

S T A T U T O R Y R E P O R T

2014-2015

CHARTER SCHOOLS

**WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION
TONY EVERS, PhD, STATE SUPERINTENDENT**

Statutory Report Series Legislative Report on Charter Schools 2014-2015

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Executive Summary

As stated in § 115.28 (49), Wis. Stats., the Wisconsin Department for Public Instruction (DPI) is required to submit this report to the Legislature in the manner provided under § 13.172 (2), Wis. Stats., regarding the status of existing charter schools, the number of petitions for new charter schools, and the action taken by school boards and the DPI on petitions for new charter schools. This report offers the results of new charter school activity in the 424 Wisconsin school districts during the 2014-2015 school year.

This report documents two distinct levels of decision making regarding charter school proposals. A first-level decision occurs during the charter school's *development* stage. The school district may approve further study of a charter school concept, participate in a consortium of school districts interested in opening a charter school, or sign a planning grant with the purposes of seeking federal charter school planning funds from the DPI. A second-level decision occurs during the *implementation* stage. The school district issues a charter school contract, provides a signature on an agreement to participate in a multi-district charter school, or signs an implementation grant with the purpose of seeking federal charter school startup funds from the DPI.

The DPI conducted an electronic survey and personally contacted school district officials to compile the necessary data. One hundred percent of the Wisconsin school districts responded to the survey.

During the 2014-2015 school year, 24 districts (5.7 percent) reported charter school activity as defined above, including at least one district in eleven of the twelve regional Cooperative Educational Services Agencies (CESA). A breakdown of the activity shows 21 school boards made 28 first-level charter school decisions, and 18 school boards made 18 second-level charter school decisions. Of the first-level decisions, 27 of 28 (96.4 percent) were approved. Of the second-level decisions, 17 of 18 (94.4 percent) were approved. While 6 districts reported a first-level decision and not a second-level decision, only 3 school districts reported a second-level decision but not a first-level decision.

Introduction

Charter schools, as defined by the United States Department of Education (USDE), are a form of public school choice that provides innovative educational options for parents and students. Charter schools are nonsectarian and are created through a contract, or *charter*, between the operators and a chartering authority. The charter defines the school's mission and describes how the school will meet the special needs and interests of its community, parents, and students. Therefore, charter schools become, in essence, living laboratories that may influence the larger public school system and introduce an element of entrepreneurship within that system. Although many goals for educating and preparing children are similar, each charter school fulfills a specific local need in education by offering choices in areas such as curriculum, teaching methodology, and classroom structure. The chartering authority holds the school accountable to the performance measures included in its charter. These performance measures are related to student achievement, management, operations, financial performance and other areas. Wisconsin's charter school law gives charter schools freedom from most state rules and regulations in exchange for greater accountability for results.

Charter schools have been in existence since the early 1990s. Minnesota passed the first charter school law in 1991. The following year, the first charter school in the United States opened in the Minneapolis-St. Paul area. Ten years later, in 2000, over 1,700 charter schools were in operation, serving approximately 430,000 school children (Hill, Lake, Celio, Campbell, Herdman & Bulkley 2001). During the 2014-15 school year, there were approximately 6,700 charter schools in operation across 40 states and the District of Columbia serving over 2.8 million students. (National Alliance for Public Charter Schools, 2015).

Stimulated by a boost of federal funding for charter schools, the number of charter schools over the last two decades has increased. Since the inception of the federal Charter Schools Program (CSP) in 1995, the U.S. Department of Education has awarded over \$3.3 billion to fund the startup, replication and expansion of quality charter schools (USDE, 2015).

Wisconsin Charter Schools

History of Wisconsin's Charter School Law

The Wisconsin Legislature established the Wisconsin Charter School Program in 1993 to provide educational alternatives for students in kindergarten through grade twelve. The initial law permitted ten school districts to establish up to two charter schools each, creating a cap of twenty schools statewide. The Stevens Point Area School Board authorized Wisconsin's first charter school in 1994. In 1995, revisions to the law gave chartering authority to school boards statewide and eliminated the cap.

Further changes to the law allowed other entities besides school boards the ability to authorize charter schools. In 1997, the state gave chartering authority in Milwaukee to the chancellor of the University of Wisconsin – Milwaukee (UW-Milwaukee), the Milwaukee Area Technical College (MATC), and the Common Council of the City of Milwaukee. In the 1998 budget adjustment session, the state allowed districts to contract with one of the twelve Cooperative Educational Service Agencies (CESAs) to operate a charter school located within the CESA's region. In the 2001-2003 budget bills, the University of Wisconsin – Parkside (UW-Parkside) was given chartering authority, allowing it to establish a single charter school. These independent chartering entities (UW-Milwaukee, UW-Parkside, MATC, and the City of Milwaukee) are often referred to as 2r authorizers because §118.40 (2r) is the statute that pertains to these entities. (For more information, see *2r or Independent Authorizers*.)

In addition to increasing the number of authorizing entities, the law has undergone other modifications. The 1998 budget adjustment session established: a) procedures for when a school board is petitioned for the opening of a charter school; b) procedures for converting a nonsectarian private school to a charter school; and c) the requirement for charter schools to state their relationship with a school district as an instrumentality or non-instrumentality. Changes that occurred in the 2003-2005 biennial budget exempted a specific charter school sponsored by UW-Milwaukee (Woodlands Academy) from some residency requirements. Additional changes in 2005 resulted in the elimination of previous school year attendance requirements for students residing in Milwaukee. In 2006, the law was changed again to allow authorizers to enter into a contract with a charter school that enrolls or offers limited courses to one sex, provided that a comparable school or course is available to the opposite sex. In 2008, the law was further amended to clarify requirements for virtual charter schools. In 2013, the legislature expanded the locations of charter schools authorized by the UW-Milwaukee to include charter schools located anywhere in Milwaukee County or in an adjacent county. In addition, students who reside in Milwaukee County or in an adjacent county can now attend any independent 2r charter school established in Milwaukee County or in an adjacent county.

Growth of Charter Schools in Wisconsin

With changes in the law, increased federal funding, and greater interest, the number of charter schools in Wisconsin has grown. Table 1 shows the growth of Wisconsin charter schools from fall of 1994 to fall of 2014.

■ Table 1

Growth of Charter Schools in Wisconsin

Year	Number of Charter Schools	Percent Increase from Year Before
1994-1995	1	-
1995-1996	8	700%
1996-1997	13	63%
1997-1998	18	38%
1998-1999	40	122%
1999-2000	64	60%
2000-2001	92	44%
2001-2002	106	15%
2002-2003	126	19%
2003-2004	136	8%
2004-2005	162	19%
2005-2006	181	12%
2006-2007	188	4%
2007-2008	231	23%
2008-2009	221	-4%
2009-2010	206	-7%
2010-2011	206	0%
2011-2012	232	13%
2012-2013	238	3%
2013-2014	242	2%
2014-2015	243	0.4%

Source: The Wisconsin Department of Public Instruction, 2015

For the 2014-2015 school year, 243 charter schools were in operation in Wisconsin, an increase of 0.4% from the previous school year. There were 98 Wisconsin school boards that authorized 220 charter schools, and three non-school board authorizers sponsored 23 charter schools. While 22 new charter schools opened in 2014, by the end of the 2014-15 school year 14 charter schools closed for a variety of reasons, including financial difficulties and low student enrollment. Nevertheless, Wisconsin ranks among the top ten states in the U.S. with the most charter schools in operation (see Table 2). Over 44,000 Wisconsin students (5.1% of all Wisconsin K-12 students) attended a charter school during the 2014-2015 school year.

■ Table 2

States with the Most Charter Schools

Total Number of Charter Schools					
State	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015
California	913	984	1065	1130	1184
Florida	461	516	576	625	653
Arizona	508	531	534	605	623
Ohio	341	357	374	400	384
Michigan	241	256	276	297	307
Texas	277	270	280	280	275
New York	170	184	209	233	248
Wisconsin	206	232	238	242	243
Pennsylvania	147	162	175	176	176

Source: The National Alliance for Public Charter Schools, 2015.

In 2009, DPI of Wisconsin was the recipient of a \$69 million federal WCSP grant to support the development and implementation of new charter schools and the dissemination of best practices of current charter schools. These federal funds were disseminated through the Wisconsin Charter School Program (WCSP) administered by the DPI. During the 2014-15 school year, the DPI awarded over \$8 million to 50 charter schools for planning, implementation and dissemination activities

The goals for the WCSP include a) the opening of 130 new charter schools; b) the majority of schools having adequate yearly progress (AYP) on assessments statewide; c) charter schools meeting or exceeding state proficiency levels in math and reading; d) improving the graduation rate for charter school students; e) awarding at least fifteen dissemination grants to support charter and traditional schools for the benefit of students and their educational achievement; and f) the majority of charter schools demonstrating strong leadership and fiscal stability after three years of operation.

It should be noted that, 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 authorizer, usually the school board. There are some charter schools operating in Wisconsin that do not apply for or receive any funds through the WCSP.

Overview of Wisconsin's Charter Schools

Below is a brief overview of Wisconsin's charter schools. This and related information can be found on the DPI charter school website at <http://dpi.wi.gov/sms/charter-schools>. Additionally, the DPI publishes an annual charter school yearbook that includes a description of each operating charter school in the state.

Aspects of Autonomy

Wisconsin's charter schools are exempt from most state requirements regarding public education. However, they are not exempt from local school board policies unless negotiated and documented in the charter school contract. The purpose of these exemptions is to allow charter school developers to be free in creating and establishing independent governance and administrative structures.

Charter schools are free to be creative in developing their administrative and governance structures. However, parental involvement is very important and the governing board must be autonomous and independent of the authorizer. The governance board's autonomy must extend to making decisions on issues related to policy, budget, and personnel. Therefore, a majority of the governance board members must be non-school district employees and non-school board members. Many charter schools break from traditional management models by establishing decision-making boards that include school staff, parents, area employers, and student representatives. Others have parent and teacher committees that address school needs, such as fund-raising and the budget. Parental involvement and participation are hallmarks of charter schools. Although many parents readily volunteer, parental service may not be made a condition of pupil admission.

Accessibility and Admission

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. In addition, Wisconsin's law requires the charter contract to describe how the school will achieve a racial and ethnic balance that reflects the balance in the school district as a whole.

■ Table 3

Wisconsin's Charter School Population by Race/Ethnicity

	2014-2015	
	Charter	State
White, not Hispanic	50.3%	71.8%
Black, not Hispanic	25.4%	9.6%
Hispanic	16.1%	10.9%
Asian/Pacific Islander	5.2%	3.8%
American Indian/Alaskan Native	0.8%	1.2%
Two or more races	2.2%	2.7%

Source: The Wisconsin Department of Public Instruction, 2015

During the admission process, preference must be given to students living within the attendance area of an existing school that is converted to a charter school. Nonresident students who want to attend the charter school may apply to do so under the Wisconsin Public School Open Enrollment Program, though placement is not guaranteed. If more students apply to attend a charter school than there are spaces available, a random lottery must be held. A charter school cannot charge tuition.

Attendance at a charter school is voluntary, and 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 due to space constraints. This provision also applies should a school board enter into a contract that would result in the conversion of all the public schools in the district to charter schools.

Charter schools receiving federal grant funds are subject to the Non-regulatory Guidance of the Public Charter Schools Program of the U.S. Department of Education. For a copy of this document, which clearly spells out admission and lottery requirements, please visit:

<http://www2.ed.gov/programs/charter/nonregulatory-guidance.html>.

Independent Authorizers

Although most authorizers are school districts, there are other entities that state law permits to authorize charter schools. These entities include UW-Milwaukee, Milwaukee Area Technical College, Common Council of the City of Milwaukee, and UW-Parkside. These independent chartering entities are often referred to as 2r authorizers because §118.40 (2r) is the statute that grants authorizing authority to these entities.

During the 2014-2015 school year, there was a total of 23 independent (2r) charter schools in operation in Wisconsin. Table 3 shows a list of these schools and their authorizers.

■ Table 4

Wisconsin's Independent (2r) Charter Schools

	Authorizer	School
1.	City of Milwaukee	Central City Cyber School
2.	City of Milwaukee	Darrell Lynn Hines Academy
3.	City of Milwaukee	Downtown Montessori Academy
4.	City of Milwaukee	Escuela Verde
5.	City of Milwaukee	King's Academy
6.	City of Milwaukee	Milwaukee Academy of Science
7.	City of Milwaukee	Milwaukee Collegiate Academy
8.	City of Milwaukee	Milwaukee Math and Science Academy
9.	City of Milwaukee	North Point Lighthouse Charter School
10.	City of Milwaukee	Rocketship Southside Community Prep
11.	UW-Milwaukee	Bruce Guadalupe Community School
12.	UW-Milwaukee	Capitol West Academy
13.	UW-Milwaukee	Milwaukee College Preparatory School – 36 th Street
14.	UW-Milwaukee	Milwaukee College Preparatory School-North Campus
15.	UW-Milwaukee	Milwaukee Scholars Charter School
16.	UW-Milwaukee	School for Early Development & Achievement (SEDA)
17.	UW-Milwaukee	Seeds of Health Elementary School
18.	UW-Milwaukee	Tenor High School
19.	UW-Milwaukee	Urban Day Charter School, Inc.
20.	UW-Milwaukee	VERITAS High School
21.	UW-Milwaukee	Woodlands School
22.	UW-Milwaukee	Woodlands School East
23.	UW-Parkside	21st Century Preparatory School

Source: The Wisconsin Department of Public Instruction, 2015

Instrumentality and Non-Instrumentality

In school districts, the school board may determine whether the charter school is an instrumentality of the school district in which it is located. If the board deems it an instrumentality, the district employs all personnel for the charter school. If the board determines the charter school is not an instrumentality, the personnel are considered employees of the charter school. In 2014-2015, of the 220 charter schools authorized by districts, there were 187 (85 percent) instrumentality and 33 (15 percent) non-instrumentality charter schools.

Although some charter schools are identified as instrumentalities of the district, the word “instrumentality” is not defined in the charter school law and has had limited use in Wisconsin. The word was initially included in the charter law to ensure continuing eligibility of charter school teachers in the Wisconsin Retirement System. *Instrumentality* as used in the retirement law defines the *employer*, making it clear that the employing school district is responsible for worker’s compensation, unemployment compensation, employee insurance and benefits, liability for acts of school staff members, and other employee-related matters.

Creating a Charter School

In Wisconsin, there are two ways to create a charter school: by petition or by proposal. Each method is described below.

Charter School Petition

Written Petition

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

By law, a petition must include all of the following information:

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 §118.01, Wis. Stats.
5. The method by which pupil progress in attaining the educational goals under § 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 §118.19 (1), Wis. Stats. and §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.

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

After the petition has been written, it must be signed by at least 10 percent of the teachers district-wide or at least 50 percent of the teachers employed at one school. The petition, which requests that the school board establish a charter school, is then filed with the school district clerk.

Public Hearing

The school board must hold a public hearing within 30 days after receiving a charter school petition. At the hearing, the school board considers both the level of employee and parental support described in the petition and the fiscal impact of the establishment of the charter school on the school district. Consequently, the school board may grant or deny the petition.

For Milwaukee only, if the school board denies a petition, then an appeal is possible. An appeal must be filed with the DPI within 30 days after receiving the denial from the school board. The DPI shall issue a decision, which is final and not subject to judicial review, within 30 days after receiving the appeal.

Contract

If the school board grants a petition, the school board must contract with the person named in the petition to operate the charter school. The contract must include all fifteen provisions required in the petition and may include other provisions agreed to by all parties. The contract may not exceed five school years and may be renewed one or more terms not to exceed five years. The contract must specify the amount to be paid to the charter school during each school year.

Conditions for Total Charter School Conversion

In special circumstances, a school board may grant a petition that would result in the conversion of all the public schools in the school district to charter schools. These circumstances must meet both of the following criteria:

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.

Charter School Proposal

Written Proposal

A school board may on its own initiative contract with an outside party to operate a charter school. The contract must include all of the fifteen provisions required in a petition (as noted above) and may include other provisions as agreed to by all parties. The term of this contract may not exceed five school years and may be renewed for one or more terms not exceeding five years. The contract must specify the amount to be paid to the charter school during each school year and often includes reasons and procedures for revocation or renewal.

Notification

Whenever a school board intends to establish a charter school, §118.40 (1), Wis. Stats., requires that the State Superintendent of Public Instruction be notified. A notice must include a description of the proposed school. A charter school contract, submitted to the department and which must include fifteen items according to §118.40, Wis. Stats., satisfies this required notification.

Public Hearing

In some situations, a private school may want to convert to a charter school or a school may want to convert to be a non-instrumentality charter school. This process starts with a public hearing held by the school district at least 30 days before entering into a contract. At the hearing, the school board considers both the level of employee and parental support for the changes and the fiscal impact of the establishment of the charter school on the school district.

Conditions for Total Charter School Conversion

A school board may not enter into a contract that would result in the conversion of all public schools in the school district to charter schools, except as noted above under *Charter School Petition*.

First-Level and Second-Level Decisions

School districts have two distinct levels of decision making related to charter schools. A first-level decision occurs during the *development* stage of a new charter school when the school district approves further study of a charter school concept, decides to participate in a consortium of school districts, or signs a planning grant with the purposes of seeking federal charter school planning funds from the DPI. A second-level decision occurs at the *implementation* stage when the school district issues a charter, provides a signature on an agreement to participate in a multi-district charter school, or signs an implementation grant with the purpose of seeking federal charter school startup funds from the DPI. Both levels of decision making are to help define petition and proposal activity as it relates to the planning and implementation of new charter schools. To measure this activity, the DPI annually distributes an electronic survey. The results of the 2014-2015 charter school activity survey are summarized in the next section.

Petition and Proposal Activity – Survey Results

This section describes the petition and proposal activity in school districts during the 2014-2015 school year as well as the action taken by school districts and the DPI. The terms “proposal” and “petition” are used interchangeably here. Additionally, although there are multiple authorizers in the state of Wisconsin (e.g. independent authorizers), the data in this report specifically address local school board actions and do not include activity or actions taken on new charter school proposals by non-school board sponsors.

An introductory letter was mailed to the superintendents of all 424 school districts (see Appendix B). The letter requested that each district complete an electronic online survey that asked questions regarding charter school petitions and/or proposals during the 2014-2015 school year. By sending reminders and contacting districts directly, 100 percent of school districts responded.

The electronic online survey had 16 questions (see Appendix C). Questions 1-3 identified the district, district code, name and title of the person completing the survey. Questions 4-15 dealt with substantive issues related to charter school creation. The final question, 16, allowed for an open comment, giving districts an opportunity to comment generally about charter schools or comment specifically about the WCSP.

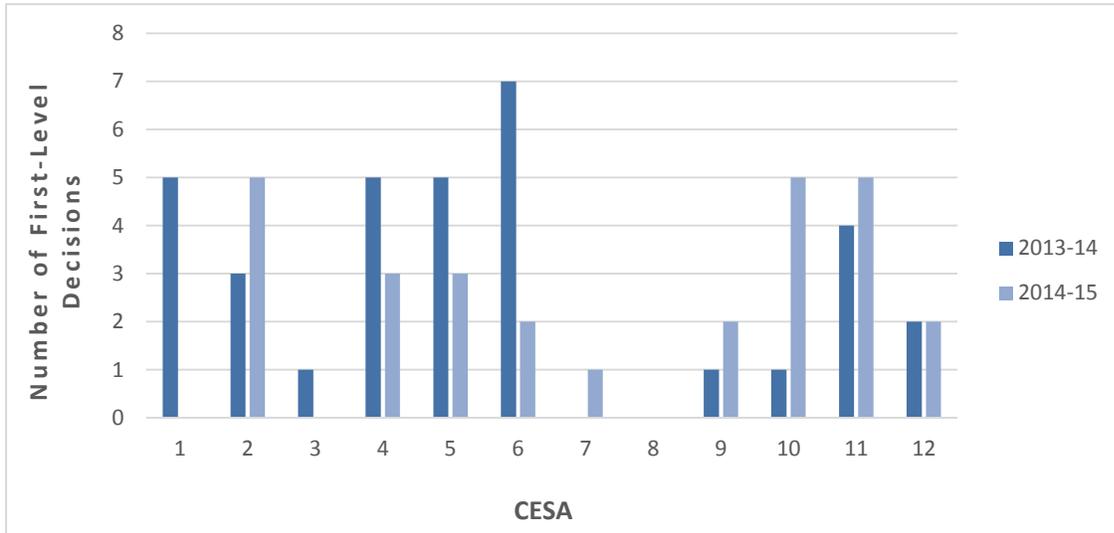
General Information

Most of the survey respondents were high-level administrators. Specifically, 370 (87 percent) indicated their title as being District Administrator, Superintendent, or Interim Superintendent. Seven respondents (2 percent) noted they served as the Assistant Superintendent, Associate Superintendent or Deputy Superintendent of their districts. Twenty-four survey respondents (6 percent) indicated their position as Assistant to the Superintendent, Administrative Assistant, District Secretary or Executive Assistant. Sixteen survey respondents (4 percent) indicated their title as being a Charter School Coordinator, Charter School Principal, Director of Instruction, Director of Curriculum, Director of Pupil Services, Director of Technology and other director-level positions. The remaining survey respondents held positions such as Business Manager, Bookkeeper, Grants Administrator, Legal Counsel and others.

Figure 1 provides a breakdown by CESA, comparing the number of first-level decisions made on proposed new charter schools during the 2013-2014 and the 2014-2015 school years. As shown, the number of charter school petitions increased in CESAs 2, 7, 9, 10 and 11 while the number of first-level decisions made in CESA 12 remained the same. There were no first-level decisions made in CESA 8 during the 2013-14 or 2014-15 school years. All other CESAs saw a decrease in the initial stages of charter school activity between the two years.

■ Figure 1

Comparison by CESA – Number of First-Level Decisions on Proposed New Charter Schools during the 2013-2014 and 2014-2015 School Years

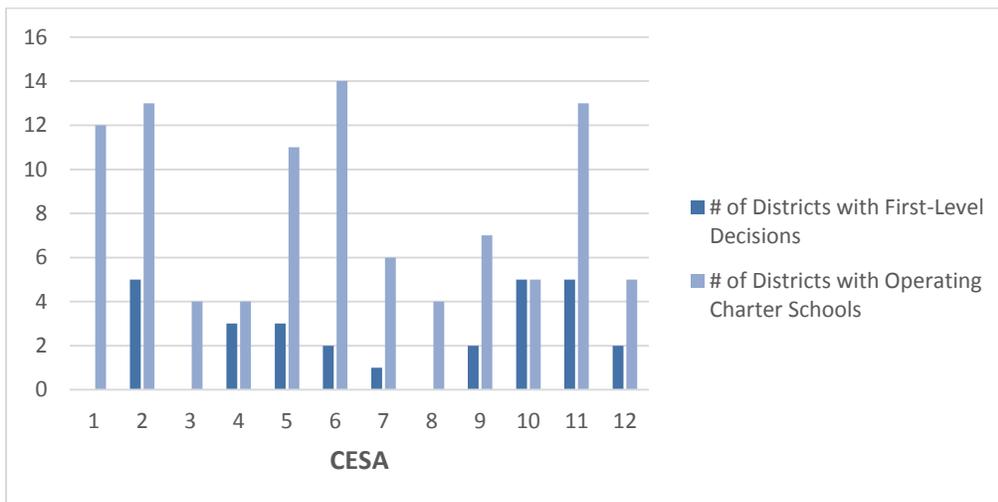


Source: The Wisconsin Department of Public Instruction, 2015

Figure 2 displays a comparison of the number of districts with operating charter schools to the number of districts with first-level decisions for proposed new charter schools in the 2014-2015 school year. Of the 21 districts that made first-level decisions, 7 of them (33 percent) were currently not operating a charter school.

■ Figure 2

Comparison by CESA – The Number of Districts with Operating Charter Schools and the Number of Districts with First-Level Decisions on New Charter Schools in 2014-2015



Source: Wisconsin Department of Public Instruction, 2015

First-Level Decisions

Between July 1, 2014 and June 30, 2015, 21 districts reported a total of 28 first-level decisions. Districts approved 27 (96.4 percent) of the filed proposals for the reasons noted in Table 5.

■ Table 5

Reasons for Approval of First-Level Decisions

Reason	Number (n=18)	Percentage
Realizes an alternative vision for schooling	16	89%
Attracts students	15	83%
Increases student achievement	11	61%
Increases parent/community involvement	8	44%
Serves a special population	6	33%
Participates in a charter school consortium	3	17%
Other	0	0%

Source: The Wisconsin Department of Public Instruction, 2015

Note: Of the 20 districts that approved first-level decisions, only 18 noted the reasons for approval.

Also, districts were able to indicate more than one reason for approval, therefore, percentage will not equal 100.

As noted in the table, the reason most given for approving new proposals by the respondents to our Wisconsin-wide survey was “realizes an alternative vision for schooling” (89 percent). To attract students (83 percent) and to increase student achievement (61 percent) were also frequently cited. A significant percentage of districts that approved first-level decisions (44 percent) noted “increases parent/community involvement” as a reason for approving new petitions, while serving a special student population was also mentioned (33 percent). A few survey respondents (17 percent) cited participating in a charter school consortium as a reason for approving new proposals. Many districts cited multiple reasons for approving first-level decisions.

Only one district reported a denial of a first-level decision. The reason identified for the denial was *lack of teacher, parent, or community support*.

Second-Level Decisions

After the first-level approval, proposals must pass a second level of approval before a charter school can be established. Between July 1, 2014 and June 30, 2015, 18 Wisconsin school districts reported making 18 second-level decisions. Seventeen second-level decisions were approved, and one was denied. Districts that reported second-level decision approval of a proposal did so for a variety of reasons noted in Table 6.

■ Table 6

Reasons for Approval of Second-Level Decisions

Reason	Number (n=17)	Percentage
Realizes an alternative vision for schooling	13	76%
Attracts students	12	71%
Increases student achievement	10	59%
Increases parent/community involvement	6	35%
Serves a special population	6	35%
Participates in a charter school consortium	3	18%
Other	1	6%

Source: The Wisconsin Department of Public Instruction, 2015

Note: Districts were able to indicate more than one reason for approval, therefore, percentage will not equal 100.

The reasons respondents provided for approving second-level decisions were generally consistent with the reasons provided for approving first-level decisions. Realizing an alternative vision for schooling (76 percent), attracting students (71 percent), increasing student achievement (59 percent), and increasing parent/community involvement (35 percent) and serves a special student population were the top four reasons cited for approval of second-level decisions.

One district reported a denial of one second-level decision, citing lack of teacher, parent and community support as the reason for denial. Historically, other reasons for denial at the second level have included declining enrollment, a determination that the charter school model was not sufficiently unique, and withdrawing from a multi-district consortium.

Source of Petitions and Proposals

A majority of charter school proposals came from school administrators, district superintendents, teachers, and parents. Table 7 shows the distribution of charter school proposal initiators.

■ Table 7

Source of Charter School Petitions and Proposals

Source	Number (n=23)	Percentage
School Administration	14	61%
District Superintendent	13	57%
Teachers	9	39%
Parents	6	26%
Community (not-for-profit)	4	17%
Other	2	9%
CESA	1	4%
Business (for-profit)	0	0%

Source: The Wisconsin Department of Public Instruction, 2015

Note: Of the 24 districts that made a first or second-level decision, only 23 noted the initiator of the proposals. Also, districts were able to indicate more than one initiator, therefore, percentage will not equal 100.

Planning Group Participants

Survey results indicate that teachers, school administrators, and parents made up the majority of charter school planning groups during the 2014-2015 school year, while district superintendents, parents and not-for-profit community groups were close behind.

■ Table 8

Charter School Planning Group Members

Source	Number (n=23)	Percentage
School Administration	22	96%
Teachers	21	91%
Parents	20	87%
District Superintendent	16	70%
Community (not-for-profit)	15	65%
Business (for-profit)	3	13%
CESA	2	9%
Other	1	4%

Source: The Wisconsin Department of Public Instruction, 2015

Note: Of the 24 districts that made a first or second-level decisions, only 23 noted the charter school planning group members. Also, districts were able to indicate multiple planning group members, therefore, percentage will not equal 100.

Comments from Survey

Many school districts offered additional comments on the survey. Responses varied from enthusiastic support of charter schools noting that charters can be a great option for some students to viewing charter schools negatively commenting that charters should be held to the same rules and regulations as traditional public schools. Some respondents indicated that their district was considering a charter school as an option and is currently looking for ways to be innovative, while many responded that their district has not and does not plan to develop a charter school in the future. Many of those districts considering a venture into charter schools expressed concern about the availability of charter school start-up federal grant funding. A few respondents expressed concerns about accountability for charters and their fiscal impact on non-charter public schools, and proposed legislation to expand independent authorizers in the state. Still, others noted that there are some challenges and benefits to charter schools in Wisconsin.

Action Taken by the DPI on Federal Charter School Grant Applications

The DPI received a federal Charter Schools Program grant of approximately \$69 million for the five-year project period from 2009 to 2014. Wisconsin requested and was approved for a no-cost extension during the 2014-15 school year to continue work in meeting the federal grant objectives. In 2014-15, a total of 50 charter schools applied for federal grants to assist in the planning and implementation of new charter schools in Wisconsin. Additionally, 10 charter schools applied for dissemination funds to share best practices across the state and assist other charter schools.

■ Table 9

The DPI Action on Grant Applications Submitted April 2014

	Grant Type	Authorizer Name	School Name	Funding Status	School Status as of 9/1/2014
1	Planning	Ashland School District	Ashland Collaborative Academy	Funded	Planning
2	Planning	City of Milwaukee	Transcenter for Youth	Funded	Planning
3	Planning	Kewaskum School District	i4Learning	Funded	Planning
4	Planning	Mauston School District	Lyndon Station Montessori	Funded	Planning
5	Planning	Northland Pines School District	Northland Pines Montessori Learning Center	Funded	Planning
6	Planning	Stevens Point Area School District	Stevens Point Expeditionary Learning School	Funded	Planning
7	Planning	Tomah Area School District	Tomah Area Montessori	Funded	Planning
8	Planning	UW-Milwaukee	Penfield Montessori Academy	Funded	Withdrawn
9	Planning	Bayfield School District	Mino-bimaadiziwin Charter School	Not Funded	Not Open
10	Planning	Medford Area School District	Open Doors Charter School	Not Funded	Not Open
11	Planning	UW-Milwaukee	La Casa de Esperanza	Not Funded	Planning
12	Planning	West Allis-West Milwaukee	CATE	Not Funded	Not Open
13	Planning	West Allis-West Milwaukee	Compass	Not Funded	Not Open
14	Initial Implementation	Appleton Area School District	Appleton Technical Academy	Funded	Open
15	Initial Implementation	Ashland School District	Oredocker Project School	Funded	Open

16	Initial Implementation	Janesville School District	Rock University High School	Funded	Open
17	Initial Implementation	Kettle Moraine School District	High School of Health Sciences	Funded	Open
18	Initial Implementation	La Crosse School District	Seven Rivers Community Charter High School	Funded	Open
19	Initial Implementation	Little Chute Area School District	Flex Academy	Funded	Open
20	Initial Implementation	Milwaukee Public Schools	NOVA Tech	Funded	Open
21	Initial Implementation	Nekoosa School District	Central Wisconsin STEM Academy	Funded	Open
22	Initial Implementation	New London School District	Catalyst Academy Charter School	Funded	Open
23	Initial Implementation	Racine Unified School District	Racine Civil Leaders Academy	Funded	Open
24	Initial Implementation	River Valley School District	Arena Community Elementary School	Funded	Open
25	Initial Implementation	Sparta Area School District	Innovations STEM Academy	Funded	Open
26	Initial Implementation	UW-Milwaukee	Milwaukee College Preparatory School-North	Funded	Open
27	Initial Implementation	Viroqua Area School District	Viroqua Area Montessori School	Funded	Open
28	Initial Implementation	Watertown Unified School District	Endeavor Charter School	Funded	Open
29	Initial Implementation	Rubicon J6 School District	Rubicon Personalized Learning Academy	Funded	Withdrawn
30	Initial Implementation	Northwood School District	Northwood Elementary School	Not Funded	Open
31	Implementation Renewal	Albany School District	Albany Community Middle School	Funded	Open
32	Implementation Renewal	Ashland School District	Ashland Elementary Charter School	Funded	Open
33	Implementation Renewal	Cumberland School District	Island City Academy	Funded	Open
34	Implementation Renewal	Fond du Lac School District	Fond du Lac STEM Institute	Funded	Open
35	Implementation Renewal	Hartland-Lakeside J3 School District	Hartland Fine Arts Leadership Academy	Funded	Open
36	Implementation Renewal	Kettle Moraine School District	KM Explore	Funded	Open
37	Implementation Renewal	Milwaukee Public Schools	Carmen School of Science and Technology-Northwest	Funded	Open

38	Implementation Renewal	Milwaukee Public Schools	MTEC-School of Environmental Science	Funded	Open
39	Implementation Renewal	Milwaukee Public Schools	The Banner School of Milwaukee	Funded	Open
40	Implementation Renewal	Milwaukee Public Schools	Universal Academy for the College Bound	Funded	Open
41	Implementation Renewal	Montello School District	Montello Junior/Senior High School	Funded	Open
42	Implementation Renewal	New London School District	Next Generation Academy	Funded	Open
43	Implementation Renewal	Northland Pines School District	School of Options and Applied Research	Funded	Open
44	Implementation Renewal	Oconto Unified School District	Bayshore Community Academy	Funded	Open
45	Implementation Renewal	Ripon Area School District	Journey Charter School	Funded	Open
46	Implementation Renewal	Rosendale-Brandon School District	Cirrus High School	Funded	Open
47	Implementation Renewal	Tomorrow River School District	Tomorrow River Community School	Funded	Open
48	Implementation Renewal	UW-Milwaukee	Woodlands School-East	Funded	Open
49	Implementation Renewal	Verona Area School District	Exploration Academy	Funded	Open
50	Implementation Renewal	West Bend School District	Pathways Academy	Funded	Open
51	Dissemination	Hartland-Lakeside School District	Hartland School of Community Learning	Funded	Open
52	Dissemination	Highland School District	Highland Community Middle School	Funded	Open
53	Dissemination	Ripon Area School District	Quest Charter School	Funded	Open
54	Dissemination	Waukesha School District	Waukesha STEM Academy	Funded	Open
55	Dissemination	Wausau School District	Wausau Engineering & Global Leadership Academy	Funded	Open
56	Dissemination	Montello School District/Monona Grove School District	Hi Marq Charter School/Monona Grove Liberal Arts Charter School	Not Funded	Open
57	Dissemination	Verona Area School District	Verona Area International School	Not Funded	Open
58	Dissemination Renewal	Birchwood School District	Birchwood Blue Hills Charter School	Funded	Open
59	Dissemination Renewal	Columbus School District	Discovery Charter School	Funded	Open
60	Dissemination Renewal	Milwaukee Public Schools	Hmong American Peace Academy	Funded	Open

Source: The Wisconsin Department of Public Instruction, 2014

Charter Consortiums

Forty-one school districts participated in a multi-partner charter school initiative during the 2014-2015 school year. A list of the sponsor districts and consortium partners is shown in Table 10.

■ Table 10

School Districts Engaged in Multi-District/Partner Charter Activity

Sponsor District	Consortium Partners
Barron Area School District	Cameron School District Chetek-Weyerhaeuser School District Turtle Lake School District
Elkhorn Area School District	Big Foot UHS School District Delavan-Darien School District Lake Geneva-Genoa City UHS School District Williams Bay School District
Manitowoc School District	Kiel Area School District Mishicot School District Reedsville School District Two Rivers School District Valders Area School District
Medford Area School District	Abbotsford School District Antigo School District Auburndale School District Colby School District Merrill Area School District Mosinee School District Prentice School District Rib Lake School District Spencer School District Stratford School District
New Lisbon School District	Mauston School District Necedah Area School District Royall School District Wonewoc-Union Center School District
Viroqua Area School District	Kickapoo Area School District La Farge School District Westby Area School District
Weyauwega-Fremont School District	Iola-Scandinavia School District Manawa School District Waupaca School District
Whitewater School District	Beloit Turner School District Evansville School District Fort Atkinson School District Jefferson School District Lake Mills Area School District Marshall School District Mauston School District Stoughton Area School District Sun Prairie School District

Source: The Wisconsin Department of Public Instruction, 2015

Conclusion

Wisconsin has been one of the leading states in cultivating an environment that fosters innovation in education through charter schools. The number of public school districts that made decisions regarding new charter schools during the 2014-2015 school year is evidence that districts throughout the state support innovation in education and are exploring how and to what extent charter schools can provide quality options to parents and students in their districts. The Wisconsin Charter School Program continues to support high quality charter schools through its rigorous grant review process and promoting high standards for new and continuing charter schools.

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- National Alliance for Public Charter Schools. (February 2015) “Estimated Number of Public Charter Schools & Students 2014-15”. http://www.publiccharters.org/wp-content/uploads/2015/02/open_closed_FINAL1.pdf
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Appendix A



Wisconsin Department of Public Instruction
Charter School Contract Reviewer Benchmarks

Authorizer	School Name		
General Information		Rating	
		Present	Absent
Indicates name of the person seeking to establish the charter school. §118.40(1m)(b)1		<input type="checkbox"/>	<input type="checkbox"/>
Indicates name of the person who will be in charge of the charter school. §118.40(1m)(b)2		<input type="checkbox"/>	<input type="checkbox"/>
Describes the manner in which administrative services will be provided. §118.40(1m)(b)2		<input type="checkbox"/>	<input type="checkbox"/>
Identifies the status of the school as a non-instrumentality or instrumentality of the school district. §118.40(7)(a)		<input type="checkbox"/>	<input type="checkbox"/>
Charter School Program Description Well organized description of school.		Present	Absent
Describes the charter school educational program offered and students served. §118.40(1m)(b)3		<input type="checkbox"/>	<input type="checkbox"/>
Describes the method used to enable pupils to attain educational goals under Wisconsin Statutes 118.01. §118.40(1m)(b)4		<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. §118.40(1m)(b)5		<input type="checkbox"/>	<input type="checkbox"/>
Governance/Structure		Present	Absent
Describes how the school will be governed, including method to be followed to ensure parental involvement. §118.40(1m)(b)6		<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.] §118.40(1m)(b)7		<input type="checkbox"/>	<input type="checkbox"/>
Provides procedures by which the school will follow to ensure the health and safety of the pupils. §118.40(1m)(b)8		<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. §118.40(1m)(b)9		<input type="checkbox"/>	<input type="checkbox"/>
Provides the requirements for admission to the school. §118.40(1m)(b)10		<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. §5210(1)(h) of the Elementary and Secondary Education Act (ESEA) as amended by the No Child Left Behind Act of 2001	<input type="checkbox"/>	<input type="checkbox"/>
Describes the level of autonomy afforded the charter school relative to policy and budget development, staffing and evaluation. §5210(1)(a) of the ESEA	<input type="checkbox"/>	<input type="checkbox"/>
Criteria	Present	Absent
Describes the procedures by which students will be disciplined. §118.40(1m)(b)12	<input type="checkbox"/>	<input type="checkbox"/>
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. §118.40(1m)(b)13	<input type="checkbox"/>	<input type="checkbox"/>
Indicates how the program and attendance at the charter school is voluntary. §118.40(6)	<input type="checkbox"/>	<input type="checkbox"/>
Clearly states that the charter school does not charge tuition. §118.40(4)(b)1	<input type="checkbox"/>	<input type="checkbox"/>
Financial/Operational Criteria	Present	Absent
Describes the manner in which annual audits of the financial and programmatic operations of the school will be performed. §118.40(1m)(b)11	<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. §118.40(1m)(b)14	<input type="checkbox"/>	<input type="checkbox"/>
Describes the effects of the establishment of the charter school on the liability of the school district and the effect of the establishment of the charter school on the liability of the contracting entity. §118.40(1m)(b)15	<input type="checkbox"/>	<input type="checkbox"/>
The contract specifies the amount to be paid to the charter school each year of the contract. §118.40(3)(b)	<input type="checkbox"/>	<input type="checkbox"/>
Contract addresses how the school district will allocate federal funding for which the charter school is eligible. §5203(b)(2) of the ESEA	<input type="checkbox"/>	<input type="checkbox"/>
Describes a program which is nonsectarian in its practices, programs, admission policies, employment practices and all other operations. §118.40(4)(a)2	<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. §118.40(4)(b)2	<input type="checkbox"/>	<input type="checkbox"/>
Addresses the procedures or reasons by which either party may withdraw or revoke the contract. §118.40(5)	<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. §5210(1)A of the ESEA	<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. §5204(f)(4)(B) of the ESEA	<input type="checkbox"/>	<input type="checkbox"/>
Other	Present	Absent
The length of the contract is specified, not to exceed 5 years. §118.40(3)(b)	<input type="checkbox"/>	<input type="checkbox"/>
The contract is dated and signatures of the authorizer and the operator of the charter school are provided. §118.40(3)(a)	<input type="checkbox"/>	<input type="checkbox"/>
Describes the effect of the establishment of the charter school on the liability of the authorizer where the authorizer is not a school district. §118.40(2r)(b)2	<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. §118.40(4)(a)1	<input type="checkbox"/>	<input type="checkbox"/>
By September 1, 2004 operators of high school grades describe policy specifying criteria for granting high school diploma. §118.33(1)(f)2	<input type="checkbox"/>	<input type="checkbox"/>
Describes manner of transportation, if provided, to and from the charter school. (Note—school districts are not required to provide transportation to charter schools.)	<input type="checkbox"/>	<input type="checkbox"/>
Virtual Charter School Requirements	Present	Absent
The virtual charter school is under contract with a school board under Wis. Stats. §118.40 (8). [Wis. Stats. §115.001 (16)]	<input type="checkbox"/>	<input type="checkbox"/>
The virtual charter school is located in the school district of the authorizing school board or, if authorized through an agreement with one or more school boards or the board of control of a CESA, in the school district specified in the agreement. [Wis. Stats. §118.40 (8)(a)]	<input type="checkbox"/>	<input type="checkbox"/>
The teacher assigned for each online course in the virtual charter school is appropriately licensed for the grade level and subject taught. [Wis. Stats §118.40 (8)(b)]	<input type="checkbox"/>	<input type="checkbox"/>
The virtual charter school provides educational services to its pupils for at least 150 school days each year. [Wis. Stats §118.40 (8)(d)]	<input type="checkbox"/>	<input type="checkbox"/>
The virtual charter school ensures that its teachers are available to provide direct pupil instruction for at least the applicable number of hours specified in s.121.02 (1)(f)2 each school year. No more than 10 hours in any 24-hour period may count toward these requirements. [Wis. Stats §118.40 (8)(d)]	<input type="checkbox"/>	<input type="checkbox"/>
The virtual charter school ensures that its teachers respond to inquiries from pupils and from parents or guardians of pupils by the end of the first school day following the day on which the inquiry is received. [Wis. Stats §118.40 (8)(d)]	<input type="checkbox"/>	<input type="checkbox"/>
The virtual charter school ensures that a parent advisory council is established for the school and meets on a regular basis. The governing body shall determine the selection process for members of the parent advisory council. [Wis. Stats. §118.40 (8)(e)]	<input type="checkbox"/>	<input type="checkbox"/>

<p>The virtual charter school informs the parent or guardian of each pupil attending the school, in writing, the name of and how to contact each of the following persons: [Wis. Stats. §118.40 (8)(e)]</p> <p>The members of the school board that contracted for the establishment of the virtual charter school and the administrators of that school district.</p> <p>The members of the virtual charter school’s governing body.</p> <p>The members of the virtual charter school’s parent advisory council.</p> <p>The staff of the virtual charter school.</p>	<input type="checkbox"/>	<input type="checkbox"/>
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Appendix B



Tony Evers, PhD, State Superintendent

June 1, 2015

Dear District Administrator:

State law requires the Department of Public Instruction (DPI) to report annually to the legislature the status of existing charter schools, the number of petitions for new charter schools, as well as any school board or departmental action taken on petitions for new charter schools.

In compliance with this requirement, the DPI has developed an electronic survey to gather necessary data to include in our annual report to the legislature. We ask that you please take the time to complete and submit the survey at your earliest convenience. Most of you should be able to finish the survey in less than five minutes.

This online survey can be accessed at www2.dpi.wi.gov/sms-css/home.do. Your case-sensitive password is **pom521**. Please note the survey cannot be accessed through the DPI website.

The information requested in this survey specifically complies with s. 115.28(49), Wis. Stats., and corresponds to charter school activity between July 1, 2014, and June 30, 2015. Thank you for a one-hundred percent response rate last year and for your comments regarding charter schools in Wisconsin.

All districts are asked to complete and submit the survey electronically by Friday, June 12, 2015. If you have questions regarding the survey, please contact Scott Eagleburger at 608-266-5880, or scott.eagleburger@dpi.wi.gov. Thank you in advance for completing the survey.

Sincerely,

A handwritten signature in black ink that reads "Tony Evers".

Tony Evers, PhD
State Superintendent

TE: se

School Management Services

Charter School Proposal Report 2014-2015

School District (0000)

PII-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.

You are asked to participate regardless of whether your district has charter schools or whether your district made decisions about charter school petitions/proposals.

Please respond to the 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 seeks information on first and second level decisions on new charter school petitions or proposals within your school district **between July 1, 2014 and June 30, 2015 only**.

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.

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

If you have questions while completing the survey or encounter difficulty when transmitting the survey please contact Scott Eagleburger 608-266-5880 or scott.eagleburger@dpi.state.wi.us.

1. District: School District (0000)
CESA: 0

2. Name of person completing form:

3. Title of person completing form:

4. From July 1, 2014 to June 30, 2015 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 16.

5. Number of approved 1st level decisions:

6. 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

If so, list the districts in the consortium:

- g. Other

7. Number of denied 1st level decisions:

8. 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

If so, list the districts in the consortium:

- g. Other

9. From July 1, 2014 to June 30, 2015 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.

10. Number of approved 2nd level decisions:

11. 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

If so, list the districts in the consortium:

- g. Other

12. Number of denied 2nd level decisions:

13. 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

If so, list the districts in the consortium:

- g. Other

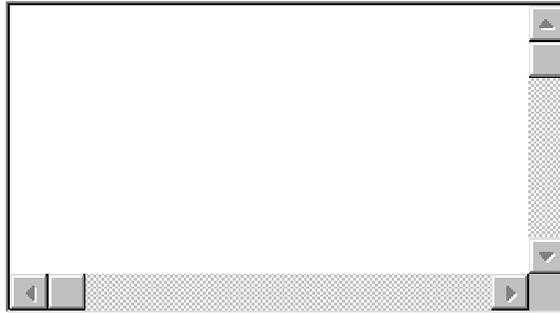
14. Who initiated the charter school concept(s) or proposal(s)?
(Select all that apply)

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

15. Identify members of the planning group (Select all that apply):

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

16. Open comments about charters or the Wisconsin Charter School Program:

A large empty rectangular text area with a scroll bar on the right side. The scroll bar is located on the right edge of the text area, with a vertical track and a small rectangular slider. The text area is currently empty.

Copyright: State of Wisconsin Department of Public Instruction