ONWARD

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Two Wisconsin Public Schools, One District Among ‘Green Ribbon’ Honorees

Two Wisconsin public schools and a district were among those honored by the U.S. Department of Education as “Green Ribbon Schools.” The awards are given to educational institutions for reducing their environmental impact, improving health and teaching about sustainability.

These are some highlights from Wisconsin’s awardees:

During the past five years, Lincoln Avenue School, a Milwaukee elementary school where 99% of students receive free or reduced-price lunch, has transformed its outdoor spaces and aligned its curriculum to fit them. In 2017, students studied garbage generation in the lunchroom and began a composting and recycling initiative.

At McDill Elementary School, a K–6 school in the Stevens Point Area Public School District, students are involved in waste reduction, composting and energy conservation efforts. The school campus is home to a community garden and a five-acre school forest with trails and outdoor classrooms.

The School District of Bayfield, where about 75% of students identify as American Indian, was noted for its strong relationship with the Red Cliff Band of Lake Superior Chippewa. Each year, high school students collect maple sap from trees in and around their school, build an electric vehicle, grow and harvest food, and make regular connections to nearby lakes and forests.

Study: Effective School Counselors Boost Student Outcomes

High school students assigned to effective counselors are more likely to graduate, attend college and earn a degree, according to a study of Massachusetts students. The study found an effective counselor made the biggest difference for low-achieving and low-income students. A minority high school student assigned an effective counselor was 3.2 percentage points more likely to graduate, and 2.2 percentage points more likely to attend college.

Christine Mulhern, the study’s author and a doctoral candidate at Harvard University, found that high counselor caseloads are associated with lower graduation and college attendance rates. She compared this effect with that of raising counselor effectiveness.

In an article for Education Next, Mulhern wrote, “I estimate that hiring a new counselor in every Massachusetts high school would lead to smaller gains in educational attainment than increasing the average counselor’s effectiveness by one standard deviation.”

COVID-19 May Erode Learning Gains

A report estimates potentially steep slowdowns in learning due to the COVID-19 pandemic. According to an analysis from the Oregon-based nonprofit NWEA, some students may have made roughly 70% of a typical year’s learning gains in reading and less than 50% of their typical math gains.

The research estimated pandemic-related slowdowns in learning based on previous research about learning loss over the summer, which varies widely by data source, grade level and subject.

The figures noted above describe the more pessimistic scenario, which the authors call a “COVID-19 slide.” The authors also include projections in which students maintain the same level of academic achievement, which they call the “COVID-19 slowdown.”

The authors recommend the collection of data to understand learning loss and progress on closing opportunity gaps.

“This will require addressing the most pressing challenges first, like closing the digital divide by providing increased access to the internet and technology,” they write.

Mosinee School District Honored For Energy Efficiency

The Mosinee School District’s investments into energy-efficient boilers, lighting and equipment that controls energy use in motors have been recognized by Focus on Energy.

The district was one of 13 winners of the energy efficiency program’s annual Energy Efficiency Excellence Award. Focus on Energy recognized the district and its director of buildings and grounds, Steve Kaiser, for being proactive about finding efficiency and energy savings in district facilities.
Onward Together

Soon, in creative ways, you’ll say your goodbyes to the Class of 2020. No one wanted our seniors to end their K-12 careers this way, but you won’t be exaggerating when you tell them this class won’t be forgotten.

But as you’re doing that, the Class of 2034 is waiting in the wings to start 4-year-old kindergarten this fall. We keep going forward. Together.

To a child, summer stretches far into the horizon at the beginning of June. Unfortunately, for adults, it goes all too quickly. This summer, with several months of planning unlike anything we’ve ever known facing us, it’s likely to go by even faster.

As with most years, these summer months are the time to assess what went well and what needs to be improved. That exercise will look different as we examine the academic and emotional impacts of the school closures and contemplate how to plan for future disruptions. There’s no going back.

Looking forward is, naturally, more difficult. We can neither predict the shape of our public health crisis in September nor fully prophesize its effects on K-12 education. Nevertheless, we plan.

In his essay starting on page six, 2020 State Education Convention Keynote Scott McLeod gives boards a summer study guide — equity, curriculum and mindsets are all on the agenda.

We know the pandemic accentuated inequities that have long existed, and the digital inequity was no exception. Even if you were able to ensure all students had a computing device at home and a way to access the internet, that doesn’t mean their learning experiences were equal.

Also, since it’s increasingly clear that the future of education includes some hybrid of face-to-face and online instruction, we need to grapple with what that means for our curriculum. There are some exciting possibilities as well as interesting challenges, such as what that looks like for project-based learning, career and technical education, and other forms of hands-on learning.

Finally, if you haven’t already, now is a great time to launch discussions among your staff to explore new possibilities and the training needed to make them work. In most cases, teachers’ styles of teaching were turned upside down. What did they learn? How can they take advantage of these new skills? What will they do differently during the next disruption?

As you’re working through these issues and planning for the fall, be just as innovative in telling your stories to your community. They need to know what you’ve been doing to reach every student in your district and to meet the needs of the wider community.

As I write this, schools statewide just passed the million-meals-delivered threshold. You’ve done amazing work in keeping the educational process going, reaching disengaged families, finding creative ways to acknowledge students and staff, and maintaining public schools as the bedrocks of our communities.

Keep telling those stories. You’ll need to nurture the goodwill generated amid the pandemic to weather the economic fallout that is coming.

In this issue of the School News, we have articles that feature advocacy tips in the Capitol Watch column as well as social media tips, including specific pointers on using video in social media.

The WASB is also rethinking how we provide training and resources. Our upcoming workshops in August, the Fall Regional Meetings and the State Education Convention in January will have virtual components. Stay tuned to our website and social media for details. In addition, our staff and consultants have been expanding their ability to efficiently provide trainings and guidance remotely to save costs and be more flexible to your needs.

We keep going forward. Together.

We can neither predict the shape of our public health crisis in September nor fully prophesize its effects on K-12 education. Nevertheless, we plan.
REPORT TO THE MEMBERSHIP

LEGAL & HUMAN RESOURCES

RESPONDED TO
4,429
Law-Related Inquiries
from 376 Districts

PROVIDED DIRECT SERVICES TO
101 School Districts

CUSTOMIZED LEADERSHIP SERVICES

DIRECTLY SERVED
20
School Districts
IN VARIOUS PROJECTS
AND ASSISTED OTHERS
THROUGH INFORMAL
CONSULTATIONS

MEETINGS & EVENTS

HOSTED MORE THAN
60
WASB Events
WITH MORE THAN
7,200
Attendees

{ A 55% INCREASE OVER THE PRIOR YEAR }

ONLINE PRESENCE

WASB WEBSITE AVERAGED
5,000
Users Per Month
MORE THAN
3,400
Followers on Twitter
HIGHLIGHTS OF THE 2019-20 SERVICES

ADVOCACY & GOVERNMENT RELATIONS

Continually Communicated With Members
THROUGH THE LEGISLATIVE UPDATE BLOG, FACEBOOK AND TWITTER

AGGRESSIVELY ADVOCATED FOR LOCAL CONTROL
OF SCHOOLS, TESTIFYING AT MORE THAN
24 Public Hearings

REVIEWED HUNDREDS OF BILLS IN THE
CURRENT SESSION, ACTIVELY MONITORING
214 Bills

SEARCH SERVICES

COMPLETED
13 Successful Superintendent Searches
AND 4 INTERIM SUPERINTENDENT SEARCHES
AIDED NUMEROUS OTHER DISTRICTS
THROUGH PRESENTATIONS AND ADVICE

POLICY SERVICES

RESPONDED TO MORE THAN
425 Individual Requests
FOR POLICY INFORMATION

SERVED
331 Districts and Five CESAs
THROUGH THE WASB POLICY LIBRARY AND OTHER SPECIAL POLICY SERVICES
In late March, I started interviewing school leaders around the globe about their school’s or school district’s responses to the coronavirus pandemic. I talked with dozens of different educational organizations across the United States and in countries as varied as China, Italy and Saudi Arabia. My goals were to hear firsthand how schools were responding to this unprecedented worldwide challenge and to try and distill some essential lessons about how to lead during a time of crisis.

What I heard first, of course, was the terrible toll the pandemic had taken on local schools and families. Communities everywhere struggled to keep children fed and citizens healthy, and local education turned out to be both an inspiration and a challenge. For instance, school districts found numerous creative ways to deliver breakfast and lunch to low-income children, sometimes even students in nearby neighborhoods who weren’t part of their district. They also did their utmost to check in with every single child and family to see what their medical, health, educational and emotional needs were and connect them to appropriate resources.

Those efforts often were heroic, and we saw daily examples of educators and school systems doing amazing things on behalf of children and parents. Simultaneously, many of our schools also have realized that previous under-investments in digital technologies, professional learning and crisis preparedness resulted in critical delays or deficiencies regarding remote learning and teaching. While some pandemic effects were unforeseeable, others can be easily connected to areas in which schools have regularly dragged their feet.

With the caveat that this is not from a formal research study, I share the following chart, which is a distillation of some early meaning-making from my interviews.

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**NEVER WASTE A GOOD CRISIS**

Dr. Scott McLeod | Associate Professor of Educational Leadership at the University of Colorado Denver
During Phase 1, schools focused on basic survival needs. They made sure kids were fed, tried to get computing devices out to families, and checked in to see if students and their loved ones were safe, healthy and okay.

During Phase 2, schools started to focus on what I am calling “subsistence learning,” which is basically low-level knowledge work that students typically do with worksheets and for homework, that could be distributed relatively quickly. For families that did not have computing devices or internet access at home, schools often provided paper packets to try and keep this type of learning moving along. They also supplied teachers with technology as fast as they could in order to provide “emergency remote instruction.”

These two phases probably feel familiar to board members and district administrators. They describe the reality of basic survival for most schools and focus on the abrupt transition needs that have been seen during the pandemic crisis. There are two other phases in the chart, however, and I encourage school leaders to try and focus on those in the summer and fall months as you debrief your spring response and create your plans for the next school year.

During Phase 3, schools begin to get out of basic survival mode and start to think about richer, deeper learning opportunities for students. They also may see that this is a time during which they can experiment, because testing and accountability mandates have been removed by state and federal governments. Some districts and teachers in Wisconsin took advantage of the altered accountability expectations and started to move toward Phase 3 before the school year ended.

For example, they tried new ways of giving students more agency over their own learning. They began to move beyond factual recall by giving students some opportunities to engage in those “deeper learning” opportunities that we know our graduates need for life success in a global, innovative society. Other Wisconsin districts and educators did not; Phases 1 and 2 were all that they could manage through the end of the school year.

The most important phase right now, of course, is Phase 4. During the summer, we have a chance to look back and plan forward. While much may be unknown about what schooling will look like later this year, there still is a great deal that we can work on.

<table>
<thead>
<tr>
<th>PHASE 1</th>
<th>BASIC ACCESS</th>
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<tbody>
<tr>
<td>• Delivering food to children</td>
<td></td>
</tr>
<tr>
<td>• Getting computing devices and internet hotspots to families</td>
<td></td>
</tr>
<tr>
<td>• Attending to basic student and family social, emotional and health needs</td>
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<tr>
<th>PHASE 2</th>
<th>SUBSISTENCE LEARNING</th>
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<tbody>
<tr>
<td>• Rapid teacher training in basic learning technologies and online platforms</td>
<td></td>
</tr>
<tr>
<td>• Lower-level knowledge work for students (worksheet and homework-like activities)</td>
<td></td>
</tr>
<tr>
<td>• Delivering papers and packets to families who don’t have technology access</td>
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<table>
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<tr>
<th>PHASE 3</th>
<th>DEEPER LEARNING</th>
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<tbody>
<tr>
<td>• Designing instruction for higher-level learning, not just recall and regurgitation</td>
<td></td>
</tr>
<tr>
<td>• Designing instruction for greater student agency, interactivity and authenticity</td>
<td></td>
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<tr>
<td>• Experimenting with teaching modalities because testing mandates have been removed</td>
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</tbody>
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<table>
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<tr>
<th>PHASE 4</th>
<th>LOOKING AHEAD</th>
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<tr>
<td>• Paying greater future attention to learning equity and digital equity concerns</td>
<td></td>
</tr>
<tr>
<td>• Designing future learning and teaching opportunities based on new skills gained</td>
<td></td>
</tr>
<tr>
<td>• Being better prepared for future dislocations of schooling</td>
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</tbody>
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As we move toward potential schooling contexts in which perhaps half of our students are in our buildings and the other half are at home, we need to begin thinking about how to restructure our curricula and help educators learn how to live in hybrid teaching modalities rather than wholly online or entirely face-to-face.

For instance, now is the time to pay greater attention to equity concerns. Many schools wished during the pandemic that every child had a computing device at home, so maybe it’s time to revisit our need to provide a take-home computer for every K-12 child. Many schools discovered that home internet access for their students wasn’t what they thought, so now is a good time to work with community partners to ensure greater connectivity for low-income families for the fall.

As we move toward potential schooling contexts in which perhaps half of our students are in our buildings and the other half are at home,

### WHAT TO CONSIDER THIS SUMMER

**ADVICE FROM WISCONSIN SUPERINTENDENTS**

**“Take the time to capture what went well and points of pride as well as frustrations, concerns and areas that need improvement. Ask questions that had answers in the past but will look different moving forward. How do we support our teachers in developing the virtual teaching expertise? How do we make time for virtual collaboration and peer coaching? What does it look like to balance the expectation and demands of in-person and virtual learning along with social distancing? Can we do better to engage the disengaged student or family while providing mental health support to fragile students and staff? We will test our perseverance, creativity and flexibility as we find answers to questions we never imagined having to solve.”**

— Patricia Deklotz, Superintendent, Kettle Moraine School District

**“As our district looks to the future, we are sure on one thing — we will never go back to normal. The recent pandemic is a catalyst to re-evaluate how we best educate all of our students. This summer we will be planning to not only address what school looks like in the fall, but more importantly, how we can capitalize on some education practices that have been successful during this time of remote learning. We get to choose to improve and move public education forward to better help every child learn, every day.”**

— Aaron Sadoff, Superintendent, School District of North Fond du Lac

**“The pace of change and the demand for frequent, clear, concise communication at the outset of this public health crisis was unlike anything our veteran team of principals and school leaders had experienced in our careers. As we attempt to slow down and navigate the uncertainty of the summer and fall ahead, we are secure in our belief that wisdom comes from intentional reflection on experience. Our focus this summer will be to learn from our decisions of the spring, refine our approach to serving our students, families and staff accordingly, and affirm our collective support of each other as leaders.”**

— Damian LaCroix, Superintendent, Howard-Suamico School District

**“During any challenge we can learn and grow. At D.C. Everest, we began our conversations by reflecting and capturing what we learned during the school closure with our remote learners: what was good, great or better; and how do we keep it moving forward. I would be disheartened if we went back to more of the exact same model. This is an incredible opportunity to strategically build a system with all learners in mind. With safety and equity as our drivers, our next goal is to take what we learned and create a learning model based on strong personal relationships and rich learning experiences for our students that is nimble enough to deal with changing environments.”**

— Kristine Gilmore, Superintendent, D.C. Everest Area School District
as career and technical education, community-embedded service, project-based learning, and senior capstones into online or blended opportunities.

Summer also is a great time to realize that the pandemic jolted us into acquiring some new mindsets and skill sets, whether we wanted to or not. Many educators now have new technological and pedagogical capabilities they didn’t have before. They were forced by necessity to acquire them quickly, and many have discovered that incorporating some basic technology tools into their instruction isn’t as difficult as they may have thought.

Many of us also have realized that some of what we considered critical faded away during the crisis. We had to distill our curricular content and our instructional approaches to their essence, focusing instead on essential learning, building relationships, communicating with families, enhancing academic support structures and taking care of each other.

Perhaps most importantly, many teachers and administrators also have new understandings about the speed of potential educational change and what we can accomplish in a short period of time if we put our minds to it. We no longer can say “we can’t do that” because we just did it, right? Savvy school systems will begin to reflect deeply on the ways in which they were able to change quickly and then capitalize on those in the fall to keep moving forward.

For those of you who are familiar with Maslow’s Hierarchy of Needs, the chart is basically an organizational resemblance of that framework. As we think about the schools that we serve, we should try and recognize what phases they are in and why they are there. Reflection on the ‘why’ is actually the most important part.

As board members and administrators, we need to be able to critically dissect why some educators were more successful this spring than others, and why some schools were more successful than others as well. Differences in leadership behaviors, support structures and instructional capacity exist across schools and classrooms.

If we are to be prepared for whatever comes this next academic year, our school systems will need to be thoughtful, reflective and savvy diagnostics. They also will need to lean heavily into the challenge of putting plans and structures into place that allow them to move out of whatever phases they currently are in and into schooling modalities that are more than mere subsistence learning.

Despite the pandemic, in a complex world, we need our graduates to be critical thinkers and problem solvers, not just regurgitators.

As the saying goes, “never waste a good crisis.” The pandemic exposed a number of critical organizational gaps that we probably should have paid greater attention to earlier. Now is the time for us to lean into those conversations and initiate action in neglected areas.

Along with our community partners, let’s tap into the enormous goodwill and community trust that most of us have built up during this crisis to launch some necessary changes in how we educate and serve our children and families. That would turn this terrible pandemic into a ‘silver lining’ for education and is a worthy goal for all of us.

Dr. Scott McLeod is an Associate Professor of Educational Leadership at the University of Colorado Denver and was a keynote for this year’s Wisconsin State Education Convention. He can be reached at dangerouslyirrelevant.org or @mcleod on Twitter.

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**TNTP LEARNING ACCELERATION GUIDE**

The COVID-19 pandemic has forced schools across the country to confront unprecedented challenges. And the longer schools remain closed, the higher the stakes become for next school year.

To tackle these challenges, school systems must focus on the strategies proven to accelerate student learning. Even imperfect attempts to accelerate learning back to grade level will create far better school experiences for many students than what they received before the crisis.

The key is doing the right planning for the new school year, right now.

**TNTP, formerly known as The New Teacher Project,** created a publicly available guide to help school districts plan for restarting school and accelerating student learning.

- The guide is organized around a few key questions:
  - How do we create a plan to accelerate student learning?
  - How do we accelerate student learning in the next two years?
  - What other challenges should we be anticipating as we plan to accelerate student learning?

This guide is intended to help school leaders figure out how to go about answering these guiding questions and assemble the people, information and processes needed to plan for restarting school.

The mission of TNTP is to ensure that poor and minority students get equal access to effective teachers.

*Download the guide at tntp.org.*
Most children start from the same place. The effects of biology, environment, learned experiences and specific context variables lead to the differences we see in children. Approximately half of preschool children who display challenging behavior prior to kindergarten maintain inappropriate behavior patterns well into their elementary school years.1

Behavioral health is critical for learning, and all children must have a sense of well-being to access new learning challenges. Success at school is a critical protection that affects other life risks.2

Healthy behaviors, as well as challenging behaviors, develop through a series of mutual interactions that involve parents, children and teachers within the home, school and peer group.3 Challenging behaviors can become “repeated patterns of behavior that interfere with or are at risk of interfering with optimal learning or engagement in pro-social interactions with peers and adults.”4

School life is inherently difficult for some children
All of us have a need to belong. We are born with an affinity for relationships and an innate desire to learn. Children who have not learned the critical social, environmental and behavioral competencies required for school success do not receive positive feedback that encourages social, emotional and behavioral growth. Learning then becomes a burden that children have difficulty overcoming without effective support.

WHY DO CHILDREN ACT THE WAY THEY DO?

As districts prepare for the start of the next school year, a look at the importance of universal screening

Eric P. Hartwig, Ph.D.
Some children may need to be taught how to belong while others may need help learning skills — such as self-regulation — that allow them to manage stress at school. Preoccupation with emotional distress or social confusion limits participation in school and in social-emotional learning.

At the beginning of second grade, children with lower or impaired skill development face nearly insurmountable obstacles to catching up. If that trajectory is not altered by the end of third grade, these behaviors most often are considered chronic problems that interfere with successful school experiences, academic functioning, positive relationships with peers and teachers, and often predict exclusion from the classroom.

Life experiences and factors of risk

Problem behaviors shown by children without mental health challenges are not generally different from those shown by children with behavioral, emotional and social problems. But they differ in frequency, occurrence, severity, duration and clustering. Life is inherently difficult for some children, and school can be intimidating, difficult and even frightening. There is a continuous struggle, not just for biological survival, but, for personal recognition, a sense of self and personal identity.

When children are exposed to risk factors without effective caregiving, the effects show themselves in a variety of ways. Some children are on a trajectory to later difficulties and others may present moderate to severe behavioral challenges because of exposure to trauma or risk behaviors in the first five years of life. Dr. Gerald Caplan, author of Principles of Preventive Psychiatry, suggested that a crisis often creates a time at which children are uniquely predisposed to change. The practical outcome of a difficult experience is to help build capacity. Rather than viewing children who struggle with life difficulties as a challenge, we need to ask "What do we need to know to help them? What skills do we need? What skills do they need to help themselves?"

What does that mean in a practical setting?

Although there are many factors that can explain a child’s behavioral difficulties in school, children learn to behave or misbehave in ways that satisfy a need or result in a desired outcome. Stress makes some children preoccupied and unable to learn. Children who are struggling need a reliable and predictable structure to be able to contain worries and shift to learning new skills. They need to "feel safe" and "be safe" to learn. Behavioral health needs, unlike academic needs, are real-time needs that need a real-time response. If children don’t have a certain academic skill, we can teach that skill today, tomorrow or even next week. However, when you are anxious, sad or struggling with your feelings, needs must be addressed in real time. We can’t wait until later or tomorrow or next week. We need to help you now.

Cause and cure are not the same thing

Although prevention is the first response when encountering challenging behavior and needs, acceptable behavior patterns are the result of appropriate exposure to necessary learning conditions and effective support.

Like most people, the bulk of practitioners analyze behavior based on established constructs used to describe observable actions and emotions. Constructs are broad descriptive terms, such as “good,” “bad,” “disruptive,” “attention seeking,” “anxious” and “hypersensitive.” These constructs are emotionally charged and operationally meaningless. When people use constructs, they are interpreting and judging behavior rather than focusing on changing it. To help struggling children, their behavior must be described in precise, objective terms. Rather than judging children’s behavior, teach and reinforce the skills they should learn. Children’s needs should be matched with appropriate interventions and balanced classroom practices to provide the right context for children to learn important behavioral, emotional and social skills so they can manage and explore their world.

Web Accessibility is Easier With Monsido

Monsido is revolutionizing the way websites address accessibility issues and comply with legal requirements.

Our industry-leading accessibility tools allow you to scan your site for issues according to the WCAG 2.1 standards and fix them easily so that your users - both with and without disabilities - get the most out of your website.

To find out how Monsido can help your district with web accessibility, visit monsido.com or call 858-281-2185
How can we measure behavioral health?

Behavior analysis can be complex. Classroom teachers play a central role in the identification of childhood problems. Their observations and judgements can be the single most effective index of the child’s growth and development in the classroom and around the school. Accuracy in capturing a child’s needs is sharpened by professional training and day-to-day experience with developmental behavior of other children. Simply, teachers observe and interact with children each day, in a variety of circumstances, over time. As a result, they can analyze typical performance of what a child can and cannot do in comparison to other children of the same age.11

Universal screening works

Universal screening means assessing the health of all children in a systematic, consistent way. It is commonly done to screen or search for physical health ailments, such as vision problems or scoliosis (curvature of the spine). It can also be effective in identifying behavioral health problems.

Universal screening can help identify children at risk for behavioral, emotional and/or social concerns and predict which children may have future difficulties. Equally important, universal screening should be considered the cornerstone of informed decision-making and the foundation for informed action.

The National Research Council13 “…recommends adopting a universal screening and multi-tier intervention strategy in general education” to “test the plausibility and productivity of universal behavior management interventions, early behavior screening, and techniques to work with children at risk for behavior problems.” Although one must acknowledge that a rating of a child is a blend of actual behavior and the rater’s perception, a teacher’s rating has validity derived from the central strategic importance they occupy in the classroom.14

Universal screening utilizes the teacher’s expertise, experience and familiarity with a child to help identify and reinforce healthy behaviors and practices while identifying and targeting high-risk behavior.

All children experience and demonstrate normal problems of everyday living, while some children have fixed and reoccurring symptoms of behavioral, emotional and social difficulties. Behavioral health is displayed along a continuum,15 with most children showing healthy skills that promote independence.16 Classification systems can provide a model for organizing traits or behavior on a continuum, which can help determine types and levels of interventions. A universal screener should identify children who show appropriate behavioral, social and emotional health as well as those who have difficulties, whether short- or long-term. Screening can also inform decision-making on classroom practices by:

* Specifying areas of behavioral, emotional and social support that children need.

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Universal screening puts people together

with the right information at the right time to help them think critically and make important decisions about what children may need.

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6. Id.
Creating a pathway to ensure access to equitable, high-quality behavioral health resources.

- Monitoring progress based on the intervention(s) implemented and the context in which they are provided.

Determining levels of intervention

Universal screening does not label, categorize or diagnose children. Prevention and intervention should be approached as a means of educational habilitation or psychological aid, customizing interventions to address individual differences, regardless of the degree of those differences. There must be a clear and unambiguous relationship between the data collected and the intervention and practices that are recommended to reinforce healthy behaviors and to help stop, reduce, replace and change at-risk trajectories.17

A continuum of supports for school-aged children is needed: universal strategies to promote the social and emotional well-being and development of all students; selected, brief strategies to support students at risk of or with mild behavioral health challenges; and intensive, ongoing strategies to support those with significant needs, including a streamlined referral process with community mental health providers.

The right information at the right time

Universal screening puts people together with the right information at the right time to help them think critically and make important decisions about what children may need. It provides a systematic and useful way of organizing and quantifying observations of behavior.

Although school boards shouldn’t be choosing their district’s specific screener, they must understand the need for one. School board members need to know the role universal screening can play in helping to establish and reinforce a healthy school culture and the effect that culture has on learning. We can use data to build on the health of the class, the building and the district by matching interventions to individual needs.

Additional Resources:
- b.e.s.t.: bestuniversalscreening.com
- Wisconsin Department of Public Instruction: bit.ly/3f3Z75r

Eric P. Hartwig, Ph.D. received a doctorate in Educational Administration from UW-Madison. He is experienced and licensed as a director of pupil services, district administrator and a school psychologist/private practice. After 44 years of service, he retired as an administrator of pupil services for the Marathon County Children with Disabilities Education Board. Dr. Hartwig continues to consult and coordinates a Behavioral Health Project with Marshfield Clinic Health System/Security Health Plan. He is the creator of online b.e.s.t. (Behavioral Emotional Social Traits), a universal screening for behavioral, emotional and social needs.


As the world practices social distancing, social media has never felt closer. Social media is giving people an outlet to show the love they have for others in their school community and beyond. We’re reading books on our phones and computers, conducting science experiments in our kitchens and sharing “I miss you” messages from our sofas.

The days of giggling the first time you run into your teacher at the grocery store because you never realized they had a life outside of your classroom are gone. Now, we’re inviting the world into our homes, introducing them to our families and pets, and sharing our hobbies with them.

None of these things are a quarantine requirement. We’re doing them to stay connected.

Over time, public schools have gained responsibilities far beyond educating the youth. They are now the source of transportation, diagnosis, therapy, exercise, nutrition and much more. So, when our school year was cut short, people panicked because of how much they rely on public schools to not only educate their children, but take part in raising their children.

The most difficult part of the COVID-19 pandemic is the unknown. When schools closed, we didn’t have the answers to the questions people were asking. We didn’t know what would happen next. None of us had dealt with anything like this before, and we all were — and still are — relying on others to work with us to figure it out.

When overwhelmed by the pressure to get all the answers and form a plan to coexist with the requirements and timeline of this ever-changing quarantine, I thought of Mister Rogers.

Fred Rogers, the television personality, said, “When I was a boy and I would see scary things in the news, my mother would say to me, ‘Look for the helpers. You will always find people who are helping.’”

This not only applies to the first responders and essential workers facing the real scare at hand every day, but it also speaks directly to school communication. Despite no longer being able to capture the positive things happening physically in our educational environments, it is our duty as school communicators to seek out the helpers, find the light and tell the stories.

Luckily, my district stepped up to the challenge instantly. On the very
first day our schools were closed, I ventured to the back of our building to capture video of our kitchen staff preparing meals for our children. These are employees I’ve seen in action before, and I’m constantly impressed by their speed, accuracy and attention to detail, but what I saw that day surpassed those expectations. Each one of our food service employees was playing a part. All hands on deck at a speed your eyes would barely be able to keep up with. It didn’t stop at the assembly line. They implemented a system to minimize crowding, stocked tables and bagged up food all while keeping count of the number of meals being distributed. As families arrived, I watched the children’s faces light up at the thought of a meal they may not have otherwise gotten that day and it brought tears to my eyes. The 47-second video has been viewed more than 105,000 times since that day.

**TIP #1: Look for the helpers**

At a time when we didn’t have the answers, we continued to share stories that matter. Not only are we shining a light on the many helpers in our communities, but we continue to share the simple message of a teacher telling their students she still loves them, misses them and is here for them.

When none of us can foresee what will happen next, it’s important to share the stories of all the helpers, no matter how small their contributions may seem on the surface.

In the world of school public relations, it’s extremely stressful to not have the answers to the questions flooding in through all of the many communication platforms our district uses, but we were thankful we had those platforms established before this pandemic took over.

**TIP #2: Build and strengthen your platform**

Without these tools in place, we wouldn’t have had the following we needed to reach our intended audience.

In this day and age, anyone can have a social media account. What you do with your social media presence is what matters most. People are using social media to mentally get through each day, and we want to be there, not just for good public relations purposes, but to remind them that the resources and people we have are here for them through the good and bad. It emphasizes the importance of this field of work and what school truly means to our communities.

Your schools need you on social media, and I don’t mean you creating an account and posting your school e-newsletter every two weeks. You need to meet your families where they are, and actively be there.

**TIP #3: Be present**

Be present on your social media platforms by contributing content regularly for a following that trusts you and relies on you to be there. Get personal when needed. Respond to comments. Show your face and reach out in genuine, down-to-earth ways when necessary. People need people right now.

**TIP #4: Tell your own story**

Despite the diverse demographics of your students, staff, families, taxpayers and community partners, these individuals are on social media for hours each day (and even more so
THINK ABOUT WHAT YOU SAY AND HOW YOU SAY IT, because everyone is paying attention right now. With that, keep an open mind and a kind heart, because many people are filling roles they’ve never played before while juggling unemployment, mental illnesses, the loss of loved ones and more.

in quarantine). Without you being there to guide them, who is telling your story? Take control of the conversation. Tell the story that accurately reflects your organization’s mission. Clear up rumors or unanswered questions with assurance that your team is working hard to get everyone what they need. Share the messages you want your community to take away from all of this.

Find as many ways to make an impact on the people around you as you can. Use this time to grow as an organization, show a little more love and make your community a little bit better.

TIP #5: Do your best
In times like these, all we can ask of each other is to do our best.

Think about what you say and how you say it, because everyone is paying attention right now. With that, keep an open mind and a kind heart, because many people are filling roles they’ve never played before while juggling unemployment, mental illnesses, the loss of loved ones and more. Everyone is grieving something and has been stripped of experiences they’ll never get back, especially our high school seniors who don’t get to go to prom, compete in championship athletics or cross the stage at graduation. They all need you right now in whatever capacity you are able to help them through.

So even when things seem to be coming from a bad place, consider what the world is facing and have patience and empathy. No matter how dark it may seem, there is always light somewhere. Find it. Share it. Be well.

Jessica Tuttle is a communications specialist with the Kenosha Unified School District.

Protecting schools since 1974.

Your Wisconsin classrooms deserve the security of solid coverage. We insure local because communities like yours matter.

Make the smart choice — Count on EMC®.
Communicating with your students, staff and community has never been more important. We are dealing with unprecedented challenges, including social distancing regulations that have made face-to-face communication practically impossible.

But we hold a tool that has become priceless over these past several months ... Social media!

Schools across the state have inspired us with stories that keep people connected.

Here are five ways that you can use video in your social media strategy:

1. **Informational video**
   It might be uncomfortable — but hey, we are asking our students to get out of their comfort zones all the time! Talk to the camera as if you are talking directly to your community. It doesn’t need to be live, and it doesn’t need to be perfect. So many of Wisconsin’s superintendents have done this, from Oostburg to Waunakee to Fall Creek.
   
   To see an example, check out a post from Waunakee Superintendent Randy Guttenberg: shorturl.at/fjnrY.

2. **How-to video**
   Some students and parents are tired of long emails explaining complex information. You could switch it up with a how-to video for things like:
   - How to register for classes online.
   - How to unlock a combination lock (directed at middle schoolers getting lockers for the first time).
   - A virtual tour of a kindergarten classroom for nervous students (but mostly nervous parents) who didn’t get to enjoy the traditional spring event.

3. **Educational/enrichment video**
   Parents and students are looking for ways to continue their education at home. Even throughout the summer, you and your teaching staff can share enrichment activities that are easy to do with materials around the house.
   
   I loved the idea from a teacher in Arizona who used sidewalk chalk to draw a sensory path using words and symbols — like “frog jump” — to get kids moving. After creating it, someone videotaped her following the path to make it easy for people to replicate at home. It went viral, racking up several million views.
   
   To bring this concept to the New Auburn community, teacher Rebecca Myers made a sensory path in her driveway and filmed her daughter doing the course!
   
   See Mrs. Myers’ daughter in action: shorturl.at/laebK2.

4. **Live video**
   This one might make you the most nervous as a school leader, but live video is a great way to provide authentic, two-way communication. Many school leaders utilized Facebook Live sessions to answer questions throughout the COVID-19 school closures.
   
   There are several live video options, including Facebook Live, Instagram Live and YouTube Live. Pick the platform where most of your community is located, and follow these tips:
   - Advertise ahead of time.
   - Don’t wait for people to hop on before you start. Start right at the time you advertised. Many people will be rewatching the video, and you don’t want to lose viewers!

#K12PRTIP: Always upload your native video into Facebook. It will reach more people versus posting a link to a YouTube or Vimeo video. It’s OK if you want to upload the video there as well, but Facebook’s algorithm strongly favors videos directly uploaded to Facebook over links to other platforms.

#K12PRTIP: If you want to add some text within your video or do more advanced editing (it’s definitely not required), some helpful tools you may want to check out include: iMovie, Clips, Splice, Adobe Rush (included with Adobe Suite), WeVideo and Animoto.
• Say who you are and what you plan to talk about.
• If you want to drive engagement — which is the whole point of doing a live video — ask for participation throughout the video. Start by asking people to introduce themselves or answer a simple question.
• You may want help monitoring comments that pop up as you speak.

Find more tips, including an entire guide for Facebook Live, at socialschool4edu.com/resources.

Check out a video update from the Hayward Community School District on the impact of the coronavirus crisis on their district: shorturl.at/jqvzT.

5. Watch party
Do you want to simulate the feel of a live video without the pressure?

Upload a video and schedule it as a premiere. This can be done on both Facebook and YouTube. The channels advertise it ahead of time and then your fans will gather at the scheduled time and watch it together.

Events that could be enjoyed this way include a big announcement, such as a new superintendent or principal introduction, a “welcome back to school” message, or even weekly updates to stay connected throughout summer. This type of video gives the viewers the “feeling” of a live video, but also allows you to interact with comments that may come in during the event. You won’t be able to answer questions via video, but you can type replies in the comments.

Andrea Gribble and her team at #SocialSchool4EDU provide social media management, personal coaching and an online community offering professional development. Find them at socialschool4edu.com.

New Auburn School District
Mrs. Myers’ sensory path: shorturl.at/aeK2

Hayward Community School District
Coronavirus crisis impact video update: shorturl.at/jqvzT

Waunakee School District
Superintendent Randy Guttenberg: shorturl.at/fjrY
Sam finds his pumpkin.

October 2019
The Lake View Elementary kindergarteners were deep into learning about rhyming words. Lessons were taught using board games, card games, computer programs and with the children standing in a circle holding an object and finding their classmate with the rhyming pair (cat in a hat, parrot on a carrot, mouse in a house, etc.). Mrs. Lorri Fisk (my kindergarten teacher for six years — I’m a slow learner!), of course, also read stories.

Dr. Seuss stories are perfect vehicles for ear-catching rhymes. The silliness of the rhyming in “Fox in Socks” and “The Cat in the Hat” are good hooks and ear candy for 5- and 6-year-olds. Then COVID-19 hit and, just like that, school as we knew it was over. Left in the lurch, we aimed to regroup.

Kindergarten is a huge transition. Challenges include changed routines, new demands on time, expanded social expectations and an increased focus on learning. We all find comfort in routine, which makes dealing with the virus all the more unsettling.

This is the last year of my twice-a-week volunteering in kindergarten, because Mrs. Fisk is retiring after 30 years of teaching kindergarten. I started as a classroom volunteer with my grandson Lucas in 2014, and it’s been a great learning experience.
Rather than dwell on the oppressiveness of the virus and speculate about the changes to come, some lasting impressions of kindergarten seem a better swan song.

For the most part, kindergarteners are non-judgmental. It could be argued there’s just a general obliviousness associated with 5- and 6-year-olds. Like kittens, they can be easily distracted by a shoelace with six knots, a stray string hanging from a T-shirt, or a rock lodged in the tread of a tennis shoe. There have been occasional accidents associated with bodily functions, but the kids are nonplussed and make no comment or judgment about their less fortunate compatriot. When does that change?

It can be said with certainty that most kindergarteners are not heeding the CDC recommendations about face-touching (c’mon, it’s nigh impossible for adults!). Even though there are tissue boxes placed around the classroom, using them is generally either an afterthought or done at an adult’s suggestion. Sorry Dr. Fauci, we’re doing the best we can!

Their vivid imaginations are hilariously endearing. One day at snack time, I overheard this exchange. “I saw a dragon in my backyard,” one boy said. Without missing a beat, the kid next to him offers, “I saw two.” Another day, we were sitting on the carpet for the morning check-in. The week before I had shared a winter-vacation recording of howler monkeys engaged in a territorial battle. One of the boys informed us he found a howler monkey in his backyard.

Mrs. Fisk (deadpan): “Oh, really. They don’t live here, it’s too cold.”

Boy: “Well, my dad brought it back from a trip.”

Mrs. Fisk: “Hmmm … I know your dad, it’s against the law to bring a howler monkey into the country, he wouldn’t do that.”

Boy: “Well, actually, the monkey I found was dead.”

I nearly exploded from stifled laughter. Mrs. Fisk never blinked. The sequence unfolded without any pondering, hesitating or stammering.

Part of me wants to believe their imaginations are so strong, the stories aren’t really fabrications as much as a child’s alternative reality. That, or the lad’s got a future in politics.

COVID-19 and social distancing reminds us of the importance of human touch and interaction. Kindergarteners are unabashed huggers. Just seeing you in the morning is all they need for a hardy embrace. To them, it’s like a handshake. I will miss their spontaneous hugs and infectious enthusiasm.

So, my dear kindergarteners, I bid you sweet adieu. You remind us of our tremendous capacity for resilience. First, though, one more rhyming lesson from Grandpa Joe, below.

Joe Quick worked in and around politics for over 35 years, several with the Wisconsin Association of School Boards as a government relations specialist.

### THE VEXING VIRUS

If you have to cough or sneeze, Use a tissue, please, oh please. If you don’t, the germs will fly. Stop them! Stop them, you must try! It’s OK to use your sleeve. That stops germs, I do believe. Stop that virus, yes we must. Do your part. You will, I trust. Wash your hands, don’t touch your face. No hugs now, stay in your space. Not forever, but today, we must shoo those germs away. Do your part, that’s a start. Give a self-hug, with all your heart.
Saying Good-bye to the CLASS OF 2020

With social distancing restrictions limiting options, districts found creative ways to honor their graduating seniors. The WASB congratulates the following seniors and all of our graduates across the state.

**REBECA**  John Dewey Academy of Learning, Green Bay Area Public School District

**RYAN**  DeForest Area High School

**LAUREN**  Greendale High School

**DEVIN**  Park High School, Racine Unified School District

**MATTIE**  Middleton High School

**SEBASTIAN**  Bradford High School, Kenosha Unified School District

**MCKENNA**  Mineral Point High School

*(photo provided by Lifka Bennett)*
2021 STATE EDUCATION CONVENTION

Breakout Sessions & School Fair Proposals

PROPOSALS DUE JUNE 26, 2020

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.

We are also looking for innovative programs and projects to feature in the School Fair. Proposals for the School Fair are also due June 26, 2020.

WASB BUSINESS HONOR ROLL

Has a local business been particularly helpful to your district this year? Nominate them for the WASB 2020 Business Honor Roll! Selected businesses and partnerships will be given statewide recognition and highlighted by the WASB. To nominate a business, visit the Business Honor Roll page on WASB.org (under Communication Services).

Deadline: Friday, August 14.

August Governance and Advocacy Workshops

Leading with certainty during uncertain times

During August, a series of in-person and online workshops will be held throughout the state.

The workshops will focus on effectively making decisions during crises and providing the advocacy leadership needed to support your schools.

Visit WASB.org for details and to register.
Be the Convention.

Become part of the special 100th Joint State Education Convention
January 20-22, 2021

Proposals now being accepted for:

• Breakout Sessions
• School Fair
• Music Showcase
• Art Exhibit
• Student Video Team

Highlight Your Success.
Share your district’s best work to help other districts grow and learn.

Visit WASB today to submit online:
wasb.org/convention

100th State Education Convention | 608-257-2622 | 877-705-4422 | Visit wasb.org
The fifties ushered in a baby boom, with the population exploding by 28 million before the decade’s end — at the time, a growth rate faster than India’s. The consumer-society grew as well. By 1957, there were 500 television stations — up from 100 in 1950 — hawking everything from cars to toothpaste. New school buildings and their proud school boards became a staple of Wisconsin School Board News magazine covers.

Often considered a quiet, conforming decade, the ’50s were anything but in reality. The decade saw federal troops integrate Little Rock High School in Arkansas, Soviets launch the Sputnik satellite, the Korean War begin (and never officially end), rock and roll raise eyebrows, Wisconsin’s Sen. Joseph McCarthy lead a “Red Scare” until being censured, and children practice duck and cover drills during the day and watch “Bonanza” and “The Twilight Zone” at night.

Mrs. Dorothy Kohnke’s 1957 contract to teach “all the grades of Fosbroke School” for nine months in the Elk Mound School District for $310.

Dress-up day (maybe Halloween?) at Strong Elementary School in the Beloit School District in 1956.

An anatomy class in a Green Bay high school in 1957.
THE WASB

1951. The WASB holds its first regional meeting in Phillips.


1954. Winneconne School Board member George Tipler named part-time executive secretary for a monthly salary of $200; and Kenosha School Board member Joseph Hamelink elected as a director of the National School Boards Association.

1956. The WASB rents a one-room office in the former Winneconne post office. (The WASB now owns this building and still uses it for printing and mailing.)

1958. The Fond du Lac School Board partners with the UW-Madison School of Education’s new “Cooperative Education Research and Services” program; and the annual convention moves from the Schroeder Hotel (now the Hilton City Center Hotel in Milwaukee) to the Milwaukee Auditorium.


OUR STATE

1951. Wisconsin establishes the first statewide program to acquire and manage natural areas for scientific study and conservation/educational purposes.

1955. Thirty representatives from Wisconsin, including the WASB president, attend a national education conference, discussing topics such as teachers, buildings, curriculum and finance; and West Allis native Liberace commands $50,000 a week at the Riviera Hotel & Casino in Las Vegas.

1957. The state Legislature repeals aid for 4-year-old kindergarten; Wisconsin is the first state to require fiscal estimates for legislation; and the Milwaukee Braves defeat the New York Yankees to win the World Series — the city’s only major league baseball championship.

1959. Green Bay Packers rookie head coach Vince Lombardi named the NFL Coach of the Year.

OUR NATION


1952. “I Love Lucy” begins a five-year run as television’s top-rated show.

1954. The U.S. Supreme Court invalidates the “separate but equal” doctrine with the Brown v Board of Education decision requiring integration of the nation’s schools.

1955. Seamstress Rosa Parks refuses to give up her bus seat to a white passenger and is arrested in Montgomery, Alabama; Disneyland opens in Anaheim, California.

1957. Ed Sullivan censors Elvis Presley’s swiveling hips and the rocker is seen on TV from the waist up.

1957. Theodor Geisel, aka Dr. Seuss, nudges “Dick and Jane” primers aside with publication of “The Cat in the Hat.”

1959. Miles Davis releases the jazz masterpiece “Kind of Blue” album; Fidel Castro comes to power in Cuba; and Barbie makes her debut.
Telling Your Story

Legislators need to hear it, but don’t forget to tell your friends and neighbors, too

“Schools aren’t providing much in terms of virtual instruction to students.”

“Waivers from accountability measures and assessment means teachers and schools are ‘mailing it in’ for the remainder of the school year.”

“Schools are saving tons of money by not having buildings open to students. They can handle a cut in state aid with their increasingly robust cash reserves or fund balances.”

These sorts of statements are part of a narrative that is beginning to be heard in the state Capitol and, possibly, in segments of our local communities. Perhaps you’ve heard these or similar comments, in person, in the media or read them on social media.

It’s part of a narrative likely to be pushed by groups that will be advocating to cut funding for schools to address the looming state budget shortfall caused by the public health emergency. While schools will undoubtedly be asked to play a part in resolving that looming shortfall, school leaders need to be proactive in telling the stories of how their schools are stepping up. If these misconceptions stand, the consequences in the second year of the state budget cycle could be dire.

Statewide school closures are an unprecedented situation, and many people, especially those who don’t have children in our schools, are unsure of what schools are providing in this setting. This includes lawmakers. The question is what information will they receive and who will provide it? That is why it is important to be proactive, to keep negative misconceptions from taking root.

Hopefully, you and your board have been having regular, effective communication with your legislators and have built at least some level of a relationship and credibility with them. If you have not, now is the time to start. Equally important is to share these messages with your community at large, including those who do not have children in your schools.

Here are some suggestions for what kind of information your legislators and community need to know:

- What efforts have you made to provide meals for students in need or other community outreach programs?
- What has been working well? In what ways was your district in a fortunate position? Any pleasant surprises?
- What are the challenges you have encountered? How have you attempted to address those challenges?
- How is virtual learning working in your district? What virtual education services are you providing for your students? Do you have any data to share that illustrates or puts into context the amount of effort expended to make the shift to online learning?
- What positive feedback are you receiving from parents?
- What are you doing for students with disabilities and what plans are you making to help these students?
- How have you reassigned staff?

Please consider taking the time to share this information. At this point, it is not necessarily advisable to ask for money. That time will come when a budget repair bill is triggered later...

The question is what information will they receive and who will provide it? That is why it is important to be proactive, to keep negative misconceptions from taking root.
While schools will undoubtedly be asked to play a part in resolving that looming [state budget] shortfall, school leaders need to be proactive in telling the stories of how their schools are stepping up.

this summer or fall. Currently, predictions indicate that state revenues will be short by $2 billion to $3 billion in this biennium. More accurate information will not be known until after the delayed July 15 income tax filing deadline. At some point, a revenue shortfall will be officially declared. Then, the governor will have to call a special session and submit a budget repair bill to the Legislature, and they will have to agree on where to cut spending and/or find ways to increase revenues.

For now, set the stage for that “ask” by educating the public and lawmakers and showing your value. More than ever, it is becoming clear that schools are essential community institutions. It is incredibly important that state lawmakers are hearing your stories because more than likely, they will also be hearing from those with a different perspective.

As always when communicating with your legislators, keep the following in mind:

Your status as a locally elected school board member is an asset and gives you added credibility — don’t shy away from that. Always mention your position on the school board when contacting your lawmakers. You are an elected official speaking to another elected official, and you share constituents in common.

Avoid speaking on behalf of the entire school board unless authorized to do so or the board has voted on a position. “I am contacting you as an individual school board member and not on behalf of the entire board” is a good clarification/disclaimer.

Also keep in mind that written correspondence to and/or from elected officials is a public record that is subject to release under the state’s public records law should someone make a request. Do not write anything you would not want to become public.

There are many ways to reach out to your legislators: phone calls, emails, letters, video conferencing, meetings (which might be challenging at the moment), social media and board resolutions. All methods of communicating can be effective. The important thing is to do it regularly. Your method of contact is less important than being in regular contact — use the method that is easiest for you and which you find your legislators most receptive to.

For any method of communicating with your legislators, keep in mind the following tips to make your contacts as effective as possible:

**Things to do:**

- Be polite and respectful.
- Introduce yourself as a school board member.
- Show gratitude. Thank your legislator, for example, for the funding increases included in the current state budget, even if those may not be able to be implemented due to the pandemic.

**Things not to do:**

- Avoid being rude and disrespectful. Nothing will undermine your message and negatively impact your credibility faster than being hostile. This, in turn, makes it less likely they will listen seriously to you (and your board) in the future. Successful advocacy is about building relationships not weakening them.
- Do not provide false or misleading information. If you mistakenly give bad information, follow up as soon as possible to correct your mistake.

Writing a letter to your legislators is straightforward. But how do you capture the hearts and minds of your community? Consider submitting letters to the editor to your nearest local newspaper. Try to get media attention for your district’s efforts through TV or radio stations in your area. With little sports to report on, TV stations may have more time to devote to human interest stories.

Your lawmakers are elected officials like you and need to keep a pulse on what the people who elected them are thinking and saying. Helping those local voters understand your efforts and challenges will in turn help your legislators do the same.

Check out the WASB Legislative Advocacy Toolkit on our website for more detailed communication advice.

Thank you for your efforts to educate kids under very challenging circumstances. You’ve had to change everything on a dime when schools were closed with virtually no advance warning. We at the WASB appreciate your efforts and want to make sure your communities and lawmakers do, too.
Employees’ Lawful Concerted Activity and First Amendment Protections

As employers, districts have significant discretion in determining the standards governing the discipline (including termination) of their employees through policy and/or contract. That discretion has limits, however. For example, an employer cannot violate local, state or federal law, including discrimination and anti-retaliation laws. In addition, an employer is prohibited from taking an adverse employment action against an employee because that employee has engaged in “concerted activity.” Employers often fail to consider this prohibition in their assessment of the risks involved in potential employee discipline and termination. Additionally, employers often misunderstand an employee’s right to engage in concerted activity to apply only with respect to organized union activity. However, even non-unionized employees are afforded the right to engage in concerted activity related to the workplace, in addition to their right to engage in protected speech under the First Amendment.

Issues related to concerted activity and free speech are particularly relevant to the COVID-19 pandemic, which has significantly altered workplace dynamics and employment considerations. One of the common questions districts have received from employees during this pandemic is whether employees can self-quarantine and not report to a physical worksite because of their fear of being infected, especially when those employees perceive themselves to be at high risk of complications should they become infected. Districts have also faced questions from employees about whether school buildings should remain open under the “Safer at Home” orders, the quality of protections taken by districts to safeguard the workplace in light of the virus, and requests for increased hazard pay for reporting to work during the pandemic. Should an employee or group of employees engage in communications advocating for any of these positions, such communications could constitute lawful concerted activity and/or protected speech under the First Amendment.

This Legal Comment will address what constitutes “concerted activity” and its interaction with employees’ First Amendment rights.

Concerted Activity

The Municipal Employment Relations Act recognizes the right of “municipal employees” to “engage in lawful, concerted activities for the purpose of ... mutual aid or protection.” District employees are considered municipal employees under MERA, except for district administrators, supervisors and managers. “Concerted activity” occurs when two or more employees work together to address matters involving wages, hours or other terms and conditions of employment. It also occurs when an employee acts with the goal of initiating or inducing group action or brings group complaints to management’s attention. Employees have the right under MERA to speak out on behalf of the mutual interest of fellow employees. Thus, lawful concerted activity includes circumstances in which two or more employees demand additional personal protective equipment (or one employee organizes such requests) or an employee posts complaints about working conditions related to COVID-19 on social media.

Concerted activity does not, however, include circumstances in which an employee acts solely on behalf of himself or herself, without the authority of others, or with the intent to induce others to act. In addition, MERA does not protect concerted activity that is unlawful. For example, it is unlawful for district employees to strike, and MERA broadly defines strike to include any concerted stoppage, slowdown or interruptions of work, operations or services for the purpose of enforcing the employees’ demands on the municipal employer. Therefore, it would be unlawful concerted activity for district employees to refuse to come to work or otherwise interfere with workplace operations in order to pressure the district into complying with the employees’ requests or demands related to COVID-19 or other matters. It is also unlawful concerted activity for employees to release confidential information or tell another employee that he or she is under criminal investigation if telling that employee would interfere with the criminal investigation.

In addition to granting municipal employees the right to engage in lawful concerted activities, MERA also prohibits a municipal employer from interfering with or restraining employees from exercising that right. The Wisconsin Employee Relations Commission has concluded that if an employer’s conduct has a reasonable tendency to interfere with an employee’s right to engage in lawful concerted activities, that conduct is a violation of MERA, even if the employer did not intend to interfere with the right. The WERC uses a balancing test to determine whether an employer’s past actions interfered with an employee’s right to engage in lawful concerted action. In this balancing test, the WERC evaluates (1) the nature and weight of the employee’s interest, (2) whether the
employer has countervailing operational needs, and (3) whether those needs are being met in a manner that interferes as little as practical with the employee’s rights.³ The WERC has concluded that questioning employees about potential misconduct that occurred during a lawful concerted activity is likely interference with that activity unless the employer has a well-grounded basis for the suspicion of misconduct. By contrast, if an employer asks questions of an employee without the threat of discipline, that action is unlikely to interfere with the employee’s right to engage in lawful concerted activity.

For example, if an administrator tells a custodian that he or she must, under penalty of discipline for insubordination, identify the employee who wrote a letter to the newspaper claiming that an unsafe workplace existed in the school due to the risks of COVID-19, that would interfere with the custodian’s right to engage in lawful concerted activity, even if the administrator ultimately decided not to discipline the custodian for insubordination. Similarly, if the administrator disciplines the custodian through an unpaid suspension for failing to provide the employee’s name, that would also constitute retaliation against the custodian for engaging in lawful concerted activity.

An employee who alleges that a district retaliated against his or her concerted activities must prove the following:

- The employer was engaged in lawful concerted activities;
- The employer was aware of those activities;
- The employer was hostile to those activities; and
- The employer’s conduct was motivated, in whole or in part, by hostility toward the protected activities.⁴

Under this test, it is not sufficient for a district to prove that it would have taken the same action against the employee notwithstanding the alleged improper motive. Instead, a district must demonstrate that it did not act with an improper motive related to an employee’s lawful concerted activity.

Districts that violate their employees’ right to engage in lawful concerted activities may be subject to several consequences. First, the district will likely be ordered to cease and desist from the unlawful conduct. Additionally, a district that terminates or suspends an employee for lawful concerted activity will likely be required to reinstate the employee without loss of seniority or benefits and with back pay plus interest (minus any amount that the employee earned through employment with a new employer during the period the employee was terminated or suspended). The employee may also have any reference to the termination or discipline expunged from his or her personnel record. Finally, the employer will likely be required to notify all employees of the violation of MERA by posting a notice in conspicuous places.

**First Amendment Protections for Employee Speech**
The right to engage in lawful concerted activity is in addition to public employees’ First Amendment rights to speak out on matters of public concern, outside their official duties, that do not cause a disruption to district operations. The First Amendment generally prohibits the government from abridging an individual’s right to engage in free speech. Thus, districts face limitations when regulating the speech of their employees.

However, districts still retain some rights to regulate the speech of employees without violating the First Amendment. First, not all speech is covered by the First Amendment. Examples of speech that falls outside the scope of the First Amendment are true threats and obscene speech. Second, even if a public employee’s speech is within the scope of the First Amendment, the U.S. Supreme Court has substantially narrowed the scope of the protection that public employee’s speech receives under the First Amendment.

To begin, speech made pursuant to a public employee’s ordinary official duties is unprotected by the First Amendment.⁵ For example, a district administrator’s speech to the school board regarding the job performance of a principal under his or her supervision is likely speech within the ordinary scope of the district administrator’s job duties, and thus not protected by the First Amendment.

In addition, the First Amendment does not protect speech that is not a matter of public concern.⁶ Speech that is merely of personal concern to an individual public employee is not protected by the First Amendment. For example, a federal district court in Texas held that a teacher’s letter to her colleagues soliciting their

An employer is prohibited from taking an adverse employment action against an employee because that employee has engaged in ‘concerted activity.’
support for her employment dispute with the district was not a matter of public concern and not protected by the First Amendment because the email was only concerned with her “internal grievance” with her employer and did not seek redress beyond her own situation (although such speech might constitute lawful concerted activity).7

In contrast, the U.S. Supreme Court has held that when a public employee engages in speech on a matter of public concern as a citizen, and not as an employee, the speech is protected under the First Amendment.8 However, this protection is only extended if the employee’s First Amendment right to free speech outweighs the employer’s interests as an employer. This is known as the “Pickering Balancing Test.” In the Seventh Circuit (which includes Wisconsin), courts will consider the following factors when applying this balancing test:

- Whether the speech would create problems in maintaining discipline or harmony among co-workers.
- Whether the employment relationship is one in which personal loyalty and confidence are necessary.
- Whether the speech impeded the employee’s ability to perform his or her responsibilities.
- The time, place and manner of the speech.
- The context in which the underlying dispute arose.
- Whether the matter was one on which debate was vital to informed decision-making.9

If a public employee’s speech is not protected by the First Amendment, a district may restrict that speech, including through discipline or termination. For example, districts may discipline employees for off-duty social media use when a connection exists between the district’s interest and the employee’s social media use. The Third Circuit Court of Appeals held that a district properly dismissed a teacher who posted a highly critical blog in which she called her students a variety of insulting and offensive terms.10 Additionally, school boards have the right to control the curriculum in their schools and require teachers to follow that curriculum. Therefore, school boards do not infringe upon teachers’ First Amendment rights by requiring them to follow the assigned curriculum while teaching and disciplining them for failure to do so.

On the other hand, protected First Amendment speech occurs, for example, when a paraprofessional records a video in which she vigorously advocates that schools should open up again in August because her students with disabilities need to resume in-person instruction. Since speaking publicly on issues regarding the education of students with disabilities is not ordinarily within a paraprofessional’s job duties, the video likely addresses a matter of public concern. Therefore, a court would probably hold that, on balance, the employee’s right to free speech outweighs the district’s interests as an employer.

Employee communications can involve both protected speech and lawful concerted activity. For example, if a district food service employee posts on social media that food service employees should not be asked to work in school buildings without proper personal protective equipment, that employee most likely has engaged in lawful concerted activity under MERA and has also engaged in speech protected by the First Amendment. However, an employee that refuses to come to work because of the employee’s personal concern that he or she might contract the virus is likely not protected under MERA or the First Amendment.

Conclusion
The COVID-19 pandemic has spawned significant discussion about issues related to employee compensation, health, and working conditions. Districts should be aware that employee communications on such subjects may constitute lawful concerted activity or speech protected by the First Amendment and districts cannot act in a manner that interferes with employees’ rights to engage in such communications. These situations are fact specific and districts should consult with legal counsel before taking adverse action against an employee who might be engaged in lawful concerted activity or protected speech.

End Notes
1. Wis. Stat. sec. 111.70(2).
2. Wis. Stat. sec. 111.70(1)(nm).

This Legal Comment was written by Michael J. Julka; Steven C. Zach; Brian P. Goodman; and Catherine E. Wiese of Boardman & Clark LLP, WASB Legal Counsel. For additional information on this topic, see Wisconsin School News: “Recent Cases Address Employee Speech Rights” (March 2014); “Employee Speech and the “Chain of Command” (January 2009); “Employee Speech Rights” (August 2006); “Dealing with Teachers’ Concerted Activities” (February 1994).
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