



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0832/P3
FFK:cjs:rs

DOA:.....Stritchko, BB0280 - Make participation in CESAs optional

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Under current law, a school board of a school district in cooperative educational service agency (CESA) no. 1 may withdraw from CESA no. 1 by adopting a resolution. This bill expands the authority to withdraw from a CESA to all school boards in all CESAs, making school board participation in a CESA optional. A school board that withdraws from a CESA may contract with DPI for programs and services that the school district would receive if it were in a CESA. A school board that withdraws from a CESA may rejoin the CESA by adopting a resolution.

Under current law, DPI pays to each CESA an amount up to \$25,000 for maintenance and operation of the CESA and to match any federal funds received for vocational education administration. Beginning in the 2015-16 school year, this bill requires a school board participating in a CESA to pay to the CESA's board of control the school district's proportional share of these costs.

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. 20.255 (2) (fg) of the statutes is amended to read:

20.255 (2) (fg) *Aid for cooperative educational service agencies.* The amounts in the schedule for a payment not to exceed \$25,000 annually to each cooperative educational service agency, ~~for the current operational expenses of these agencies~~ and to match any federal funds received by these agencies for vocational education administration.

SECTION 2. 116.01 of the statutes is amended to read:

116.01 Purpose. The organization of school districts in Wisconsin is such that the legislature recognizes the need for benefit of a service unit between the school district and the state superintendent. The cooperative educational service agencies are designed to serve educational needs in all areas of Wisconsin by serving as a link both between school districts and between school districts and the state. Cooperative educational service agencies may provide leadership, coordination, and education services to school districts, University of Wisconsin System institutions, and technical colleges. Cooperative educational service agencies may facilitate communication and cooperation among all public, private, and tribal schools, and all public and private agencies and organizations, that provide services to pupils.

SECTION 3. 116.03 (2) of the statutes is repealed.

SECTION 4. 116.03 (5) of the statutes is created to read:

116.03 (5) Determine each school district's proportional share of the cost of the maintenance and operation of the office of the board of control and agency administrator and to match any federal funds received by the agency for vocational education administration less any amount received under s. 116.08 (1). No cost may be assessed against a school district that has withdrawn under s. 116.065 for expenses incurred while the school district is not in the agency.

SECTION 5. 116.03 (11) of the statutes is amended to read:

116.03 (11) Establish the salaries of the agency administrator and other professional and nonprofessional employees. ~~State reimbursement for the cost of the salary of the agency administrator shall be equal to the actual salary paid or the maximum of the salary range for public instruction supervisors under the state superintendent, whichever is less.~~

SECTION 6. 116.065 (1) of the statutes is amended to read:

116.065 (1) The school board of a school district ~~in cooperative educational service agency no. 1, as designated on April 1, 1985,~~ may adopt a resolution to withdraw from the an agency. The school board shall immediately notify the board of control and the state superintendent ~~of its intention~~ that the school board has adopted a resolution under this subsection.

SECTION 7. 116.065 (2) of the statutes is amended to read:

116.065 (2) A resolution adopted under sub. (1) or (3) prior to January 15 in any school year shall be effective the next succeeding July 1. A resolution adopted under sub. (1) or (3) on or after January 15 in any school year shall be effective on the 2nd succeeding July 1.

SECTION 8. 116.065 (3) of the statutes is amended to read:

116.065 (3) A school district that has withdrawn from the an agency described under sub. (1) may rejoin the agency. ~~The procedures under subs. (1) and (2) apply to readmissions~~ by adopting a resolution and immediately notifying the board of control and state superintendent of the resolution to rejoin.

SECTION 9. 116.07 (4) of the statutes is amended to read:

116.07 (4) No such plan is valid if it permits any territory of this state to be outside an agency area, unless the territory is part of a school district that has withdrawn from an agency under s. 116.065.

SECTION 10. 116.08 (title) of the statutes is amended to read:

116.08 (title) **State Loans and local aid.**

SECTION 11. 116.08 (1) of the statutes is amended to read:

116.08 (1) An amount not to exceed \$25,000 annually shall be paid to each agency ~~for the maintenance and operation of the office of the board of control and agency administrator and to match any federal funds received by the agency for vocational education administration. No state aid may be paid unless the agency submits by August 1 an annual report which includes a detailed certified statement of its expenses for the prior year to the state superintendent, and such statement reveals that the state aid was expended as provided by this section. In no case may the state aid exceed the actual expenditures for the prior year as certified in such statement.~~

SECTION 12. 116.08 (3m) of the statutes is renumbered 116.065 (4) and amended to read:

116.065 (4) The school board of a school district that has withdrawn from ~~cooperative educational service~~ an agency no. 1 under s. 116.065 under this section and is not in any other agency may contract with the department for other programs and services the school district would be receiving if it were in an agency.

SECTION 13. 116.08 (4m) of the statutes is created to read:

116.08 (4m) Beginning in the 2015-16 school year, each school board of a school district in an agency shall pay to the board of control the school district's proportional share of the cost of the maintenance and operation of the office of the board of control

and agency administrator and to match any federal funds received by the agency for vocational education administration, as determined by the board of control under s. 116.03 (5).

SECTION 14. 116.08 (5) of the statutes is repealed.

SECTION 9134. Nonstatutory provisions; Public Instruction.

(1) OPTIONAL PARTICIPATION IN COOPERATIVE EDUCATIONAL SERVICE AGENCIES. Notwithstanding section 116.065 (2) of the statutes, if a school board adopts a resolution to withdraw from a cooperative education service agency under section 116.065 (1) of the statutes, as affected by this act, by no later than 30 days after the effective date of this subsection, the resolution is effective July 1, 2015.

(END)