

2009 DRAFTING REQUEST

Bill

Received: 11/17/2009

Received By: pgrant

Wanted: As time permits

Identical to LRB:

For: Tamara Grigsby (608) 266-0645

By/Representing: Kevin Benish

This file may be shown to any legislator: NO

Drafter: pgrant

May Contact:

Addl. Drafters: jkuesel
tkuczens
rryan

Subject: Education - MPS
Health - medical assistance

Extra Copies:

Submit via email: YES

Requester's email: Rep.Grigsby@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

MPS governance and other changes

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>
/?	pgrant 11/24/2009	nmatzke 11/24/2009		_____			S&L
/P1	pgrant 11/25/2009	nmatzke 11/25/2009	phenry 11/25/2009	_____	sbasford 11/25/2009		S&L
	tkuczens 12/28/2009		phenry 11/25/2009	_____			

<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	jkuesel 12/29/2009 tkuczens 12/30/2009	nmatzke 12/29/2009 nmatzke 12/30/2009	mduchek 12/30/2009	_____	sbasford 12/30/2009		S&L
/2	chanaman 01/06/2010		mduchek 12/30/2009	_____	sbasford 12/30/2009	cduerst 12/30/2009	S&L
/3			mduchek 01/06/2010	_____	mbarman 01/07/2010	mbarman 01/07/2010	

FE Sent For:

*at intro
1/22/10*

<END>

2009 DRAFTING REQUEST

Bill

Received: **11/17/2009**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Tamara Grigsby (608) 266-0645**

By/Representing: **Kevin Benish**

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

Drafter: **pgrant**

May Contact:

Addl. Drafters: **jkuesel
tkuczens
rryan**

Subject: **Education - MPS
Health - medical assistance**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Grigsby@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

MPS governance and other changes

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>
/?	pgrant 11/24/2009	nmatzke 11/24/2009		_____			S&L
/P1	pgrant 11/25/2009 tkuczens 12/28/2009	nmatzke 11/25/2009	phenry 11/25/2009 phenry 11/25/2009	_____	sbasford 11/25/2009		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>
/1	jkuesel 12/29/2009 tkuczens 12/30/2009	nmatzke 12/29/2009 nmatzke 12/30/2009	mduchek 12/30/2009	_____	sbasford 12/30/2009		S&L
/2	chanaman 01/06/2010		mduchek 12/30/2009	_____	sbasford 12/30/2009	cduerst 12/30/2009	S&L
/3			mduchek 01/06/2010	_____	mbarman 01/07/2010		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: **11/17/2009**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Tamara Grigsby (608) 266-0645**

By/Representing: **Kevin Benish**

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

Drafter: **pgrant**

May Contact:

Addl. Drafters: **jkuesel
tkuczens
rryan**

Subject: **Education - MPS
Health - medical assistance**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Grigsby@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

MPS governance and other changes

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>
/?	pgrant 11/24/2009	nmatzke 11/24/2009		_____			S&L
/P1	pgrant 11/25/2009 tkuczens 12/28/2009	nmatzke 11/25/2009	phenry 11/25/2009 phenry 11/25/2009	_____	sbasford 11/25/2009		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>
/1	jkuesel 12/29/2009 tkuczens 12/30/2009	nmatzke 12/29/2009 nmatzke 12/30/2009	mduchek 12/30/2009	_____ _____ _____	sbasford 12/30/2009		S&L

/2		13 wlj 1/6	mduchek 12/30/2009	_____ _____	sbasford 12/30/2009	cduerst 12/30/2009	
----	--	------------	-----------------------	----------------	------------------------	-----------------------	--

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: 11/17/2009

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Tamara Grigsby (608) 266-0645**

By/Representing: **Kevin Benish**

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

Drafter: **pgrant**

May Contact:

Addl. Drafters: **jkuesel
tkuczens
rryan**

Subject: **Education - MPS
Health - medical assistance**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Grigsby@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

MPS governance and other changes

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>
/?	pgrant 11/24/2009	nmatzke 11/24/2009		_____			S&L
/P1	pgrant 11/25/2009 tkuczens 12/28/2009	nmatzke 11/25/2009	phenry 11/25/2009 phenry 11/25/2009	_____	sbasford 11/25/2009		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>
/1	jkuesel 12/29/2009	nnatzke 12/29/2009	mduchek 12/30/2009	_____	sbasford 12/30/2009		S&L
	tkuczens 12/30/2009	nnatzke 12/30/2009		_____ _____			
/2			mduchek 12/30/2009	_____	sbasford 12/30/2009		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: 11/17/2009

Received By: pgrant

Wanted: As time permits

Identical to LRB:

For: Tamara Grigsby (608) 266-0645

By/Representing: Kevin Benish

This file may be shown to any legislator: NO

Drafter: pgrant

May Contact:

Addl. Drafters: jkuesel
tkuczens
rryan

Subject: Education - MPS
Health - medical assistance

Extra Copies:

Submit via email: YES

Requester's email: Rep.Grigsby@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

MPS governance and other changes

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>
/?	pgrant 11/24/2009	nmatzke 11/24/2009		_____			S&L
/P1	pgrant 11/25/2009 tkuczens 12/28/2009	nmatzke 11/25/2009 / 2 nwn 12/30	phenry 11/25/2009 phenry 11/25/2009	_____	sbasford 11/25/2009		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>
/1	jkuesel 12/29/2009	nnatzke 12/29/2009	mduchek 12/30/2009	_____	sbasford 12/30/2009		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: 11/17/2009

Received By: pgrant

Wanted: As time permits

Identical to LRB:

For: Tamara Grigsby (608) 266-0645

By/Representing: Kevin Benish

This file may be shown to any legislator: NO

Drafter: pgrant

May Contact:

Addl. Drafters: jkuesel
tkuczens
rryan

Subject: Education - MPS
Health - medical assistance

Extra Copies:

Submit via email: YES

Requester's email: Rep.Grigsby@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

MPS governance and other changes

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>
/?	pgrant 11/24/2009	nmatzke 11/24/2009		_____			S&L
/P1	pgrant 11/25/2009	nmatzke 11/25/2009	phenry 11/25/2009	_____	sbasford 11/25/2009		
/1	jkuesel 12/29/09	/1 nwn 12/29	phenry 11/25/2009	_____			

12/29

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: 11/17/2009

Received By: pgrant

Wanted: As time permits

Identical to LRB:

For: Tamara Grigsby (608) 266-0645

By/Representing: Kevin Benish

This file may be shown to any legislator: NO

Drafter: pgrant

May Contact:

Adl. Drafters: jkuesel
tkuczens
rryan

Subject: Education - MPS
Health - medical assistance

Extra Copies:

Submit via email: YES

Requester's email: Rep.Grigsby@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

MPS governance and other changes

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/?

pgrant

1/p1 nwn
11/24

11/24
MD
11/25
DK
11/25
MJSK
<END>

FE Sent For:

Bill Request Form

Legislative Reference Bureau
One East Main Street, Suite 200
Legal Section 266-3561

Rec'd LRB
11/17/09

You may use this form or talk directly with the LRB attorney who will draft the bill.

Date Nov. 16, 2009
Legislator, agency, or other person requesting this draft Rep. Grigsby
Person submitting request (name and phone number) Kevin - 6-0645
Persons to contact for questions about this draft (names and phone numbers) Kevin Benish
(6-0645)

Describe the problem, including any helpful examples. How do you want to solve the problem?

Please see attachment -

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 2005 LRB-2345/1 or 2003 AB-67).

see 2008 SB 313 for guidance on one section

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes: Anyone who asks? YES NO

Any legislator? YES NO

Only the following persons

Senator Coggs

Do you consider this request urgent? YES NO If yes, please indicate why Gov. Calling special session, very much want our alternative ready

Should we give this request priority over any pending request of this legislator, agency, or person?

to highlight differences in plans

YES NO

Bill Request Form

Legislative Reference Bureau
One East Main Street, Suite 200
Legal Section 266-3561

Rec'd LRB
11/17/09

You may use this form or talk directly with the LRB attorney who will draft the bill.

Date Nov. 16, 2009

Legislator, agency, or other person requesting this draft Rep. Grigsby

Person submitting request (name and phone number) Kevin - 6-0645

Persons to contact for questions about this draft (names and phone numbers) Kevin Benish
(6-0645)

Describe the problem, including any helpful examples. How do you want to solve the problem?

Please see attachment - Kevin Benish
(608) 332-4614

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 2005 LRB-2345/1 or 2003 AB-67).

see 2008 SB 313 for guidance on one section

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes: Anyone who asks? YES NO
Any legislator? YES NO

Only the following persons

Senator Coggs

Do you consider this request urgent? YES NO

special session, very much want our alternative ready

Should we give this request priority over any pending request of this legislator, agency, or person?

to highlight differences in plans

YES NO

The RACE for Success Act
Reforming & Advancing Children's Education for Success

ABSTRACT: Our children deserve a future in which they have equal opportunities to succeed. While Opportunity is the cornerstone of public education, student success is its ultimate goal. The Reforming & Advancing Children's Education (RACE) for Success Act was crafted with these values at its core. The "RACE for Success" will reform Milwaukee Public Schools, maintaining a democratically-elected school board that has the authority to appoint the MPS Superintendent while ensuring greater partnership between Milwaukee Public Schools and the City of Milwaukee at the same time. Everyone agrees that Wisconsin must race to the top. The RACE for Success gets us all running in the right direction.

I. Create a True Partnership for Success that will benefit Milwaukee's Students

1. Establish a "Partnership for Success," that will provide an institutionalized forum for collaboration between MPS and the City of Milwaukee. This partnership will recognize the distinct areas of governance given to both the school board and the city, but will help maximize areas of collaboration between the two entities.

- a. Partnership for Success will convene meetings at least quarterly to reflect and collaborate on issues related to education, community development, parent involvement, etc.

- i. Members of the Partnership will include:

1. Mayor
2. Common Council
3. MPS School Board
4. MPS Superintendent

- ii. Mayor and School Board President will serve as co-chairs of the Partnership for Success

- b. Enable partnership to formalize agreements (via joint resolution process) regarding the coordination of services, communication, use of facilities, etc.

any powers?
"purely advisory?"
Is PFS part of the city?
or MPS? or neither

cc. 0 — ?

- PK
- c. Partnership would foster a "grassroots education network" of community organizations aimed at expanding parental involvement and extracurricular activities.
 - d. Direct the Partnership for Success to search for foundation grants for education purposes.
 - e. Both city and school board will contribute 50% of operation costs for the partnership.

do you mean
we actively
involved in the
creation of
community or

apply for?

II. Changes to MPS School Board Governance

- JTK
- 2. In the event of a school board vacancy, the mayor will appoint an interim board member.
 - a. The Board would need a 2/3 majority vote to override the mayor's appointment.
 - b. This appointee would last until a special election to replace the board member is held.
 - i. The appointed individual must be within that vacant school board district.
 - ii. A special election must be held within 120 days.
 - 3. Move MPS School Board Elections to coincide with the November election cycle beginning in the fall of 2012.
 - a. This provision does not apply to the 2010 election cycle for MPS School Board Elections.
 - b. Elections will remain tiered (elections still held on 2 year rotations)
 - 4. Eliminate district-wide school board seat and replace it with a new, population-based district that would be based near Milwaukee's Southside.
 - 5. MPS School Board president term will be increased from one year to a two year period.

PK

11 g. 10 (2)

TK ✓ 6. In addition to the Partnership for Success, institutionalize the local MPS School Governance Councils (SGCs) in state statute. *what are these?* ?

a. Expand SGCs to every elementary, middle, and high school. *Kevin will send*

b. If a SGC is unable to fill vacant council positions, then the Partnership for Success may recommend individuals to sit on the council.

i. Recommendations must be approved by existing SGC members.

TK ✓ 7. Independent of the Partnership for Success, the MPS Board will create a standing committee to handle parent issues and complaints in order to increase parental involvement and general confidence in the school board beginning in the fall of 2010.

✓ 8 III. Superintendent Search and Selection

city charter? 1. The Mayor of Milwaukee shall select a small group to advise the mayor on matters related to the search and interview process surrounding the selection of a new school superintendent. The mayor shall select members of this group that include:

a. The mayor or her/his appointee.

b. A representative from the business community.

i. "Business Community" understood as a business located within the City of Milwaukee

c. A representative from the teaching community.

i. "Teaching community" defined as K-12 MPS public schools.

ii. The group responsible for the teaching community's representation (MTEA) shall select this member for the Mayor's advisory committee.

d. The common council president (or the common council president's appointee).

residency e. All members selected must live within the City of Milwaukee.

2. These four advisory members will be able to observe the superintendent selection process in order to better advise the mayor on the superintendent search.
 - a. Advisory members will be able to view all applications submitted for the MPS Superintendent position.
3. These four advisory members will make a final recommendation on the selection of the new MPS superintendent to the mayor.
 - a. This recommendation will be advisory only.
4. The mayor of Milwaukee shall make recommendations to the Board on his choice for MPS Superintendent from MPS Board's final 3 candidates for the position of superintendent.
 - a. The mayor will be able to individually interview the final three candidates for MPS superintendent and make his recommendations to the MPS School Board.
 - b. Ultimately, the MPS Board is responsible for selecting the superintendent.
5. Upon the selection of the new superintendent by the MPS Board, the mayor may veto that selection.
 - a. Milwaukee Public School Board may overrule the mayor's veto with a 2/3 majority vote by the MPS Board Members.
 - i. The mayor's participating advisory members are not allowed to vote regarding an override of the mayor's veto.
 - b. If the mayor successfully vetoes the MPS Board's superintendent selection, the MPS Board must select another candidate for superintendent (or renew its search).

pg IV. Tax Levy Increase

1. The mayor will have veto authority over MPS budget if it exceeds an aggregate property tax levy increase of 8% in any given year.

operating?
119.46

Bd doesn't make budget

- a. The mayor shall be given line item veto authority over the schools budget if the aggregate property tax increase due to the school budget is above 8%. *(2009/10) school level*
- i. This line-item veto authority would be the same as the governor's authority in the state budget.
- b. The MPS board can override it with a 2/3 majority vote by the MPS board. *see 119.4(4)(a) for 2/3 cong.*

Article V, §10

V. Solidifying a Master Facilities Plan

- 1. MPS will develop a master facilities plan by December, 2010. The plan will include the following:
 - a. MPS will assess its facilities for use or reuse.
 - i. Older and high maintenance facilities should be assessed for razing purposes.
 - b. School closure and merger plans of MPS will be shared with the Partnership with Success.
 - c. The master facilities plan will be developed by the administration and approved by the MPS Board.

VI. Financial Accountability

→ principals will not have control over how \$ is spent; the board or super? *deeds*

- ✓ 1. MPS shall centralize individual school budgets.

What does "centralize" mean?
What happens next?

- a. Individual school budgets shall be centralized and submitted to the district.
- ✓ 2. MPS will make quarterly financial reports available to the public and send them to the following individuals:
 - a. DPI Superintendent of Public Instruction
 - b. The Mayor of Milwaukee



- c. Milwaukee's Comptrollers Office
- d. City of Milwaukee Common Council Personnel and Finance Committee
- e. The Joint Committee on Finance

✓ 3. MPS will require all of its schools to provide annual reports of its finances. to whom?

PG — 4. Within one year after the bill's passage, the newly established Partnership for Success shall work with involved parties (unions, administrators, etc.) and an independent third party (i.e., Public Policy Forum), to develop a plan to confront the district's unfunded liability.

what is this? ✓ 5. Milwaukee Public Schools will maintain a chief accountability office within the office of board governance in order to ensure financial accountability. need standards
fair with public
said person
powers?
if this the son
as he mgd in
s. 19.32?
appointed?

VII. Additional Resources for Health Services in Schools

- RLR {
1. Require that the Department of Health Services (DHS), beginning July 1, 2011, must reimburse a school district or cooperative education service agency (CESA) for 100% of that portion of federal financial participation (FFP)—an increase from 60% under current law—for allowable charges for school medical services that are in excess of what the State of Wisconsin received from the FFP in the previous biennium. DHS must distribute this required reimbursement based on the percentage of total reimbursement for school medical services that each school district and CESA received in the immediately previous fiscal year. *This provision is modeled after 2005 Senate Bill 313.*
 - a. This provision will apply statewide, providing every school district with additional revenue.
 - b. This provision is the same draft as 2005 Senate Bill 313. Only the base amount of what the state maintains is changed (to reflect what the state's "base" will be in the next budget).
 2. These additional funds shall be used by school districts for health related purposes.

AK VIII. Assistance for Building Better, Greener Schools in Wisconsin

1. Increase Green Building and Energy Efficiency Opportunities for Schools
Outside of MPS.

MPS can't afford
debt servicing on
any more bonding

MPS can't issue bonds - can't borrow \$ or levy taxes. How
does it have bonding authority?

(a) Currently, MPS has an additional \$24 million in bonding authority under
the American Recovery and Reinvestment Act (ARRA) that the school
district does not intend to utilize.

where is
this?

TK how does
MPS give away
bonding authority?

i. MPS will cede authority of the surplus bonds it does not intend
to use to DPI. seeking? permitting a cd. to lose the bond?

either
can or
must do
this via
ARRA

b. When distributing these bonds, require DPI to give priority to public
school districts serving children in poverty.

other school districts
didn't
Kenia will provide
info

i. Direct DPI to give preference to school districts receiving High
Poverty Aid (districts besides MPS).

other

ii. Among these districts, specify that preference should be given to
major maintenance upgrades for existing facilities, specifically for
energy efficiency and "green building" upgrades.

jo. 255(2)k

IX. Affordable Transportation

ARG - 3451/3

1. Direct Milwaukee County Transit Service (MCTS) or the Milwaukee County's
transit operator to provide a minimum 33% discount for public transit bus
passes for eligible students (will apply only if Milwaukee County enacts .5%
sales tax under RTA).

IRTA

a. This provision will only take effect if Milwaukee County is able to enact
its .5% sales tax for transit purposes.

(2) Direct MPS to change its policy in order to enable middle school students to
access public transit.

what is RTA?

lots of permissions
vetted in budget - present

what's eligible student

Kenia will g

what is an eligible

what is the issue being addressed?
will transit system?

if county
gets
rate-
tax,
discount
should
be
passed
on to
students

X. Academic Plan

1. Streamline and evaluate reading and math curriculum. What does the need?
Want teachers to be innovative but held to minimum standards

2. Offer the ACT exam to all 11th grade students. Can't they already?

do they have to take it? Yes. MPS already does this but
Grigsby want

support I of part IV of school. Attached

1521-1521d

some people are exempt

What are you trying to address

TK

a. Require the district to abide by the standards set forth by the testing company. are they not abiding by them? wouldn't

b. Designated students with special needs may be exempt. Model on WKCE

118.30 & sub
Vof LIS

c. All other 11th grade students shall be expected to take the ACT.

3. MPS will provide multicultural training of all MPS staff and administrators as terms of employment with MPS. what is this?

PG 4. By the start of the 2011 school year, MPS must create at least two "Assistance and Transition Campuses" for disruptive students.

a. Disruptive students may be referred to these campuses. what is this? a room? separate location of building? any minimum standards for space?

What are disruptive students? Who decides?

i. These students shall receive additional social and academic assistance in order to address their problems before they can return to their schools. How is this different than suspending or expelling?

b. Assistance and Transition Campuses shall seek partnership with local civic organizations.

c. Beginning in the 2011-12 school year, the state superintendent of public instruction shall annually award a grant to a local civic organization or nonprofit corporation that jointly partners with a one of the Assistance and Transition Campuses in order to provide comprehensive services to improve the stability, education, health, and economic opportunities that have been referred to that campus.

XI. Additional Training, Assistance, and Oversight at MPS & pupil:

TK 1. Increase oversight of principal tenure.

c. Superintendent may establish a 3 year contract with a principal. must be as opposed to what? no contract? one yr? 10yr?

i. Principals shall be subject to annual performance reviews.

✓ d. After that contract, a principal's record and performance shall be reviewed.

i. A second 3 year contract may be granted.

1. Annual performance reviews shall also be conducted under this contract.

*like teacher
apply for tenure
if make it thru 2
contracts*

✓ e. Following a review of their second contract (before a principal's seventh year), the superintendent shall make a recommendation regarding tenure.

*if principals are tenured,
retain tenure
if transfer to another
school*

i. MPS Board must approve recommendation for tenure.

what do you mean by tenure

ii. Principals rejected from tenure would have access to an appeals process through the MPS Board.

*see
p. 18 lines 21-23
a Kenwood*

✓ f. Principals that currently have tenure under contract shall be grandfathered in and shall retain their tenure status.

existing collective bargaining agreement

✓ 2. MPS shall establish and maintain a principal training and professional development program.

✓ a. The superintendent shall have the authority to refer principals to this program.

but any authority to require a principal to attend?

✓ b. The MPS Board shall have the authority to refer principals to this program.

✓ c. Teachers may petition their School Governance Council regarding the need for additional principal training.

i. SGCs may direct principals to seek additional professional development.

✓ 3. Require all school board members to attend an annual professional training from a recognized board association.

XII. Race to the Top Dollars: Programs toward which MPS will use its individual share of any federal funds made available under the Race to the Top Program.

- TK ✓ 1. *Promise Neighborhoods*. Setup a framework for the future creation of "Promise Neighborhoods" in the City of Milwaukee.
- a. Promise Neighborhoods will work with community organizations, the City of Milwaukee, and Milwaukee Public Schools to provide at least some of the following services:
 - i. Counseling and training for new parents
 - ii. Early childhood education
 - iii. High-quality child care
 - iv. After-school programming that emphasizes parental involvement *mean that parents are there?*
 - v. Crime prevention support programs
 - vi. Youth job training and internship opportunities
 - vii. Coordination with local community health centers
 - viii. Financial counseling
 - ix. Increased broadband internet access to low-income, underserved community members
 - b. While there will be no state funding available for this, but Promise Neighborhoods could be funded by the Race to the Top Program, through other federal funds, or through a combination of city dollars, federal funds, and private contributions.
 - i. Within one year after the bill's passage, the Partnership for Success shall conduct outreach to the White House Office of Urban Affairs to identify potential federal funding for Promise Neighborhoods (in addition to the Race to the Top Program).
- TK ✓ 2. Use federal funds to create a 9th grade Student Achievement Guarantee in Education (SAGE) Program.
- a. Preference will be given to schools with the lowest graduation rates. *What are these?*
 - b. Program would be focused on core curriculum courses in the 9th grade.
- TK ✓ 3. Use Race to the Top dollars to expand STEM programming for students in kindergarten through 5th grade. *What is this?*

- a. Create a pilot program in a minimum of five schools to expand STEM opportunities.

XIII. Additional Data Tracking

- 96
1. Construct a standard, MPS-approved, comprehensive annual parent survey. Require schools to use it as a tool to gather parent input prior to developing or modifying parent involvement and school improvement plans for the coming school year.

- a. Survey results will be reported to the Partnership for Success.
- b. Survey results will be reported to the newly created MPS standing committee on parental issues.
- c. This data shall be made available to the public.

- ✓
- TRK has done this
2. Direct MPS and DPI to construct a survey for parents coming into either the Milwaukee Public Schools or the Milwaukee Parental Choice Program (MPCP). Require parent or guardian to fill out survey when entering one of these school systems in order to understand why parents are moving their children between MPS and MPCP.

- LRB-3110
- a. Purpose of survey will be to gather information on why parents are leaving MPS for choice schools (or vice versa).
 - b. Survey would be given to parents during enrollment, since many parents remove their children from a school without prior notice.
 - c. Data will be used by MPS to identify school-based and district-wide parental concerns.
 - d. DPI shall report this data to the Milwaukee Public School Board.
 - e. DPI shall report this data to the appropriate standing committees and make this information available to the public.

Kuczenski, Tracy

From: Benish, Kevin
Sent: Friday, November 20, 2009 11:21 AM
To: Kuczenski, Tracy
Subject: ACT requirement for MPS

Tracy, I also wanted to forward you this previous correspondence that I had with Mr. Thiel. This may also help clarify Rep. Grigsby's intent, as Chris and I were on the same page with the ACT issue at this point in our discussion.

Kevin D. Benish
Office of Representative Tamara Grigsby
18th Assembly District
kevin.benish@legis.wi.gov
(608) 266.0645
1-888-534-0018 (toll free)

From: Thiel, Christopher J [<mailto:thielcj@milwaukee.k12.wi.us>]
Sent: Wednesday, November 11, 2009 11:22 AM
To: Benish, Kevin
Cc: Ramie Zelenkova
Subject: RE: A.C.T.

I mean that the intent is that all 11th graders take the test and that the large majority of them do. However, we may not capture every student in this process if they, for whatever reason, don't show up at school.

The process for giving the A.C.T. is somewhat complex in that we have had to work with the A.C.T. folks to make sure that kids are taking the test in an environment that meets their (A.C.T.) standards (one that essentially prohibits cheating among other things). The testing company is not and would not be bound by any state statute so the district could only abide by a mandate to the extent that the testing company feels comfortable with the process and continues the relationship.

Given the rigor and complexity of the process and the somewhat unique relationship we have with A.C.T., any additional stipulations to the policy that demands that we capture all or say 95% of 11th graders in the process would be problematic.

Basically, any policy that instructs a district to give the ACT to a group of students should not mandate the percentage of students who ultimately take the test.

Thanks again,

Chris

**ADMINISTRATIVE POLICIES OF THE
MILWAUKEE PUBLIC SCHOOLS**

**Administrative Policy 9.11
SCHOOL GOVERNANCE COUNCILS**

History	Adopted 11-25-97; amended on 5-26-99; Revised 06-29-06		
Previous Coding			
Legal Ref.			
Contract Ref.			
Cross Ref.	Admin. Policy	1.03	Parent Empowerment
		8.18	Student Involvement in Decision Making
		9.04	Community Involvement in Decision Making
		2.12	Advisory Committees

(1) PREAMBLE

(a) It is the policy of the Milwaukee Board of School Directors to endorse and support parent, staff, student, and community involvement in school governance. It is the intent of the Board of School Directors that every school will have a school governance council that enables parents, school staff, students (when appropriate), and community to work together in facilitating quality educational plans that engender continuous improvement of student achievement. It is the responsibility of the principal to develop and maintain effective organizational structures and processes for advisement in each school in conjunction with its school governance council.

(b) The following guidelines are designed to facilitate the development and operations of school governance councils.

(2) PURPOSE OF SCHOOL GOVERNANCE COUNCILS

The purpose of a school governance council is to provide a forum for parents, teachers, community members, students, and principals to work together in providing continued analysis and improvement of public school policies, curriculum, educational plan goals, and general student well-being. the council shall also be a clearinghouse for information collected from outside organizations, including student groups, parent-teacher groups, teacher associations, etc. the council's decision-making authority is advisory with respect to all duties, powers, and responsibilities, with the sole exception of the council's authority and responsibility to submit a cover letter with its school's annual budget and the school's annual educational plan. Council participation shall be on a voluntary basis via a school-based election process. Councils are not intended to replace parent organizations.

(3) SCHOOL GOVERNANCE COUNCIL MEMBERSHIP

(a) School governance council membership shall include at least 51% parent representation, at least one student at the middle (including K-8 schools) and high schools, community representatives, staff members, and the principal. The size of the school governance council will be based upon a percentage of total student enrollment at a given school.

1. The number of council participants shall equal one percent (1%) of the total student enrollment, or a minimum of nine (9) members, including the principal; however, the size of the council may exceed 1% where desired by the individual school.
2. If the percentage results in an even number of participants (e.g., 1,100 students x 1% = 11 + principal = 12 members), the number of participants shall be increased by one member (e.g., 12 + 1 = 13 members).

(b) Members shall be defined as follows:

1. Parent: A parent is a person at least 18 years of age who is the natural, adopted, or stepparent of a child enrolled or about to be enrolled in the school at which the council serves, and includes those people acting as legal guardian or registered custodian of the child, such as grandparents. A parent who is also a paid employee of his/her child's school shall not serve in the capacity of "parent member" on the council, but may serve as a teacher representative or support-staff representative.

2. Teacher/Support Staff: All teachers and support staff are eligible to participate on the council in this category.
3. Student: A student enrolled at a school with a middle school component (grades 6-8) or high school at the time of the election process is eligible to serve on the council for that particular school.
4. Community Member: Any resident of the City of Milwaukee is eligible to serve on a council.
5. Principal: The principal or employee serving as the leader of the school shall serve on its council.

(c) There are to be good-faith efforts to secure representation; however, a school governance council will continue to function even if full representation cannot be achieved. Every effort will be made to ensure that each school governance council has full representation.

(d) Even though representatives will be selected from various categories (e.g., parents, school staff, students, business, community), it is the responsibility of every member on the school governance council to communicate with, and represent, all segments of the school population.

(4) SCHOOL GOVERNANCE COUNCIL ELECTIONS — MEMBERSHIP

Members will be selected through a fair and open election process. Each constituent group (parents, teachers, non-certificated staff, students) will oversee the process for electing school governance council representatives. The process for the election of representatives will be as follows:

(a) PARENT REPRESENTATIVES

1. Every year, no later than the third week of March, the principal/designated administrative leader of each school shall mail, via first-class postal service, information sheets regarding the school governance council and the school election timeline to all households of the school's student body (one mailing per household) for the purpose of soliciting parent/guardian nominations for Council membership. Parents who are interested in serving on the council shall complete a ballot information sheet and return it either by mail or in person on or before April 15. All eligible parents shall be included on the ballot.

2. The ballots (bearing a specific logo) shall be mailed via first-class postal service to all parents during the first week in May, with all of the nominees listed. Ballots shall be numbered sequentially for accountability purposes only. In addition, the principal/designated administrative leader is to plan an open meeting for nominees to speak relative to their candidacy for election to the council. Parents shall return either in person or by mail the completed ballots to the school on or before May 31. The number of parents to be elected shall be at least 51% of the total number of participants on the council.

3. Two members of the established parent group will assist the principal with the counting of the parents' ballots.

4. A record of the number of votes for each candidate shall be maintained at the local school until the end of the following school year. In the case of resignation, recall, or death, a parent member shall be replaced by the runner-up candidate not elected to the council the previous election period.

(b) TEACHER/STAFF REPRESENTATIVES

The faculty and support staff at a given school shall be responsible for selecting its representatives to the council. Selection shall be completed on or before May 31.

(c) STUDENT REPRESENTATIVES

Schools with grades 6-8 (middle and K-8) and high school student representatives of the council shall be elected by the student body through existing student government procedures. If no student government exists, students shall be permitted to campaign for the position of Council representative at a general assembly of the student body, and the student body shall make their selection by voice vote or ballot during the general assembly.

(d) COMMUNITY REPRESENTATIVES

Community representatives interested in participating on the council shall make their interest known at the open meeting held for parent nominations, although community members shall not be selected by the public at large. Community representatives shall be elected at the first meeting of the incoming Council held at the beginning of the new school year.

(e) PRINCIPAL REPRESENTATIVES

The principal of the school is entitled to automatic participation on the council at that school.

(5) SCHOOL GOVERNANCE COUNCIL ELECTIONS — PROCESS

(a) Following the initial election process, the council shall manage the election process.

(b) The school governance council must be in place by the end of September each school year.

The term of office for the smallest number greater than half of the council shall be elected for two (2) years at the first election. All other members of the council shall be elected for a 1-year term at the first election. All Council members thereafter shall be elected to 2-year overlapping, staggered terms. The candidates receiving the fewest votes serve 1-year terms after the first election. All candidates thereafter will serve 2-year overlapping, staggered terms.

(6) AUTHORITY AND RESPONSIBILITIES OF SCHOOL GOVERNANCE COUNCILS

(a) School governance councils are empowered and limited in function by policies and procedures adopted by the Milwaukee Board of School Directors. If current policies and procedures, contracts, laws and regulations, or district agreements impede a school's restructuring process or strategic planning, the principal will obtain the support of the appropriate Central Services personnel to assist the school governance council with requests for adjustments, waivers, or memoranda of understanding from the appropriate body. School governance councils shall not discuss wages, hours, or working conditions unless a bargaining unit waiver has been secured. The Division of Labor Relations will assist schools in securing requested waivers.

(b) The role of the principal in terms of authority and responsibility for school management is not changed by this policy. Ultimately the principal is responsible and accountable to the superintendent.

(c) The Milwaukee Public Schools' Code of Ethics applies to all employees. Non-employees will be required to sign a statement that they will not participate in advisement which represents a conflict of interest. School governance councils shall establish procedures to be followed by members to ensure that conflicts of interest are prevented.

(d) All newly elected council members will participate in inservice/training sessions. Related costs for these sessions shall be funded by local school funds. Inservice/training sessions will focus on the development of quality educational programs and high standards with respect to team building, school policies and procedures, increasing parental involvement, consensus building, leadership skills, financial procedures (audits, budgets), committee work, and other issues that affect student achievement. Common documents (cover letters for the schools' annual educational plans and annual budgets, formats for agendas and written records of council meetings, etc.) will be developed by the Office of the Deputy superintendent — Operational Leadership.

(e) School governance councils shall develop and publish their own bylaws. Bylaws shall be guided by the principles of the Open Meetings Law, and all meetings shall be open to the public unless permitted to be closed under the law. The Department of Human Resources, in consultation with the Office of the City of Attorney, shall provide assistance in this regard. The definition of a meeting shall be included in each school's bylaws and shall be consistent with the Open Meetings Law definition. Written records for all school governance council meetings shall be taken at each council meeting and maintained in one binder. Minutes shall be on file and available for review at each school.

(f) Council authority and responsibilities will be advisory as referenced below:

1. The council shall participate in the selection and evaluation of school staff in a manner consistent with federal and state statutes, Board policy, and collective-bargaining agreements. Members of school governance councils shall interview and recommend

- principal appointments to the superintendent in a manner consistent with Administrative Policy 6.23: "The superintendent shall have the sole right of nomination for employment and promotion of certificated personnel, and the appointment of any nominated candidates shall be effected only with the approval of the Board. In the case of rejection, the Board may request another nomination."
2. The council shall participate in the development of the annual school educational plan and the annual school budget.
 3. The council shall regularly review and assess the annual school educational plan and the annual school budget. The council shall have the authority and responsibility to submit an accompanying cover letter when its school submits its annual educational plan and annual school budget to the superintendent. The cover letter will bear the signatures of each council member, thereby indicating the council's participation in the development of both documents.
 4. The council will regularly review and assess school performance with respect to:
 - a. student achievement;
 - b. parental involvement;
 - c. dress-code expectations;
 - d. character and value building;
 - e. behavioral concerns;
 - f. scheduling procedures;
 - g. building maintenance;
 - h. suspension/disciplinary procedures.
 5. The council, in cases in which the principal of the school has volunteered in writing to have the council's evaluation included in his or her professional evaluation, shall conduct such an evaluation of the principal's performance.
 6. In the absence of a coordinated health team, the School Governance Council will function in that capacity.

(7) COUNCIL PROTOCOL

(a) The first council meeting of the new school year shall take place during the month of September, at a date and time agreed upon by all elected members. During the first meeting, the council shall select at least one person in the community to participate as a member of the council, based upon interest previously shown by eligible parties. Thereafter, the council shall have at least nine (9) monthly meetings during the school year.

(b) During the first meeting, council members shall elect an executive committee, which shall include a chair, vice-chair, recording secretary, and corresponding secretary. The principal will serve as a resource to the executive committee of the school council.

1. The chair shall conduct each meeting and shall execute all business necessary between meetings to ensure that each meeting is run in a smooth and orderly process.
2. The vice-chair shall assist the chair with his/her responsibilities and shall assume the responsibilities of the chair upon his/her absence.
3. The chair and vice-chair shall make themselves available to answer questions from the public in general, including from members of other organizations.
5. The recording secretary shall keep the written notes of each meeting, and make sure the minutes of the previous meeting are distributed to members of the council prior to each subsequent meeting, together with a reminder of the time and place of the next meeting. The corresponding secretary shall be responsible for making available to the public, by whatever means agreed upon by the council, the agenda of each upcoming meeting and the minutes of the previous meeting. Members of the public wishing to speak at any upcoming meeting with regard to a particular agenda item may contact the corresponding secretary to ask to be added to the agenda.

(8) DUTIES OF COUNCIL MEMBERS

The Council will be made up of parents, teachers, students, community members, and the principal. Each constituency represented shall have a corresponding set of responsibilities.

(a) PARENTS

Council parents are responsible for soliciting input from the parental community with respect to issues of concern to the council. Parent members shall relay council activities to the parent community at large, as well as to parent organizations. The council shall have the responsibility of training and informing incoming parents elected to a subsequent council. Parent members shall have the responsibility of promoting the organization of a parent group where none is in existence for the particular school at which they serve.

(b) TEACHERS/SUPPORT STAFF

School-staff council members are responsible for soliciting input from the faculty and support staff with respect to issues of concern to the council. School-staff members shall report to faculty and support staff, as well as outside teacher/staff organizations. Faculty members shall present the school's educational plan to the council for input. Faculty members shall be responsible for playing an active role in addressing issues such as curriculum additions and deletions, grading practices and standards, test scores, building concerns, staffing needs, and resource/budget concerns.

(c) STUDENTS

Student members shall report council activities to the student body and shall solicit student input and areas of concern for presentation to the council. Student members shall be responsible for organizing student government associations where there are none.

(d) PRINCIPAL

The principal is responsible for keeping the council informed of all relevant school information. The principal shall take the lead role in promoting new programs at the school. The principal shall report to the council with respect to principal meetings, building meetings, etc. The principal shall seek the active participation of the council in deciding all school budget matters and shall present to the council in a timely fashion all information dealing with programming and budget items. The principal shall be responsible for creating and distributing a newsletter of council activities and agendas to school members, and shall provide administrative service support for council members needing supplies or resources. The principal may not serve on the executive committee, but shall have a vote equal to all other council members.

(9) REIMBURSEMENT OF EXPENSES

No members of school governance councils are to receive compensation or additional compensation for their service, with the exception of reasonable reimbursement for expenses resulting from their work on school governance councils. The expenses are to be paid from the school budget. Reasonable parameters shall be determined by the principal.

(10) COUNCIL LIAISON

The superintendent shall appoint the deputy superintendent, Operations Leadership, to oversee all councils and their operations. Council members shall have the right to request the liaison's involvement in dispute resolution between council members. The liaison shall have the responsibility of enforcing council decisions in cases of dissent and of ensuring the continuity and effectiveness of each council.

(11) EXCEPTIONS TO PROCEDURES

Exceptions to procedures outlined in this policy may be submitted to the superintendent for review and approval, with such action to be reported to the Board.

(12) RELATION TO EXISTING AGREEMENTS

(a) Nothing in this policy shall in any way reduce the powers or responsibilities already authorized at schools with ongoing governing councils, including Andrew Douglass School, Fritsche Middle School, La Escuela Fratney, HiMount Community School, Madison University High School, Malcolm X Middle School, North Division High School, Palmer Street School, South Division High School, or any other MPS school that already has such powers or responsibilities.

(b) Nor shall anything in this policy in any way reduce powers or responsibilities assumed by school governance councils consistent with federal and Wisconsin statutes, Board policy, or collective-bargaining agreements, as proposed by school governance councils and authorized by the superintendent.

(c) All schools, however, including these, are expected to adhere to all provisions of this policy regarding school governance councils with regard to the manner of representation and conduct of elections.

—◇—

Kuczenski, Tracy

From: Thiel, Christopher J [thielcj@milwaukee.k12.wi.us]
Sent: Friday, November 20, 2009 11:42 AM
To: Kuczenski, Tracy
Subject: MPS Transportation policy

Tracy,

It was good to speak with. The link below will take you to the MPS transportation policy. Our policy specific to students in grades K through 8 can be found under (2)(c)4:
http://www2.milwaukee.k12.wi.us/governance/rulespol/policies/PDF/CH04/4_04.pdf

4. Milwaukee Public School students enrolled in grades K-8 shall be transported by school bus, human service vehicles, taxi service or provided as stated in a parent contract. The Milwaukee Public Schools reserves the right to determine which method it will employ to meet its obligation to transport an individual. Students enrolled in grades 9-12 shall use the transit system, unless adequate service is not available.

Please let me know if I can be helpful with any other information.

Chris

Christopher J. Thiel
Legislative Policy Manager
Milwaukee Public Schools

Kuczenski, Tracy

From: Benish, Kevin
Sent: Friday, November 20, 2009 11:10 AM
To: Kuczenski, Tracy
Subject: Schools and Bonding (RACE for Success)

Attachments: 20091120111054446.pdf



2009112011105444
6.pdf (506 KB)...

Dear Tracy,

Please see the attached information related to ARRA bonding authority for schools. This should help you with the provision in our bill.

Many thanks,
Kevin

Kevin D. Benish
Office of Representative Tamara Grigsby
18th Assembly District
kevin.benish@legis.wi.gov
(608) 266.0645
1-888-534-0018 (toll free)

News Release

Education Information Services ■ 125 South Webster Street ■ P.O. Box 7841 ■ Madison, WI 53707-7841 ■ (608) 266-3559

FOR IMMEDIATE RELEASE

Wednesday, August 5, 2009

Contact: Carla Vigue, Office of the Governor, (608) 261-2162

Patrick Gasper, DPI Communications Officer, (608) 266-3559

DPI-NR 2009-11

Doyle, Evers announce \$125.5 million in bond authority for Wisconsin schools

MADISON—Governor Jim Doyle and State Superintendent Tony Evers today announced allocations for Wisconsin school districts to finance major new construction, renovation, and rehabilitation projects with bonding authority totaling \$125.5 million. The allocations come in the form of authority to issue two special types of bonds authorized by the American Recovery and Reinvestment Act (ARRA). In contrast to a typical bond, where the issuer pays the buyer interest on their investment, the ARRA bonds provide federal tax credits to buyers, relieving school districts of the need to make interest payments.

“These bonds will help money flow through our economy, supporting jobs, while helping Wisconsin schools repair, improve, and build new facilities where needed,” said Doyle.

“Deferred maintenance has become the norm instead of the exception for Wisconsin schools,” said Evers. “These bonds will help reverse that trend as well as provide for some smart improvements. From weatherizing buildings and repairing roofs to constructing new facilities and installing green energy, schools have plans in place for projects that will pay back our investment well into the future.”

ARRA authorized schools to issue the bonds through two programs, the Qualified School Construction Bond (QSCB) Program and the Qualified Zone Academy Bond (QZAB) Program. The total dollar amount of bonds requested by Wisconsin school districts through both programs was \$526.4 million—far greater than the amount the state was allowed to allocate under rules issued by the United States Department of Education. The complete lists of allocations to Wisconsin districts can be found at <http://dpi.wi.gov/sfs/xls/qscbweballocation2009.xls> (QSCB) and <http://dpi.wi.gov/sfs/xls/qzabweballocation2009.xls> (QZAB).

Created by ARRA, the QSCB program lets public school districts issue bonds to finance new construction, rehabilitation, or repair of public school facilities, as well as acquisition of land and acquisition of equipment to be used in such facilities. Wisconsin was allotted \$170.7 million in Qualified School Construction Bonds. The federal

(more)

law set aside a significant portion of the QSCB bonding authority for the nation's largest school districts, including \$72.1 million for Milwaukee Public Schools. ARRA charged the Department of Public Instruction with distributing the other \$98.6 million among the rest of the state's school districts.

The remaining bonding authority announced today was issued through the Qualified Zone Academy Bond (QZAB) Program, created in 1997 and expanded by ARRA. School districts with populations at least 35 percent low-income (as measured by eligibility for free and reduced-price school meals) applied for QZAB financing to rehabilitate or repair school facilities. In addition to the ARRA-authorized QZAB funding, a small amount of non-ARRA bonding authority remaining from the 2007 QZAB program is included in today's allocations.

School districts are allowed approximately two years to issue the bonds. Wisconsin districts will have another opportunity to apply for both types of bonds in 2010, because ARRA authorized both programs through that year. Historically, QZAB has been reauthorized every biennium.

The ARRA also provides funding for special education, services to economically disadvantaged students, teacher quality enhancement, school lunch equipment purchases, enhancing education through technology grants, and other education purposes.

###

NOTES: The list of QSCB allocations for Wisconsin is posted at <http://dpi.wi.gov/sfs/xls/qscbweballocation2009.xls>. The QZAB allocations can be found at <http://dpi.wi.gov/sfs/xls/qzabweballocation2009.xls>. More information about these and other ARRA programs is available at <http://dpi.wi.gov/recovery> and <http://www.recovery.wisconsin.gov>. This news release is available electronically at http://dpi.wi.gov/eis/pdf/dpinr2009_11.pdf.



**MILWAUKEE
PUBLIC SCHOOLS**

OFFICE OF THE SUPERINTENDENT

Central Services Building

5225 W. Vliet Street

P.O. Box 2181

Milwaukee, Wisconsin 53201-2181

Phone: (414) 475-8001

Fax: (414) 475-8585

November 6, 2009

Bonding

\$24 million

Mr. Brian Pahnke
Assistant State Superintendent
Wisconsin Department of Public Instruction
125 South Webster Street
Madison, WI 53702

Dear Mr. Pahnke:

Re: ARRA Bonds--QSCB for MPS

As you are aware, the Department of Treasury awarded MPS \$72,118,000 bonding authority for 2009 under the American Recovery and Reinvestment Act.

At the June 4, 2009, meeting of the Milwaukee Board of School Directors (Board), the Board authorized the administration to work with the City of Milwaukee to secure ARRA bonds up to \$53,069,187. At the August 2009 meeting of the Board, discussion occurred regarding the risk that returning a portion of borrowing authority could result in nearby districts expanding their capacity to accept additional Open Enrollment students from Milwaukee. Board members also expressed their interest in seeing other Wisconsin school districts with similar poverty rates have access to this funding.

In subsequent collaboration with the City of Milwaukee, the borrowing amount identified for Common Council approval is \$48 million. This item was approved at the November 3 meeting of the City of Milwaukee Common Council.

In light of concerns identified by the Board, we are respectfully requesting that DPI agree to make remaining borrowing authority (\$24,118,000) available to MPS non-instrumentally charter schools, MPS partnership schools, and public school districts with a "free and reduced lunch" rate of 50% or more.

It is our intention to bring a recommendation back to the Board by mid-November. Your prompt response to this request would be greatly appreciated.

If you have any questions concerning this, please contact MPS's Chief Financial and Operations Officer, Michelle Nate, at 414-475-8336.

Sincerely,

William G. Andreopoulos
William G. Andreopoulos
Superintendent of Schools

js

cc: Michelle Nate

KB to T. Briggsby: make avail. to High Poverty Aid school districts



Print

Close Window

Key Policy Letters from the Education Secretary or Deputy Secretary
May 29, 2009

May 29, 2009

Dear Chief State School Officers:

I am pleased to inform you about the authorization of Qualified School Construction Bonds (QSCBs) and Build America Bonds (BABs), and the extension of Qualified Zone Academy Bonds (QZABs). The authorizations provide Federal subsidies for public school improvement and modernization activities. The American Recovery and Reinvestment Act of 2009 (ARRA) makes QSCBs and BABs available for the first time, while extending and expanding the authority for QZABs. QZABs provide funding for school repairs and renovation and certain other activities for eligible schools and may not be used for new construction, while QSCBs and BABs provide funding for new construction as well as renovation.

Charter schools as well as traditional public schools may benefit from all of these types of bonds. I encourage you to consider serving charter schools through these programs.

You may use all three of these types of bonds to modernize buildings and convert obsolete non-school buildings into modern school facilities. I encourage you to design energy-efficient school facilities that meet widely recognized rating systems for green buildings. Please also consider ways these bonds can improve communities in general. For instance, some local educational agencies (LEAs) have designed school facilities in a manner intended to facilitate their serving as centers of their communities that are available for non-school purposes outside of regular school hours. Particularly in a time of economic difficulty, making school facilities go further by designing and providing them for multiple uses makes eminent sense.

The benefit of all of these programs is that they help LEAs save money and make their repair, renovation, or construction dollars go further. Purchasers of QSCBs and QZABs receive a Federal income tax credit. The U.S. Treasury Department establishes State allocation limits and sets a tax-credit rate for the QSCB and QZAB bond programs that, on average, equals the amount of interest schools would ordinarily pay on debt. With the Federal Government covering most or all of the interest on the bonds, LEAs receive a substantial benefit as interest payments typically equal approximately 50 percent of the economic cost of a bond.

The ARRA makes available, to States and certain large LEAs, \$11 billion for 2009 and \$11 billion for 2010 in QSCB bonding authority for construction, rehabilitation, or repair of a public school facility, and for the acquisition of land on which the school facility is to be constructed with QSCB funds. (An additional \$200 million in each of those years goes to the Department of the Interior for assistance to schools operated or supported by the Bureau of Indian Education.) The QSCB bond allocation authority generally goes to States (not necessarily State educational agencies) based on their shares of Title I Basic Grant funds under the Elementary and Secondary Education Act (ESEA). The District of Columbia and possessions of the United States also receive these allocations. Possessions other than Puerto Rico, however, receive their shares of the QSCB bonding authority based on their share of the population below the poverty line. Forty percent of the national QSCBs bonding authority goes directly to the 100 LEAs with the largest number of school-aged children living below the poverty line. The designated LEAs receive this bond allocation in proportion to their share of ESEA Title I Basic Grant funds. States with LEAs that receive bond allocations directly from the Federal Government receive a reduced direct allocation.

BABs are bonds that can be used to finance a wide range of projects, including construction and modernization of school facilities. The BABs program allows municipal bond issuers in 2009 and 2010 to offer an unlimited amount of taxable debt and to elect either to receive a cash subsidy from the Federal Government or to provide bondholders with a tax credit. Both the payment and the tax credit would be equal to 35 percent of the interest paid on the bonds. BABs can assist public postsecondary institutions in addition to LEAs.

QZABs are another important tool that States and LEAs can use to provide additional resources for improving school facilities and instruction. The ARRA extends QZABs through 2010. As you may know, QZABs were first authorized in 1997 and are bonds the Federal Government subsidizes by allowing bondholders to receive tax credits that are

approximately equal to the interest that States and communities would pay holders of taxable bonds. As a result, issuers are generally responsible for repayment of just the principal. QZABs may now be purchased by any individual or private business.

States and LEAs have considerable flexibility in the use of QZABs. They may be used for rehabilitating or repairing school facilities, purchasing equipment, developing curricula, and training school personnel, but not for new construction. To meet QZAB eligibility criteria, a public school must be located in either an Empowerment Zone or an Enterprise Community or have at least 35 percent of its students eligible for free or reduced-price lunch under the Federal lunch program (National School Lunch Act). The school must also have an education program designed in cooperation with business; receive a private contribution (which may be in-kind), the net present value of which is not less than 10 percent of the proceeds of the bond; and have an education plan that is approved by its LEA; and its students must be subject to the same standards and assessments as other students in the LEA.

As the following chart shows, previously authorized QZABs are still available. However, unused funds from the 2007 allocations will expire at the end of this year and, to make use of these allocations, States or municipalities must issue the bonds by December 31, 2009. If a State does not issue the amount of QZABs allocated by the Federal Government between the calendar year the funds are first made available and the date by which they must be issued, the unused QZAB allocation expires and cannot be used.

QZABs Amount	Calendar year first available	Bonds must be issued by December 31 of the year
\$400 million	2007	2009
\$400 million	2008	2010
\$1.4 billion	2009	2011
\$1.4 billion	2010	2012

On April 3, 2009, the Treasury Department issued 2008 and 2009 State allocations of QZABs bonding authority and 2009 allocations of QSCBs bonding authority for the States and the 100 large LEAs. I am enclosing those tables for your information. I am also enclosing a Fact Sheet prepared by our Department on these bond programs.

If you have questions about this information or these programs, please contact Branch 5 of the Internal Revenue Service, Office of Associate Chief Counsel (Financial Institutions and Products) (202-622-3980) or Jane Hess of the U.S. Department of Education (202-401-8292). I am confident that these bonds can help your communities meet some of their facility needs.


Sincerely,

/s/

Arne Duncan

Enclosures:

[Fact Sheet](#)

Tables  [PDF \(45.55K\)](#)

Fact Sheet

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

Qualified School Construction Bonds and Qualified Zone Academy Bonds

The American Recovery and Reinvestment Act of 2009 (ARRA) authorized tax-credit bonds for school construction by expanding Qualified Zone Academy Bonds (QZABs) from \$400 million annually to \$1.4 billion for each of calendar years 2009 and 2010 and authorizing \$11.2 billion in Qualified School Construction Bonds (QSCBs) for the first time. QZABs provide tax credits primarily for school renovation and may not be used for new construction, but QSCBs provide tax credits for new construction as well as renovation.

The U.S. Treasury Department establishes State allocation limits and sets a tax-credit rate for both of these bond programs that, on average, equals the amount of interest schools would ordinarily pay on debt. Since the Federal Government covers most or all of the interest on these bonds, local educational agencies (LEAs) receive a substantial benefit, as interest payments may typically equal up to 50 percent of the economic cost of a bond.

In addition to QZABs and QSCBs, the ARRA contains other provisions regarding tax-exempt debt and tax-credit programs that entities may use to finance construction of school facilities as well as other types of facilities. Build America Bonds (BABs), for example, are taxable bonds that can be used to finance a wide range of projects for governmental purposes. This BABs program allows municipal bond issuers in 2009 and 2010 to offer an unlimited amount of taxable debt and to elect either to receive a cash subsidy from the Federal Government or have it provide bondholders with a tax credit. Either the payment or the tax credit would be equal to 35 percent of the interest paid on the bonds. BABs can assist public postsecondary institutions in addition to LEAs. The Treasury Department's recent guidance on this new program can be found at <http://www.irs.gov/pub/irs-drop/n-09-26.pdf>.

The benefit of all of these school construction financing tools is that they can help State and local governments save money and make their repair, renovation, modernization, or construction funds go further.

Basic Facts about Qualified School Construction Bonds

Under this new category of tax-credit bonds, the Treasury Department distributes \$11 billion of the bond allocation in both 2009 and 2010 among the States and certain large LEAs. QSCBs are bonds the Federal Government subsidizes by allowing bondholders to receive tax credits that are approximately equal to the interest that States and communities would pay holders of taxable bonds. As a result, issuers are generally responsible for repayment of just the principal. States may directly issue the bonds on behalf of eligible schools or they may suballocate authority to issue the bonds within the State.

- QSCB allocations go to States (not necessarily State educational agencies) based on their share of Title I Basic Grant funds. The District of Columbia and possessions of the United States also receive these allocations. Possessions other than Puerto Rico, however, receive their shares of the QSCB bonding authority based on their share of the population below the poverty line. States with LEAs that receive bond allocations directly from the Federal Government receive a reduced allocation as a result of the allocations described in more detail below.
- 40 percent of the national QSCB bonding authority goes directly to the 100 LEAs with the largest number of school-aged children living below the poverty line.⁴ The designated LEAs receive this bond allocation in proportion to their shares of Title I Basic Grant funds. An LEA in this category that receives a direct allocation may reallocate any of its unused QSCB allocations to its State.
- If an allocation to a State is unused for a calendar year, the State may carry it forward to the next calendar year. In other words, States have up until the end of 2010 to use their 2009 allocation and until the end of 2011 to use their 2010 allocation.
- In addition to the amounts described above, the Department of the Interior/Bureau of Indian Affairs receives \$200 million annually in QSCB authority for its school facilities in 2009 and 2010. Indian tribal governments are qualified issuers.

QSCBs are less restrictive in their uses than QZABs. For a QSCB bond that is issued by a State or local government where a public school is located, 100 percent of available project proceeds must be used for the construction, rehabilitation, or repair of the public school facility. In addition, a portion of the proceeds of such a bond may be used for the acquisition of land on which a public school facility is to be constructed.

QSCBs may be purchased by any individual or private business, and used to generate a tax credit against the individual's or entity's Federal income taxes. The Department of the Treasury recently issued initial guidance for the program, which is posted at: www.irs.gov/pub/irs-drop/n-09-35.pdf, that reports the allocation of the annual bond volume among the States and the 100 largest LEAs.

Basic Facts about Qualified Zone Academy Bonds

QZABs were first authorized in 1997 and are bonds the Federal Government subsidizes by allowing bondholders to receive tax credits that are approximately equal to the interest that States and communities would pay holders of taxable bonds. As a result, issuers are generally responsible for repayment of just the principal. The Treasury Department allocates the authority to issue these bonds to States based on their proportion of the U.S. population living below the poverty line. States may directly issue the bonds on behalf of eligible schools or they may suballocate authority to issue the bonds within the State. These bonds may be used only on behalf of schools or programs that:

- are located in an Empowerment Zone or an Enterprise Community; or
- have a reasonable expectation (as of the date of the bond issuance) that at least 35 percent of their students will be eligible for free or reduced-cost lunches under the National School Lunch Act.

To benefit from a QZAB, an eligible school must also:

- have an education program designed in cooperation with business;
- receive a private contribution (which may be in-kind), the net present value of which is not less than 10 percent of the proceeds of the bond;
- have an education plan that is approved by its LEA; and
- subject its students to the same standards and assessments as other students in the LEA.

QZABs may not be used for new construction but may be used for the following activities:

- renovating and repairing buildings;
- investing in equipment and up-to-date technology;
- developing challenging curricula; and
- training quality teachers.

In past years, QZABs could be purchased only by banks, insurance companies, and other companies engaged in the business of lending money. Effective October 2008, however, QZABs may be purchased by any individual or private business. The Department of the Treasury has issued recent guidance for the extended program available at: <http://www.irs.gov/pub/irs-drop/n-09-30.pdf>. Existing ED guidance on QZABs is available at: www.ed.gov/programs/qualifiedzone/faq.html.

¹ The law also permits the Secretary of Education to select up to 25 additional LEAs to receive allocations from this 40 percent share, based on such factors as a low level of resources for school construction and enrollment growth. For 2009 the Secretary has decided not to select additional LEAs.

Print

Close Window

Last Modified: 05/29/2009

One Hundred Eleventh Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the sixth day of January, two thousand and nine*

An Act

Making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for the fiscal year ending September 30, 2009, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Recovery and Reinvestment Act of 2009".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

DIVISION A—APPROPRIATIONS PROVISIONS

TITLE I—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES
TITLE II—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES
TITLE III—DEPARTMENT OF DEFENSE
TITLE IV—ENERGY AND WATER DEVELOPMENT
TITLE V—FINANCIAL SERVICES AND GENERAL GOVERNMENT
TITLE VI—DEPARTMENT OF HOMELAND SECURITY
TITLE VII—INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
TITLE VIII—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES
TITLE IX—LEGISLATIVE BRANCH
TITLE X—MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES
TITLE XI—STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS
TITLE XII—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
TITLE XIII—HEALTH INFORMATION TECHNOLOGY
TITLE XIV—STATE FISCAL STABILIZATION FUND
TITLE XV—ACCOUNTABILITY AND TRANSPARENCY
TITLE XVI—GENERAL PROVISIONS—THIS ACT

DIVISION B—TAX, UNEMPLOYMENT, HEALTH, STATE FISCAL RELIEF, AND OTHER PROVISIONS

TITLE I—TAX PROVISIONS
TITLE II—ASSISTANCE FOR UNEMPLOYED WORKERS AND STRUGGLING FAMILIES
TITLE III—PREMIUM ASSISTANCE FOR COBRA BENEFITS
TITLE IV—MEDICARE AND MEDICAID HEALTH INFORMATION TECHNOLOGY; MISCELLANEOUS MEDICARE PROVISIONS
TITLE V—STATE FISCAL RELIEF
TITLE VI—BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM
TITLE VII—LIMITS ON EXECUTIVE COMPENSATION

SEC. 3. PURPOSES AND PRINCIPLES.

(a) STATEMENT OF PURPOSES.—The purposes of this Act include the following:

**DIVISION B—TAX, UNEMPLOYMENT,
HEALTH, STATE FISCAL RELIEF, AND
OTHER PROVISIONS**

TITLE I—TAX PROVISIONS

SEC. 1000. SHORT TITLE, ETC.

(a) **SHORT TITLE.**—This title may be cited as the “American Recovery and Reinvestment Tax Act of 2009”.

(b) **REFERENCE.**—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) **TABLE OF CONTENTS.**—The table of contents for this title is as follows:

TITLE I—TAX PROVISIONS

Sec. 1000. Short title, etc.

Subtitle A—Tax Relief for Individuals and Families

PART I—GENERAL TAX RELIEF

- Sec. 1001. Making work pay credit.
- Sec. 1002. Temporary increase in earned income tax credit.
- Sec. 1003. Temporary increase of refundable portion of child credit.
- Sec. 1004. American opportunity tax credit.
- Sec. 1005. Computer technology and equipment allowed as a qualified higher education expense for section 529 accounts in 2009 and 2010.
- Sec. 1006. Extension of and increase in first-time homebuyer credit; waiver of requirement to repay.
- Sec. 1007. Suspension of tax on portion of unemployment compensation.
- Sec. 1008. Additional deduction for State sales tax and excise tax on the purchase of certain motor vehicles.

PART II—ALTERNATIVE MINIMUM TAX RELIEF

- Sec. 1011. Extension of alternative minimum tax relief for nonrefundable personal credits.
- Sec. 1012. Extension of increased alternative minimum tax exemption amount.

Subtitle B—Energy Incentives

PART I—RENEWABLE ENERGY INCENTIVES

- Sec. 1101. Extension of credit for electricity produced from certain renewable resources.
- Sec. 1102. Election of investment credit in lieu of production credit.
- Sec. 1103. Repeal of certain limitations on credit for renewable energy property.
- Sec. 1104. Coordination with renewable energy grants.

PART II—INCREASED ALLOCATIONS OF NEW CLEAN RENEWABLE ENERGY BONDS AND QUALIFIED ENERGY CONSERVATION BONDS

- Sec. 1111. Increased limitation on issuance of new clean renewable energy bonds.
- Sec. 1112. Increased limitation on issuance of qualified energy conservation bonds.

PART III—ENERGY CONSERVATION INCENTIVES

- Sec. 1121. Extension and modification of credit for nonbusiness energy property.
- Sec. 1122. Modification of credit for residential energy efficient property.
- Sec. 1123. Temporary increase in credit for alternative fuel vehicle refueling property.

PART IV—MODIFICATION OF CREDIT FOR CARBON DIOXIDE SEQUESTRATION

- Sec. 1131. Application of monitoring requirements to carbon dioxide used as a tertiary injectant.

H. R. 1—193

PART V—PLUG-IN ELECTRIC DRIVE MOTOR VEHICLES

- Sec. 1141. Credit for new qualified plug-in electric drive motor vehicles.
- Sec. 1142. Credit for certain plug-in electric vehicles.
- Sec. 1143. Conversion kits.
- Sec. 1144. Treatment of alternative motor vehicle credit as a personal credit allowed against AMT.

PART VI—PARITY FOR TRANSPORTATION FRINGE BENEFITS

- Sec. 1151. Increased exclusion amount for commuter transit benefits and transit passes.

Subtitle C—Tax Incentives for Business

PART I—TEMPORARY INVESTMENT INCENTIVES

- Sec. 1201. Special allowance for certain property acquired during 2009.
- Sec. 1202. Temporary increase in limitations on expensing of certain depreciable business assets.

PART II—SMALL BUSINESS PROVISIONS

- Sec. 1211. 5-year carryback of operating losses of small businesses.
- Sec. 1212. Decreased required estimated tax payments in 2009 for certain small businesses.

PART III—INCENTIVES FOR NEW JOBS

- Sec. 1221. Incentives to hire unemployed veterans and disconnected youth.

PART IV—RULES RELATING TO DEBT INSTRUMENTS

- Sec. 1231. Deferral and ratable inclusion of income arising from business indebtedness discharged by the reacquisition of a debt instrument.
- Sec. 1232. Modifications of rules for original issue discount on certain high yield obligations.

PART V—QUALIFIED SMALL BUSINESS STOCK

- Sec. 1241. Special rules applicable to qualified small business stock for 2009 and 2010.

PART VI—S CORPORATIONS

- Sec. 1251. Temporary reduction in recognition period for built-in gains tax.

PART VII—RULES RELATING TO OWNERSHIP CHANGES

- Sec. 1261. Clarification of regulations related to limitations on certain built-in losses following an ownership change.
- Sec. 1262. Treatment of certain ownership changes for purposes of limitations on net operating loss carryforwards and certain built-in losses.

Subtitle D—Manufacturing Recovery Provisions

- Sec. 1301. Temporary expansion of availability of industrial development bonds to facilities manufacturing intangible property.
- Sec. 1302. Credit for investment in advanced energy facilities.

Subtitle E—Economic Recovery Tools

- Sec. 1401. Recovery zone bonds.
- Sec. 1402. Tribal economic development bonds.
- Sec. 1403. Increase in new markets tax credit.
- Sec. 1404. Coordination of low-income housing credit and low-income housing grants.

Subtitle F—Infrastructure Financing Tools

PART I—IMPROVED MARKETABILITY FOR TAX-EXEMPT BONDS

- Sec. 1501. De minimis safe harbor exception for tax-exempt interest expense of financial institutions.
- Sec. 1502. Modification of small issuer exception to tax-exempt interest expense allocation rules for financial institutions.
- Sec. 1503. Temporary modification of alternative minimum tax limitations on tax-exempt bonds.
- Sec. 1504. Modification to high speed intercity rail facility bonds.

PART II—DELAY IN APPLICATION OF WITHHOLDING TAX ON GOVERNMENT CONTRACTORS

- Sec. 1511. Delay in application of withholding tax on government contractors.

H. R. 1—194

PART III—TAX CREDIT BONDS FOR SCHOOLS

- Sec. 1521. Qualified school construction bonds.
- Sec. 1522. Extension and expansion of qualified zone academy bonds.

PART IV—BUILD AMERICA BONDS

- Sec. 1531. Build America bonds.

PART V—REGULATED INVESTMENT COMPANIES ALLOWED TO PASS-THRU TAX CREDIT BOND CREDITS

- Sec. 1541. Regulated investment companies allowed to pass-thru tax credit bond credits.

Subtitle G—Other Provisions

- Sec. 1601. Application of certain labor standards to projects financed with certain tax-favored bonds.
- Sec. 1602. Grants to States for low-income housing projects in lieu of low-income housing credit allocations for 2009.
- Sec. 1603. Grants for specified energy property in lieu of tax credits.
- Sec. 1604. Increase in public debt limit.

Subtitle H—Prohibition on Collection of Certain Payments Made Under the Continued Dumping and Subsidy Offset Act of 2000

- Sec. 1701. Prohibition on collection of certain payments made under the Continued Dumping and Subsidy Offset Act of 2000.

Subtitle I—Trade Adjustment Assistance

- Sec. 1800. Short title.

PART I—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

SUBPART A—TRADE ADJUSTMENT ASSISTANCE FOR SERVICE SECTOR WORKERS

- Sec. 1801. Extension of trade adjustment assistance to service sector and public agency workers; shifts in production.
- Sec. 1802. Separate basis for certification.
- Sec. 1803. Determinations by Secretary of Labor.
- Sec. 1804. Monitoring and reporting relating to service sector.

SUBPART B—INDUSTRY NOTIFICATIONS FOLLOWING CERTAIN AFFIRMATIVE DETERMINATIONS

- Sec. 1811. Notifications following certain affirmative determinations.
- Sec. 1812. Notification to Secretary of Commerce.

SUBPART C—PROGRAM BENEFITS

- Sec. 1821. Qualifying Requirements for Workers.
- Sec. 1822. Weekly amounts.
- Sec. 1823. Limitations on trade readjustment allowances; allowances for extended training and breaks in training.
- Sec. 1824. Special rules for calculation of eligibility period.
- Sec. 1825. Application of State laws and regulations on good cause for waiver of time limits or late filing of claims.
- Sec. 1826. Employment and case management services.
- Sec. 1827. Administrative expenses and employment and case management services.
- Sec. 1828. Training funding.
- Sec. 1829. Prerequisite education; approved training programs.
- Sec. 1830. Pre-layoff and part-time training.
- Sec. 1831. On-the-job training.
- Sec. 1832. Eligibility for unemployment insurance and program benefits while in training.
- Sec. 1833. Job search and relocation allowances.

SUBPART D—REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE PROGRAM

- Sec. 1841. Reemployment trade adjustment assistance program.

SUBPART E—OTHER MATTERS

- Sec. 1851. Office of Trade Adjustment Assistance.
- Sec. 1852. Accountability of State agencies; collection and publication of program data; agreements with States.

H. R. 1—195

- Sec. 1853. Verification of eligibility for program benefits.
- Sec. 1854. Collection of data and reports; information to workers.
- Sec. 1855. Fraud and recovery of overpayments.
- Sec. 1856. Sense of Congress on application of trade adjustment assistance.
- Sec. 1857. Consultations in promulgation of regulations.
- Sec. 1858. Technical corrections.

PART II—TRADE ADJUSTMENT ASSISTANCE FOR FIRMS

- Sec. 1861. Expansion to service sector firms.
- Sec. 1862. Modification of requirements for certification.
- Sec. 1863. Basis for determinations.
- Sec. 1864. Oversight and administration; authorization of appropriations.
- Sec. 1865. Increased penalties for false statements.
- Sec. 1866. Annual report on trade adjustment assistance for firms.
- Sec. 1867. Technical corrections.

PART III—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

- Sec. 1871. Purpose.
- Sec. 1872. Trade adjustment assistance for communities.
- Sec. 1873. Conforming amendments.

PART IV—TRADE ADJUSTMENT ASSISTANCE FOR FARMERS

- Sec. 1881. Definitions.
- Sec. 1882. Eligibility.
- Sec. 1883. Benefits.
- Sec. 1884. Report.
- Sec. 1885. Fraud and recovery of overpayments.
- Sec. 1886. Determination of increases of imports for certain fishermen.
- Sec. 1887. Extension of trade adjustment assistance for farmers.

PART V—GENERAL PROVISIONS

- Sec. 1891. Effective date.
- Sec. 1892. Extension of trade adjustment assistance programs.
- Sec. 1893. Termination; related provisions.
- Sec. 1894. Government Accountability Office report.
- Sec. 1895. Emergency designation.

PART VI—HEALTH COVERAGE IMPROVEMENT

- Sec. 1899. Short title.
- Sec. 1899A. Improvement of the affordability of the credit.
- Sec. 1899B. Payment for monthly premiums paid prior to commencement of advance payments of credit.
- Sec. 1899C. TAA recipients not enrolled in training programs eligible for credit.
- Sec. 1899D. TAA pre-certification period rule for purposes of determining whether there is a 63-day lapse in creditable coverage.
- Sec. 1899E. Continued qualification of family members after certain events.
- Sec. 1899F. Extension of COBRA benefits for certain TAA-eligible individuals and PBGC recipients.
- Sec. 1899G. Addition of coverage through voluntary employees' beneficiary associations.
- Sec. 1899H. Notice requirements.
- Sec. 1899I. Survey and report on enhanced health coverage tax credit program.
- Sec. 1899J. Authorization of appropriations.
- Sec. 1899K. Extension of national emergency grants.
- Sec. 1899L. GAO study and report.

Subtitle A—Tax Relief for Individuals and Families

PART I—GENERAL TAX RELIEF

SEC. 1001. MAKING WORK PAY CREDIT.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 is amended by inserting after section 36 the following new section:

“SEC. 36A. MAKING WORK PAY CREDIT.

“(a) ALLOWANCE OF CREDIT.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed

“(II) TREATMENT OF REFUNDING BONDS.—For purposes of subclause (I), a refunding bond (whether a current or advance refunding) shall be treated as issued on the date of the issuance of the refunded bond (or in the case of a series of refundings, the original bond).

“(III) EXCEPTION FOR CERTAIN REFUNDING BONDS.—Subclause (II) shall not apply to any refunding bond which is issued to refund any bond which was issued after December 31, 2003, and before January 1, 2009.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after December 31, 2008.

SEC. 1504. MODIFICATION TO HIGH SPEED INTERCITY RAIL FACILITY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 142(i) is amended by striking “operate at speeds in excess of” and inserting “be capable of attaining a maximum speed in excess of”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after the date of the enactment of this Act.

PART II—DELAY IN APPLICATION OF WITHHOLDING TAX ON GOVERNMENT CONTRACTORS

SEC. 1511. DELAY IN APPLICATION OF WITHHOLDING TAX ON GOVERNMENT CONTRACTORS.

Subsection (b) of section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 is amended by striking “December 31, 2010” and inserting “December 31, 2011”.

PART III—TAX CREDIT BONDS FOR SCHOOLS

SEC. 1521. QUALIFIED SCHOOL CONSTRUCTION BONDS.

(a) IN GENERAL.—Subpart 1 of part IV of subchapter A of chapter 1 is amended by adding at the end the following new section:

“SEC. 54F. QUALIFIED SCHOOL CONSTRUCTION BONDS.

“(a) QUALIFIED SCHOOL CONSTRUCTION BOND.—For purposes of this subchapter, the term ‘qualified school construction bond’ means any bond issued as part of an issue if—

“(1) 100 percent of the available project proceeds of such issue are to be used for the construction, rehabilitation, or repair of a public school facility or for the acquisition of land on which such a facility is to be constructed with part of the proceeds of such issue,

“(2) the bond is issued by a State or local government within the jurisdiction of which such school is located, and

“(3) the issuer designates such bond for purposes of this section.

“(b) LIMITATION ON AMOUNT OF BONDS DESIGNATED.—The maximum aggregate face amount of bonds issued during any calendar year which may be designated under subsection (a) by any issuer

shall not exceed the limitation amount allocated under subsection (d) for such calendar year to such issuer.

“(c) NATIONAL LIMITATION ON AMOUNT OF BONDS DESIGNATED.—There is a national qualified school construction bond limitation for each calendar year. Such limitation is—

“(1) \$11,000,000,000 for 2009,

“(2) \$11,000,000,000 for 2010, and

“(3) except as provided in subsection (e), zero after 2010.

“(d) ALLOCATION OF LIMITATION.—

“(1) ALLOCATION AMONG STATES.—Except as provided in paragraph (2)(C), the limitation applicable under subsection (c) for any calendar year shall be allocated by the Secretary among the States in proportion to the respective amounts each such State is eligible to receive under section 1124 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333) for the most recent fiscal year ending before such calendar year. The limitation amount allocated to a State under the preceding sentence shall be allocated by the State to issuers within such State.

“(2) 40 PERCENT OF LIMITATION ALLOCATED AMONG LARGEST SCHOOL DISTRICTS.—

“(A) IN GENERAL.—40 percent of the limitation applicable under subsection (c) for any calendar year shall be allocated under subparagraph (B) by the Secretary among local educational agencies which are large local educational agencies for such year.

“(B) ALLOCATION FORMULA.—The amount to be allocated under subparagraph (A) for any calendar year shall be allocated among large local educational agencies in proportion to the respective amounts each such agency received under section 1124 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333) for the most recent fiscal year ending before such calendar year.

“(C) REDUCTION IN STATE ALLOCATION.—The allocation to any State under paragraph (1) shall be reduced by the aggregate amount of the allocations under this paragraph to large local educational agencies within such State.

“(D) ALLOCATION OF UNUSED LIMITATION TO STATE.—The amount allocated under this paragraph to a large local educational agency for any calendar year may be reallocated by such agency to the State in which such agency is located for such calendar year. Any amount reallocated to a State under the preceding sentence may be allocated as provided in paragraph (1).

“(E) LARGE LOCAL EDUCATIONAL AGENCY.—For purposes of this paragraph, the term ‘large local educational agency’ means, with respect to a calendar year, any local educational agency if such agency is—

“(i) among the 100 local educational agencies with the largest numbers of children aged 5 through 17 from families living below the poverty level, as determined by the Secretary using the most recent data available from the Department of Commerce that are satisfactory to the Secretary, or

“(ii) 1 of not more than 25 local educational agencies (other than those described in clause (i)) that the Secretary of Education determines (based on the

most recent data available satisfactory to the Secretary) are in particular need of assistance, based on a low level of resources for school construction, a high level of enrollment growth, or such other factors as the Secretary deems appropriate.

“(3) ALLOCATIONS TO CERTAIN POSSESSIONS.—The amount to be allocated under paragraph (1) to any possession of the United States other than Puerto Rico shall be the amount which would have been allocated if all allocations under paragraph (1) were made on the basis of respective populations of individuals below the poverty line (as defined by the Office of Management and Budget). In making other allocations, the amount to be allocated under paragraph (1) shall be reduced by the aggregate amount allocated under this paragraph to possessions of the United States.

“(4) ALLOCATIONS FOR INDIAN SCHOOLS.—In addition to the amounts otherwise allocated under this subsection, \$200,000,000 for calendar year 2009, and \$200,000,000 for calendar year 2010, shall be allocated by the Secretary of the Interior for purposes of the construction, rehabilitation, and repair of schools funded by the Bureau of Indian Affairs. In the case of amounts allocated under the preceding sentence, Indian tribal governments (as defined in section 7701(a)(40)) shall be treated as qualified issuers for purposes of this subchapter.

“(e) CARRYOVER OF UNUSED LIMITATION.—If for any calendar year—

“(1) the amount allocated under subsection (d) to any State, exceeds

“(2) the amount of bonds issued during such year which are designated under subsection (a) pursuant to such allocation, the limitation amount under such subsection for such State for the following calendar year shall be increased by the amount of such excess. A similar rule shall apply to the amounts allocated under subsection (d)(4).”.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 54A(d) is amended by striking “or” at the end of subparagraph (C), by inserting “or” at the end of subparagraph (D), and by inserting after subparagraph (D) the following new subparagraph:

“(E) a qualified school construction bond.”.

(2) Subparagraph (C) of section 54A(d)(2) is amended by striking “and” at the end of clause (iii), by striking the period at the end of clause (iv) and inserting “, and”, and by adding at the end the following new clause:

“(v) in the case of a qualified school construction bond, a purpose specified in section 54F(a)(1).”.

(3) The table of sections for subpart I of part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

“Sec. 54F. Qualified school construction bonds.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after the date of the enactment of this Act.

SEC. 1522. EXTENSION AND EXPANSION OF QUALIFIED ZONE ACADEMY BONDS.

(a) IN GENERAL.—Section 54E(c)(1) is amended by striking “and 2009” and inserting “and \$1,400,000,000 for 2009 and 2010”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after December 31, 2008.

PART IV—BUILD AMERICA BONDS

SEC. 1531. BUILD AMERICA BONDS.

(a) IN GENERAL.—Part IV of subchapter A of chapter 1 is amended by adding at the end the following new subpart:

“Subpart J—Build America Bonds

“Sec. 54AA. Build America bonds.

“SEC. 54AA. BUILD AMERICA BONDS.

“(a) IN GENERAL.—If a taxpayer holds a build America bond on one or more interest payment dates of the bond during any taxable year, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of the credits determined under subsection (b) with respect to such dates.

“(b) AMOUNT OF CREDIT.—The amount of the credit determined under this subsection with respect to any interest payment date for a build America bond is 35 percent of the amount of interest payable by the issuer with respect to such date .

“(c) LIMITATION BASED ON AMOUNT OF TAX.—

“(1) IN GENERAL.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

“(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(B) the sum of the credits allowable under this part (other than subpart C and this subpart).

“(2) CARRYOVER OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by paragraph (1) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year (determined before the application of paragraph (1) for such succeeding taxable year).

“(d) BUILD AMERICA BOND.—

“(1) IN GENERAL.—For purposes of this section, the term ‘build America bond’ means any obligation (other than a private activity bond) if—

“(A) the interest on such obligation would (but for this section) be excludable from gross income under section 103,

“(B) such obligation is issued before January 1, 2011, and

“(C) the issuer makes an irrevocable election to have this section apply.

“(2) APPLICABLE RULES.—For purposes of applying paragraph (1)—