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The Wisconsin Association of School Boards, Inc.

# 14 ways

School boards can improve school mental health



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## COVID-19 Leaves Thousands of Children Parentally Bereaved

An estimated 40,000 children have lost a parent to COVID-19, according to an analysis published in April in *JAMA Pediatrics*, a peer-reviewed journal.

The researchers say these children

will need “targeted support to help with grief, particularly during this period of heightened social isolation.” Black children are over-represented in this group; they make up 14% of children nationwide but

20% of those losing a parent to COVID-19.

The researchers also note that an effort to track and watch these children could spot any emerging challenges and link them to health care. □

### STAT OF THE MONTH

# 40,000

**Number of children** estimated to have lost a parent to COVID-19.

Source: *JAMA Pediatrics* journal, April 2021

## SECRET SERVICE: Warning Signs Precede School Violence

School violence is preventable by identifying warning signs and intervening, according to a report released in March by the Secret Service’s National Threat Assessment Center.

Researchers examined 67 disrupted plots against K-12 schools from 2006 to 2018 and found “clear and consistent” findings: “Individuals contemplating violence often exhibit observable behaviors, and when community members report these behaviors, the next tragedy can be averted.”

Schools and communities are asked to step in before behavior escalates to criminality.

The most common motivation to attack a school, the analysis found, was a grievance with classmates. Thus, fellow students are in the best position to report concerning behaviors. Friends, peers and classmates of a student plotting violence often observed communications about the plot. Therefore, the report suggests schools help students report threatening or concerning behaviors. □

## American Heart Association Offers Resources on Vaping

The American Heart Association is offering resources to help schools reduce e-cigarette use among students. “While traditional cigarette consumption by youth in the U.S. is at an all-time low (5%),” said Nancy Brown, AHA chief executive officer, “nearly 33% percent of high school students are actively using e-cigarette products and have increased use of menthol and disposable e-cigarettes.” The AHA resources include:

- **Tobacco-free district assessment** that helps districts identify opportunities to update or strengthen their current policies and practices along with a sample policy that promotes

supportive disciplinary practices and alternatives to suspension.

(Editor’s note: As with any sample policy, districts must take care to carefully review the language and modify it, as needed, to reflect local goals and local context.)

- **Technical assistance** and support in creating sustainable change.
- **On-demand webinars** to grow and sustain a tobacco-free culture of health.

To access these resources and learn more, visit [heart.org/antivaping](http://heart.org/antivaping). □



## UW-Madison Looking to Help Local Partners Tackle Their Challenges

A University of Wisconsin-Madison program is looking for local partners that want to solve challenges in their communities.

UniverCity Year, which has worked on nearly 200 projects since 2015, helps local partners on issues such as health promotion, park design and sustainability. It

matches community priorities with university faculty and students to develop recommendations. The local partner receives research, reports and proposals — and helps implement them. The next deadline to apply is July 26.

More information is available online at [university.wisc.edu/ucy](http://university.wisc.edu/ucy). □



## Understanding Mental Health, One Question at a Time

**T**o our new school board members — welcome! You are now among an important group of nearly 3,000 citizens charged with the duty of governing public education in Wisconsin.

Serving on a school board is challenging. As you join, budgeting and planning for the next school year is underway, annual meetings are coming up and graduation day is just around the corner. There's a lot to learn. But we hope you find board service rewarding.

We look forward to meeting you in person. In the meantime, know that the WASB is here to help. I encourage you to visit [WASB.org](http://WASB.org) and become familiar with the services and resources available to you. The WASB New Board Member Handbook, found on the Basic Legal and Governance Resources webpage, is a great place to start. You'll also want to avail yourself of the professional development opportunities provided by the WASB.

This month, those opportunities expand to include a new Online Learning Platform, which gives members one convenient location to access many of the WASB's recorded webinars and online workshops.

The easy-to-use format categorizes the content into introductory and advanced trainings on school law, finance, governance and more. The platform also includes new training the WASB has developed specifically

for board presidents, clerks and treasurers on their roles and duties.

The Online Learning Platform is available as an annual district subscription, giving the entire board and district administrator access to all the content for a full year. I encourage you to check it out. Contact the WASB to subscribe.

In this month's issue of the School News, I'd like to call your attention to the feature article focusing on an important topic for all school districts — student and staff mental health.

In the state's most recent Youth Risk Behavior Survey, 21% of Wisconsin children were diagnosed with depression, anxiety, behavioral and other problems. Today, after more than a year of living with a global pandemic, those numbers are likely even higher.

We've long known about the importance of mental health to student success and how difficult it can be to address. The next several years may be particularly challenging as we help students and staff move forward.

To foster conversations and action at the board table, we selected an article written by a mental health expert who also serves as a school board member in West Des Moines, Iowa. She understands what it is like to walk in your shoes and outlines concrete steps boards can take to make mental health a priority.

In particular, I encourage you to

review the suggested discussion questions as a board to assess where progress needs to be made. Consider tackling a few at a time so you're able to set definitive action steps. For example, you might begin by asking what evidence your district uses to evaluate student mental health, and what data would be helpful.

These discussion questions also compel us to consider the mental health of staff to prevent teacher turnover, higher health care costs and performance issues. (This is a good time to remind you that National Teacher Appreciation Week is the first week of May — how does your district celebrate its teachers?)

I don't have all the answers, but I hope we've given you some of the right questions to ask.

And don't overlook your own mental wellness in these conversations. This year has also been extremely challenging for school board members and district administrators. Be sure to take time to consider your own health and well-being.

Finally, check out the Capitol Watch column in this month's issue for an important state budget update. With the interplay of one-time federal money as a factor in budgeting, communicating with state lawmakers is as important as ever.

As always, thank you for all that you do! ■

In the state's most recent Youth Risk Behavior Survey, 21% of Wisconsin children were diagnosed with depression, anxiety, behavioral and other problems. Today, after more than a year of living with a global pandemic, those numbers are likely even higher.



# 14 ways

## School boards can improve SCHOOL MENTAL HEALTH

*Jennifer Ulie-Wells, Ph.D.*

**T**here is a mental health epidemic facing schools across the nation. Comprehensive school mental health systems build the foundations for schools to be able to create thriving environments and develop sustainable supports. Thus, school boards are a vital partner to improve the mental health of students, staff and families.

**Editor's note:** The 2019 Wisconsin Youth Risk Behavior Survey (the most recent one in which results are available) indicates that suicide rates among Wisconsin students remained unchanged since 2017. However, the number of students reporting

anxiety, self-harm, seriously considering suicide and making a suicide plan all increased while the number of students reporting that they received the help they needed when sad, angry or anxious declined.

### ■ Mental health trends

According to the Centers for Disease Control and Prevention, suicide is the second leading cause of death for young people. While girls attempt suicide more often, more boys die by suicide — though recent data suggests the gender gap is closing.

One out of five young people has a mental illness yet fewer than 20% receive treatment. LGBTQ youth are four times more likely to attempt

suicide than their heterosexual peers. African-American children ages 5-12 are completing suicide at higher rates than any other demographic.

### ■ What mental illness looks like in school

Mental illness is a biological, medical disorder similar to asthma or diabetes.<sup>1</sup> There is not a choice to have depression any more than there is to have heart disease. The difference is that the stigma associated with mental illness can be so strong that young people, parents and loved ones may think they have failed by getting a child mental health treatment.

A student who is frequently tardy, falls asleep in class, turns in homework

late, and seems irritable may be considered lazy or disrespectful. However, the student may struggle to fall or stay asleep at night and wake with intense headaches and nausea — all potential psychosomatic symptoms for anxiety or depression.

### What is school mental health

Comprehensive school mental health is defined as “an array of supports and services that promote positive school climate, social and emotional learning, and mental health and well-being while reducing the prevalence and severity of mental illness.”

“These systems are built on a strong foundation of district and school professionals, including administrators, educators and specialized instructional support personnel (e.g., school psychologists, school social workers, school counselors, school nurses and other school health professionals), all in strategic partnership with students and families as well as community health and mental health partners. These systems also assess and address the social and environmental factors that impact mental health, including public policies and social norms that shape mental health outcomes.”<sup>2</sup>

The outcomes of implementing comprehensive school mental health include:

- Increased academic achievement
- Higher attendance and graduation rates
- Decrease in discipline referrals
- Fewer special education referrals

### Why schools?

The Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act require schools to provide a free and appropriate educa-

tion (FAPE) for all students. Schools have an obligation to provide quality education to all students.

While educators are not therapists, they have the power to create classroom and school spaces that allow students to feel safe, loved and respected. Creating sustainable school mental health systems benefits students as well as educators and families.

**1 Prioritize school mental health as a district goal.** A student cannot learn if their brain is not functioning well. It is a basic need, like food or clothing. Every district strategic goal is benefited by prioritizing school mental health. The first step is developing a district action team including educators, administrators, parents and guardians, students, mental health professionals, and school board members.

**2 Create comprehensive school mental health systems.** There cannot be enough emphasis on the importance of creating sustainable school mental health systems versus training only. Training in isolation is not sustainable. Even train-the-trainer models have potential dangers since the trainer may not have mental health or trauma expertise. Without a sustainable system, inspired educators and administrators return to their duties with ideas but lacking a strategic system to implement and maintain them.

There are many free resources available to help strengthen the work of your district in developing a sustainable school mental health system, including resources from the National Center for School Mental Health and the Mental Health Technology Transfer Center Network. Be wary of commercial outlets selling a product or training that claims to

solve all the district’s problems.

**3 Recognize how schools impact mental health in marginalized populations.** School mental health must address how school systems impact the mental wellness of marginalized populations. For instance, LGBTQ youth from highly rejecting families are 8.4 times more likely to attempt suicide. Suicide rates for African-American youth ages 5-12 are double that of the white children of the same age.

There is an abundance of literature and research discussing the inequities created by school systems. In American schools, 82% of educators are white, creating a cultural mismatch for the over 50% of students of color. Cultural mismatch refers to the norms of the institution not matching the norms of the cultures represented within the school, which result in inequitable disciplinary decision-making towards students of color.

Students facing ongoing microaggressions in school develop a distrust of schools and educators, resulting in further traumatic responses. Examples include a student who is told not to use their cultural dialect in class because it sounds like slang to the teacher, which forces the student to engage in code-switching — using different dialects at home and school.

Similarly, when adults tell LGBTQ students their identity is not legitimate or accepted, it creates trauma. Federal law protects LGBTQ clubs yet many frequently jump through additional hoops to be established and recognized. A trans student commonly takes on a new name during the transition process, leaving behind a “dead name,” which, if used, can traumatize the student.

School mental health cannot improve without devoting time and professional development to implicit

Creating sustainable school mental health systems  
benefits students as well as educators and families.

A child should not have to fail  
before they get the support they need.



bias, critical reflection and system equity as part of the implementation. This includes evaluating policies, equity audits, disciplinary data, achievement data and student surveys with a racial, cultural and gender lens to better understand the experience and barriers facing students.

**4 Align discipline policies to improve behavior.** A child should not have to fail before they get the support they need. As a district, the goal should be to reduce undesired behaviors using research-based strategies, not by following antiquated traditions. Research is clear that get-tough and zero-tolerance responses to behavior are not only ineffective, they increase negative social and academic impact, especially for male students of color.

Policies need to reflect brain development, neural responses to toxic stress on the brain, mental illness, behavioral research, with attention to increasing racial/cultural equity, and restorative practices. School districts benefit from policies

that include high levels of prevention to reduce behaviors as well as restorative practices that allow students to get the help they need, such as mental health and substance abuse treatment.

In 2016, Michigan enacted law requiring all school districts to use restorative practices in policy and practice. This language should be in all discipline policies.

**5 Follow IEP and 504 Plans for mental health.** Occasionally, I get asked if students should have a 504 Plan to ensure accommodations if they aren't visibly struggling, and my response is, do you wait for a student to have an asthma attack to create a plan? A child with asthma needs a plan and accommodations prior to a health crisis.

Mental health needs the same diligence, urgency and prevention. Both individualized education plans under IDEA, which ensure students with disabilities receive specialized instruction and services, and 504 Plans under the Rehabilitation Act,

which ensure accommodations for students with disabilities based on their specific circumstances, are legal documents made in the best interest of the child. Mental illness is an invisible disability, but it is still real.

**6 Ensure mental health expertise at manifestation determination meetings.** If a child with an IEP is being excluded from school due to a suspension or an expulsion, a meeting must be held within 10 days to determine if the undesired behaviors were a manifestation of the student's disability. There is increasing attention on the manifestation determination process due to the high levels of subjectivity being used to execute the meetings, particularly for students of color with behavioral health disabilities.

Given the complexities of behavioral health disabilities, if the IEP team is missing mental health expertise such as a school psychologist, psychiatrist, clinical social worker or mental health therapist, that becomes a slippery slope. Symptoms

of trauma and mental illness can feel frustrating and be easily misunderstood, leading to false determinations that a student's behaviors are not manifested by their disability. Disregarding the feedback of a student's mental health professional is also a concern.

### **7 Protect educator mental wellness.**

After the tragedy in Parkland, Florida, I had educators calling me, crying, exhausted from a field they once loved, asking "What do I tell a student when they ask me if I will take a bullet for them?" Parkland wasn't the start of an entire field of professionals burning out, rather an additional reminder that education is tough. The expectations are higher than ever yet time and resources are fewer.

Even the most amazing educators under challenging conditions will start to see an erosion of their mental health. Some of the most common indicators of burn out are arriving late to work, increased absences, poor work follow-through, struggling to concentrate, depression, less patience, and low self-worth. Using a punitive approach may take a struggling educator to the point of collapse. Educators working with higher-need students need higher levels of support, self-care and access to mental health support.

School boards need to be a model of prioritizing school mental health. Consider embedding mental health days as sick days, encourage staff social committees to shift into staff wellness committees, provide onsite therapy for educators, give time at staff meetings for educators to engage in self-care, and, most of all, provide opportunities for educators to provide feedback and have a voice within the district.

### **8 Understand the unique challenges of rural districts.**

Rural school districts are facing a more severe epidemic than suburban and urban districts who can more easily collaborate with other entities. Rural districts benefit when state agencies collaborate with education agencies to develop school mental health resources to reduce the legwork for schools. In

addition, data collection is critical to help state education leaders and legislators understand the story of school mental health across the state.

**9 Advocate strongly for school mental health legislation.** Most legislators rely heavily on feedback from school board members in their district. To assume that legislators have the same dedication to school mental health or even a basic understanding of mental illness and trauma would be ill-informed and dangerous.

Every year in my advocacy, I encounter legislators who say they will not support mental health legislation because "the real problem is just bad parenting." School boards are a critical member of this work to change and save lives, so take the time to encourage legislators to support well-informed work and make funding school mental health a priority.



Even the most amazing educators under challenging conditions will start to see an erosion of their mental health.

### **10 Understand that school counselors are not therapists.**

School counselors are often the first line of prevention and intervention with student's social, emotional and mental health, but they are not therapists. While some may be certified to do mental health therapy, school counselors have a responsibility to serve all students with counseling programs, groups, prevention, referrals and crisis intervention — hence their role is not to do individual therapy.

Districts would benefit from knowing how their counselor-to-student ratio compares to the American School Counselor Association recommendation of one counselor to 250 students. It is unfortunate when schools schedule counselors to supervise study hall, learning lab, lunch and recess, which reduces their time to engage in critical prevention with students. When schools struggle with undesired student behaviors, one consideration is to increase school counselor-to-student time.

Some of the biggest barriers to getting student therapy are transportation, time and cost, so creating a school-based therapy program with outside agencies reduces barriers. Some agencies use sliding scales or work with community partners such as the United Way to reduce insurance co-pays. To be used effectively, school-based therapists need private, quiet space during the day rather than in the corner of a hallway.

### **11 Implement a comprehensive school safety plan.**

While the risk of mass violence in a school is rare, it is reasonable that any school board would go to great lengths to make sure that students, staff and family members are safe on school grounds. All districts need a comprehensive school safety plan in place with prevention and response protocols.

School districts are best served to utilize local, state and federal law enforcement expertise and programming. Commercialized school safety



programs are building momentum, so thoroughly research before committing to a costly program.

**12 Use appropriate screeners.** There are a multitude of screeners available. Some evaluate suicidal thoughts, the risk of suicide or social-emotional health or screen for

a variety of other mental health disorders and substance abuse. Screeners can provide critical data, identify a problem before it becomes a crisis and help school counselors and administrators fulfill their “duty to warn,” an obligation to inform parents of any suicidal ideation. But you have to know what you are screening for and

find a tool that matches.

A screener alone does not solve a problem, there needs to be a comprehensive system in place; and whoever is administering the screener needs to be highly trained, because even the best screener can be ineffective if administered by untrained staff.

## PLEASE PASS THE LOVE

## Discussion Guide and Questions

**As a school board and administrative team, you set the tone and the priorities for your district.** This discussion guide is designed to allow you to have in-depth and important discussions about where your district is currently at and where you would like to go next. As you engage, be as objective as possible seeking actual evidence to drive your conversations and understanding.

**Your district will not already be masterful at all school mental health practices, so proceed with that in mind.** That said, your actions can save students, staff and families who are suffering in silence. Your district is better because of your commitment to this work.

**Remember in these discussions — when we refer to school mental health,** we are referring to it as the larger field that encompasses brain disorders, trauma-informed care, social emotional health, and learning.

**Below are a set of questions to help kickstart your district’s discussions:**

- As you read the article, what are some of the largest connections you are making to your own district?
- In your own personal or professional capacity, what mental health or trauma training have you received?
- What school mental health celebrations does your district have that need to be shared with the board, if they have not already? These are critical and worthy of celebration.
- What is your district already doing that is building strength and capacity for sustainable school mental health systems?
- What do you see as some of the biggest areas of concern for school mental health in your district?
- What evidence is your district using to evaluate school mental health needs of students, staff and families?

## The more we talk about mental health, the more we normalize it.

### Encourage your district to make it a priority.

**13 Reduce the stigma of mental illness.** One of the driving forces that prevent people from getting help is the stigma associated with mental illness. At board meetings, remind your superintendent, administrators, educators and students to engage in high levels of self-care and that their mental health is important. Talk about mental illness as a matter of fact, as you would discuss any other medical condition. The more we talk about mental health, the more we normalize it. Encourage your district to make it a priority.

**14 Don't wait for a suicide to take action.** One of the most eye-opening insights I've heard came from my superintendent, "When it comes to a crisis, it isn't a matter of 'if,' rather a matter of

'when.'" Do not wait until a suicide completion to make mental health a priority. I get many calls from districts after a student or staff has died by suicide, and the pain, chaos and confusion can leave them paralyzed and dysfunctional for weeks or months. It is heartbreaking, stressful and makes high-level functioning impossible.

The return on investment for creating comprehensive school mental health systems is endless. It impacts every district goal area, improves academic achievement, decreases discipline referrals, benefits student and staff morale, and the list goes on.

As school board members, this can feel overwhelming, but it does not have to be. Use this opportunity to change lives, potentially saving them. There is an abundance of free resources available for school dis-

tricts. The mental wellness of our schools and those within them will not improve without making school mental health a priority. ■

**Supporting material** for this article can be found at [pleasepassthelove.org](http://pleasepassthelove.org).

*Jennifer Ulie-Wells, Ph.D., is the executive director of Please Pass the Love. She trains thousands of educators, young people, families and community providers on a variety of school mental health topics. In 2018, she launched the first online school mental health academy in Iowa. In 2019, she launched the Iowa School Mental Health Alliance, an independent school mental health community of practice with hundreds of stakeholders across Iowa. She is also a member of the school board in West Des Moines, Iowa.*

*Reprinted with permission.*

1. *American Psychiatric Association, [psychiatry.org/patients-families/what-is-mental-illness](http://psychiatry.org/patients-families/what-is-mental-illness).*

2. *National Center for School Mental Health, [schoolmentalhealth.org](http://schoolmentalhealth.org).*

- What pieces of data would be helpful?
- When your district is evaluating data, how are demographic pieces of data (e.g., gender, race, supplemental education services) being used to drive culturally responsive decision-making (discipline, academic, attendance)?
- Discipline issues can often be dismissed as just "bad behavior," but they can be indicators of other issues based in trauma responses and mental illness. When evaluating your disciplinary protocols, are they reflective of the evidence-based best practices such as restorative practices?
- How often is disciplinary data being evaluated, especially using demographic data, to be able to identify and address overrepresentation?
- How can disciplinary practices impact the mental wellness of students?
- How does your district address adult and student self-care and wellness?
- What licensed mental health expertise is participating in manifestation determination meetings to help make decisions on whether a behavior is a manifestation of a mental illness disability?
- As board members, how do you advocate priorities with legislators?
- What is your district's suicide prevention and post-suicide response plan?
- What is your district's school counselor-to-student ratio and how does it compare with the national recommendation?
- What are the biggest needs for your district that would help improve and build school mental health capacity? What are the barriers to getting those needs met? □



**In March 2020**, we were caught at the center of a maelstrom: Schools closed, parents lost their jobs, and the stability of Wisconsin communities was threatened. No one could have prepared for this pandemic. But Menomonee Falls School District leaders had, over the past decade, embraced a culture that prepared them to adapt to crisis.

Using the Nine Principles of Organizational Excellence as a framework, district leaders developed the mindset and skill set to solve problems and remove the barriers that stood in the way of their students, staff and families.

This culture of continuous

improvement took years to inculcate, but it yielded results. In 2011, Menomonee Falls High School was designated “in need of improvement” by the federal government. Six years later, it was a U.S. News & World Report “top high school in the nation.”

At the heart of these outcomes is a systemwide culture of continuous improvement that starts with a school board’s policy on its commitment to continuous improvement and flows down to the onboarding of every new staff member in the district’s culture of service and their role in continuous improvement. Along the way, every improvement is an opportunity to collect data, make changes and continue the process. Each decision in this process is guided by the seven principles shown on the next page.

“Good or bad, your culture creates the engine for your work in a crisis.” *Corey Golla*



# Culture to OVERCOME CRISIS

How one district employed continuous improvement to keep kids learning

| Pat Greco, Ph.D.

This work didn't leave the district prepared for the pandemic, exactly. But the culture of continuous improvement provided the skills necessary to tackle the crisis head on.

## ■ Principles and the pandemic

The day after schools and businesses closed in March 2020, Menomonee Falls superintendent Corey Golla called an emergency meeting with the school board and leadership team. Golla opened the meeting with a working set of core principles to guide decision making. Little did he know they would be needed for the next 12 months and beyond.

“Good or bad,” Golla told the team, “your culture creates the engine for your work in a crisis.” Within five days, the district's students were receiving virtual instruction.

## ■ A shared vision

Twenty miles from Menomonee Falls, Waukesha County leaders were pulling together their crisis teams. The county experienced 10-20 new cases each day. The thriving economy's typically low unemployment rate quintupled to 11.7% with 18,500 people out of work. County executive Paul Farrow knew the well-being of the

## SCHOOL DISTRICT OF MENOMONEE FALLS GUIDING PRINCIPLES

- **Physical health** and safety of students
- **Physical health** and safety of employees
- **Social and emotional health** of students, parents, employees and community
- **Sustaining** student learning
- **District financial** stability
- **Economic stability** of employees
- **Community support**

Within one week of classes resuming, school leaders collected parent feedback.



Waukesha County communities would depend on their ability to work together across organizations.

Farrow aligned his leaders to the jobs that needed to be done, shifting job responsibilities to where people were needed most. The county convened weekly meetings with school superintendents, community college leaders, county health nurses and school nurses.

The cadence of meetings accelerated. COVID rates were monitored daily as county staff analyzed the spread according to school district boundary lines. School district leaders from across the county met

with county staff weekly in highly structured meetings.

The process maps were clear. Team members knew when and how to communicate to families about potential exposure. Notices to families were co-created with county health and school district nurses. The decision-rules for contact tracing and quarantine were consistent. Refinements to the processes became possible as they learned week over week

from the communication efforts that worked and where they were getting stuck. The simple things mattered most — consistent communication logs, daily updates and messages with shared logos to demonstrate collaboration. No one was working alone.

Allison Bussler, director of public works for Waukesha County, served as the county's education outreach coordinator. "We knew the school superintendents were under enormous pressure. We focused on working alongside them with a shared focus to do what it would take to open safely," she shared.

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FEEDBACK & PULSE SURVEYS	LEADER HUDDLES	WEEKLY GRADE LEVEL, DEPT. MEETINGS	DISTRICT FRIDAY UPDATES	ALIGNED SUNDAY UPDATES
Parents Students Staff	Once a week 30 minutes  Proactive & reflective	PLCs Small group rounding Individual rounding	Parents & Community Answer questions from previous week Collect new questions	Principal notes to home  Teacher preview of the week

**Communicating and problem-solving**

Communication was intentional. The feedback cycles that were valued within their regular routines now became essential. Within one week of classes resuming, school leaders collected parent feedback through a pulse-check survey. District leaders discussed key parent and staff concerns with county leaders daily and weekly meetings.

Golla updated the school board and full staff each Friday. Principals and teachers then shared the key messages with families and students each Sunday. The flow of communication was consistent and reliable with a focus on small amounts of information being shared frequently using coordinated templates. It was widely understood where to find updates and how to ask questions.

**Data for learning**

Data and feedback are key elements of continuous improvement. Golla started each day with a district dash-

board that highlighted the measures that mattered most to monitor student progress and ensure safety, including COVID-19 case counts, quarantine numbers, substitute fill rates, and any evidence of internal transmissions. Standard weekly meetings became tight leadership huddles to prioritize challenges and allow for quick decision-making.

The facilities, technology and finance teams monitored protocols and resources. Principals reviewed daily attendance and important learning milestones, targeting intentional supports to teachers. Grade-level teams focused on student progress data, meeting weekly to identify the content students found challenging and plan how to use interventionists and aides. Problem solving was owned by every member of the team using the district's seven principles.

As area nurses worked to ramp up capacity for contact tracing, the Menomonee Falls' school leaders and board focused on getting their stu-

dents and staff back to school safely.

With classroom assessment data showing 4K-2nd grade students struggling the most in the virtual setting, the team prioritized bringing the youngest learners back for face-to-face learning five days a week. The district went to work installing new air handling systems while staff were trained on decision rules for personal protection and the processes that would be followed for potential exposure and quarantine. Consistent cleaning and personal safety protocols were hardwired to ensure student learning would not be disrupted.

The district opened schools in October for the youngest students and children with special needs. Students in grades 3-12 were served in full-day, hybrid schedules. Each transition decision from March 2020 to January 2021 was intentional. The team worked together to navigate decisions effectively and achieve their vision of keeping students learning and everyone safe.

Each transition decision from March 2020 to January 2021 was intentional.

# PROCESSES THAT MATTERED

## 1. Feedback was valued to assess what was working and prioritize next actions.

- Leader rounding with all staff
- 30- and 90-day parent, staff and student pulse-check surveys
- Plus/Delta Process: What worked? What needed adjusting?
- Teachers conferred with students individually and in small groups

## 2. Focused team time to plan together, problem-solve and improve.

- Common assessment data shared to learn from bright spots
- Team members assessed root cause of barriers
- Improvement cycles were framed by staff closest to the work
- Teams measured impact on student learning to align supports

## 3. Scaffolding communication to parents, students and staff.

- Weekly updates were shared with board and all staff
- Weekly updates were scaffolded to all students and families
- Teams assessed impact on student, staff and parent confidence

### Results matter

The School District of Menomonee Falls is a district of choice. Their investment in their people has changed performance of their schools over a decade. This team was able to dig in to solve the challenges that caused many communities to get stuck. Their data show students are performing academically close to a typical year.

This team knows which students are currently struggling. They are focused on their next improvement cycle. Students in eighth and ninth grades experienced an increase in failing a core class. Supports are being planned now to help individual students over the next quarter to end their school year in a better position.

The unemployment rate is now

under 4% in Waukesha County. Parents are back to work. Businesses are recovering. Children are learning. The prevention efforts, cleaning protocols and shared processes limited the risk of spread of infection as students and staff managed in-person instruction. This army of improvers can be very proud. Their efforts made the difference.

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# MEASURES THAT MATTERED

## Absence Rate

Do we have sufficient staffing?

Has the absence rate changed quickly?

Are the absences in a common location/school/grade/activity?

## Percentage of residents with recent positive test

Is the current burden rate at a concerning level?

Is the percent + cases at a concerning level?

Is there spread within the system?

Is contact tracing for current cases available?

## Local Impact

Are cases/absences targeted to a location or activity?

Can the cases be traced?

Are the cases impacting students?

Are the cases impacting staff?

How quickly is the change in case rate?

### Key takeaways

Innovation means doing your real work outrageously well. District leaders and board members took the long view for their communities. No fads or flashy slogans. Investing in the mindset of organizational excellence and the skillset of improvement paid off.

**Think differently.** Committing to leadership development allowed these teams to listen deeply, sustain trust, communicate seamlessly and problem-solve effectively.

**Plan differently.** Isolated initiatives bleed resources. Evidenced-based leadership and continuous improvement produce long-term value and real results.

**Act differently.** Commitment to service and principled leadership builds capacity to lead through any challenge. ■

*Pat Greco, Ph.D., is the senior director of thought leadership for Studer Education and a retired superintendent of the School District of Menomonee Falls.*



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## TAKING CENTER STAGE

Performances and assemblies have a new home in the G-E-T School District. The new performing arts center, funded by a successful referendum, has seating for 700, dressing rooms, a scene shop, and dedicated pre-function space. This, is **Building Excellence**.

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# WASB SUPERINTENDENT EVALUATION FRAMEWORK

## Starting with the relationship



by Louise Blankenheim

**W**e often say education is about relationships. That's especially true at the board table.

The crucial relationship between the board and superintendent can be at its most vulnerable during an evaluation. At the same time, it's one of the best opportunities for that relationship to grow. To see an evaluation as an opportunity, you need to start with an appropriate frame of mind.

The right evaluation process considers the needs of both the school board and the administrator.

It's fair, meaning that it relies on a transparent process and evidence agreed upon by all parties in advance. It fits legal standards for evaluation, including use of the administrator's job description and observation input provided by the board. Finally, it's flexible. It can adapt to a particular district and superintendent and change over time since the goals of a first-year superintendent tend to be different than a veteran.

Using these goals, the WASB

created a Superintendent Evaluation Framework to help Wisconsin's superintendents grow in their role while strengthening the relationship with their school board.

We call it a framework because it provides conceptual and practical supports while preserving flexibility. A builder's framework doesn't commit them to a particular vision; it leaves plenty of room to make a building unique.

The starting point is the relationship.

## Doing the work, together

When the Iola-Scandinavia School Board evaluated its superintendent last year, most of its members had served for less than three years. It was a particularly difficult process for the less experienced board, according to Board President Diana Jones.

She remembers looking for outside resources and believing they were fundamentally fair. But the experience also left the board members ready to consider a more structured process. “When we heard about the new framework, we said, ‘Let’s look into this. It would give us a structure from year to year,’” Jones says.

School boards and superintendents have a similar need — they want a fair, professional process that is objective and based on data.

The WASB developed the Superintendent Evaluation Framework to encourage a collaborative mindset. Setting an objective, professional process goes far in establishing good



## Setting an objective, professional process goes far in establishing good faith.

faith. This way, you can focus on the mission of your district instead of the validity of your process. The WASB framework was developed in consultation with veteran superintendents who understand from experience the importance of a fair process.

Nurturing the administrator-board relationship is especially critical for first-year superintendents. That’s why we’ve created a separate process for

new district leaders that relies on prompts and dialogue instead of scoring.

Fairness also requires that the evaluation represent the consensus view of the entire board. An individual board member’s comments do not belong in an evaluation document.

When it comes to an evaluation, we don’t believe in surprises. Superintendents want their evaluation to

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be based on their performance of measurable goals outlined in the strategic plan.

Just as each district is unique, each plan is different. This is why we created a flexible process.

### ■ Standards fit to your students

Meeting the leadership challenges that underlie student success can feel like a juggling act with many different-sized balls in the air at once.

There are instructional tasks in setting a curriculum and assessing its success. And the professional communities of educators that help students thrive do not come naturally. Finally, an administrator acts according to an ethical code that places the district's vision and core values at its center.

The WASB Superintendent Evaluation Framework uses the Professional Standards for Education Leaders created by the National Policy Board for Educational Administration. These professional standards identify 11 leadership domains linked with student learning.

We do not expect or recommend that all 11 standards will be used in one evaluation. An evaluation that tries to cover all of them will not explore any of them in depth. Rather, we suggest that each board choose the three most relevant standards in any given year.

As with much of a school board's work, the law sets a floor, but not a ceiling, for performance. We also took steps to ensure that our framework exceeds both state require-

ments for a written evaluation. But, again, we see these as opportunities to make the evaluation better, above and beyond following the law.

### ■ Artifacts and the job description

State law requires that an administrator's evaluation include observation of the administrator's performance as part of the evaluation data.

Our framework supports the use of tangible, objective evidence to evaluate superintendent performance — we call them “artifacts.” There are plenty of places to find artifacts, such as board packets, weekly board notes, administrator meeting reports, audit findings, curriculum samples, school improvement plans and much, much more.

The choice of which artifacts will serve as evidence of superintendent performance should be made at the beginning of the evaluation cycle and agreed upon by the board and the superintendent.

In the Iola-Scandinavia School District, the COVID-19 crisis made communication a natural choice as an evaluation standard for their superintendent, Jones says.

As the board went through the prompts in the relevant standard, called “Meaningful Engagement of Families and Community,” they discovered thoughtful ways to approach the issue. Communication, they learned, is about more than sending emails. It includes publicly advocating for students' needs, partnering with private entities and more.

A second requirement in state law calls for the evaluation to be based on the administrator's board-adopted written job description, including job-related duties. Job descriptions

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Our framework supports the use of tangible, **objective evidence** to evaluate superintendent performance — we call them “artifacts.”

may change over time to reflect an administrator’s duties. Within the Superintendent Evaluation Framework, we included a job description audit tool with a sample description.

The framework is meant to be an adaptable yet comprehensive resource. But no document stands alone.

### Working with you

Recognizing that a board would need multiple years to work through all 11 professional standards, the WASB Superintendent Evaluation

Framework is available as a three-year subscription. To effectively employ it, the WASB is providing two hours of consultation time with the purchase of a subscription. Boards may opt to contract for additional consultation time to further help them implement the evaluation process and develop their leadership skills.

Jones said the Iola-Scandinavia board appreciated the ability to talk through the process with a WASB consultant. Ultimately, the frame-

work gave Jones’ board a valuable commodity — peace of mind.

Jones said they “discovered that we can do this well, and we don’t have to stress over it.”

For more information about the WASB Superintendent Evaluation Framework, including short introductory videos, visit [WASB.org](http://WASB.org). ■

*Louise Blankenheim is the director of Search and Organizational Services for the Wisconsin Association of School Boards. She is a former school district administrator and has 34 years of effective school district leadership in rural and urban districts.*



## Improve Your District’s Leadership

The WASB’s Superintendent Evaluation Framework will help you strengthen the pivotal relationship between your board and superintendent and improve your overall leadership through mutual respect and understanding.

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# TOP 3 Referendum Mistakes

from the architect's perspective

by Curt Wiebelhaus



IN THIS ISSUE, we examine the **top 3 referendum mistakes** from the architect's perspective:

- 1 - Not developing** the best referendum project for the students and the community.
- 2 - Failing** to follow the results of the survey.
- 3 - Failing** to engage the entire district.

For the school boards, superintendents, business directors and facility directors who oversee them, capital referendums can be once-in-a-career events. Given the critical opportunity presented by a capital referendum, management at the highest level can be as difficult as it is essential.

School districts typically partner with professional firms to assist with the details of planning and managing a referendum. Wisconsin is fortunate to have excellent architecture, construction management and owner's representative firms that specialize in capital referendums.

Building Solutions, an owner's representative firm in Wisconsin, is often approached by school districts

seeking a construction/referendum expert to efficiently and effectively navigate the capital referendum process. The staff at Building Solutions believes that any district considering a referendum learns and understands what NOT to do before the first step is taken toward a referendum.

This article is the first in a series of three providing the perspectives of three key professionals intimately involved in the proactive planning it takes to lead a successful referendum. This article includes the perspective of two leading Wisconsin K-12 architects. The next article will include the perspective of a construction manager, and the third the perspective of an owner's representative.

Bray Architects and Plunkett Raysich Architects, two prominent

Wisconsin K-12 architectural firms, provided insight and input for this article. Combined, these two firms have been involved in 128 referendum campaigns in the last 10 years. Their experience and perspective can help districts avoid repeating other districts' mistakes.

**MISTAKE #1: Not developing the best referendum project for the students and the community.**

A school district has many different viewpoints and opinions to consider when pursuing a referendum. A well-defined process is critical to ensuring the final result represents the true needs of the school district to best serve the students and the community. The following steps and processes will help ensure the district will come to the best solution.

**STEP 1 Build a team and develop a strategy.** Most school districts start their referendum process because they have facility needs that are difficult to address through typical operational funding sources. They need help determining the full magnitude of their needs and whether the community will support a referendum. A minimal investment at this

stage is appropriate to get professional guidance to help the district create a strategy based on its specific situation. It is not appropriate to commit the district to partners at this stage without establishing pre-referendum milestones that will limit the district's risk and ensure a competitive process in selecting their partners.

Owner's representatives, architects and construction managers are important partners to support the district's pre-referendum planning efforts. The owner's representative will be the key to dividing the potential project into the pre-referendum milestones. While establishing an overall strategy for the district, one of the initial steps is issuing a request for proposal to select an architect and/or construction manager for pre-referendum services.

The primary role of the owner's representative is to use their expertise to protect the overall interest of the district using proven processes. A well-written RFP is critical. The owner's representative will create an RFP and help the district select the best architecture and construction management firms for the project. If

structured correctly, the district's cost and risk of hiring an architect and construction manager before passing a referendum are low. Hiring these partners early provides the district an opportunity to partner with experts who will help guide the process. At the same time, it gives the professional firms an incentive to work hard to find the best solution that will result in a successful referendum vote so they may earn the opportunity to design and construct the project. It is very important that the owner's representative establishes a well-written strategic RFP and contract to ensure all pre-and post-referendum costs are based on competitive, evaluated fees and rates.

When districts hire services or purchase products, it is common to use a template RFP borrowed from another district. While this may work well in other purchasing situations that districts encounter, it does not work well for construction management and architect services. The RFP is the foundation of the complex contract and the project. An RFP should only be written by someone who has a complete understanding of standard industry contracts by the American Institute of Architects.



**Owner's representatives, architects and construction managers** are important partners to support the district's pre-referendum planning efforts.



**STEP 2 Assess the district's needs.**

If a current facility assessment does not already exist, a detailed assessment should be performed. It

is necessary to know the strengths and deficiencies of existing facilities before options are developed. Deficiencies may be related to deferred maintenance or inadequate spaces that don't support the district's current or future educational goals.

An educational assessment is done in parallel to the facilities assessment. Key questions will be answered and documented during the educational assessment, including:

- What is the district's vision related to delivering the best education?
- What type of educational space is needed to meet the vision?
- How are different types of learning environments best situated to support the vision?

Some common ways to collect different perspectives related to district needs include:

- The architect and engineers perform a technical analysis of every space.
- The building and grounds department reports areas of concerns and deficiencies.

- The district staff responds to a questionnaire, survey and/or a visioning meeting to provide feedback related to the facility deficiencies, concerns and/or opportunities.
- Educational opportunities, space and programming are compared to other model districts or benchmark standards.

**STEP 3 Explore options and solutions.**

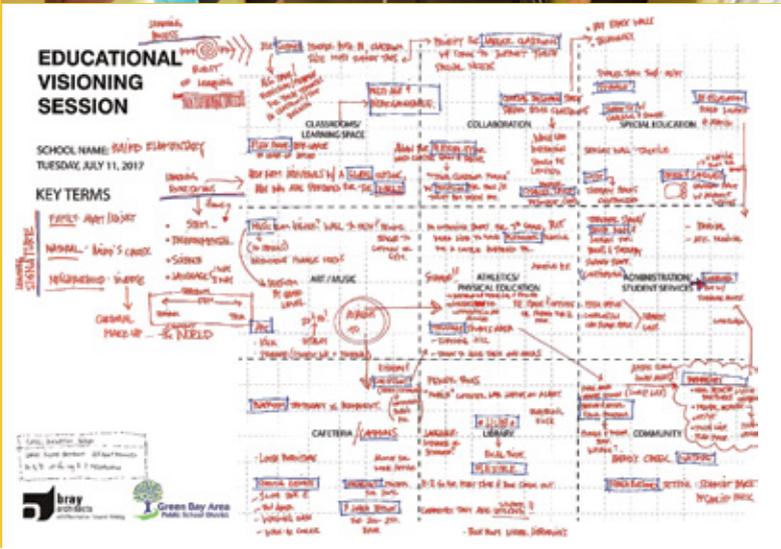
Engage key administrators and staff in the district to elaborate on concerns indicated by the broader staff feedback in step two. Brainstorm and develop potential solutions with a side-by-side comparison to show how each solution addresses the key needs of the district. This comparison document helps the core team track all the different potential solutions and also helps communicate to the community the level of detail and effort that was performed by the district in an attempt to find the best solution.

**STEP 4 Engage the community.**

It is important to provide the community several opportunities to be a part of the solution for two important reasons.

First, the broader community represents different perspectives. Staff members are often viewed as experts in developing the most effective way to educate the students. However, questions and comments from the community often allow the core team to make adjustments to improve the potential solutions by considering alternative viewpoints.

Secondly, the broader community does not know the intricate details related to education and facilities. Community engagement provides the district an opportunity to explain this detailed process and the many different factors included in the planning effort. When people understand the process, along with understanding the "why," they are more likely to support the solution.



Notes from a staff visioning session can help collect and distill different perspectives relating to district needs.



**WEEKS 1-5  
STRATEGIZE**



**WEEKS 6-10  
MOBILIZE**



**WEEKS 11-15  
ENERGIZE**

*Referendum Communication Process: Typical phases of a communication plan leading up to a referendum*

**STEP 5 Test or validate the narrowed down solution(s).** Using a professional surveying firm, develop a survey for the broader community. A community survey provides an excellent opportunity for the district to understand the likely support for a referendum question. Some of the top goals related to performing a community survey include:

- Determine the tax tolerance of the community. What is the maximum tax increase that the community would likely support, assuming they agree with the solutions?
- Determine what components of the referendum are best supported. Most referendums have several different components (campus improvement options, classroom improvements, site improvements, athletic improvements, fine arts area improvements, etc.). The survey results will indicate which of these components are of a higher priority to the community. This will allow the core team to make educated decisions when finalizing the solution.
- Educate the community. A survey sent to every household in the

district will help inform members of the community. Someone who is informed is more likely to support the solution.

**STEP 6 Refine and formalize a referendum question.** Using data collected from the survey, develop a referendum question. The final referendum question should reflect the outcome of all the efforts in the steps above. An administrator or school board who feels they know what the community needs and ignores the recommended process has a greater chance of experiencing a failed referendum. Trust the process and listen to the results.



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**STEP 7 Inform the**

**community.** The final step before the referendum vote is to educate and further inform

the community. If the process is done effectively, as outlined above, effectively, they include:

- Communicating the detailed process that led to the solution.
- Communicating the project and how it addresses the needs to meet the vision of the district.
- Describing to voters what to expect on the ballot.

Create and follow a detailed communication plan. It is a mistake to think that the broader community will respond to an open invitation and fill up the high school gym to learn about the referendum. The district needs to be intentional to reach the community. Informing the community can have many different forms, including in-person presentations, virtual presentations, printed mailers, yard signs, information boards, websites, take-home school handouts, weekly social media posts, open houses, and radio, newspaper and TV coverage.

**MISTAKE #2: Failing to follow the results of the survey**

The community survey indicated in step five is a highly effective strategy tool that school districts use before going to referendum because of the valuable information it provides. Before a survey is developed, the school board and the core planning team should agree that the survey results will guide the project. An administrator or board member's opinion or desires should not supersede the results of the process.

Matt Wolfert of Bray Architects has been a partner on more than 80 referendum questions, more than 50 of which used a survey. "It is critical that districts only use the community survey process if they will listen to the result," said Wolfert. "We have only had a few districts that have not



**It takes intentionality and effort** by the district team to engage and get feedback from the entire community.

been successful with their referendum proposals and all but one of the failed proposals were the result of districts not following the statistically valid findings of their survey."

The survey is one of the best ways to understand how the community will vote without actually having the referendum. This allows adjustments to be made to help ensure a successful referendum. According to Bill Foster, president of School Perceptions, a popular school referendum survey firm, approximately 70% of voters in an average community do not have a child in school and are not a staff member of the district. Because this group of people represents the majority of the community, they will decide the outcome of the referendum. If a school district ignores the feedback and desires of this group of people, there won't be as much support for a referendum.

**MISTAKE #3: Failing to engage the entire district**

The architect, construction manager

and owner's representative are key team members guiding the pre-referendum process. As valuable as these firms are, they will provide little help in knowing the community. The district core team needs to ensure that all community perspectives are engaged to maximize the odds for a positive outcome, explains Nick Kent, partner and educational planner for Plunkett Raysich Architects.

"Districts often concentrate their communications efforts where they can get the most impact," Kent says. "In geographically large districts, this may mean hosting community conversations at the school 'in town' and potentially neglecting outlying communities and constituents. Make sure to meet community members where they are, do not expect them to come to you."

A common mistake is to primarily meet with groups that are directly connected with the school district, or to just extend an open invitation to the broader community. This is not enough. It takes intentionality and effort by the dis-

trict team to engage and get feedback from the entire community. The rest of the project team will support these efforts. However, it is often the district superintendent and business manager/director who will be presenting information in meeting after meeting with the many stakeholders in the community. Communicating with a variety of groups, such as the local chamber of commerce, local real estate association, athletic clubs, local municipalities, church groups, civic groups and retirement-age type groups, is part of an effective referendum information effort.

It is also important to remember that no capital referendum passes unanimously. There will be dissenters within the community, and it is important to respect and offer to engage with them. They may not agree with the question, but ensuring they have the opportunity to hear the facts and make an informed choice at the ballot box can go a long way toward building greater community support.

Significant value is added to a construction project when a school district either fully understands the intricate details of managing a referendum or supplements its existing resources with the expertise of an owner's representative. Building Solutions has a targeted focus on preventing and eliminating school districts' mistakes. By minimizing mistakes and errors, more of the resources available to school districts can be used to improve the district. Improving students, staff and facilities are key components to a highly effective community.

Avoiding these common referendum mistakes will certainly improve Wisconsin school districts' chances of having more enjoyable and successful referendum experiences. If your district is considering a referendum, print this article and post it as a reminder of how to avoid these mistakes. ■

**Look for Part 2 and Part 3** in upcoming issues of Wisconsin School News. Curt Wiebelhaus is the founder and owner's representative at Building Solutions.

**UP NEXT...**

**PART 2: June-July issue**  
**Construction Manager's perspective:**

- 1 - Not creating** a clear "road map" or plan.
- 2 - Allowing too much** "scope creep" in the project.
- 3 - Not managing** the project's soft costs.

**PART 3: August issue**  
**Owner's Representative perspective:**

- 1 - Inadequate request** for proposal when hiring the architect and construction manager.
- 2 - Ignoring or not knowing** important roles of the school district.
- 3 - Failing to audit** project costs.

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## WASB Welcomes New School Board Members

**Whether you're taking office yourself** or you are welcoming new members onto your school board, the WASB is here to help.

To begin learning about how to be an effective board member, visit the "Basic Legal and Governance Resources" page at [WASB.org](http://WASB.org). It includes a variety of resources including the New School Board Member Handbook and the recently recorded New Board Member Training webinars.

### 2022 STATE EDUCATION CONVENTION

#### ► CALL FOR PROPOSALS

### Breakout Sessions, School Fair and Music Competition

The **Joint State Education Convention**, to be held in Milwaukee, Jan. 19-21, 2022, presents your opportunity to highlight your innovative programs and talented students.

If your district has results worth sharing, consider submitting a proposal. We are looking for breakout sessions and School Fair proposals that feature innovative projects and initiatives. *Proposals are due Friday, June 25.*

In addition, we are looking for three musical performance groups to show off their skills at the convention. *Apply by Friday, June 4.*

Visit the [WASB.org/convention](http://WASB.org/convention) page to learn more and submit a proposal.



### UPCOMING RECURRING WASB WEBINARS

#### RECURRING WEEKLY WEBINAR: WASB Capitol Chat

Fridays: May 7, 14, 21, 28 **12 pm**

WASB government relations staff Dan Rossmiller and Chris Kulow host a live webinar each Friday at noon during the state budget season to update members on the latest legislative developments and take their questions.

*Find the link to join on the [WASB Online Events page](#).  
No registration required.*

#### RECURRING MONTHLY WEBINAR: WASB Legal and Legislative Video Update

Wednesday, May 19 **12 pm**

WASB attorneys and government relations staff provide a complimentary, monthly update on recent legal and legislative issues.

*Find the link to join on the [WASB Online Events page](#).  
No registration required.*

## New WASB Online Learning Platform Launches with Live Board Officer Training

### The new WASB Online Learning Platform

launches in May with a series of live trainings for board officers.

The Online Learning Platform provides an easy-to-use format for board members and administrators to access a wide range of WASB webinars and online workshops to help board members be effective governing leaders and carry out their legal responsibilities efficiently.

The easy-to-use format groups the trainings into introductory and advanced categories, and includes new training developed specifically for board presidents, clerks and treasurers. Most of



the content includes previously recorded content. To help launch the platform, the WASB is hosting a series of live trainings for board officers in May.

The Online Learning Platform is available as an annual district subscription, giving the full board, district administrator and one administrative assistant access to all of the content for a full year. Board

members in subscribing districts receive 50 WASB Member Recognition Points each year in recognition of the substantial amount of training available in the platform. Visit [WASB.org](http://WASB.org) to learn more and subscribe. □

### LIVE BOARD OFFICER TRAINING SERIES

WASB Online Learning Platform subscribers have access to the following webinars in May...

#### **Board Presidents: Leading the School Board**

Thursday, **May 6**, 7 pm

Being assigned, appointed or elected to an officer position on the school board can provide you with an opportunity to lead, but the title alone does not identify you as a leader. In this webinar, learn the difference between managing and leading the school board. Learn from experienced board presidents on how they perceive their role and how they navigate challenging situations to maintain a level of trust and influence among their members. This webinar will describe how effective leadership can develop and sustain a highly functional school board and identify character traits that build trust in you as a leader.

#### **Running Effective School Board Meetings Webinar**

Thursday, **May 13**, 7 pm

All school boards conduct their business in similar meetings. However, the effectiveness of their meetings can vary widely. How a board conducts its meetings can impact the board's success in moving the needle on student achievement. In this webinar, experienced WASB school attorneys review the role of the board president in running the meeting. They also review board member roles as well as how to structure meetings to conduct an effective board meeting.

*Note: Public comment periods and public participation at board meetings are addressed in a separate webinar.*

#### **Board President's Statutory Responsibilities Webinar**

Thursday, **May 20**, 7 pm

The school board president has a number of legally required responsibilities as well as some legal powers that may be exercised depending upon the local district's policies. In this webinar, WASB school attorneys will review the board president's role in fulfilling the office's statutorily required duties and provide information pertaining to powers that may be exercised by the board president based on local policy.

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# State Budget Focus Shifts

*It's not too late to voice your school's budgetary needs*



While consideration of the 2021-23 state budget by the Legislature is well underway, there is still time for school leaders to make their voice heard about their priorities for school funding and other issues important to them.

## From listening to deciding

The Legislature's budget-writing Joint Finance Committee has wrapped up its four scheduled hearings on the proposed 2021-23 state budget. Special thanks are due school board members, administrators, concerned parents and citizens who spoke out in favor of public schools at those hearings.

The JFC now shifts from listening mode to decision-making mode and will soon start voting on changes to the governor's recommended budget.

Typically, the committee meetings at which votes are taken, called executive sessions, begin during the second week of May, and run through early to mid-June.

The most recent budget cycle may be instructive. In 2019, the JFC started holding executive sessions on May 9 and they continued through June 11. Most of the major budget decisions affecting public education were made by the JFC during that time period. This makes your immediate advocacy both timely and critical.

## The role of politics

As was the case during the 2019-21 budget cycle, for a 2021-23 budget to be signed into law, the Democratic governor and majority Republican Legislature will have to reach a general agreement.

Tensions between the Legislature and the governor are well docu-

mented and will likely be reflected in the debate over education funding.

Assuming Gov. Tony Evers seeks re-election, this will be the budget he will campaign on. From that standpoint, the race for governor in 2022 has already begun. The emphasis up to this point in the budget debate has been on creating contrasts between the parties (particularly between Evers and the Legislature) rather than on achieving consensus or working toward compromise. The public education community can, and probably should, hope that the mood shifts toward compromise.

In his 2019-21 budget proposal, Evers requested a \$1.4 billion increase for K-12 schools. The Legislature ultimately provided an increase of

about \$487 million. A veto by the governor increased this to about \$570 million. It will be challenging to obtain a similar increase in the 2021-23 budget, especially given the huge influx of federal funding described below. That is all the more reason why school leaders need to make their voices heard.

Schools will not get funding they do not ask for and make a case for. If lawmakers do not hear from the public school community, they will assume that everything is fine, and the state can send its budget dollars elsewhere.

The influx of \$2.4 billion in one-time additional federal funding for K-12 education in Wisconsin is being primarily distributed through the Title I formula, which is based on the number of low-income pupils in a district. As a result, districts with high numbers of low-income students are receiving a greater share of the one-time dollars. State lawmakers whose school districts have fewer low-income students, and are receiving proportionately less funding, have publicly voiced their frustration with the allocation method.

The sheer size of the federal funding increase is also making skeptical state lawmakers reluctant to increase state funding for education. Some are asking "why should we spend state dollars on things like K-12 education that the federal government is covering?"

We encourage you to talk with your legislators about your districts needs and budget priorities.

As you do so, remind lawmakers that the influx of federal money, while substantial, is one-time funding intended to address one-time costs associated with the pan-

## TELL YOUR STORY!

### Budget Advocacy Checklist

We urge you to contact your lawmakers by doing one of the following:

- ▶ Now that budget hearings are over, you may still submit written comments to the JFC at:

*Budget.Comments@legis.wisconsin.gov*  
or  
*legis.wisconsin.gov/topics/budgetcomments*

- ▶ Attend a local listening session held by your legislators and speak about your budget priorities.
- ▶ Invite legislators to your schools to share your budget priorities and solicit their feedback.
- ▶ Send a letter to your legislators outlining your budget priorities.

demic. Schools also have ongoing costs and needs that need to be met. Those needs existed before the pandemic and will continue after the federal money ends.

Two areas where agreement may be able to be reached are funding for broadband expansion to areas of the state that currently lack access to adequate, reliable broadband and increasing special education categorical aid. With the former, the issue appears to be whether to use federal rather than state funds. There also appears to be support for providing some additional funding to address mental health needs of students.

For our part, the WASB continues to advocate for the budget priorities laid out in our 2021 Legislative Agenda. Those include seeking: a) an increase in spendable resources for school districts that meets or exceeds the rate of inflation; b) a significant increase in the state's commitment to reimburse districts

for special education costs; c) additional funding for school-based mental health services with a greater emphasis on categorical aids rather than competitive grants; and d) recognition in the revenue limit formula that last fall's dip in pupil enrollment counts, while likely temporary, will have lasting negative effects on school district funding.

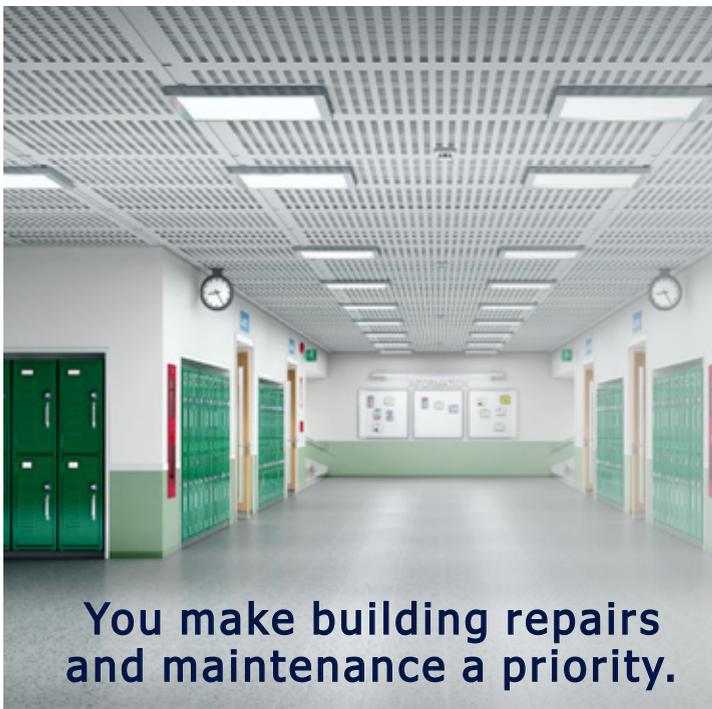
While we encourage school leaders to advocate for these priorities, we know that different districts have different needs. So, if your district's priorities include more funding for high-cost transportation aid, sparsity aid or aid for English learners, to give just a few examples, we encourage you to communicate those priorities with your legislators.

#### ■ Spending for schools vs. tax cuts?

The same federal COVID relief legislation that is providing so much money for K-12 education also

places limitations on the extent to which states accepting this funding may cut state-imposed taxes, and also provides that states must maintain state spending levels for K-12 and higher education combined.

Faced with these limitations, legislative majority Republicans appear to be eyeing property taxes as a tax they can lower. They have, for example, proposed using a billion dollars of federal COVID relief dollars intended for state government (as opposed to those allocated for K-12 education) to be used to provide a one-time, 10% property tax cut for state taxpayers and have asked Attorney General Josh Kaul to sue the federal government to allow this. How the expected push for lower property taxes will affect schools remains to be seen, but it suggests that revenue limit increases may be kept relatively small, and that additional funding may come through per-pupil categorical aids. ■



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## Common Questions Regarding Well-Functioning School Boards

School boards are elected in the spring,<sup>1</sup> and board members take office on the fourth Monday of April.<sup>2</sup> When boards begin their work together, often with new members, they do so toward the end of a school year. Nevertheless, boards must almost immediately become an effective operating body that works collaboratively and efficiently. This is not an easy task, particularly because board members inherently and appropriately bring different voices and viewpoints to issues facing their districts. Sometimes, those voices clash.

The fact that boards begin their terms toward the end of the school year, however, provides the impetus and opportunity for board members to quickly work together to forge an operating team. In addition to orientation programming for new board members, well-functioning boards usually engage in orientation sessions in May or early summer to set the district's course for the next year and develop a common understanding of the district's governance model outlining the roles of the board and the administration. The core principle of such work is making sure board members have a collective understanding of their powers, duties and functions — and how those interplay with the district's daily operations. This Legal Comment will address that core principle in a question-and-answer format.

### ■ What do boards do?

Boards are granted broad authority to operate the district on behalf of the districts' residents. In particular, boards “have the possession, care, control, and management of the property and affairs of the school district.”<sup>3</sup> In order to do this, boards “may do all things reasonable to promote the cause of education, including estab-

lishing, providing and improving school district programs, functions, and activities for the benefit of pupils.”<sup>4</sup> Additionally, the statutory duties and powers of school boards are to be “broadly construed to authorize any school board action that is within the comprehensive meaning of the terms of the duties and powers, if the action is not prohibited by the laws of the federal government or of this state.”<sup>5</sup> This is a significant grant of general authority for local control by school boards. Through this general authority, districts provide for the education of children by exercising some of this authority directly and by delegating some of this authority to others (subject to board oversight).

### ■ What powers do boards have?

In addition to doing all things reasonable to promote the cause of education in a district, state and federal laws grant boards specific powers they may exercise. For example, in one state statute, boards (as a collective body, not as individuals) are granted over 30 specific powers.<sup>6</sup> These include, among others, the power to make rules for the district, expel students, provide for insurance, enter into intergovernmental agreements, make purchases, contract for professional services, furnish meals to students, establish child care and 4-year-old kindergarten programming, sell property and borrow money.

### ■ Are there limitations to a board's power?

For boards in all forms of school districts, there are constitutional, statutory and common-law restrictions on board power in specific situations such as when boards are spending money, terminating employees and expelling students, among others.

Additionally, by statute, the electors of districts at the annual or special meeting for common and union high school districts are given authority over certain issues.<sup>7</sup> Some of this authority is exclusively held by the electors whereas other authority is shared between the electors and the board. For example, electors have the exclusive power to set the salaries of board members, but both the electors and the board have certain authority with respect to the tax levy. However, the board has exclusive authority over the budget and subsequent adjustments to the budget.

### ■ What are boards required to do?

State and federal laws provide boards with specific duties they must perform. For example, one state statute sets forth over 25 specific duties that a board must perform.<sup>8</sup> Importantly, as will be discussed in greater detail below, it is the school board as a whole that possesses this authority and these duties. Individual school board members do not have the authority to engage in these duties, absent specific delegation of authority from the board as a whole. Additionally, many of these duties will be accomplished through the board delegating authority and responsibility to administrators. In addition to the obligation to have possession, care, control and management of the district, boards (as a collective body) must, among other things: visit and examine district schools, advise teachers and administrative staff regarding the instruction and progress of students, exercise general supervision over schools, evaluate the effectiveness of teachers and principals, tax for the operation and maintenance of the district and for debt retirement, keep buildings insured and in good repair, determine the district's course of

study, establish school hours, and adopt a program of student participation in extracurricular and recreational school programs.

### ■ How do boards accomplish their work?

Boards obviously do not have the individual or collective time or expertise to operate a district on their own. Therefore, they need to delegate their authority to others to accomplish a district's mission. Boards are given the authority to hire administrators, teachers and other staff. Well-functioning boards develop a governance model in collaboration with their administrations that defines who is responsible for which tasks in operating the district. This generally takes the form of board policies.

### ■ What authority do the administrators have?

Certain administrators have express statutory authority.<sup>9</sup> The district administrator has the authority over the "general supervision and management of the professional work of the schools and the promotion of pupils." This includes the requirement to make "written recommendations to the school board on teachers, courses of study, discipline and such other matters as the administrator thinks advisable and shall perform such other duties as the school board requires." Principals are required to "perform such administrative and instructional leadership responsibilities as are assigned by the district administrator." A business administrator must perform "such fiscal and business management and other administrative duties as are assigned by the district administrator." Consistent with these being delegated powers, these administrators are required to exercise these powers under the board's direction, and subject to the board's policies, rules, and regulations.

### ■ How are these delegated duties exercised in practice?

One way in which these delegated

roles are defined is through board policy. They can also be spelled out in job descriptions that form the basis for administrative positions. In general, boards serve a quasi-legislative function of adopting broad district policy and delegate to the administration the duty of implementing those policies, including through drafting administrative guidelines for such implementation.

This brings into play a second board function, the oversight of the administration's day-to-day operations. What form that oversight takes is subject to many different governance models. Each board must reach an understanding with the administration as to how this function is accomplished. One of the keys to an effective board is to recognize the difference between oversight and micromanaging these operational and administrative functions. This is particularly true with respect to personnel issues. This is not an easy task and requires ongoing and honest communication between the board and administration.

One way for boards to avoid wandering into micromanagement with respect to personnel issues is to understand the quasi-judicial functions they perform. With respect to full-time teachers and statutorily defined administrators, boards must play the final district role in non-renewing or terminating employment.<sup>10</sup> Additionally, the board makes the final decision in the statutorily required grievance process for all employee discipline, termination, and workplace safety grievances.<sup>11</sup> Because boards are the final adjudicator of these district employment issues, boards (and individual board members) should not be involved in the substance of personnel disputes before such matters are properly before the board consistent with applicable law and policies in order to meet any applicable standards of fairness and avoid potentially creating due process issues under the 14th Amendment to the U.S. Constitution. Finally, boards exercise quasi-judicial powers in expulsion hearings. Just as with personnel

matters, board members should not be involved in the substance of student discipline matters prior to the expulsion hearing.

### ■ What powers do individual board members have?

With few exceptions, all of the statutory powers granted by the state to local school districts are given to the "board" collectively. Under the Wisconsin Open Meetings Law, boards can only exercise their powers at a public meeting with appropriate notice of the subjects of business given to the public. Thus, generally, the only power that an individual board member has exists during a properly noticed public meeting of the board. That power includes the ability to discuss matters on the board agenda and to act on proper motions and in accordance with the noticed agenda. Individual board members have no authority to speak on behalf of the board either at, or outside of, such meetings unless specifically delegated such authority.

In general, the only duties granted by statute to individual board members arise from certain board members' roles as board-elected officers. Boards are required to elect from their ranks a president, vice president, clerk and treasurer.<sup>12</sup> Each of those officers are given specific official duties to perform on behalf of the board as a whole. Additionally, unified school districts elect a school board secretary who need not be a member of the board.<sup>13</sup>

These limitations on individual board member power are consistent with the role board members serve. Board members are fiduciaries of the district and the people who reside within the district. Thus, board members must act in the district's best interests and never for their own personal interests. As a trustee of the public, board members owe an undivided duty to the public and are not permitted to place themselves in a position that will subject them to conflicting duties or expose them to the temptation of acting in any

manner other than in the best interests of the public. This concept is reinforced in the oral form of the oath of office for board members which states that board members “will faithfully and impartially” discharge the duties of their offices.<sup>14</sup> Board members are also subject to a statutory code of ethics for local public officials,<sup>15</sup> in addition to any code of ethics adopted by the board.

A New Jersey School Ethics Commission decision provides an illustration of how board members can violate ethics rules when they act as individuals outside the scope of the collective authority of the board.<sup>16</sup> In this case, a board member directed district employees to perform errands on the board member’s behalf such as copying and faxing. The board member also interviewed, nominated and recommended the hiring of job applicants without the recommendation of the superintendent. The commission found that these actions exceeded the board member’s authority as a board member and violated state laws, including the state ethics code.

### ■ What are board members’ obligations with respect to public records?

The Wisconsin Public Record Law governs requests for and the disclosure of public records.<sup>17</sup> Board members create public records in the course of performing their duties. Records that contain any material relevant to governmental functions and responsibilities are public records subject to disclosure. It is the subject matter, not the location, of a record that determines if something is a public record. Board members have a duty to disclose public records in response to public records requests, and board members have a duty to ensure that public records in their possession are preserved according to the board’s adopted records retention schedule.

If they are relevant to governmental functions and responsibili-

ties, public records could include emails, texts, social media posts, and many other forms of records. This means public records might be located on board members’ personal computers, cell phones, email accounts, and social media accounts, among other locations. Board members who wish to minimize creating public records on their personal devices and accounts should strive to communicate school board business only through official district communication channels, such as district-provided email accounts. This also simplifies the process for locating and responding to public record requests and makes it easier for the district to properly retain public records.

However, purely personal messages, even if sent from a government email address, are not public records subject to disclosure.<sup>18</sup> If a record contains both personal messages and official messages, the district’s records custodian can redact the purely personal aspects of the record, but must disclose the rest of the record.

### ■ Conclusion

Well-functioning boards and effective board members understand their roles and the limits on their authority. Board members are encouraged to work with each other and their administrative teams to define the boundaries of their respective roles. Some boards facilitate this process through board and administrative in-services. Boards adopt and continually review board policies that establish those roles and duties. Boards and their administrative teams continually discuss their roles and duties and let each other know when one of them believes a line might have been crossed. More importantly, well-functioning boards focus on the district’s broad mission and empower the administration to carry that mission out, subject to the oversight, but not the micromanagement, of the board. ■

### ■ Endnotes

1. Wis. Stat. s. 120.06(1).
2. Wis. Stat. s. 120.06(4).
3. Wis. Stat. s. 120.12(1); see also Wis. Stat. s. 120.44(2). The statutes governing the unique aspects of Milwaukee Public Schools are located in Wisconsin Statutes Chapter 119. While there are many parallels between Chapter 119 and the other statutes discussed in this Legal Comment, there are also several unique aspects that are outside the scope of this Legal Comment.
4. Wis. Stat. s. 120.13; see also Wis. Stat. s. 120.44(2).
5. Wis. Stat. s. 118.001.
6. Wis. Stat. s. 120.13(1)-(38); see also Wis. Stat. s. 120.44(2).
7. Wis. Stat. s. 120.10(1)-(19).
8. Wis. Stat. s. 120.12(1)-(28); see also Wis. Stat. s. 120.44(2).
9. Wis. Stat. s. 118.24.
10. Wis. Stat. ss. 118.22, 118.24(6)-(7).
11. Wis. Stat. s. 66.0509(1m).
12. Wis. Stat. ss. 120.15-17; see also Wis. Stat. s. 120.43(1).
13. Wis. Stat. s. 120.43(1).
14. Wis. Stat. s. 19.01(1m).
15. Wis. Stat. s. 19.59.
16. Julia Hankerson, Woodbine Bd. Of Educ. Cape May Cty, No. C36-02 (N.J. Sch. Ethics Comm’r June 24, 2003).
17. Wis. Stat. ss. 19.21-39.
18. *Schill v. Wis. Rapids Sch. Dist.*, 2010 WI 86, 327 Wis. 2d 572, 786 N.W.2d 177.

*This Legal Comment was written by Michael J. Julka, Brian P. Goodman, and Steven C. Zach of Boardman & Clark LLP, WASB Legal Counsel. Attorney Zach, the primary author of this Legal Comment, just completed 22 years of service on the Oregon School District school board, including the last 4 years as Board President.*

*For additional related articles, see Wisconsin School News, “Board Agendas, Voting, and Minutes” (Apr. 2017); “Board Duties and Obligations and Potential Ramifications for Non-Compliance” (Apr. 2016); “Recurring Issues for School Board Members: School Board Member Conflicts of Interest, Ethics, and Incompatibility of Offices” (May 2013); “Delegation of School Board Authority” (Oct. 2012); “The Legal Significance of School Board Policies” (Nov. 2007).*



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