



"Leadership in Public School Governance"

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TO: Members, Assembly Committee on Education
FROM: Dan Rossmiller, WASB Government Relations Director
DATE: June 15, 2017
RE: **OPPOSITION to ASSEMBLY BILL 282**, relating to restricting consideration of resolutions to issue bonds by common and union high school districts and prohibiting voting on a resolution to exceed the revenue limit of a school district at a special meeting.

The Wisconsin Association of School Boards (WASB), on behalf of all 422 public school boards in the state of Wisconsin, **has strong concerns about** Assembly Bill 282.

First some background. There are two types of school district referendums in Wisconsin: 1) Bonding – asking authority to borrow for capital projects; and 2) Operational – asking to exceed the revenue limits to pay for school district operations. There are also four types of school districts in Wisconsin: common (*most fall under this category*); union high school (*these 10 districts operate a high school with separate K-8 feeder districts and are most common in SE Wisconsin*) and unified (46). Milwaukee is a First Class City district, its own unique classification. Common school districts and union high school districts have an annual meeting at which district electors have certain powers. District electors may attend, speak and vote on certain matters, including voting to approve the tax levy, at this meeting. Unified districts do not have annual meetings and the school board, which is directly responsible to the electors, has the powers and duties of the annual meeting in common and union districts. The powers of the annual meeting are unified in these boards, hence the name.

Our attorneys raised several issues with the drafting of the bill:

- Section 3 of the bill appears to be drafted in a way that limits unified districts to a one-month window in July and August for approving an initial resolution to begin the bonding referendum process but imposes no similar limit on common or union high school district school boards. It does, however, limit the electors of a common or union school district from directly initiating a bonding referendum, outside of the annual meeting. We are not aware of a referendum ever being directly initiated by the electors.
- The added text in Section 5 appears to prohibit the electors of common or union high school districts from voting at a special district meeting on an operational referendum. This provision is odd since electors at an annual meeting have no statutory authority to initiate operational referenda. That authority is given to school boards.

Drafting issues aside, we do not support this bill either as drafted or as intended on policy grounds. Assembly Bill 282 is an attempt by lawmakers' to "micromanage" school districts and school boards. The bill infringes on local control by attempting to dictate to locally elected school board members when they may discuss and vote on issues that are the integral to the core duties of school board members, the "care, control and management of the property and affairs of the school district." It tries to stack the deck and make the referendum process more difficult for school districts by limiting when referendum resolutions may be voted on.

The logic of restricting special board meetings on school district referenda is puzzling. Special meetings are subject to the same open meetings notification requirements as regular meetings. They can better highlight a referendum question when that is the only item on the agenda of a special meeting as opposed to being one item amid a host of regular school district business items at a regular meeting.

The bedrock principle of our membership and association is the belief that the locally-elected school board should have control of its local fiscal affairs. The state should provide maximum authority and flexibility to our local school board officials to manage the affairs of their school districts.

For these reasons, today we must state our opposition to Assembly Bill 282.