

## 2017-18 Legislative Session Update

*As the end of session nears, what K-12 legislation is still in play?*



The 2017-18 state legislative floor session is not a comparatively long time. The session began on Jan. 3, 2017 and ends on March 22, 2018. While three, two-week periods—January 16 to 25, February 13 to 22, and March 13 to 22, 2018—are scheduled as floorperiods yet, the state Senate and Assembly will not likely be on the floor more than a couple of those days.

After March 22, barring any special or limited-business sessions, legislators will be spending more time in their home districts as they prepare to campaign for reelection in the fall. Usually, the legislature avoids taking up controversial issues in these last few months before campaign season begins. Half of the state Senate (odd-numbered Senate Districts) and all state Assembly seats are up for reelection in November.

There are a number of K-12 education-related bills still being debated in the legislature and we wanted to bring those to your attention and update you to their status as of this writing. As always, keep up-to-date on these proposals in real time via the Legislative Update Blog: [wasblegupdate.wasb.org](http://wasblegupdate.wasb.org).

**Assembly Bill 693, “Teacher Protection Act”** (Rep. Thiesfeldt, R-Fond du Lac) — AB 693 has been introduced in the Assembly and referred

to the Assembly Judiciary Committee chaired by Rep. Jim Ott (R-Mequon). We are expecting a public hearing on this bill in early January 2018. There is no Senate companion bill.

Based on our member-approved resolutions, the WASB opposes this bill as drafted. To be clear, all teachers deserve to teach in a safe environment and we appreciate the good intentions behind this bill. That being said, the bill upsets the administrative chain of command in school districts by allowing teachers to unilaterally suspend and remove students from class for up to two days without adhering to school board disciplinary policies, school district behavioral intervention plans, a student’s individual educational plan or a student’s service plan. Under the bill, teachers could override a building principal’s decision to return a student to class. All of the major public education advocacy groups and advocates for students with disabilities oppose this bill.

**Senate Bill 236/Assembly Bill 307, Competitive Bidding Mandate** (Sen. Stroebel, R-Saukville and Rep. Brooks, R-Saukville) — SB 236, the Senate version of this bill, has passed the state Senate. AB 307, the Assembly version, had a public hearing in the Assembly Local Government Committee chaired by Rep.

Ed Brooks (R-Reedsburg) but has not been voted out of committee.

These bills would statutorily mandate school districts to use competitive, sealed bidding for all construction, remodeling or maintenance projects where the estimated cost exceeds \$50,000. The WASB testified in opposition to both bills at their respective public hearings because they would take away local control and the flexibility to choose the project delivery method and the project contractor that best meet a school district’s needs. This bill is really “two bills in one” in that while it newly mandates competitive bidding on school districts, it also doubles the dollar threshold above which other local governments (counties, municipalities, etc.) must use competitive bidding — from all projects above \$25,000 to those above \$50,000. Thus, other local government groups are strongly supporting the bill. If you share our concerns, it is not too late to contact your state Assembly representative to let them know you oppose this mandate bill.

**Senate Bill 402/Assembly Bill 496, Suspension/Expulsion for Firearms** (Sen. Tiffany, R-Hazelhurst and Rep. Kleefisch, R-Oconomowoc)

SB 402, the Senate version of this legislation, has not yet had a public hearing but is expected to in early

After March 22, barring any special or limited-business sessions, legislators will be spending more time in their home districts as they prepare to campaign for reelection in the fall.

2018 in the Senate Judiciary and Public Safety Committee chaired by Sen. Van Wanggaard (R-Racine). The Assembly version, AB 496, had a public hearing in the Assembly Education Committee chaired by Rep. Jeremy Thiesfeldt (R-Fond du Lac). The WASB, Rep. Joel Kleefisch (R-Oconomowoc), several school district administrators and others testified in favor of this local control bill.

Under current law, if a student is found in possession of a firearm on school grounds, the student must be suspended, the school must initiate the expulsion process, and, unless the school board exercises case-by-case discretion in connection with an expulsion hearing, the student must be expelled for a period of at least one year.

This bill provides local discretion to suspend or begin expulsion proceedings under specific circumstances (unloaded and encased in a locked vehicle) in which a student brings a firearm onto school grounds. The WASB initiated this bill because local school officials and law enforcement best know the pupil

and the situation. Local school administrators are in a better position to make decisions related to suspension and expulsion rather than a blanket state law.

**Educator Licensing — PI 34 Administrative Rule Rewrite** — While not technically legislation, the Department of Public Instruction (DPI) has proposed changes to the administrative rule (PI 34) that governs educator licensing. According to the DPI, the changes are meant to make the licensing process more understandable and increase flexibility while maintaining high-quality staff in Wisconsin schools. They also incorporate new statutory language included in the most recent state budget.

The proposed new rule is available to view on the DPI website at [dpi.wi.gov/policy-budget/administrative-rules/pi-34](http://dpi.wi.gov/policy-budget/administrative-rules/pi-34). A public comment period has opened, and in-person agency hearings will be held throughout January 2018. Public comments will be evaluated by the DPI to determine if changes need to be made to the proposed rule and a report will be issued to the Wisconsin Legislature summa-

rizing the public comment received and the DPI's response. The proposed rule then moves to the legislature, which must approve it before it can go into effect.

Written comments can be made via webform at [goo.gl/forms/DnTvOXf6LW3vMAVi2](http://goo.gl/forms/DnTvOXf6LW3vMAVi2). Questions or additional testimony may be accepted by email to [adminrules@dpi.wi.gov](mailto:adminrules@dpi.wi.gov) or by mail to the Department of Public Instruction, Attn: Carl Bryan, P.O. Box 7841, Madison, WI 53707. Written comments must be received by January 31, 2018.

The DPI is also holding a series of public hearings where members of the public can provide their comments on the proposed rules (see sidebar for the list of dates and locations).

For the latest, most up-to-date information on the status of legislation affecting K-12 education, please be sure to attend the WASB Legislative Update presentation at the State Education Convention. That session will be held Friday, Jan. 19, 9:15-10:15 a.m. in room 102AB of the Wisconsin Center. ■

## PI 34 Public Hearings

The Department of Public Instruction is holding a series of public hearings on the proposed rule changes to PI 34, which is the administrative rule that governs educator licensing. For more information, visit [dpi.wi.gov/policy-budget/administrative-rules/pi-34](http://dpi.wi.gov/policy-budget/administrative-rules/pi-34).

<b>January 16</b> 4-6 pm	<b>St. Norbert College</b> Mulva Library Room 101 400 Third St., De Pere, WI 54115
<b>January 17</b> 2:30-4 pm	<b>GEF 3 Building</b> Room 041 125 South Webster St., Madison, WI 53703
<b>January 19</b> 4:30-6:30 pm	<b>Milwaukee Public Schools</b> Auditorium 5225 W. Vliet St., Milwaukee, WI 53208
<b>January 25</b> 3-5 pm	<b>CESA 10</b> Conference Center 725 West Park Ave., Chippewa Falls, WI 54729
<b>January 29</b> 4-6 pm	<b>UW-La Crosse</b> Centennial Hall 3212 Centennial Hall, La Crosse, WI 54601