

**2001 DRAFTING REQUEST**

**Bill**

Received: 12/20/2000

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 6-1923

By/Representing: Maternowski

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters: champra

Subject: Education - school boards  
Employ Pub - collective bargain

Extra Copies: MJL

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**Pre Topic:**

DOA:.....Maternowski -

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**Topic:**

School closings and collective bargaining

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr 12/20/2000 champra 12/20/2000	wjackson 12/26/2000					S&L
/1			pgreensl 12/27/2000		lrb_docadmin 12/27/2000		S&L
/2	champra 12/30/2000	jdyer 01/02/2001	martykr 01/02/2001		lrb_docadmin 01/02/2001		S&L
/3	grantpr 02/05/2001	wjackson 02/05/2001	jfrantze 02/05/2001		lrb_docadmin 02/05/2001		

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

champra  
02/05/2001

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FE Sent For:

<END>

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DOA:.....Maternowski -

#### Topic:

School closings and collective bargaining


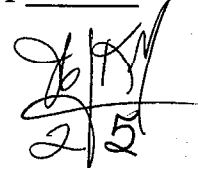
#### Instructions:

See Attached

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/1			pgreensl 12/27/2000	_____	lrb_docadmin 12/27/2000		S&L
/2	champra 12/30/2000	jdyer 01/02/2001	martykr 01/02/2001	_____	lrb_docadmin 01/02/2001		

FE Sent For:

13 WJ 2/5  

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DOA:.....Maternowski -

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School closings and collective bargaining

#### Instructions:

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			<i>dm 1/2</i>	<i>pg</i>			
			pgreensl 12/27/2000		lrb_docadmin 12/27/2000		
				<i>dm 1/2</i>			

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<END>

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Topic:

School closings and collective bargaining

Instructions:

See Attached

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/?	grantpr	1 Wlj 12/26	12/27 PL	12/27 p8/ka			

FE Sent For:

<END>

allow a school board to reassign staff and layoff staff in the consolidated district without regard to seniority.

6. **CESA Grant Appropriation and Program.** Create a grant program for CESAs, in a separate appropriation, and funded at \$2.4 million GPR in FY03. The grants would be made to CESAs, or consortia of CESAs to develop new non-instruction related (i.e. back-office) education services to school districts. CESAs, or consortia, applying for grant funds under the program would be required to provide a 50% match for the state funding. Earmark up to \$50,000 annually of the appropriated funds for grants to school districts to conduct feasibility studies of either consolidation with another school district or a consolidation of educational service delivery.
7. **Extend MPS School Closing Language to All Districts.** Under current law the MPS Board of School Directors has the special authority to reassign staff in the event that it closes a low performing school. In such stances, the board can reassign building staff without regard to seniority. Extend the special authority granted to MPS under s. 119.18 (23) to all school districts in the state. (Note 99-01 budget draft LRB 1356 99-01.)

Thank you for your assistance.

2001

Date (time) needed

SOON

LRB- 1590 1/1

DOA BUDGET DRAFT

PG&RAC: WLj:

Use the appropriate components and routines developed for bills.

>>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: the budget. ....

.....

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

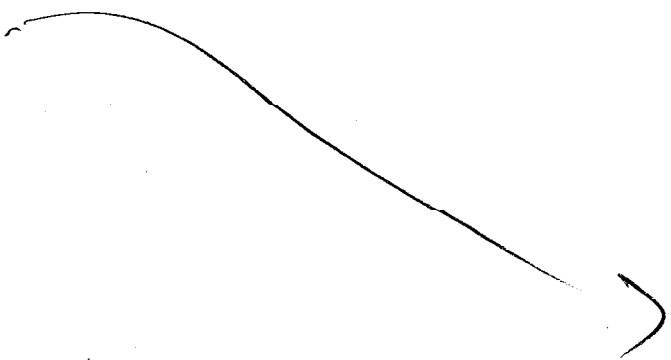
For the main heading, execute: ..... create → anal: → title: → head

For the subheading, execute: ..... create → anal: → title: → sub

For the sub-subheading, execute: ..... create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: ..... create → anal: → text



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

SECTION #.

DOA:.....Pahnke - Contracting with private agencies, MPS school closings  
and collective bargaining

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

1

AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Current law authorizes the Milwaukee Public Schools (MPS) board to ~~contract with any nonsectarian private school located in the city to provide educational programs for pupils enrolled in the school district (educational services statute). The MPS board may also close any school that it determines is low in performance (school closing statute). If the MPS board closes a school or reopens a school that has been closed, the superintendent of schools may reassign the school's staff without regard to seniority in service. In addition, the MPS board is prohibited from bargaining collectively with respect to~~ 1) ~~the board's decision to contract with a private nonsectarian school or private nonsectarian agency in the city to provide educational programs to pupils, or the impact of any such decision on the wages, hours or conditions of employment of the employees who perform those services; or~~ 2) ~~the reassignment of employees who perform services for the board, with or without regard to seniority, as the result of a decision of the board to close or reopen a school or to contract with an individual to operate a charter school or to convert a school to a charter school, or the impact of any such reassignment on the wages, hours or conditions of employment of the employees who perform those services (collective bargaining statute).~~

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→  
→



This bill extends the ~~educational services~~, school closing and collective bargaining statutes to cover all school boards.

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. 111.70 (4) (m) ~~(title)~~ <sup>15</sup> 2. and 4. of the statutes are amended to read:

2 111.70 (4) (m) ~~(title)~~ *Prohibited subjects of bargaining; school districts.*

3 ~~1. Reassignment of municipal employees who perform services for a board of~~  
4 ~~school directors under ch. 119, with or without regard to seniority, as a result of a~~  
5 ~~decision of the board of school directors municipal employer to contract with an~~  
6 ~~individual or group a person to operate a school as a charter school, as defined in s.~~  
7 ~~115.001 (1), or to convert a school to a charter school, or the impact of any such~~  
8 ~~reassignment on the wages, hours or conditions of employment of the municipal~~  
9 ~~employees who perform those services.~~

10 2. Reassignment of municipal employees <sup>ⓐ</sup> who perform services for a board of  
11 school directors, with or without regard to seniority, as a result of the decision of the  
12 board municipal employer to close or reopen a school under s. 119.18 (23) 118.36, or  
13 the impact of any such reassignment on the wages, hours <sup>ⓑ</sup> or conditions of  
14 employment of the municipal employees <sup>ⓐ</sup> who perform those services.

15 ~~4. Any decision of a board of school directors municipal employer to contract~~  
16 ~~with a school or agency to provide educational programs under s. 119.235 118.37, or~~  
17 ~~the impact of any such decision on the wages, hours or conditions of employment of~~  
18 ~~the municipal employees who perform services for the board municipal employer.~~

19 SECTION 2. 119.18 (23) <sup>ⓑ</sup> of the statutes is renumbered 118.36 <sup>ⓑ</sup> and amended to  
20 read:

that is low in performance

1           **118.36 School closings.** ~~The~~ If a school board may close ~~closes~~ any school that  
2 it determines is low in performance ~~by adopting,~~ it shall adopt a resolution to that  
3 effect. If the ~~superintendent of schools~~ school district administrator recommends to  
4 the school board that a school be closed for low performance, he or she shall state the  
5 reasons for the recommendation in writing. If the school board closes ~~a~~ <sup>plan</sup> ~~school,~~  
6 the ~~superintendent of schools~~ school district administrator may reassign the school's  
7 staff members without regard to seniority in service ~~and may reassign other~~  
8 ~~employees of the school board to the school without regard to seniority in service.~~ If  
9 the school board reopens the school, the ~~superintendent of schools~~ school district  
10 administrator may reassign staff members to the school without regard to seniority  
11 in service.

12           **SECTION 3.** 119.235 of the statutes is renumbered 118.37, and 118.37 (1), (2)  
13 (intro.), (b), (d), (e) 2. and (f), and (3) to (5), as renumbered, are amended to read:

14           **118.37 (1)** ~~The~~ A school board may contract with any nonsectarian private  
15 school located in the city school district or any nonsectarian private agency located  
16 in the city school district to provide educational programs to pupils enrolled in the  
17 school district ~~operating under this chapter.~~ The school board shall ensure that each  
18 private school or agency under contract with the board complies with ss. 118.125 and  
19 118.13, 20 USC 1232g, 20 USC 1681 to 1688, 20 USC 3171 to 3197, 29 USC 794, 42  
20 USC 2000d and 42 USC 6101 to 6107, and all health and safety laws and rules that  
21 apply to public schools.

22           **(2)** (intro.) Each private school or agency under contract with the school board  
23 shall do all of the following:

- 24           (b) Participate in the school board's parent information program.
- 25           (d) Meet insurance and financial requirements established by the school board.

1 (e) 2. A pupil selection process that gives preference to the siblings of enrolled  
2 pupils and that gives no other preferences except those approved by the school board.

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

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

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

11 (5) Annually, the school board shall monitor the performance of the program  
12 under this section. The school board may use the results of standardized basic  
13 educational skills tests to do so. The school board shall include a summary of its  
14 findings in its annual report to the state superintendent under s. ~~119.44~~.

15 SECTION 4. 121.05 (1) (a) 10. of the statutes is amended to read:

16 121.05 (1) (a) 10. Pupils attending a private school or agency under contract  
17 with the board under s. ~~119.235~~ 118.37.

18 SECTION 931<sup>6</sup>. **Initial applicability; employment relations commission.**

19 (1) REASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES, PROVISION OF EDUCATIONAL  
20 PROGRAMS. The treatment of section 111.70 (4) (m) <sup>(m)</sup> ~~(m)~~ <sup>2. and 4.</sup> of the statutes  
21 first applies to collective bargaining agreements for which notices of commencement  
22 of contract negotiations have been filed with the employment relations commission  
23 under section 111.70 (4) (cm) 1. of the statutes on the effective date of this subsection.



(D-Note)  
State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1590/x 2  
PG&RAC:wlj:pg

Sean

RMR

DOA:.....Maternowski – School closings and collective bargaining  
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

Do not gen

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*  
**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Current law authorizes the Milwaukee Public Schools (MPS) board to close any school that it determines is low in performance (school closing statute). If the MPS board closes a school or reopens a school that has been closed, the superintendent of schools may reassign the school's staff without regard to seniority in service. In addition, the MPS board is prohibited from bargaining collectively with respect to the reassignment of employees who perform services for the board, with or without regard to seniority, as the result of a decision of the board to close or reopen a school or the impact of any such reassignment on the wages, hours, or conditions of employment of the employees who perform those services (collective bargaining statute).

This bill extends the school closing and collective bargaining statutes to cover all school boards.

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:*



D-Note

This version of the draft simply strikes the  
phrase "who perform these <sup>services</sup>" on page 2,  
line 6.

RAC

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1590/2dn  
RAC:wlj:lcm

January 2, 2001

This version of the draft simply strikes the phrase "who perform those services" on page 2, line 6.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: rick.champagne@legis.state.wi.us

STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF EXECUTIVE BUDGET AND FINANCE  
DCA-5167 N(ROB95)

### FACSIMILE COVER MESSAGE

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THE FACSIMILE MACHINE COPIES ONE SIDE OF DOCUMENT

<b>TO</b>		
Name <i>Peter Grant</i>	Facsimile Telephone Number <i>4-8522</i>	
Location <i>LRB</i>	Room Number <i>5m</i>	Telephone Number <i>7-3342</i>
<b>FROM (Sender)</b>		
Name <i>Peter Antonovich</i>	Number of Pages including This Cover Sheet <i>5</i>	Facsimile Telephone Number <i>(608) 267-0372</i>
Location <i>101 East Wilson Street, 10th Floor; Madison, WI 53702</i>	Telephone Number	

**COMMENTS / INSTRUCTIONS**

*Peter,*

*would you please redraft 1590/2 to include language related to a board's decision to contract w/ a private non-federal school agency, as drafted in the 99-01 budget. (see attached)*

*Therese*



(Today)

DOA:.....Maternowski - School closings and collective bargaining  
FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*  
EDUCATION

PRIMARY AND SECONDARY EDUCATION

~~Current law authorizes the Milwaukee Public Schools (MPS) board to close any school that it determines is low in performance (school closing statute). If the MPS board closes a school or reopens a school that has been closed, the superintendent of schools may reassign the school's staff without regard to seniority in service. In addition, the MPS board is prohibited from bargaining collectively with respect to the reassignment of employees who perform services for the board, with or without regard to seniority, as the result of a decision of the board to close or reopen a school or the impact of any such reassignment on the wages, hours, or conditions of employment of the employees who perform those services (collective bargaining statute)~~  
This bill extends the school closing and collective bargaining statutes to cover all school boards.

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:*

A →

1 SECTION 1. 111.70 (4) (m) 2. of the statutes is amended to read:

2 111.70 (4) (m) 2. ~~Reassignment of municipal employees who perform services~~  
3 ~~for a board of school directors, with or without regard to seniority, as a result of the~~  
4 ~~decision of the board municipal employer to close or reopen a school under s. 119.18~~  
5 ~~(23) 118.36, or the impact of any such reassignment on the wages, hours, or~~  
6 ~~conditions of employment of the municipal employees who perform those services.~~

Insert  
2-64

7 SECTION 2. 119.18 (23) of the statutes is renumbered 118.36 and amended to  
8 read:

9 118.36 School closings. ~~The~~ If a school board may close closes any school that  
10 it determines is low in performance ~~by adopting, it shall adopt~~ a resolution to that  
11 effect. If the ~~superintendent of schools school district administrator~~ recommends to  
12 the school board that a school be closed for low performance, he or she shall state the  
13 reasons for the recommendation in writing. If the school board closes a school that  
14 is low in performance, the ~~superintendent of schools school district administrator~~  
15 may reassign the school's staff members without regard to seniority in service. If the  
16 school board reopens the school, the ~~superintendent of schools school district~~  
17 administrator may reassign staff members to the school without regard to seniority  
18 in service.

2-18

19 SECTION 9317. Initial applicability; employment relations commission.

20 (1) ~~REASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES.~~ The treatment of section  
21 111.70 (4) (m) ~~2.~~ (Title), (m), 1, 2, of the statutes first applies to collective bargaining agreements for  
22 which notices of commencement of contract negotiations have been filed with the  
23 employment relations commission under section 111.70 (4) (cm) 1. of the statutes on  
24 the effective date of this subsection.

A

1999 - 2000 LEGISLATURE

LRB-1356/6  
MJL&RAC:jlj:jf

DOA:.....Pahnke - Contracting with private agencies, MPS school closings and collective bargaining

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

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A

This bill extends ~~the~~<sup>the</sup> educational services, school closing, and collective bargaining statutes to cover all school boards.

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:**

Insert  
2-6

SECTION 1. 111.70 (4) (m) (title), 1., 2. and 4. of the statutes are amended to read:

111.70 (4) (m) (title) *Prohibited subjects of bargaining: school districts.*

1. Reassignment of municipal employees <sup>e</sup> who perform services for a board of school directors under ch. 119, with or without regard to seniority, as a result of a decision of the ~~board of school directors~~ municipal employer to contract with an individual or group a person to operate a school as a charter school, as defined in s. 115.001 (1), or to convert a school to a charter school, or the impact of any such reassignment on the wages, hours or conditions of employment of the municipal employees <sup>e</sup> who perform those services <sup>plain period</sup>.

2. Reassignment of municipal employees <sup>e</sup> who perform services for a board of school directors, with or without regard to seniority, as a result of the decision of the board municipal employer to close or reopen a school under s. ~~119.18 (23)~~ 118.36, or the impact of any such reassignment on the wages, hours or conditions of employment of the municipal employees <sup>e</sup> who perform those services <sup>plain period</sup>.

4. Any decision of a ~~board of school directors~~ municipal employer to contract with a school or agency to provide educational programs under s. ~~119.235~~ 118.37, or the impact of any such <sup>plain</sup> decision <sup>e</sup> on the wages, hours or conditions of employment of the municipal employees <sup>e</sup> who perform services for the ~~board~~ municipal employer.

SECTION 2. 119.18 (23) of the statutes is renumbered 118.36 and amended to read:

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2-18-3-1

~~118.36 School closings. The If a school board ~~may close~~ closes any school that it determines is low in performance ~~by adopting, it shall adopt~~ a resolution to that effect. If the ~~superintendent of schools~~ school district administrator recommends to the school board that a school be closed for low performance, he or she shall state the reasons for the recommendation in writing. If the school board closes a ~~the~~ school, the ~~superintendent of schools~~ school district administrator may reassign the school's staff members without regard to seniority in service and may reassign other employees of the school board to the school without regard to seniority in service. If the school board reopens the school, the ~~superintendent of schools~~ school district administrator may reassign staff members to the school without regard to seniority in service.~~

12 SECTION 3. 119.235 of the statutes is renumbered 118.37, and 118.37 (1), (2) (intro.), (b), (d), (e) 2. and (f), and (3) to (5), as renumbered, are amended to read:

14 118.37 (1) ~~The~~ A school board may contract with any nonsectarian private school located in the city school district or any nonsectarian private agency located in the city school district to provide educational programs to pupils enrolled in the school district ~~operating under this chapter~~. The school board shall ensure that each private school or agency under contract with the board complies with ss. 118.125 and 118.13, 20 USC 1232g, 20 USC 1681 to 1688, 20 USC 3171 to 3197, 29 USC 794, 42 USC 2000d, and 42 USC 6101 to 6107, and all health and safety laws and rules that apply to public schools.

22 (2) (intro.) Each private school or agency under contract with the school board shall do all of the following:

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

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

2-18-2

1 (e) 2. A pupil selection process that gives preference to the siblings of enrolled  
2 pupils and that gives no other preferences except those approved by the school board.

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

4 (3) Any pupil enrolled in the school district operating under this chapter may  
5 attend, at no charge, any <sup>private</sup> private school or agency with which the school board has  
6 contracted under sub. (1) if space is available in the private school or agency.

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

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

15 SECTION 121.05 (1) (a) 10<sup>✓</sup> of the statutes is amended to read:

16 121.05 (1) (a) 10. Pupils attending a private school or agency under contract  
17 with the board under s. 119.235 118.37<sup>✓</sup>.

18 ~~SECTION 9316. Initial applicability; employment relations commission.~~

19 ~~(1) REASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES: PROVISION OF EDUCATIONAL~~  
20 ~~PROGRAMS. The treatment of section 111.70 (4) (m) (intro.), 1., 2. and 4. of the statutes~~  
21 ~~first applies to collective bargaining agreements for which notices of commencement~~  
22 ~~of contract negotiations have been filed with the employment relations commission~~  
23 ~~under section 111.70 (4) (cm) 1. of the statutes on the effective date of this subsection.~~

24 (END)



DOA:.....Maternowski – School closings and collective bargaining  
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*  
**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Current law authorizes the Milwaukee Public Schools (MPS) board to contract with any nonsectarian private school located in the city to provide educational programs for pupils enrolled in the school district (educational services statute). The MPS board may also close any school that it determines is low in performance (school closing statute). If the MPS board closes a school or reopens a school that has been closed, the superintendent of schools may reassign the school's staff without regard to seniority in service. In addition, the MPS board is prohibited from bargaining collectively with respect to: 1) the board's decision to contract with a private nonsectarian school or private nonsectarian agency in the city to provide educational programs to pupils, or the impact of any such decision on the wages, hours, or conditions of employment of the employees who perform those services; or 2) the reassignment of employees who perform services for the board, with or without regard to seniority, as the result of a decision of the board to close or reopen a school or to contract with an individual to operate a charter school or to convert a school to a charter school, or the impact of any such reassignment on the wages, hours, or conditions of employment of the employees who perform those services (collective bargaining statute).

This bill extends the educational services, school closing, and collective bargaining statutes to cover all school boards.

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

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

1           **SECTION 1.** 111.70 (4) (m) (title), 1., 2. and 4. of the statutes are amended to read:

2           111.70 (4) (m) (title) *Prohibited subjects of bargaining; school districts.*

3           1. Reassignment of municipal employees ~~who perform services for a board of~~  
4 ~~school directors under ch. 119~~, with or without regard to seniority, as a result of a  
5 decision of the ~~board of school directors~~ municipal employer to contract with ~~an~~  
6 ~~individual or group~~ a person to operate a school as a charter school, as defined in s.  
7 115.001 (1), or to convert a school to a charter school, or the impact of any such  
8 reassignment on the wages, hours, or conditions of employment of the municipal  
9 employees ~~who perform these services.~~

10          2. Reassignment of municipal employees ~~who perform services for a board of~~  
11 ~~school directors~~, with or without regard to seniority, as a result of the decision of the  
12 ~~board~~ municipal employer to close or reopen a school under s. ~~119.18 (23)~~ 118.36, or  
13 the impact of any such reassignment on the wages, hours, or conditions of  
14 employment of the municipal employees ~~who perform these services.~~

15          4. Any decision of a ~~board of school directors~~ municipal employer to contract  
16 with a school or agency to provide educational programs under s. ~~119.235~~ 118.37, or  
17 the impact of any such decision on the wages, hours, or conditions of employment of  
18 the municipal employees who perform services for the ~~board~~ municipal employer.

19          **SECTION 2.** 119.18 (23) of the statutes is renumbered 118.36 and amended to  
20 read:



1           **118.36 School closings.** ~~The~~ If a school board may ~~close~~ closes any school that  
2 it determines is low in performance ~~by adopting, it shall adopt~~ a resolution to that  
3 effect. ~~If the superintendent of schools~~ school district administrator recommends to  
4 the school board that a school be closed for low performance, he or she shall state the  
5 reasons for the recommendation in writing. If the school board closes a school that  
6 is low in performance, the ~~superintendent of schools~~ school district administrator  
7 may reassign the school's staff members without regard to seniority in service. If the  
8 school board reopens the school, the ~~superintendent of schools~~ school district  
9 administrator may reassign staff members to the school without regard to seniority  
10 in service.

11           **SECTION 3.** 119.235 of the statutes is renumbered 118.37, and 118.37 (1), (2)  
12 (intro.), (b), (d), (e) 2. and (f), and (3) to (5), as renumbered, are amended to read:

13           **118.37 (1)** The A school board may contract with any nonsectarian private  
14 school located in the ~~city~~ school district or any nonsectarian private agency located  
15 in the ~~city~~ school district to provide educational programs to pupils enrolled in the  
16 school district ~~operating under this chapter~~. The school board shall ensure that each  
17 private school or agency under contract with the board complies with ss. 118.125 and  
18 118.13, 20 USC 1232g, 20 USC 1681 to 1688, 20 USC 3171 to 3197, 29 USC 794, 42  
19 USC 2000d, and 42 USC 6101 to 6107, and all health and safety laws and rules that  
20 apply to public schools.

21           **(2)** (intro.) Each private school or agency under contract with the school board  
22 shall do all of the following:

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

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

**SECTION 3**

1 (e) 2. A pupil selection process that gives preference to the siblings of enrolled  
2 pupils and that gives no other preferences except those approved by the school board.

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

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

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

11 (5) Annually, the school board shall monitor the performance of the program  
12 under this section. The school board may use the results of standardized basic  
13 educational skills tests to do so. The school board shall include a summary of its  
14 findings in its annual report to the state superintendent ~~under s. 119.44.~~

15 **SECTION 4.** 121.05 (1) (a) 10. of the statutes is amended to read:

16 121.05 (1) (a) 10. Pupils attending a private school or agency under contract  
17 with the board under s. ~~119.235~~ 118.37.

18 **SECTION 9317. Initial applicability; employment relations commission.**

19 (1) REASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES. The treatment of section  
20 111.70 (4) (m) (title), 1., 2., and 4. of the statutes first applies to collective bargaining  
21 agreements for which notices of commencement of contract negotiations have been  
22 filed with the employment relations commission under section 111.70 (4) (cm) 1. of  
23 the statutes on the effective date of this subsection.

24 (END)