

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

2011-2012

CHARTER SCHOOLS

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

Statutory Report Series

Legislative Report on Charter Schools

2011-2012

Prepared by

Barry Golden
Charter Schools Consultant

Margaret McMurray
Charter Schools Consultant

Leni Wolf
Charter Schools Education Specialist

Scott Eagleburger
Charter Schools Education Specialist

Project Supervised by

Robert A. Soldner
Director, School Management Services



Wisconsin Department of Public Instruction

Tony Evers, PhD, State Superintendent
Madison, Wisconsin

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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 charter school activity in the 424 Wisconsin school districts during the 2011-2012 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 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 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 2011-2012 school year, 55 districts (13 percent) reported charter school activity, including at least one district in every regional Cooperative Educational Services Agency. A breakdown of the activity shows 46 school boards made 66 first-level charter school decisions, and 32 school boards made 41 second-level charter school decisions. Of the first-level decisions, 62 of 66 (94 percent) were approved. Of the second-level decisions, 40 of 41 (97.5 percent) were approved. While 23 districts reported a first-level decision and not a second-level decision, 10 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 methods 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 its charter and for student achievement. With the 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, Lake, Celio, Campbell, Herdman & Bulkley 2001). During the 2011-2012 school years, approximately 5,600 charter schools were in operation across 41 states and the District of Columbia and served over two million students (National Alliance for Public Charter Schools 2013). Charter schools represent 5.8 percent of all public schools and 4.2 percent of all students attending public schools (National Alliance for Public Charter Schools 2013).

Promoted by a boost of federal funding for charter schools, the number of charter schools over the last two decades has increased. The 2009-2014 appropriation for the USDE Public Charter Schools Program was \$216 million (U.S. Department of Education 2013).

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, 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 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 bill, 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 since §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 schools.

; fck h 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 2011.

■ 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	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%
2010-2011	206	0%
2011-2012	232	11%

Source: The Wisconsin Department of Public Instruction, 2012

For the 2011-2012 school year, 232 charter schools were in operation in Wisconsin, an increase of 11% from the previous school year. There were 92 Wisconsin school boards that authorized 213 charter schools, and three non-school board authorizers sponsored 19 charter schools. While 40 new charter schools opened in 2011, 16 charter schools closed for a variety of reasons, including financial difficulties, low student enrollment, and conversion to a non-charter public school (National Alliance for Public Charter Schools 2013). Nevertheless, Wisconsin still ranks in the top ten nationally for the number of charter schools operating within the state (see Table 2). Over 42,000 Wisconsin students (4.1% of all Wisconsin K-12 students) attended a charter school during the 2011-2012 school year.

■ Table 2

States with the Most Charter Schools

Rank	State	Total Number of Charter Schools		Percent of Public Schools that are Charter
		2010-2011	2011-2012	2011-2012
1	California	913	984	9.9%
2	Arizona	508	531	24.3%
3	Florida	461	516	13.2%
4	Ohio	341	357	9.5%
5	Texas	277	270	6.7%
6	Michigan	241	256	7.1%
7	Wisconsin	206	232	10.5%
8	New York	170	184	3.9%
9	Colorado	167	175	9.7%
10	Pennsylvania	147	162	5.1%

Sources: The National Alliance for Public Charter Schools, 2013; Wisconsin Department of Public Instruction, 2012.

Throughout the years, Wisconsin has received national praise for its charter school initiative. In 2005, the DPI applied for and was awarded a five-year, \$86 million federal grant by the USDE 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 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. These schools are funded similarly to other public schools, primarily through the use of state and local aid.

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://sms.dpi.wi.gov/sms_csindex. 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 federal laws governing regular or special education and civil rights policies. Charter schools also 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 setting up independent governance and administrative structures.

Charter schools are free to be creative in setting up their administration 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 disability. 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.

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

2R or Independent Authorizers

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

During the 2011-2012 school year, there were a total of 19 independent (2R) charter schools in operation in Wisconsin. Table 3 shows a list of these schools and their authorizers.

■ Table 3

Wisconsin's Independent (2R) Charter Schools

Authorizer	School
City of Milwaukee	Central City Cyber School
City of Milwaukee	CEO Leadership Academy
City of Milwaukee	Darrell Lynn Hines Academy
City of Milwaukee	Downtown Montessori Academy
City of Milwaukee	King's Academy
City of Milwaukee	Milwaukee Academy of Science
City of Milwaukee	Milwaukee Math and Science Academy
UW-Milwaukee	Bruce Guadalupe Community School
UW-Milwaukee	Capitol West Academy
UW-Milwaukee	Milwaukee College Preparatory School
UW-Milwaukee	Milwaukee Scholars Charter School
UW-Milwaukee	School for Early Development & Achievement (SEDA)
UW-Milwaukee	Seeds of Health Elementary School
UW-Milwaukee	Tenor High School
UW-Milwaukee	Urban Day Charter School, Inc.
UW-Milwaukee	VERITAS High School
UW-Milwaukee	Woodlands School
UW-Milwaukee	YMCA Young Leaders Academy
UW-Parkside	21st Century Preparatory School

Source: The Wisconsin Department of Public Instruction, 2013

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, personnel are considered employees of the charter school. In 2011-2012, of the charter schools authorized by districts, there were 186 (87.3 percent) instrumentality and 27 (12.7 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 so forth.

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 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 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.

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 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 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 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-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 2011-2012 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 2011-2012 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 (ex: City of Milwaukee, UW-Milwaukee, MATC, and UW-Parkside), 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 2011-2012 school years. By sending out reminders and contacting districts directly, 100 percent of the school districts responded. When inconsistencies were noted between survey data and 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 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.

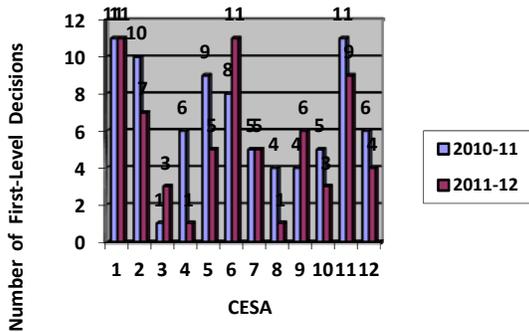
General Information

Most of the survey respondents were high-level administrators. Specifically, 307 (72.4 percent) indicated their title as being District Administrator, Superintendent, or Assistant Superintendent. Thirty-five survey respondents (8.3 percent) indicated their position as Assistant to the Superintendent, Administrative Assistant, or District Secretary. Eighteen survey respondents (4.2 percent) indicated a position at a school, such as Charter School Director or School Principal. Eight survey respondents (2 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. The remaining survey respondents held positions such as Director of Business Services and Bookkeeper, among others.

Figure 1 provides a breakdown by CESA, comparing the number of first-level decisions made on proposed new charter schools during the 2010-2011 and the 2011-2012 school years. As shown, the number of charter school petitions increased in CESAs 3, 6, and 9 and remained equal in CESAs 1 and 7. CESAs 2, 4, 5, 8, 10, 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 2010-2011 and 2011-2012 School Years

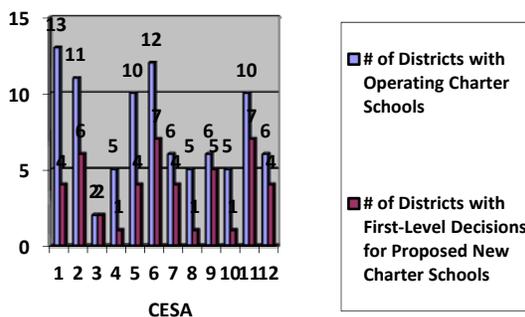


Source: The Wisconsin Department of Public Instruction, 2013

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 petitions for the 2011-2012 school year. Of the 46 districts with first-level decisions, 22 of them (47.8 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 2011-2012



Source: Wisconsin Department of Public Instruction, 2013

First-Level Decisions

Between July 1, 2011 and June 30, 2012, 46 districts reported a total of 66 first-level decisions. Districts approved 62 (94 percent) of the filed proposals for the reasons noted in Table 4.

■ Table 4

Reasons for Approval of First-Level Decisions

Reason	Number (n=62)	Percentage
Realizes an alternative vision for schooling	36	58.1%
Increases student achievement	35	56.5%
Attracts students	35	56.5%
Increases parent/community involvement	32	51.6%
Serves a special population	21	33.9%
Participates in a charter school consortium	5	8.1%
Other	3	4.8%

Source: The Wisconsin Department of Public Instruction, 2013

The reason most given for approving new proposals by the respondents to our Wisconsin-wide survey was “realizes an alternative vision for schooling” (58.1 percent). Increasing student achievement (56.5 percent) and attracting students (56.5 percent) were also frequently cited. A significant percentage of districts in Wisconsin (51.6 percent) noted “increases parent/community involvement” as a reason for approving new petitions, while serving a special student population was also commonly mentioned (33.9 percent). Some survey respondents (8.1 percent) cited participating in a charter school consortium as a reason for approving new proposals. Three districts (4.8 percent) listed other reasons for their interest in starting charter schools in Wisconsin. Numerous districts cited multiple reasons for approving first-level decisions.

The table below shows reasons why districts denied first-level decisions. Four districts reported a total of four first-level denials. Reasons for denial included financial constraints (50 percent) and a lack of program uniqueness (25 percent). One denial (25 percent) was due to the charter proposal not being sufficiently developed to meet district expectations. Past reasons for denials, which were not cited in 2011-2012, include: a) lack of teacher, parent, or community support; b) declining enrollment; and c) district liability.

■ Table 5

Reasons for Denial of First-Level Decisions

Reason	Number (n=4)	Percentage
Financial reasons	2	50%
Program not unique or innovative	1	25%
Other	1	25%

Source: The Wisconsin Department of Public Instruction, 2013

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, 2011 and June 30, 2012, 32 Wisconsin school

districts reported making 41 second-level decisions. Forty 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=40)	Percentage
Increases parent/community involvement	25	62.5%
Attracts students	24	60%
Realizes an alternative vision for schooling	23	57.5%
Increases student achievement	22	55%
Serves a special population	14	35%
Participates in a charter school consortium	7	17.5%
Other	1	2.5%

Source: The Wisconsin Department of Public Instruction, 2013

The reasons respondents provided for approving second-level decisions are consistent with the reasons provided for approving first-level decisions. Increasing parent/community involvement (62.5 percent), attracting students (60 percent), realizing an alternative vision for schooling (57.5 percent), and increasing student achievement (55 percent) were the top four reasons cited for approval of second-level decisions. Serving a special population (35 percent) and participation in a consortium (17.5 percent) were also favored, while only one district (2.5 percent) cited other reasons for approving a second-level decision. As is evident, numerous districts cited multiple reasons for approving first-level decisions.

One district reported a denial of one second-level decision. The district cited financial reasons, lack of teacher, parent, or community support, district liability, and legal issues as reasons for denial. Historically, other reasons for denial have included declining enrollment, lack of program uniqueness, and withdrawing from a multi-district consortium.

■ Table 7

Reasons for Denial of Second-Level Decisions

Reason	Number (n=1)	Percentage
Financial reasons	1	100%
Lack of teacher, parent, or community support	1	100%
Liability of district	1	100%
Other	1	100%

Source: The Wisconsin Department of Public Instruction, 2013

Source of Petitions and Proposals

A majority of charter school proposals came from school administrators, district superintendents, teachers, and parents. The five districts that noted “other” indicated a university partner, the school board, a consortium of schools and the charter school governance board, and an individual community member as the source of a new charter proposal.

■ Table 8

Source of Charter School Petitions and Proposals

Source	Number (n=53)	Percentage
School Administration	33	62.3%
District Superintendent	31	58.5%
Teachers	27	50.9%
Parents	26	49.1%
Community (not-for-profit)	18	34.0%
Business (for-profit)	3	5.7%
CESA	2	3.8%
Other	5	9.4%

Source: The Wisconsin Department of Public Instruction, 2013

Planning Group Participants

Survey results indicate that school administrators, teachers, and parents made up the majority of charter school planning groups during the 2011-2012 school year, while not-for-profit community groups and district superintendents were close behind. The five districts that noted “other” indicated that their planning boards included school board members and a business manager.

■ Table 9

Charter School Planning Group Members

Source	Number (n=53)	Percentage
School Administration	44	83.0%
Teachers	43	81.1%
Parents	43	81.1%
Community (not-for-profit)	35	67.3%
District Superintendent	34	64.2%
Business (for-profit)	7	13.2%
CESA	5	9.4%
Other	4	7.5%

Source: The Wisconsin Department of Public Instruction, 2013

Comments from Survey

Sixty-two of the 424 Wisconsin school districts offered additional comments on the survey. Many respondents stated the belief that their charter school has given the children, parents and staff an opportunity to experience alternatives to traditional schooling, some even stating that the existence of charters in the district has spurred innovation in other district schools. Some respondents stated that the district was considering charter schools as an option for the 2012 – 2013 school year, while others responded that their district has not and does not plan to develop a charter school in the future. Other respondents expressed concerns about accountability for charters and their fiscal impact on non-charter public schools, while still others discussed the importance of allowing charters to be innovative with minimal restrictions. Numerous respondents stated their appreciation for the DPI's support and hard work related to charter schools.

Status of Charter Schools and Federal Grants

To further understand the current state of charter schools in Wisconsin, this section includes details about the status of charter schools and their funding.

There were 232 operating charter schools in the 2011-2012 school year, 213 of which were authorized by 92 school districts. Of the remaining 19 charter schools, 11 were authorized by UW-Milwaukee, seven were authorized by the Common Council of the City of Milwaukee, and one was authorized by UW-Parkside.

A total of 98 grant applications (36 planning, 35 initial implementation, 15 implementation renewals, 5 dissemination, and 7 dissemination renewals) were submitted to the DPI for the 2011-2012 school year. Seventeen grant applications were not funded or were withdrawn. A listing of charter proposals, the type of federal charter school grant application submitted to the DPI by April 15, 2011, the status of the application as funded or not funded, and school status as of September 2011, are provided below in Table 10.

■ Table 10

The DPI Action on Grant Applications Submitted April 2011

Authorizer Name	School Name	Grant Type	Funding Status	School Status as of 9/1/2011
Appleton Area	Appleton Bilingual School	Implementation	Funded	Open
Appleton Area	Appleton Career Academy	Dissemination Renewal	Funded	Open
Appleton Area	Appleton Public Montessori	Dissemination	Funded	Open
Appleton Area	Kaleidoscope Academy	Dissemination	Funded	Open
Appleton Area	United Public Montessori	Implementation Renewal	Funded	Open
Augusta	Wildlands Science Research Charter School	Dissemination Renewal	Funded	Open
Birchwood	Birchwood Montessori Charter School	Planning	Funded	Planning
Chequamegon	Glidden Class ACT	Dissemination	Funded	Open
Chetek	Red Cedar Environmental Institute	Implementation	Funded	Open
City of Milwaukee	CEO Leadership Academy	Implementation	Funded	Open
City of Milwaukee	Escuela Verde	Planning	Funded	Planning

City of Milwaukee	Grandview High School	Planning	Not Funded	Not open
City of Milwaukee	King's Academy	Implementation Renewal	Funded	Open
City of Milwaukee	Milwaukee Math & Science Academy	Implementation	Funded	Open
City of Milwaukee	Montessori High School	Planning	Withdrawn	Not open
City of Milwaukee	North Point Lighthouse Charter School	Planning	Funded	Planning
Cumberland	Island City Research Academy	Dissemination	Funded	Open
DC Everest	IDEA Charter School	Implementation	Funded	Open
Denmark	Denmark Community School	Planning	Funded	Planning
Fond Du Lac	Fond du Lac STEM Academy	Planning	Funded	Planning
Gillett	Cre8	Implementation	Funded	Open
Gillett	Gillett's Occupation and Leadership (GOAL)	Implementation	Funded	Open
Green Bay Area	John Dewey Academy of Learning	Implementation	Funded	Open
Hartland	Green LIFE Charter School	Implementation Renewal	Funded	Open
Hartland	Hartland School of Community Learning	Implementation Renewal	Funded	Open
Hayward	Northern Waters Environmental School	Planning	Funded	Planning
Highland	Highland Community Elementary School	Planning	Funded	Planning
Highland	Highland Community High School	Planning	Funded	Planning
Highland	Highland Community Middle School	Implementation Renewal	Funded	Open
Hortonville	Fox West Academy of Collaborative Learning	Implementation	Funded	Open
Janesville	Jackson Charter School	Planning	Not Funded	Not open
Janesville	Madison Children's Academy	Planning	Not Funded	Not open
Janesville	TAGOS Leadership Academy	Dissemination Renewal	Funded	Open
Janesville	Van Buren Charter School	Planning	Not Funded	Not open

Kaukauna Area	New Directions Learning Community	Implementation	Funded	Open
Kaukauna Area	Park Community Charter School	Implementation	Funded	Open
Kenosha Unified	The Conduit School	Planning	Not Funded	Not open
Kenosha Unified	Harborside Academy	Dissemination Renewal	Funded	Open
Kenosha Unified	Kenosha School of Technology Enhanced Curriculum	Dissemination	Funded	Open
Kettle Moraine	KM Global	Implementation	Funded	Open
Kettle Moraine	KM Perform	Implementation	Funded	Open
Kimberly	Kornerstone Charter School	Implementation	Funded	Open
La Crosse	Design Institute	Implementation	Funded	Open
Little Chute	Little Chute Career Pathways Academy	Implementation	Funded	Open
Lodi	Ouisconsin School of Collaboration	Planning	Funded	Planning
Madison	Badger Rock Middle School	Implementation	Funded	Open
Madison	Madison Preparatory Academy for Young Men	Planning	Not Funded	Not open
Marathon City	Marathon Venture Academy	Implementation	Funded	Open
Mauston	iLEAD Charter School	Implementation	Funded	Open
Merrill	PIQUE Academy	Planning	Not Funded	Not open
Merrill/Marathon City	Maple Grove Schoolhouse	Planning	Funded	Planning
Middleton-Cross Plains Area	Clark Street Community School	Planning	Funded	Planning
Milwaukee	Business and Economics Academy of Milwaukee (BEAM)	Implementation	Not Funded	Open
Milwaukee	EXCEL Charter High School	Implementation	Funded	Open
Milwaukee	Hawley Environmental School	Implementation Renewal	Funded	Open
Milwaukee	I.D.E.A.L. Charter School	Dissemination Renewal	Funded	Open
Milwaukee	Kathryn T. Daniels University Prep Academy	Implementation	Funded	Open

Milwaukee	Milwaukee College Preparatory Academy-38 th Street	Implementation	Funded	Open
Milwaukee	Milwaukee Community Cyber High School	Implementation Renewal	Funded	Open
Milwaukee	North Division High School	Implementation	Not Funded	Open
Milwaukee	School for Media and Communication	Planning	Withdrawn	Not open
Milwaukee	Transformation Learning Community	Implementation	Not Funded	Open
Minocqua J1	Minocqua School of Creative and Design Learning	Planning	Funded	Planning
Minocqua	Woodland Progressive School for 21st Century Citizens	Implementation Renewal	Funded	Open
Monona Grove	Environmental and Health Sciences Charter School	Planning	Not Funded	Not open
Monona Grove	Monona Grove Liberal Arts for the 21st Century	Implementation Renewal	Funded	Open
Montello	Forest Lane Charter School	Planning	Funded	Planning
Montello	High Marq Environmental School	Implementation Renewal	Funded	Open
Nekoosa	Wisconsin River Academy	Planning	Not Funded	Not open
Northwood	NorthStar Community Charter	Implementation	Funded	Open
Northwood	Northwood Charter High School	Planning	Funded	Planning
Oshkosh Area	Jacob Shapiro Brain-Based Instruction Laboratory School	Dissemination Renewal	Funded	Open
Rice Lake Area	T.E.A.M.S. Academy	Planning	Funded	Planning
Ripon Area	Catalyst Middle School	Planning	Funded	Planning
Ripon Area	Lumen Charter High School	Implementation	Funded	Open
Ripon Area	Quest Charter School	Implementation Renewal	Funded	Open
River Valley	River Valley Elementary Studio School	Implementation	Funded	Open

Shawano	LEADS Primary Charter School	Planning	Funded	Planning
Sheboygan Area	Central High School	Implementation	Funded	Open
Sheboygan Area	George D. Warriner Middle School	Implementation	Funded	Open
Sheboygan Area	I.D.E.A.S. Academy	Implementation	Funded	Open
Sheboygan Area	The Mosaic School	Implementation	Funded	Open
Shiocton	Shiocton International Leadership Academy	Implementation	Funded	Open
Sparta Area	Lakeview Montessori School	Dissemination Renewal	Funded	Open
UW-Milwaukee	Milwaukee Scholars	Implementation	Funded	Open
UW-Milwaukee	Urban Day School	Implementation Renewal	Funded	Open
Verona Area	Verona Area International School	Implementation Renewal	Funded	Open
Waukesha	Waukesha STEM Academy	Implementation Renewal	Funded	Open
Waupun	School for Agricultural and Environmental Studies (SAGES)	Planning	Funded	Planning
Wausau	Wausau Engineering and Global Leadership Academy	Implementation Renewal	Funded	Open
West Allis-West Milwaukee	Digital Learning Academy	Planning	Not Funded	Not open
West Allis-West Milwaukee	iSchool	Planning	Not Funded	Not open
West Allis-West Milwaukee	Personalized Academy of Learning	Planning	Not Funded	Not open
West Allis-West Milwaukee	Reprise Academy	Planning	Not Funded	Not open
West Allis-West Milwaukee	Shared Journeys Charter School	Planning	Funded	Planning
Whitewater	Lincoln Inquiry	Implementation	Funded	Open
Whitnall	Technology and Discovery Center	Planning	Withdrawn	Not open
Wisconsin Rapids	Rudolph Charter School	Planning	Funded	Planning

Source: The Wisconsin Department of Public Instruction, 2013

Furthermore, 49 school districts participated in a multi-partner charter school initiative during the 2011-2012 school year. A list of the sponsor districts and the consortium partners involved is shown in Table 11.

■ Table 11

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
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 Sun Prairie 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 Antigo School District Colby School District Merrill Area School District Prentice School District Rib Lake 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
Wisconsin Rapids School District	Nekoosa School District Port Edwards School District

Source: The Wisconsin Department of Public Instruction, 2013

Conclusion

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 2011-2012 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 (2005). *Charting a Clear Course: A Resource Guide for Building Successful Relationships between Charter Schools and School Management Organizations* (2nd ed.). Washington, D.C.: NAPCS. www.publiccharters.org/node/1139.
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**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.		<input type="checkbox"/>	<input type="checkbox"/>

§5210(1)(h) of the Elementary and Secondary Education Act (ESEA) as amended by the No Child Left Behind Act of 2001		
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

September 14, 2011

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 report to the legislature. Most of you should be able to finish the survey in less than five minutes. This survey can be accessed via the following web address: <https://www2.dpi.wi.gov/sms-css/home.do> Please note that the survey cannot be accessed through the Department of Public Instruction website.

Your password, which is case sensitive, is **wab2287**

The information requested in the survey specifically complies with s. 115.28(49), Wis. Stats., and corresponds to charter activity between July 1, 2011, and June 30, 2012. Thank you for a one-hundred percent response rate last year and for your feedback regarding survey improvement.

All districts are asked to complete and submit the survey electronically no later than July 29, 2012. If you have questions regarding the survey, you may contact Scott Eagleburger at lawrence.eagleburger@dpi.wi.gov. Your timely completion of the survey is greatly appreciated.

Sincerely,

Tony Evers, PhD
State Superintendent

TE: idb

School Management Services

Charter School Proposal Report 2010-2011

School District (0000)

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

Dear District Administrator,

The Department of Public Instruction must annually report to the Legislature on the status of existing charter schools, the number of petitions/proposals for new charter schools, and school board and departmental action on petitions/proposals for new charter schools.

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, 2011 and June 30, 2012 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, 2011 to June 30, 2012 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, 2011 to June 30, 2012 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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