

1 **WISCONSIN ASSOCIATION OF SCHOOL BOARDS, INC.**
2 Madison, Wisconsin
3 November 22, 2017
4

5 **REPORT TO THE MEMBERSHIP ON 2018 RESOLUTIONS**
6 WASB Policy & Resolutions Committee
7 Mary Jo Rozmenoski, Black River Falls School Board, Chair
8
9

10 ***Resolution 18-01: Technical Resolution—Revisions to Repeal Outdated Resolutions***

11
12 **a) Repeal Resolution 1.24 (a) *190 Days***

13
14 **Rationale:**

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16 The Policy and Resolutions Committee recommended this change noting that Wisconsin
17 public school boards are no longer subject to a statutory requirement to hold school for at
18 least 180 days each year. (2013 Wisconsin Act 257 repealed the requirement that school
19 boards must hold school for at least 180 days each year, but left in place the requirement
20 that schools must schedule and hold a minimum number of hours of direct pupil
21 instruction, as further specified by grade level.)
22

23 **b) Repeal Resolution 4.11 *Binding Arbitration Law Changes***

24
25 **Rationale:**

26
27 2011 Wisconsin Act 10 made significant changes to the collective bargaining law
28 affecting school district employees. The statutes no longer contain any final and binding
29 impasse resolution procedures for parties that were unable to settle a dispute relating to
30 one or more issues regarding wages, hours and conditions of employment to be included
31 in a new collective bargaining agreement after a reasonable period of negotiation. The
32 repeal of interest arbitration by Act 10 means that a school district employer can now
33 unilaterally implement its final offer on total base wages at the point of impasse.
34

35 **c) Repeal Resolution 4.12 *Impasse Resolution Procedures***

36
37 **Rationale:**

38
39 2011 Wisconsin Act 10 made significant changes to the collective bargaining law affecting
40 school district employees. There are no longer any binding impasse resolution procedures
41 contained in the statutes (see above). The repeal of interest arbitration by Act 10 means that
42 a school district employer can now unilaterally implement its final offer on total base wages
43 at the point of impasse.
44

1 **d) Repeal Resolution 4.14 Award Settlements**

2
3 **Rationale:**

4
5 2011 Wisconsin Act 10 made significant changes to the collective bargaining law affecting
6 school district employees. There are no longer any binding impasse resolution procedures
7 contained in the statutes. The repeal of interest arbitration by Act 10 means that a school
8 district employer can now unilaterally implement its final offer regarding total base wages at
9 the point of impasse.

10
11 **e) Repeal Resolution 4.18 Total Compensation Increases**

12
13 **Rationale:**

14
15 2011 Wisconsin Act 10 made significant changes to the collective bargaining law affecting
16 school district employees, including providing that total base wages is the only mandatory
17 subject of bargaining and that all subjects other than total base wages are prohibited subjects
18 of bargaining. (“Total base wages” excludes any other compensation, which includes, but is
19 not limited to, overtime, premium pay, merit pay, performance pay, supplemental
20 compensation, pay schedules and automatic pay progression.). In addition, under Act 10,
21 there are no longer any binding impasse resolution procedures contained in the statutes. The
22 repeal of interest arbitration by Act 10 means that a school district employer can now
23 unilaterally implement its final offer regarding total base wages at the point of impasse.

24
25 **f) Repeal Resolution 4.19 Health Care Bargaining**

26
27 **Rationale:**

28
29 2011 Wisconsin Act 10 made significant changes to the collective bargaining law affecting
30 school district employees, including providing that total base wages is the only mandatory
31 subject of bargaining and that all subjects other than total base wages are prohibited subjects
32 of bargaining. (“Total base wages” excludes any other compensation, which includes, but is
33 not limited to, overtime, premium pay, merit pay, performance pay, supplemental
34 compensation, pay schedules and automatic pay progression.)

35
36 **g) Repeal Resolution 5.53 Welfare Benefits**

37
38 **Rationale:**

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40 Because of the enactment of both state and federal welfare reform legislation following the
41 adoption of this resolution, the conditions that gave rise to the concerns underlying this
42 resolution have been greatly diminished.

1 **Resolution 18-02: *Hours of Instruction***

2
3 **Repeal and Recreate Resolution 1.24**, as follows:

4
5 The WASB supports legislation to allow local school districts maximum latitude
6 in determining what meets the total hours of direct pupil instruction required by
7 the statutes in order not to be penalized by a reduction in state aid.

8
9 **Rationale:**

10
11 2013 Wisconsin Act 257 repealed the requirement that school boards must hold school
12 for at least 180 days each year, but left in place the requirement that schools must
13 schedule and hold a minimum number of hours of direct pupil instruction, as further
14 specified by grade level. Currently, each school board must annually schedule at least
15 437 hours of direct pupil instruction in kindergarten; at least 1,050 hours of direct pupil
16 instruction in grades 1 through 6; and at least 1,137 hours of direct pupil instruction in
17 grades 7 to 12.

18
19 The WASB's existing resolution 1.24 was last amended at the 2014 Delegate Assembly
20 in order to allow the WASB to support repeal of the statutory requirement that each
21 school board hold school for at least 180 days each year. In place of the 180-day
22 requirement, the 2014 amendment supported allowing school boards to be governed only
23 by the hours of direct pupil instruction required by statute. At the time there was a
24 concern on the part of lawmakers and the DPI that without the minimum number of days'
25 requirement in statute, schools needed some minimum instructional requirement in order
26 to receive their full share of state aid.

27
28 Since then, however, a number of school boards have sought flexibility from the hours of
29 direct pupil instruction requirements.

30
31 For example, a pair of companion bills, Assembly Bill 221 and Senate Bill 105, have
32 been introduced this legislative session to create a pilot program under which certain
33 school districts would not be required to provide the minimum number of hours of direct
34 pupil instruction required by state statutes. Specifically, these bills would create a pilot
35 program for the 2018-19 and 2019-20 school years and would apply to school districts
36 located within CESA 6 that received a rating of significantly exceeds expectations or
37 exceeds expectations on the most recent school and school district report cards.

38
39 The WASB's existing resolution 1.24 has prevented the WASB from taking a position on
40 these bills. This resolution would allow the WASB to support these bills. But more
41 broadly, it would also allow the WASB to explore ways for local school districts to
42 maximize local control over how they meet the hours of instruction requirements without
43 risking the loss of their state aid.

1 **Resolution 18-03: *High-Poverty Aid***

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3 **Repeal and Recreate Resolution 2.35 (a)**, to read as follows:

4
5 The WASB supports legislation allowing each local school district eligible to receive high
6 poverty aid to receive such aid as a categorical aid outside the revenue limits.

7
8 **Rationale:**

9
10 School districts with more than 50 percent of their pupils eligible for free and reduced price school
11 meals are eligible to receive high poverty aid. This high poverty aid is currently received as a general
12 (not categorical) aid by eligible districts. This means it is received subject to revenue limits, so it must
13 be used by the districts that receive it to offset/reduce their gross property tax levy. It cannot be used
14 to provide additional programming to address the needs of students from poverty backgrounds. This
15 resolution would put the WASB on record as supporting providing this aid in all cases as a categorical
16 aid outside of revenue limits.

17
18
19 **Resolution 18-04: *FTE Calculation for Revenue Limit***

20
21 **Amend** existing **Resolution 2.41 (i)** as follows:

22
23 (i) The WASB supports legislation to provide that a district's revenue limit ~~would~~
24 be determined prior to the start of the district's fiscal year. In addition, the WASB
25 supports ~~allowing each school district with declining enrollment to use a five-year~~
26 ~~rolling average of enrollment based on enrollment data from the previous five~~
27 ~~fiscal years to calculate its annual revenue limit, allowing each school district~~
28 ~~with increasing or stable enrollment to use a three-year rolling average of~~
29 ~~enrollment based on enrollment data from the previous three fiscal years to~~
30 ~~calculate its annual revenue limit~~ changing the revenue limit FTE membership
31 calculation to allow a district to use either a 5-year rolling average, 3-year rolling
32 average or the current year membership, whichever is greater, and allowing a
33 district to apply to the Department of Public Instruction for emergency aid or
34 revenue flexibility.

35
36 **Rationale:**

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38 This resolution would allow the WASB to support legislation allowing local districts to
39 determine what time frame they wish to use to calculate enrollment (membership) for
40 revenue limit purposes. Specifically, this amendment would place the WASB in support
41 of a change that would enable growing enrollment districts to access revenue
42 commensurate with their current enrollment without delay, while also expressing the
43 WASB's support for allowing declining enrollment districts the option to use either a
44 three-year rolling average (i.e., current law) or a five-year rolling average in calculating
45 their membership for revenue limit purposes in order to cushion the effects of declining
46 enrollment. Each district could chose the approach most advantageous to it.

1 **Resolution 18-05: *Voucher Transparency***

2
3 **Create Resolution 2.70 (k) as follows:**

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5 The WASB supports legislation to require property tax bills to include information from
6 the school district in which the property is located regarding the dollar amount (and
7 percentage change) of the net reduction in state aid, if any, to the school district between
8 the current year and the previous year as a result of pupils enrolled in the statewide
9 voucher program, the Racine voucher program, the Milwaukee voucher program, or the
10 special needs voucher program, as well as the amount of the increase, if any, in property
11 taxes levied on all property in the school district in the current year and the amount of tax
12 levied on the individual property in the current year, as the result of pupils enrolled in the
13 statewide voucher program, the Racine voucher program, the Milwaukee voucher
14 program, or the special needs voucher program.

15
16 **Rationale:**

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18 This resolution would allow the WASB to support legislation that attempts to inform property
19 taxpayers about the impact vouchers are having on their public schools' state aid and on their
20 property taxes. A pair of bills—Senate Bill 183 and Assembly Bill 267—introduced in the
21 current legislative session would require property tax bills to include information from the school
22 district where the property is located regarding the dollar amount (and percentage change) of any
23 net reduction in state aid, as a result of pupils enrolled in the state's four voucher programs. As
24 written, this resolution would support this legislation in the form it was introduced and would
25 additionally support including information on property tax bills about the change in the school
26 district's property tax levy, if any, as the result of voucher-related aid reductions and information
27 about the tax impact on individual parcels of property, if any, as the result of voucher-related aid
28 reductions.

29
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31 **Resolution 18-06: *Per Pupil Reimbursement for Transporting Voucher Pupils***

32
33 **Create Resolution 3.55 (a) as follows:**

34
35 The WASB supports legislation to require the state to fully fund as a categorical aid the
36 cost to local public school districts of providing transportation to pupils who attend
37 private and parochial schools through a taxpayer funded voucher program.

38
39 **Rationale:**

40
41 Under current law, pupils who attend private or parochial schools through the assistance of
42 taxpayer-funded vouchers may be eligible to have their transportation to and from their voucher
43 school provided and paid for by the public school district in which they reside. This resolution
44 calls for legislation to have the state fully reimburse school districts for their transportation costs
45 related to voucher pupils. It applies only to those private school pupils receiving taxpayer-
46 funded vouchers because the vouchers of pupils who began participating in 2015-16 or later are
47 funded by deducting state aid from the public school district providing the transportation.

1 **Resolution 18-07: *Safe and Welcoming School Environments***

2
3 **Create:** The WASB is committed to ensuring that all students are able to learn and thrive in a
4 safe environment and supports providing an equal opportunity for all students and all school
5 district employees to develop and reach their full potential.

6
7 **Rationale:**

8
9 This resolution would affirm WASB support for the idea that school districts have an obligation
10 to support all students and staff by providing a safe, positive environment where students and
11 staff can excel academically and professionally.

12
13
14 **Resolution 18-08: *WIAA Autonomy***

15
16 **Create:** The WASB supports the autonomy of WIAA to govern itself and to determine
17 regulations and standards for athletics and student eligibility while taking into account the input
18 of its member schools. The WASB opposes legislative efforts to impose explicit or implicit
19 mandates on the WIAA or its member schools.

20
21 **Rationale:**

22
23 This resolution would affirm WASB support for the autonomy of the Wisconsin Interscholastic
24 Athletic Association (WIAA) as a voluntary membership, private, non-profit association amid
25 legislative attempts to meddle in the affairs/policies of the WIAA. These legislative efforts have
26 included attempts to impose mandates on the WIAA by legislation to limit or prohibit public
27 schools from participating in WIAA activities, from being members of the WIAA or from paying
28 dues to the WIAA, unless the WIAA takes or refrains from certain actions.

29
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31 **Resolution 18-09: *Implementation of NCSL “No Time to Lose” Report Recommendations***

32
33 **Create:** The WASB petitions the Legislature and the Department of Public Instruction to jointly act
34 with deliberate speed to implement the recommendations of the “No Time to Lose” report produced by
35 the National Conference of State Legislatures. The recommendations include that our state should:
36 study and learn from top performing national and state educational systems; create a statewide vision
37 for reform; benchmark Wisconsin education policies against those of high performing countries and
38 states; and begin by focusing on one priority area of reform. The WASB further encourages the
39 Legislature and the Department of Public Instruction to include school board members throughout the
40 process of investigating and implementing these reforms.

41
42 **Rationale:**

43
44 This resolution expresses WASB support for and involvement in implementing the recommendations
45 of the bipartisan “[No Time to Lose](#)” report issued by the National Conference of State Legislatures
46 (NCSL). This report stems from a study of high performing educational systems throughout the world
47 that attempted to learn how what is being done in those high performing systems might inform

1 educational reform efforts here in the U.S. Despite numerous state-by-state and largely piecemeal
2 reform efforts, the report finds that most state educational systems in the U.S. are falling behind the
3 highest performing nations in a number of international comparisons and as measured by our own
4 National Assessment of Educational Performance (NAEP), leaving the U.S. underprepared to succeed
5 in the 21st century global economy. The “No Time to Lose.” report contains a number of
6 recommendations for how to get started with reform. A second report, currently under development,
7 focuses on implementation of the first report. To conduct this study, the NCSL formed a bipartisan
8 group (that included Wisconsin state Sen. Luther Olsen) which made recommendations for improving
9 our state education systems.

10
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12 **Resolution 18-10: Local Fiscal Control**

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14 **Amend** existing **Resolution 1.00 Local Fiscal Control** as follows:

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16 The WASB believes that the locally elected school board should have control of its local fiscal
17 affairs ~~and, within broad state guidelines, be allowed to manage its affairs with provision for~~
18 ~~interdistrict cooperation.~~ The WASB opposes ~~constitutional amendments~~ efforts that
19 undermine the fiscal authority of local elected officials, diminish the role of citizens in the
20 local decision-making process, and hinder the ability of Wisconsin public school boards to
21 address the changing needs of their students.

22
23 **Rationale:**

24
25 This proposed amendment would strengthen the WASB’s position on local control by removing
26 certain qualifying language from the existing resolution. Often the WASB Government Relations staff
27 falls back on local control as the reason we take the positions we do on legislation. Because local
28 control is a bedrock principle of the WASB, clearer and unqualified language may be appropriate. It is
29 also questionable why the WASB’s resolutions would be specific only to constitutional amendments to
30 undermine local fiscal authority when the threats to this authority more commonly come from
31 legislation introduced by state lawmakers.

32
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34 **Resolution 18-11: Recovery School Districts**

35
36 **Amend** existing **Resolution 1.01 Preserving Powers (b) Recovery School Districts** as follows:

37
38 The WASB opposes the creation in Wisconsin of a recovery school district or a similar ~~state-~~
39 ~~level~~ authority designed to take over public schools or school buildings.

40
41 **Rationale:**

42
43 This amendment addresses the current Opportunity School Partnership Program (OSPP) law and the
44 question of whether a school district takeover mechanism the OSPP law creates based around local
45 officials would qualify as a “state-level” authority.

1 2015 Wisconsin Act 55 (the 2015-17 state budget) established the Opportunity Schools and
2 Partnership Program (OSPP). Student achievement and other factors determine whether public schools
3 in a given school district are eligible for transfer into the OSPP program. Under current law, the OSPP
4 law applies to a school district that: (1) has a pupil membership greater than 15,000; (2) was assigned
5 to the lowest performance category on the report cards published for the district in the 2 most recent
6 school years; and (3) received intra-district transfer aid in the same two most recent school years.

7
8 Under the OSPP law, an opportunity school is managed and controlled by a program commissioner
9 appointed by the applicable county executive, not a state-level officer or authority. No schools have
10 been transferred into the program to date, and the State Superintendent of Public Instruction indicated
11 that no schools will be eligible for transfer into the program in the 2017-18 school year. In the 2018-19
12 school year, the Racine Unified School District could have had schools eligible for transfer into the
13 program had the district's report card scores been in the bottom category.

14
15
16 **Resolution 18-12: *Referendum Restrictions***

17
18 **Amend** existing **Resolution 1.25 *Authority to Schedule Referenda*** as follows:

19
20 The WASB opposes limits on scheduling referenda. Further, the WASB opposes any
21 limitation on the duration, scope or effect of school referenda.

22
23 **Rationale:**

24
25 In light of the flurry of bills introduced recently on restricting school district referenda or
26 limiting their effect, this proposed amendment to the existing resolution would take a stronger
27 stance against all attempts to restrict local control of school district referenda.

28
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30 **Resolution 18-13: *Teacher Certification/Licensure***

31
32 **Amend** existing **Resolution 4.60 *General Policy on Certification/Licensure*** as follows:

33
34 ~~The WASB opposes teacher certification controlled by a professional practices board but~~
35 ~~will support a plan providing for a statutory advisory committee to the state~~
36 ~~superintendent, including parents, school board members, and other interested groups,~~
37 ~~providing for final decisions by the state superintendent. (1975-3)~~

38
39 ~~(a) Certification~~

40
41 ~~The WASB supports the concept of broader teacher certification to reflect the current or~~
42 ~~evolving configuration of grades in a school.~~

43
44 The WASB supports teacher licensure initiatives that foster a highly educated, highly
45 trained, effective, adequately compensated, professional teaching force to meet the needs
46 of our members.

1 **Rationale:**

2

3 The Policy and Resolutions Committee believed the WASB needs an updated, more aspirational
4 policy statement on teacher licensure in general. The most recent state budgets and legislative
5 sessions have included actual and proposed changes to teacher and administrator licensure
6 primarily to address shortages. Concerns have been raised that some of those changes have
7 eroded or threaten to erode the quality and/or professionalism of the teaching force. Additional
8 concerns have been raised that these changes have diminished the value of a teaching license as
9 well as the value of enrolling in and completing a teacher education program from an institution
10 of higher education.