

Guidelines for Establishing Charter Schools

1. Authority to establish charter schools

The Wisconsin Charter School Law (§118.40, Wis. Stats.) authorizes the Racine Unified School District (RUSD) Board of Education (Board) to establish charter schools. Charter schools provide an opportunity to develop innovative educational programs, governance structures, and provide parental and student choice within the public school system. An RUSD charter school established by the Board will address state and district educational goals and measure student progress in attaining those goals.

No charter shall be established until a contract has been negotiated, reduced to writing, and formally approved and executed by the Board. A charter school may be an instrumentality of RUSD or it may not be an instrumentality of RUSD. The Board shall notify the Wisconsin Department of Public Instruction (“DPI”) whenever the Board establishes a charter school.

The Board may not enter into a contract that would result in the conversion of a private sectarian school into an RUSD charter school.

An RUSD charter school may be created by contract between the Board and a person based upon a petition signed and submitted by RUSD teachers. The process for petitioning the Board to establish an RUSD school is set forth in more detail in Section C below.

An RUSD charter school may also be created by contract between the Board and a person based upon the Board’s own initiative. In an effort to facilitate the establishment of RUSD charter schools based upon the Board’s own initiative, the Board may seek and consider proposals from persons who would like to operate an RUSD charter school. The process for submitting a proposal to the Board to establish an RUSD charter school is set forth in more detail in Section D below.

2. Definition of an RUSD charter school

An RUSD charter school is a public school created by contract. Regardless of whether an RUSD charter school is or is not an instrumentality of RUSD, the charter school shall:

- a) Be exempt from the provisions of chs. 115 to 121 of the Wisconsin Statutes, except as otherwise explicitly provided; and

Instruction

- b) Be nonsectarian in its programs, admissions policies, employment practices and all other operations; and
- c) Be tuition free and not charge mandatory fees, unless such fees are consistent with RUSD policy; and
- d) 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; and
- e) Enroll students in the school on purely voluntary basis. No pupil may be required to attend an RUSD charter school without his/her approval, if the pupil is an adult, or the approval of his/her parents or legal guardian, if the pupil is a minor; and
- f) Give preference in admission to any pupil who resides within the attendance area or former attendance area of that RUSD school if an RUSD charter school replaces a public school in whole or in part; and
- g) Be held, at minimum, to the proficiency and performance standards that are applied to other RUSD schools.

3. Petition by RUSD teachers for a charter

The Board may convert an existing RUSD school into an RUSD charter school following submission by RUSD teachers of a written petition requesting the Board to establish the school as an RUSD charter school. The petition must comply with this policy. "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" (§118.40(1m)(a), Wis. Stats.). A petition must also include whether or not the proposed RUSD charter school is intended to be an instrumentality of RUSD. All charter school petitions by RUSD teachers will be reviewed by the Board of Education.

In accordance with the Wisconsin Charter School Law, the Board will hold a public hearing within 30 days after receiving a petition by RUSD teachers to establish an RUSD charter school. The Board shall consider the level of employee and parental support for the establishment of the RUSD charter school described in the petition and the fiscal impact of the establishment of the charter school on RUSD. Within 30 days after the public hearing, the Board shall either grant or deny the petition.

Instruction

4. Creation of charter by Board initiative

The Board may establish an RUSD charter school upon its own initiative. The Board may seek and consider proposals to establish an RUSD charter school under this provision from parents, educators, community groups, nonprofit and/or for profit organizations, individuals and combinations of these entities. All proposals must comply with this policy. A proposal must also indicate whether or not the proposed RUSD charter school is intended to be an instrumentality of RUSD. All proposals under this Section will be reviewed by the Board of Education.

The Board shall hold a public hearing at least 30 days before entering into a contract if the contract would either: (1) convert a private school to an RUSD charter school or (2) establish an RUSD charter school that is not an instrumentality of RUSD. At the hearing, the Board shall consider the level of employee and parental support for the establishment of the RUSD charter school and the fiscal impact of the establishment of the RUSD charter school on RUSD.

5. Application

Charter School applications are available from the Chief Academic Officer, 3109 Mt. Pleasant Street, Racine, WI 53404. The Chief Academic Officer shall be the District's designated contact for Charter School issues and shall also serve as the technical reviewer for all Charter proposals.

6. Where and when to file

Petitions and proposals shall be filed in the Office of the Superintendent of Schools, Racine Unified School District, 3109 Mt. Pleasant Street, Racine, WI 53404 by September 1 to be considered for start-up the following school year. Petitions and proposals may also be submitted at any other time of the year. Those petitions and proposals received after 4:00 p.m. on September 1 in any year will not be considered for start-up the following school year.

Applicants should be expected to work within the following calendar:

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| a) September 1 | Petitions and proposals due by 4:00 p.m. in Superintendent's office. |
| b) September - October 1 | Technical Review by Chief Academic Officer |
| c) October 1 | Notice of technical deficiency or notice that applications are technically complete mailed to applicants before or on this date. |

Instruction

- d) October 15 Applicants must correct technical deficiencies by submitting missing information to the Chief Academic Officer
- e) October 15-29 Correction of technical deficiencies assessed by the Chief Academic Officer.
- f) October 29 Before or on this date, the Chief Academic Officer notifies applicants that their applications either remain technically deficient, or are now complete.
- g) October 29 - December 1 Board of Education, in a work session, reviews applications.
- h) 1st Board Mtg. in December Board votes on applications. The December Board notifies DPI of any decisions by the Board to grant charter school status.
- i) December 2-31 Superintendent's designees shall negotiate and draft RUSD charter school contract(s).
- j) 2nd Board Mtg. in January Proposed contracts for RUSD charter school brought to the Board for final approval and execution.
- k) 1st Semester RUSD charter school(s) open their doors.

7. Types of schools likely to be supported by the Board

The Board is interested in those petitions and proposals that replicate highly successful RUSD schools, create high quality innovative schools, reduce class size, reduce or re-enter student dropouts, and originate in-school communities that wish to assume more responsibility and leadership in the educational process.

8. Duties of District's Senior Cabinet

Subject to Board approval, the District's Senior Cabinet shall determine the procedures for processing RUSD charter school petitions and proposals. The District's Senior Cabinet shall review, evaluate and make recommendations to the Board with regard to RUSD charter school petitions and proposals. The District Senior Cabinet may invite those submitting a petition or proposal to make a presentation.

Instruction

9. Development of model contract

The Superintendent's designees shall negotiate and draft RUSD charter school contracts. All proposed schools for RUSD charter contracts shall be brought to the Board for final approval and execution. All RUSD contracts shall include the following provisions, as well as other provisions agreed to by the parties:

- a) The name of the person who is seeking to establish the charter school.
- b) The name of the person who will be in charge of the charter school and the manner in which administrative services will be provided.
- c) A description of the educational program of the charter school.
- d) The methods the charter school will use to enable pupils to attain the educational goals identified in state statute.
- e) The method by which pupil progress in attaining the educational goals identified in state statute will be measured.
- f) The governance structure of the charter school, including the method to be followed by the charter school to ensure parental involvement.
- g) Subject to state statute, the qualifications that must be met by the individuals to be employed in the charter school.
- h) The procedures that the charter school will follow to ensure the health and safety of the pupils.
- i) The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the school district population.
- j) The requirements for admission to the charter school.
- k) The manner in which annual audits of the financial and programmatic operations of the charter school will be performed.
- l) The procedures for disciplining pupils.
- m) 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.
- n) A description of the charter school facilities and the types and limits of the liability insurance that the charter school will carry.
- o) The effect of the establishment of the charter school on the liability of the school district.
- p) The term of the contract which shall be for any term not exceeding 5 school years, but it may be renewed for one or more terms not exceeding 5 school years each.
- q) The amount to be paid to the charter school by RUSD during each school year of the contract.
- r) The services to be provided by RUSD to the charter school.
- s) The services which will be provided to special education students attending the charter school.

10. Significance of instrumentality status

The Board shall determine whether or not an RUSD charter school shall be an instrumentality of RUSD. The major differences between an RUSD charter school that is an instrumentality of RUSD and an RUSD charter school that is not an instrumentality of RUSD are as follows:

a) Employees

If the Board determines that an RUSD charter school is an instrumentality of RUSD, the Board shall employ all personnel for the charter school.

b) Public hearing

If the Board intends to create an RUSD charter school on the Board's initiative that will be an instrumentality of RUSD, the Board is not required to hold a public hearing before entering into the contract.

If the Board intends to create an RUSD charter school on the Board's initiative that is not an instrumentality of RUSD, the Board shall hold a public hearing at least 30 days before entering into the contract.

c) Facilities

RUSD charter schools that are instrumentalities of RUSD must be located in RUSD facilities.

d) Legal status upon revocation of contract

Upon revocation of a contract between the Board and an RUSD charter school that is an instrumentality of RUSD, the charter school shall revert to a traditional RUSD school.

Upon revocation of a contract between the Board and an RUSD charter school that is not an instrumentality of RUSD, all legal and financial associations between the parties shall be severed.

The Board may revoke a charter school contract if the Board finds that any of the following occurred:

- 1) The charter school violated its contract with the Board; or

Instruction

- 2) The pupils enrolled in the charter school failed to make sufficient progress toward attaining the educational goals under state statute; or
- 3) The charter school failed to comply with generally accepted accounting standards of fiscal management; or
- 4) The charter school violated the Wisconsin Charter School Law.

Legal Reference: Wisconsin Statutes 118.40

Policy adopted: April 17, 2000

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