

WISCONSIN SchoolNews

May 2020 | wasb.org

Official publication of the Wisconsin Association of School Boards, Inc.



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A sign in front of Milton Middle School. For more about school responses to the coronavirus pandemic, turn to pages 4-5.



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A DRIVEN member escorts two attendees of "A Night to Remember," a Burlington school dance dedicated to special needs students.

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Facing the Future Together

These past few months have not been easy. Nearly everything you do has changed, from educating your students remotely to delivering meals and holding virtual board meetings.

You've likely faced numerous moments of feeling overwhelmed. School leaders have faced decision after decision, sometimes with a flood of information to process and at other times very little.

The numerous overlapping issues and crises have compounded the leadership dilemmas. On top of this, you've had your own families to care for and be concerned about.

Through it all, I've been continually impressed with your deliberate, thoughtful policy-making and the commitment you've demonstrated time and time again to your students and staff. You've proven that a school is not a building; it's a community of caring individuals making a difference every day.

We don't know what the future will hold or exactly how this crisis will change the work of schools going forward, but the WASB remains committed to serving you, our school leaders, and adapting to your needs.

We know that you look for the WASB to provide guidance and best

practices on a timely basis. As the pandemic emerged in Wisconsin, WASB's legal, policy and communications staff focused on building a coronavirus resource website and updating it frequently with the latest, most relevant information. Based on the number of hits it has received, we know it has been a popular and, hopefully, helpful resource.

In addition, we've sent regular updates and hosted numerous complimentary webinars to answer members' most pressing questions, and our government relations staff has worked tirelessly to advocate for the needs of our K-12 schools.

There is more work ahead of us. As we get to the position of being able to reflect on how districts responded to the crisis — which policies needed to be adapted, how emergency plans worked in practice, how communication strategies played out — your leadership will be just as important and the WASB stands ready to assist.

We know that you face unique challenges across the state. But we all share a common purpose in serving our children. That should inspire the solidarity we need to meet these challenges together.

Even as social distancing keeps us

apart physically, we urge you to stay connected — not only with your local community but with colleagues around the state. Later this month, you'll have the opportunity to take advantage of online workshops focused on the basics of board governance and effective board meetings.

There will be more workshops in August — hopefully, we'll be able to hold them in person — and then again in conjunction with the fall regional meetings. We thought it prudent to cancel the annual leadership conference in July, but we're continuing to plan for the State Education Convention in January.

In the meantime, please be sure to take care of yourselves. As one of our convention speakers in January said, "you don't need to set yourself on fire to keep your students warm." Practice the same wellness strategies taught to your students to build resiliency and positivity. Be patient with one another, believe in the good faith of people around you, and continue being a beacon of empathy and compassion.

On behalf of the WASB staff and board of directors, thank you. It's an honor to help you serve your local school districts. ■

As the pandemic emerged in Wisconsin, WASB's legal, policy and communications staff focused on building and maintaining a coronavirus resource website updated frequently with the latest, most relevant information.



Northland Pines School District staff prepare meals during the school shutdown.

Feeding Bodies and Minds During a Pandemic

T H E M I S S I O N C O N T I N U E S



The D.C. Everest Area School District partners with a number of community organizations for the D.C. Everest-Wausau Blessings in a Backpack program, which feeds area children.



Clinton Wiglesworth-Herrick, a behavioral technician at the Whitnall School District, helped hand out school supplies to families.

STAYING ENGAGED THROUGH SOCIAL MEDIA



The New Auburn School District posted this special message to the community on Facebook.

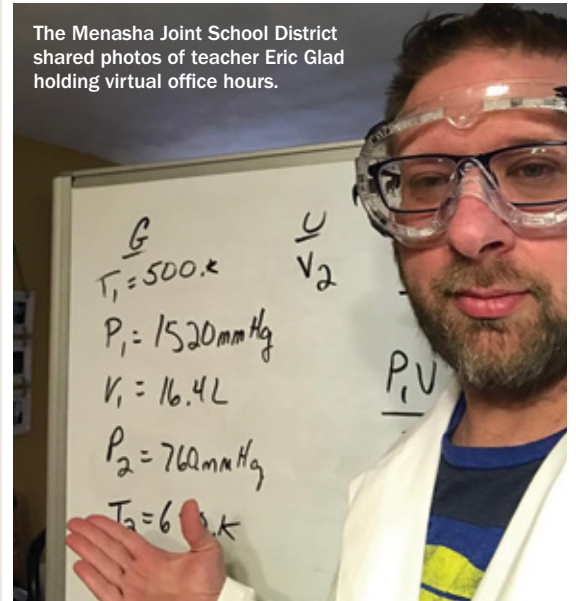
The School District of Flambeau shared photos of students having fun on a scavenger hunt.



The Three Lakes School District shared “desk of the day” photos on Facebook. Here, first-grade teacher Deb Boone is providing daily lessons and conducting video challenges.



The Menasha Joint School District shared photos of teacher Eric Glad holding virtual office hours.





DRIVEN members show off their blue helping hands from a massive winter service project to help those in need in the Burlington area.

STUDENTS OF CHARACTER A DRIVEN Story

“Freshmen, freshmen, you stink!”

Upperclassmen led the chant heard at a school pep rally in 2006...

Negativity filled the air at Burlington High School and, according to statistics, in high schools across the nation. A longitudinal study by the Josephson Institute of Ethics on high school character revealed that 72% of students had cheated in high school, 63% had been bullied and 42% lied and cheated to succeed. Clearly, something needed to be done.

Burlington High School leaders assembled a small group of upperclassmen to act as a transition team for incoming freshmen, as well as to be a positive force in the greater community.

The student leadership group was initiated by two advisors, Matt Behringer — a math teacher and football/basketball coach who had success with at-risk youth — and Matt Nie — an English teacher and cross country/forensics coach

with a background in student leadership and community service. The advisors used an extensive application process and staff recommendations to recruit 43 students for the first leadership team.

They chose the name DRIVEN, an acronym meaning Desire, Responsibility, Inspiration, Vision, Empowerment and New Birth.

Fast forward to 2020, and the 150-member DRIVEN program is the largest student organization in the Burlington Area School District. It has expanded its staff leadership by adding Ben Hendricks — a science teacher and football/baseball coach with a background in outdoor leadership and administration — and MacKenzie Ferstenou — an English teacher and former basketball/volleyball coach with success in working with inner-city youth and a background in anti-bul-

lying initiatives. Today, one in every 10 Burlington High School students belongs to DRIVEN.

The group’s dedication to Burlington High School centers on students teaching students. In addition to an active freshman transition program, DRIVEN members teach character initiatives in the district’s middle and intermediate schools.

The school culture devotes time to character education. Students can earn a half credit for a character portfolio as a graduation requirement, and Principal Eric Burling created an advisory time so all students can learn four concepts of character education each year.

- Freshmen learn preparation, self-control, courage and perseverance.
- Sophomores learn respect, appreciation, empathy and integrity.
- Juniors learn compassion, duty, responsibility and leadership.
- Seniors learn honesty, loyalty, gratitude and tolerance.



After a full day of bell ringing, DRIVEN members raised more than \$2,000 for the local food bank.

DRIVEN members lead the charge in teaching character lessons to underclassmen. On a weekly basis, they stand before their peers to teach activities, share case studies and relay personal stories of character.

Another key component of DRIVEN's success involves expanding positive change beyond the high school.

This includes two major community service projects. Each December, DRIVEN pairs up with the Salvation Army and a local food pantry/shelter to help provide holiday gifts for community members who need assistance. Students raise \$2,000 through bell ringing alone. An annual DRIVEN Easter Egg Hunt began with more than 14,000 eggs and \$3,000 in prizes from area businesses. It has grown into one of the largest free egg hunts in southeastern Wisconsin and is attended by more than 1,000 community members of all ages.

DRIVEN has been able to share its character concepts with a larger audience. The students hosted the first annual DRIVEN Talented and Gifted Conference at the University of Wisconsin-Whitewater in 2011. This conference inspires students across the state to create their own desire, responsibility, inspiration, vision, empowerment and new birth plans for their schools. Student council advisors, student leadership groups and other students in attendance brainstorm the biggest challenges at their schools and create action plans for success. Burlington High School considers it a compli-

ment when other schools create DRIVEN leadership groups.

One final component of student leadership allowed the DRIVEN program to reach unimagined heights: the implementation of student-led service projects. This annual requirement for all DRIVEN upper-classmen has resulted in more than \$25,000 in annual volunteer hours and funds given back to needy causes.

The list of student-led service projects is varied and impactful. Student leaders have created basketball tournaments for Special Olympics, raised funds for veterans with post-traumatic stress disorder, raised awareness for suicide prevention and assisted families who lost everything in floods or fires. Seemingly small penny drives generated the funds to purchase three, clean water wells in poverty-ravaged regions. One student, whose father had amyotrophic lateral sclerosis, also known as Lou Gehrig's disease, raised significant funds for ALS. Another student with a pilot's license collected school supplies locally and flew them to the

poorest Native American reservation in the United States. Students suffering with depression created their own Dodging Depression dodgeball tournaments to raise money for organizations helping other teens. This is the power of intrinsic, student-led community service.

So, where does DRIVEN go from here? DRIVEN has and will continue to expand its influence. It has benefited from community-wide support (as is evident in the commitment from businesses in terms of scholarships and service project donations).

Despite DRIVEN's success, it is the quiet, often unacknowledged moments that have the most lasting impact. Last year, one student-led service project was to create "A Night to Remember," a prom-like dance for students with special needs. After dancing with a special needs student, one of the DRIVEN organizers remarked, "This is so much more fun than actual prom." She received much more than she gave, a lesson she said she'll try to apply to the rest of her life.

In the words of Martin Luther King Jr., "Intelligence plus character — that is the goal of true education." Education has had its challenges in recent years, but if we do nothing else but produce caring, productive adults, then we have done our job. Character education is the key ingredient in that mission. DRIVEN, as a student-leadership organization, carries out that mission in our school, in our community and in the world at large. ■

Matt Nie is an English teacher for the Burlington Area School District.

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The December 2019 WASB FOCUS policy publication focuses on promoting civility in schools and at school-related activities. It includes legal considerations related to citizenship education and similar matters. The "Policy Processes at Work" section of the publication highlights two district character education initiatives. An archive of FOCUS publications is available online at WASB.org.

Subscriber login is required.



Competitive Video Gaming

Esports Finds a Foothold in Wisconsin Schools

Before the match begins, Clinton esports coach Brian Erskine strategizes with his team at the whiteboard. He assigns a role to each of his five players and they pick the fantasy hero who will fill that position. Their collective strategy: Dominate the game early and end it fast. As the players take control of their heroes, they type “gl hf,” short for “good luck, have fun.” Soon, the chatter starts up.

“David, how do you recommend I clear this game?” a player asks captain David Paulson-Warn, a high school senior. “Should I skip raptors?”

Defeating certain monsters, such as the colorful raptors, can come with risks but bring early advantages. David thinks it’s a good move here. That rolling discussion continues — especially as players call out when a nearby opponent has gone missing, signaling the team to be wary of a potential ambush — until the game ends 40 minutes later.

Teamwork, strategic thinking and communication are key selling points of competitive gaming, known as esports, which has taken hold in high schools across the country. Since the Wisconsin High School Esports Association started with seven schools in the fall of 2017, it has grown to more than 65 high schools and continues to expand. High school esports organizers say the games create scholarship opportunities while pointing students in the direction of fulfilling and lucrative STEM careers.

Meanwhile, they have thoughtful answers to the objections posed by parents and other adults, especially around video game violence.

The coaches say esports is providing an outlet to the type of student who would not be involved in any other club — athletic or otherwise. Creating that web of connections is the surest way, coaches say, of countering the isolation that is at the root of school violence.

“It’s been a really great bonding experience,” says Paulson-Warn. “Over these last couple of years, I’ve really built something with these guys that I may never have if I weren’t in esports.”

Judging by esports’ rapid growth, the students are eager to turn their solitary hobbies into a more social experience. However, coaches acknowledge the need to face the challenges seen by the wider esports world. These include a lack of gender diversity as well as abusive language against teammates and opponents.

■ Game day

In esports, travel distance isn’t a factor, so schools play against similarly sized competitors across the state. The aforementioned match is between Clinton High School, with 342 students, and Random Lake, which is about 80 miles away from Clinton.

Wisconsin high school esports

competitors play four games: Rocket League, a soccer-like game in which the players control cars to push a ball into a net; Overwatch, a cartoony shooter; Super Smash Bros., an animated fighting game; and League of Legends, in which five players work together to control a large map.

On this game day, Clinton's undefeated varsity League of Legends team is playing its last regular-season match. The Cougars weren't always this good, going winless their first year and .500 their second.

They play in a converted library supply room, on computers purchased from the proceeds of technology sales. As the game begins, the sound of mouse clicks fills the air as Coach Erskine paces behind the row of five players.

"Let's control the map and control the game," he says. It doesn't go that way, however. It starts with a disappointment — the team gets caught out of position, loses out on a key objective and doesn't build the early momentum it needs. As the game drags past the 25-minute mark, the opposing team scores an "ace," temporarily sidelining all five Cougars at once.

In an online game among strangers, this could be a moment for blame and insults. But not here. Curbing the mean-spirited chat common among online players is a key goal of high school esports, said Wisconsin High School Esports Association President Mike Dahle. "We have had some students who've been resistant to (changing their behavior)," Dahle said.

Online threats and rudeness — described by the blanket term "bm" for "bad mannered" — are so widespread in the gaming community as to be considered part of the game by many players.

"No one taught them how to be appropriate, but now, not only are they representing themselves but their team, community and school," Dahle says.

Some games allow players to celebrate in ways that can be humiliating, such as by spray painting a taunt, according to Montello High

School esports coach and information technology director David Lockstein.

"We have strict rules against bm'ing," he says, noting there are no referees who can stop a game and punishments for infractions can only come post-game. "I've had a couple of strict conversations."

Erskine says he has held practices without computers, allowing players to talk about their feelings playing together. They may discuss their frustrations and anxieties about playing well in an upcoming game. The idea is to build bonds among players that can stand up to the stresses of competition.

It appears to be working. Dressed in button-up shirts and ties, the players are cordial to their opponents and each other, including to a teammate who made a handful of errors.

They end up losing the game, though they already qualified for the

2020 state esports tournament, which was canceled due to the COVID-19 outbreak.

When Wisconsin schools closed to stem the outbreak, esports teams also had to stop playing matches because their rules state that games must be supervised by adults. But they continued to organize small tournaments that allowed students to compete in a different way.

Key to the promise of esports is its egalitarian nature, as students of any gender and those with some disabilities can compete together. But girls are outnumbered by boys on most esports teams. Esports is looking to change that.

■ Recruiting girls is a major focus

In the anonymous realm of online gaming, players don't care about race or gender.

Dressed in button-up shirts and ties, the players are cordial to their opponents and each other, including to a teammate who made a handful of errors.



Two of Erskine's players have been awarded scholarships to play for college esports teams.

"Are you good? That's all that matters (online)," Lockstein says. That said, esports competitors, including at the high school level, are overwhelmingly male. Dahle estimates that boys make up about 90% of Wisconsin high school esports players. He says the association is trying to break down stereotypes about girls and competitive gaming.

"Society tells young ladies that video games aren't for them. We have a ton of middle school girls playing these games but once they get to high school, they stop playing."

Mia Erskine, who plays with

Clinton's middle school team, says her fellow girls will play esports if they see their peers doing it, too.

"We need to know we will be able to do it and we need people to think we can do it just as much," says Mia Erskine, who is the coach's daughter.

Dahle says girls who play games sometimes avoid putting on headsets to avoid verbal abuse.

■ Parents ask questions, see potential

As the Cougars play out their match, Marcy and Jay Rainey, the parents of

one of the players, watch the game on a TV in the library. They could watch at home, too, as many high school esports games are broadcast online.

The couple says esports has helped their son make friends and belong to a team. They even seem to understand what's happening on screen. "There's a lot of thought put into doing it well," Marcy Rainey says of the game.

Last November, global viewership numbers for a League of Legends championship hit nearly 100 million, roughly the same as the 2019 Super Bowl. "People are making a career out of this, as silly as it seems," Jay Rainey says.

Their support ends at depictions of graphic violence. "That doesn't happen in my house," Marcy Rainey says, a firmness in her voice.





As an esports coach, Lockstein gets questions that coaches in other sports don't. Perhaps the most common is about violence.

Overwatch is currently the only shooting game played in Wisconsin's high school esports league. The game is rated "T" for teen by the Entertainment Software Rating Board for its violence, use of tobacco and blood.

Like other esports coaches, Lockstein has heard parents, administrators and school board members ask whether students should be encouraged to play a violent game.

The best way to prevent violence, he says, is to give a student a sense of belonging in the school community. Many of his players would have little or no such belonging without his team, he says.

"Esports is bringing students out of the fringe," Lockstein says. The potential for college scholarships also perks up parents' ears. Two of Erskine's players have been awarded scholarships to play for college esports teams, and recruiters have told him they're looking to make an offer to one of his current players.

But the opportunity that coaches emphasize most has little to do with the games themselves. Instead, they can be a gateway for a career in technology or other fields that touch on esports, such as marketing.

After the end of every match, Lockstein signs off by saying, "And remember, esports is not just gaming. It's opportunity."

"I grew up playing games and that's what molded me into

becoming an IT director," he says.

In Clinton, the team came together out of a shared interest in technology. Erskine says he had about a half-dozen students who would help repair Chromebooks and answer tech support questions. The team started after they approached him about their interest.

Mia Erskine says she likes programming and playing games because she makes friends she wouldn't otherwise have met. "I like to be able to play together with them," she says. "And I like the synergy that you have to have in order to succeed in what you're trying to do." ■

Dan Linehan is a WASB communications and marketing specialist.



Governance Does Matter

What research says about links between school boards and student achievement

Research shows that school boards matter in improving student achievement. As a school board member, you've likely wondered what other districts are doing to improve student achievement. The Texas Association of School Boards is working to find out what theory looks like in practice.

Since 2016, TASB has been conducting research into the school board behaviors that matter most for student success in Texas. The work TASB has done builds on decades of work by researchers, refining their questions and digging deeper into the influence boards have.

■ Early Governance Research

How school board governance affects student achievement wasn't a well-studied area of academic research until recently, but general research was being conducted back in the 1970s.

Frank Lutz presented a paper at the 1977 American Educational Research Association Conference describing the political reality of school boards. His paper described a pattern we see repeated today:

Voters remain mostly apathetic about who serves on their local school board until there is an incident or circumstance that forces them to care. Once that concern cannot be ignored, constituents rally voters to elect new school board members. In local school board governance, this concept is referred to as the Dissatisfaction Theory.

In the decades that followed, researchers frequently cited and explored Lutz's premise. His work relied on a framework developed by social anthropologist Fred Bailey in the 1960s that characterized elite versus arena councils in India's emerging democracy. Researchers today frequently use the terms delegate and trustee instead of elite and arena, but the framework is still in use.

In the early 1990s, Tom Alsbury applied the Dissatisfaction Theory and the framework of delegates versus trustees to identify a relationship between school boards and student achievement. Alsbury found that when the community disapproves of board conduct, voters rally to elect different school board members. This leads to, as Lutz suggested:

- Replacing the superintendent
- Changing district policy
- Changing practices
- Changing the direction of the school district

This type of school board turnover, Alsbury's study showed, led to a decline in student achievement.

■ Lighthouse Studies

Soon after Alsbury completed his study, he took a job as a professor at Iowa State University. He probably didn't realize the leap forward his work was about to take. One of his first doctoral students, Mary Delagardelle, a school administrator who served as a school board member in another district, continued with Alsbury's work, bringing new insights.

"If school boards could do harm, couldn't they also do good?" Delagardelle asked. This became a fundamental focus of the landmark Iowa Lighthouse Project, one of the first research-based studies of effective school boards and their role in increasing student achievement.

It's important to remember that

In addition to the research identified by the Texas Association of School Boards, researchers Michael R. Ford of UW-Oshkosh and Douglas M. Ihrke of UW-Milwaukee found that when school board members who have served for at least five years indicate greater adherence to the Key Work of School Boards, student achievement increases. The Key Work of School Boards is a framework that aims to help boards achieve excellence in school governance by focusing on five core skills — vision, accountability, policy, community leadership and board/superintendent relationships.

Ford and Ihrke found that greater adherence to the Key Work concepts has a statistically significant relationship with a district's reading proficiency levels and overall accountability score. *Visit the WASB website for more information.*

the idea of school boards influencing student learning in classrooms ran contrary to popular opinion in 1990s academia.

Deborah Land at Johns Hopkins University further upended these assumptions about school boards. Her 2002 study, “Local School Boards Under Review: Their Role and Effectiveness in Relation to Students’ Academic Achievement,” provided an in-depth analysis. Land credits the original Iowa Lighthouse study as making “significant steps in the study of school board effects on students’ academic achievement.”

Delagardelle’s 2006 dissertation, “Roles and Responsibilities of Local School Board Members in Relation to Student Achievement,” marked a significant shift in governance research. The findings, coupled with the original Iowa Lighthouse Project and subsequent multi-state Lighthouse studies, highlighted the emerging understanding of the relationship between school boards and student achievement.

Education Week reported in 2011 that national surveys of school board members confirm this shift in boards focusing more on student achievement.

■ Further Insights

In 2012, Paul Johnson, an education professor and school board member in Ohio, summarized the available research on how school boards influence student achievement in “*School Board Governance: The Times They are A-Changin’*.”

One of Johnson’s key insights was that, when preparing new superintendents, defining the relationship between the superintendent and school board is crucial for setting up a superintendent to lead an effective school district. More research is still needed here to document what promising practices look like and how to assist boards with this.

Several state school boards associations have added to this work by promoting an intentional focus on student achievement. Notably, the California School Boards Association published a white paper in 2014 titled “*Governing to Achieve: A Synthesis of Research on School Governance to Support Student Achievement*.”

The CSBA paper summarizes four practices to promote effective governance leading to improved student achievement.

1. Effective boards establish commitments to:

- Embrace a common set of core beliefs about public education, the ability of students and staff to perform at high levels, and the elements of good school governance.
- Build and sustain productive partnerships among board members and between the board and the superintendent.
- Reach clear internal agreements regarding board values, norms and protocols to organize board operations.

2. Effective boards adopt practices to increase their effectiveness by:

- Improving their capacity to govern by creating protected time and structure for their development as a board.
- Understanding successful reform structures by practicing systems thinking, continuous learning and extending leadership for learning.
- Using data to make decisions and monitor district performance.

3. Effective boards focus on core governing decisions that:

- Set direction by making student achievement a high priority, prioritizing all district improvement efforts and clarifying the board’s expectations for performance.
- Align all district resources and policies to ensure improvement efforts are supported.
- Establish a comprehensive framework for accountability that includes board, superintendent and district performance, and involves and is responsive to the needs and interests of parents and community members.

4. Effective boards engage the community to:

- Create a sense of urgency for reform.
- Involve stakeholders in vision and long-term planning.
- Develop and maintain district partnerships.
- Build civic capacity in the community to support district reform.

■ Focus on Specific Actions

The concepts in the CSBA paper are similar to what is featured in the Lighthouse studies. Education management expert Ivan Lorentzen used the Lighthouse studies concepts, along with a Washington survey based on the Washington School Board Stan-

| TASB School Governance Research Timeline |

YEAR	RESEARCHER	FINDINGS
1965	Fred Bailey	Proposed a framework of elite versus arena for examining how committees functioned in India's emerging democracy.
1977	Frank Lutz	Applied Bailey's framework to school boards and explored consequences from board members thinking of themselves as trustees versus representatives in the context of the Dissatisfaction Theory.
2000	Original Lighthouse Research Study	Suggested a relationship between school board member beliefs and student achievement.
2001	Thomas L. Alsbury	Showed the negative effect on student achievement resulting from politically motivated school board turnover.
2002	Deborah Land	Summarized existing research suggesting a potential relationship between school boards and student achievement.
2006	Mary Delagardelle	Explored the relationship between student achievement and board members' conceptions of their roles and responsibilities.
2013	Ivan Lorentzen	Demonstrated a relationship between student achievement and specific actions of school boards' self-reported responses to a board self-assessment, based on the Lighthouse Studies and other literature.
2014	David Lee & Daniel Eadens	Showed a relationship between observable behaviors of board members in school board meetings and student achievement.
2014	Arnold Shober & Michael Hartney	Provided a follow-up to the 2009-10 national study reported by Hess and Meeks and suggested more is needed to be known about how school boards influence student achievement.

dards, for a 2013 study in Montana.

The Lighthouse studies emphasized beliefs of board members, administrators and teachers, but Lorentzen focused on the specific actions of board members and how those related to student achievement. He showed a statistical relationship between each of the Washington School Board Standards and student achievement.

Lorentzen found a correlation when boards report having student achievement goals as part of the superintendent's evaluation. Lorentzen and educational leadership professor William P. McCaw published a four-part series on their research findings in Texas Lone Star, TASB's magazine, in 2017.

Replicating the Lorentzen study in Texas reinforced the relationship between boards engaging their community while promoting public schools, improving student achievement and closing gaps. While there is a clear connection, we need to know more about what specifically is going on in these districts and the

specific actions boards are taking that make the most impact.

■ Following a Plan

What is clear in the Lorentzen research is that effective school boards have a plan. They are intentional and focused — and they follow their plan. Having and consistently following a plan may matter more than how the plan is organized.

In one district, this may include the school board having a calendar for major action items, a schedule

for board development and learning, or some other system to organize the board's work. In another district, it could be a collaboratively developed strategic plan with board agenda items tied to elements in the plan.

Related to all of this is the principle of alignment. Highly effective boards and districts have a high degree of alignment between and among:

- Campus plans
- District plans
- Board meeting agendas
- Superintendent evaluations

Check out the “Focusing on Policy-Making” information

on the WASB website at WASB.org as part of the policy development materials. Boards can provide leadership for focusing their policy-making and actions on student achievement by adopting a district vision/mission, providing a structure that allows the vision/mission to be realized, providing for accountability and being advocates for education. This type of leadership can be provided no matter what size the district is or where it is located (rural, urban or suburban).

GOVERNANCE ADVICE from Wisconsin school board members

There is organization and structure with those alignments in similar efforts that run from the boardroom to the classroom.

This is observable, as David Lee and Daniel Eadens reported in 2014 in their paper titled “*The Problem: Low-Achieving Districts and Low-Performing Boards.*” They cite observable behaviors of school boards in low-achieving versus high-achieving districts.

Although the most effective approach to board development is still being studied, one recurring takeaway in most of the research is that we can’t improve things for students without including board governance as part of the equation. School boards matter in improving student achievement. ■

Phil Gore is the director of the TASB Leadership Team Services Division.

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“As board members, it is up to us to provide stability and continue to model collaborative, effective governance at a time when it is so desperately needed. Our board, in partnership with administration, staff, students, families and communities, continues to act in the best interest of students as we respond to new challenges and requirements.” — **Mary Jo Rozmenoski**, WASB Region 6 Director, Black River Falls School Board

“It is incredibly important that there is a high level of trust built in the superintendent/board partnership. Trust that the board will provide clear and thoughtful guidelines through policy, relevant and realistic goals, and an honest evaluation. Trust that the superintendent will not step outside the established boundaries without consulting with the board. Without that trust, both parties will waste time and effort and diminish student achievement.” — **Brett Hyde**, WASB Region 11 Director, Muskego-Norway School Board

“Needless to say, we are living in very challenging times filled with stress, anxiety and uncertainty for everyone, including those of us who work in public education. Having the framework of the Key Work of School Boards soundly in place provides boards with the necessary support and underpinnings to meet these challenges.” — **Sue Today**, WASB Region 3 Director, Sevastopol School Board

“Good governance means role clarity, clear expectations and effective communication between the board and the superintendent. During a crisis, the superintendent needs to have the authority to make decisions. Of course, the board holds the superintendent accountable through policy. Fortunately, our governance structure has freed our superintendent to make the decisions he believes are best for children, staff and the community.” — **Tom Weber**, WASB Region 12 Director, Sun Prairie Area School Board



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Inequities

in ADVANCED COURSEWORK

What's driving it and what leaders can do

Editor's Note: The below is excerpted from sections of the Education Trust's January 2020 *Inequities in Advanced Coursework*. For the full report and citations, visit edtrust.org.

Black and Latino students across the country experience inequitable access to advanced coursework opportunities. They are locked out of these opportunities early when they are denied access to gifted and talented programs in elementary school, and later in middle and high school, when they are not enrolled in eighth-grade algebra and not given the chance to participate in Advanced Placement (AP), International Baccalaureate (IB) and dual-enrollment programs. As a result, these students are missing out on critical opportunities that can set them up for success in college and careers.

This is not a new problem. Researchers have known for decades that black and Latino students are assigned to advanced courses at much lower rates than their peers. In 2013, The Education Trust, for example, looked closely at AP and IB participation rates nationally and by school and found that hundreds of thousands of students of color and students from low-income backgrounds were missing out on these opportunities. Yet, despite the many relevant studies, there has been little widespread progress. The underrepresentation of black students in gifted and talented programs, for instance, has barely budged since 1993.

Beyond missing out on critical opportunities, black and Latino students also are being sent a harmful message that advanced courses are not for them, or worse,

that they are not smart enough to participate. It's a dangerous perception that fuels the persistent gaps in opportunities that exist in schools across the country. Yet, when advanced opportunities are extended to students of color and when teachers receive training and resources, these students thrive alongside their peers. In general, students in advanced courses work harder and engage more in school, leading to fewer absences and suspensions and higher graduation rates. This is in part due to higher teacher and counselor expectations and support that come with being enrolled in advanced coursework.

The truth is that black and Latino students are not receiving these opportunities for reasons that have everything to do with policies, adult decisions and practices and little to do with students' academic abilities. This paper and the accompanying state data tool tell that story. In this analysis, we paint a picture at both national and state levels of how these students are denied access to meaningful advanced coursework opportunities, from elementary to middle to high school.

We also diagnose the particular types of barriers standing in their way and offer actionable solutions for state, district and school leaders to address those barriers. In some states, the problem is that black and Latino students attend a school without any advanced courses; in others, they attend a school that enrolls too few students in advanced coursework

overall, or one that denies them their fair share of seats in those courses. Also, within a particular state, the problems are often different for black students than Latino students. In all cases, unearthing these barriers to opportunity will help state leaders pursue targeted solutions that will actually move the needle for both groups of students.

The disparities in access to advanced coursework are not inevitable. State leaders, as well as district and school leaders, can take meaningful steps to put their state on the path to fair representation, by setting clear goals for advancing access to and success in advanced coursework, using data to identify the barriers that prevent students of color and students from low-income backgrounds from enrolling in advanced courses, and implementing the right statewide solutions for their particular problems. We offer corresponding policy solutions that state leaders should pursue to address these barriers.

District and school policy solutions

As we highlighted in *Systems for Success: Thinking Beyond Access to AP* and other reports in our Shattering Expectations series, there are a number of policy solutions that district and school leaders can implement to help eliminate disparities in access to advanced coursework, including:

Provide teachers with ongoing professional development and support in teaching advanced

courses, as well as regular bias training to gain cultural competency.

Adopt rigorous, standards-aligned curricula and assessments, and provide and distribute high-quality instructional materials to all schools.

Ensure the district's core curriculum and course sequencing pathways prepare all students to enroll and succeed in advanced courses.

Examine the district's policies for bias in identifying students for advanced coursework.

Require that all information about advanced coursework (including the process the district uses to assign students to courses, courses offered, benefits of taking courses, waived fees, and course requirements) be given to all students and families and be made available in a family's primary language.

There are districts and schools that have put in place policies to address this issue — and reported progress. For example:

- One large urban school district implemented universal gifted and talented screening for second-grade students and saw a 130% increase of Latino students and an 80% increase of black students identified for gifted and talented programs.
- Wake County Public Schools in North Carolina implemented a policy to assign middle school students to accelerated math and eighth-grade algebra when they demonstrate success in prior coursework and thereby significantly increased black and Latino enrollment in eighth-grade algebra.

- Alhambra High School, a large, racially diverse school outside of Los Angeles, changed outdated assumptions and policies about AP by moving to open enrollment and dramatically increased access to and success in AP classes, especially for Latino students.

But our analyses confirm that, despite increased attention on increasing access to and success in advanced coursework, black and Latino students continue to be underrepresented across the country. District and school efforts have not solved this problem, and too few states are tackling the issue. We need to add sustained, intentional state-level action. ■

Reprinted with permission from The Education Trust: Kayla Patrick is a P-12 data and policy analyst; Allison Socol is an assistant director of P-12 policy; and Ivy Morgan is the associate director for analytics.

How does Wisconsin compare with other states?

One way to measure access to Advanced Placement courses is to compare the number of black or Latino students who are in these courses with their percentage in the overall student population.

Fair representation would mean that their share of enrollment in these courses would be similar to their share of the student population overall. In Wisconsin, as in most states, that's not happening.

For example, for every 100 black students who would need to be enrolled to achieve fair representation in Wisconsin, only 52 are registered. That means the number of black students in AP courses would need to nearly double to

achieve fair representation in this state.

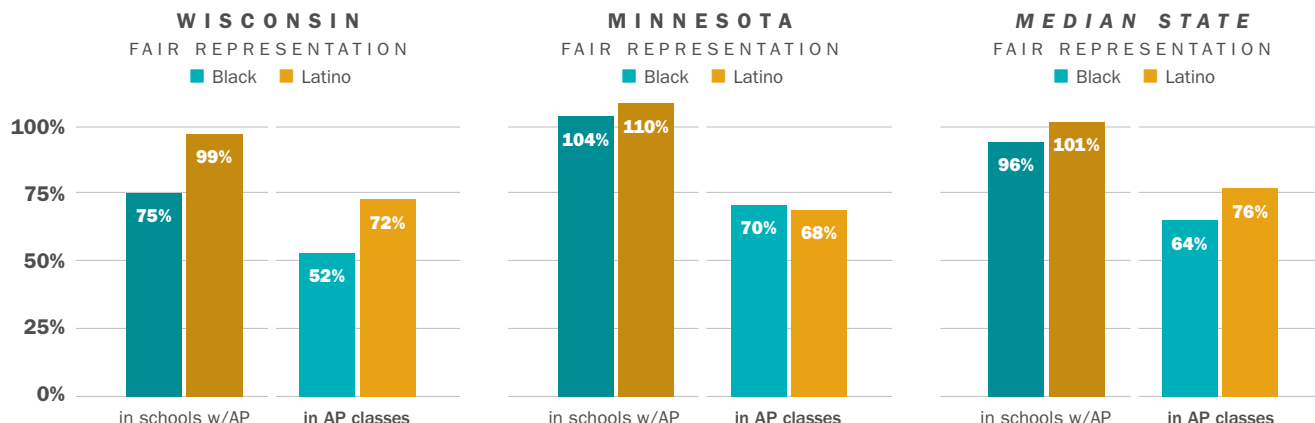
This is the eighth-lowest representation for black students nationwide and 19% below the median state.

Inequalities are also present among Wisconsin's Latino students, if not as starkly. For every 100 Latino students who would need to be enrolled to achieve fair representation in AP courses, only 72 are.

This puts Wisconsin in the 23rd-lowest spot nationwide and 5% below the median state.

There are many ways to measure access to AP courses and advanced coursework, so consider visiting the Education Trust website to see the full picture. □

MINORITY STUDENT ENROLLMENT






In addition to the Nests found within classrooms, self-regulation spaces at schools in the Appleton Area School District were created to allow students to address needs when staying in the classroom is not a healthy option.

Design FOR WELLNESS

How schools are creating spaces that promote mental health



An increasing number of students are struggling with mental health issues. Students who are facing or have been affected by trauma or who have persistent physical and emotional challenges can benefit from a space that is respectful of their circumstances and supports their educational pursuits. Therefore, schools should be prepared to offer them a safe space to address these issues when they arise

The Centers for Disease Control and Prevention provided a sense of the scope of the issue in an April 2019 Children's Mental Health Update:

- 7.4% of children aged 3-17 years (approximately 4.5 million) have a diagnosed behavior problem.
- 7.1% of children aged 3-17 years (approximately 4.4 million) have diagnosed anxiety.
- 3.2% of children aged 3-17 years (approximately 1.9 million) have diagnosed depression.
- About 3 in 4 children aged 3-17 years with depression also have anxiety, and almost 1 in 2 have behavior problems.

Mental health issues among children and teens have steadily increased since 2003. Students with mental difficulties and those affected by trauma need the barriers to educational attainment eliminated. The preceding CDC data can influence the design of educational construction and remodeling projects, the choices of purchases of such items as paint and furniture, and the selection of professional development and faculty/staff education.

The Appleton Area School District is designing its schools with mental health in mind, including creating spaces for collaboration and student wellness.

■ Designing for self-regulation

Self-regulation is a critical skill for young people to master. It essentially refers to the ability to regulate or control one's own emotions. A child's environment plays a big role in his or her ability to self-regulate.

The main goal of a self-regulation space is to keep a student engaged in education. To help students succeed in its classrooms, Appleton schools have created "Nests" — regulation stations

Students who are facing or have been affected by trauma or who have persistent physical and emotional challenges can benefit from a space that is respectful of their circumstances and supports their educational pursuits.

within classrooms that are designated spaces, areas, enclosures or tents to promote relaxation for all the senses. They provide space for de-escalation prior to a negative incident. Statistics show how these spaces decrease the likelihood that a child will be removed from the classroom and miss out on valuable instructional time.

Previously, it was common for situations to escalate to the point where a student was removed or placed in timeout in a punitive way. Now, a student or teacher can recognize signals and make a preemptive shift to the Nest. The student is still receiving instructions and being monitored by the classroom teacher, but within a personal space.

Additionally, when considering classrooms, corridors and common spaces, be aware that the size of the space matters — cramped student learning and gathering areas escalate the potential for negative incidents.

Patterns and colors on corridor floors and walls offer children a place

to focus their physical and mental attention. Some schools place stickers on floors and walls that invoke physical stimulation. Handprints on walls and words such as “smash” on the floors provide a helpful physical and mental break from sensitive student routines. A change does not have to be extravagant — kinetic, visual, tactile and auditory features can truly make a difference.

■ Create calm with colors

It is increasingly common for school districts to consider how colors will affect the mood and feel of an area. More natural materials, pleasing and varied textures, and an array of warm colors create a less institutional feel that benefits all, especially students with mental health struggles. For

example, red can stimulate exhilaration and increase alertness, which would be appreciated in most school settings. However, for those who struggle with anxiety, red can also be tremendously upsetting.

Be conscious of the calming effect of certain colors:

- Green diminishes conflict and anger
- Purple promotes peace and tranquility
- Yellow aids in creativity, attention and a general sense of positivity
- Brown provides a sense of relaxation or helps students feel more protected
- Off-white advances attention and instills feelings of positivity
- Blue creates a calming environment

To help students succeed in its classrooms, Appleton has created “Nests” — regulation stations within classrooms that are designated spaces, areas, enclosures or tents to promote relaxation for all the senses.

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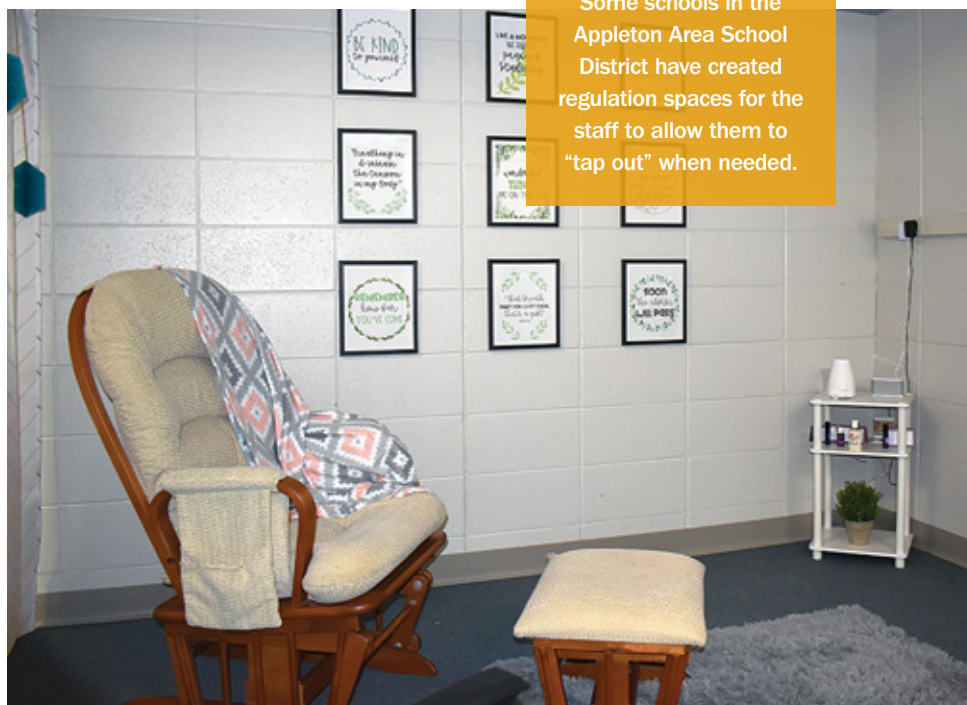
A new paint job is one of the most cost-effective ways to freshen up a school and brighten students' and teachers' moods and perceptions.

■ Lighting makes a difference

In addition, be mindful of lighting options. Seek out opportunities to replace fluorescent and incandescent lighting with LED lighting. Fluorescent bulbs create issues with oscillation frequency (sense of flickering) for some students and teachers, which can be distracting and disconcerting. Dimmable LED lights can create warm or cool environments and less glaring light. That benefits both teachers and students. As a bonus, schools will use less energy and considerably fewer bulbs, resulting in significant long-term cost savings.

In addition, always seek to provide natural light and views of outdoor spaces whenever possible. A 2012 study, *"The Impact of School Buildings on Student Health and Performance"* by Lindsay Baker and Harvey Bernstein, noted numerous benefits of daylight going back more than a century. A well-positioned school that uses quality windows can reduce glare and add insulation. Tubular daylight devices, sometimes known as light tubes, are another viable option to bring daylight into the interior of the building. Overhangs and interior baffles are also worthy of consideration, as they provide uniform lighting. Appleton staff members have observed that lighting plays a significant role in elevating moods and improving attitudes in students and teachers.

Flexible seating and kinetic furniture are examples of tools that a teacher can use to reduce anxiety escalation in students.



Some schools in the Appleton Area School District have created regulation spaces for the staff to allow them to "tap out" when needed.

■ The function of flexible furniture

Flexible seating and kinetic furniture are more examples of tools teachers can use to reduce anxiety escalation in students. Teachers can alter the arrangement, create diverse activity areas and provide for groups of varied sizes. Triangular or trapezoid-shaped desks can aid adaptability, allowing teachers to quickly rearrange a space to meet unique and separate needs. Also consider providing informal options such as stability balls, bean bags and standing stations to add to the malleability of the environment, whether in classrooms, cafeterias, learning labs, resource centers or breakout spaces.

■ Staff and partners matter

It is important to inform all staff of these measures. There will be more buy-in and less pushback if staff members understand why the measures are important. For example, explaining to the maintenance team why tape or other types of pattern-forming substances are applied to floors can reduce frustration and competing ideals.

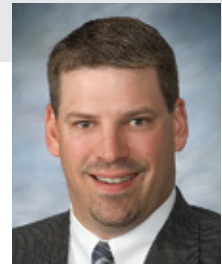
The Appleton Area School District

joined forces with local mental health agencies for district-wide mental health screenings for students in the third, ninth and 11th grades.

Students aren't the only ones whose positive mental health we should strive to maintain. There is a growing trend to create regulation spaces for teachers and other adults, including allowing them to "tap out" or remove themselves from a situation by using adult regulation stations.

Pause and reflect on how you could be the catalyst for helping those who need it most. Be mindful of design, colors, lighting, furniture, staff and partners as you prepare to build, remodel or refresh your facility for the coming school year. ■

Jody Andres, AIA LEED AP, is a senior project architect and the K-12 market leader at Hoffman Planning, Design & Construction, Inc. Andres is a past president of the American Institute of Architects Wisconsin and the regional representative for the North Central States to the AIA Strategic Council. He has worked with more than 50 school districts on PreK-12 educational facilities, providing needs assessment, planning, programming and design services. Jody can be reached at jandres@hoffman.net.



Sexual Harassment Training

Guidelines for employers and school leaders

School districts, like all public and private employers, have a responsibility to provide administrators, faculty, staff and students with a safe and productive workplace free of harassment. The first step in accomplishing this should be to review what behavior constitutes sexual harassment.

■ What is and isn't sexual harassment?

The U.S. Equal Employment Opportunity Commission is the federal agency that enforces laws against discrimination and sexual harassment. Their definition of sexual harassment includes:

“Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.”

This harassment does not have to be of a sexual nature. It can include offensive remarks about a person's sex, such as by making offensive comments about women in general. Nor does sexual harassment have to be directed from a man to a woman. The victim and harasser can be either sex, including the same sex.

The law does not prohibit simple

teasing, offhand comments or isolated incidents that are not very serious. However, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment. It is also illegal when the harassment results in the victim being fired or subjected to another adverse employment decision.

Finally, a harasser does not have to be a victim's supervisor. He or she could be a co-worker or non-employee, such as a client or customer.

■ What your training should include

Training material for school district administration and leadership should include several essential elements. There should be a clear review of objectives, beginning with the definition of — and different kinds of — sexual harassment.

Participants should learn what questions to ask to determine whether behavior constitutes sexual harassment. Was the behavior of a sexual nature or based on sex? Was it welcomed or unwelcomed? How severe was the conduct?

Participants should learn their roles and responsibilities, how to identify situations that may comprise sexual harassment, and how to take action while potential harassment is happening. They should know how to report harassment and respond to employee complaints and reports

with corrective action that is proportional to the severity and frequency of the unwelcome behavior. Administration and leadership should know how the school district reports, documents and investigates claims of sexual harassment.

Training should also break down sexual harassment into several parts. It can stem from different behaviors and begin with different motivations. Harassment can be a single incident or an ongoing pattern of behavior. It can include both verbal and physical conduct.

Participants should know that a school district can be held liable for the actions of a supervisor or leader. Explain what a quid pro quo connection — Latin for “this for that” — means between a supervisor, manager or employer and a subordinate. The training should include examples of a hostile work environment connected with sexual harassment.

Discussion of a hostile work environment should also include a review of the frequency and severity of harassment; the distinctions between physical and verbal harassment; the distinctions between co-workers and supervisors; and the effects on anyone connected with such actions.

There are a number of “what if” scenarios about which participants may incorrectly believe that sexual harassment laws do not apply. For example, a relationship that began as consensual can turn into harass-

Participants should learn their roles and responsibilities, how to identify situations that may comprise sexual harassment, and how to take action while potential harassment is happening.

Visit the **WASB COVID-19** page at [WASB.org](https://wasb.org) for WASB Insurance Plan updates related to the ongoing public health crisis. Due to the evolving nature of the crisis, insurance-related updates have been posted on the website to allow the information to be adjusted as guidance is updated.

ment. In addition, harassment is not acceptable even when it occurs away from work and after hours.

Participants should also understand some practical and legal distinctions. They should know what a “reasonable person standard” means, as well as the difference between the intent and impact of behavior. Case studies can serve as a review of these principles and show participants how they apply to real-world situations.

Finally, the training should speak to the importance of preventing sexual harassment. The consequences of harassment — including emotional pain, turnover and repu-

tational damage — should be spelled out. The district’s sexual harassment policy should be distributed and reviewed by employees and leadership each year.

■ Consider your insurance policies

Lastly, check your insurance policies. Several property and casualty carriers offer insurance products, including employment practices liability insurance that may provide various levels of protection including covering legal costs, claims and back wages. As always, take an opportunity to speak with the legal staff at

the Wisconsin Association of School Boards or your own legal counsel to outline what your responsibilities are and how they may assist you if an allegation arises. ■

Important disclaimer: TRICOR strongly recommends employers connecting with a licensed professional and/or legal counsel for an assessment of any employee benefit and district policy changes.

TRICOR Insurance is endorsed by the Wisconsin Association of School Boards (WASB) Insurance Plan for Property and Casualty Insurance & Employee Benefits Insurance.



WORKING TOGETHER

A \$12 million donation from the Ronald and Joyce Wanek Foundation, a \$4 million facilities referendum, and additional community donations funded the Wanek Community Center. The state-of-the-art facility includes a gym, community center, and public library. Located at Arcadia High School, this space is open to the District and the community. This, is **Building Excellence**.

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2021 STATE EDUCATION CONVENTION

Call for Proposals: Breakout Sessions

Share your expertise with school leaders from around the state!

School districts have been hit with unprecedented disruption and change this year. The Joint State Education Convention next January will provide one of the best opportunities for school leaders to reflect on their experiences, learn from each other and recharge for the new year.

What are your success stories? What strategies worked for your district? Submit a proposal for a breakout session at the 100th Joint State Education Convention by visiting wasb.org/convention. **Session proposals are due Friday, June 26, 2020.**

**2020 STATE EDUCATION CONVENTION Virtual Sessions Available**

Eight select breakout sessions and two keynotes were recorded at the 2020 State Education Convention in January. Be inspired by the keynotes of Dr. Scott McLeod and Dr. Yong Zhao and take advantage of the lessons learned from other school districts on equity, developing resilient learners, school safety and security, vouchers, digitally integrated classrooms, federal reporting requirements, customer service and new salary models.

Recorded sessions are available through December 2020. To sign up, contact the WASB at info@wasb.org or call 608-257-2622.

SUMMER LEADERSHIP INSTITUTE CANCELED

The 2020 WASB Summer Leadership Institute in July has been canceled. We look forward to seeing you next summer.

Upcoming WASB Webinars

The WASB hosts a series of webinars throughout the year on legal, policy and other important school leadership topics.

**Board Member Use of Social Media,
Online Communications and Email**

May 6, 12-1 pm

The use of social media, online communications and email by school board members raises legal issues for individual board members and school boards as a whole. This webinar will address the legal implications of such use in regards to:

- The First Amendment
- Wisconsin's Open Meetings, pupil records and Public Records laws
- Board member roles and responsibilities
- Who speaks for the board
- Other topics

Presenter: Bob Butler, Associate Executive Director and Staff Counsel

Hiring Teachers

May 20, 1:30-2:30 pm

This presentation will provide an overview of the general process of hiring teachers, including state requirements. It includes information about the purpose of position descriptions, the posting of vacancy notices, application forms, the interview process, reference checks and state and federal laws as they relate to employment discrimination.

Presenter: Bob Butler, Associate Executive Director and Staff Counsel

Please note: These webinars, and all previous ones, are recorded and available on demand. WASB members can purchase any webinar and watch when their schedule allows. Upcoming live and pre-recorded webinars are listed on the webinar catalog page at WASB.org. In addition, links to past webinars are available in the Policy Resource Guide.

Spring Workshops ONLINE

WORKSHOP 1

Understanding Your Legal Roles & Responsibilities

TUESDAY, MAY 12 | THURSDAY, MAY 14

7–8:30pm *(The content is the same each evening)*

To be effective leaders, school board members need to understand their governing role and their legal responsibilities. In this interactive, online workshop, experienced WASB school attorneys will take a deep dive into the key laws that impact school board service. Participants will learn how the implementation of those laws directly influences effective board governance at the board table and beyond. Key topics include:

- What boards do
- Roles of the board, individual members and administrators
- How boards exercise their statutory powers and duties
- Public Records Law
- Conflicts of interest



WASB Connection Podcast

The April episode includes a conversation with WASB consultant Fran Finco, a 43-year education veteran, about how to onboard new school board members. Find the episode on WASB.org or wherever you listen to podcasts.

WORKSHOP 2

How to Plan and Conduct Effective Board Meetings

WEDNESDAY, MAY 20 | THURSDAY, MAY 21

7–8:30pm *(The content is the same each evening)*

All school boards conduct their business in similar meetings. However, the effectiveness of their meetings can vary widely. How a board sets its agendas and plans for and conducts its meetings can impact the board's success in moving the needle on student achievement.

In this interactive, online workshop, experienced WASB school attorneys will review the legal requirements for meetings, including a closer look at the Open Meetings Law. They will also review board member roles as well as how to structure meetings to achieve different purposes, conduct an effective board meeting, record meetings appropriately and accommodate public participation.



WASB Executive Director John Ashley (back row, center) is pictured last summer with the WASC leadership and the executive directors of the Association of Wisconsin School Administrators and the Wisconsin Association of School District Administrators.

WASB recognized as a WASC 'Association Friend'

The WASB is proud to have been named an Association Friend of the Wisconsin Association of School Councils.

The WASB was recognized for showcasing the importance of student voice in the *Wisconsin School News* and inspiring young leaders to move their own leadership journey forward by presenting at the State Education Convention.



Celebrating 100

In recognition of the upcoming centennial anniversary, the WASB is featuring a decade of highlights from the association's past in each issue of the *Wisconsin School News* through early 2021. In this issue, we go back to the 1940s ...

1940's December 7, 1941 began as a beautiful Sunday morning in Honolulu, Hawaii. By the next day, President Franklin D. Roosevelt was proclaiming it "a date which will live in infamy."

The war effort affected every facet of American life. Demanding personal sacrifice, it necessitated the rationing of resources and encouraged private citizens to purchase war bonds. Atomic bombs destroying Hiroshima and Nagasaki in Japan brought an end to World War II in 1945 and ushered in the Cold War. By the decade's end, the Soviets exploded their own A-bomb.

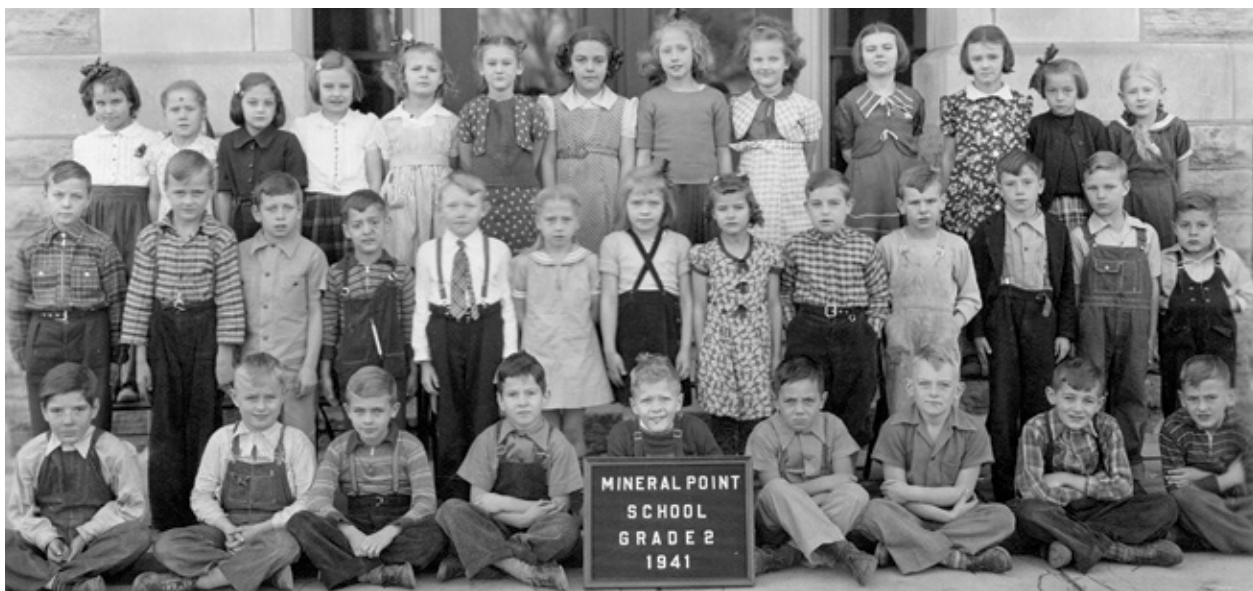
Other notable events of the decade: lives are saved with the mass production of penicillin, United Kingdom Prime Minister Winston Churchill delivers his "Iron Curtain" speech, Nazis stand trial in Nuremburg, the Marshall Plan starts to help Europe recover, Mao Zedong creates the People's Republic of China, the Taft-Hartley Act restricts labor unions, and the GI Bill of Rights helps U.S. veterans attend college and buy a home. □

RECEIPTS			
	43-44	44-45	45-46
Money on hand	\$ 3,418.40	\$ 4,018.79	\$ 1,306.45
Stat Aids (all)	4,895.88	5,066.38	5,060.00
Transportation Aids	520.80	564.18	570.00
Refunds	27.10	181.68	50.00
Federal Aid (milk)	421.27	319.72	
County Taxes	1,590.00	1,500.00	1,500.00
Tuition	414.00	563.07	470.00
Local Taxes	11,977.14	13,000.00	16,000.00
All other	189.28	435.24	500.00
TOTAL	\$23,363.82	\$26,629.06	\$25,466.45
EXPENDITURES			
	43-44	44-45	45-46
Teachers' salary	\$12,989.93	\$16,348.50	\$18,175.90
School supplies	742.36	758.93	760.00
Text Books	143.31	244.40	200.00
Operation	2,814.15	3,510.44	3,500.00
Maintenance	1,093.82	2,069.91	1,050.00
Fixed Charges	372.45	432.30	450.00
Transportation	564.18	644.73	700.00
Debt Service	49.50	86.78	85.00
All others	575.31	189.83	200.90
TOTAL	\$19,345.03	\$24,322.61	\$25,110.90

A public hearing on the proposed budget will be held at Altoona Public School at 7 o'clock on Monday, July 9, 1945.

Signed: Mred J. Gloede, Director
Mrs. Clyde Woodington, Clerk Mrs. Marjorie Musolf, Treasurer

The Altoona School District's 1945-46 budget.





Five Tomah High School cheerleaders at the WIAA State High School Basketball Tournament in 1947. Tomah lost to Neenah 45-41 in the consolation round. *Wisconsin Historical Society, WHS-46379*



Lunch at the Hochunkgra School in 1948. The school served Ho-Chunk students in the Black River Falls School District from 1934 until 1963. *Photo courtesy of the Jackson County Historical Society.*

■ THE WASB

1940. The State Education Convention registration fee increases to \$1.50, which includes a banquet ticket.

1941. The WASB directors authorize \$500 to publish weekly legislative updates for all school board members.

1942. Delegates request that male teachers be placed in a deferred classification for Selective Service purposes.

1944. The association spends \$35 for 1,500 copies of the first issue of the Wisconsin School Board News.

1945. The War Mobilization Director prohibits conferences, conventions and meetings of more than 50 people, canceling the annual convention.

1945. Prospective teachers drop from 2,172 in 1943 to 982 in June of 1945, creating a teacher supply crisis.

1946. Wisconsin public school enrollment climbs to 484,356 for the 1945-46 school year.

1947. Delegates debate school improvement versus tax relief, audio-visual educational aids and establishing a state board of education; the Legislature authorizes \$6.5 million for school aids.

1949. The WASB finishes the decade with 241 member districts.

■ OUR STATE

1941. The University of Wisconsin defeats Washington State 39-34 for its only NCAA basketball championship.

1943. The Nazis execute Milwaukee native Mildred Fish Harnack, a graduate of Milwaukee High School of the Arts and UW-Madison, for providing intelligence to the Allies while serving as an instructor at the University of Berlin.

1946. Wisconsin's Progressive Party dissolves with members joining the Republican Party.

1946. Trees for Tomorrow camp becomes permanent,

offering summer programs for teachers and others while expanding its effort to reforest northern Wisconsin.

1947. Wisconsin retires its \$1.2 million Civil War debt.

1949. Milwaukee's Joseph J. Zimmerman patents a telephone answering machine.

■ OUR NATION

1940. Richard Wright's "Native Son" tells the story of an impoverished black youth living in Chicago's South Side and Dorothy Kunhardt writes and illustrates the first tactile book, "Pat the Bunny."

1941. Children learn to spot enemy aircraft; and the USO begins entertaining the troops.

1942. "War time" moves clocks ahead one hour; and the War Relocation Authority creates Japanese internment camps.

1943. The All-American Girls' Professional Baseball League inaugural season includes the Kenosha Comets and Racine Belles; Victory Gardens provide fresh vegetables; and shoe rationing limits an individual to three pairs annually.

1944. Norman Rockwell paints Rosie the Riveter; and President Franklin D. Roosevelt wins a fourth term.

1945. Harry Truman becomes president; Costello asks Abbott "Who's on First;" and frozen dinners show up on dinner tables.

1946. Mothers across the country get child-rearing advice from a Dr. Benjamin Spock book and begin storing leftovers in their new Tupperware.

1947. Sharecropper's son Jackie Robinson breaks Major League Baseball's color barrier and becomes Rookie of the Year.

1948. The U.S. Supreme Court rules religious teaching in public schools unconstitutional; and the first long-playing (LP) vinyl record features the New York Philharmonic.

1949. The minimum wage increases from 40 to 75 cents.

Pandemic's Effect on State Finances Will Impact School Budgets

Be ready to educate and advocate



So much has changed for schools and daily life in the past month and a half that it would have been hard to imagine the state of affairs in which we find ourselves today.

We had originally intended this month's column to review and summarize the legislative session, including an update on bills that were still alive when we wrote last month's column. We fully anticipated that the Senate would complete its action in late March and be finished with its business for the year. Little did we realize...

...That schools and many businesses would be closed under "safer at home" orders as our nation and state come to grips with the public health emergency.

...That the economic picture of our state and nation would change so dramatically in a matter of a few weeks.

...That with this changed economic picture, the state's fiscal

outlook would alter dramatically.

...That spending cuts will be needed to balance the state's two-year budget — if not in the first year, which ends on June 30, then certainly in the second year.

■ Yes, the picture has changed

In February, lawmakers and the governor were arguing about how to spend a projected state surplus. Schools were in full swing. By the end of March, nearly 700,000 Wisconsinites were idled and unable to work. Schools and many businesses were closed.

With so many people out of the workforce, and the tax filing deadline pushed back from April 15 to July 15, income tax collections are declining. With so many retail businesses closed and consumers scaling back purchases, sales tax revenues are dropping dramatically. Those are the two biggest sources of state revenue.

What does this mean for schools? It means K-12 education will be competing for resources with all the other state programs in a changed fiscal environment where lawmakers will likely be looking for places to make cuts wherever they can.

As we write this, the state Assembly and Senate are meeting in an extraordinary session to address the state's initial response to the public health emergency brought on by the COVID-19 pandemic and to enable the state to capture its share of available federal funding.

Assembly Speaker Robin Vos (R-Burlington), speaking on the Assembly floor during that extraordinary session — the first-ever floor session held using technology to allow members to participate remotely — was clear about this as he lamented the failure of the legislation to freeze state spending. He said:

"There are going to be hard decisions for us to make... We wanted to freeze spending during

K-12 education will be competing for resources with all the other state programs in a changed fiscal environment ...

the second year of our two-year budget so that we would have the ability to assess: How are the revenues coming in? Are people still able to pay their income and sales taxes, which is what funds state government? I still think that would have been incredibly wise for us to do... There is no doubt in my mind that we are going to have to come back at some point to deal with the economic carnage that is caused by our decision to not freeze spending."

So, while the legislation that lawmakers are taking up as we write this does not freeze state spending or make major cuts, we can be pretty certain the state will be unable to fund the increases it had committed to in the second year of the budget. The options will be to cut spending or increase taxes, with the latter being extremely unlikely with so many people out of work and businesses closed or struggling.

The additional federal funding recently approved by Congress will soften the blow, but it may be insufficient to shield schools from a spending freeze or cuts. Based on experience from the Great Recession and the federal assistance provided to schools then, we know federal funding will be distributed unevenly to school districts across the state because it will likely be based largely on each district's proportional share of Title I funding.

■ What does this mean for schools?

For starters, it means school leaders, boards and administrators will need to be prepared to tell their districts' stories. Strong legislative advocacy will be needed.

Many lawmakers are under the impression that with school buildings closed, districts are sitting on money, holding back on expenditures and may have more than they need. Those lawmakers may not realize that many districts have

incurred additional expenditures to ramp up online learning, deliver lesson materials and school meals to homebound students, and provide other services.

School leaders need to tell their stories and explain the steps they are taking to continue to educate and nourish the minds and bodies of their students.

Many lawmakers are not aware that school districts receive state aids based on expenses they incurred in the previous year. School leaders will need to educate lawmakers on how state aids in a given year may or may not match a school district's needs.

Many lawmakers are unaware that if summer school is unable to be held this summer, many districts will see a significant drop in their membership counts for school aid and revenue limit purposes. This, in turn, will limit districts' overall budgets and their ability to sustain programs and services to students. School leaders will also need to educate lawmakers on these challenges.

Many lawmakers will be looking at school district fund balances and

will try to argue that schools can absorb cuts. School leaders will need to tell their stories and explain that fund balances don't necessarily reflect cash that districts have sitting in a bank account but rather, and sometimes in large measure, reflect anticipated funds that schools have not yet received. School leaders will need to educate lawmakers on what fund balances are — what they reflect and do not reflect — and the reasons why school districts maintain fund balances.

The list goes on.

For now, the important thing is to begin documenting the additional steps you are taking to meet your students' needs and the budget impact of those steps so you will be prepared to talk with your legislators.

School leaders are in the education business. Part of being in the education business is working to educate your communities and your lawmakers. The more prepared you are to do that, the better our schools will fare in the coming budget debates. ■

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Compensatory Education Services for Students with Disabilities

The continuing consequences of COVID-19

The pandemic resulting from COVID-19 has caused a significant transition in the manner in which school districts serve students. Within a short period of time, districts have been required to abandon face-to-face instruction in brick-and-mortar schools and to develop educational programs that include online curriculum and assignments and virtual instruction in students' homes. In many districts, the swift transition to online and virtual platforms resulted in a lapse of some services and a complete loss of others for some students with disabilities. Based upon guidance issued by the U.S. Department of Education and the Wisconsin Department of Public Instruction, the loss of services will require individualized determinations of compensatory education for some of these students.¹ This Legal Comment will address the basis for those services and a method of analysis to determine appropriate levels of compensatory education.

The requirement of a free appropriate public education

The Individuals with Disabilities Education Act mandates that public school districts provide a free appropriate public education to students with disabilities.² The U.S. Supreme Court has held that to meet its obligation to provide a free appropriate public education, a district "must offer an Individualized Education Program reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances."³ The court further noted that "progress" sufficient to satisfy the new standard will vary significantly among students. For a

student with a disability fully included in a regular education classroom, the IEP should be "reasonably calculated to enable the student to achieve passing marks and advance from grade to grade." For students placed in more restrictive settings, the IEP must be "appropriately ambitious" in light of the student's circumstances while allowing the student to make progress in his or her own unique educational program.

Compensatory education

While not specifically authorized by the IDEA, compensatory education is a remedy available to courts, administrative law judges and state educational agencies to address a district's failure to provide a free appropriate public education to a student with a disability.⁴ The path to an award of compensatory education typically begins with a parent or guardian filing an IDEA complaint with the DPI, or a request for a due process hearing, alleging procedural and/or substantive violations of the IDEA. If the DPI, an administrative law judge or a federal district court (on appeal) determines that the district denied a free appropriate public education to a student, they may order the district to provide compensatory education to remedy that denial.

The state and federal guidance has identified several situations in which compensatory education may be required as a result of an extended school closure: if students with disabilities are not being provided specialized instruction or related services, if specific special education and/or related services cannot be provided or minutes of specialized instruction are reduced, or if an annual IEP is delayed. In

these situations, districts will need to reconvene IEP teams once school resumes to determine whether and what compensatory education is needed to address the loss in services. Given the guidance, it is likely that districts will need to engage in this analysis for many, if not most, of its students with disabilities.

Administrative and judicial tribunals have employed several different methods in calculating compensatory education when considered in the traditional context of a denial of a free appropriate public education. For example, some tribunals have employed a formulaic, minute-by-minute analysis.⁵ Under this analysis, if a student did not receive 60 minutes per week of IEP-required speech and language therapy for a total of 10 weeks, the student would receive 600 minutes of speech and language therapy as compensatory education.

In Wisconsin, federal district courts and administrative law judges have rejected this mechanical approach and instead ordered districts to analyze compensatory education in light of the student's unique needs. For example, in one administrative proceeding, the district stipulated that it did not provide 280 hours of required educational services.⁶ However, instead of simply ordering 280 hours of compensatory education, the administrative law judge ordered "the district to convene the IEP team to determine the appropriate amount of compensatory education required to place the student in the position he would have been in but for the denial of a free appropriate public education." Likewise, the district court for the Western District of Wisconsin, in discussing compensa-

tory education, found “the flexible, individualized approach to be consistent with the aim of IDEA and preferable to the formulaic approach.”⁷ The court explained that “compensatory services must be aimed at advancing [the student] to the position in which he would have been had he not been denied FAPE (free appropriate public education).”

The Seventh Circuit Court of Appeals, the federal appeals court with jurisdiction over the state of Wisconsin, has not established a specific test or definitive standard detailing how to calculate compensatory education.⁸ However, several district courts within the Seventh Circuit have used a more nuanced, individualized approach that requires a fact-specific analysis to determine the benefits that likely would have accrued from special education services the district should have supplied in the first place. One district court considered the amount of compensatory education needed for a student who had been denied a free appropriate public education for 27 months.⁹ In doing so, the court recognized that using only a “rote, day-by-day formula” to calculate compensatory education ran contrary to the tenets of the IDEA, which focus on individual needs: “just as IEPs focus on disabled students’ individual needs, so must awards compensating past violations rely on individualized assessments. This is particularly appropriate given that some students may require ‘short, intensive compensatory programs targeted at specific problems’ while others may need ‘extended programs ... exceeding hour-for-hour replacement of time spent without FAPE.’” In adopting a “more flexible, individualized approach” to determining awards of compensatory education, another district court denied compensatory “behavior modification services” that the district failed to

provide for 17 months because the student had received similar services during a placement at a day treatment program.¹⁰ The court reasoned that the student would not be in any better position had the district provided the disputed services.

While administrative decisions and federal case law support an individualized analysis of compensatory education, no guidance has been issued to address how compensatory education should be calculated following an extended period of school closure due to a public health emergency. Accordingly, in navigating this uncharted territory, IEP teams may wish to consider analogous situations in which students have experienced extended absences due to other circumstances. For example, during the teachers’ strike in Illinois, students did not receive special education services.¹¹ In response to an inquiry regarding what services, if any, were owed to students with disabilities once the strike ended, the Office of Special Education Programs stated that “the IEP Team must determine whether the child was denied educational benefit because of the disruption in educational services and whether compensatory education is needed to ‘make up’ for the denial including addressing any skills that may have been lost.”

In another setting, a student was prohibited from reenrolling in his school and missed the last two months of the school year.¹² While the hearing officer and the court concluded that the student had been denied services for those two months, the court affirmed the hearing officer’s denial of compensatory education. Noting that a child “must have ‘lost progress’” or demonstrated a “need for education restoration” in order to be eligible for compensatory education, the court determined that the student’s

“successful performance in school immediately following his two-month absence rendered compensatory education unnecessary and unwarranted.” Finally, another court addressed the issue of compensatory education for a student who only attended 46 days of school during the school year due to being hospitalized for 81 days throughout the year.¹³ Relying heavily on the student’s IEP progress reports, the court denied the parent’s request for compensatory education on the basis that the reports showed that the student “made friends and demonstrated other signs of social interaction,” made “positive academic progress,” and also demonstrated progress in fine motor skills.

Like the cases in which compensatory education was driven by a denial of a free appropriate public education, these cases involving lengthy disruptions in educational services endorse an analysis centered on the unique needs of each individual student following a loss of services.

■ Preparing for and making compensatory education determinations

As districts wade through the murky waters of compensatory education, the lack of direct guidance on this issue should not dissuade districts from taking critical steps now to prepare for determinations regarding compensatory education once school resumes. To ensure that IEP teams have the requisite information needed to make these determinations, districts should take the following steps. First, clearly and consistently document the special education and related services that will and will not be provided to a student during the closure. Second, gather and compile student-specific data on educational levels prior to

Districts should take critical steps now to prepare for determinations regarding compensatory education once school resumes.

the school closure. When school resumes, an IEP team cannot establish progress during closure, or lack thereof, without first knowing this information. Third, consistently gather data on the skills and goals being addressed during the closure. Relevant questions include: Is the student turning in assignments? Is the student progressing through the curriculum and toward his or her IEP goals? What evidence demonstrates this progression? Is the student losing skills or remaining stagnant in areas?

Fourth, collect student-specific data regarding the student's educational levels once the school closure has ended. In particular, based upon the guidance provided by the Supreme Court, look for data associated with progress on IEP goals and objectives and, for students fully included in the general education setting, evidence of "passing marks and advancement from grade to grade." Given the need for post-closure data, IEP teams may need time to collect information before compensatory education decisions are made. This may delay the process initially and districts should openly communicate with parents to explain the process as well as any delay due to data collection.

Once the data is collected, IEP teams can begin to consider the effect of the missed or reduced educational services. Comparing the before and after data will provide the IEP team with necessary information regarding lost skills, regression in skills, or, in some cases, progress in skill areas.

If areas of regression or lost skills are identified, the IEP team should determine what level the student would have achieved if the IEP had been fully implemented during the period of the closure. IEP teams may look to the student's rate of progress just prior to the school closures, as well as historical data demonstrating

overall rates of progress to determine the student's potential level of attainment. Finally, the IEP team must determine the services necessary to reach the appropriate level of attainment identified by the IEP team. This final determination, as with all IEP team determinations, must be individualized and does not necessarily require a determination that compensatory education services should be equal to the hours or minutes missed during the closure. In assessing compensatory education, a question not yet answered, but worth considering, is whether the level of services provided to regular education students should be a factor in the compensatory education analysis. That is, if regular education students are provided only limited instruction during the school closure, may a district also limit the compensatory education offered to students with disabilities for missed instruction during this time based on the unique circumstances? In the end, once a decision is made, the compensatory education and the reasons for it should be well documented and clearly stated in the student's IEP and prior written notice.

Conclusion

The current school closures have presented extraordinary challenges for districts. One particular challenge is ensuring that students with disabilities continue to receive a free appropriate public education. Even with good-faith efforts, districts may be unable to provide all services and minutes set forth in students' IEPs. In those circumstances, IEP teams will need to engage in an individualized analysis to determine the effects of any lapse in services, and if educational deficits are identified, provide compensatory education to address them. We anticipate further guidance from the DPI and the U.S. Department of Education on these issues and districts should continue to monitor this issue with their legal counsel. ■

End Notes

1. Extended School Closure due to COVID-19 Special Education Question and Answer Document (Revised 4/2/2020) (WI DPI 2020); Fact Sheet: Addressing the Risk of COVID-19 in Schools While Protecting the Civil Rights of Students (USDOE OCR 2020).
2. 20 U.S.C. s. 1412(a)(1)(A); 34 C.F.R. s. 300.101(a),(b).
3. *Endrew F. v. Douglas County School District RE-1*, 137 S. Ct. 988, 999 (2017).
4. 20 U.S.C. s. 1415(i)(2); 34 C.F.R. s. 300.516(c)(3); *Wilmot Union High School*, 102 LRP 25465 (WI SEA 1994) ("Although not provided by statute or administrative rule, compensatory education is an appropriate remedy in Wisconsin for students with exceptional educational needs who, prior to reaching the age of 21, have been denied a FAPE.")
5. See *Reid v. Dist. of Columbia*, 401 F.3d 516 (D.C. Cir. 2015) (discussing the varying approaches of calculating compensatory education).
6. In re Student with a Disability, 67 IDELR 105, Case No.: DPI-15-0007 (WI SEA 2015).
7. *Malinda and Ritch B v Birchwood School District*, Case No.: 10-cv-233-slc (W.D. Wis. 2011).
8. *Petrina v. City of Chicago Pub. Sch. Dist.* 299, 08 CV 3183, 53 IDELR 259 (N.D. Ill. 2009) (noting that the "Seventh Circuit has yet to offer guidelines" regarding awards of compensatory education).
9. *Id.*
10. *Ritch B. v. Birchwood Sch. Dist.*, 10 CV 233 (W.D. WI 2011).
11. Letter to Pergament, 62 IDELR 212 (OSEP 2013).
12. 72 IDELR 173 (D.C. CO 2018).
13. 76 IDELR 61 (5th Cir. 2020).

This Legal Comment was written by Michael J. Julka, Matthew W. Bell, M. Tess O'Brien, and Steven C. Zach of Boardman & Clark LLP, WASB Legal Counsel. For additional information on related topics, see WASB School News, "The Endrew F. Standard for a Free Appropriate Public Education" (September, 2017).



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