



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5632/1
KRP:cjs

2021 SENATE BILL 963

February 9, 2022 - Introduced by Senators DARLING and ROTH, cosponsored by Representatives WITKE, THIESFELDT, BRANDTJEN, GUNDRUM, KNODL, MACCO, MAGNAFICI, MURPHY, VORPAGEL and KUGLITSCH. Referred to Committee on Education.

1 **AN ACT** *to renumber* 119.9000 (1); *to amend* chapter 119 (title), subchapter I
2 (title) of chapter 119 [precedes 119.01], 119.01, 119.02 (intro.), 119.02 (1), 119.02
3 (2), 119.04 (1), 119.04 (2) and 119.50 (3); and *to create* 119.9000 (1e) and
4 119.9000 (1m) of the statutes; **relating to:** reorganizing the Milwaukee Public
5 School System into four to eight school districts and creating a Milwaukee
6 Public Schools Redistricting and Implementation Commission.

Analysis by the Legislative Reference Bureau

Effective July 1, 2024, this bill dissolves the Milwaukee Public Schools (MPS) and creates in its place four to eight city of Milwaukee public school districts. Each new school district must operate grades kindergarten to 12. Each new school board must consist of seven members elected at large for three-year terms. The initial election of school board members occurs at the 2024 spring election.

The bill creates a Milwaukee Public Schools Redistricting and Implementation Commission consisting of the governor, two members appointed by the governor, the state superintendent of public instruction, the mayor of the city of Milwaukee, and two members appointed by the mayor. No later than October 1, 2022, the commission must determine the number of new school districts and the boundaries of those new school districts and submit to the legislature recommended changes to the statutes necessary to organize and operate the new school districts. The commission must recommend legislation to do all of the following:

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1. Transfer school buildings from the city of Milwaukee to one of the new school districts.
2. Address the taxing and borrowing authority of each new school district.
3. Ensure that employees of MPS prior to its dissolution are employed by one of the new school districts after the dissolution of MPS.
4. Provide for the continuation of the Milwaukee Parental Choice Program, under which an eligible pupil who resides in the city of Milwaukee may attend a private school at state expense under certain conditions.
5. Provide for the continuation of any charter school authorized by MPS.

The bill directs the Department of Public Instruction to provide staff support and funding to the commission and to assist each new school district created under the bill.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** Chapter 119 (title) of the statutes is amended to read:

2 **CHAPTER 119**
3 **FIRST CLASS CITY SCHOOL SYSTEM**
4 **SYSTEMS IN FIRST CLASS CITIES**
5 **OTHER THAN MILWAUKEE**

6 **SECTION 2.** Subchapter I (title) of chapter 119 [precedes 119.01] of the statutes
7 is amended to read:

8 **CHAPTER 119**
9 **SUBCHAPTER I**
10 **FIRST CLASS CITY SCHOOL DISTRICT**
11 **DISTRICTS IN FIRST CLASS CITIES**
12 **OTHER THAN MILWAUKEE**

13 **SECTION 3.** 119.01 of the statutes is amended to read:

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1 **119.01 Applicability.** This ~~chapter~~ subchapter applies only to cities of the 1st
2 class.

3 **SECTION 4.** 119.02 (intro.) of the statutes is amended to read:

4 **119.02 Definitions.** (intro.) In this ~~chapter~~ subchapter, unless the context
5 clearly requires otherwise:

6 **SECTION 5.** 119.02 (1) of the statutes is amended to read:

7 119.02 (1) “Board” means the board of school directors in charge of the public
8 schools of a city ~~of the 1st class~~ other than those public schools transferred to the
9 opportunity schools and partnership programs under s. 119.33 or subch. II.

10 **SECTION 6.** 119.02 (2) of the statutes is amended to read:

11 119.02 (2) “City” means a 1st class city of the 1st class other than the city of
12 Milwaukee.

13 **SECTION 7.** 119.04 (1) of the statutes is amended to read:

14 119.04 (1) Subchapters IV, V, and VII of ch. 115, ch. 121, and ss. 66.0235 (3) (c),
15 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
16 115.345, 115.363, 115.364, 115.365 (3), 115.366, 115.367, 115.38 (2), 115.415, 115.445,
17 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125
18 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
19 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10),
20 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43,
21 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15)
22 to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37),
23 (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a
24 ~~1st class city school district~~ operating under this subchapter and board but not,
25 unless explicitly provided in this ~~chapter~~ subchapter or in the terms of a contract, to

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1 the commissioner or to any school transferred to an opportunity schools and
2 partnership program.

3 **SECTION 8.** 119.04 (2) of the statutes is amended to read:

4 119.04 (2) The board shall exercise the powers, perform the functions, and be
5 entitled to all school aid under sub. (1) insofar as the same are relevant to cities of
6 ~~the 1st class.~~ The board and the schools in ~~cities of the 1st class~~ a school district
7 operating under this subchapter shall be governed in all matters by the general laws
8 of the state, except as altered or modified by express amendments.

9 **SECTION 9.** 119.50 (3) of the statutes is amended to read:

10 119.50 (3) The superintendent of schools shall keep separate accounts of all
11 money raised and apportioned for ~~1st class city~~ purposes of a school district ~~purposes~~
12 operating under this subchapter. The money shall be disbursed in accordance with
13 this section and s. 66.0607 (5) and shall be paid from the proper funds.

14 **SECTION 10.** 119.9000 (1) of the statutes is renumbered 119.9000 (1s).

15 **SECTION 11.** 119.9000 (1e) of the statutes is created to read:

16 119.9000 (1e) “Board” has the meaning given in s. 119.02 (1).

17 **SECTION 12.** 119.9000 (1m) of the statutes is created to read:

18 119.9000 (1m) “City” means a 1st class city.

19 **SECTION 13. Nonstatutory provisions.**

20 (1) DEFINITION. In this section, “commission” means the Milwaukee Public
21 Schools redistricting and implementation commission created under sub. (3) (a).

22 (2) DISSOLUTION OF MPS; CREATION OF NEW SCHOOL DISTRICTS. The Milwaukee
23 Public School System is dissolved. The territory comprising the dissolved school
24 district is divided into new school districts as determined by the commission under
25 sub. (4) (a).

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1 (3) MILWAUKEE PUBLIC SCHOOLS REDISTRICTING AND IMPLEMENTATION COMMISSION.

2 (a) There is created a Milwaukee Public Schools redistricting and
3 implementation commission that consists of the governor, 2 members appointed by
4 the governor, the state superintendent of public instruction, the mayor of the city of
5 Milwaukee, and two members appointed by the mayor of the city of Milwaukee.

6 (b) The members of the commission shall receive no compensation or
7 reimbursement for their services or expenses.

8 (c) The department of public instruction shall staff and provide funding for the
9 commission.

10 (d) The commission terminates upon the earlier of the following:

11 1. The date the commission makes the determinations under sub. (4) (a) or the
12 date the commission submits the recommendations under sub. (4) (b), whichever is
13 later.

14 2. October 1, 2022.

15 (4) COMMISSION; POWERS AND DUTIES. No later than October 1, 2022, the
16 commission shall do all of the following:

17 (a) Determine the number of public school districts, which shall not be less than
18 4 nor more than 8, created in the city of Milwaukee under sub. (2) and the boundaries
19 of the school districts. To the extent practicable, the commission shall make the
20 population in each school district roughly equal. The commission shall consider the
21 location and capacity of school buildings when drawing the boundaries under this
22 paragraph.

23 (b) Submit to the legislature recommendations on legislation needed as a result
24 of the creation of the city of Milwaukee public school districts under this act, on any
25 other legislation required to implement this act, and on related matters deemed by

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1 the commission to be desirable or necessary to organize and operate the school
2 districts created under this act, including the appropriate allocation of assets and
3 liabilities under s. 66.0235 (2c) to each of the school districts created under this act.
4 The commission shall recommend legislation under this paragraph to do at least all
5 of the following:

6 1. Transfer each school building and grounds and each school site from the city
7 of Milwaukee to the public school district created under this act within which that
8 school building and grounds or school site is located.

9 2. Address the taxing and borrowing authority of each public school district
10 created under this act.

11 3. Ensure that persons employed by the Milwaukee Public School System on
12 June 30, 2024, are employed by one of the public school districts created under this
13 act on and after July 1, 2024.

14 4. Provide for the continuation of the program under s. 119.23.

15 5. Provide for the continuation of any charter school authorized under s. 118.40
16 by the board of school directors in charge of the Milwaukee Public Schools.

17 (5) RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC INSTRUCTION. The
18 department of public instruction shall provide assistance to the city of Milwaukee
19 public school districts created under this act, including planning for the operation of
20 the school districts.

21 (6) MEMBERS OF NEW PUBLIC SCHOOL BOARDS.

22 (a) Each of the city of Milwaukee public school districts created under this act
23 shall be governed by a school board consisting of 7 members elected at large as
24 provided in s. 120.42. The initial members of each school board shall be elected at
25 the 2024 spring election and shall take office on July 1, 2024.

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1 (b) The initial terms of 4 of the initial members of the school board for each city
2 of Milwaukee public school district created under this act shall be 2 years. The initial
3 terms of 3 of the initial members of each school board shall be 3 years. For the initial
4 election, in filing nomination papers and a declaration of candidacy, each candidate
5 shall specify whether the candidate seeks office for a 2-year or a 3-year term.
6 Successors to the initial board members shall serve for 3-year terms.

7 (7) UNIFIED SCHOOL DISTRICT LAWS APPLY. Each city of Milwaukee public school
8 district created under this act shall be a unified school district under subch. II of ch.
9 120 and shall operate grades kindergarten to 12.

10 **SECTION 14. Effective dates.** This act takes effect on the day after publication,
11 except as follows:

12 (1) The treatment of ss. 119.01, 119.02 (intro.), (1), and (2), 119.04 (1) and (2),
13 119.50 (3), 119.9000 (1), (1e), and (1m), subch. I (title) of ch. 119, and ch. 119 (title)
14 and SECTION 13 (2) and (7) of this act take effect on July 1, 2024.

15 (END)