



State of Wisconsin
1997 - 1998 LEGISLATURE

April 1998 Special Session

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 2**

May 19, 1998 - Offered by Representatives JENSEN, STONE, WALKER and OLSEN.

1 **AN ACT** *to repeal and recreate* 111.70 (4) (m) (intro.), 1., 2. and 4., 119.18 (23)
2 and 119.235; and *to create* 20.855 (8) of the statutes; **relating to:** reorganizing
3 schools in a 1st class city school system and prohibiting collective bargaining
4 with respect to reassignment of employes of a 1st class city school system;
5 conversion of private schools to charter schools; educational service contracts
6 between the board of school directors for a 1st class city school system and
7 private schools and agencies; creating the commission on the future of the
8 Milwaukee Public Schools; requiring a referendum in the city of Milwaukee;
9 and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

10 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
11 the following amounts for the purposes indicated:

1 to reorganize a school under s. 119.18 (23), or the impact of any such reassignment
2 on the wages, hours or conditions of employment of those municipal employes. This
3 subdivision does not apply after June 30, 2001.

4 4. Any decision of a board of school directors to contract with a school or agency
5 to provide educational programs under s. 119.235, or the impact of any such decision
6 on the wages, hours or conditions of employment of the municipal employes who
7 perform services for the board and who are licensed by the state superintendent of
8 public instruction.

9 **SECTION 4.** 119.18 (23) of the statutes is repealed and recreated to read:

10 119.18 (23) SCHOOL REORGANIZATIONS. The board may reorganize any school
11 that it determines is low in performance by adopting a resolution to that effect. If
12 the superintendent of schools recommends to the board that a school be reorganized,
13 he or she shall state the reasons for the recommendation in writing. If the board
14 reorganizes a school, the superintendent of schools may reassign the school's staff
15 members who are licensed by the state superintendent without regard to seniority
16 in service and may reassign other employes of the board who are licensed by the state
17 superintendent to the school without regard to seniority in service.

18 **SECTION 5.** 119.235 of the statutes is repealed and recreated to read:

19 **119.235 Contracts with private schools and agencies. (1)** The board may
20 contract with any nonsectarian private school located in the city or any nonsectarian
21 private agency located in the city to provide educational programs to pupils enrolled
22 in the school district operating under this chapter. The board shall ensure that each
23 private school or agency under contract with the board complies with ss. 118.125 and
24 118.13, 20 USC 1232g, 20 USC 1681 to 1688, 20 USC 3171 to 3197, 29 USC 794, 42

1 USC 2000d and 42 USC 6101 to 6107, and all health and safety laws and rules that
2 apply to public schools.

3 **(2)** Each private school or agency under contract with the board shall do all of
4 the following:

5 (a) Offer a full school year educational program.

6 (b) Participate in the board's parent information program.

7 (c) Offer diverse opportunities for parents to participate in the school's
8 programs.

9 (d) Meet insurance and financial requirements established by the board.

10 (e) Develop a pupil recruitment and enrollment plan that incorporates all of the
11 following:

12 1. A good faith effort to achieve racial balance.

13 2. A pupil selection process that gives preference to the siblings of enrolled
14 pupils and that gives no other preferences except those approved by the board.

15 3. A statement describing how the plan will serve the needs of low-academic
16 achievers and pupils from low-income families.

17 (f) Report to the board any information requested by the board.

18 **(3)** Any pupil enrolled in the school district operating under this chapter may
19 attend, at no charge, any private school or agency with which the board has
20 contracted under sub. (1) if space is available in the private school or agency.

21 **(4)** The board shall establish appropriate, quantifiable performance standards
22 for pupils at each private school or agency with which it contracts in such areas as
23 attendance, reading achievement, pupil retention, pupil promotion, parent surveys,
24 credits earned and grade point average.

1 **(5)** Annually, the board shall monitor the performance of the program under
2 this section. The board may use the results of standardized basic educational skills
3 tests to do so. The board shall include a summary of its findings in its annual report
4 to the state superintendent under s. 119.44.

5 **SECTION 9156. Nonstatutory provisions; other.**

6 (1) COMMISSION ON THE FUTURE OF THE MILWAUKEE PUBLIC SCHOOLS; REFERENDUM.

7 (a) There is created a commission on the future of the Milwaukee Public Schools
8 consisting of the following members:

9 1. The speaker of the assembly and the leader of the minority party in the
10 assembly or their designees, who shall be representatives to the assembly.

11 2. The majority and minority party leaders in the senate or their designees, who
12 shall be senators.

13 3. The mayor of the city of Milwaukee or his or her designee, who shall reside
14 in the city of Milwaukee.

15 4. One person appointed by the school board operating under chapter 119 of the
16 statutes, who shall reside in the city of Milwaukee.

17 5. Three persons appointed by the governor, all of whom shall reside in the city
18 of Milwaukee.

19 (b) The speaker of the assembly or his or her designee, whoever is a member
20 of the commission, shall call the initial meeting of the commission. At the initial
21 meeting, the members shall elect a chairperson.

22 (c) By December 31, 1998, the commission shall submit a report to the governor,
23 the mayor of the city of Milwaukee, the school board operating under chapter 119 of
24 the statutes, and the legislature in the manner provided by section 13.172 (2) of the
25 statutes. The report shall describe the commission's proposal for the future policy

1 direction of the Milwaukee Public Schools and shall include the text of the questions
2 to be submitted to the electors of the city of Milwaukee at the referendum to be held
3 under paragraph (d).

4 (d) There shall be submitted to the electors of the city of Milwaukee, at a
5 referendum to be held at the spring election in April 1999, one or more questions
6 which shall be proposed by the commission, for advisory purposes only, concerning
7 the future policy direction of the Milwaukee Public Schools.

8 (e) The board of election commissioners of the city of Milwaukee may submit
9 to the department of administration a statement of its costs incurred in conducting
10 the referendum to be held under paragraph (d). The department of administration
11 shall audit and reimburse the treasurer of the city of Milwaukee for all such lawful
12 costs incurred from the appropriation under section 20.855 (8) (a) of the statutes, as
13 created by this act, to the extent that the moneys appropriated under that paragraph
14 are sufficient to make that reimbursement.

15 **SECTION 9228. Appropriation changes; joint committee on finance.**

16 (1) SUPPLEMENTAL APPROPRIATIONS. In the schedule under section 20.005 (3) of
17 the statutes for the appropriation to the joint committee on finance under section
18 20.865 (4) (a) of the statutes, as affected by the acts of 1997, the dollar amount is
19 increased by \$25,000 for fiscal year 1998-99 to increase funding for the purpose
20 specified in SECTION 9156 (1) (e) of this act.

21 **SECTION 9356. Initial applicability; other.**

22 (1) COLLECTIVE BARGAINING. The treatment of section 111.70 (4) (m) (intro.), 1.,
23 2. and 4. of the statutes first applies to employees who are affected by a collective
24 bargaining agreement that contains provisions inconsistent with that treatment on

1 the day on which the collective bargaining agreement expires or is extended,
2 modified or renewed, whichever occurs first.

3 (END)