

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

2009-2010

CHARTER SCHOOLS

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

Statutory Report Series

Legislative Report on Charter Schools

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Executive Summary

As stated in §115.28 (49), Wis. Stats., the Wisconsin Department of 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 charter school activity in the 425 Wisconsin school districts during the 2009-2010 school year.

For the purposes of this report, two distinct levels of decision-making are documented. A first-level decision occurs during the charter school's *development* stage. The school district may approve further study of a charter school concept, or consider participating in a consortium of school districts interested in opening a charter school, or sign a planning grant with the purpose 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 concept, 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 start-up funds from the DPI.

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

During the 2009-2010 school year, 55 districts (12.9 percent) reported charter school activity. This includes at least one district in every Cooperative Educational Service Agency (CESA). When the activity is broken down, 55 school boards made 91 first-level charter school decisions, and 22 school boards made 56 second-level charter school decisions. Of the first-level decisions, 76 of 91 (83.5 percent) were approved. Of the second-level decisions, 50 of 56 (89.3 percent) were approved. Six school districts reported a second-level decision but not a first-level decision. The survey data show that school district staff was instrumental in the initiation and planning of charter school petitions and proposals.

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 method, increasing the ability of the school to 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 its charter and for student achievement. Consistent with the national charter school motto "Autonomy for Accountability," the Wisconsin law gives charter schools freedom from most state rules and regulations in exchange for greater accountability with regard to 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, over 1,700 charter schools were in operation, serving approximately 430,000 school children (Hill et al., 2001). During the 2009-2010 school year, approximately 4,921 charter schools were in operation across 39 states and the District of Columbia and served over 1.6 million students (National Alliance for Public Charter Schools, 2010). Charter schools represent 5 percent of all public schools and 3.3 percent of all students attending public schools (National Alliance for Public Charter Schools, 2010).

Promoted by a boost of federal funding, the number of charter schools over the last two decades has increased. The 2009 appropriation for the USDE Public Charter Schools Program was \$216 million, an increase of 13.7 percent from the previous year (U.S. Department of Education, 2009).

Wisconsin Charter Schools

History of Wisconsin's Charter School Law

The Wisconsin Charter School Program was established 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 statewide cap of twenty schools. The Stevens Point Area School Board authorized Wisconsin's first charter school in 1994, and twelve other charter schools soon followed. 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 to authorize charter schools. In 1997, the state gave chartering authority in the city of 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 a CESA to operate a charter school located within the CESA's region. In 2005, Wisconsin Act 11 gave chartering authority to the University of Wisconsin – Parkside (UW-Parkside), allowing it to establish a single charter school. These independent chartering entities (UW-Milwaukee, UW-Parkside, the Milwaukee Area Technical College, and the City of Milwaukee) are often referred to as “2R” authorizers because §118.40 (2r) is the statute that pertains to the authority of these entities as authorizers. (For more information, see 2R or Independent Authorizers below).

In addition to increasing the number of charter authorizers, the law has undergone further changes. The 1998 budget adjustment session established a) procedures for a school board to follow when 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 identify their relationship with the school district as an instrumentality or non-instrumentality. Changes that occurred in the 2003 and 2005 biennial budgets 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 (*Wis. Stats.*, §118.40(4)(c)). In 2008, the law was further amended to clarify requirements for virtual charter schools (*Wis. Stats.*, §118.40(8)).

Success 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 until recently. Table 1 shows the growth of Wisconsin charter schools from the fall of 1994 to the fall of 2009.

■ Table 1

Growth of Charter Schools in Wisconsin

Year	Number of Charter Schools	Percent Increase from Previous Year
1994-1995	1	-
1995-1996	8	700%
1996-1997	13	63%
1997-1998	18	38%
1998-1999	40	122%
1999-2000	63	58%
2000-2001	86	37%
2001-2002	109	27%
2002-2003	129	18%
2003-2004	134	4%
2004-2005	161	20%
2005-2006	183	14%
2006-2007	190	4%
2007-2008	231	22%
2008-2009	221	- 4%
2009-2010	206	- 7%

For the 2009-2010 school year, 206 charter schools were operating in Wisconsin. There were 80 Wisconsin school boards that authorized 189 charter schools, and 3 non-school board authorizers sponsored 17 charter schools. Although 4 new charter schools opened in 2009, there were 17 charter schools that closed for a variety of reasons. These reasons included financial difficulties, low student enrollment, or conversion to a non-charter public school. However, Wisconsin continues to rank in the top ten states for the number of charter schools operating within the state. (See Table 2, next page.) Over 36,000 Wisconsin students (4.1 percent of all Wisconsin k-12 students) attended a charter school during the 2009-2010 school year.

■ Table 2

States with the Most Charter Schools

Rank	State	Total Number of Charter Schools		Percent of Public Schools that are Charters
		2008-2009	2009-2010	2009-2010
1	California	747	807	8.0%
2	Arizona	474	508	22.6%
3	Texas	265	276	6.3%
4	Florida	396	411	10.5%
5	Ohio	330	321	8.5%
6	Michigan	232	240	6.3%
7	Wisconsin	221	206	9.2%
8	Minnesota	153	153	6.3%
9	Colorado	149	158	8.8%
10	Pennsylvania	127	135	4.2%

Sources: The National Alliance for Public Charter Schools, 2010-2011. Wisconsin numbers are obtained from the Department of Public Instruction.

Throughout the years, Wisconsin has received national praise for its charter school initiative. In 2009, the DPI applied for and was awarded a five-year, \$86 million federal grant by the United States Department of Education to support both the development and implementation of new charter schools and the dissemination of best practices of current charter schools. These federal funds are disseminated through the Wisconsin Charter School Program (WCSP), housed in the DPI.

The 2014 goals for the WCSP include a) 130 new charter schools open; b) the majority of the 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. There are many charter schools operating in Wisconsin that do not apply for or receive any funds through the Wisconsin charter schools grant program.

Overview of Wisconsin's Charter Schools

Below is a brief overview of Wisconsin's charter schools. This and other information can be found on the DPI charter school website at <http://dpi.wi.gov/sms/csindex.html>. Additionally, the DPI publishes an annual charter school yearbook that includes a history of the Wisconsin charter school law, charter licensing requirements, and 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 federal laws governing regular or special education and civil rights policies. Additionally, they are not exempted 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 setting up independent governance and administrative structures.

Charter schools are free to be creative in setting up their administrative and governance structures as long as parental involvement is required and the governing board is independent and autonomous from the authorizer. The governance board must have autonomy related to policy, budget, and personnel. Therefore, a majority of the governance board members should 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

Under federal law, charter schools must be equally accessible to all students in the school district. 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 disabilities. A charter school cannot charge tuition. In addition, the charter must clearly describe how the school will achieve a racial and ethnic balance that reflects the balance in the school district as a whole (see Table 3).

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

■ Table 3

Wisconsin's Charter School Population by Race/Ethnicity

	2008-2009		2009-2010	
	Charter	State	Charter	State
Asian/Pacific Islander	5.6%	3.6%	5.3%	3.7%
Black, not Hispanic	30.8%	9.5%	27.2%	10.4%
Hispanic	14.8%	7.7%	16.4%	8.4%
American Indian/ Alaskan Native	1.0%	1.5%	1.0%	1.5%
White, not Hispanic	48.2%	77.6%	50.2%	76.0%

Source: Wisconsin Dept. of Public Instruction

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. 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://www.ed.gov/policy/elsec/guid/cspguidance03.pdf>.

2R or Independent Authorizers

Although most authorizers are school districts, a few other entities are permitted by state law to authorize charter schools. These entities include UW-Milwaukee, MATC, the 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 pertains to these entities.

During the 2009-2010 school year, there were 17 independent (2R) charter schools in operation in Wisconsin. See Table 4 below for a list of these schools and their authorizers.

■ Table 4

Wisconsin's Independent (2R) Charter Schools

Authorizer	School
City of Milwaukee	Academy of Learning and Leadership
City of Milwaukee	Central City Cyber School
City of Milwaukee	Darrell Lynn Hines Academy
City of Milwaukee	Downtown Montessori Academy
City of Milwaukee	Milwaukee Academy of Science
UW-Milwaukee	Bruce Guadalupe Community School
UW-Milwaukee	BEAM (Business & Economics Academy of Milwaukee)
UW-Milwaukee	Capitol West Academy
UW-Milwaukee	Inland Seas School of Expeditionary Learning
UW-Milwaukee	Milwaukee College Preparatory School
UW-Milwaukee	Milwaukee Renaissance Academy
UW-Milwaukee	School for Early Development & Achievement (SEDA)
UW-Milwaukee	Seeds of Health Elementary School
UW-Milwaukee	Tenor High School
UW-Milwaukee	Woodlands School
UW-Milwaukee	YMCA Young Leaders Academy
UW-Parkside	21st Century Preparatory School

Source: Wisconsin Department of Public Instruction

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 a non-instrumentality, the personnel are considered employees of the charter school. In 2009-2010, there were 169 (82.0 percent) instrumentality and 37 (18.0 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 the 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 so forth.

Conclusion

Charter school authorizers preparing a high-quality education program for students should require a balance of school autonomy and accountability. While ensuring rigorous results, district authorizers should continue to seek ways to enhance school autonomy. Authorizers are improving their practices by continually drawing from the National Association of Charter School Authorizers (NACSA) website, where they can access issue and policy briefs and related

studies and materials. Through its annual conference, NACSA encourages networking among the many professionals who make up the charter school governing boards and those who are leaders in the education systems throughout the country. These are the people who will create and sustain high-quality public charter schools.

Creating a Charter School

In Wisconsin, there are two ways to create a charter school: by petition or by proposal. Each method is explained 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 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 sheet 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 ten percent of the teachers district-wide or at least fifty 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. The school board may grant or deny the petition.

For Milwaukee only, if the school board denies a petition, 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.

Conditions for Total Charter School Conversion

In special circumstances, 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. 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 15 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 the 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 be notified. 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 §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-instrumental 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 of the public schools in the school district. Charter schools board must provide alternative public school attendance arrangements for pupils who do not wish to attend or are not admitted to a charter school.

First- and Second-Level Decisions

School districts have two distinct levels of decision-making when it comes 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 purpose of seeking federal charter school planning funds from DPI. A second-level decision occurs at the *implementation* stage. This occurs 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 start-up funds from the DPI. Both levels of decision-making help to define petition and proposal activity, as it relates to the interest, planning, and implementation of new charter schools. To measure development and implementation activity, the DPI distributed an electronic survey; the results are summarized in the next section.

Petition and Proposal Activity – Survey Results

The next section will provide a summary of petition and proposal activity in school districts during the 2009-2010 school year as well as the action taken by the school districts and the DPI. Although there are multiple authorizers in the Milwaukee area, the data in this report specifically addresses local school board actions and does not include activity or actions taken on new charter school proposals by non-school board sponsors. The terms “proposal” and “petition” are used interchangeably throughout this section.

An introductory letter was mailed to the superintendents of all 425 school districts (see Appendix B). The letter requested that each district complete an online survey, which asked questions regarding charter school petitions and/or proposals during the 2009-2010 school year. Through sending out reminders and contacting school districts directly, 100 percent of the school districts responded. When inconsistencies were noted between survey data and federal grant documentation, a follow-up contact was made to the respondents to ensure accuracy and reliability of results from all sources of data.

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

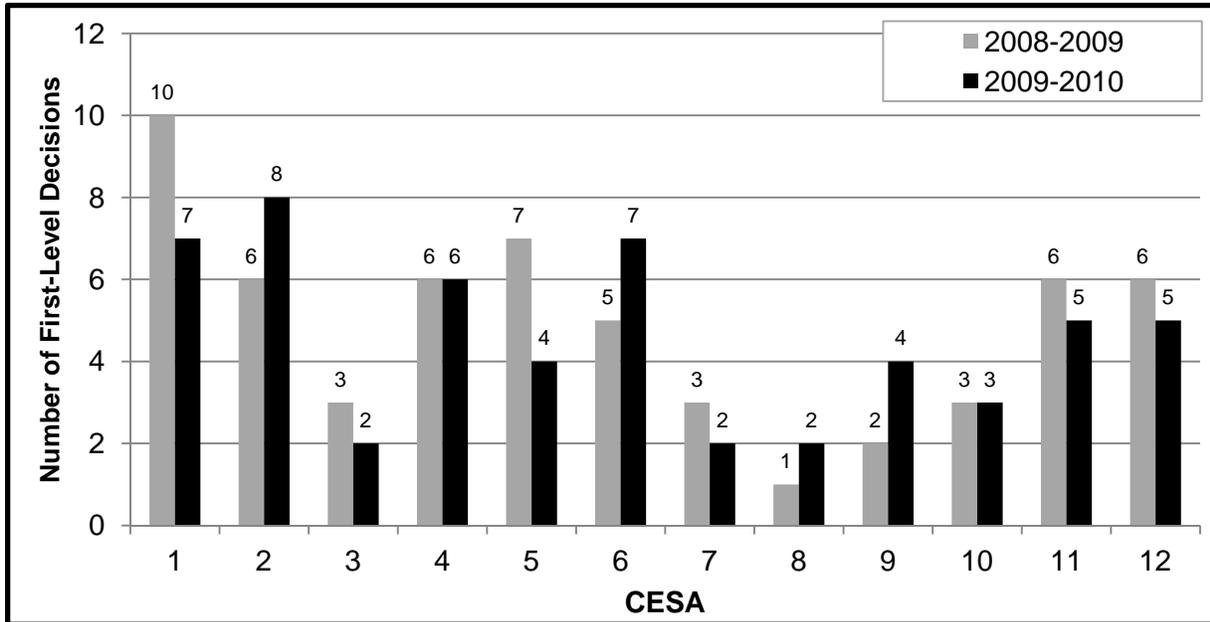
General Information

Most of the survey respondents were high-level administrators. Three hundred thirty-three survey respondents (78.4 percent) indicated their title as being District Administrator, Superintendent, or Assistant Superintendent. Nine survey respondents (2.1 percent) indicated their title as being a director of education programming, such as Director of Learning, Director of Student Achievement, Director of Student Services, Director of Pupil Services, or Director of Instructional Services, among others. Seventeen survey respondents (4 percent) held a position at a particular school, either as Charter School Director, School Principal, or Assistant Principal. Thirty-nine survey respondents (9.2 percent) indicated their position as Assistant to the Superintendent, Administrative Assistant, or District Secretary. The remaining twenty-seven survey respondents (6.4 percent) held positions such as Director of Business Services and Director of Alternative Education, among others.

Figure 1 provides a breakdown by CESA comparing the number of first-level decisions made on proposed new charter schools during the 2008-2009 and the 2009-2010 school years. As shown, the number of charter school petitions increased in CESAs 2, 6, 8, and 9 and remained equal in CESAs 4 and 10. CESAs 1, 3, 5, 7, 11, and 12 saw a decrease between the two years.

■ Figure 1

Comparison by CESA – Number of First-Level Decisions on Proposed New Charter Schools during the 2008-2009 and 2009-2010 School Years

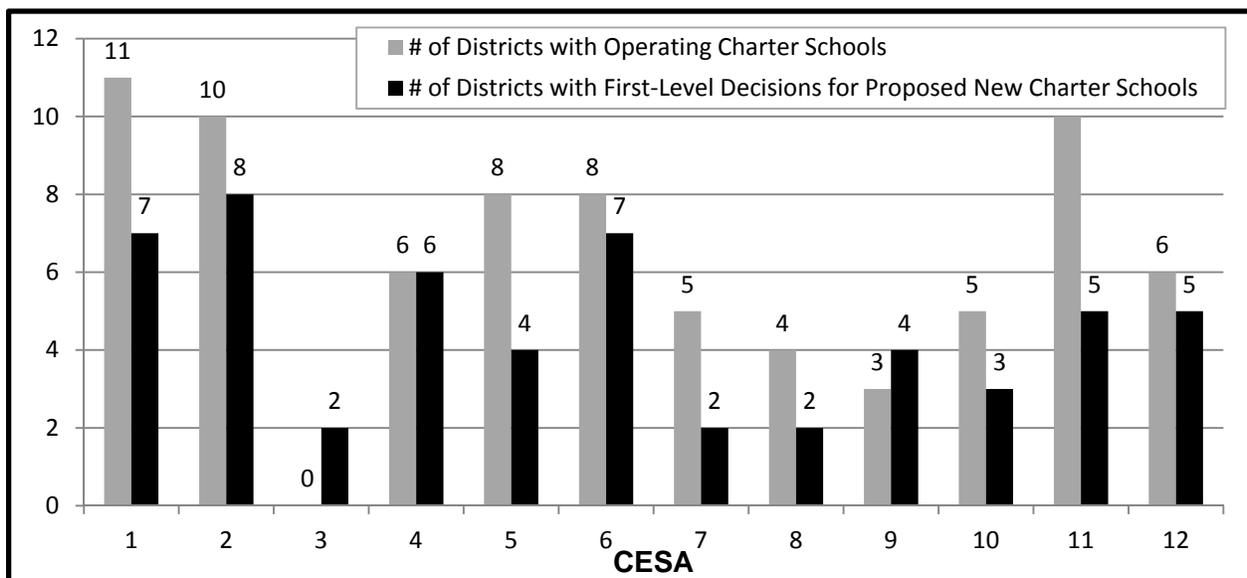


Source: Wisconsin Department of Public Instruction

Figure 2 (next page) displays the comparison of the number of districts with operating charter schools to the number of districts with first-level decisions for proposed new petitions for the 2009-2010 school year. Of the 51 districts with first-level decisions, 28 of them (55 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 2009-2010



Source: Wisconsin Department of Public Instruction

First-Level Decisions

Between July 1, 2009 and June 30, 2010, 51 districts (17.8 percent) reported a total of 91 first-level decisions. Districts approved 76 (83.5 percent) of the filed proposals because of the reasons noted in Table 5.

■ Table 5

Reasons for Approval of First-Level Decisions

Reason	Number (n=76)	Percentage
Realizes an alternative vision for schooling	39	51.3%
Increases student achievement	34	44.7%
Increases parent/community involvement	31	40.8%
Attracts students	39	51.3%
Serves a special population	27	35.5%
Participates in a charter school consortium	6	7.9%
Other	3	3.9%

Source: Wisconsin Department of Public Instruction

The reasons most given for approving new proposals by the respondents to our Wisconsin-wide survey were: realizing an alternative vision for schooling, and to attract students (both at 51.3 percent). Wisconsin districts also cited increasing student achievement, (44.7 percent). A significant number of districts in Wisconsin (40.8 percent) noted “community involvement” as a reason for approving new petitions. The importance of serving a special population was referenced by 35.5 percent of Wisconsin school boards. Other reasons for the interest in starting

charter schools in Wisconsin included: participation in a charter consortium; expanding arts and humanities instruction; integrating learning; improving service; and offering curriculum to encourage students to stay (3.9 percent total).

Table 6 below shows why districts deny first-level decisions. Altogether, eight districts reported a denial of fifteen first-level decisions. Among the reasons for denial were: program not unique or innovative; lack of teacher, parent, or community support; declining enrollment; withdrew from consortium (each at 6.7 percent); and financial constraints (20 percent). One denial (6.7 percent) was because of “other reasons,” which included being denied a planning grant.

■ Table 6

Reasons for Denial of First-Level Decisions

Reason	Number (n=15)	Percentage
Program not unique or innovative	1	6.7%
Lack of teacher, parent, or community support	1	6.7%
Declining enrollment	1	6.7%
Financial reasons	3	20%
Liability of district	1	6.7%
Withdrew from multi-district consortium	1	6.7%
Other	1	6.7%

Source: Wisconsin Department of Public Instruction

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, 2009 and June 30, 2010, (6.5 percent) of Wisconsin school districts reported making 56 second-level decisions. Fifty were approved, and six were denied. Districts who reported second-level decision approval of a proposal did so for a variety of reasons noted in Table 7.

■ Table 7

Reasons for Approval of Second-Level Decisions

Reason	Number (n=50)	Percentage
Realizes an alternative vision for schooling	20	40%
Increases student achievement	19	38%
Serves a special population	15	30%
Attracts students	18	36%
Increases parent/community involvement	16	32%
Participates in a charter school consortium	8	16%
Other	3	6%

Source: Wisconsin Department of Public Instruction

The reasons respondents provided for approving second-level decisions are consistent with the reasons provided for approving first-level decisions: realizing an alternative vision for schooling (40 percent) and increasing student achievement (38 percent) were the top two reasons cited for approval of second-level decisions. Serving a special population (30 percent), attracting students (36 percent), and increasing parent/community involvement (32 percent) were also significant.

Two districts reported a denial of six second-level decisions. Among the reasons for denial were declining enrollment (16.7 percent) and financial reasons (33.3 percent). Lack of uniqueness in the program (16.7 percent) and lack of support by teachers, parents, and the community (16.7 percent) were also cited. The reasons for denial are noted in Table 8 below.

■ Table 8

Reasons for Denial of Second-Level Decisions

Reason	Number (n=6)	Percentage
Declining enrollment	1	16.7%
Financial reasons	2	33.3%
Program not unique or innovative	1	16.7%
Lack of teacher, parent, or community support	1	16.7%
Liability of district	0	0%
Withdrew from multi-district consortium	0	0%
Other	1	16.7%

Source: Wisconsin Department of Public Instruction

Source of Petitions and Proposals

A majority of charter school proposals came from school administrators, district superintendents, and teachers. The three districts who noted “other” indicated the school board, the charter school governance board, and a student as the source of a new charter proposal.

■ Table 9

Source of Charter School Petitions and Proposals

Source	Number (n=58)	Percentage
School Administration	31	53.4%
District Superintendent	28	48.3%
Teachers	30	51.7%
Parents	24	41.4%
Community (not-for-profit)	18	31%
CESA	3	5.2%
Business (for-profit)	4	6.9%
Other	3	5.2%

Source: Wisconsin Department of Public Instruction

Planning Group Participants

Survey results indicate that school administrators, teachers, and parents made up the majority of charter school planning groups during the 2009-2010 school year, while district superintendents and the larger community were close behind. The six districts that noted “other” indicated that their planning boards included other school districts, social services, assistant superintendent, university faculty, consortium staff members, school board members, head-start, a student, and members of a charter school’s governance board.

■ Table 10

Charter School Planning Group Members

Source	Number (n=57)	Percentage
School Administration	50	87.7%
Teachers	48	84.2%
Parents	45	78.9%
District Superintendent	36	63.2%
Community (not-for-profit)	32	56.1%
CESA	8	14%
Business (for-profit)	8	14%
Other	6	10.5%

Source: Wisconsin Department of Public Instruction

Comments

Of Wisconsin’s 425 school districts, only 73 (17 percent) offered additional comments on the subject of charter schools or the WCSP. Many of the respondents praised charter schools for their flexibility, increased opportunities for students, and success. Many said that their students like going to charter schools and that they are excellent for those students who are having a difficult time in a regular public school. Some respondents stated that charter schools give the students more choice in their education and an opportunity to explore the different approaches to learning that charter schools offer.

Status of Charter Schools and Federal Grants

There were 206 operating charter schools in the 2009-2010 school year, 189 of which were authorized by 80 school districts. Of the remaining 17 charter schools, 11 were authorized by UW-Milwaukee, 5 were authorized by the Common Council of the City of Milwaukee, and 1 was authorized by UW-Parkside.

Additionally, a total of 79 grant applications (i.e., 44 planning, 16 initial implementation, 3 implementation renewals, 13 dissemination, and 3 dissemination renewals) were submitted to the DPI in April of the 2009-2010 school year. A listing of charter proposals, the type of federal charter school grant application submitted to the DPI by April 2010, the funding status of the application, and school status as of September 2010 are provided below in Table 11.

■ Table 11

The DPI Action on Grant Applications Submitted April 2010

Authorizer Name	School Name	Grant Type	Funding Status	School Status as of 9/1/2010
Appleton School District	Appleton Bilingual School	Planning	Funded	Planning
Appleton SD	Appleton Career Academy	Dissemination	Funded	Open
Appleton SD	Appleton Public Montessori	Dissemination	Not Funded	Open
Appleton SD	Fox River Academy	Dissemination Renewal	Funded	Open
Appleton SD	United Public Montessori	Implementation	Funded	Open
Augusta SD	Wildlands Science Research CS	Dissemination	Funded	Open
Beloit SD	Beloit Entrepreneurial Academy	Planning	Not Funded	Not Open
Birchwood SD	Birchwood Blue Hills	Implementation Renewal	Funded	Open
Birchwood SD	Birchwood Montessori Charter School	Planning	Not Funded	Not Open
Black River Falls SD	Black River Area Green School	Implementation Renewal	Funded	Open

Chetek-Weyerhaeuser SD	Red Cedar Environmental Institute	Planning	Funded	Planning
City of Milwaukee	CEO Leadership Academy	Planning	Funded	Planning
City of Milwaukee	Garden Home Montessori	Planning-Withdrawn	Funded/withdrawn	Not Open
City of Milwaukee	Jo Learning Academy	Planning-Withdrawn	Not Funded/withdrawn	Not Open
City of Milwaukee	King's Academy	Implementation	Funded	Open
City of Milwaukee	Milwaukee Math & Science Academy	Planning	Funded	Planning
City of Milwaukee	TransCenter for Youth	Planning	Funded	Planning
Columbus SD	Discovery CS	Dissemination	Not Funded	Open
D.C. Everest Area SD	Everest Charter School	Planning	Funded	Planning
Eau Claire Area SD	ENGAGE Charter School	Planning-Closed	Funded	Not open
Gillett SD	CRE8 Charter School	Planning	Funded	Planning
Gillett SD	GOAL Charter School of Gillett	Planning	Funded	Planning
Green Bay SD	John Dewey Academy of Learning	Planning	Funded	Planning
Hartford Union High School	Engage Academy	Planning-Declined	Funded/declined	Not open
Hartland Lakeside SD	Green Life Charter School	Implementation	Funded	Open
Hartland Lakeside SD	Hartland School of Community Learning	Implementation	Funded	Open
Highland SD	Highland Community Middle School	Implementation	Funded	Open
Highland SD	Highland Community Middle School	Implementation	Funded	Open
Hortonville SD	Fox West Academy of Collaborative Learning	Planning	Funded	Planning

Janesville SD	TAGOS Leadership Academy	Dissemination	Funded	Open
Kaukauna Area SD	New Directions Learning Community	Planning	Funded	Planning
Kaukauna Area SD	Park Community Charter School	Planning	Funded	Planning
Kenosha Unified SD	Harborside Academy	Dissemination	Funded	Open
Kenosha Unified SD	Kenosha eSchool	Dissemination	Not Funded	Open
Kettle Moraine SD	KM Arts Academy	Planning	Not Funded	Not open
Kettle Moraine SD	KM Global CS for Leadership	Planning	Funded	Planning
Kiel Area SD	Meeme LEADS CS	Dissemination Renewal	Funded	Open
Kimberly Area SD	Kornerstone Charter School	Planning	Funded	Planning
La Crosse SD	Design Institute	Planning	Funded	Planning
Little Chute Area SD	Little Chute Career Pathways CS	Planning	Funded	Planning
Madison Metropolitan SD	Badger Rock Middle School	Planning	Funded	Planning
Manitowoc SD	Manitowoc County Comprehensive CS	Dissemination	Not Funded	Open
Marathon SD	Marathon Venture Academy	Planning	Funded	Planning
Mauston SD	I LEAD Ch Sch	Planning	Funded	Planning
McFarland SD	Wisconsin Virtual Academy	Implementation	Not Funded	Open
Milwaukee SD	Hawley Environmental School	Implementation	Funded	Open
Milwaukee SD	I.D.E.A.L. Ch Sch	Dissemination	Funded	Open
Milwaukee SD	Milwaukee College Prep-38 th St.	Planning	Funded	Planning
Milwaukee SD	Milwaukee Community Cyber (MC2) HS	Implementation	Funded	Open

Milwaukee SD	Milwaukee Excel Charter High School	Planning	Funded	Planning
Milwaukee SD	Montessori IB High Sch	Dissemination	Funded-Declined	Open
Milwaukee SD	North Point Lighthouse Charter	Planning –Closed	Funded	Not Open
Milwaukee SD	Transformation Learning Community	Planning	Not Funded	Not Open
Monona Grove SD	Monona Grove Liberal Arts CS for the 21 st Century	Implementation	Funded	Open
Montello SD	High Marq Environmental	Implementation	Funded	Open
Northwood SD	North Star Community CS	Planning	Funded	Planning
Oconto Falls SD	Journey Learning Center	Planning	Not Funded	Not Open
Oconto Falls SD	New Path CS	Dissemination	Not Funded	Open
Oshkosh Area SD	Jacob Shapiro Brain-based Instruction	Dissemination	Funded	Open
Rice Lake SD	Rice Lake Community Charter School	Planning	Not Funded	Not Open
Ripon SD	Quest Elementary School	Implementation	Funded	Open
River Valley SD	River Valley Elementary Studio School	Planning	Funded	Planning
Sauk Prairie SD	SPARK Charter School	Planning-Declined	Funded/declined	Not open
Sheboygan SD	Central Community HS	Planning	Funded	Planning
Sheboygan SD	George D. Warriner Middle School	Planning	Funded	Planning
Sheboygan SD	I.D.E.A.S. Academy	Planning	Funded	Planning
Sheboygan SD	The Mosaic School	Planning	Funded	Planning
Shiocton SD	Shiocton International Leadership Academy	Planning	Funded	Planning
Solon Springs SD	Saint Croix Charter School	Planning	Not Funded	Not Open
Sparta Area SD	Lakeview Montessori	Dissemination	Funded	Open

UW-Milwaukee	Milwaukee College Preparatory Sch	Dissemination Renewal	Funded	Open
UW-Milwaukee	Urban Day Charter School, Inc.	Implementation	Funded	Open
Verona SD	Verona Area International	Implementation	Funded	Open
Viroqua SD	Viroqua Montessori School	Planning	Not Funded	Not Open
Waukesha SD	Waukesha STEM Academy	Implementation	Funded	Open
Wausau SD	Wausau Engineering & Global Leadership	Implementation	Funded	Open
Wauwatosa SD	Tosa School of the Trades	Implementation Renewal	Funded	Open
West Allis SD	WAWM Scale Charter School	Planning	Not Funded	Not Open
Whitewater SD	Lincoln Inquiry Charter School	Planning	Funded	Planning

Source: Wisconsin Department of Public Instruction

Furthermore, 40 school districts and two CESAs participated in a multi-partner charter school initiative during 2009-2010 school year. A list of the sponsor districts and the consortium partners involved is below in Table 12.

■ Table 12

School Districts Engaged in Multi-District/Partner Charter Activity

Sponsor District	Consortium Partners
Cambridge School District	Deerfield Community School District Fort Atkinson School District Jefferson School District Lake Mills Area School District Marshall School District Palmyra-Eagle Area School District Parkview School District Whitewater 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
Lena School District	Coleman 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 Colby School District Prentice School District Rib Lake School District
New Lisbon School District	CESA 5 Mauston School District Necedah Area School District Wonewoc-Union Center School District
Oak Creek-Franklin School District	Cudahy School District South Milwaukee School District
Rice Lake Area School District	Barron Area School District Cameron School District Cumberland School District
Viroqua Area School District	De Soto Area School District Kickapoo Area School District La Farge School District Westby Area School District
Weyauwega-Fremont School District	CESA 6 Iola-Scandinavia School District Manawa School District New London School District Waupaca School District
Wisconsin Rapids School District	Nekoosa School District Port Edwards School District

Source: Wisconsin Department of Public Instruction

The following map (Figure 3) depicts the federal charter school grant activity across the state, translating Table 11 onto a map to give a visual representation of the charter school grant activity across Wisconsin.

Conclusion

The federal government, through its annual appropriations to the Charter School Program, has demonstrated its commitment to providing options for parents of children attending public schools in the United States. Wisconsin has been one of the leading states in cultivating an environment that fosters innovation in education through charter schools. The amount of charter school activity during the 2009-2010 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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Appendix A



Wisconsin Department of Public Instruction Charter School Contract Reviewer Benchmarks

School District/Chartering Authority Name	Charter 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 <i>Well organized description of school.</i>	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. (<i>Note—school districts are not required to provide transportation to charter schools.</i>)	<input type="checkbox"/>	<input type="checkbox"/>



Tony Evers, PhD, State Superintendent

June 30, 2010

Dear District Administrator:

State law requires the Department of Public Instruction 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 department 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 **rkb8744**. Please note the survey cannot be accessed through the Department of Public Instruction 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, 2009, and June 30, 2010. 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, July 30, 2010. If you have questions regarding the survey, please contact Soumary Vongrassamy at 608-267-3168 or soumary.vongrassamy@dpi.wi.gov, or Latoya Holiday at 608-266-8066 or latoya.holiday@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

School Management Services

Charter School Proposal Report 2009-2010
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, 2009 and June 30, 2010 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 Latoya Holiday at 608-266-8066 or latoya.holiday@dpi.wi.gov.

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

2. Name of person completing form:

3. Title of person completing form:

4. From July 1, 2009 to June 30, 2010 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, 2009 to June 30, 2010 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:



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