

City of Milwaukee
Common Council

CHARTER SCHOOL APPLICATION

For the
2011-2012 School Year

Deadline: **March 29, 2010**
No later than 4:30 p.m.

Deliver to: City Clerk's Office
City Hall, Room 205
200 E. Wells St.
Milwaukee, WI 53202

The application date and time are firm.
Applications received after the due date and time will not be considered.
Applications delivered to any other location will not be considered.

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GENERAL INSTRUCTIONS

The Common Council of Milwaukee has established requirements for individuals and groups to follow in applying for a contract to operate a charter school in the City of Milwaukee. Please review the following summary of the application process before turning to the charter school application instructions themselves.

If you decide to submit an application it is important to follow the format summarized in these general instructions. The evaluation process follows this format.

A copy of the state statute governing charter schools is attached to this application for your convenience.

When and Where to Submit Applications

Submit **one copy** of your application by 4:30 p.m. to:

Ron Leonhardt, City Clerk
City Hall, Room 205
200 E. Wells Street
Milwaukee, WI 53202

If your application is found to be technically complete, you will be asked to submit nine (9) updated copies for use by the Charter School Review Committee.

Note: All application materials are subject to the Open Records laws of the State of Wisconsin and City of Milwaukee.

How to Get Help

The Institute for the Transformation of Learning at Marquette University is available to help answer any questions you may have about applying for a Charter School contract from the City of Milwaukee. ITL can also answer many of your specific questions about the application. For assistance you can contact Cindy Zautcke (P.O. Box 1881 Milwaukee, Wis. 53201-1881. The telephone number is 414-828-6977; and the fax number is 414-288-6199.)

Charter School planning grants are available from the Wisconsin Department of Public Instruction. For more information, contact Margaret McMurray, Charter School Consultant, P.O. Box 7841, Madison, WI 53707-7841. Her phone number is 608-266-5728. Charter schools web page: www.dpi.state.wi.us/sms/csindex.html

You may also examine past charter school applications at the City of Milwaukee's Department of Administration, which is located in Room 606 in City Hall, 200 E. Wells St. While you are free to examine past applications at any time during the regular working hours of the Department of Administration, it may save you time to schedule an appointment. To schedule an appointment to examine past Charter School Applications, call Bob Juhay at 286-8689.

For assistance regarding certification of your school building for occupancy, code requirements, etc. contact the City Building Inspection Department at 841 N. Broadway, 10th Floor.

For any other questions about the charter school application process, please contact the City of Milwaukee's Department of Administration. You should contact Bob Juhay at 286-8689.

Process Overview

Assuming the application has been received by the deadline, the review process is as follows:

Review and approval by a technical reviewer.

This review will focus on the completeness of the application. If the application is complete, the reviewer will submit the application to the Charter School Review Committee. If the application is incomplete, the reviewer will find it “technically deficient” and provide the applicant with one opportunity to submit missing information. Once missing information is provided, the technical reviewer will again determine whether the application is complete.

If the reviewer concludes that the application remains technically deficient—either because all the missing information was not provided or it was provided after the deadline set—the reviewer will reject the application. The applicant may appeal this denial to the Charter School Review Committee under Section 330-19 of the City’s Code of Ordinances, which states: “An applicant whose application has been denied...may, no later than 10 days after receipt of the notice of denial, file with the City Clerk a written request for an appeal hearing before the committee. The City Clerk shall promptly transmit any such request to the committee. The committee shall hear the applicant’s appeal within 30 days after receipt of the request for a hearing.”

If, however, an applicant submits all missing information on time, the reviewer will certify the application as complete. The application will then be considered on the merits by the Charter School Review Committee.

Background Checks.

If the application is found to be technically complete, the technical reviewer will also conduct background checks on the person seeking to establish the Charter School, and its board members, educational leader, and finance manager. The information obtained from the background checks will not necessarily result in either negative or positive decisions regarding the application. Decisions about the use of information obtained from the background checks will be made by the Charter School Review Committee and the Common Council.

Review and approval by the Charter School Review Committee.

This review will focus on the merits of the application. The Committee will schedule a public hearing with the applicant and may schedule a site visit, request additional information, or take other actions it deems appropriate to complete its review. The Committee will evaluate the application according to the criteria set forth in the following instructions, and issue findings relating to each application. If the findings are positive, the Committee will recommend approval of the application by the Common Council.

Review and approval by the Common Council. All applications recommended for approval by the Charter School Review Committee will be referred to the Common Council. The City Attorney will prepare a proposed contract, which the Council will also consider. The application and proposed contract will first be considered by a committee of the Council. Then the full Council will vote on the application and proposed contract. The Council may take any action it deems appropriate: approve, approve with changes, or disapprove.

Continued

Process Overview, continued

Negotiation of a final contract with the City Attorney.

If the Common Council approves the application and proposed contract, a final contract is then negotiated with the City Attorney.

Notice to Department of Public Instruction (DPI).

The City must notify DPI of its intent to give the applicant a charter school contract no later than February 1 of the following year.

Conditions to be met before the school can open in fall.

Staff of the CSRC will work with approved applicants to ensure that certain contingencies are in place before the school opens. This information will be provided as part of the contract negotiation with the city attorney.

HOW TO ORGANIZE YOUR APPLICATION

Please number all pages of your application. Please use tab dividers to separate the sections. Please label the different tabs.

Please organize your application according to the following format, which corresponds to the format used by the Charter School Review Committee to evaluate applications:

Table of Contents

A summary sheet indicating:

- Name of applicant
- Address of applicant
- Phone number of applicant
- Name of contact person
- Whether applicant is an existing or new school
- Proposed grade levels to be served
- Proposed number of students to be served
- Name and title of person authorized to bind the corporation
- Mission and vision of the school
- Brief description of the school

Section I: School Operations.

Section II: Educational Programs.

NOTE: These instructions provide a general description of the information you must submit for Sections I and II. In both sections, the instructions also indicate the criteria that the technical reviewer and Charter School Review Committee will use to evaluate the completeness and merits of your application. Please be aware that portions of your application will be included in the contract.

Section III: Certification that you will abide by specific statutory and municipal requirements.

NOTE: These certifications will become part of the contract.

Section IV: Attachments required as part of the application.

NOTE: A total of 20 attachments are required. Sections I and II describe the specific attachments required under Section IV.

Section V: Offers the applicant the opportunity to provide additional information the applicant believes is relevant.

NOTE: You must respond to all requests for information described in Sections I and II, must provide the certifications set forth in Section III, and must provide the attachments described in Section IV. You may, but are not required to, submit additional information under Section V.

Understanding the Application Instructions

Sections I and II are organized into subcategories to which applicants are asked to respond. Each subcategory follows the format below:

Instructions to the applicant

Checklist

A checklist that can be used to ensure that all requested information in that sub-category has been addressed by the applicant. (The checklist is divided into information that all applicants must respond to; information only those who have existing schools need to respond to; and information that only those with proposed schools that are not currently operating must respond to.)

Evaluation Criteria

In some cases, information is included about the criteria that the Charter School Review Committee will use to evaluate the response in that subcategory.

Section III is the certification form that must, by statutory and municipal requirements, be agreed to, signed and dated.

Section IV is a list of attachments that must be submitted with the application.

Included in the Appendix are materials that will help clarify questions that may arise during the preparation of the application and help ensure you have provided a response to all the requested information.

APPLICATION

To be considered complete, the application must include the information requested in the narrative and checklists in the Introduction, Sections I and II, the certifications required in Section III, and the attachments required in Section IV.

INTRODUCTION

Instruction to the applicant: Provide a one page summary description of the charter school, including the mission/vision, board chair, school leader, location, and educational program description. Also provide contact information for application team, including name, email, and phone number.

SECTION I: SCHOOL OPERATIONS

Mission and Vision of the Charter School and the Persons Seeking to Establish a Charter School

Instruction to applicant: Describe the mission and vision of the charter school. Provide the name and address of the person seeking the charter. For purposes of this application, “person” means the individual or organization seeking authority to operate the charter school.

Please provide information about the person seeking the charter, including employment or organizational history and experience in education. Also attach the resume, college transcripts and copies of any licenses held by the person seeking the charter and, if different, the educational leader and financial manager of the school. (Attachment A)

Checklist for Applicant Information

Information about person seeking charter, board members, and finance manager.

(Attachment A)

All applicants

- For school leader, finance manager, and board chair, submit a resume.
- For the school leader and school finance/business manager, provide a college transcript.
 - A background check will be done on the person seeking the charter, the board members, and the finance manager. In order to facilitate confidentiality, this information will be request in the event the application is found to be technically complete.

A new school may not have hired a financial manager and educational staff. Therefore the applicant may not have the social security number, resume, college transcript and licenses for these individuals at the time the application is submitted. However, that information must be provided with content acceptable to the City before a contract is executed by the city.

Governance

Instruction to applicant. Please describe the legal structure of the school and attach supporting documentation. (Attachment B)

Explain how the school will be governed. Describe the roles and responsibilities of those who will govern the school and those who will manage the school. Include a description of the skills and experiences each board member brings to the board that will help ensure the success of the charter school. Please provide an organizational chart and explain the lines of authority. Also, please indicate the areas of expertise each member of your board brings to the operation of the school. (Attachment C)

Please explain the school's internal procedures for resolution of disputes relating to governance or management of the school or its policies and practices.

Describe the method the school will use to ensure parental involvement and the means by which the school proposes to report on the results of this involvement.

Please submit your personnel, operations manual and parent handbook (Attachment D, Attachment E and Attachment S).

Criteria for evaluation

- Well-defined legal structure
- Clear identification of responsibility for all major functions
- Clear lines of accountability between people who govern the school and those who manage it
- Appropriate combination of skill levels on the Board to contribute to the success of the school

Checklist for Governance

Description of legal structure and supporting documentation (Attachment B)

All applicants

- Articles of Incorporation
- By-laws
- If tax exempt organization, Determination Letter

Description of roles and responsibilities of those who will govern and manage the school

All applicants

- Organizational Chart (Attachment C), including board of directors' names and areas of expertise.
- Include your conflict of interest policy

Description of method to ensure parental involvement

All applicants

- Parent Handbook (Attachment S)
- Personnel Manual (Attachment D)
- Operational Manual (Attachment E)

Operational and Fiscal Management of School

Instruction to applicant. Describe the organizational structure and responsibilities of the management and staff. Provide resumes for the person(s) who will serve as educational leader(s) and the person responsible for financial management. (Attachment F). Also provide a personnel manual that addresses staff recruitment, retention, licensing and other personnel policies. (Attachment D).

Provide explanatory material or recent audits that demonstrate knowledge of and compliance with generally accepted procedures for fiscal management, including those related to proper internal controls and investment of funds. **If your school is already in operation, please provide a financial statement for your last full calendar year.** (Attachment G)

Criteria for evaluation

- Clear definition of responsibility for all management functions
- Compliance with generally accepted procedures for fiscal management, investment of funds, audit and accounting procedures
- Comprehensive personnel manual addressing staff recruitment, retention, training, licensing
- Comprehensive operations manual
- Clear and easy to read parent handbook

Checklist for School Management

Description of organizational structure; responsibilities of management/staff.

All Schools

- Description of fiscal management procedures. Include a financial policies and procedures manual (Attachment J) to include:
 - Long Range Business and Financial Plan and Plan update
 - Annual Budgeting and Budget reporting
 - Cash flow budgeting and reporting
 - Generally accepted accounting principles and their application for this institution
 - Internal Controls over major financial processes including cash receipts and disbursements, investments, donations/fundraising, facilities/equipment, procurement-accounts payable, billing-accounts receivable, payroll, travel expense reimbursement, insurance-risk management, grants accounting and reporting, enrollment controls, general ledger-budgetary and accounting controls.
 - City of Milwaukee Charter school financial reporting requirements and procedures developed to comply with these requirements.
 - Financial reporting to the Board of Directors
 - Accounting and financial management qualifications, professional development requirements for affected staff.
- Provide an organizational chart (Attachment C)
- Provide an operations manual, including your conflict of interest procedures for board members and staff (Attachment E)
- Provide personnel manual (Attachment D)
- Parents' Handbook (Attachment S)
- Resume of educational leader (if not already included in Attachment F)
- Resume of person responsible for financial management (if not already included in Attachment F)

Existing Schools Only

- Prior year's financial statements (Attachment G)
 - Balance Sheet
 - Income Statement
 - Unqualified audit opinion and management letter, to include Statement of Cash Flows. These financial statements must be audited by a CPA firm licensed to practice in Wisconsin and accompanied by the Firm's audit opinion and management letter. See "Audits" for detailed audit requirements.
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Budget

Instruction to applicant. Provide an estimated budget for the 2010-2011 school year, including: (1) sources and uses of funds; (2) basis for revenue estimates; (3) and contingency plans for revenue shortfalls. Explain the methods for estimating revenues and expenses and plans to manage revenue deficits or other contingencies.

Specify the number of charter students you expect to enroll. Include:

- Students you are currently educating under a contract with MPS if you plan to enroll them in the charter school
- Students attending a school chartered by another entity that you plan to enroll in your charter school
- Public status (See the state statute included in Appendix C for definition of eligibility)

If your school is already in operation, please include:

A school budget for the 2009-2010 school year and explain significant differences from your budget for the upcoming year.

Also, if you are affiliated or in partnership with an existing organization other than MPS, submit financials for that organization. (Attachment G). This applies if the affiliated organization will:

- Guarantee financial performance
- Administer accounting procedures or
- Otherwise perform fiscal or financial procedures for the applicant

New school applicants must submit:

- **Detailed Budget with key assumptions.** (Attachment H)
 - For all new applications two alternate budgets based on 15% enrollment below projected levels and 30% below projected levels should be submitted.
 - To assure consistent reporting, each school's budget revenue and expenditure accounts must directly reconcile to the accounting system line item or objects of expenditure accounts
- **Annual cash budget** showing monthly receipts, disbursements and beginning and end of month cash balances with key assumptions. (Attachment I)
- **Position listing** of all part- and full-time positions and the professional resumes of all full-time teaching and management personnel currently filling these positions, including all certifications. (Attachment U)
- **Line of Credit** or other source(s) of cash (other revenues, reserves, personal guarantees, etc.) as needed for adequate liquidity over the fiscal year.

Existing school applicants must submit:

- **Detailed Budget** with key assumptions. (Attachment H)
 - If directed by the CSRC for a continuing Charter school, two **alternate budgets** based on 15% enrollment below projected levels and 30% below projected levels should be submitted.
 - To assure consistent reporting, each **school's budget** revenue and expenditure accounts must directly **reconcile to the accounting system line item or objects of expenditure accounts.**

- **Annual cash budget** showing monthly receipts, disbursements and beginning and end of month cash balances with key assumptions. (Attachment I)
- **Position listing** of all part & full time positions and the professional resumes of all full time teaching and management persons currently filling these positions including all certifications. (Attachment U)
- **Line of Credit** or other source(s) of cash (other revenues, reserves, personal guarantees, etc.) as needed for adequate liquidity over the fiscal year.

Criteria for evaluation

- Clear and coherent budget process
- Clear delineation of sources of revenues and categories of expenses
- Realistic methods of estimating revenues and expenses
- Acceptable methods for dealing with deficits and other contingencies
- Results of a review of an affiliated organization

Checklist for Budget

All Schools

- Detailed budget with key assumptions for 2010-2011 school year (including a monthly cash flow projection for the first year of operation (Attachments H and I)
- Sources and Uses of Funds
- Basis for revenue and expense estimates
- Contingency plan for revenue shortfalls
- Number of charter school students expected
- Financial statements and management letter of affiliated organizations

Existing Schools Only

- A school budget for the 2009-2010 school year, and an explanation for significant differences between that budget and the 2010-2011 budget
 - Evidence of line of credit or other sources of cash needed for adequate liquidity
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Facility

Instruction to applicant. Provide the location of your facility. Describe the capacity of the facility, including classroom space, recreational areas, extracurricular areas, and cafeteria. Provide a floor plan, if available.

If you already operate a school in the facility, please provide proof of ownership or tenant status. (Attachment K) Please also provide an occupancy certificate for school use from the City of Milwaukee Department of Building Inspection, and a copy of a letter from the Building Inspection Department regarding code compliance. (Attachment L and Attachment M)

If you have received notice of violations of any health or safety law or code from the Department of Building Inspection, you must submit proof that you have remedied such violations.

If you do not yet have a facility, please describe your plans to obtain an adequate facility and provide any documentation of pending agreements. If your proposal for a school is accepted but you do not yet have a facility, you may be issued a conditional charter contingent upon completing arrangements to lease or buy an appropriate facility, and receipt of an occupancy certificate for school use. Once you have identified a facility, submit a copy of your occupancy permit application to the technical reviewer. (Attachment L)

Please describe any plans you have during the next three years to expand your current facility, open a second facility and/or move to a different facility.

Checklist for Facility

All applicants

- Description of any plans to expand facility, open second facility or move to different facility during next three years
- Location of facility
- Description of facility
 - Number of classrooms
 - Recreational areas
 - Extracurricular area
 - Cafeteria
 - Floor plan

Existing schools only

- Proof of ownership or lease agreement (Attachment K)
- Occupancy permit for school (Attachment H)
- Proof of compliance with building codes (Attachment M)

New schools

- Plan to attain adequate facility
 - Criteria for evaluation
 - General condition of facility
 - Adequacy of space for the program described
- If approved, new schools must provide, within 30 days of Common Council approval,
- Lease agreement or proof of ownership
 - Certificate of occupancy

SECTION II: EDUCATIONAL PROGRAM

- Description of the facility
- Location of facility

Insurance

Instruction to applicant. The Common Council requires minimum liability insurance coverage. All must be written on an occurrence form except for the errors and omission coverage. The City of Milwaukee shall be named as an additional insured under the Commercial General Liability, Auto Liability and Umbrella policies.

Please provide certificates from carrier(s) demonstrating coverage in at least the minimum amounts listed below; and confirmation that carrier(s) will provide the Charter School Review Committee a 30-day notice prior to a material change to or termination of any policy. (Attachment N)

A certificate of insurance acceptable to City evidencing the aforementioned insurance requirements is to be provided to CSRC. Certification is to be provided on the certificate of insurance with separate letter from the insurance agent or broker that there are no exclusions, sub-limits, or restrictions in coverage as noted in this paragraph I.M. The certificate of insurance or policies of insurance evidencing all coverages shall include a statement that City shall be afforded a thirty (30) day written notice of cancellation, non-renewal or material change by any of Charter School insurers providing the coverage required by City for the duration of this Contract. Insurance companies must be acceptable to City and must have a current A.M. Best rating of A- or better.

All certificates of insurance are to be provided to CSRC within 30 days of final execution of this Contract. If Charter School does not comply with this provision of the Contract, City has the authority to declare this Contract terminated in accordance with the provisions of paragraph II. C. 2.

The minimum limits of insurance that City requires from Charter School shall be:

Worker's Compensation

Worker's Compensation	Statutory Coverage
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Employer's Liability Limits

Bodily Injury by Accident	\$100,000 each accident
Bodily Injury by Disease	\$500,000 policy limit
Bodily Injury by Disease	\$100,000 each employee

Worker's Compensation at Statutory limits and Employer's Liability at \$100,000 per occurrence or sufficient limits to meet Umbrella underlying insurance requirements. Coverage shall be modified to include a Waiver of subrogation Endorsement in favor of City including its directors, officers, agents, employees and volunteers.

Commercial General Liability

Commercial General Liability	\$1,000,000 per occurrence /
General Aggregate	\$2,000,000
Personal & Advertising Injury Limit	\$1,000,000
Products - Completed Operations Aggregate	\$2,000,000
Medical Expense	\$ 5,000

Commercial General Liability shall be on an occurrence form covering the risks

associated with or arising out of the services provided under this Contract. This insurance is not to have any exclusions, sub-limits, or restrictions as respects coverage for sexual abuse and molestation, corporal punishment, athletic events, and use of gymnasium equipment.

Auto Liability

Combined Single Limit \$1,000,000 each accident

Business Auto Liability insurance including, but not limited to, Uninsured Motorists, Underinsured Motorists, and contractual liability for risks assumed in this Contract covering the use of any vehicle in an amount not less than \$1,000,000 per accident. (Verification of this coverage is needed only if vehicles will be used while providing services under this Contract.)

Umbrella (excess) Liability

Umbrella (excess) Liability \$4,000,000 per occurrence / \$4,000,000 aggregate

The Umbrella Liability insurance shall provide excess employer's liability, commercial general liability and auto liability coverage.

Fidelity Bond/Crime Insurance

Fidelity Bond / Crime Insurance 50% of the Value of the contract

Crime Insurance, in the form of either a Commercial Crime Policy or Financial Institution Bond, providing coverage for Employee Dishonesty, On Premises, In Transit (Theft Disappearance and Destruction Coverage Form and Robbery and Safe Burglary Coverage Form), Forgery/Alteration, Computer and Funds Transfer Fraud shall be carried for fifty percent (50%) of the total annual program costs of Charter School. Such insurance may be written with a deductible; however, such deductible shall not exceed \$10,000. The City shall be named as loss payee with respect to losses involving property or funds provided under this Contract by DPI. This policy is to cover all employees, officers, and board members of Charter School and all of Charter School's contractors or subcontractors handling money, securities or other property of Charter School. Proof of such coverage shall be provided to CSRC prior to the opening of Charter School.

School Leader's Errors & Omissions**

Limit per occurrence \$1,000,000
Aggregate Limit \$2,000,000

*** Director's and Officer's insurance may be used in lieu of School Leader's E&O provided that the Insurance Company shows proof that all employees and volunteers are protected by the coverage.*

All policies, with the exception of the School Leaders Error's & Omissions policy, shall be written on an occurrence form.

Checklist for Liability Insurance

All Schools

- Certificate of Insurance (Attachment N)
 - Coverage in at least the minimum amounts on an occurrence basis
 - Confirmation of 30-day notice to Charter School review committee
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Audits

Instructions to the applicant.

For existing and new charter school applicants:

Three financial requirements for new applicants:

- Independent Audit engagement letter for first fiscal year
- Auditor report on school's long range business plan and first year budget
- Auditor report on planned, documented internal controls policies–procedures.
- Completed Financial Statements with unqualified audit opinion and management letter (where an existing school or related organization has been in operation during the prior year.)

Additional Information for Applicants

CPA Selection

Criteria for selection of a CPA are available from the technical reviewer. Acceptability criteria include experience of the auditing firm in the field of education and results of a recent peer review, among other things.

Prospective Requirements

Each school awarded a charter must agree contractually to submit an annual independent audit and management letter to the Charter School Review Committee within 90 days of the close of the fiscal year(s).

Criteria for evaluation

- Requested information is included in application.
- Audit firm is acceptable to CSRC

Checklist for Audit

All applicants

- Independent Audit engagement letter for first fiscal year
- Auditor report on school's long range business plan and first year budget
- Auditor report on planned, documented internal controls policies and procedures.
- Completed Financial Statements with unqualified audit opinion & management letter (where an existing school or related organization has been in operation during the prior year.)

If school is currently operating and has audited financial statements (Attachment O)

- An unqualified audit opinion
- Management letter
- Documentation of corrective actions for any reportable conditions in the event an unqualified audit opinion is not available..

The interpretation, judgment and determination of the Charter School Review Committee in reviewing the reports above will be final.

SECTION II: EDUCATIONAL PROGRAM

Description of Educational Program

Instruction to applicant. Please describe the educational program you plan to use in the charter school. The description should include:

- Academic goals. Goals should be clear, measurable standards of performance for students.
- Curriculum. Explain whether your school will have a particular curricular focus. Describe subjects and skills that will be taught and identify content.
- Method of instruction. Describe the teaching methods you will use to attain academic goals.

Criteria for evaluation

- Clarity and cohesiveness of educational program
- Degree to which goals are measurable
- Quality of performance standards
- Program specifies both content focus and student performance goals
- Program builds developmentally across levels
- Program specifies varied types of formal and informal assessment
- Program design incorporates use of feedback to improve teaching and student learning
- Goals are linked in a systematic way with the design of assessment
- Performance standards specify how goals are to be demonstrated

Checklist for Educational Program Description

All applicants

- Academic Goals
 - Curriculum
 - Method of instruction
-
-

Educational Results

Instructions to applicant. Describe the specific measures the school will use to measure academic progress and determine whether the school attains its educational goals. Describe the rationale for choosing these measures..

The City of Milwaukee's Charter School Review Committee monitors the educational progress of students in its charter schools and writes an annual report for each school. A consultant for the CSRC meets with each school's administrator and a memorandum is developed that specifies the data, specific to each school, that will be reported in each school's annual monitoring report. The consultant drafts a report which is reviewed by the administrator for accuracy and submits the monitoring report to the CSRC.

If the school plans to keep electronic data regarding academic achievement and/or other academic related information, provide a description of the computer applications/programs the school plans to use.

If the charter applicant is an existing school, submit data from required standardized assessments (e.g. WSAS, MPS proficiency test scores, Iowa Test of Basic Skills), as well as data from other required assessments (graduation rates, attendance, credit earning, student turnover, grade points, etc.) (Attachment P)

To comply with this paragraph each applicant must provide an assessment plan that will guide the school's assessment of all children in the school. The assessment must include both local measures and yearly standardized tests, as explained further below:

- Local measures the school will use to assess student achievement of the school's curricular goals including both qualitative and quantitative measures, for example:
 - Running records of reading/literacy skills
 - Local writing assignments (with clear criteria or rubrics)
 - Mathematics portfolios, showing mastery of content and processes (again with criteria)
 - IEP goals and benchmarks, showing student achievement on goals

Please complete the following matrix if possible. (You may use an alternate summary of your local measures if it is of equal clarity and addresses the same elements). Local measures for literacy , mathematics, writing, and IEP goals are required for all years of school operation. Additional local measures beginning in the second year of school operation are strongly encouraged.

Continued

Educational Results, continued

Local Measures Matrix for Elementary Schools

Core Local Measures For All Years of School Operation:	Description of Outcome (e.g., ability to make a complete sentence, ability to add and subtract 2 and 3 digit numbers)	Measurement or Assessment Form (e.g., writing samples, mastery tests, etc.)	Frequency of Measurement or Assessment (e.g., daily, weekly, monthly)	Students to Whom Measurement or Assessment Applies (e.g., grade level)
1. Literacy				
2. Mathematics				
3. Writing				
4. IEP Goals				
Additional Local Measures Beginning in 2nd Year of School Operation:				
5.				
6.				

Educational Results, continued

Local Measures Matrix for High Schools

Core Local Measures For All Years of School Operation:	Description of Outcome (e.g., ability to make a complete sentence, ability to add and subtract 2- and 3-digit numbers)	Measurement or Assessment Form (e.g., writing samples, mastery tests, etc.)	Frequency of Measurement or Assessment (e.g., daily, weekly, monthly)	Students to Whom Measurement or Assessment Applies (e.g., grade level)
1. Literacy				
2. Mathematics				
3. Writing				
4. IEP Goals				
Additional Local Measures Beginning in 2nd Year of School Operation:				
5. Employability Skills				
6. Skills related to Verbal/Artistic Expression				
7. Skills related to Civic participation				
8. Post Graduation Plan				
9. Post Graduation Plan				

Any **existing school** older than two year is also required to provide evidence of the school's record of performance for at least the past two years. If available, a school should be able to show the student achievement of cohorts of students over time on standardized tests.

For additional information on how the academic criteria will be used by the Charter School Review Committee to review and evaluate the charter school's performance and hold the school accountable, see Appendix A.

Criteria for evaluation

- Appropriate choice of measures of academic progress
- Accountability to the Charter School Review Committee
- Assessment measures are credible and useful in improving teaching and learning
- Methods incorporate multiple demonstrations of various types
- Reporting method is reasonable and clear

Checklist for Educational Results

All applicants

- Description of assessment plan to measure educational results:
 - Local measures
 - Standardized measures
- Description of rationale for choosing measures
- Explanation of how school will report to the Charter School Review Committee

Existing schools only

- Data from past assessments
-
-

Other Accountability Measures

Instruction to applicant. Describe other factors the school plans to measure, such as parental satisfaction, attendance, parental involvement, community services, etc. (*Measures may vary widely from application to application. However, they should reflect what the school considers to be significant.*)

For high schools, the CSRC will require that each student have an annual plan for graduation that includes the following:

- Evidence of parent/guardian involvement
- Information regarding the student's post secondary plans
- Schedule reflecting plans for completion of four years of English, three years each of college preparatory mathematics, science, and social studies, and two years of a foreign language

Criteria for evaluation

- Relationship of proposed measures to school quality
- Relationship of measures to school mission and educational program

Checklist for Other Accountability Measures

All applicants

- Description of other factors school plans to measure
 - For high schools, a description of the annual plan for graduation
-
-

Qualifications of Teaching Staff

Instruction to applicant. Demonstrate that the staff meets requirements in state statute and administrative rules. State law requires that all instructional staff hold a license or permit to teach issued by the Department of Public Instruction. Instructional staff are defined as those who have instructional duties and those who supervise those with instructional duties. Submit copies of DPI licenses for each current instructor or copy of college transcripts and application to DPI for permit/license. (Attachment Q)

Please describe any additional requirements that the school imposes and explain how the school proposes to evaluate staff. These procedures should be included in the personnel manual. (Attachment D) The personnel manual must include:

- Qualifications to be met by persons employed in the school
- Policies the school will follow in conducting background checks
- Hiring standards the school will apply with respect to persons who have been convicted of a felony or misdemeanor or who have had a relevant professional license revoked or suspended

Criteria for evaluation

- Appropriateness of standards for faculty and staff
- Overall ability of staff to meet student needs
- Plans to evaluate staff
- Adequacy of personnel manual in describing policies and procedures for hiring and releasing staff

Checklist for Teaching Staff Qualifications

All applicants

- Description of any additional requirements imposed, and staff evaluation procedures
 - Personnel manual
 - **Position listing** of all part & full time positions and the professional resumes of all full time teaching and management persons currently filling these positions including all certifications. (Attachment U)
-

Admission Procedures

Charter schools may set admission procedures, but according to state law they may not discriminate against students on the basis of sex, race, religion, national origin, national ancestry, pregnancy, marital or parental status, sexual orientation or physical, emotional or learning disability. The applicant must also certify the school will serve at-risk students. Explain how those requirements relate to the school's mission. Explain how the school will implement these procedures to ensure that they are applied fairly to applicants.

Please also describe the means the school will use to achieve racial and ethnic balance reflective of school district.

Criteria for evaluation

- Clarity of relationship of admissions procedures to school mission and academic goals
- Fairness of admissions procedures.
- Ability to serve at risk children
- Ensures due process rights of applicants

Checklist for Admission Procedures

All applicants

- Description of admission procedures
 - Explanation of how admission procedures relate to school
 - Explanation of how admission procedures will be applied fairly, including how the school will ensure that children with special needs are not discriminated against.
 - Description of means to achieve racial and ethnic balance
-
-

Disciplinary Procedures

Instruction to applicant. Describe the disciplinary procedures the school will use. Describe the process for disciplining a student. Explain the role of parents and staff in that process. Explain the grounds for such actions as suspensions and expulsions.

If the school is already in operation, please summarize disciplinary actions taken during the past school year.

Criteria for evaluation

- Fairness of process
- Coherent and reasonable grounds for disciplinary action

Checklist for Disciplinary Procedures

All applicants

- Description of disciplinary procedures
- Description of process for disciplining a student
- Explanation of role of parents and staff in disciplinary process
- Explanation of grounds for suspensions and expulsions

Existing schools only

- Summary of disciplinary actions taken during prior school year
-
-

Plan to Educate Children with Disabilities

Instruction to applicant. The Wisconsin Department of Public Instruction recognizes charter schools authorized by the City of Milwaukee as public schools. Provide a description of your school's plans to comply with Individual Disability Education Act (IDEA) and educate children with disabilities.

Include the policies and procedures manual describing how you will comply with IDEA (Attachment T).

Describe any efforts you have made to develop relationships with other agencies to serve children with disabilities, particularly those efforts to provide services for children whom you cannot educate on site. If available, include any documentation describing the agreements with other agencies (Attachment T).

Include a description of how you will adapt your curriculum, instruction, and assessment practices in the school for children with disabilities. Describe how you propose staffing your school to meet your obligations under IDEA (Attachment T).

Existing schools should describe procedures and educational programming for children with disabilities.

Criteria for evaluation

- Plan to educate children with disabilities
- Applicant's policies and procedures are likely to comply with IDEA.
- Applicant has begun developing and solidifying relationships with other agencies to serve children with disabilities
- Applicant's plans for adapting the education program will likely result in a successful learning experience for children with disabilities
- Existing schools demonstrate an awareness of their obligations under IDEA. and other federal regulations related to children with disabilities

Checklist for Educating Children With Disabilities

All Applicants

- Policies and procedures manual describing compliance with IDEA. Description of adaptations to curriculum, instruction, and assessment practices for children with disabilities (Attachment T).
- Description of relationships with agencies serving children with disabilities, particularly those children not educated on site. If available, include documentation describing the agreements with other agencies

Existing schools only

- Describe procedures and educational programming for children with disabilities
- Data on the number of children with disabilities and the disabilities they present.

SECTION III: CERTIFICATION

Charter schools must abide by the following provisions of state law and the policy of the City of Milwaukee (open records for contractors with city, background checks). Please read the following list carefully. Initial each section of the list to certify that you understand these requirements and that the school will honor them. Please sign and date the certification in the space provided and return this section with your application. (Attachment R)

- _____ I certify that the school named in this application will not charge tuition to charter students. (Schools may charge tuition for students not eligible for charter status. Charter schools may accept students under other programs such as the Milwaukee Parental Choice Program. However, schools may not receive tuition payments for the same students from more than one program. Schools may also charge reasonable fees for such items as field trips or extracurricular activities.)
- _____ I certify that the school named in this application will abide by statutory eligibility requirements in determining who is a charter student. State statutes provide that students must meet the following tests: the student is a city resident and, in the previous year, the student either (1) enrolled in the Milwaukee Public Schools; (2) attended a private school under section 119.23, the Milwaukee Parental Choice Program; (3) enrolled in four-year-old kindergarten to grade three in a private school not participating in the choice program; (4) not enrolled in school; or (5) enrolled in a charter school. *(Please note that a student who attended pre-school at a level lower than four-year-old kindergarten qualifies as a student who was not enrolled in school.)*
- _____ I certify that the school named in this application will administer required state examinations. (State law requires charter schools to administer the state's examinations for fourth, eighth and tenth graders.)
- _____ I certify that the school named in this application is or will be nonsectarian.
- _____ I certify that the school named in this application will not discriminate in its admission policies or deny 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.
- _____ I certify that the school named in this application serves at-risk students or, if it does not now serve at-risk students, will serve at-risk students who apply and meet other admission requirements. (State statutes define at-risk students to include students in grades 5 - 12 who are one or more years behind their age group in the number of high school credits attained, or two or more years behind their age group in basic skills levels, and who are also one or more of the following: dropouts, habitual truants, parents or adjudicated delinquents.)
- _____ I certify that the school named in this application will abide by health and safety codes that apply to public schools, including immunization requirements.
- _____ I certify that the school named in this application is located in the City of Milwaukee.

Continued

Certification, continued

_____ I certify that the applicant is not a for-profit entity.

_____ I certify that the school named in this application will abide by city requirements for access to records of a contractor with the city.

_____ I certify that the school named in this application has conducted criminal background checks on current employees and volunteers and will conduct criminal background checks on all new employees, and that the school will assign only those employees and volunteers who, in the judgment of the school have nothing in their background, including but not limited to pending charges or convictions of criminal offenses, which would render them unfit to work or otherwise have contact with the school's students and employees.

_____ I certify that the school named in this application will submit the annual report required by contract, including an annual financial audit, to the sponsor by the date established in the contract.

_____ I certify that I understand that the award of a charter school contract is contingent upon receipt of an occupancy certificate for school use from the City of Milwaukee Department of Building Inspection.

_____ I certify that the school named in this application will comply with federal regulations that apply to charter schools authorized by the City of Milwaukee, including, but not limited to, the provisions in the *No Child Left Behind Act* that apply to schools in need of improvement (The 2001 passage of the Elementary and Secondary Education Act, also known as *No Child Left Behind*, contains significant sanctions for schools that do not meet its requirements; charter schools are required to comply with its provisions. For guidance from the US Department of Education, please see Charter School Policy Guidance for NCLB.)

_____ I certify that the school named in this application will comply with the requirements of the CSRC regarding tasks required by the academic monitoring and operations monitoring consultants and any additional monitoring requirements that the CSRC develops as needed during the lifetime of the school's contract with the City of Milwaukee.

I hereby certify that I agree to abide by the requirements above and understand that failure to do so may result in revocation of the charter.

Applicant Legal Name

Applicant Signature

Date

Certification Checklist

- Completed
 - Signed
-
-

Dated

SECTION IV: ATTACHMENTS

Your application must include the following attachments:

- A. Social security number and a resume, college transcripts and licenses supporting the educational background and other qualifications of the school leader(s), financial manager, and board members.
- B. Description of legal structure of school and supporting documentation, including articles of incorporation, by-laws and tax determination letter.
- C. Organization chart
- D. Personnel manual
- E. Operations manual
- F. Resumes of educational leader(s) and fiscal manager.
- G. Financial statement for last full year if school is in operation for applicant and/ or affiliated organization.
- H. Estimated budget
- I. Monthly cash flow projection for first year of operation as charter school
- J. Financial Policies and Procedures Manual
- K. Proof of building ownership or tenant status
- L. Occupancy permit for school use; application for occupancy permit if in process.
- M. Letter from Building Inspection Department regarding code compliance
- N. Certificate of insurance coverages
- O. Certified financial audit and management letter for existing schools with audits. For start-ups and schools without audits, an engagement letter as indicated under "Audits" guidelines. (Also CPA reports.)
- P. Results from required assessments; data currently reported to MPS or DPI or other chartering entity (existing schools only)
- Q. Copies of teaching licenses or applications and transcripts for teaching licenses for current staff
- R. Certification.
- S. Parent Handbook
- T. IDEA policies and procedures manual including any agreements with collaborating agencies.
- U. Certified staffing plan

APPENDIX A

Academic Performance and Educational Program Criteria

Background Information

- Many are interested in comparisons of the performance of students from different schools and this interest may become more intense as charter schools enter the picture. Norm referenced standardized tests do not provide a fair comparison, because they are built on the assumption of a bell curve and so spread the scores over 100 points. Researchers have found that the resulting percentiles correlate more highly not to academic achievement, but to socio-economic status.
- A more fair and useful comparison is a criterion referenced standardized test, which sets the expectation for a certain level of performance matched to grade level. In effect, then, students are measured against the standard for their grade level, rather than being placed on a curve in relationship to a norm group. Moreover, the required state tests – the Wisconsin 3rd grade reading test and the Wisconsin Knowledge & Concepts Exam tests – are criterion referenced.
- For schools that choose to work with students in pre-school and primary grades only, it is important to note that standardized tests are not reliable for children in grade 2 and younger. There are diagnostic tests in reading and qualitative approaches that can give evidence of reading readiness, but few would trust “scores” of the same type that are produced by the Wisconsin 3rd grade reading test and the Wisconsin Knowledge & Concepts Exam for children in these early grades.
- Individual students may come to a charter school with significant deficits. It is unfair to expect the school to be able to bring such students up to grade level in one year. But it is also not good enough to have only one year’s rate of growth for these students. Therefore, the Charter School Review Committee has built in the expectation that schools will show increased scores for the students who start out below grade level.
- The central areas to assess are reading, writing and mathematics. But the Charter School Review Committee does not want to convey the message that the other subject areas and the school’s own curricular goals are not important. While ensuring that students are competent in the “basics” of reading, writing and mathematics, it is important not to ignore other educational experiences. It is often through the other subjects that students get interested in reading more and writing about those subjects. Therefore, we want to take very seriously the local goals and measures.
- For high schools, proficiency in reading, writing, mathematics, science and social studies must be addressed in both local measures and standardized tests.
- There probably needs to be some attention to teaching students how to take standardized tests so that they know and can be represented in the scores they receive. One problem with trying standardized tests is that many students do not know the “code” and so don’t do as well on those tests as they do in their classroom work. A support system for teachers may be appropriate to develop. The Charter School Review Committee recommends to the schools that they investigate such efforts to support teachers and students.

The following lays out the assessment plan for the City of Milwaukee’s Charter Schools. In addition, it provides the policy under which charter schools may be placed on probation and/or have their charter rescinded.

Measures of performance

The Charter School Review Committee follows Wisconsin's "balanced assessment" mandate, which asks districts to have a plan whereby decisions about promotion and graduation are not made on the basis of a single test score. We believe that the same policy should guide judgments about schools. Therefore, in its "balanced assessment" approach, the CSRC will require both standardized test results and results on local measures, with a focus on reading and mathematics in the standardized testing and reading, writing, and mathematics in the local measures.

1. Standardized testing:

Beginning in the fall of 2005, NCLB requires all states to test all students in reading and mathematics in grades 3 – 8 and once in high school (grade 10 in Wisconsin). These tests are referred to as the Wisconsin Knowledge and Concepts Examinations Criterion-Referenced Tests (WKCE-CRT). Student performance on these tests is reported in proficiency categories and used by the State of Wisconsin to determine adequate yearly progress (AYP) of students at the school.

Charter schools are required to comply with the state's mandated testing program.

The CSRC also requires that the Stanford Diagnostic Reading Test (SDRT) be administered to all 1st, 2nd, and 3rd grade students between March 15th and April 15th each academic year.

In the high school grades, several college and career preparation tests are required of schools sponsored by the city.

All 9th grade students are required to take all subtests¹ of the EXPLORE test (the first in a series of two pre-ACT tests that will identify students not ready for the ACT²) in the same time frame identified by the State of Wisconsin Department of Public Instruction (DPI) for WKCE testing.

All 10th grade students are required to take all subtests of the PLAN³ (the second in a series of two pre-ACT tests that will track student progress and identify students not ready for the ACT) within two weeks of taking the WKCE.

All 11th grade students are required to take the ACT and the SAT during the fall semester. All 12th grade students who have not yet taken the ACT and/or SAT during 11th grade are required to take the ACT and/or the SAT during the fall semester.

If a school wishes to use a test other than the SDRT or additional standardized tests for students in 3rd through 12th grades, the school may propose these alternatives, provided that the testing program is (1) administered every year and (2) provides comparable measures from

¹ English, Mathematics, Reading and Science

² The Educational Planning and Assessment System (EPAS) developed by the American College Testing Service (ACT) provides a longitudinal, standardized approach to educational and career planning, assessment, instructional support and evaluation. The series includes the EXPLORE, PLAN and ACT tests. Score ranges from all three tests are linked to *Standards for Transition* statements that describe what students have learned and what they are ready to learn next. The *Standards for Transition*, in turn, are linked to *Pathways* statements that suggest strategies to enhance students' classroom learning. *Standards* and *Pathways* can be used by teachers to evaluate instruction and student progress and advise students on the courses of study.

³ English, Mathematics, Reading and Science

year to year. If the alternative testing program is approved by the committee, the school will still be required by state law to administer the WKCE-CRT exams. Thus, if alternative testing is approved, students would take the alternative tests plus the applicable WKCE-CRT exams.

2. Local measures:

Local measures must be linked to a set of competencies and skills that children are expected to learn, corresponding to the Wisconsin standards. Schools must, therefore, adopt a curriculum that builds to the expectations that we use as a community to measure student achievement, i.e., the standardized tests required by the State of Wisconsin, as well as other standardized tests required by the CSRC.

Reading

Schools will keep individual student records (running records) of reading growth, including both decoding skills and comprehension skills. The local measures will provide data that should be reviewed by the staff to determine progress on a monthly basis. As part of the local measures design, schools will have and implement an intervention plan when students are not making progress.

Math

Schools will keep individual student records (running records) of mathematics growth, including knowledge of math facts, computation, and math reasoning skill. The local measures will provide data that should be reviewed by the staff to determine progress on a monthly basis. As part of the local measures design, schools will have and implement an intervention plan when students are not making progress.

Writing

Schools will keep individual student records (running records) of writing growth, including various forms of writing and technical aspects of writing (e.g., grammar, spelling, etc.). The local measures will provide data that should be reviewed by the staff to determine progress on a monthly basis. As part of the local measures design, schools will have and implement an intervention plan when students are not making progress.

IEP Goals

Possible Local Measures for Special Education Students regarding their IEP: Each Individual Education Program (IEP) must include measurable annual goals to enable the student to be involved in and progress in the general curriculum and to meet other educational needs that result from the student's disability. Benchmarks or short-term objectives necessary to achieve the goals are included under each goal. It is important that each goal and the benchmarks to meet the goal are stated in measurable terms. At least annually, but sometimes more frequently, the student's progress on those goals and benchmarks needs to be assessed in order to decide if the goal has been met, is no longer relevant and should be abandoned or continued for the next period covered by the IEP.

General Reporting Requirements for Standardized Tests and Local Measures

- The CSRC will not report standardized test scores for groups of less than 10 students.
- Full Academic Year (FAY) will comport with the DPI's definition: Enrollment on the third Friday of the previous academic year to the third Friday of the year tested. CSRC will use the third Friday enrollment to calculate the return rate (the percentage of students enrolled on the third Friday of September who were also enrolled on the last day of the previous school year).
- Proficiency level standardized test results will be reported for all students at that grade level, a comparison with all new students at that level and all students who were at the school at least one year will be provided if there are at least 5 students in those subgroups. The report will not include the "N" values for any subgroups.
- Schools need to provide the CSRC, via its monitoring firm, with the official printouts of their standardized test results for individual students and the school. All other data need to be reported in electronic format.
- Schools should provide evidence that monthly reviews of local measure records and the development and implementation of intervention plans have taken place. CSRC monitors will examine this documentation in their review of the schools.

Level of performance required

For start-up schools (*i.e.*, schools that have not been in operation previously):

In Year 1

- Schools will put in place the local measures, as approved by CSRC, to document both student progress and the implementation of appropriate interventions. For example, using the math standards, they will need to show the level of student performance at entry and at the end of the first year. While the goal is for all students to show mastery in relationship to grade level standards, the CSRC will look for reasonable progress, given where students began.
- Students must take the standardized tests for which they are eligible, and the test results will serve as baseline data for future years.

In Year 2

- Schools will maintain their local measures, as approved by CSRC, including the intervention processes. Using the math standards, for example, they will need to show the level of student performance at entry, at the end of the first year, and at the end of the second year. While the goal is for all students to show mastery in relationship to grade level standards, the CSRC will look for reasonable progress, given where students began.
- Students must take the standardized tests for which they are eligible. Using the baseline results from year one and the results from year two, schools need to document growth in the students who have been in the school for a second year. While the goal is for all students to function at a proficient level on the standardized tests, the CSRC will look for reasonable progress, given where students began. At a minimum, students should show improvement from one test to the next.

In Year 3 and following

- Schools will maintain their local measures, as approved by CSRC, including the intervention processes. Using the math standards, for example, they will need to show the level of student performance at entry, at the end of the first year, at the end of the second year, and at the end of the third year. While the goal is for all students to show mastery in relationship to grade level standards, the CSRC will look for reasonable progress, given where students began.
- Students must take the standardized tests for which they are eligible. Using the baseline results from Year 1 and the results from Years 2 and 3, schools need to document growth in the students who have been in the school for a second and a third year. While the goal is for all students to function at a proficient level on the standardized tests, the CSRC will look for reasonable progress, given where students began. At a minimum, students should show improvement from one test to the next.

For schools that have been in operation prior to their being chartered by the City of Milwaukee:

If the school has been giving the same standardized tests as those required of the city's charter schools, then they follow the requirements above for "Year 2" with regard to the standardized tests in their first year as a charter school.

If the school has not been giving the same standardized tests as those required of the city's charter schools, then, upon approval of the charter in December, they will be notified that they must give the required standardized tests to their students in spring of the year before they become a charter school. Then they follow the requirements for "Year 2" with regard to the standardized tests in their first year as a charter school.

In either case, the existing school must show that students have demonstrated growth for students over time (in a period of at least two years) of at least one year per year of school. For those children behind grade level, the school should be able to demonstrate more than a year's growth in a year.

Reasonable progress

We define reasonable progress in relationship to the two parts of our balanced assessment system in these ways:

On local measures, the evidence must show the positive impact of regular coursework and interventions. Reasonable progress would NOT be met if students failed to demonstrate progress of at least 70% of their functional grade level* expectations. Schools must provide documentation of reasons and intervention/action plans for all students who do not meet the 70% demonstration requirement.

On standardized tests, reasonable progress would NOT be met if the scores decline. If students are basic or proficient in one year, the next year's basic and proficient represent higher levels, given the added grade level expectation.

*Students not at grade level should have individual learning plans, geared to their functional grade level.

Caveats

Because of the need for a minimum of 10 students in any of the reporting groups, the CSRC will look at the development of proficiency across students who have been in the school for a minimum of two testing periods. Where an individual grade level has 10 or more students with year-to-year standardized test comparison scores, the average improvement (in terms of proficiency level) will be reported. In addition to year-to-year growth, we will report multiple year progress if the group is 10 or more and if the tests are from the same series. To protect the confidentiality of the students involved, year-to-year grade level gains will not be reported when the cohort size falls below 10 students.

Similarly, the CSRC monitors will maintain confidentiality for individual students in addressing whether the schools maintain appropriate documentation for students who do not meet 70% of the functional grade expectations; it will not report on details regarding individual students.

When would the CSRC put a school on probation for academic reasons?

1. *Regarding local measures:* A school would be placed on probation if it were found to
 - a. Not have or not have implemented a clear plan for keeping records of student growth in the three required areas,
 - OR
 - b. Not provide interventions for students who are not making continuous progress in developing skills in the three required areas, based upon monthly reviews of progress,
 - OR
 - c. Not have students meeting 70% of functional grade level expectations on the local measures and not have intervention plans and implement those plans for all students who do not meet the 70% demonstration level.

2. *Regarding standardized measures:* A school would be placed on probation if its scores on standardized tests indicated no progress over two test periods. (If the standardized tests showed no growth in contrast to evidence of healthy growth on local measures, then the school would be required to develop a test-taking skills program, to assure that students are able to demonstrate their knowledge and skill on the standardized measures.)

Being placed on probation will result in an increased level of monitoring by the CSRC monitors. The cost of additional monitoring would be borne by the school.

When would the CSRC rescind a charter for academic reasons?

1. A school may have its charter rescinded for academic reasons, without being given a period of probation if the CSRC finds that there are problems so serious that such action is warranted.
2. A school that has been on probation for academic reasons for a reasonable time (ordinarily one year or less) may have its charter rescinded if problems with its local measures have not been remedied. These problems include lack of a clear plan, lack of implementation, lack of interventions, or lack of success in meeting the 70% performance rate.
3. A school that has been on probation for academic reasons for a reasonable time (ordinarily one year or less) may have its charter rescinded if the pattern of no progress on

Appendix A: Academic Performance and Educational Program Criteria

standardized test results continued for a second year.

Other factors the CSRC will take into account in determining probation or rescinding of a charter for academic reasons:

Because teachers are critical to the implementation of a quality program, a combination of problems with student performance and problems with teachers (*i.e.*, lack of certification, high turnover) will be looked at as of serious concern. Student retention issues can also figure in to the picture; loss of significant numbers of students will be examined carefully as a potential indicator of concerns about the quality of the program. Finally, we want to use all other data provided in our oversight of schools to make reasonable and prudent decisions.

Teacher Certification

Compliance with teacher certification requirement means

- The teacher has applied for a DPI license/permit before beginning to teach and
- In cases where the DPI has not granted licensure/permit within eight weeks of the application, the school has periodically contacted and documented the status of the teacher's application

Teacher Retention and Mobility

Charter school administrators will record and report the number of teachers who terminate during the school year and their reason for leaving. Additionally, the schools will inform the CSRC of the names, certification status, and date of hire for teachers added to the faculty during a school year.

Student Retention and Mobility

Charter school administrators will record and report the number of students who terminate during the school year and the reason(s) for their leaving. Additionally, information about all students who enroll after the beginning of each school year must be incorporated into the normal reporting requirements as applied to all other students.

Organizational climate and culture data

As part of the oversight plan, the CSRC's monitors gather additional information that may provide information about satisfaction/dissatisfaction with the school on the part of various groups of stakeholders, (*e.g.*, administrators, teachers, parents, and students.) The CSRC will also take these data into account in looking at the overall health of each charter school.

When would the CSRC rescind a charter for other than academic reasons?

If it is deemed to be in the best interest of the students, parents, and the City of Milwaukee, the CSRC may place a school on probation or rescind a charter without probation. Among the circumstances that would suggest such a course of action include, but are not limited to

- Issues of governance or fiscal integrity
- Financial instability
- Lack of cohesive management
- Lack of internal controls
- Lack of an appropriate learning environment
- Safety concerns
- Lack of an occupancy permit

Depending upon the gravity of the situation, the CSRC will determine whether probation or rescinding of the contract is the appropriate course of action.

APPENDIX B

**STATE OF WISCONSIN
CHARTER SCHOOL STATUTE**

Full Text of Charter School Statute as shown on the Wisconsin State Legislature website

*For access to brief descriptions of the subsections and a PDF file of the statute,
use the following link: [Wisconsin Legislature Data](http://nxt.legis.state.wi.us/nxt/gateway.dll?f=templates&fn=default.htm&vid=WI:Default&d=stats&jd=118.40)
(<http://nxt.legis.state.wi.us/nxt/gateway.dll?f=templates&fn=default.htm&vid=WI:Default&d=stats&jd=118.40>)*

Electronic reproduction of 2005–06 Wis. Stats. database, updated and current through February 29, 2008 and 2007 Wis. Act 54. Text from the 2005–06 Wis. Stats. database updated by the Revisor of Statutes. Only printed statutes are certified under s. 35.18 (2), stats. Statutory changes effective prior to 4–2–08 are printed as if currently in effect. Statutory changes effective on or after 4–2–08 are designated by NOTES. Report errors at (608) 266–3561, FAX 264–6948, <http://www.legis.state.wi.us/rsb/stats.html>

118.40 Charter schools. (1) NOTICE TO STATE SUPERINTENDENT.

Whenever a school board intends to establish a charter school, it shall notify the state superintendent of its intention.

Whenever one of the entities under sub. (2r) (b) intends to establish a charter school, it shall notify the state superintendent of its intention by February 1 of the previous school year. A notice under this subsection shall include a description of the proposed school.

(1m) PETITION. (a) A written petition requesting the school board to establish a charter school under this section may be filed with the school district clerk. The petition shall be signed by at least 10% of the teachers employed by the school district or by at least 50% of the teachers employed at one school of the school district.

(b) The petition shall include all of the following:

1. The name of the person who is seeking to establish the charter school.
2. The name of the person who will be in charge of the charter school and the manner in which administrative services will be provided.
3. A description of the educational program of the school.
4. The methods the school will use to enable pupils to attain the educational goals under s. 118.01.
5. The method by which pupil progress in attaining the educational goals under s. 118.01 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 ss. 118.19 (1) and 121.02 (1) (a) 2., 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.

Electronic reproduction of 2005–06 Wis. Stats. database, updated and current through February 29, 2008 and 2007 Wis. Act 54. Text from the 2005–06 Wis. Stats. database updated by the Revisor of Statutes. Only printed statutes are certified under s. 35.18 (2), stats. Statutory changes effective prior to 4–2–08 are printed as if currently in effect. Statutory changes effective on or after 4–2–08 are designated by NOTES. Report errors at (608) 266–3561, FAX 264–6948, <http://www.legis.state.wi.us/rsb/stats.html>

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.

(2) PUBLIC HEARING; GRANTING OF PETITION. (a) Within 30 days after receiving a petition under sub. (1m) the school board shall hold a public hearing on the petition. At the hearing, the school board shall consider the level of employee and parental support for the establishment of the charter school described in the petition and the fiscal impact of the establishment of the charter school on the school district. After the hearing, the school board may grant the petition.

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

1. At least 50% 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.

(c) The school board of the school district operating under ch. 119 shall either grant or deny the petition within 30 days after the public hearing. If the school board of the school district operating under ch. 119 denies a petition, the person seeking to establish the charter school may, within 30 days after the denial, appeal the denial to the department. The department shall issue a decision within 30 days after receiving the appeal. The department's decision is final and not subject to judicial review under ch. 227.

(2m) SCHOOL BOARD INITIATIVE. (a) A school board may on its own initiative contract with a person to operate a school as a charter school. The contract shall include all of the provisions specified under sub. (1m) (b) and may include other provisions agreed to by the parties.

(am) At least 30 days before entering in a contract under this subsection that would convert a private school to a charter school

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or that would establish a charter school that is not an instrumentality of the school district, the school board shall hold a public hearing on the contract. At the hearing, the school board shall consider the level of employee and parental support for the establishment of the charter school and the fiscal impact of the establishment of the charter school on the school district.

(b) A school board may not enter into a contract under par. (a) that would result in the conversion of all of the public schools in the school district to charter schools unless the school board complies with sub. (2) (b) 2.

(2r) OTHER INITIATIVES. (a) In this subsection, “instructional staff” has the meaning given in the rules promulgated by the department under s. 121.02 (1) (a) 2.

(b) 1. All of the following entities may establish by charter and operate a charter school or, on behalf of their respective entities, may initiate a contract with an individual or group to operate a school as a charter school:

- a. The common council of the city of Milwaukee.
- b. The chancellor of the University of Wisconsin–Milwaukee.
- c. On a pilot basis, the chancellor of the University of Wisconsin–Parkside.
- d. The Milwaukee area technical college district board.

2. A charter shall include all of the provisions specified under sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified under sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter school on the liability of the contracting entity under this paragraph. The contract may include other provisions agreed to by the parties. The chancellor of the University of Wisconsin–Milwaukee or of the University of Wisconsin–Parkside may not establish or enter into a contract for the establishment of a charter school under this paragraph without the approval of the board of regents of the University of Wisconsin System.

3. If the chancellor of the University of Wisconsin–Parkside contracts for the establishment of a charter school, the contract shall also provide that the charter school must be operated by a governing board and that the chancellor or his or her designee must be a member of the governing board. In addition, if the contract provides that the instructional staff of the charter school shall consist of employees of the board of regents of the University of Wisconsin System, the contract shall also include provisions that do all of the following:

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a. Delegate to the governing board of the charter school the board of regents' authority to establish and adjust all compensation and fringe benefits of instructional staff, subject to the terms of any collective bargaining agreement under subch. V of ch. 111 that covers the instructional staff. In the absence of a collective bargaining agreement, the governing board may establish and adjust all compensation and fringe benefits of the instructional staff only with the approval of the chancellor of the University of Wisconsin–Parkside.

b. Authorize the governing board of the charter school to perform specified duties for the board of regents with respect to the instructional staff. This authorization may include duties related to supervising the instructional staff, taking disciplinary actions with respect to the instructional staff, recommending new hires or layoffs, collective bargaining, claims, complaints, or benefits and records administration.

(bm) The common council of the city of Milwaukee, the chancellor of the University of Wisconsin–Milwaukee, and the Milwaukee area technical college district board may only establish or enter into a contract for the establishment of a charter school located in the school district operating under ch. 119. The chancellor of the University of Wisconsin–Parkside may only establish or enter into a contract for the establishment of a charter school located in a unified school district that is located in the county in which the University of Wisconsin–Parkside is situated or in an adjacent county.

(c) 1. Except as provided in subd. 3., only pupils who reside in the school district in which a charter school established under this subsection is located may attend the charter school.

3. A pupil may attend Woodlands School, a charter school established in the school district operating under ch. 119 under this subsection, regardless of the pupil's school district of residence, if any of the following applies:

a. The pupil attended Woodlands School in the 2003–04 school year and, beginning in the 2005–06 school year, in the previous school year.

b. A member of the pupil's family who resides in the same household as the pupil attended Woodlands School in the 2003–04 school year.

(cm) The chancellor of the University of Wisconsin–Parkside may establish or enter into a contract for the establishment of only one charter school under this subsection, which may not operate high school grades and which may not accommodate more than 480 pupils.

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(d) The chartering or contracting entity under par. (b) shall do all of the following:

1. Ensure that all instructional staff of charter schools under this subsection hold a license or permit to teach issued by the department.
2. Administer the examinations under ss. 118.30 (1r) and 121.02 (1) (r) to pupils enrolled in charter schools under this subsection.

(e) 1. From the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this subdivision in the previous school year and the increase in the per pupil amount paid to private schools under s. 119.23 (4) (b) 2. in the current school year as compared to the previous school year, multiplied by the number of pupils attending the charter school. The amount paid per pupil may not be less than the amount paid per pupil under this subdivision in the previous school year. The department shall pay 25% of the total amount in September, 25% in December, 25% in February, and 25% in June. The department shall send the check to the operator of the charter school.

2. If the chancellor of the University of Wisconsin–Parkside establishes or contracts for the establishment of a charter school under this subsection, in March the department shall pay to the unified school district in which the charter school is located, from the appropriation under s. 20.255 (2) (fm), an amount equal to the amount of school aid per pupil to which the unified school district is eligible in the current school year multiplied by the number of pupils attending the charter school who were previously enrolled in the unified school district.

(f) If the chancellor of the University of Wisconsin–Parkside establishes or contracts for the establishment of a charter school under this subsection, biennially the chancellor shall submit a report to the legislature under s. 13.172 (2). The report shall include information on the academic performance of the pupils who attend the charter school and on the success of the governance structure of the charter school.

(3) CONTRACT. (a) If the school board grants the petition under sub. (2), the school board shall contract with the person named in the petition under sub. (1m) (b) 1. to operate the school as a charter school under this section. The contract shall include all of the provisions specified in the petition and may include other provisions agreed to by the parties.

(b) A contract under par. (a) or under subs. (2m) or (2r) may be for any term not exceeding 5 school years and may be renewed for one or more terms not exceeding 5 school years. The contract

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shall specify the amount to be paid to the charter school during each school year of the contract.

(c) A school board may not enter into a contract for the establishment of a charter school located outside the school district, except that if 2 or more school boards enter into an agreement under s. 66.0301 to establish a charter school, the charter school shall be located within one of the school districts, and if one or more school boards enter into an agreement with the board of control of a cooperative educational service agency to establish a charter school, the charter school shall be located within the boundaries of the cooperative educational service agency. A school board may not enter into a contract that would result in the conversion of a private, sectarian school to a charter school.

(d) A school board or an entity under sub. (2r) (b) shall give preference in awarding contracts for the operation of charter schools to those charter schools that serve children at risk, as defined in s. 118.153 (1) (a).

(4) CHARTER SCHOOL DUTIES AND RESTRICTIONS. (a) *Duties.* A charter school shall do all of the following:

1. If the charter school replaces a public school in whole or in part, give preference in admission to any pupil who resides within the attendance area or former attendance area of that public school.
2. Be nonsectarian in its programs, admissions policies, employment practices and all other operations.

(b) *Restrictions.* A charter school may not do any of the following:

1. Charge tuition.
2. Except as provided in par. (c), discriminate in admission or deny 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.

(c) *Single-sex schools and courses.* A school board may enter into a contract for, and an entity under sub. (2r) may establish or enter into a contract for, the establishment of a charter school that enrolls only one sex or that provides one or more courses that enroll only one sex if the school board or entity under sub. (2r) makes available to the opposite sex, under the same policies and criteria of admission, schools or courses that are comparable to each such school or course.

(5) CHARTER REVOCATION. A charter may be revoked by the school board or the entity under sub. (2r) (b) that contracted with the charter school if the school board or, if applicable, the entity under sub. (2r) (b) finds that any of the following occurred:

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(a) The charter school violated its contract with the school board or the entity under sub. (2r) (b).

(b) The pupils enrolled in the charter school failed to make sufficient progress toward attaining the educational goals under s. 118.01.

(c) The charter school failed to comply with generally accepted accounting standards of fiscal management.

(d) The charter school violated this section.

(6) PROGRAM VOLUNTARY. No pupil may be required to attend a charter school without his or her approval, if the pupil is an adult, or the approval of his or her parents or legal guardian, if the pupil is a minor.

(7) LEGAL STATUS; APPLICABILITY OF SCHOOL LAWS. (a) Except as provided in par. (am), the school board of the school district in which a charter school is located shall determine whether or not the charter school is an instrumentality of the school district. If the school board determines that the charter school is an instrumentality of the school district, the school board shall employ all personnel for the charter school. If the school board determines that the charter school is not an instrumentality of the school district, the school board may not employ any personnel for the charter school.

(am) 1. Except as provided in subds. 2. and 3., if a charter school is established under sub. (2m) and located in the school district operating under ch. 119, the school board of that school district shall determine whether or not the charter school is an instrumentality of the school district. If the school board determines that a charter school is an instrumentality of the school district, the school board shall employ all personnel for the charter school. If the school board determines that a charter school is not an instrumentality of the school district, the school board may not employ any personnel for the charter school.

2. A charter school established under sub. (2r) or a private school located in the school district operating under ch. 119 that is converted to a charter school is not an instrumentality of any school district and no school board may employ any personnel for the charter school. If the chancellor of the University of Wisconsin–Parkside contracts for the establishment of a charter school under sub. (2r), the board of regents of the University of Wisconsin System may employ instructional staff for the charter school.

3. Notwithstanding subd. 2., if the city of Milwaukee contracts with an individual or group operating for profit to operate a school as a charter school, the charter school is an instrumentality of the school district operating under ch. 119 and the board of

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the school district operating under ch. 119 shall employ all personnel for the charter school.

(ar) Nothing in this subsection affects the rights of personnel of a charter school that is an instrumentality of the school district in which it is located to engage in collective bargaining pursuant to subch. IV of ch. 111.

(b) Except as otherwise explicitly provided, chs. 115 to 121 do not apply to charter schools.

History: 1993 a. 16, 490; 1995 a. 27 ss. 3983m to 3992m, 9145 (1); 1997 a. 27, 238, 252; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 105; 2003 a. 33, 156; 2005 a. 25, 111, 346.

It is not reasonable to say that a virtual school exists only in cyberspace or to make the related claim that geography–based conceptions like location under sub. (3) (c) have been rendered meaningless. A school district operating a virtual school has boundaries. When the virtual school’s students are educated by teachers outside of the district’s boundaries, the school is in violation of sub. (3) (c). Johnson

APPENDIX C

CITY OF MILWAUKEE
CHARTER SCHOOL ORDINANCE

Full Text of the City of Milwaukee Charter School Ordinance

*From the city's official website: <http://www.ci.mil.wi.us/TableofContents1179.htm>.
The key to abbreviations is at the end of this text (DOCUMENT PAGE 61).*

CHAPTER 330 CHARTER SCHOOLS

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330-29 Termination of Contract and
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330-1. Definition. In this chapter, "committee"
means the charter school review committee
established under s. 320-41.

330-3. Authority. This chapter specifies the
criteria, standards and processes which the
common council will use to designate charter
schools, pursuant to the charter school statute, s.
118.40, Wis. Stats., as amended.

330-5. Application. An entity that wishes to be
designated as a charter school shall submit an
application for charter school status to the city
clerk. The application shall be submitted on an
application form created by the committee. The
application shall require each applicant to submit
the following information and documents:

1. Name of the person seeking to establish
the charter school.
2. Name of the person in charge of the
school.
3. Description of the way in which
administrative services will be provided.
4. Description of the educational program
and educational goals of the school.
5. Whether the school will serve at-risk

students.

6. Methods the school will use to enable
students to meet educational goals.

7. Methods by which pupil progress in
attaining the educational goals will be measured.

8. Governance structure, including
method of ensuring parental involvement.

9. A copy of the school personnel
manual.

10. Qualifications to be met by persons
employed in the school, including the policies the
school will follow in conducting background
checks, and the hiring standards the school will
apply with respect to persons who have been
convicted of a felony or misdemeanor or who have
had a relevant professional license revoked or
suspended. This information may be included in
the school personnel manual under sub. 9.

11. Procedures to ensure the health and
safety of students.

12. Means by which the school will
achieve a racial and ethnic balance that is
reflective of the school district population.

13. Requirements for admission.

14. Manner in which annual financial and
programmatic audits will be performed.

15. Procedures for disciplining students.

16. Public school alternative for students.

17. Description of school facilities and
specific types and limits of liability insurance the
school will carry.

18. Effect of the charter school on liability
of the city of Milwaukee.

19. The number of estimated charter
school students that are expected to be enrolled
for the school year.

20. Any other relevant information that the
committee finds necessary or useful.

330-7. Certification of Compliance. The
application shall include written certification of the
school's compliance with all of the following:

1. The school shall not charge tuition for
pupils enrolled under the charter school program;
however, the school may charge tuition for other
pupils.

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2. The school shall abide by all eligibility requirements set forth in s. 118.40, Wis. Stats., as amended, and ch. 330, including, but not limited to, the pupil qualifications specified in s. 118.40(2r)(c) 1 to 5, Wis. Stats., as amended, and the pupil city residency requirement.

3. The school shall administer to pupils enrolled under the charter school program the examinations specified in s. 118.40(2r)(d)2, Wis. Stats., as amended.

4. The school shall be nonsectarian in its programs, admissions policies, employment practices and all other operations.

5. The school shall not discriminate in admission or deny 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.

6. The school shall be located within the city.

7. The school shall certify that it is not an individual or group operating for profit or, if it is an individual or group operating for profit, it is an instrumentality of the Milwaukee public school district and all its employees are employees of the Milwaukee public school district.

8. The school shall conduct background checks on all of its teachers and employees pursuant to s. 330-5.

9. The school shall undergo inspections by the department of neighborhood services and the health department, unless the health department's function under this subsection has been delegated to the department of neighborhood services by a memorandum of understanding. The school shall meet any compliance schedules established pursuant to such inspections.

330-9. Application Review. 1. The city clerk shall transmit each new or resubmitted application and all attached materials to the technical reviewer selected pursuant to s. 320-41.

2. Upon receipt of an application, the technical reviewer shall furnish a copy of the application and all attached materials to the city attorney.

3. The technical reviewer shall use the rules and guidelines established by the committee under s. 320-41-6-c-2, to determine whether an application complies with the technical requirements of s. 118.40, Wis.

Stats., as amended, and ch. 330. An application that does not comply with these rules and guidelines is technically deficient. The technical reviewer shall prepare a written report of his or her findings and recommendations.

4. Whenever the technical reviewer finds

that an application complies with the technical requirements of s. 118.40, Wis. Stats., as amended, and ch. 330, the technical reviewer shall approve the application and transmit the application, all accompanying materials and the technical reviewer's report to the committee for action pursuant to s. 330-13.

330-11. Application Technical Deficiencies.

1. Whenever the technical reviewer finds that an application is technically deficient, the technical reviewer shall return the application and notify the applicant in writing of the specific deficiencies. The notice shall state that the applicant has one opportunity to correct the deficiencies and shall state the date by which the deficiencies shall be corrected and the revised application resubmitted to the city clerk.

2. The time period allowed for resubmittal shall be established by the committee under s. 320-41-6-b-1.

3. The technical reviewer shall deny any resubmitted application that:

- a. Has not been resubmitted by the date specified in the notice of deficiency; or
- b. Has been timely resubmitted but the resubmitted application is still technically deficient.

4. The technical reviewer shall notify in writing each applicant whose application has been denied under sub. 3. The notice of denial shall state the reason for the denial and that the applicant may appeal the denial as provided in s. 330-19.

330-13. Public Hearing. The committee shall consider at a public hearing each application that is approved by the technical reviewer under s. 330-9-4. At the hearing, the committee shall invite the applicant and any other interested or concerned parties to comment on the application. The committee may invite and consider information from such other sources as the committee deems necessary or helpful to make a decision.

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330-15. Committee Findings. Based on the information in the application, the findings and recommendations of the technical reviewer, comments received at the public hearing, and any additional information received, the committee shall make a written finding as to whether:

1. The application complies with the requirements of ss. 330-5 and 330-7.

2. The school or proposed school will operate an education program that has a reasonable prospect of providing Milwaukee children a good education.

3. The school or proposed school possesses all of the following:

- a. An appropriate governance structure, including a well-defined legal structure, clear definitions of responsibility for all major organizational functions and clear lines of accountability between the people who own the school and the people who operate it.
- b. A sound system of management, including a clear and well-conceived strategic plan, clear definitions of responsibility for all management functions, a clear and coherent budget process, compliance with generally accepted practices with respect to money management and investment, and compliance with generally accepted practices with respect to internal accounting and external auditing.
- c. A budget for the upcoming school year, and agrees to present budgets for future school years, that comply with generally accepted budgeting practices, including clear delineation of types of expenses and sources of revenue, use of realistic methods of expense and revenue estimation, and acceptable methods for dealing with deficits and contingencies.
- d. A qualified body of administrators, teachers and staff, or has an acceptable method of recruiting such persons, and, in addition, has an acceptable method of maintaining a qualified body of administrators, teachers and staff.

330-17. Committee Recommendations.

1. Whenever the committee's written finding under s. 330-15 is positive for all factors, the committee shall make a written recommendation that the application be granted and shall:

- a. Transmit the application, all related reports, findings, recommendations and information to the city clerk and request preparation and introduction of a common council motion as provided in s. 330-23.
- b. Transmit the application and all related reports, findings, recommendations and information to the city attorney for contract preparation as provided in s. 330-21.
- c. Notify the applicant in writing of the committee's findings and recommendation.

2. Whenever the committee's written finding under s. 330-15 is not positive for all factors, the committee shall deny the application and shall notify the applicant and the city clerk in writing that the application has been denied and the reasons for the denial.

330-19. Appeals. 1. An applicant whose application has been denied under s. 330-11-3 may, no later than 10 days after receipt of the notice of denial, file with the city clerk a written

request for an appeal hearing before the committee. The city clerk shall promptly transmit any such request to the committee. The committee shall hear the applicant's appeal within 30 days after receipt of the request for a hearing.

2. The committee shall base its appeal decision only on whether the committee finds that an application that was returned to the applicant for correction of technical deficiencies remained technically deficient when it was resubmitted or was not timely resubmitted.

3. At the conclusion of the hearing, the committee shall make a written finding as to whether the application is technically deficient or resubmitted on a timely basis, or both, and shall direct the technical reviewer to take whatever action is appropriate to effect the finding. The committee shall notify the applicant in writing of the committee's finding.

330-21. City Attorney Action. 1. Whenever the city attorney receives an application transmitted under s. 330-9-2, the city attorney may review the application in anticipation of possible contract preparation under sub. 2.

2. Whenever the city attorney receives an application that the committee recommends for approval by the common council, the city attorney shall negotiate a proposed charter school contract between the applicant and the city in accordance with s. 118.40, Wis Stats., as amended, ch. 330 and any other pertinent policies adopted by the committee or the common council.

3. All charter school contracts shall comply with the following requirements:

- a. The contract shall be in the name of the city of Milwaukee.
- b. The contract shall provide that the contract may be terminated and the charter revoked if the common council finds that the school no longer meets the requirements of s. 330-15.

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- c. The contract shall be for a 5-year term unless a school requests a shorter term or the committee recommends a shorter term.
- d. The contract shall contain appropriate indemnification and insurance provisions to protect the interests of the city and its employees, officers and agents.

4. When a proposed contract has been agreed to by the city attorney and the applicant, the city attorney shall submit the proposed contract to the city clerk for attachment to the common council file under s. 330-23.

330-23. City Clerk and Common Council

Action. 1. Whenever the city clerk receives a request from the committee for preparation of a motion approving an application for charter school status, the city clerk shall have a motion prepared and introduced. The motion shall:

- a. Express the common council's approval of the committee's recommendation to grant charter school status to the applicant.
- b. Express the common council's approval of the proposed contract submitted by the city attorney and attached to the common council file.
- c. Authorize and direct the appropriate city officials to execute the proposed contract.

2. The common council may, in its sole discretion, approve, amend in whole or in part or disapprove a motion described in sub. 1, subject to the provisions of s. 330-24.

330-24. Maximum number of charter school students. 1.

The number of total estimated charter school students for schools granted charter school status shall not exceed the maximum level set in sub. 2.

2. a. The maximum number of total estimated charter school students for the 1998-99 school year is 1,250 students.

b. With respect to the 1999-2000 school year and each school year thereafter, the charter school review committee, if requested by the common council by motion, shall submit a recommendation to the common council as to whether a maximum number of charter school students should be imposed and, if so, what the limit should be.

330-25. Applicant May Reapply. An applicant whose application has been denied may reapply in the next application period.

330-27. Continuing Oversight of Charter Schools; Oversight Fee. 1.

The committee shall have responsibility for ongoing review of the financial, educational, staffing and facility status of charter schools pursuant to s. 320-41.

2. Beginning in the 2000-01 school year, each charter school shall pay an oversight fee for each charter student in the school, as provided in this section. The number of charter students in a school shall be the number of students for which the Wisconsin department of public instruction pays the school under s. 118.40(2r)(e), Wis. Stats.

3. The oversight fee for each full-time equivalent charter student shall be established annually by the charter school review committee. This fee shall be an amount sufficient to pay all costs incurred annually by the city for its oversight of the charter school program as calculated by the department of

administration apportioned equally to each charter school student in the charter school program. These costs shall include, but are not limited to, the hiring of consultants and the use of city staff, equipment and other materials. This fee shall be paid in the following installments:

a. A payment of 25% of the per student fee shall be made no later than the 21st calendar day after the school operator receives the September payment from the Wisconsin department of public instruction under s. 118.40(2r)(e), Wis. Stats.

b. A payment of 25% of the per student fee shall be made no later than the 21st calendar day after the school operator receives the December payment from the Wisconsin department of public instruction under s. 118.40(2r)(e), Wis. Stats.

c. A payment of 25% of the per student fee shall be made no later than the 21st calendar day after the school operator receives the February payment from the Wisconsin department of public instruction under s. 118.40(2r)(e), Wis. Stats.

d. A payment of 25% of the per student fee shall be made no later than the 21st calendar day after the school operator receives the June payment from the Wisconsin department of public instruction under s. 118.40(2r)(e), Wis. Stats.

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4. A pro-rated oversight fee shall be paid for each charter student who is less than fulltime equivalent.

a. The amount of the pro-rated oversight fee shall be the per-student oversight fee as calculated pursuant to sub. 3-a multiplied by the ratio of the amount paid by the Wisconsin department of public instruction for that student to the amount the Wisconsin department of public instruction pays for a full-time equivalent charter school student.

b. The oversight fee for a student who is less than full-time equivalent shall be paid by the school operator in 4 equal installments at the times specified in sub. 3-a to d.

5. A charter school shall pay its oversight fee to the city treasurer to be held in trust for the exclusive benefit of the charter school program. Expenditures from such trust fund shall be authorized by the charter school review committee.

330-29. Termination of Contract and

Revocation of Charter. 1. In the manner

provided in this section, the common council may terminate the charter school contract and revoke the charter of a school whenever the common council finds that any of the following occurred:

- a. The charter school violated its contract with the city.
 - b. The pupils enrolled in the charter school failed to make sufficient progress toward attaining the educational goals under s. 118.01, Wis. Stats. as amended.
 - c. The charter school failed to comply with generally accepted accounting standards of fiscal management.
 - d. The charter school violated s. 118.40, Wis. Stats., as amended, or this chapter.
- 2.** Whenever the common council by motion requests the committee to investigate a school concerning possible termination of a contract and revocation of a charter, the committee shall make an investigation, hold a hearing and make written findings and recommendations to the common council concerning termination of a contract and revocation of a charter.
- 3.** The committee may investigate a school concerning possible termination of a contract and revocation of a charter on its own initiative or whenever an individual or group other than the common council so requests. If the investigation discloses possible cause for termination of the contract and revocation of the charter of a school, the committee shall hold a hearing and make written findings and recommendations concerning termination of the contract and revocation of the charter.
- 4.** Whenever the committee recommends termination of a contract and revocation of a charter, the committee shall:
- a. Submit its findings and recommendations, together with all materials considered by the committee, to the city clerk and request the preparation and introduction of a common council motion to terminate the contract and revoke the charter.
 - b. Transmit its findings and recommendations, together with all materials considered by the committee, to the city attorney.
- 5.** Whenever the city clerk receives a request under sub. 4 for preparation of a motion terminating a charter school contract and revoking a school's charter, the city clerk shall have a motion prepared and introduced. The motion shall:
- a. State the findings of the common council that the contract should be terminated and the charter revoked and the reasons for such findings.
 - b. State that the common council terminates the contract and revokes the charter.

c. Authorize and direct the appropriate city officials to effect the contract termination and charter revocation.

6. The common council may, in its sole discretion, approve, amend in whole or in part or disapprove a motion described in sub. 5.

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LEGISLATIVE HISTORY

CHAPTER 330

Abbreviations:

am = amended

ra = renumbered and amended

rn = renumbered

cr = created

rc = repealed and recreated

rp = repealed

Section Action File Passed Effective

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