
Wisconsin Legislative Council

MINUTES



STUDY COMMITTEE ON SHARED SCHOOL DISTRICT SERVICES

300 Northeast, State Capitol
Madison, WI
November 30, 2022
10:00 a.m. – 3:00 p.m.

CALL TO ORDER AND ROLL CALL

Chair Brooks called the meeting to order and determined that a quorum was present.

COMMITTEE MEMBERS PRESENT: Rep. Rob Brooks, Chair; Sen. Dan Feyen, Vice-Chair; Rep. Dave Considine; Sen. Janet Bewley; and Public Members Lance Bagstad, Jeffrey Dellutri, Bobbie Guyette, Ted Neitzke, Ben Niehaus and Tara Villalobos.

COUNCIL STAFF PRESENT: Rachel Letzing, Deputy Director; Raine Black, Staff Attorney; Emily Hicks, Staff Attorney.

APPROVAL OF THE MINUTES FROM THE OCTOBER 26, 2022 MEETING

Public Member Villalobos moved, seconded by Public Member Bagstad, to approve the minutes from the October 26, 2022 meeting of the committee. The motion was approved by unanimous consent.

DESCRIPTION OF DISTRIBUTED MATERIALS AND DISCUSSION OF COMMITTEE ASSIGNMENT

Chair Brooks welcomed members and suggested the committee discuss each bill draft separately and hold any votes on the bill drafts at the end of the meeting.

LRB-0561/P2, Relating to State Aid for School District Consolidation

Emily Hicks, Legislative Council Staff, described LRB-0561/P2. She explained that the bill draft provides moneys only for the 2024-25 fiscal year, amends the current state aid formula for newly consolidated school districts, but maintains the current seven-year aid payment structure. Ms. Hicks noted that the bill draft does not provide a continuing appropriation, therefore, additional funding would need to be appropriated after the 2024-25 fiscal year if the Legislature wished to continue these payments.

Senator Bewley expressed concern that under the bill draft, districts may not know what funding they can expect to receive in subsequent years. The committee then discussed whether to make the appropriation continuing or sum sufficient to address this concern.

The committee also discussed whether the funding formula in the bill draft is adequate. Ms. Hicks explained that the bill draft provides aid in an amount equal to nine percent of the statewide average base revenue limit per student for the first five years following consolidation, then in the sixth year, aid equal to 50 percent of the amount the district received in the fifth year, and in the seventh year, aid

equal to 25 percent of the amount the district received in the fifth year. Ms. Villalobos provided an example and explained that under the formula in the bill draft, her district would receive approximately \$900 per pupil for the first five years. She said this would provide consistency and sufficient incentive, and would be especially helpful for building projects.

Representative Considine expressed concern that the aid amount in the bill draft may over-incentivize consolidation and stated he would like more time to obtain feedback from rural schools. Chair Brooks indicated he did not think the aid amount was so large as to encourage schools to consolidate when it is unnecessary, and members noted that loss of community identity is a greater barrier to consolidation than additional funds can likely overcome.

The committee agreed by consensus to modify the bill draft to reduce the allocation for fiscal year 2024-25 from \$2,500,000 to \$1,500,000.

LRB-0559/P3, Relating to School and School District Accountability Report for a Consolidated School District

Raine Black, Legislative Council staff, described LRB-0559/P3. Mr. Bagstad suggested that the language on page 2 line 13 of the bill draft be changed from “updated data” to “necessary data.” The committee agreed by consensus to this change. The committee then discussed the purpose of the school and school district accountability reports and the method the Department of Public Instruction (DPI) uses to calculate report card scores. Chair Brooks noted that the bill draft provides clarification to parents and fixes communication issues related to report cards for newly consolidated districts. The committee did not request any other changes to this draft.

LRB-0590/P2, Relating to Calculating a Consolidated School District’s Revenue Limit

Ms. Black described LRB-0590/P2. Chair Brooks noted that the committee had previously discussed drafting a bill to permit a dual vote on consolidation and operational referenda, but after further consideration, he determined that LRB-0590/P2 alleviates the same issue in a simpler way. Chair Brooks also commented that school districts’ relevant financial information is public during consolidation discussions, so the process is already transparent. Mr. Dellutri noted that consolidation discussions often end when a school district realizes that it cannot carry over the 10 to 15 percent of their budgets from an operational referendum if it consolidates with another district, so this bill draft will be helpful. The committee agreed by consensus to keep the bill draft as drafted.

LRB-0558/P2, Relating to Reducing the Number of Members on the School Board of a Consolidated School District

Ms. Hicks described LRB-0558/P2. Mr. Niehaus expressed support for the bill draft, but suggested that it be expanded to allow all school districts to reduce school board membership to the next lowest odd number. He noted that he wanted the bill draft to require a school board election each year and acknowledged that the election scheduling piece could become very complex, so those details need to be further discussed.

After discussion, the committee reached consensus to revise the bill draft to apply to all districts, require an election each year, require that each reduction result in an odd number, prohibit an election from overturning a majority of the board members in one election, and create a process for reduction to be initiated by either petition or school board resolution.

LRB-0560/P2, Relating to Grants for Feasibility Studies of School District Consolidation or Whole Grade Sharing and Making an Appropriation

Ms. Black described LRB-0560/P2. The committee discussed whether requiring an applicant to demonstrate an intent to vote no later than 18 months after applying for the grant creates an unfeasible timeline for districts. The committee came to the consensus to remove the requirement that a district intend to vote no later than 18 months after applying for the grant on page 3, lines 8-10 of the bill draft. Further, on recommendation from Mr. Bagstad, the committee agreed by consensus to remove the word “member” from page 3, line 7 of the bill draft to clarify that it refers to the school board as a whole and not an individual member of the board.

LRB-0569/P2, Relating to a Shared Services Aid Program for School Districts, Granting Rule-Making Authority, and Making an Appropriation

Ms. Hicks described LRB-0569/P2, noting that the bill draft applies to agreements entered into both before and after the bill draft’s effective date. After some discussion, the committee agreed by consensus to keep the language as drafted to apply to both existing and new shared service agreements.

The committee then engaged in extensive discussion about whether the bill draft’s eligibility requirement that districts must identify positions that will be eliminated should be expanded to include identifying positions that will be reallocated, eliminated, or created.

Committee discussion then turned to whether the \$2.5 million appropriation in fiscal year 2024-25 should be amended. The committee noted that districts share positions only when necessary and that the bill draft would help recruitment by providing funding to allow two school districts to come together to hire one full-time position with benefits, rather than two separate part-time positions. Committee discussion then focused on how this would help small districts in particular.

Mr. Bagstad noted that shared services agreements, such as joint powers agreements and cooperatives, are not always accomplished through s. 66.0301, Stats. After some discussion, the committee agreed by consensus to remove the reference to s. 66.0301, Stats., in the bill draft.

Ms. Hicks outlined, and the committee discussed, the information provided in Legislative Council Memo No. 3, [*Data on Median and Average Salaries for Certain School Staff Positions*](#) (November 29, 2022). The committee analyzed whether 35 percent of the median statewide salary for each position should be kept in the bill draft. Mr. Niehaus indicated that the rationale for this approach was to address discrepancies between small and large districts.

Committee discussion then focused on whether the shared personnel categories in the bill draft should be kept, whether additional categories should be created, and whether the categories should be replaced by position types, such as the administrative positions provided in 2019 Senate Bill 413, or licensed and unlicensed personnel. The committee discussed ways to ensure smaller districts could be prioritized in receiving payments, including by capping payments at a set amount. The committee also analyzed whether school districts sharing personnel with local governmental entities should be eligible for the funding. Finally, the committee discussed reintroducing 2019 Senate Bill 413.

After extensive discussion, Chair Brooks determined the committee will not move this bill draft forward, but could consider drafting a letter in support of the Legislature passing 2019 Senate Bill 413.

LRB-0570/P2, Relating to Reimbursements to School Districts and Cooperative Educational Service Agencies for the Cost of Writing Federal and State Grant Applications and Making an Appropriation

Ms. Hicks described LRB-0570/P2. The committee discussed whether to limit the ability to recover grant writing costs under the bill draft to federal grants. Mr. Neitzke noted that there are not many federal grants available, because most federal grant moneys flow through DPI. The committee agreed by consensus to retain the provision in the bill draft that allows reimbursement of grant writing costs for both state and federal grants.

Discussion then focused on whether the bill draft should include eligibility criteria for school districts to receive the aid, whether the amount of aid per school district should be capped, and whether cooperative educational service agencies (CESAs) should also be eligible to receive aid. The committee discussed and noted that only districts with the greatest needs will utilize this program, most likely small districts. According to a grant writer with CESA 6, the average cost of writing a single grant ranges from \$5,000 to \$12,000. The committee came to a consensus on changing the bill draft to specify that no school district or CESA may receive more than \$12,000 under the program in each school year. Additionally, the committee agreed to an appropriation of \$2.6 million in fiscal years 2023-24 and 2024-25, an amount based on multiplying the number of school districts in the state (421) by \$6,000 (half of the maximum amount of reimbursement under the bill draft).

LRB-0572/P2, Relating to Aid for Transporting Pupils Between School Districts That Share Services

Ms. Hicks described LRB-0572/P2. The committee discussed Mr. Bagstad's suggestion that the payment structure in the bill draft be changed to account for miles between school districts and days transported, instead of an amount per school year per pupil. The committee noted that mileage, as well as costs to the district, are the same regardless of number of students transported. A representative of DPI indicated that reimbursement for vocational tech transportation under s. 121.57 (5), Stats., uses the same formula as regular transportation aid.

The committee reached consensus to amend the bill draft to calculate the distance between schools, then reimburse the school district providing the transportation an amount per pupil equal to the following, prorated according to the number of instructional days the transportation was actually provided: if the schools are less than two miles apart: \$15; two to five miles apart: \$35; five to eight miles apart: \$55; eight to 12 miles apart: \$110; and more than 12 miles apart: \$375. Finally, the committee agreed by consensus to an additional amount of \$150,000 to the transportation aid appropriation in each fiscal year to provide funding for this program.

LRB-0571/P2, Relating to Aid to School Districts That Share Services for Costs Associated With Student Information Systems

Ms. Black described LRB-0571/P2. Mr. Bagstad noted again that shared services agreements, such as joint powers agreements and cooperatives, are not always accomplished through s. 66.0301, Stats. After some discussion, the committee agreed by consensus to remove the reference to s. 66.0301, Stats., in the bill draft. After noting that the goal of the bill draft is to ease the burden on districts and staff associated with sharing services across different student information systems, the committee reached consensus on removing the language in the bill draft that would have ended the program in June 2026. Finally, the committee agreed by consensus to an annual appropriation of \$450,000 in each fiscal year 2023-24 and 2024-25 for the program.

ADJOURNMENT

Chair Brooks stated that because of the number of requested changes to the bill drafts and his preference that the committee discuss any concerns about the bill drafts in person, the committee scheduled a final meeting on December 13, 2022. At the December 13 meeting, the committee planned to review the bill drafts, as revised, to incorporate the changes the committee agreed upon, and vote on the bill drafts.

The meeting adjourned at 3:00 p.m.

EH:RB:jal