

WISCONSIN

(Law passed in 1993; 15th strongest of the nation's 43 charter laws)



While there are a lot of charters in the state, they are concentrated in Milwaukee because that city has multiple authorizers, where other areas in Wisconsin do not. Governor Walker unsuccessfully attempted to expand authorizing to all four-year state universities but the legislature stripped it from his budget. Until authorizing is expanded statewide, growth will continue to be concentrated in Milwaukee. Funding also continues to be a problem, with charters receiving significantly less and no help with facilities.

INDEPENDENT OR MULTIPLE AUTHORIZERS - (LIMITED)

APPROVAL	School boards can serve as authorizers in the entire state. In Milwaukee, the City of Milwaukee, the University of Wisconsin-Milwaukee (also an authorizer is any adjacent county to Milwaukee County), and Milwaukee Area Technical College may approve schools. In Racine, the University of Wisconsin-Parkside can authorize one school with not more than 480 students.
APPEAL	Yes. Applications denied by the school board may be appealed to the State Superintendent of Public Instruction, and its decision is binding.

OPERATIONAL AUTONOMY

STATE	Yes, all charter schools receive a blanket waiver from most state rules and regulations that apply to public schools. Virtual schools are allowed. Management contracts with ESPs are not addressed specifically in the state charter law, but schools are allowed to contract with individuals or groups to operate schools. If the City of Milwaukee contracts with a for-profit ESP to manage a charter school, that school is an “instrumentality” school, meaning the school is under the school board’s control.
LOCAL	Yes, charters authorized by any group other than a school board is given a blanket waiver from district rules and regulations. Charters authorized by the district are considered “instrumentality” schools and do not receive waivers from school district regulations, laws or policies. This affects their hiring of personnel, budgeting, and operations of the school.
TEACHER FREEDOM	Yes for “non-instrumentality” charters; teachers are not district employees and may negotiate as a separate unit, or work independently. No for “instrumentality” charters; teachers remain covered by district collective bargaining agreement because they are part of the school district, but may organize as separate unit. Only charter school employees that are part of the school district are eligible to participate in the state retirement system.

NUMBER OF SCHOOLS ALLOWED

CAP	No legal limit on number of schools that may be approved. However, in Milwaukee, there is a cap of eight percent on the percentage of district students that can enroll in non-unionized schools, which includes “non-instrumentality” charters.
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EQUITY

STUDENT FUNDING	<p>Funds pass through the authorizer of the charter school, which is usually the local board. The law does not specify how charters authorized by the district are funded, ensuring funding inequity. Charter schools funded by all other authorizers receive per-pupil funding equal to the payment amount of the prior year plus any revenue increase adjustments in the current school year. No discussion of additional funding for special education, low-income, ELL, or other types of students. For the 2014-15 school year, the amount is \$8,075 per pupil and 2015-16 will be determined by a new formula.</p> <p>“(e)2m. In the 2013-14 school year, from the appropriation under s. 20.255(2)(fm), the department shall pay to the operator of the charter school an amount equal to \$7,925 multiplied by the number of pupils attending the charter school” Wis. Stat. Ann. § 118.40 (West).</p>
FACILITIES FUNDS	No Additional Funds.

[LINK TO THE WISCONSIN CHARTER SCHOOL LAW](#)