crandall.decker@dpi.state.wi.us), Gerhard Fischer at [gerhard.fischer@dpi.state.wi.us](mailto:gerhard.fischer@dpi.state.wi.us), or Lisa Geraghty at [elisabeth.geraghty@dpi.state.wi.us](mailto:elisabeth.geraghty@dpi.state.wi.us). Your timely completion of the survey will be appreciated.

Sincerely,

Elizabeth Burmaster  
State Superintendent

Pcd/EB  
enc



WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION

## SCHOOL MANAGEMENT SERVICES

### Charter School Proposal Report

*P11-0008 Collection of this information is a requirement of s.115.28(49), Wis. Stats.*

---

Dear District Administrator,

The Department of Public Instruction must annually report to the legislature on the status of existing charter schools, the number of petitions/proposals for new charter schools, and school board and departmental action on petitions/proposals for new charter schools. The following information is being collected to comply with the Charter School Report required under Wis. Stats. 115.28(49). The form seeks information on first and second level decisions on new charter school petitions or proposals within your school district. A first level decision is defined as a concept approval for the purposes of further study, participation in a consortium or a signed charter school planning grant. A second level decision is defined as an approved charter contract between the district and the operator of a charter school, a written agreement to participate in a consortium or a signature on a charter school implementation grant.

Please respond to the form questions below regarding approval or denial for each proposal filed, and select a reason(s) for approval or denial for each proposal filed. If multiple proposals have been approved or denied, provide clarification of reasons in the space for comments at the end.

The form may be electronically submitted by pressing the "Submit" button at the bottom of this data collection.

1. District:
  
2. Name of person completing form:
  
3. Title of person completing form:
  
4. Email of person completing form:
  
5. Phone number of person completing form:  
 Extension:
  
6. From July 1, 2002 to June 30, 2003 how many first level decisions were made by the district?  
First level decisions are defined as a concept approval for the purposes of further study,  
participation in a consortium or a signed charter school planning grant.  
  

Note: If your district did NOT have any charter school activity between the dates above, please  
enter "0" and go to question 17.
  
7. Number of approved 1st level decisions:
  
8. If applicable, reason(s) for approving first level decisions (Select all that apply):
  - a. Serves a special population
  - b. Increases student achievement
  - c. Increases parent/community involvement
  - d. Attracts students
  - e. Realizes an alternative vision for schooling
  - f. Participates in a charter school consortium
  - g. Other
  
9. Number of denied 1st level decisions:
  
10. If applicable, reason(s) for denying proposals (Select all that apply):
  - a. Declining enrollment
  - b. Financial reasons
  - c. Program not unique or innovative
  - d. Lack of teacher, parent or community support
  - e. Liability of district
  - f. Withdrew from a multi-district consortium
  - g. Other

11. From July 1, 2002 to June 30, 2003 how many second level decisions were made by the district? Second level decisions are defined as an approved charter contract, a written agreement to participate in a consortium or a signature on a charter school implementation grant.

12. Number of approved 2nd level decisions:

13. If applicable, reason(s) for approving second level decisions (Select all that apply):

- a. Serves a special population
- b. Increases student achievement
- c. Increases parent/community involvement
- d. Attracts students
- e. Realizes an alternative vision for schooling
- f. Participates in a charter school consortium
- g. Other

14. Number of denied 2nd level decisions:

15. If applicable, reason(s) for denying second level decisions (Select all that apply):

- a. Declining enrollment
- b. Financial reasons
- c. Program not unique or innovative
- d. Lack of teacher, parent or community support
- e. Liability of district
- f. Withdrew from a multi-district consortium
- g. Other

16. Who initiated the charter school concepts or proposals?  
(Select all that apply)

- a. School Administration (principal, curriculum director, etc.)
- b. District Superintendent
- c. Teachers
- d. Parents
- e. Community (Not for Profit)
- f. Business for profit
- g. Other

17. Open Comments about charters or the Wisconsin Charter School Program:

Submit