

GOVERNOR'S VETO MESSAGE

March 28, 2025

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 1** in its entirety.

The Department of Public Instruction is required to, annually by November 30, publish school and school district accountability reports (commonly known as report cards) for the previous school year. The report cards must measure, for each school and school district, pupil achievement scores in reading and math, growth in pupil achievement in reading and math using a value-added methodology, gap closure in pupil achievement in reading and math, and rates of attendance or high school graduation. Data used to determine these measures is obtained from pupil performance on state-required annual assessments.

Beginning with report cards for the school year commencing on the July 1 immediately preceding the bill's effective date, this bill would require the department to, on an ongoing basis, only use the same cut scores (pass/fail indicators), score ranges, and qualitative descriptions for each performance category that were used to determine and award report card grades and categories for the 2019-20 school year.

This bill would further require tests in English, reading, and math that are administered to students in grades 9 to 11 to use the same cut scores, score ranges, and pupil performance categories that were used to evaluate tests administered in the 2021-22 school year.

While I have been critical of processes for recent changes to school scoring and standards, I am nevertheless vetoing this bill in its entirety because I object to the Legislature's attempts to undermine the constitutional authority and independence of the state superintendent of public instruction.

I have spent most of my life fighting for Wisconsin's kids and schools. Having served as a teacher, principal, superintendent, and state superintendent before becoming governor, it is exceedingly important to me—and I believe to Wisconsinites, as well—that the state superintendent remains an impartial and independent constitutional officer who answers to the people of Wisconsin, not any other politician.

Under the Wisconsin Constitution, the state superintendent of public instruction is responsible for supervising Wisconsin's public schools, not the Legislature or the governor. The Legislature well oversteps its constitutional authority with this bill and intrudes into decisions about our kids, our classrooms, and our schools that our constitution and the people of

Wisconsin entrust into the duly elected state superintendent. In so doing, the Legislature asks me as governor to join in—and approve of—encroaching on the state superintendent's constitutional authority. I decline to do so.

Reasonable minds can disagree about how to best measure our kids' and schools' outcomes and success. Discussions about how to measure student and school outcomes is a conversation as old as public education itself. To the extent the Legislature is interested in providing input on school scoring and standard decisions made by the state superintendent, lawmakers already have that opportunity. For example, the Department of Public Instruction has noted that “members of the legislature who sit on the State Superintendent's Academic Standards Review Council, and members of the education committees of both houses also had the opportunity to provide feedback during the review and revisions process” as it relates to recent changes to which the Legislature now objects.

With this bill, the Legislature attempts to override the state superintendent by permanently freezing school score and standard metrics to what they were years ago and effectively preventing the state superintendent from ever updating those metrics without the Legislature's approval. Put another way, this would essentially strip control over school scoring and standard metrics away from the state superintendent and give that power to the Legislature.

For many reasons, this is an untenable result for kids, for schools, and public education in Wisconsin. Most importantly, metrics for school scores and standards should be based on science, data, doing what is best for kids, and improving student outcomes, not the whims of legislative party control or what is politically palatable for lawmakers in the Legislature.

I cannot support legislation that allows the Legislature to encroach on the state superintendent's constitutional authority, injects partisan politics into setting metrics for student and school success, and undermines the state superintendent's impartiality and independence.

Respectfully submitted,

TONY EVERS

Governor