



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-3864/P1
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Wednesday p.m.

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1 AN ACT *to repeal* 5.58 (1g) (b), 8.11 (2m) (title), 119.06 (3) (intro.) and (a) and
2 119.07; *to renumber* 5.60 (4) (b) and 119.23 (11); *to renumber and amend*
3 8.11 (2m) and 119.06 (3) (b); *to amend* 5.58 (1g) (c), 5.58 (2), 5.58 (3), 8.10 (3)
4 (i), 8.15 (5) (a), 17.26 (2), 49.45 (39) (b) 1., 119.06 (2), 119.06 (4) (b), 119.06 (4)
5 (c) and (d), 119.06 (5) and (6), 119.08 (1) (a) and (b), 119.08 (2) and (3), 119.08
6 (4), 119.10 (1), 119.10 (2) and 121.02 (3); *to repeal and recreate* 119.32 (1); and
7 *to create* 5.62 (4m), 5.64 (4) (title), 8.15 (6) (f), 20.255 (3) (cm), 49.45 (39) (b) 3.,
8 77.70 (5), 119.07, 119.11, 119.16 (1c), 119.16 (3m), 119.16 (7), 119.16 (9), 119.16
9 (11), 119.16 (12), 119.16 (13), 119.16 (14), 119.16 (15), 119.16 (16), 119.185,
10 119.23 (11) (b), 119.31, 119.315, 119.32 (8), 119.43, 119.475, 119.76 and 119.77
11 of the statutes; **relating to:** the governance, and election of members of the

and tenure for school principals ✓

1 board of school directors, of a first class city school district, payment for school
2 medical services, and making an appropriation.

Analysis by the Legislative Reference Bureau

Election of members of the board of school directors

Currently, the board of school directors in first class cities (of which Milwaukee is the only one) consists of eight members elected from election districts that must be approximately equal in population, and one member elected from the city at large. Members are elected on a nonpartisan ballot at the spring election. Board members serve for four-year terms. The terms of office of five members of the board expire on the fourth Monday in April 2011, and the terms of office of four members of the board expire on the fourth Monday in April 2013.

This bill provides instead for the board of school directors to be elected on a nonpartisan ballot at the general (November) election. Under the bill, all members are elected from election districts that must be substantially equal in population.

To effect the change, the bill provides for the terms of the four members whose terms expire in April 2013, to expire in November 2012, and the terms of the five members who are elected to replace the five members whose terms expire in April 2011, to expire in November 2014. The bill provides for four new members to be elected for four-year terms at the general election in November 2012, and five new members to be elected for four-year terms at the general election in November 2014. The bill provides for initial election districts to be drawn by the board of school directors in accordance with the 2010 federal decennial census.

Currently, a vacancy in the membership of the board of school directors in a first class city is filled by special election for the unexpired term. Under this bill, a vacancy may be filled by temporary appointment of the mayor until a special election can be held to fill the vacancy on a permanent basis. The bill provides, however, that the mayor must submit any temporary appointment to the board of school directors, which may reject the appointment with a vote of at least two-thirds of the current membership.

Currently, the board of school directors elects officers at its annual organizational meeting, which is held between the fourth Monday in April and the first Monday in May. This bill provides for the organizational meeting to be held between the first Monday in December and the third Monday in December, and provides for the officers elected at an organizational meeting to be held in the spring of 2011, to serve until an organizational meeting is held in the fall of 2012. ✓

School medical services

Under current law, the Department of Health Services (DHS) administers the Medical Assistance (MA) program to provide health care services to MA recipients, who are, generally, low-income, elderly, or disabled persons and who meet other specific eligibility requirements. The federal government reimburses DHS a portion of the cost of services provided under MA. If a school district, cooperative educational service agency (CESA), or the Department of Public Instruction (DPI), on behalf of

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~~the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, provides and pays for school medical services, and DHS receives federal MA reimbursement for the services, DHS reimburses the school district, CESA, or DPI 60 percent of the federal reimbursement.~~

~~This bill provides that if DHS receives more federal reimbursement under MA for school medical services provided in a biennium than it received for services provided in the previous biennium, DHS must distribute all of the difference to school districts and CESAs that provided school medical services that were reimbursed under MA.~~

~~This is a preliminary draft. A complete analysis will be provided in a later version.~~

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

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

1 **SECTION 1.** 5.58 (1g) (b) of the statutes is repealed.

2 **SECTION 2.** 5.58 (1g) (c) of the statutes is amended to read:

3 5.58 (1g) (c) The arrangement of candidates for school board seats shall be
4 determined by the school district clerk ~~or the executive director of the city board of~~
5 ~~election commissioners~~ by the drawing of lots not later than the 2nd Tuesday in
6 January, or the next day if the first Tuesday is a holiday. The method of determining
7 arrangement shall be the same as provided in s. 5.60 (1) (b). Sufficient space shall
8 be provided on the ballot for write-in candidates.

9 **SECTION 3.** 5.58 (2) of the statutes is amended to read:

10 5.58 (2) STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; JUDICIARY; COUNTY
11 EXECUTIVE; AND COUNTY SUPERVISORS. There shall be one separate ballot for state
12 superintendent, judicial officers, county executive under s. 59.17 and county
13 supervisor, except as authorized in s. 5.655. In counties having a population of
14 500,000 or more, the ballot also shall include those offices under s. 8.11 (2) ~~and (2m).~~

1 The arrangement of names of candidates for state superintendent, justice, court of
2 appeals judge and circuit court judge shall be determined by the board in the manner
3 specified in s. 5.60 (1) (b). Arrangement of the names of candidates for county
4 executive and county supervisor shall be determined by the county clerk or by the
5 executive director of the county board of election commissioners in the manner
6 specified in s. 5.60 (1) (b).

7 **SECTION 4.** 5.58 (3) of the statutes is amended to read:

8 5.58 (3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent,
9 for any judicial office, for any elected seat on a metropolitan sewerage commission
10 or town sanitary district commission, in counties having a population of 500,000 or
11 more only 2 candidates for member of the board of supervisors within each district,
12 in counties having a population of less than 500,000 only 2 candidates for each
13 member of the county board of supervisors from each district or numbered seat or
14 only 4 candidates for each 2 members of the county board of supervisors from each
15 district whenever 2 supervisors are elected to unnumbered seats from the same
16 district, ~~in 1st class cities only 2 candidates for any at-large seat and only 2~~
17 ~~candidates from any election district to be elected to the board of school directors,~~ in
18 school districts electing school board members to numbered seats, or pursuant to an
19 apportionment plan or district representation plan, only 2 school board candidates
20 for each numbered seat or within each district, and twice as many candidates as are
21 to be elected members of other school boards or other elective officers receiving the
22 highest number of votes at the primary shall be nominees for the office at the spring
23 election. Only their names shall appear on the official spring ballot.

24 **SECTION 5.** 5.60 (4) (b) of the statutes is renumbered 5.64 (4).

25 **SECTION 6.** 5.62 (4m) of the statutes is created to read:

1 5.62 (4m) (a) In 1st class cities, there shall be a separate ballot for school
2 district officers when so required, giving the names of the candidates for any seat to
3 be filled on the board of school directors.

4 (b) The arrangement of the names of the candidates for seats on the board of
5 school directors shall be determined by the executive director of the city board of
6 election commissioners by the drawing of lots not later than the 3rd Tuesday in July.
7 The method of determining arrangement shall be the same as provided in s. 5.60 (1)
8 (b). Sufficient space shall be provided on the ballot for write-in candidates.

9 (c) Only the 2 candidates for election to the board of school directors receiving
10 the highest numbers of votes within each election district at the primary shall be
11 nominees for the board of school directors at the general election. Only their names
12 shall appear on the official general election ballot.

13 **SECTION 7.** 5.64 (4) (title) of the statutes is created to read:

14 5.64 (4) (title) FIRST CLASS CITY SCHOOL BOARD.

15 **SECTION 8.** 8.10 (3) (i) of the statutes is amended to read:

16 8.10 (3) (i) For city offices in 1st class cities, not less than 1,500 nor more than
17 3,000 electors for city-wide offices, not less than 200 nor more than 400 electors for
18 alderpersons elected from aldermanic districts ~~and not less than 400 nor more than~~
19 ~~800 electors for members of the board of school directors elected from election~~
20 ~~districts.~~

21 **SECTION 9.** 8.11 (2m) (title) of the statutes is repealed.

22 **SECTION 10.** 8.11 (2m) of the statutes is renumbered 8.15 (9) and amended to
23 read:

1 8.15 (9) A primary shall be held in 1st class cities concurrently with the
2 September primary whenever there are more than 2 candidates for member of the
3 board of school directors ~~at-large or~~ from any election district in any year.

4 **SECTION 11.** 8.15 (5) (a) of the statutes is amended to read:

5 8.15 (5) (a) ~~Each~~ Except as provided in ss. 119.06 (4) (c) and 119.08 (2), each
6 nomination paper shall have substantially the following words printed at the top:

7 I, the undersigned, request that the name of (insert candidate’s last name plus
8 first name, nickname or initial, and middle name, former legal surname, nickname
9 or middle initial or initials if desired, but no other abbreviations or titles) residing
10 at (insert candidate’s street address) be placed on the ballot at the (general or special)
11 election to be held on (date of election) as a candidate representing the (name of
12 party) so that voters will have the opportunity to vote for (him or her) for the office
13 of (name of office). I am eligible to vote in (name of jurisdiction or district in which
14 candidate seeks office). I have not signed the nomination paper of any other
15 candidate for the same office at this election.

16 **SECTION 12.** 8.15 (6) (f) of the statutes is created to read:

17 8.15 (6) (f) In 1st class cities, not less than ²⁰⁰~~400~~ nor more than ⁴⁰⁰~~300~~ electors for
18 member of the board of school directors elected from an election district. ✓

19 **SECTION 13.** 17.26 (2) of the statutes is amended to read:

20 17.26 (2) In a 1st class city school district, by temporary appointment of the
21 mayor which shall continue until the vacancy is filled by special election as provided
22 under s. 119.08 (4).

23 **SECTION 14.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
24 insert the following amounts for the purposes indicated:

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20.255 Public instruction, department of

(3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS

(cm) Transition campus partnership GPR A -0- -0-

SECTION 15. 20.255 (3) (cm) of the statutes is created to read:

20.255 (3) (cm) *Transition campus partnership.* The amounts in the schedule for a grant to a local civic organization or nonprofit corporation that has partnered with a transition campus under s. 119.16 (16) to provide comprehensive services to pupils attending the transition campus.

SECTION 16. 49.45 (39) (b) 1. of the statutes is amended to read:

49.45 (39) (b) 1. 'Payment for school medical services.' If a school district or a cooperative educational service agency elects to provide school medical services and meets all requirements under par. (c), the department shall reimburse the school district or the cooperative educational service agency for ~~60%~~ 60 percent of the federal share of allowable charges for the school medical services that it provides, plus any applicable amount under subd. 3., and, as specified in subd. 2., for allowable administrative costs. If the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing elects to provide school medical services and meets all requirements under par. (c), the department shall reimburse the department of public instruction for ~~60%~~ 60 percent of the federal share of allowable charges for the school medical services that the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing provides and, as

1 specified in subd. 2., for allowable administrative costs. A school district, cooperative
2 educational service agency, the Wisconsin Center for the Blind and Visually
3 Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of
4 Hearing may submit, and the department shall allow, claims for common carrier
5 transportation costs as a school medical service unless the department receives
6 notice from the federal health care financing administration that, under a change in
7 federal policy, the claims are not allowed. If the department receives the notice, a
8 school district, cooperative educational service agency, the Wisconsin Center for the
9 Blind and Visually Impaired, or the Wisconsin Educational Services Program for the
10 Deaf and Hard of Hearing may submit, and the department shall allow,
11 unreimbursed claims for common carrier transportation costs incurred before the
12 date of the change in federal policy. The department shall promulgate rules
13 establishing a methodology for making reimbursements under this paragraph. All
14 other expenses for the school medical services provided by a school district or a
15 cooperative educational service agency shall be paid for by the school district or the
16 cooperative educational service agency with funds received from state or local taxes.
17 The school district, the Wisconsin Center for the Blind and Visually Impaired, the
18 Wisconsin Educational Services Program for the Deaf and Hard of Hearing, or the
19 cooperative educational service agency shall comply with all requirements of the
20 federal department of health and human services for receiving federal financial
21 participation.

22 **SECTION 17.** 49.45 (39) (b) 3. of the statutes is created to read:

23 49.45 (39) (b) 3. 'Additional payments.' If the federal share of allowable charges
24 for school medical services provided in a biennium exceeds the federal share of
25 allowable charges for school medical services provided in the previous biennium, the

1 ~~department shall reimburse school districts and cooperative educational service~~
2 ~~agencies all of the difference. The department shall allocate any reimbursement~~
3 ~~under this subdivision among school districts and cooperative educational service~~
4 ~~agencies in proportion to the total reimbursement that each school district and~~
5 ~~cooperative educational service agency received under subd. 1. in the previous~~
6 ~~biennium.~~

7 **SECTION 18.** 77.70 (5) of the statutes is created to read:

8 77.70 (5) If the sales and use tax rate imposed in the city of Milwaukee is
9 increased for transit purposes, the fare for public transit for a pupil who attends
10 public school in the city shall be at least one-third less than the regular adult fare.

11 **SECTION 19.** 119.06 (2) of the statutes is amended to read:

12 119.06 (2) Within 120 days after the date on which a city becomes a 1st class
13 city, the mayor, the city treasurer, the city comptroller, the city attorney and the
14 president of the common council of that city, acting as a commission for the city, shall
15 meet and appoint a board of ~~one at-large member and 8~~ 9 members ~~from, one of each~~
16 of whom shall represent 9 election districts numbered and designated by the common
17 council. The election districts shall be substantially equal in population and the
18 boundaries of the election districts shall be drawn so as to reflect a balanced
19 representation of citizens of all areas within the city. The person appointed to
20 represent an election district shall reside within the boundaries of the that election
21 district as determined by the common council under this subsection.

22 **SECTION 20.** 119.06 (3) (intro.) and (a) of the statutes are repealed.

23 **SECTION 21.** 119.06 (3) (b) of the statutes is renumbered 119.06 (3) and
24 amended to read:

1 119.06 (3) ~~Four of the combined aldermanic district~~ Except as provided in sub.
2 (4), the members first appointed to the board by the commission shall serve for a
3 term terms beginning on the 4th Monday of the month next following their
4 appointment and. The 5 members representing the odd-numbered election districts
5 shall be appointed for terms expiring on the 4th first Monday in April in December
6 of the 4th first odd-numbered year following the year in which a city becomes a 1st
7 class city and the 4 members representing the even-numbered election districts
8 shall be appointed for terms expiring on the first Monday in December of the 2nd
9 odd-numbered year following the year in which a city becomes a city of the 1st class
10 city.

11 **SECTION 22.** 119.06 (4) (b) of the statutes is amended to read:

12 119.06 (4) (b) The board members elected at the special election shall be
13 nominated and elected to succeed the board members appointed ~~for the terms~~
14 ~~expiring~~ under sub. (3) (a) and (b) (2) and for the same terms. The terms of office of
15 the board members appointed under sub. (2) shall expire on the 4th Monday
16 following the special election. The terms of office of the board members elected at the
17 special election shall begin on the 4th Monday following the special election.

18 **SECTION 23.** 119.06 (4) (c) and (d) of the statutes are amended to read:

19 119.06 (4) (c) Candidates for the board at the special election shall be
20 nominated in the same manner as for the spring general election, except that the
21 nomination paper format under s. 8.10 (2) (b) shall apply.

22 (d) The special election shall be held at the polling places and shall be conducted
23 in the manner of and by the election officials for the spring general election.

24 **SECTION 24.** 119.06 (5) and (6) of the statutes are amended to read:

1 119.06 (5) The board first appointed under sub. (2) or first elected at a special
2 election under sub. (4) shall hold an organizational meeting under s. 119.10 (2) on
3 the 4th Monday of the month following its appointment or election, or the next day
4 if the 4th Monday is a legal holiday, ~~following their appointment or election~~, and
5 annually thereafter shall meet in accordance with s. 119.10 (2).

6 (6) Successors to board members appointed under sub. ~~(3)~~ (2) or elected under
7 sub. (4) shall be elected at the spring general election immediately preceding the
8 expiration of the terms of such board members and shall serve for 4-year terms.

9 **SECTION 25.** 119.07 of the statutes is created to read:

10 **119.07 Revised method of election of board; transitional provisions. (1)**
11 Notwithstanding s. 119.08 (1) to (3), in each 1st class city in existence on the effective
12 date of this subsection [LRB inserts date], members of the board of school directors
13 whose terms expire on the 4th Monday in April, 2013, shall serve for terms expiring
14 on the first Monday in December, 2012, and members of the board of school directors
15 of each such city who are elected at the spring election to be held in April 2011, to
16 succeed those members whose terms expire on the 4th Monday in April, 2011, shall
17 serve for terms expiring on the 1st Monday in December, 2014.

18 (2) At the general election to be held in November 2012, there shall be elected
19 in each 1st class city in existence on the effective date of this subsection [LRB
20 inserts date], 4 members of the board of school directors, who shall be elected from
21 even-numbered election districts prescribed under s. 119.08 (1) (b). At the general
22 election to be held in November 2014, there shall be elected in each such city 5
23 members of the board of school directors who shall be elected from odd-numbered
24 election districts prescribed under s. 119.08 (1) (b).

1 (3) Notwithstanding s. 119.10 (1) and (2), the board of school directors of each
 2 1st class city in existence on the effective date of this subsection [LRB inserts
 3 date], shall hold an organizational meeting on the 4th Monday in April, ~~2011~~²⁰¹² and
 4 ~~shall not hold any other organizational meeting in 2011.~~ On ~~the 4th Monday in April,~~^{that date.}
 5 ~~2011~~²⁰¹² the board of school directors of each such city shall elect officers, who shall hold
 6 office until the board holds its next organizational meeting under s. 119.10 (2) in
 7 ~~December of~~^{December of} 2012.

8 SECTION 26. 119.07 of the statutes, as created by 2009 Wisconsin Act (this
 9 act), is repealed.

10 SECTION 27. 119.08 (1) (a) and (b) of the statutes are amended to read:

11 119.08 (1) (a) The board shall consist of ~~one member elected at-large and 8~~ 9
 12 members elected from numbered election districts determined by the board. The
 13 election districts shall consist of whole contiguous wards and shall be substantially
 14 equal in population ~~and the.~~ The boundaries of the election districts shall be drawn
 15 so as to reflect a balanced representation of citizens in all areas within the city.

16 (b) Within 60 days after the common council of the city enacts an ordinance
 17 determining or adopts a resolution adjusting the boundaries of ~~the aldermanic~~
 18 ~~districts~~ wards in the city following the federal decennial census under s. ~~62.08 (1)~~
 19 5.15 (1), the board shall, by vote of a majority of the membership of the board, adopt
 20 an election district apportionment plan for the election of board members which shall
 21 be effective until the city enacts a new ordinance ~~under s. 62.08 (1) redetermining~~
 22 ~~the aldermanic district~~ adjusting the boundaries of its wards under s. 5.15 (1) and
 23 (2). The territory included within election district 9 shall encompass the
 24 ~~southernmost~~^{southeasternmost} point in the school district.

25 SECTION 28. 119.08 (2) and (3) of the statutes are amended to read:

1 119.08 (2) The electors of each election district shall elect one member residing
2 within the election district to represent the election district. ~~The at-large member~~
3 ~~shall be elected by the electors of the city.~~ Board members shall be electors of the city
4 and shall be elected on a nonpartisan ballot at the spring general election.
5 Candidates shall file nomination papers for full terms or, when vacancies are to be
6 filled, for unexpired terms. The format for the nomination papers shall be the same
7 as prescribed in s. 8.10 (2) (b). The primary and ~~spring elections~~ ^{↓ election} for board members
8 shall be conducted by the election officials for the election of judicial or other officers
9 held on that date. The polling places for the state, municipal or judicial election shall
10 be the polling places for the board election and the municipal election hours shall
11 apply.

12 (3) The regular terms of board members shall be 4 years. The term of each
13 member expires on the first Monday in December of the 4th year following the year
14 in which the member's office is regularly filled.

15 **SECTION 29.** 119.08 (4) of the statutes is amended to read:

16 119.08 (4) A vacancy ~~on~~ in the membership of the board may be filled by
17 temporary appointment of the mayor, subject to disapproval by the board. Upon
18 making a temporary appointment under this subsection, the mayor shall file a letter
19 of appointment with the president of the board. If, within 15 days of receipt of the
20 letter by the board, the board, by a vote of at least two-thirds of the current
21 membership, rejects the appointment, the appointment is not effective. In such case,
22 the president of the board shall promptly notify the mayor and the mayor may
23 appoint another person to fill the vacancy under this subsection. If an appointment
24 is not rejected by the board, the appointment becomes effective on the 16th day
25 beginning after receipt of notice of the appointment by the president of the board.

1 A temporary appointee under this subsection may serve until his or her successor is
2 elected and qualified. If a vacancy occurs on or before June 1 immediately preceding
3 expiration of the member's term of office, the vacancy shall be filled on a permanent
4 basis by a special election ordered by the board. At such election the vacancy shall
5 be filled for the unexpired term. The board shall follow procedures under s. 8.50, so
6 far as applicable.

7 **SECTION 30.** 119.10 (1) of the statutes is amended to read:

8 119.10 (1) The board is a continuing body. Any unfinished business before the
9 board or any of its standing or special committees on the date of the annual meeting
10 under sub. (2) shall be considered as pending before the board newly organized on
11 such date. At its annual meeting, after the election of the new board president and
12 the designation of the clerk, the clerk shall report to the board items of business
13 pending before the board as a whole. After the annual ~~April~~ meeting, unless
14 otherwise directed by the board, the clerk shall report items of business which had
15 been pending before committees of the board to the corresponding committees of the
16 board appointed by the new president. Matters thus reported may be acted upon by
17 the board in the same manner and with the same effect as if the board had not been
18 newly organized.

19 **SECTION 31.** 119.10 (2) of the statutes is amended to read:

20 119.10 (2) Annually, no earlier than the 4th ~~first~~ Monday in ~~April~~ December
21 and no later than the ~~first~~ 3rd Monday in ~~May~~ December, the board shall hold its
22 organizational meeting, shall elect a president from among its members to serve for
23 ~~one year~~ 2 years and until a successor is chosen and shall designate an individual to
24 serve as clerk. In the absence or during the disability of the board president, the

1 board shall elect an acting president. The board president shall appoint standing
2 committees to serve for ~~one year~~ 2 years

3 SECTION 32. 119.11 of the statutes is created to read:

4 119.11 Partnership for success committee. (1) There is established a
5 partnership for success committee. The committee shall consist of the mayor, the
6 members of the common council, the members of the board, and the superintendent
7 of schools. The mayor and the president of the board shall serve as cochairpersons
8 of the committee. The committee shall meet quarterly and may meet at other times
9 on the call of the cochairpersons.

10 (2) The committee shall foster collaboration between the school district and the
11 city. The committee shall seek grants for education purposes.

12 (3) The common council and the board shall each pay one-half of the
13 committee's costs.

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14 SECTION 33. 119.16 (1c) of the statutes is created to read:

15 119.16 (1c) STANDARDS FOR LITERACY AND MATHEMATICS CURRICULA. The board
16 shall evaluate literacy and mathematics curricula employed in schools in the school
17 district, and shall establish minimum standards for literacy and mathematics
18 curricula.

****NOTE: Do you want the board to undertake any regular or periodic review of these curricula?

19 SECTION 34. 119.16 (3m) of the statutes is created to read:

20 119.16 (3m) MASTER FACILITIES PLAN. (a) No later than December 1, 2010, the
21 board shall evaluate all school buildings in the school district operating under this
22 chapter according to the criteria established under par. (b), and shall develop a
23 master plan governing the use, repair, renovation, and demolition of buildings in the

1 school district. The master plan shall include procedures for notifying the
2 partnership for success committee, created under s. 119.11, in the event that the
3 board determines that one or more school buildings will be closed or demolished and
4 the pupils in those buildings reassigned to other buildings in the school district.

5 (b) The board shall establish criteria to evaluate the safety, structural integrity,
6 utility, and costs of maintenance and repair of school buildings in the school district.
7 Subject to the requirements under sub. (10), the criteria shall include consideration
8 of the advantages and disadvantages of repairing versus demolishing older buildings
9 having high maintenance or operating costs.

le ****NOTE: Do you want the board to work with any city or state agencies with
expertise in engineering, construction, building maintenance, etc., to develop these
criteria?

10 SECTION 35. 119.16 (7) of the statutes is created to read:

11 119.16 (7) PARENT INVOLVEMENT COMMITTEE. The board shall establish a parent
12 involvement committee to handle parent issues and complaints and to foster
13 parental involvement in the schools. ✓

14 SECTION 36. 119.16 (9) of the statutes is created to read:

15 119.16 (9) FINANCIAL REPORTING; BUDGETING; ACCOUNTABILITY. (a) The board
16 shall submit quarterly financial reports to all of the following:

- 17 1. The state superintendent.
- 18 2. The mayor.
- 19 3. The city comptroller.
- 20 4. The personnel and finance committee of the common council.
- 21 5. The joint committee on finance.

and shall make the financial reports
available to the public on the school
district's Internet web site ✓

le ****NOTE: It is our understanding that these financial reports would be public
records subject to review without an explicit direction that they be made available for
review upon request by any person.

1 (b) The board shall annually prepare a budget for each school in the school
2 district operating under this chapter. The board shall require each school to submit
3 annual financial reports to the board.

****NOTE: The written instructions on page 5, item VI 2. directed me to "centralize individual school budgets." As drafted, the board will now prepare the budgets for all schools in the district. Your instructions also ask that individual school budgets be "submitted to the district?" What does that mean?

4 (c) The board shall maintain a chief accountability office to ensure financial
5 accountability.

6 SECTION 37. 119.16 (11) of the statutes is created to read:

7 119.16 (11) BOARD TRAINING. Each member of the board shall annually receive
8 professional training from a nationally recognized association of school boards.

****NOTE: Do you want to specify how many hours or what type of training? May or must the board members travel or receive training via the web?

9 SECTION 38. 119.16 (12) of the statutes is created to read:

10 119.16 (12) PROFESSIONAL DEVELOPMENT AND TRAINING. (a) The board shall
11 establish a professional development and training program for principals employed
12 by the board and may require a principal employed by the board to attend the
13 program.

14 (b) The board shall require all staff and administrators employed by the board
15 to complete multicultural training.

****NOTE: What do you mean by "staff"? Is this support staff only? Only persons who are licensed? Or all employees of the district? Must the training take place annually? Will the board be required to develop the program? Do you want to specify what "multicultural training" means?

****NOTE: This may be a condition of employment subject to a collective bargaining agreement.

16 SECTION 39. 119.16 (13) of the statutes is created to read:

17 119.16 (13) PUBLIC TRANSPORTATION FOR MIDDLE SCHOOL PUPILS. The board shall
18 ensure that pupils enrolled in the school district operating under this chapter in the

INSERT 17-7TKK

INSERT 17-14TKK

1 middle school grades are able to be transported to and from school by a mass transit
2 system, as defined in s. 85.20 (1) (e), at a reduced fare.

le ****NOTE: Does this provision sufficiently address the problem raised on page 7
item IX 2. of the drafting instructions?

3 SECTION 40. 119.16 (14) of the statutes is created to read:

4 119.16 (14) ALLOCATION OF BONDING AUTHORITY UNDER AMERICAN RECOVERY AND
5 REINVESTMENT ACT OF 2009. The board shall send a communication to the common
6 council of the city regarding any unsecured bonding authority allocated to the board
7 under section 2, division B, title I, subtitle F, part III of P.L. 111-5, stating the amount
8 of unsecured bonding authority allocated to the board under section 2, division B,
9 title I, subtitle F, part III of P.L. 111-5, and directing that the unsecured bonding
10 authority be assigned to the department for reallocation as provided under this
11 subsection. The department shall reallocate the bonding authority under this
12 subsection to school districts that meet the following criteria and shall collaborate
13 with the board regarding the reallocation of that bonding authority:

le ****NOTE: Must the communication required under this section occur by any
particular date? That is, does the bonding authority expire?

INSERT 18-19 Tkk

14 (a) At least 50 percent of the school district's membership in the previous school
15 year was eligible for a free or reduced-price lunch under 42 USC 1758 (b). In this
16 paragraph, "membership" has the meaning given in s. 121.004 (5).

17 (b) 1. The school board has identified school buildings requiring significant
18 maintenance or improvements.

19 2. The school board proposes cost-effective and technically feasible energy
20 efficiency or green building improvements to the buildings identified in subd. 1.

****NOTE: Who determines whether the proposed improvements are
"cost-effective" and "technically feasible" and "energy efficient" or "green"?

21 SECTION 41. 119.16 (15) of the statutes is created to read:

1 119.16 (15) PARENT SURVEY. Annually, the board shall conduct a survey of
2 parents of pupils enrolled in the school district operating under this chapter and use
3 the results of the survey to develop or modify parent involvement and school
4 improvement plans. ✓ The board shall provide the results of the survey to the
5 partnership for success committee under s. 119.11 and the parent involvement
6 committee under sub. (7).

7 **SECTION 42.** 119.16 (16) of the statutes is created to read:

8 119.16 (16) TRANSITION CAMPUSES. Beginning in the 2011–12 school year, the
9 board shall designate at least 2 schools as transition campuses and provide for the
10 assignment of disruptive pupils to a transition campus. ✓ The transition campuses *enrolled in the high school grades*
11 shall provide the pupils with additional services and academic assistance in order
12 to address their problems and facilitate their return to their previous schools. The
13 board shall seek to establish partnerships between the transition campuses and local
14 civic organizations or nonprofit corporations in order to provide comprehensive
15 services to pupils attending a transition campus for the purpose of improving their
16 stability, education, health, and economic opportunities. ✓

~~****NOTE: Do you want to specify the grades or ages of pupils who may be assigned to a transition campus?~~

17 **SECTION 43.** 119.185 of the statutes is created to read:

18 **119.185 School governance councils.** (1) In this section, “parent” has the
19 meaning given in s. 115.76 (12) (a).

~~****NOTE: Proposed s. 119.185 is modelled on but differs from MPS Administrative Policy 9.11. Please review the section carefully to ensure that it accomplishes your intent.~~

20 (2) The board shall ensure that each school in the school district operating
21 under this chapter establishes a school governance council to provide a forum in
22 which pupils enrolled in the school, the parents of pupils enrolled in the school,

1 teachers and administrators at the school, and members of the community may work
2 together to analyze and make recommendations for the improvement of school
3 policies, curricula, and educational plans at the school and the well-being of pupils
4 enrolled in the school.

5 (3) (a) Members of a school governance council shall be elected in the manner
6 provided under sub. (5) (a). Except as provided in par. (b), the number of members
7 of a school governance council shall be determined by multiplying 0.01 by the number
8 of pupils enrolled in the school. Each council shall consist of the following members:

9 1. Parents of pupils enrolled in the school, except that no parent elected to the
10 council under this subdivision may be a paid employee of the school. At least 51
11 percent of the members of a school governance council shall be elected under this
12 subdivision.

13 2. The principal of the school or his or her designee.

14 3. If the school has pupils enrolled in the middle school, junior high school, or
15 high school grades, one pupil who is enrolled in the school in grade 6 or higher.

16 4. At least one person who is employed at the school as a teacher or support
17 staff.

18 5. At least one person who is a resident of the city and who does not qualify for
19 membership on the council under subs. 1. to 4.

20 (b) 1. Subject to the requirement under par. (a) 1., if the number of members
21 determined under par. (a) is an even number, the membership of the council shall be

22 increased by one member in any one category to be determined by the board ✓

***NOTE: Who determines which membership category gets an additional
representative under this subdivision?

23 2. No school governance council may have fewer than 9 members.

1 3. A school governance council may vote to increase the number of members on
2 the council, but the number of members on the council shall always be an odd
3 number.

4 (4) A school governance council may, on its own initiative or upon the written
5 petition of a majority of the teachers of the school for which the council is established,
6 direct the principal of the school to attend a professional development and training
7 program established under s. 119.16 (12).

8 (5) The board shall establish policies and procedures governing all of the
9 following:

10 (a) The nomination and election of initial members to a school governance
11 council and for the transfer of the nomination and election process to the council
12 following the first election.

13 (b) The manner of filling vacancies in the membership of the council that occur
14 prior to the expiration of a term. The board shall permit the partnership for success
15 committee, created under s. 119.11, to nominate individuals ^{persons} to fill vacancies on the
16 council. An individual ^{A person} nominated by the partnership for success committee may fill
17 a vacancy only upon the approval of a majority of the members serving on the council.

18 (c) The terms of office of council members.

19 (d) The selection of officers.

20 (e) The location and frequency of meetings.

21 (f) The powers, duties, and responsibilities of councils and the powers and
22 duties of individual council members.

23 (g) The reimbursement of expenses incurred by council members in connection
24 with their powers and duties.

25 **SECTION 44.** 119.23 (11) of the statutes is renumbered 119.23 (11) (a).

1 **SECTION 45.** 119.23 (11) (b) of the statutes is created to read:

2 119.23 (11) (b) 1. The department and the board shall jointly develop a survey
3 to be taken by a parent who moves his or her child from a private school participating
4 in the program under this section to a public school in the city or from a public school
5 in the city to a private school participating in the program under this section. The
6 survey shall include questions related to the decision of the parent to enroll the child
7 in the private or public school and move the child from one educational setting to the
8 other and shall be taken during the enrollment process.

9 2. a. Beginning in the 2010–11 school year, the board shall annually administer
10 the survey developed under subd. 1. to the parent of a pupil who was enrolled in the
11 program under this section after the effective date of this subd. 2. a. [LRB inserts
12 date], if the parent withdraws the pupil from the program under this section and
13 enrolls the pupil instead in a public school in the city.

14 b. Beginning in the 2010–11 school year, each private school participating in
15 the program under this section shall annually administer the survey developed
16 under subd. 1. to the parent of a pupil who was enrolled in a public school in the city
17 after the effective date of this subd. 2. b. [LRB inserts date], if the parent
18 withdraws the pupil from a public school in the city and enrolls the pupil instead in
19 the private school.

20 3. Annually, by July 1, the board shall submit to the department, the
21 cochairpersons of the joint committee on finance, and the appropriate standing
22 committees of the legislature under s. 13.172 (3) the results of the surveys
23 administered under subd. 2., and shall, subject to s. 118.125, upon request by any
24 person, make information obtained from the surveys available for review.

****NOTE: By permitting the surveys to be public records, some personally-identifiable information could become available. Okay?

SECTION 46. 119.31 of the statutes is created to read:

119.31 Achievement guarantee contracts for 9th grade pupils. (1) If the

board determines that state or federal aid is available, any school in the city that enrolls 9th grade pupils is eligible to participate in the program under this section.

The board shall give priority for funding to schools with the lowest graduation rates.

(2) An achievement guarantee contract shall require the board to do all of the following in each participating school:

(a) Reduce each 9th grade class size to 15. In this paragraph, "class" refers to a core curriculum course, as determined by the board.

(b) Keep the school open every day from early in the morning until late in the day, as specified in the contract.

(c) Collaborate with community organizations to make educational and recreational opportunities, as well as a variety of community and social services, available in the school to all residents in the school's attendance area.

(d) 1. Provide a rigorous academic curriculum designed to improve pupil academic achievement.

2. In consultation with the department and with the participation of the school's teachers and administrators and residents in the school's attendance area, review the school's current 9th grade curriculum to determine how well it promotes 9th grade pupil academic achievement.

3. If necessary, outline any changes to the curriculum to improve 9th grade pupil academic achievement.

INSERT 23-2

under this section

no more than

1 (e) 1. Develop a one-year program for all newly hired employees that helps
2 them make the transition from their previous employment or school to their current
3 employment.

4 2. Provide time for employees to collaborate and plan.

5 3. Require that each teacher and administrator submit to the board a
6 professional development plan that focuses on how the individual will help improve
7 9th grade pupil academic achievement. The plan shall include a method by which
8 the individual will receive evaluations on the success of his or her efforts from a
9 variety of sources.

10 4. Regularly review staff development plans to determine if they are effective
11 in helping to improve 9th grade pupil academic achievement.

12 5. Establish an evaluation process for professional staff members that does all
13 of the following:

14 a. Identifies individual strengths and weaknesses.

15 b. Clearly describes areas in need of improvement.

16 c. Includes a support plan that provides opportunities to learn and improve.

17 d. Systematically documents performance in accordance with the support plan.

18 e. Allows professional staff members to comment on and contribute to revisions
19 in the evaluation process.

20 f. Provides for the dismissal of professional staff members whose failure to
21 learn and improve has been documented over a 2-year period.

22 (3) (4) (3) Each achievement guarantee contract ^{under this section} shall include all of the following:

23 (a) A description of how the school will implement each of the elements under

24 sub. (2), ⁽³⁾ including any alternative class configurations for specific educational
25 activities that may be used to meet the class size requirement under sub. (2)(a).
(3)

1 (b) A description of the method that the board will use to evaluate the academic
2 achievement of the 9th grade pupils enrolled in the school.

3 (c) A description of the school's performance objectives for the academic
4 achievement of the 9th grade pupils enrolled in the school and the means that will
5 be used to evaluate success in attaining the objectives. Performance objectives shall
6 include all of the following:

7 1. The attainment of any educational goals adopted by the board.

8 2. Professional development with the objective of improving pupil academic
9 achievement.

10 3. Methods by which the school involves pupils, parents or guardians of pupils,
11 and other residents of the school attendance area in decisions affecting the school.

12 (d) A description of any statute or rule that is waived under s. 118.38 if the
13 waiver is related to the contract.

14 (e) A description of the means by which the department will monitor
15 compliance with the terms of the contract.

16 **SECTION 47.** 119.315 of the statutes is created to read:

17 **119.315 Science, technology, engineering, and mathematics pilot**
18 **programs for pupils in grades kindergarten to 5.** If the board determines that
19 state or federal aid is available, any school in the city that enrolls pupils in grades
20 kindergarten to 5 is eligible to apply to the board for funding to participate in a pilot
21 program designed to develop innovative instructional programs in science,
22 technology, engineering, and mathematics; support pupils who are typically
23 under-represented in these subjects; and increase the academic achievement of
24 pupils in those subjects.

25 **SECTION 48.** 119.32 (1) of the statutes is repealed and recreated to read:

1 119.32 (1) (a) There is established a superintendent search advisory committee
2 consisting of the mayor or his or her designee; the president of the common council
3 or his or her designee; a representative of businesses located in the city, appointed
4 by the mayor; and a teacher who is employed by the board, appointed by the head of
5 the labor organization that represents public school teachers in ^{the} a school district
6 operating under this chapter. ✓ All committee members shall be residents of the city.

7 (b) The board shall conduct a search for a superintendent of schools whenever
8 that office becomes vacant. The board shall keep the committee under par. (a) fully
9 informed about all applicants for the office. ^{position}

10 (c) 1. ^{From the pool of applicants} The committee under par. (a) shall ^{select one to} recommend to the mayor, ~~from the pool~~
11 ~~of applicants, its choice for superintendent of schools.~~ ✓

12 2. From the pool of applicants, the board shall select 3 to recommend to the
13 mayor. The mayor may interview the 3 candidates.

14 3. The mayor shall ^{a select} choose a candidate from the 3 recommended by the board
15 under subd. 2. to recommend to the board. ✓

16 (d) The board shall by roll call vote select a superintendent of schools from the
17 3 candidates recommended by the board under par. (c) 2. and notify the mayor of its
18 selection. The mayor may veto the board's selection. If he or she does so, the board
19 may override the veto by a two-thirds vote of the membership.

20 (e) If the board fails to override the mayor's veto, the board shall by roll call vote
21 select another candidate from those recommended under par. (c) 2. and notify the
22 mayor under par. (d), or begin another search under par. (b).

23 **SECTION 49.** 119.32 (8) of the statutes is created to read:

1 119.32 (8) The superintendent of schools may require a principal employed by
2 the board to attend the professional development and training program established
3 under s. 119.16 (12).

4 SECTION 50. 119.43 of the statutes is created to read:

5 119.43 Principal tenure; performance reviews. (1) (a) Except as provided
6 in sub. (2), a principal of a ^{public} school in a city of the 1st class shall be initially employed ^{appointed after the effective date of this paragraph}
7 under a 3-year contract with the board and on probation. The superintendent of ^{the} schools may recommend that the board renew the contract of a principal after the ^{CLRB inserts date}
8 successful completion of a continuous 3-year contract term. After the successful
9 completion of a 2nd ^{consecutive} continuous 3-year contract term with the board, the
10 superintendent of schools may recommend that the board make the employment of
11 the principal permanent. The board may accept or reject the recommendation of the
12 superintendent of schools. A principal for whom permanent employment is rejected
13 may appeal the rejection to the ^{board} department.

le

****NOTE: This paragraph requires the principal to complete a continuous 3-year contract term. Was that your intent? If so, what happens to a principal who serves for, say, two years under a contract, takes a break, and then comes back? Does that principal start over at the beginning of the two three-year terms tenure clock under this paragraph, or may the principal resume the tenure clock as if there were no interruption?

****NOTE: How do you want to treat principals who are currently employed by the board but who do not have tenure under their existing contracts? Must they start their tenure clock from the beginning, with two three-year contracts, as provided in this paragraph (a)?

****NOTE: This paragraph permits a principal for whom permanent employment is rejected to appeal the rejection to DPI. Okay?

15 (b) No principal who has become permanently employed under this section may
16 be refused employment, dismissed, removed, or discharged, except for inefficiency
17 or immorality, for willful and persistent violation of reasonable regulations of the
18 board, or for other good cause, upon written charges based on fact proffered by the
19 board or other proper officer of the board or school in which the principal is employed.

1 Upon the principal's written request and no fewer than 10 nor more than 30 days
2 after receipt of notice by the principal, the charges shall be heard and determined by
3 the board. Hearings shall be public when requested by the principal and all
4 proceedings at the hearing shall be taken by a court reporter. All parties shall be
5 entitled to be represented by counsel at the hearing. The action of the board is final.

6 (2) A principal whose employment is permanent under an agreement entered
7 into before the effective date of this subsection [LRB inserts date], between the
8 board and an organization that is not a labor organization, as defined in s. 111.70 (1)
9 (h), shall retain all of the rights and privileges of permanent employment obtained
10 under that agreement.

11 (3) A principal who is under a 3-year contract with the board is subject to
12 annual performance reviews.

13 SECTION 51. 119.475 of the statutes is created to read:

14 119.475 Veto of operating budget. (1) Immediately upon receipt of the
15 school budget under s. 119.16 (8) (b), the common council shall transmit it to the
16 mayor.

17 (2) ^(a) Notwithstanding ss. 119.46 (1) and 119.47 (1), if the aggregate amount of
18 money required by the board under those sections is at least 8 percent higher than
19 the aggregate amount ^{provided to the board} in the previous year, the mayor may veto the board's budget
20 for school operations in whole or in part. In vetoing the budget in part, the mayor
21 may not create a new word by rejecting individual letters in the words of the budget,
22 and may not create a new sentence by combining parts of 2 or more sentences of the
23 budget.

24 (3) The mayor shall transmit the part approved to the common council for
25 implementation and return the part vetoed to the board with his or her objections in

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1 writing. If two-thirds of the board's members agree to adopt the part vetoed
2 notwithstanding the mayor's objection, the board shall transmit the part to the
3 common council for implementation.

4 SECTION 52. 119.76 of the statutes is created to read:

5 119.76 Pupil ACT testing. (1) Subject to sub. (2), the board shall provide each
6 pupil enrolled in the 11th grade in the school district operating under this chapter
7 with the opportunity to take the ACT test.

8 (2) The board shall comply with all standards for administering the ACT test
9 established by ACT, Inc., including providing reasonable accommodations for a pupil
10 who is a child with a disability, as defined in s. 115.76 (5), if the pupil complies with
11 the process for requesting accommodations and submits sufficient documentation of
12 his or her disability.

13 SECTION 53. 119.77 of the statutes is created to read:

14 119.77 Promise neighborhoods. (1) The board shall work with the common
15 council, community agencies, public agencies, and nonprofit charitable
16 organizations to plan for the establishment of promise neighborhoods in the city in
17 which the following services would be integrated and provided to residents of the
18 neighborhoods: ^{at no charge}

****NOTE: Is it your intent that the following services would be provided to residents
of the neighborhood at no charge?

- 19 (a) Counseling and training for new parents.
- 20 (b) Early childhood education.
- 21 (c) High-quality child care.
- 22 (d) After-school programming involving children and parents.
- 23 (e) Crime-prevention support programs.

- 1 (f) Youth job training and internship opportunities.
- 2 (g) Local community health centers.
- 3 (h) Financial counseling.
- 4 (i) Increased broadband internet access for low-income community members
5 who lack such access.

6 **SECTION 54.** 121.02 (3) of the statutes is amended to read:

7 121.02 (3) Prior to any finding that a school district is not in compliance with
8 the standards under sub. (1), the state superintendent shall, upon request of the
9 school board or upon receipt of a petition signed by the maximum number of electors
10 allowed for nomination papers of school district officers under s. 8.10 (3) (i), (km) or
11 (ks) or 8.15 (6) (f), conduct a public hearing in the school district. If the state
12 superintendent, after the hearing, finds that the district is not in compliance with
13 the standards, the state superintendent may develop with the school board a plan
14 which describes methods of achieving compliance. The plan shall specify the time
15 within which compliance shall be achieved. The state superintendent shall withhold
16 up to 25% of state aid from any school district that fails to achieve compliance within
17 the specified period.

18 **SECTION 55. Nonstatutory provisions.**

19 (1) PROMISE NEIGHBORHOODS. No later than 365 days after the effective date of
20 this subsection ... [LRB inserts date], the partnership for success committee, created
21 under section 119.11 of the statutes, as created by this act, shall communicate in
22 writing with the federal office of urban affairs to identify sources of federal funding
23 for establishing a pilot promise neighborhood under section 119.77 of the statutes,
24 as created by this act.

1 (2) UNFUNDED LIABILITY. By the 1st day of the 12th month beginning after the
2 effective date of this subsection, the partnership for success committee under section
3 119.11 of the statutes, as created by this act, working with school administrators,
4 teachers' collective bargaining representatives, and an independent 3rd party, shall
5 develop a plan for resolving the unfunded liability of the school district operating
6 under chapter 119 of the statutes.

7 **SECTION 56. Initial applicability.**

8 (1) The treatment of section 119.08 (1) (a) and (b) of the statutes first applies
9 with respect to election district apportionment plans that are adopted following
10 adjustment of ward boundaries in response to the 2010 federal decennial census.

11 **SECTION 57. Effective dates.** This act takes effect on the day after publication,
12 except as follows:

13 (1) METHOD OF ELECTION OF 1ST CLASS CITY SCHOOL DIRECTORS. The treatment of
14 sections 5.58 (1g) (b) and (c), (2) and (3), 5.60 (4) (b), 5.62 (4m), 5.64 (4) (title), 8.10
15 (3) (i), 8.11 (2m), 8.15 (5) (a) and (6) (f), 119.06 (2), (3) (intro.), (a) and (b), (4) (b), (c)
16 and (d), (5) and (6), 119.08 (2), (3), and (4), 119.10 (1) and (2) and 121.02 (3) of the
17 statutes and the creation of section 119.07 of the statutes take effect on November
18 1, 2011.

19 (2) FIRST CLASS CITY SCHOOL ELECTION TRANSITIONAL PROVISIONS. The repeal of
20 section 119.07 of the statutes takes effect on January 1, 2015.

21 (3) MEDICAL ASSISTANCE REIMBURSEMENT FOR SCHOOL MEDICAL SERVICES. The
22 treatment of section 49.45 (39) (b) 1. and 3. of the statutes takes effect on July 1, 2011.

23 (END)

(A)

ⓑ + ⓘ Governance

A Currently, a first class city school district is governed by a board of school directors. The board appoints the superintendent of schools, who is the administrative head of the school district.

This bill establishes a superintendent search advisory committee. The committee must select one applicant to recommend to the mayor. The board must select ③^{e three} applicants to recommend to the mayor. The mayor must select a candidate from the ③ recommended by the board. The board must select a superintendent of schools from the ③ that it recommends to the mayor.

(w) The mayor may veto the board's selection. If he or she does so, the board may override the veto by a two-thirds vote of the board's membership.

Currently, the board of school directors formulates the school district budget and transmits it to the common council. The common council levies a property tax in the city equal to the amount required by the board.

This bill directs the common council, upon receipt of the board's budget, to transmit it to the mayor. If the state superintendent of public instruction has determined that mps was in need of improvement for the previous four school years,

~~AND~~

e

~~amount provided to the~~ ^{board in the previous year} the mayor may veto the budget in whole or in part.

The board may override the mayor's veto by ^{board's} a two-thirds vote of the membership.

The bill directs the board of school directors to ensure that a school governance council is established for each school. Each council consists of parents of pupils enrolled in the school, the school principal, one pupil enrolled in ^{the school in} grade 6 or higher, one teacher or support staff member employed at the school, and at least one resident of the city who is not otherwise qualified to be a ^{council} member. The council may make recommendations for the improvement of school policies, curricula, and education plans and

the well-being of pupils. The council may also direct the school principal to attend a professional development and training program.

ⓑ + ⓐ) Other MPS changes

The bill makes a number of other changes in the laws governing first class city school districts, including the following:

1. The bill establishes a partnership for success committee to consist of the mayor, the members of the common council, the members of the school board, and the superintendent of schools. Within one year after the bill's effective date, the committee must develop a plan for resolving the unfunded liability of the school district.
- foster collaboration between the school district and the city. The committee

2. The bill requires the board to create a parent involvement committee to handle parent issues and complaints and foster parental involvement in the schools. ✓

3. The bill authorizes the board to grant tenure to school principals who are appointed after the bill's effective date and successfully complete two or three-year contracts. ✓ The bill ~~also~~ requires the board to establish a professional development and training program for principals and authorizes the board to direct principals to attend the program. ✓

4. The bill requires the board to evaluate all school buildings and develop a master plan governing their use, repair, renovation, and demolition. ✓

5. The bill directs the board to

prepare a budget for each school ~~and to~~
~~require each school to submit annual~~
~~financial reports to the board.~~ In addition,
 the board must submit ^{quarterly} ~~quarterly~~ financial
 reports to the state superintendent of public
 instruction, the joint committee on finance, the
 mayor, the city comptroller, and the
 personnel and finance committee of the
 common council. In addition, the board must post
 the reports on its website.

6. The bill requires the board to
 designate at least two schools as transition
 campuses and provide for the assignment
 of disruptive ^{high school} pupils to a transition
 campus.

7. The bill directs the board to
 work with the common council, community

agencies, public agencies, and nonprofit charitable organizations to plan for the establishment of promise neighborhoods

in the city in which various educational and social services would be available free of charge.

8. The bill provides that if the sales tax rate in the city of Milwaukee is increased for transit purposes, the fare for public transit for a public school pupil must be at least one-third less than the regular adult fare. The bill also requires the board to ensure that public school pupils enrolled in middle school are able to be transported to and from school via public transit at a reduced fare.

9. The bill requires the board to report to the common council any unsecured

bonding authority allocated to the board
 under the federal American Recovery and
 Reinvestment Act of 2009. The bonding
 authority must be assigned to the Department
 of Public Instruction (DPI) for reallocation to school districts in which all of the following apply: 10
 at
 least 50 percent of the enrollment is
 eligible for free or reduced-price lunch; 20
 no if the school board has identified
 schools requiring significant maintenance or
 improvements; and 30 the school board has proposed improvements
 to the schools that are cost-effective, technically
 feasible, and meet green building performance standards.

10. The bill directs the board to
 conduct a survey of parents of enrolled
 pupils and use it to develop or modify
 parent involvement and school improvement plans.

no # The board must also ^{annually} administer a survey to parents of pupils ^{who were} enrolled in the Milwaukee Parental Choice Program (MPCP) and who are enrolling in a public school. Each private school participating in the MPCP must administer a survey to parents of pupils who were enrolled in public school and who are ~~now~~ enrolling in the private school. The results must be submitted to DPI, the joint committee on finance, and appropriate standing committees of the legislature.

11. The bill requires the board to provide each ^{11th grade} pupil with the opportunity to take the ACT test.

12. The bill requires the board to establish

minimum standards for literacy and mathematics curricula. ✓

13. The bill provides that if state or federal aid is available, the board may use the funds to reduce class size ^{to no more than} 15 in 9th grade classes. In addition, if state or federal aid is available, the board may fund a pilot program designed to develop innovative instructional programs in science, technology, engineering, and mathematics. ✓

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3864/Plins
TKK:wn:md&ph

1 **INSERT 15-15 TKK**

2 The board shall establish minimum standards for literacy and mathematics
3 curricula employed in schools in the school district. ✓ The board shall require each
4 school in the district to annually submit a report to the board regarding the literacy
5 and mathematics curricula employed in the school and shall annually evaluate the
6 efficacy of the curricula employed in schools in the district. ✓

7 **INSERT 17-7 TKK**

8 Each member of the board shall annually attend a professional training
9 program related to the duties of their position on the board offered by a national or
10 locally recognized association of school boards. ✓

11 **INSERT 17-14 TKK**

12 ⑫ The board shall establish training programs related to teaching multicultural
13 pupils and children with disabilities, as defined in s. 115.76 (5). ✓ The board shall
14 require all teachers, support staff, and administrators employed by the board to
15 annually complete the training programs established under this paragraph. ✓

16 **INSERT 18-19 TKK**

17 The school board proposes improvements to the buildings identified in subd. 1. ✓
18 that are cost effective, technically feasible, and meet nationally recognized green
19 building performance standards. ✓

20 **INSERT 23-2 TKK**

21 In this section, "class" means a core curriculum course, as determined by the
22 department. ✓

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of improvement for the purpose of exercising this authority. The school board must seek input from school district staff on implementing any of the above directives.

The bill also authorizes the state superintendent to withhold state aid from any school district that fails to comply to the state superintendent's satisfaction with any of the above directives.

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

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

SECTION 1. 115.292 of the statutes is created to read:

115.292 State superintendent interventions. (1) If the state

superintendent ^{has} determines ^{ed} that a school is in need of improvement for 5 consecutive

~~school years or that~~ ^{the} a school district ^{is} ^{was} in need of improvement for 4 ^{the} consecutive ^{previous}

school years, the state superintendent may direct the school board to do one or more

of the following in the school or school district:

(a) Implement a new curriculum.

(b) Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils.

(c) Implement professional development programs focused on improving pupil academic achievement.

(d) Make personnel changes that are consistent with applicable collective bargaining agreements.

(e) Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the state superintendent under pars. (a) to (d).

1 **(2)** If the department determines that state or federal aid is available to reduce
2 class size in 9th grade classes in the district, the board may apply to the department
3 on behalf of schools in the district that enroll 9th grade pupils to receive the state or
4 federal aid and reduce class size as provided in this section. ✓ The board shall select
5 for participation in the program under this section ✓ schools in the district with the
6 lowest graduation rates. ✓

7 **(3)** In the first school year in which funding is determined to be available, the
8 board may enter into an achievement guarantee contract with the department on
9 behalf of one or more schools in the district. ✓ no ff

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~~(2) If a school board receives a directive from the state superintendent under sub. (1) the school board shall seek input from school district staff on implementing the directive.~~

(b) ~~is~~ The state superintendent shall promulgate rules establishing criteria and a procedure for determining whether ~~the~~^{the} school district is in need of improvement under ~~any~~^{par. (a)}.

~~SECTION 2. 121.006 (1) (a) of the statutes is renumbered 121.006 (1) (a) 1.
SECTION 3. 121.006 (1) (a) 2. of the statutes is created to read:
121.006 (1) (a) 2. The state superintendent may withhold state aid from any school district that fails to comply to the state superintendent's satisfaction with a directive under s. 115.292 (1).
(END)~~