

2001 DRAFTING REQUEST

Bill

Received: **12/29/2000**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Maternowski**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Alt. Drafters: **champra**

Subject: **Education - school boards**
Education - miscellaneous

Extra Copies: **PG**

Pre Topic:

DOA:.....Maternowski -

Topic:

Expanded flexibility school districts

Instructions:

See Attached

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>
/1	mlief 01/04/2001	hhagen 01/08/2001	jfrantze 01/08/2001	_____	lrb_docadmin 01/08/2001		S&L
/2	mlief 01/09/2001	hhagen 01/09/2001	jfrantze 01/09/2001	_____	lrb_docadmin 01/10/2001		S&L
/3	mlief 01/10/2001	hhagen 01/10/2001	martykr 01/10/2001	_____	lrb_docadmin 01/11/2001		S&L
/4	mlief 01/12/2001	wjackson 01/12/2001	rschluet 01/12/2001	_____			S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/5	mlief 01/12/2001	jdyer 01/13/2001	pgreensl 01/14/2001	_____	lrb_docadmin 01/15/2001		S&L
/6	mlief 01/15/2001	wjackson 01/15/2001	pgreensl 01/16/2001	_____	lrb_docadmin 01/16/2001		S&L
/7	mlief 02/02/2001	wjackson 02/02/2001	martykr 02/02/2001	_____	lrb_docadmin 02/02/2001		S&L

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: **12/29/2000**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Maternowski**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Alt. Drafters: **champra**

Subject: **Education - school boards**
Education - miscellaneous

Extra Copies: **PG**

Pre Topic:

DOA:.....Maternowski -

Topic:

Expanded flexibility school districts

Instructions:

See Attached

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>
/1	mlief 01/04/2001	hhagen 01/08/2001	jfrantzc 01/08/2001	_____	lrb_docadmin 01/08/2001		S&L
/2	mlief 01/09/2001	hhagen 01/09/2001	jfrantzc 01/09/2001	_____	lrb_docadmin 01/10/2001		S&L
/3	mlief 01/10/2001	hhagen 01/10/2001	martykr 01/10/2001	_____	lrb_docadmin 01/11/2001		S&L
/4	mlief 01/12/2001	wjackson 01/12/2001	rschluet 01/12/2001	_____			S&L

ym 2/2 *RS 2/2*
Rm

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/5	mlicf 01/12/2001	jdycr 01/13/2001	pgreensl 01/14/2001	_____	lrb_docadmin 01/15/2001		S&L
/6	mlicf 01/15/2001	wjackson 01/15/2001	pgreensl 01/16/2001	_____	lrb_docadmin 01/16/2001		S&L

17 Wlj z/2

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: **12/29/2000**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Maternowski**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Alt. Drafters: **champra**

Subject: **Education - school boards**
Education - miscellaneous

Extra Copies: **PG**

Pre Topic:

DOA:.....Maternowski -

Topic:

Expanded flexibility school districts

Instructions:

See Attached

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>
/1	mlief 01/04/2001	hhagen 01/08/2001	jfrantze 01/08/2001	_____	lrb_docadmin 01/08/2001		S&L
/2	mlief 01/09/2001	hhagen 01/09/2001	jfrantze 01/09/2001	<u>1/16</u> <u>PG/KF</u>	lrb_docadmin 01/10/2001		S&L
/3	mlief 01/10/2001	hhagen 01/10/2001	martykr 01/10/2001	_____	lrb_docadmin 01/11/2001		S&L
/4	mlief 01/12/2001	wjackson 01/12/2001	rschluet 01/12/2001	_____			S&L

1/6 1/15 WJ 1/16 PG

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/5	mliet 01/12/2001	jdye 01/13/2001	pgreensl 01/14/2001	_____	lrb_docadmin 01/15/2001		S&L

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: 12/29/2000

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Maternowski

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Alt. Drafters: champra

Subject: Education - school boards
Education - miscellaneous

Extra Copies: PG

Pre Topic:

DOA:.....Maternowski -

Topic:

Expanded flexibility school districts



Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/1	mlief 01/04/2001	hhagen 01/08/2001	jfrantze 01/08/2001	_____	lrb_docadmin 01/08/2001		S&L
/2	mlief 01/09/2001	hhagen 01/09/2001	jfrantze 01/09/2001	_____	lrb_docadmin 01/10/2001		S&L
/3	mlief 01/10/2001	hhagen 01/10/2001	martykr 01/10/2001	_____	lrb_docadmin 01/11/2001		S&L

FE Sent For:

1/4 Wlj 1/12

 1-12-1

 1-14-1
 <END>
 1/14 PG
 1/14 PG/RS

2001 DRAFTING REQUEST

Bill

Received: 12/29/2000

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Maternowski

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Alt. Drafters: champra

Subject: Education - school boards
Education - miscellaneous

Extra Copies: PG

Pre Topic:

DOA:.....Maternowski -

Topic:

Expanded flexibility school districts

Instructions:

See Attached

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>
/1	mlief 01/04/2001	hhagen 01/08/2001	jfrantze 01/08/2001	_____	lrb_docadmin 01/08/2001		S&L
/2	mlief 01/09/2001	hhagen 01/09/2001	jfrantze 01/09/2001	_____	lrb_docadmin 01/10/2001		S&L

13 hmk
1/10/01
Jfr 10
HH
Am 10

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: 12/29/2000

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Maternowski

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Alt. Drafters: champra

Subject: Education - school boards
Education - miscellaneous

Extra Copies: PG

Pre Topic:

DOA:.....Maternowski -

Topic:

Expanded flexibility school districts

Instructions:

See Attached

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>
/1	mlief 01/04/2001	hhagen 01/08/2001	jfrantze 01/08/2001	_____	lrb_docadmin 01/08/2001		S&L

FE Sent For:

12 hnh
1/9/01

1/9
1/9
<END>

2001 DRAFTING REQUEST

Bill

Received: 12/29/2000

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Maternowski

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Alt. Drafters: champra

Subject: Education - school boards
Education - miscellaneous

Extra Copies: PG

Pre Topic:

DOA:.....Maternowski -

Topic:

Expanded flexibility school districts

Instructions:

See Attached

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>
1?	mlief	11 hmt 1/4/01	26/8	26/8 <u>1/8</u>			

FE Sent For:

<END>



Date: December 28, 2000
To: Stephen Miller, Chief
Legislative Reference Bureau
From: Peter Maternowski *PM*
Subject: 2001-2003 Budget Drafting Requests

Please draft the following items for possible inclusion in the Governor's 2001-2003 biennial budget bill.

1. Expanded Flexibility Status School Districts.

Create a category of school districts designated Expanded Flexibility Status (EFS) districts. School districts would be allowed to apply to the Department of Public Instruction for EFS. If the district meets the eligibility criteria (specified below) and agrees to implement specified governance and program changes (see below), the State Superintendent must designate the district an EFS district. EFS districts would be exempt from certain statutory provisions related to school districts, would not have to bargain over some aspects of seniority-based transfer rights and would be eligible to participate in the grant programs described in items 2 and 3.

EFS would be granted to school districts for four years beginning on July 1 of an odd-numbered year. Districts would be required to apply for EFS status on or before October 30 of the preceding year. Districts could reapply for EFS if they continue to meet the eligibility requirements and show progress in meeting school improvement goals defined by the school board.

Eligibility criteria:

- All schools in the district meet or exceed 100% of the statewide averages on state assessments for the preceding two years.
- The district's graduation rate exceeds 110% of the statewide average for the preceding two years.
- The district's attendance rate exceeds 110% of the statewide average for the preceding two years.

Governance changes:

- The school board must allocate 85% of district revenues, including federal revenues, to school buildings, based on an allocation mechanism approved by the school board.
- The school board shall hire school principals.

equal or exceed state average pass rate

MSL
1st yr 03-04
Prog. Inc. or above

4, 8, 10 + 2nd gr. reading test + h.s. graduation when applicable on each (P-P)

→ % scoring proficient or above

full
v.e. - let sch. principal allocate \$
[to cut back on administration]

- The school board shall ensure that 95% of students take state assessments.
- The school board may create school governance councils to advise the school principal. Any advisory council must have a majority representation of parents.
- Schools must specify, in an annual plan, performance goals for the school, including student performance and goals related to parent and teacher performance.
- The school board must guarantee parents a choice of schools within the district.

3, 4, 8 & 10
 n.s. word.
 been

Special exemptions:

- EFS districts can hire non-teaching personnel that are not licensed by DPI.
- School Board retains the right to promote or transfer the most qualified teacher (seniority-based transfer rights are a prohibited subject of bargaining) – the intended affect is to allow school boards to make teaching assignments without regard to seniority.
- EFS districts are eligible for the grant programs created under items 2 and 3.
- EFS districts are exempt from the following statutes:

if > 1 available for grade
 no transp. req'd.

118.015 (2) (a)	118.22	?	119.42	120.12 (15) - check with
118.017 (1)	118.23	(docs + or app's per 1995)	119.71	120.125
118.019 (2) (3)	118.235	found (b)	119.73	
118.02	118.24		119.74	
? - 118.025 NO	118.258 (1)		119.75	
? - 118.03	118.33 (am)		119.78	
? - 118.05 NO	118.33 (2)	?		
118.162 (4) + (4)(a)	118.34			
? - 118.18 (teachers)	118.35 (3)			

"has restructuring staff"
 anything per 11/11/00? leave alone

delete per TC w/ Peter M on 1/2/00

121.02 (1) (a) strike "supervisor, administrator and professional staff member"

121.02 (1) (b) - (e), (h), (j) - (q), (t)
 → how to determine state and ?

MSJ
2. Building-Based Management Grant Program: Create a new GPR funded grant program (Building-Based Management Grants) for grants to school districts to support implementation of school management decentralization plans. Only districts that apply for and receive Expanded Flexibility Status would be eligible for funding beginning in the year they receive EF status, i.e. the year prior to which they are required to implement the governance changes described in item #1. Funding for the program would begin in FY03.

MSJ
3. School Leadership Grant Program: Create a new GPR funded grant program (School Leadership Grants) to provide training grants for principals (school building administrators). Only districts that apply for and receive Expanded Flexibility Status would be eligible for funding beginning in the year they receive EF status. The funding would support training and mentoring programs designed to prepare principals to be effective administrators in a decentralized educational setting. Funding can be used to provide or purchase staff development services. Funding for the program would begin in FY03.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1693/1
MJL & RAC:.....
hmb

DOA:.....Maternowski - Expanded flexibility school districts

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

SOON

D-N

who took each of the fourth, eighth, and tenth grade assessments and the ~~3rd~~ grade reading test and

1 AN ACT ^{do not get} ...; relating to: ^{ed} the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill requires DPI to designate school districts that meet the following eligibility criteria as school districts with expanded flexibility: (1) for the preceding two school years, the percentage of pupils enrolled in the school district whose score on each of the fourth, eighth, and tenth grade assessments and the ~~3rd~~ grade reading test was at the proficient level or above was at least equal to the statewide average; (2) beginning in the 2004-05 school year, for the preceding two school years, the percentage of pupils enrolled in the school district who took and passed the high school graduation examination equaled or exceeded the statewide average; and (3) for the two preceding school years, the school district's high school graduation rate exceeded 110% of the statewide average high school graduation rate, and the school district's attendance rate exceeded 110% of the statewide average attendance rate.

A school district with expanded flexibility must allocate 85% of all school district revenues for use by principals at their respective schools; ensure that at least 95% of the school district's pupils takes the ~~4th, 8th, and 10th~~ grade assessments, the ~~3rd~~ grade reading test, and the high school graduation examination; if there are more than two schools in which a pupil may enroll, permit the pupil's parents to choose the school; and ensure that each school in the school district prepares an annual plan that includes performance goals for pupils and teachers. In return, a school district

third

third

tenth

fourth eighth

with expanded flexibility is free from many of the requirements that apply to regular school districts, may create school governance councils to advise principals, and may reassign staff members without regard to seniority. Such a reassignment is a prohibited subject of collective bargaining.

Finally, DPI must award grants on a competitive basis to school districts with expanded flexibility to help implement school district decentralization plans and to train principals to be effective administrators in a decentralized school district.

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:

X
1 SECTION 1. 20.255 (2) (fr) of the statutes is created to read:

2 20.255 (2) (fr) *Grants for school decentralization plans.* The amounts in the
3 schedule for grants to implement school decentralization plans under s. 118.39 (5)
4 (a).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 2. 20.255 (2) (fs) of the statutes is created to read:

6 20.255 (2) (fs) *Grants for training principals.* The amounts in the schedule for
7 training principals under s. 118.39 (5) (b).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

Ins. 28

8 SECTION 3. 118.39 of the statutes is created to read:

9 **118.39 School districts with expanded flexibility.** (1) A school board may,
10 by October 30 of an even-numbered year, apply to the department to have its school
11 district designated as a school district with expanded flexibility if all of the following
12 are true:

who took each assessment administered under ss. 118.30 (1m), (a), (am), and (b) and 121.02(1)(r) and

13 (a) For the 2 preceding school years, the percentage of pupils enrolled in the
14 school district whose score on each assessment administered under ss. 118.30 (1m)

1 (a), (am), and (b) and 121.02 (1) (r) was at the proficient ~~level~~ level or above was at least
2 equal to the statewide average.

3 (b) Beginning in the 2004-05 school year, for the 2 preceding school years, the
4 percentage of pupils enrolled in the school district who took and passed the high
5 school graduation examination administered under ss. 118.30 (1m) (d) equaled or
6 exceeded the statewide average.

7 (c) For the preceding 2 school years, the school district's high school graduation
8 rate exceeded 110% of the statewide average high school graduation rate.

9 (d) For the preceding 2 school years, the school district's attendance rate
10 exceeded 110% of the statewide average attendance rate.

11 (2) Beginning on July 1 of an odd-numbered year, the department shall
12 designate a school district that applied for designation and met the criteria under
13 sub. (1) as a school district with expanded flexibility. A school district retains the
14 designation of expanded flexibility for 4 school years and may reapply for the
15 designation. A school district with expanded flexibility shall do all of the following:

16 (a) Allocate 85% of school district revenues, including federal revenues, for use
17 by principals at their respective schools.

18 (b) Ensure that at least 95% of the pupils in the school district take the
19 assessments and examinations under ss. 118.30 (1m) and 121.02 (1) (r).

20 (c) If there are more than 2 schools in which a pupil may enroll in the school
21 district, allow the pupil's parent or guardian to choose the school in which to enroll
22 the pupil.

23 (d) Ensure that each school in the school district prepares an annual plan that
24 includes performance goals for pupils and teachers.

25 (3) A school district with expanded flexibility may do all of the following:

1 (a) Create school governance councils, a majority of whose members are parents
2 of pupils enrolled in the school district, to advise school principals.

3 (b) Reassign staff members of schools in the school district without regard to
4 seniority in service.

5 (4) A school district with expanded flexibility, and, where appropriate, its
6 employees, are exempt from the requirements of ss. 118.015 (2) to (4), 118.017 (1),
7 118.019 (2), (3), and (5), 118.02, 118.03 (1), 118.153 (2), 118.162, 118.18, 118.22,
8 118.235, 118.258, 118.33 (1) (b) ~~118.33 (2)~~, 118.34 (1) and (3), 118.35 (3),
9 119.71, 119.73, 119.74, 119.75, 119.78, 120.125, and 121.02 (1) (b) to (e), (h), (j) to (n),
10 (q), and (t).

and free from the prohibitions of

11 (5) In the school year preceding the designation under sub. (2), the department
12 shall:

13 (a) From the appropriation under s. 20.255 (2) (fr), award grants on a
14 competitive basis to school districts with expanded flexibility to help implement
15 school district decentralization plans.

16 (b) From the appropriation under s. 20.255 (2) (fs), award grants on a
17 competitive basis to school districts with expanded flexibility to train principals to
18 be effective administrators in a decentralized school district.

19 (6) The department shall promulgate rules to implement and administer this
20 section.

21 SECTION 4. 121.02 (1) (a) 1. of the statutes is amended to read:

22 121.02 (1) (a) 1. Ensure that every teacher, supervisor, administrator and
23 professional staff member holds a certificate, license or permit to teach issued by the
24 department before entering on duties for such position. This subdivision does not

- 1 apply to supervisors, administrators, or non^ginstructional, professional staff
- 2 members of school boards with expanded flexibility under s. 118.39.

History: 1973 c. 90, 115, 243, 333; 1975 c. 39, 198; 1977 c. 29, 178, 206, 418, 429, 447; 1979 c. 34, 221; 1985 a. 29, 228; 1987 a. 27, 399; 1989 a. 31, 285; 1991 a. 48, 269; 1993 a. 16, 339, 430, 450; 1995 a. 27 ss. 4036 to 4038, 9145 (1); 1997 a. 27, 113; 1999 a. 9.

(END)

3
Ins 5-3

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1693/lins
.....

Insert Analysis:

Finally
In ~~addition~~, the bill provides that any assignment of school district employees in an expanded flexibility status school district is a prohibited subject of collective bargaining.

Insert: 2-8 ✓

SECTION 1. 111.70 (4) (m) 7. of the statutes is created to read:

111.70 (4) (m) 7. Assignment of municipal employees, with or without regard to seniority, in any school district designated as ^{school district with} an expanded flexibility status school ~~district~~ ¹¹⁸⁻³⁹ under s. ~~XXX~~, or the impact of any such assignment on the wages, hours or conditions of employment of the municipal employees.

Insert: ↑

SECTION 9317. Initial applicability; employment relations commission.

153
(1) ASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES. The treatment of section 111.70 (4) (m) 7. of the statutes first applies to collective bargaining agreements for which notices of commencement of contract negotiations have been filed with the employment relations commission under section 111.70 (4) (cm) 1. of the statutes on the effective date of this subsection.

D - N

LRB-1693/1

MJL:kmh:

Deadlines

Peter:

Note that DPI really has no way to ensure that a school district designated as a school district with expanded flexibility does what it is supposed to do under S. 118.39 (2)(a) to (d).

MJL

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1693/1dn
MJL:hmh:jf

January 8, 2001

Peter:

Note that DPI really has no way to ensure that a school district designated a school district with expanded flexibility does what it is supposed to do under s. 118.39 (2) (a) to (d).

Madelon J. Lief
Legislative Attorney
Phone: (608) 267-7380

stage

DOA:.....Maternowski - Expanded flexibility school districts

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

RM run

SOON

1 AN ACT ^{do not gen} ...; relating to: the budget.

**Analysis by the Legislative Reference Bureau
EDUCATION**

PRIMARY AND SECONDARY EDUCATION

This bill requires DPI to designate school districts that meet the following eligibility criteria as school districts with expanded flexibility: (1) for the preceding two school years, the percentage of pupils enrolled in the school district who took each of the fourth, eighth, and tenth grade assessments and the third grade reading test and whose score on each of the fourth, eighth, and tenth grade assessments and the third grade reading test was at the proficient level or above was at least equal to the statewide average; (2) beginning in the 2004-05 school year, for the preceding two school years, the percentage of pupils enrolled in the school district who took and passed the high school graduation examination equaled or exceeded the statewide average; and (3) for the two preceding school years, the school district's high school graduation rate exceeded 110% of the statewide average high school graduation rate, and the school district's attendance rate exceeded 110% of the statewide average attendance rate.

A school district with expanded flexibility must allocate 85% of all school district revenues for use by principals at their respective schools; ensure that at least 95% of the school district's pupils, ^{who are eligible} takes the fourth, eighth, and tenth grade assessments, ~~the third grade reading test,~~ and the high school graduation examination; if there are ~~more than~~ ^{at least} two schools in ~~which a pupil may enroll,~~ ^{that offer the appropriate grade} permit

at least

that offer the appropriate grade

the pupil's parents to choose the school; and ensure that each school in the school district prepares an annual plan that includes performance goals for pupils and teachers. In return, a school district with expanded flexibility is free from many of the requirements that apply to regular school districts, may create school governance councils to advise principals, and may reassign staff members without regard to seniority. Such a reassignment is a prohibited subject of collective bargaining.

Finally, DPI must award grants on a competitive basis to school districts with expanded flexibility to help implement school district decentralization plans and to train principals to be effective administrators in a decentralized school district.

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.** 20.255 (2) (fr) of the statutes is created to read:

2 20.255 (2) (fr) *Grants for school decentralization plans.* The amounts in the
3 schedule for grants to implement school decentralization plans under s. 118.39 (5)
4 (a).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 2.** 20.255 (2) (fs) of the statutes is created to read:

6 20.255 (2) (fs) *Grants for training principals.* The amounts in the schedule for
7 training principals under s. 118.39 (5) (b).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 3.** 111.70 (4) (m) 7. of the statutes is created to read:

9 111.70 (4) (m) 7. Assignment of municipal employees, with or without regard
10 to seniority, in any school district designated a school district with expanded
11 flexibility under s. 118.39, or the impact of any such assignment on the wages, hours,
12 or conditions of employment of the municipal employees.

13 **SECTION 4.** 118.39 of the statutes is created to read:

1 **118.39 School districts with expanded flexibility.** (1) A school board may,
2 by October 30 of an even-numbered year, apply to the department to have its school
3 district designated as a school district with expanded flexibility if all of the following
4 are true:

5 (a) For the 2 preceding school years, the percentage of pupils enrolled in the
6 school district who took each assessment administered under ss. 118.30 (1m) (a),
7 (am), and (b) and 121.02 (1) (r) and whose score on each assessment administered
8 under ss. 118.30 (1m) (a), (am), and (b) and 121.02 (1) (r) was at the proficient level
9 or above was at least equal to the statewide average.

10 (b) Beginning in the 2004–05 school year, for the 2 preceding school years, the
11 percentage of pupils enrolled in the school district who took and passed the high
12 school graduation examination administered under ss. 118.30 (1m) (d) equaled or
13 exceeded the statewide average.

14 (c) For the 2 preceding school years, the school district's high school graduation
15 rate exceeded 110% of the statewide average high school graduation rate.

16 (d) For the 2 preceding school years, the school district's attendance rate
17 exceeded 110% of the statewide average attendance rate.

18 (2) Beginning on July 1 of an odd-numbered year, the department shall
19 designate a school district that applied for designation and met the criteria under
20 sub. (1) as a school district with expanded flexibility. A school district retains the
21 designation of expanded flexibility for 4 school years and may reapply for the
22 designation. A school district with expanded flexibility shall do all of the following:

23 (a) Allocate 85% of school district revenues, including federal revenues, for use
24 by principals at their respective schools.

1
2
3
4
5

(b) Ensure that at least 95% of the pupils in the school district take the assessments and ^{high school graduation} examinations under ss. 118.30 (1m) ~~and 118.30 (1m)~~.

who are eligible

(c) Allow the pupil's parent or guardian to choose the school in which to enroll the pupil if there ^{are at least 2 schools that offers the appropriate grade for the pupil} ~~are more than 2 schools in which a pupil may enroll in the school district.~~

(d) Ensure that each school in the school district prepares an annual plan that includes performance goals for pupils and teachers.

(3) A school district with expanded flexibility may do all of the following:

(a) Create school governance councils, a majority of whose members are parents of pupils enrolled in the school district, to advise school principals.

(b) Reassign staff members of schools in the school district without regard to seniority in service.

(4) A school district with expanded flexibility, and, where appropriate, its employees, are exempt from the requirements and free from the prohibitions of of ss.

118.015 (2) to (4), 118.017 (1), 118.019 (2), (3), and (5), 118.02, 118.03 (1), 118.153 (2) (a), 118.162, 118.18, 118.22, 118.235, 118.258, 118.33 (1) (b), 118.34 (1) and (3), 118.35 (3), 119.71, 119.73, 119.74, 119.75, 119.78, 120.125, and 121.02 (1) (b) ^(d) ~~to~~ (e), (h), (j) to (n), (q), and (t).

(5) In the school year preceding the designation under sub. (2), the department shall:

(a) From the appropriation under s. 20.255 (2) (fr), award grants on a competitive basis to school districts with expanded flexibility to help implement school district decentralization plans.

1 (b) From the appropriation under s. 20.255 (2) (fs), award grants on a
2 competitive basis to school districts with expanded flexibility to train principals to
3 be effective administrators in a decentralized school district.

4 (6) The department shall promulgate rules to implement and administer this
5 section.

6 **SECTION 5.** 121.02 (1) (a) 1. of the statutes is amended to read:

7 121.02 (1) (a) 1. Ensure that every teacher, supervisor, administrator and
8 professional staff member holds a certificate, license or permit to teach issued by the
9 department before entering on duties for such position. This subdivision does not
10 apply to supervisors, administrators, or noninstructional, professional staff
11 members of school boards with expanded flexibility under s. 118.39.

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

13 (1) ASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES. The treatment of section 111.70
14 (4) (m) 7. of the statutes first applies to collective bargaining agreements for which
15 notices of commencement of contract negotiations have been filed with the
16 employment relations commission under section 111.70 (4) (cm) 1. of the statutes on
17 the effective date of this subsection.

18 (END)



DOA:.....Maternowski – Expanded flexibility school districts

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

R-M vum
SOON

1 ^{DO NOT SEND}
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill requires DPI to designate school districts that meet the following eligibility criteria as school districts with expanded flexibility: (1) for the preceding two school years, the percentage of pupils enrolled in the school district who took each of the fourth, eighth, and tenth grade assessments and the third grade reading test and whose score on each of the fourth, eighth, and tenth grade assessments and the third grade reading test was at the proficient level or above was at least equal to the statewide average; (2) beginning in the 2004-05 school year, for the preceding two school years, the percentage of pupils enrolled in the school district who took and passed the high school graduation examination equaled or exceeded the statewide average; and (3) for the two preceding school years, the school district's high school graduation rate exceeded 110% of the statewide average high school graduation rate, and the school district's attendance rate exceeded 110% of the statewide average attendance rate.

A school district with expanded flexibility must allocate 85% of all school district revenues for use by principals at their respective schools; ensure that at least 95% of the school district's pupils who are eligible takes the fourth, eighth, and tenth grade assessments and the high school graduation examination; if there are at least two schools that offer the appropriate grade, permit the pupil's parents to choose the

school; and ensure that each school in the school district prepares an annual plan that includes performance goals for pupils and teachers. In return, a school district with expanded flexibility is free from many of the requirements that apply to regular school districts, may create school governance councils to advise principals, and may reassign staff members without regard to seniority. Such a reassignment is a prohibited subject of collective bargaining.

Finally, DPI must award grants on a competitive basis to school districts with expanded flexibility to help implement school district decentralization plans and to train principals to be effective administrators in a decentralized school district.

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.** 20.255 (2) (fr) of the statutes is created to read:

2 20.255 (2) (fr) *Grants for school decentralization plans.* The amounts in the
3 schedule for grants to implement school decentralization plans under s. 118.39 (5)
4 (a).

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 2.** 20.255 (2) (fs) of the statutes is created to read:

6 20.255 (2) (fs) *Grants for training principals.* The amounts in the schedule for
7 training principals under s. 118.39 (5) (b).

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 3.** 111.70 (4) (m) 7. of the statutes is created to read:

9 111.70 (4) (m) 7. Assignment of municipal employees, with or without regard
10 to seniority, in any school district designated a school district with expanded
11 flexibility under s. 118.39, or the impact of any such assignment on the wages, hours,
12 or conditions of employment of the municipal employees.

13 **SECTION 4.** 118.39 of the statutes is created to read:

1 **118.39 School districts with expanded flexibility.** (1) A school board may,
2 by October 30 of an even-numbered year, apply to the department to have its school
3 district designated as a school district with expanded flexibility if all of the following
4 are true:

Now
This paragraph does not apply to a union high school district.

5 (a) For the 2 preceding school years, the percentage of pupils enrolled in the
6 school district who took each assessment administered under ss. 118.30 (1m) (a) *and*
7 (am), ~~and~~ and 121.02 (1) (r) and whose score on each assessment administered
8 under ss. 118.30 (1m) (a) *and* (am), ~~and~~ and 121.02 (1) (r) was at the proficient level
9 or above was at least equal to the statewide average.

Ins
3-9

10 **(b)** Beginning in the 2004-05 school year, for the 2 preceding school years, the
11 percentage of pupils enrolled in the school district who took and passed the high
12 school graduation examination administered under ss. 118.30 (1m) (d) equaled or
13 exceeded the statewide average.

Now
This paragraph does not apply to the underlying elementary school district of a union high school district.

Ins
3-11

14 **(c)** For the 2 preceding school years, the school district's high school graduation
15 rate exceeded 110% of the statewide average high school graduation rate. ✓

16 **(d)** For the 2 preceding school years, the school district's attendance rate
17 exceeded 110% of the statewide average attendance rate.

18 (2) Beginning on July 1 of an odd-numbered year, the department shall
19 designate a school district that applied for designation and met the criteria under
20 sub. (1) as a school district with expanded flexibility. A school district retains the
21 designation of expanded flexibility for 4 school years and may reapply for the
22 designation. A school district with expanded flexibility shall do all of the following:

23 (a) Allocate 85% of school district revenues, including federal revenues, for use
24 by principals at their respective schools.

Now
This paragraph does not apply to the underlying elementary school district of a union high school district.

SECTION 4

1 (b) Ensure that at least 95% of the pupils in the school district who are eligible
2 takes the assessments and high school graduation examination under s. 118.30 (1m).

3 (c) Allow the pupil's parent or guardian to choose the school in which to enroll
4 the pupil if there are at least 2 schools that offer the appropriate grade for the pupil.

5 (d) Ensure that each school in the school district prepares an annual plan that
6 includes performance goals for pupils and teachers.

7 (3) A school district with expanded flexibility may do all of the following:

8 (a) Create school governance councils, a majority of whose members are parents
9 of pupils enrolled in the school district, to advise school principals.

10 (b) Reassign staff members of schools in the school district without regard to
11 seniority in service.

12 (4) A school district with expanded flexibility, and, where appropriate, its
13 employees, are exempt from the requirements and free from the prohibitions of of ss.
14 118.015 (2) to (4), 118.017 (1), 118.019 (2), (3), and (5), 118.02, 118.03 (1), 118.153 (2)
15 (a), 118.162, 118.18, 118.22, 118.235, 118.258, 118.33 (1) (b), 118.34 (1) and (3), 118.35
16 (3), 119.71, 119.73, 119.74, 119.75, 119.78, 120.125, and 121.02 (1) (b), (d), (e), (h), (j)
17 to (n), (q), and (t).

18 (5) In the school year preceding the designation under sub. (2), the department
19 shall:

20 (a) From the appropriation under s. 20.255 (2) (fr), award grants on a
21 competitive basis to school districts with expanded flexibility to help implement
22 school district decentralization plans.

23 (b) From the appropriation under s. 20.255 (2) (fs), award grants on a
24 competitive basis to school districts with expanded flexibility to train principals to
25 be effective administrators in a decentralized school district.

INS 3-9

(b) For the 2 preceding school years, the percentage of pupils enrolled in the school district who took the assessment under s. 118.30(1m)(b) and whose score on the assessment was at the proficient level or above was at least equal to the statewide average. This paragraph does not apply to the underlying^{ing} elementary school district of a union high school district.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1693/8 4
MJL&RAC:hrb/af
wlj

DOA:.....Maternowski - Expanded flexibility school districts

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

R M sum

SOON

DO NOT GEN

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

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

at least equaled
This bill requires DPI to designate school districts that meet the following eligibility criteria as school districts with expanded flexibility: (1) for the preceding two school years, the percentage of pupils enrolled in the school district who took each of the fourth, eighth, and tenth grade assessments and the third grade reading test and whose score on each of the fourth, eighth, and tenth grade assessments and the third grade reading test was at the proficient level or above was at least equal to the statewide average; (2) beginning in the 2004-05 school year, for the preceding two school years, the percentage of pupils enrolled in the school district who took and passed the high school graduation examination equaled or exceeded the statewide average; and (3) for the two preceding school years, the school district's high school graduation rate ~~exceeded 110%~~ of the statewide average high school graduation rate, and the school district's attendance rate ~~exceeded 110%~~ of the statewide average attendance rate.

A school district with expanded flexibility must allocate 85% of all school district revenues for use by principals at their respective schools; ensure that at least 95% of the school district's pupils who are eligible takes the fourth, eighth, and tenth grade assessments and the high school graduation examination; if there are at least two schools that offer the appropriate grade, permit the pupil's parents to choose the

minority group pupils and low-income pupils and submit to the DPI a written policy specifying how the school district will comply with some of these requirements.

X school; and ensure that each school in the school district prepares an annual plan that includes performance goals for pupils and teachers. In return, a school district with expanded flexibility is free from many of the requirements that apply to regular school districts, may create school governance councils to advise principals, and may reassign staff members without regard to seniority. Such a reassignment is a prohibited subject of collective bargaining.

Finally, DPI must award grants on a competitive basis to school districts with expanded flexibility to help implement school district decentralization plans and to train principals to be effective administrators in a decentralized school district.

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. 20.255 (2) (fr) of the statutes is created to read:

2 20.255 (2) (fr) *Grants for school decentralization plans.* The amounts in the
3 schedule for grants to implement school decentralization plans under s. 118.39 (b)

4 (a).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 2. 20.255 (2) (fs) of the statutes is created to read:

6 20.255 (2) (fs) *Grants for training principals* The amounts in the schedule for
7 training principals under s. 118.39 (b) (b).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 SECTION 3. 111.70 (4) (m) 7. of the statutes is created to read:

9 111.70 (4) (m) 7. Assignment of municipal employees, with or without regard
10 to seniority, in any school district designated a school district with expanded
11 flexibility under s. 118.39, or the impact of any such assignment on the wages, hours,
12 or conditions of employment of the municipal employees.

13 SECTION 4. 118.39 of the statutes is created to read:

1 **118.39 School districts with expanded flexibility.** (1) A school board may,
2 by October ~~30~~¹⁵ of an even-numbered year, apply to the department to have its school
3 district designated as a school district with expanded flexibility if all of the following
4 are true:

5 (a) For the 2 preceding school years, the percentage of pupils enrolled in the
6 school district who took each assessment administered under ss. 118.30 (1m) (a) and
7 (am) and 121.02 (1) (r) and whose score on each assessment administered under ss.
8 118.30 (1m) (a) and (am) and 121.02 (1) (r) was at the proficient level or above was
9 at least equal to the statewide average. This paragraph does not apply to a union
10 high school district.

11 (b) For the 2 preceding school years, the percentage of pupils enrolled in the
12 school district who took the assessment under s. 118.30 (1m) (b) and whose score on
13 the assessment was at the proficient level or above was at least equal to the statewide
14 average. This paragraph does not apply to the underlying elementary school district
15 of a union high school district.

16 (c) Beginning in the 2004-05 school year, for the 2 preceding school years, the
17 percentage of pupils enrolled in the school district who took and passed the high
18 school graduation examination administered under ss. 118.30 (1m) (d) equaled or
19 exceeded the statewide average. This paragraph does not apply to the underlying
20 elementary school district of a union high school district.

21 (d) For the 2 preceding school years, the school district's attendance rate
22 ~~exceeded 110% of~~ ^{at least equaled} the statewide average attendance rate.

23 (e) For the 2 preceding school years, the school district's high school graduation
24 ~~rate exceeded 110% of~~ ^{at least equaled} the statewide average high school graduation rate. This

1 paragraph does not apply to the underlying elementary school district of a union high
2 school district.

unless it fails to satisfy the requirements under sub. (3)

3 (2) Beginning on July 1 of an odd-numbered year, the department shall
4 designate a school district that applied for designation and met the criteria under
5 sub. (1) as a school district with expanded flexibility. A school district retains the
6 designation of expanded flexibility for 4 school years and may reapply for the
7 designation. ⁽³⁾ A school district with expanded flexibility shall do all of the following:

8 (a) Allocate 85% of school district revenues, including federal revenues, for use
9 by principals at their respective schools.

10 (b) Ensure that at least 95% of the pupils in the school district who are eligible
11 takes the assessments and high school graduation examination under s. 118.30 (1m).

12 (c) Allow the pupil's parent or guardian to choose the school in which to enroll
13 the pupil if there are at least 2 schools that offer the appropriate grade for the pupil.

14 (d) Ensure that each school in the school district prepares an annual plan that
15 includes performance goals for pupils and teachers. *minority group pupils and low-income pupils.*

16 ⁽³⁾ A school district with expanded flexibility may do all of the following:

17 (a) Create school governance councils, a majority of whose members are parents
18 of pupils enrolled in the school district, to advise school principals.

19 (b) Reassign staff members of schools in the school district without regard to
20 seniority in service.

21 ⁽³⁾ A school district with expanded flexibility, and, where appropriate, its
22 employees, are exempt from the requirements and free from the prohibitions of of ss.

23 118.015 (2) to (4), 118.017 (1), 118.019 (2), (3), and (5), 118.02, 118.03 (1), 118.153 (2)
24 (a), 118.162, 118.18, 118.22, 118.235, 118.258, 118.33 (1) (b), 118.34 (1) and (3), 118.35

district will comply with purpose (a) and (e)

In considering a reapplying, the department shall consider the school district's success in achieving the goals under sub. (3) (d)

(e) By July 1 of the calendar year following application under sub. (1), submit to the department a written policy specifying how the school

(f) 1.,

1 (3), 119.71, 119.73, 119.74, 119.75, 119.78, 120.125, and 121.02 (1) (b), (d), (e), (h), (j)
2 to (n), (q), and (t).

Ins
5-3

3 (5) In the school year preceding the designation under sub. (2), the department
4 shall:

5 (a) From the appropriation under s. 20.255 (2) (fr), award grants on a
6 competitive basis to school districts with expanded flexibility to help implement
7 school district decentralization plans.

8 (b) From the appropriation under s. 20.255 (2) (fs), award grants on a
9 competitive basis to school districts with expanded flexibility to train principals to
10 be effective administrators in a decentralized school district.

11 (6) (7) (8) The department shall promulgate rules to implement and administer this
12 section.

13 SECTION 5. 121.02 (1) (a) 1. of the statutes is amended to read:

14 121.02 (1) (a) 1. Ensure that every teacher, supervisor, administrator and
15 professional staff member holds a certificate, license or permit to teach issued by the
16 department before entering on duties for such position. This subdivision does not
17 apply to supervisors, administrators, or noninstructional, professional staff
18 members of school boards with expanded flexibility under s. 118.39.

19 SECTION 9317. Initial applicability; employment relations commission.

20 (1) ASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES. The treatment of section 111.70
21 (4) (m) 7. of the statutes first applies to collective bargaining agreements for which
22 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.

25 (END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB
.....

to 7693/4

INSERT 5-3

(6) (a) By November 15 of each even-numbered year, the department shall identify which school districts are eligible to receive the designation of expanded flexibility.

(b) From the appropriation under s. 20.255 (2) (fr)[✓], the department shall, in the school year of identification under par. (a)[✓], award a grant to each school district identified under par. (a)[✓] to help implement a school district decentralization plan; to train and provide technical assistance to teachers to prepare them to work in decentralized school district[✓] to meet the requirements under sub. (3)[✓]; and to create a school governance council under sub. (4) (a)[✓]. The amount of a grant under this paragraph may not exceed \$7,500 multiplied by the number of schools in the school district or \$100,000, whichever is less. A grant recipient under this paragraph may spend the grant moneys during the school year the grant is awarded and during the following school year.

(c) From the appropriation under s. 20.255 (2) (fs)[✓], the department shall, in the school year of identification under par. (a)[✓], award grants on a competitive basis to individual school districts identified under par. (a)[✓], or to consortia consisting of 2 or more school districts identified under par. (a)[✓] and a statewide organization that is a member of the School Administrators Alliance, that submit written plans specifying how the grant moneys will be used to train superintendents, principals, and prospective principals to decentralize their school districts and work in decentralized school districts. A grant recipient under this paragraph may spend the grant moneys during the school year the grant is awarded and during the following school year.

SOON

LRB Number: 169314

Nonsubmittal Form

WPOs: DO NOT FORWARD THIS DRAFT FOR SUBMITTAL, UNLESS INSTRUCTED TO DO SO BY THE DRAFTING ATTORNEY.



Return everything to the primary drafting attorney.

After you have completed typing this draft, return the camera-ready copy to the primary drafting attorney, along with the drafting file. Also, forward the electronic file to the primary drafting attorney for the task of drafting.



Return only the camera-ready copy to the primary drafting attorney.

After you have completed typing this draft, clip this form to the camera-ready copy and return these materials to the primary drafting attorney. Place the drafting file in the HOLD basket in the WPO room. Forward the electronic file to Typing -- lrb_wpo, so that the electronic file can be viewed by all WPOs.

When the attorney finishes reviewing the draft, the attorney will bring the camera-ready copy back to the WPO room. If the attorney has found any typos or minor corrections, correct the draft as indicated and print out a new camera-ready copy. Take the final camera-ready copy, retrieve the drafting file from the HOLD basket in the WPO room, discard this form, place the camera-ready copy and the drafting file in the PA submit basket and forward the electronic file to the PAs for submitting. (If, after reviewing the draft, the attorney decides to redraft it, give the attorney the drafting file and forward the electronic file to the attorney for drafting.)

Revisions to LRB-1693/3

Ignore

1. In section 3, do not make the impact of assignments on the wages, hours or conditions of employment a prohibited subject of bargaining.
2. In section 4, s. 118.39 (1) (d) and (e) change the benchmark to the statewide average, (rather than 100% of that number.)
3. Add an additional requirement that with their application for expanded flexibility status, a district must agree to meet the criteria in (2). *- returns deny unless fails to do things under sub. (2)*
4. Indicate that if a district reapplies for expanded flexibility status, the department shall consider the district's success in achieving the goals it defined under 118.39 (2) (d) during the preceding four years.
5. Require that school districts that apply for expanded flexibility status must develop a written policy indicating how it will comply with ss. (2) (a) and (c). The district must provide a copy of the policy to the department prior to July 1 of the year after it submits an application. *before*
6. Require that the plan under 118.39 (2) (d) includes performance goals for minority and low-income students.
7. Clarify that by November 30 of an even-numbered year the department shall determine which school districts that have applied for expanded flexibility meet the criteria in (1) (a) - (e), and that these districts are eligible for aid under the programs in (5).
8. Make the following modifications to the *Grants for school decentralization Program*.
 - Limit the awards to \$7,500 per school up to a maximum of \$100,000 per school district.
 - The funds may be expended to develop plans and meet requirements under (2), to create councils under (3) (a) and for other activities designed to implement school management decentralization plans including technical assistance and training to teachers.
9. Make the following modifications to the *Grants for Training Principals Program*.
 - Expand eligibility to include superintendents and prospective principals;
 - In addition to school districts with expanded flexibility allow consortia of school districts with expanded flexibility or a consortia of two or more school districts with expanded flexibility and a statewide organization which is a member of the School Administrators Alliance to apply for funding.
 - Indicate that funding can be used to purchase or provide training, including providing professional internships and mentoring services.
 - Applicants must submit a plan indicating how the grants funds will be used to facilitate the district's adoption of a decentralized school management system.
10. Allow recipients of grants under section 118.39 (5) (a) and (b) to expend the grant award in the year they receive the award and in the following year.
11. Exempt EFS districts from 121.02 (f) (1).

150 days only



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1693/15

MJL&RAC:wlj:rs

5
+ jld

DOA:.....Maternowski – Expanded flexibility school districts

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1

Don't gen
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill requires DPI to designate school districts that meet the following eligibility criteria as school districts with expanded flexibility: (1) for the preceding two school years, the percentage of pupils enrolled in the school district who took each of the fourth, eighth, and tenth grade assessments and the third grade reading test and whose score on each of the fourth, eighth, and tenth grade assessments and the third grade reading test was at the proficient level or above was at least equal to the statewide average; (2) beginning in the 2004-05 school year, for the preceding two school years, the percentage of pupils enrolled in the school district who took and passed the high school graduation examination equaled or exceeded the statewide average; and (3) for the two preceding school years, the school district's high school graduation rate at least equaled the statewide average high school graduation rate, and the school district's attendance rate at least equaled the statewide average attendance rate.

A school district with expanded flexibility must allocate 85% of all school district revenues for use by principals at their respective schools; ensure that at least 95% of the school district's pupils who are eligible takes the fourth, eighth, and tenth grade assessments and the high school graduation examination; if there are at least two schools that offer the appropriate grade, permit the pupil's parents to choose the

and for teachers

all

for all

for

X
X

school; and ensure that each school in the school district prepares an annual plan that includes performance goals for pupils, ~~teachers~~ minority group pupils, and low-income pupils; and submit to DPI a written policy specifying how the school districts will comply with some of these requirements. In return, a school district with expanded flexibility is free from many of the requirements that apply to regular school districts, may create school governance councils to advise principals, and may reassign staff members without regard to seniority. Such a reassignment is a prohibited subject of collective bargaining.

Finally, DPI must award grants on a competitive basis to school districts with expanded flexibility to help implement school district decentralization plans and to train principals to be effective administrators in a decentralized school district.

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. 20.255 (2) (fr) of the statutes is created to read:

2 20.255 (2) (fr) *Grants for school decentralization plans.* The amounts in the
3 schedule for grants to implement school decentralization plans under s. 118.39 (6)
4 (b).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 2. 20.255 (2) (fs) of the statutes is created to read:

6 20.255 (2) (fs) *Grants for training school administrators.* The amounts in the
7 schedule for ~~training principals~~ school administrators under s. 118.39 (6) (c).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 SECTION 3. 111.70 (4) (m) 7. of the statutes is created to read:

9 111.70 (4) (m) 7. Assignment of municipal employees, with or without regard
10 to seniority, in any school district designated a school district with expanded
11 flexibility under s. 118.39, or the impact of any such assignment on the wages, hours,
12 or conditions of employment of the municipal employees.

13 SECTION 4. 118.39 of the statutes is created to read:

1 **118.39 School districts with expanded flexibility.** (1) A school board may,
2 by October 15 of an even-numbered year, apply to the department to have its school
3 district designated as a school district with expanded flexibility if all of the following
4 are true:

5 (a) For the 2 preceding school years, the percentage of pupils enrolled in the
6 school district who took each assessment administered under ss. 118.30 (1m) (a) and
7 (am) and 121.02 (1) (r) and whose score on each assessment administered under ss.
8 118.30 (1m) (a) and (am) and 121.02 (1) (r) was at the proficient level or above was
9 at least equal to the statewide average. This paragraph does not apply to a union
10 high school district.

11 (b) For the 2 preceding school years, the percentage of pupils enrolled in the
12 school district who took the assessment under s. 118.30 (1m) (b) and whose score on
13 the assessment was at the proficient level or above was at least equal to the statewide
14 average. This paragraph does not apply to the underlying elementary school district
15 of a union high school district.

16 (c) Beginning in the 2004–05 school year, for the 2 preceding school years, the
17 percentage of pupils enrolled in the school district who took and passed the high
18 school graduation examination administered under ss. 118.30 (1m) (d) equaled or
19 exceeded the statewide average. This paragraph does not apply to the underlying
20 elementary school district of a union high school district.

21 (d) For the 2 preceding school years, the school district's attendance rate at
22 least equaled the statewide average attendance rate.

23 (e) For the 2 preceding school years, the school district's high school graduation
24 rate at least equaled the statewide average high school graduation rate. This

1 paragraph does not apply to the underlying elementary school district of a union high
2 school district.

3 (2) Beginning on July 1 of an odd-numbered year, the department shall
4 designate a school district that applied for designation and met the criteria under
5 sub. (1) as a school district with expanded flexibility. A school district retains the
6 designation of expanded flexibility for 4 school years unless it fails to satisfy the
7 requirements under sub. (3) and may reapply for the designation. In considering a
8 reapplication, the department shall consider the school district's success in achieving
9 the goals under sub. (3) (d).

10 (3) A school district with expanded flexibility shall do all of the following:

11 (a) Allocate 85% of school district revenues, including federal revenues, for use
12 by principals at their respective schools.

13 (b) Ensure that at least 95% of the pupils in the school district who are eligible
14 takes the assessments and high school graduation examination under s. 118.30 (1m).

15 (c) Allow the pupil's parent or guardian to choose the school in which to enroll
16 the pupil if there are at least 2 schools that offer the appropriate grade for the pupil.

17 (d) Ensure that each school in the school district prepares an annual plan that
18 includes performance goals for pupils, ^{all} teachers, ^{for} minority group pupils, ^{and}
19 low-income pupils, ^{for} and teachers. ^{and}

20 (e) By July 1 of the calendar year following application under sub. (1), submit
21 to the department a written policy specifying how the school district will comply with
22 pars. (a) and (c).

23 (4) A school district with expanded flexibility may do all of the following:

24 (a) Create school governance councils, a majority of whose members are parents
25 of pupils enrolled in the school district, to advise school principals.

1 (b) Reassign staff members of schools in the school district without regard to
2 seniority in service.

3 (5) A school district with expanded flexibility, and, where appropriate, its
4 employees, are exempt from the requirements and free from the prohibitions of of ss.
5 118.015 (2) to (4), 118.017 (1), 118.019 (2), (3), and (5), 118.02, 118.03 (1), 118.153 (2)
6 (a), 118.162, 118.18, 118.22, 118.235, 118.258, 118.33 (1) (b), 118.34 (1) and (3), 118.35
7 (3), 119.71, 119.73, 119.74, 119.75, 119.78, 120.125, and 121.02 (1) (b), (d), (e), (f) 1.,
8 (h), (j) to (n), (q), and (t).

9 (6) (a) By November 15 of each even-numbered year, the department shall
10 identify which school districts are eligible to receive the designation of expanded
11 flexibility.

12 (b) From the appropriation under s. 20.255 (2) (fr), the department shall, in the
13 school year of identification under par. (a), award a grant to each school district
14 identified under par. (a) to help implement a school district decentralization plan; to
15 train and provide technical assistance to teachers to prepare them to work in
16 decentralized school districts^a; to meet the requirements under sub. (3); and to create
17 a school governance council under sub. (4) (a). The amount of a grant under this
18 paragraph may not exceed \$7,500 multiplied by the number of schools in the school
19 district or \$100,000, whichever is less. A grant recipient under this paragraph may
20 spend the grant moneys during the school year the grant is awarded and during the
21 following school year.

22 (c) From the appropriation under s. 20.255 (2) (fs), the department shall, in the
23 school year of identification under par. (a), award grants on a competitive basis to
24 individual school districts identified under par. (a), or to consortia consisting of 2 or
25 more school districts identified under par. (a) and a statewide organization that is

1 a member of the School Administrators Alliance, that submit written plans
2 specifying how the grant moneys will be used to train superintendents, principals,
3 and prospective principals to decentralize their school districts and work in
4 decentralized school districts. A grant recipient under this paragraph may spend the
5 grant moneys during the school year the grant is awarded and during the following
6 school year.

7 (7) The department shall promulgate rules to implement and administer this
8 section.

9 **SECTION 5.** 121.02 (1) (a) 1. of the statutes is amended to read:

10 121.02 (1) (a) 1. Ensure that every teacher, supervisor, administrator and
11 professional staff member holds a certificate, license or permit to teach issued by the
12 department before entering on duties for such position. This subdivision does not
13 apply to supervisors, administrators, or noninstructional, professional staff
14 members of school boards with expanded flexibility under s. 118.39.

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

16 (1) ASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES. The treatment of section 111.70
17 (4) (m) 7. of the statutes first applies to collective bargaining agreements for which
18 notices of commencement of contract negotiations have been filed with the
19 employment relations commission under section 111.70 (4) (cm) 1. of the statutes on
20 the effective date of this subsection.

21 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1693/6

MJL&RAC:wjg/da

2

DOA:.....Maternowski - Expanded flexibility school districts

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

SOON
RM man

DO NOT GEN

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

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill requires DPI to designate school districts that meet the following eligibility criteria as school districts with expanded flexibility: (1) for the preceding two school years, the percentage of pupils enrolled in the school district who took each of the fourth, eighth, and tenth grade assessments and the third grade reading test and whose score on each of the fourth, eighth, and tenth grade assessments and the third grade reading test was at the proficient level or above was at least equal to the statewide average; (2) beginning in the 2004-05 school year, for the preceding two school years, the percentage of pupils enrolled in the school district who took and passed the high school graduation examination equaled or exceeded the statewide average; and (3) for the two preceding school years, the school district's high school graduation rate at least equaled the statewide average high school graduation rate, and the school district's attendance rate at least equaled the statewide average attendance rate.

A school district with expanded flexibility must allocate 85% of all school district revenues for use by principals at their respective schools; ensure that at least 95% of the school district's pupils who are eligible takes the fourth, eighth, and tenth grade assessments and the high school graduation examination; if there are at least two schools that offer the appropriate grade, permit the pupil's parents to choose the

school; and ensure that each school in the school district prepares an annual plan that includes performance goals for all pupils, for minority group pupils, for low-income pupils, and for teachers; and submit to DPI a written policy specifying how the school districts will comply with some of these requirements. In return, a school district with expanded flexibility is free from many of the requirements that apply to regular school districts, may create school governance councils to advise principals, and may reassign staff members without regard to seniority. Such a reassignment is a prohibited subject of collective bargaining.

Finally, DPI must award grants on a competitive basis to school districts with expanded flexibility to help implement school district decentralization plans and to train principals to be effective administrators in a decentralized school district.

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.** 20.255 (2) (fr) of the statutes is created to read:

2 20.255 (2) (fr) *Grants for school decentralization plans.* The amounts in the
3 schedule for grants to implement school decentralization plans under s. 118.39 (6)
4 (b).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 2.** 20.255 (2) (fs) of the statutes is created to read:

6 20.255 (2) (fs) *Grants for training school administrators.* The amounts in the
7 schedule for school administrators under s. 118.39 (6) (c).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 3.** 111.70 (4) (m) 7. of the statutes is created to read:

9 111.70 (4) (m) 7. Assignment of municipal employees, with or without regard
10 to seniority, in any school district designated a school district with expanded
11 flexibility under s. 118.39, or the impact of any such assignment on the wages, hours,
12 or conditions of employment of the municipal employees.

13 **SECTION 4.** 118.39 of the statutes is created to read:

1 **118.39 School districts with expanded flexibility. (1)** A school board may,
2 by October 15 of an even-numbered year, apply to the department to have its school
3 district designated as a school district with expanded flexibility if all of the following
4 are true:

5 (a) For the 2 preceding school years, the percentage of pupils enrolled in the
6 school district who took each assessment administered under ss. 118.30 (1m) (a) and
7 (am) and 121.02 (1) (r) and whose score on each assessment administered under ss.
8 118.30 (1m) (a) and (am) and 121.02 (1) (r) was at the proficient level or above was
9 at least equal to the statewide average. This paragraph does not apply to a union
10 high school district.

11 (b) For the 2 preceding school years, the percentage of pupils enrolled in the
12 school district who took the assessment under s. 118.30 (1m) (b) and whose score on
13 the assessment was at the proficient level or above was at least equal to the statewide
14 average. This paragraph does not apply to the underlying elementary school district
15 of a union high school district.

16 (c) Beginning in the 2004–05 school year, for the 2 preceding school years, the
17 percentage of pupils enrolled in the school district who took and passed the high
18 school graduation examination administered under ss. 118.30 (1m) (d) equaled or
19 exceeded the statewide average. This paragraph does not apply to the underlying
20 elementary school district of a union high school district.

21 (d) For the 2 preceding school years, the school district's attendance rate at
22 least equaled the statewide average attendance rate.

23 (e) For the 2 preceding school years, the school district's high school graduation
24 rate at least equaled the statewide average high school graduation rate. This

1 paragraph does not apply to the underlying elementary school district of a union high
2 school district.

3 (2) Beginning on July 1 of an odd-numbered year, the department shall
4 designate a school district that applied for designation and met the criteria under
5 sub. (1) as a school district with expanded flexibility. A school district retains the
6 designation of expanded flexibility for 4 school years unless it fails to satisfy the
7 requirements under sub. (3) and may reapply for the designation. In considering a
8 reapplication, the department shall consider the school district's success in achieving
9 the goals under sub. (3) (d).

10 (3) A school district with expanded flexibility shall do all of the following:

11 (a) Allocate 85% of school district revenues, including federal revenues, for use
12 by principals at their respective schools.

13 (b) Ensure that at least 95% of the pupils in the school district who are eligible
14 takes the assessments and high school graduation examination under s. 118.30 (1m).

15 (c) Allow the pupil's parent or guardian to choose the school in which to enroll
16 the pupil if there are at least 2 schools that offer the appropriate grade for the pupil.

17 (d) Ensure that each school in the school district prepares an annual plan that
18 includes performance goals for all pupils, for minority group pupils, for low-income
19 pupils, and for teachers.

20 (e) By July 1 of the calendar year following application under sub. (1), submit
21 to the department a written policy specifying how the school district will comply with
22 pars. (a) and (c).

23 (4) A school district with expanded flexibility may do all of the following:

24 (a) Create school governance councils, a majority of whose members are parents
25 of pupils enrolled in the school district, to advise school principals.

1 (b) Reassign staff members of schools in the school district without regard to
2 seniority in service.

3 (5) A school district with expanded flexibility, and, where appropriate, its
4 employees, are exempt from the requirements and free from the prohibitions of ss.
5 118.015 (2) to (4), 118.017 (1), 118.019 (2), (3), and (5), 118.02, 118.03 (1), 118.153 (2)
6 (a), 118.162, 118.18, 118.22, 118.235, 118.258, 118.33 (1) (b), 118.34 (1) and (3), 118.35
7 (3), 119.71, 119.73, 119.74, 119.75, 119.78, 120.125, and 121.02 (1) (b), (d), (e), (f) 1.,
8 (h), (j) to (n), (q), and (t).

9 (6) (a) By November 15 of each even-numbered year, the department shall
10 identify which school districts are eligible to receive the designation of expanded
11 flexibility.

12 (b) From the appropriation under s. 20.255 (2) (fr), the department shall, in the
13 school year of identification under par. (a), award a grant ^{grants} to each school district ^{to}
14 identified under par. (a) to help implement ^{ins} school district decentralization plans ^{inc} to
15 train and provide technical assistance to teachers to prepare them to work in
16 decentralized school districts ^{meeting} to meet the requirements under sub. (3) and to ^{create} create
17 school governance councils ^{continue} under sub. (4) (a). The amount of a grant under this
18 paragraph may not exceed \$7,500 multiplied by the number of schools in the school
19 district or \$100,000, whichever is less. A grant recipient under this paragraph may
20 spend the grant moneys during the school year the grant is awarded and during the
21 following school year.

22 (c) From the appropriation under s. 20.255 (2) (fs), the department shall, in the
23 school year of identification under par. (a), award grants on a competitive basis to
24 individual school districts identified under par. (a), or to consortia consisting of 2 or
25 more school districts identified under par. (a) and a statewide organization that is

1 a member of the School Administrators Alliance, that submit written plans
2 specifying how the grant moneys will be used to train superintendents, principals,
3 and prospective principals to decentralize their school districts and work in
4 decentralized school districts. A grant recipient under this paragraph may spend the
5 grant moneys during the school year the grant is awarded and during the following
6 school year.

7 (7) The department shall promulgate rules to implement and administer this
8 section.

9 **SECTION 5.** 121.02 (1) (a) 1. of the statutes is amended to read:

10 121.02 (1) (a) 1. Ensure that every teacher, supervisor, administrator and
11 professional staff member holds a certificate, license or permit to teach issued by the
12 department before entering on duties for such position. This subdivision does not
13 apply to supervisors, administrators, or noninstructional, professional staff
14 members of school boards with expanded flexibility under s. 118.39.

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

16 (1) ASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES. The treatment of section 111.70
17 (4) (m) 7. of the statutes first applies to collective bargaining agreements for which
18 notices of commencement of contract negotiations have been filed with the
19 employment relations commission under section 111.70 (4) (cm) 1. of the statutes on
20 the effective date of this subsection.

21

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1693/7
MJL&RAC:wlj:pm

DOA:.....Maternowski - Expanded flexibility school districts

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

RM/rum
SOON

DO NOT GEN

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

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill requires DPI to designate school districts that meet the following eligibility criteria as school districts with expanded flexibility: (1) for the preceding two school years, the percentage of pupils enrolled in the school district who took each of the fourth, eighth, and tenth grade assessments and the third grade reading test and whose score on each of the fourth, eighth, and tenth grade assessments and the third grade reading test was at the proficient level or above was at least equal to the statewide average; (2) beginning in the 2004-05 school year, for the preceding two school years, the percentage of pupils enrolled in the school district who took and passed the high school graduation examination equaled or exceeded the statewide average; and (3) for the two preceding school years, the school district's high school graduation rate at least equaled the statewide average high school graduation rate, and the school district's attendance rate at least equaled the statewide average attendance rate.

A school district with expanded flexibility must allocate 85% of all school district revenues for use by principals at their respective schools; ensure that at least 95% of the school district's pupils who are eligible takes the fourth, eighth, and tenth grade assessments and the high school graduation examination; if there are at least two schools that offer the appropriate grade, permit the pupil's parents to choose the

school; and ensure that each school in the school district prepares an annual plan that includes performance goals for all pupils, for minority group pupils, for low-income pupils, and for teachers; and submit to DPI a written policy specifying how the school districts will comply with some of these requirements. In return, a school district with expanded flexibility is free from many of the requirements that apply to regular school districts, may create school governance councils to advise principals, and may reassign staff members without regard to seniority. Such a reassignment is a prohibited subject of collective bargaining.

Finally, DPI must award grants on a competitive basis to school districts with expanded flexibility to help implement school district decentralization plans and to train principals to be effective administrators in a decentralized school district.

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.** 20.255 (2) (fr) of the statutes is created to read:

2 20.255 (2) (fr) *Grants for school decentralization plans.* The amounts in the
3 schedule for grants to implement school decentralization plans under s. 118.39 (6)
4 (b).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 2.** 20.255 (2) (fs) of the statutes is created to read:

6 20.255 (2) (fs) *Grants for training school administrators.* The amounts in the
7 schedule for school administrators under s. 118.39 (6) (c).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 3.** 111.70 (4) (m) 7. of the statutes is created to read:

9 111.70 (4) (m) 7. Assignment of municipal employees, with or without regard
10 to seniority, in any school district designated a school district with expanded
11 flexibility under s. 118.39, or the impact of any such assignment on the wages, hours,
12 or conditions of employment of the municipal employees.

13 **SECTION 4.** 118.39 of the statutes is created to read:

1 **118.39 School districts with expanded flexibility. (1)** A school board may,
2 by October 15 of an even-numbered year, apply to the department to have its school
3 district designated as a school district with expanded flexibility if all of the following
4 are true:

5 (a) For the 2 preceding school years, the percentage of pupils enrolled in the
6 school district who took each assessment administered under ss. 118.30 (1m) (a) and
7 (am) and 121.02 (1) (r) and whose score on each assessment administered under ss.
8 118.30 (1m) (a) and (am) and 121.02 (1) (r) was at the proficient level or above was
9 at least equal to the statewide average. This paragraph does not apply to a union
10 high school district.

11 (b) For the 2 preceding school years, the percentage of pupils enrolled in the
12 school district who took the assessment under s. 118.30 (1m) (b) and whose score on
13 the assessment was at the proficient level or above was at least equal to the statewide
14 average. This paragraph does not apply to the underlying elementary school district
15 of a union high school district.

16 (c) Beginning in the 2004-05 school year, for the 2 preceding school years, the
17 percentage of pupils enrolled in the school district who took and passed the high
18 school graduation examination administered under ss. 118.30 (1m) (d) equaled or
19 exceeded the statewide average. This paragraph does not apply to the underlying
20 elementary school district of a union high school district.

21 (d) For the 2 preceding school years, the school district's attendance rate at
22 least equaled the statewide average attendance rate.

23 (e) For the 2 preceding school years, the school district's high school graduation
24 rate at least equaled the statewide average high school graduation rate. This

1 paragraph does not apply to the underlying elementary school district of a union high
2 school district.

3 (2) Beginning on July 1 of an odd-numbered year, the department shall
4 designate a school district that applied for designation and met the criteria under
5 sub. (1) as a school district with expanded flexibility. A school district retains the
6 designation of expanded flexibility for 4 school years unless it fails to satisfy the
7 requirements under sub. (3) and may reapply for the designation. In considering a
8 reapplication, the department shall consider the school district's success in achieving
9 the goals under sub. (3) (d).

10 (3) A school district with expanded flexibility shall do all of the following:

11 (a) Allocate 85% of school district revenues, including federal revenues, for use
12 by principals at their respective schools.

13 (b) Ensure that at least 95% of the pupils in the school district who are eligible
14 takes the assessments and high school graduation examination under s. 118.30 (1m).

15 (c) Allow the pupil's parent or guardian to choose the school in which to enroll
16 the pupil if there are at least 2 schools that offer the appropriate grade for the pupil.

17 (d) Ensure that each school in the school district prepares an annual plan that
18 includes performance goals for all pupils, for minority group pupils, for low-income
19 pupils, and for teachers.

20 (e) By July 1 of the calendar year following application under sub. (1), submit
21 to the department a written policy specifying how the school district will comply with
22 pars. (a) and (c).

23 (4) A school district with expanded flexibility may do all of the following:

24 (a) Create school governance councils, a majority of whose members are parents
25 of pupils enrolled in the school district, to advise school principals.

1 (b) Reassign staff members of schools in the school district without regard to
2 seniority in service.

3 (5) A school district with expanded flexibility, and, where appropriate, its
4 employees, are exempt from the requirements and free from the prohibitions of ss.
5 118.015 (2) to (4), 118.017 (1), 118.019 (2), (3), and (5), 118.02, 118.03 (1), 118.153 (2)
6 (a), 118.162, 118.18, 118.22, ~~118.25~~, 118.258, 118.33 (1) (b), 118.34 (1) and (3), 118.35
7 (3), 119.71, 119.73, 119.74, 119.75, 119.78, 120.125, and 121.02 (1) (b), (d), (e), (f) 1.,
8 (h), (j) to (n), (q), and (t).

9 (6) (a) By November 15 of each even-numbered year, the department shall
10 identify which school districts are eligible to receive the designation of expanded
11 flexibility.

12 (b) From the appropriation under s. 20.255 (2) (fr), the department shall, in the
13 school year of identification under par. (a), award grants on a competitive basis to
14 school districts identified under par. (a) to help implement school district
15 decentralization plans, including training and providing technical assistance to
16 teachers to prepare them to work in decentralized school districts, meeting the
17 requirements under sub. (3), and creating school governances councils under sub. (4)

18 (a). The amount of a grant under this paragraph may not exceed \$7,500 multiplied
19 by the number of schools in the school district or \$100,000, whichever is less. A grant
20 recipient under this paragraph may spend the grant moneys during the school year
21 the grant is awarded and during the following school year.

22 (c) From the appropriation under s. 20.255 (2) (fs), the department shall, in the
23 school year of identification under par. (a), award grants on a competitive basis to
24 individual school districts identified under par. (a), ~~or~~ to consortia consisting of 2 or
25 more school districts identified under par. (a) and a statewide organization that is

Or to ^{consortia-} consortia
consisting of 2 or more school
districts identified under par. (a)

1 a member of the School Administrators Alliance, that submit written plans
2 specifying how the grant moneys will be used to train superintendents, principals,
3 and prospective principals to decentralize their school districts and work in
4 decentralized school districts. A grant recipient under this paragraph may spend the
5 grant moneys during the school year the grant is awarded and during the following
6 school year.

7 (7) The department shall promulgate rules to implement and administer this
8 section.

9 SECTION 5. 121.02 (1) (a) 1. of the statutes is amended to read:

10 121.02 (1) (a) 1. Ensure that every teacher, supervisor, administrator and
11 professional staff member holds a certificate, license or permit to teach issued by the
12 department before entering on duties for such position. This subdivision does not
13 apply to supervisors, administrators, or noninstructional, professional staff
14 members of school boards with expanded flexibility under s. 118.39.

15 SECTION 9317. Initial applicability; employment relations commission.

16 (1) ASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES. The treatment of section 111.70
17 (4) (m) 7. of the statutes first applies to collective bargaining agreements for which
18 notices of commencement of contract negotiations have been filed with the
19 employment relations commission under section 111.70 (4) (cm) 1. of the statutes on
20 the effective date of this subsection.

21 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1693/7

MJL:wlj:km

DOA:.....Maternowski – Expanded flexibility school districts

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

This bill requires DPI to designate school districts that meet the following eligibility criteria as school districts with expanded flexibility: (1) for the preceding two school years, the percentage of pupils enrolled in the school district who took each of the fourth, eighth, and tenth grade assessments and the third grade reading test and whose score on each of the fourth, eighth, and tenth grade assessments and the third grade reading test was at the proficient level or above was at least equal to the statewide average; (2) beginning in the 2004-05 school year, for the preceding two school years, the percentage of pupils enrolled in the school district who took and passed the high school graduation examination equaled or exceeded the statewide average; and (3) for the two preceding school years, the school district's high school graduation rate at least equaled the statewide average high school graduation rate, and the school district's attendance rate at least equaled the statewide average attendance rate.

A school district with expanded flexibility must allocate 85% of all school district revenues for use by principals at their respective schools; ensure that at least 95% of the school district's pupils who are eligible takes the fourth, eighth, and tenth grade assessments and the high school graduation examination; if there are at least two schools that offer the appropriate grade, permit the pupil's parents to choose the

school; and ensure that each school in the school district prepares an annual plan that includes performance goals for all pupils, for minority group pupils, for low-income pupils, and for teachers; and submit to DPI a written policy specifying how the school districts will comply with some of these requirements. In return, a school district with expanded flexibility is free from many of the requirements that apply to regular school districts, may create school governance councils to advise principals, and may reassign staff members without regard to seniority. Such a reassignment is a prohibited subject of collective bargaining.

Finally, DPI must award grants on a competitive basis to school districts with expanded flexibility to help implement school district decentralization plans and to train principals to be effective administrators in a decentralized school district.

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.** 20.255 (2) (fr) of the statutes is created to read:

2 20.255 (2) (fr) *Grants for school decentralization plans.* The amounts in the
3 schedule for grants to implement school decentralization plans under s. 118.39 (6)
4 (b).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 2.** 20.255 (2) (fs) of the statutes is created to read:

6 20.255 (2) (fs) *Grants for training school administrators.* The amounts in the
7 schedule for school administrators under s. 118.39 (6) (c).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 3.** 111.70 (4) (m) 7. of the statutes is created to read:

9 111.70 (4) (m) 7. Assignment of municipal employees, with or without regard
10 to seniority, in any school district designated a school district with expanded
11 flexibility under s. 118.39, or the impact of any such assignment on the wages, hours,
12 or conditions of employment of the municipal employees.

13 **SECTION 4.** 118.39 of the statutes is created to read:

1 **118.39 School districts with expanded flexibility.** (1) A school board may,
2 by October 15 of an even-numbered year, apply to the department to have its school
3 district designated as a school district with expanded flexibility if all of the following
4 are true:

5 (a) For the 2 preceding school years, the percentage of pupils enrolled in the
6 school district who took each assessment administered under ss. 118.30 (1m) (a) and
7 (am) and 121.02 (1) (r) and whose score on each assessment administered under ss.
8 118.30 (1m) (a) and (am) and 121.02 (1) (r) was at the proficient level or above was
9 at least equal to the statewide average. This paragraph does not apply to a union
10 high school district.

11 (b) For the 2 preceding school years, the percentage of pupils enrolled in the
12 school district who took the assessment under s. 118.30 (1m) (b) and whose score on
13 the assessment was at the proficient level or above was at least equal to the statewide
14 average. This paragraph does not apply to the underlying elementary school district
15 of a union high school district.

16 (c) Beginning in the 2004–05 school year, for the 2 preceding school years, the
17 percentage of pupils enrolled in the school district who took and passed the high
18 school graduation examination administered under ss. 118.30 (1m) (d) equaled or
19 exceeded the statewide average. This paragraph does not apply to the underlying
20 elementary school district of a union high school district.

21 (d) For the 2 preceding school years, the school district's attendance rate at
22 least equaled the statewide average attendance rate.

23 (e) For the 2 preceding school years, the school district's high school graduation
24 rate at least equaled the statewide average high school graduation rate. This

1 paragraph does not apply to the underlying elementary school district of a union high
2 school district.

3 (2) Beginning on July 1 of an odd-numbered year, the department shall
4 designate a school district that applied for designation and met the criteria under
5 sub. (1) as a school district with expanded flexibility. A school district retains the
6 designation of expanded flexibility for 4 school years unless it fails to satisfy the
7 requirements under sub. (3) and may reapply for the designation. In considering a
8 reapplication, the department shall consider the school district's success in achieving
9 the goals under sub. (3) (d).

10 (3) A school district with expanded flexibility shall do all of the following:

11 (a) Allocate 85% of school district revenues, including federal revenues, for use
12 by principals at their respective schools.

13 (b) Ensure that at least 95% of the pupils in the school district who are eligible
14 takes the assessments and high school graduation examination under s. 118.30 (1m).

15 (c) Allow the pupil's parent or guardian to choose the school in which to enroll
16 the pupil if there are at least 2 schools that offer the appropriate grade for the pupil.

17 (d) Ensure that each school in the school district prepares an annual plan that
18 includes performance goals for all pupils, for minority group pupils, for low-income
19 pupils, and for teachers.

20 (e) By July 1 of the calendar year following application under sub. (1), submit
21 to the department a written policy specifying how the school district will comply with
22 pars. (a) and (c).

23 (4) A school district with expanded flexibility may do all of the following:

24 (a) Create school governance councils, a majority of whose members are parents
25 of pupils enrolled in the school district, to advise school principals.

1 (b) Reassign staff members of schools in the school district without regard to
2 seniority in service.

3 (5) A school district with expanded flexibility, and, where appropriate, its
4 employees, are exempt from the requirements and free from the prohibitions of of ss.
5 118.015 (2) to (4), 118.017 (1), 118.019 (2), (3), and (5), 118.02, 118.03 (1), 118.153 (2)
6 (a), 118.162, 118.18, 118.22, 118.258, 118.33 (1) (b), 118.34 (1) and (3), 118.35 (3),
7 119.71, 119.73, 119.74, 119.75, 119.78, 120.125, and 121.02 (1) (b), (d), (e), (f) 1., (h),
8 (j) to (n), (q), and (t).

9 (6) (a) By November 15 of each even-numbered year, the department shall
10 identify which school districts are eligible to receive the designation of expanded
11 flexibility.

12 (b) From the appropriation under s. 20.255 (2) (fr), the department shall, in the
13 school year of identification under par. (a), award grants on a competitive basis to
14 school districts identified under par. (a) to help implement school district
15 decentralization plans, including training and providing technical assistance to
16 teachers to prepare them to work in decentralized school districts, meeting the
17 requirements under sub. (3), and creating school governances councils under sub. (4)
18 (a). The amount of a grant under this paragraph may not exceed \$7,500 multiplied
19 by the number of schools in the school district or \$100,000, whichever is less. A grant
20 recipient under this paragraph may spend the grant moneys during the school year
21 the grant is awarded and during the following school year.

22 (c) From the appropriation under s. 20.255 (2) (fs), the department shall, in the
23 school year of identification under par. (a), award grants on a competitive basis to
24 individual school districts identified under par. (a), to consortia consisting of 2 or
25 more school districts identified under par. (a), or to consortia consisting of 2 or more

1 school districts identified under par. (a) and a statewide organization that is a
2 member of the School Administrators Alliance, that submit written plans specifying
3 how the grant moneys will be used to train superintendents, principals, and
4 prospective principals to decentralize the administration of their school districts and
5 work effectively in decentralized school districts. A grant recipient under this
6 paragraph may spend the grant moneys during the school year the grant is awarded
7 and during the following school year.

8 (7) The department shall promulgate rules to implement and administer this
9 section.

10 SECTION 5. 121.02 (1) (a) 1. of the statutes is amended to read:

11 121.02 (1) (a) 1. Ensure that every teacher, supervisor, administrator and
12 professional staff member holds a certificate, license or permit to teach issued by the
13 department before entering on duties for such position. This subdivision does not
14 apply to supervisors, administrators, or noninstructional, professional staff
15 members of school boards with expanded flexibility under s. 118.39.

16 SECTION 9317. Initial applicability; employment relations commission.

17 (1) ASSIGNMENT OF SCHOOL DISTRICT EMPLOYEES. The treatment of section 111.70
18 (4) (m) 7. of the statutes first applies to collective bargaining agreements for which
19 notices of commencement of contract negotiations have been filed with the
20 employment relations commission under section 111.70 (4) (cm) 1. of the statutes on
21 the effective date of this subsection.

22 (END)