

A Dramatic Shift

JFC budget reflects erosion of support for public education, local control



It is often said that two things that are hard to watch being made are sausage and legislation.

On May 19, long after most parents and students had gone to bed, Republican members of the Legislature's Joint Finance Committee (JFC) adopted a 29-page education spending motion reflecting what many see as a dramatic shift in the direction of state support for public education.

That motion, covering the 2015-17 biennium, included 51 separate school-related provisions, many of which hadn't received a public hearing in the current legislative session. Put together behind closed doors, the motion was presented by majority Republicans on the committee slightly over an hour before debate on it began.

It is impossible to summarize all 51 pieces in this column, but several things stand out.

The first observation is that while the package restores the proposed \$127 million cut to state per-pupil categorical aid in the first year and provides an additional \$100 per pupil in that aid in the second year, it puts Wisconsin on a path to drop below the national average in per pupil spending for the first time ever.

The net increase over current funding is \$100 per pupil and it doesn't come until the second year. The package freezes school district budgets in the first year and allows them to increase by less than the rate of inflation in the second year.

Lawmakers largely ignored recent public polls indicating that when asked which is more important — reducing property taxes or increasing spending on public schools — voters favored increasing school spending by a 54 to 40 percent margin. The JFC package allocates an additional \$319.3 million to property tax relief (that is nominally related to schools,

but doesn't increase school spending) and only \$213.4 million to programs that allow increased public school spending.

While school leaders welcome the additional resources above what the governor proposed, the small increase will likely force many school boards into hard decisions on whether to ask local voters via referendums to raise property taxes to provide funding the state did not provide.

Observation two: Continuing a disturbing trend, lawmakers seem ever more willing to invest in a second privately run voucher education system.

The JFC education spending package not only removes the overall cap on enrollment in the statewide voucher program, it increases the per-pupil voucher payments. More importantly, the JFC package funds expansion of the statewide and Racine voucher programs by using a “money follows the student” approach long sought by voucher advocates and modeled on public school open enrollment to funnel state aid to voucher schools.

The small gain in funding to public schools largely will be offset by the funneling of roughly \$48 million in state aid — over the two-year budget cycle — away from public schools to private and religious schools through the state's three voucher programs.

Currently, per-pupil payments in the Racine and statewide voucher programs are fully funded from a separate state appropriation. Starting this fall, public school districts with “incoming voucher pupils” in the Racine or statewide voucher programs that reside within their boundaries would have their general aid reduced by the total amount paid to voucher schools in those two programs in each year. If a district's general aid payment is insufficient to cover the aid reduc-

tion, the balance would be reduced from other state aid (e.g., categorical aid) received by the district.

Pupils entering the statewide or Racine voucher programs in 2015-16 or thereafter would be counted in their district of residence for general aid and revenue limit purposes.

The JFC package also creates a statewide special needs voucher program that would let students with disabilities attend private schools at taxpayer expense if they have been denied transfer into a public school open enrollment program, beginning in 2016-17. Participating private schools would receive \$12,000 each year for each student with a disability.

These special education vouchers would also be funded using a “money follows the student” approach modeled on public school open enrollment. State aid would be withheld from the resident district of a special needs voucher recipient similar to what was described above.

A third observation is that support for Wisconsin's long tradition of local control appears to be eroding and is under threat.

The JFC package includes a sweeping proposal that would usurp and displace the locally elected MPS Board. It would put a commissioner appointed by the Milwaukee County executive in charge of some low-performing MPS Schools with authority to turn them over to independent charter school operators or convert those schools into private, nonsectarian voucher schools. The commissioner could fire all the teachers and administrators in those schools and make them reapply for their jobs, forbid rehired teachers from joining a union, disregard board policies, and sell publicly owned school buildings. As drafted, this “takeover” language

could potentially apply to Madison, Racine and Green Bay.

Another provision mandates the Racine Unified School Board to change the election of its members, currently from at-large seats, to a plan of geographic apportionment among the municipalities in the school district. Board members elected to an apportioned seat must reside in a designated geographic area at the time they take the oath of office. As written, this change could potentially apply to the Kenosha Unified School Board as well.

Another provision dramatically alters teacher licensure for grades 6 through 12. It allows anyone with a bachelor's degree to teach English, math, science, or social studies courses in those grades and obtain a state license if a school board, or the governing board of an independent charter school or private school, determines the individual is proficient and has relevant experience. For all other subjects in grades 6-12, any individual could obtain a teaching permit if a school board, charter school, or private school determines the individual is proficient and has relevant experience. It appears there would be no minimum state requirement to receive such a teaching permit, such as holding a high school diploma or passing a skills test.

If the JFC provision becomes law, Wisconsin would become the only state to license persons who lack a bachelor's degree to teach subjects other than technical education. Federal law requires educators to have bachelor's degrees and demonstrate competency in the subject area in order to teach special education or a core academic subject, which includes English, reading or language arts, math, science, foreign language, civics and government, economics, art, history, and geography. But this requirement is tied to federal funding, which is mainly distributed to public schools.

Another item in the JFC motion modifies the dates by which a school board must give a teacher or administrator written notice of renewal /

nonrenewal of his or her contract in odd-numbered years in which the biennial state budget is adopted and modify the date for administrators in all years.

It is unclear what problem the modifications to the contract renewal timelines were intended to fix; however, it is very clear that these provisions will cause significant problems for school boards and school districts and could adversely affect Wisconsin's labor market for recent college graduates. It would make it tougher for rural schools to compete for teachers within a narrower hiring window, and make it harder for districts to hire new district administrators in time to prepare for the annual meetings and/or budget hearing.

Other mandates on school boards would: allow the UW System, Waukesha County, tribal colleges, and Gateway Technical College to authorize K-12 charter schools, using the same "money follows the student" funding; direct boards to require high school students to take and pass a 100-question civics/citizenship test in order to graduate; subject every school board's high

school graduation standards policy to approval by the state superintendent and require school boards to allow home-school students, virtual school students and private school students to participate in public schools' athletic and extracurricular programs.

While it is disappointing that well-funded and connected voucher advocates succeeded in siphoning off much of the additional school funding to voucher schools, school board members and administrators should be commended for their efforts to raise awareness amongst the public and lawmakers about the need to restore the proposed cuts to public schools and to provide an increase. Your voices were heard.

Rural schools should benefit from increases in sparsity aid, high-cost transportation aid and provisions authorizing whole grade sharing as well as a reallocation of funding for a variety of school technology-related needs.

The JFC plans to advance its reworked budget to the full Legislature by the end of May, with each house expected to debate the budget bill in early to mid-June. ■



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