

WISCONSIN ASSOCIATION OF SCHOOL BOARDS, INC.

Madison, Wisconsin

November 30, 2016

UPDATE ON 2016 RESOLUTIONS

***Note:** Due to the Legislature's early adjournment last Spring, there was little time to take action on the 2016 resolutions or get bills or amendments drafted between the time of the Delegate Assembly and the end of the 2015-16 Legislative Session. The Legislature will reconvene on January 3, 2017, at which time bills for the 2017-18 Legislative Session can be introduced.*

Resolution 16-01: Revenue Limit Flexibility and Time to Adjust to State Law Changes

Create: When changes are made in state law that significantly modify school operations or require changes in board policies, the WASB supports allowing school districts to increase their revenue limit by an amount needed to implement such law changes. The WASB also urges state lawmakers to provide for delayed effective dates or delayed implementation dates for those statutory changes.

The WASB GR staff has been in conversations with lawmakers about drafting legislation to implement this resolution for introduction in the 2017-18 legislative session.

The 2017 WASB Legislative Agenda makes seeking inflationary “catch-up” adjustments to school district resources a priority with the goal to provide an additional \$200 per student in each year of the 2017-19 biennium. Such adjustments could come through increases in revenue limits coupled with a corresponding increase in state general aid to mitigate the property tax impact and/or increases in per pupil aid. The WASB GR team successfully urged the DPI to include such an increase in its budget request to the governor. In its request, the DPI seeks a \$200 per pupil adjustment in revenue limits in the first year and an \$204 per pupil adjustment in the second year.

Resolution 16-02: Referendum Approval to Transfer Public Schools to Private School Operators

Create: The WASB supports legislation to require that a school district's voters must give their approval at a referendum vote before the operation, management and/or control of any district school may be transferred to any entity other than by the locally elected school board of the district.

The WASB GR staff has been in conversations with lawmakers about drafting legislation to implement this resolution for introduction in the 2017-18 legislative session.

Resolution 16-03: Private Schools' Eligibility to Participate in the Statewide Voucher Program
Create 2.70 (j): Private schools may only be eligible to participate in the statewide voucher program if they have been in existence for five years.

The WASB GR staff has been in conversations with lawmakers about drafting legislation to implement this resolution for introduction in the 2017-18 legislative session.

Resolution 16-04: Maintenance of Effort

Create: The WASB supports a change in the Individuals with Disabilities Education Act (IDEA) to allow a local school district to reduce spending attributable to maintenance of effort (MOE) without penalty when it reduces its spending on employment-related benefits provided to school personnel, including but not limited to pay, retirement contributions, annual and sick leave, and health and life insurance, so long as the district maintains the same level of services to students with disabilities.

This is a federal issue that threatened to penalize a number of Wisconsin school districts following the implementation of Act 10. The reduced levels of district spending on retirement contributions and health care benefits of special education personnel made it appear (inaccurately) that fewer services were being provided to students with disabilities. The WASB GR team worked with the office of Wisconsin Congressman Reid Ribble on language to address this issue. This language was included in H. R. 2965, a bill to amend the Individuals with Disabilities Education Act to provide certain exceptions to the maintenance of effort requirement for local educational agencies, and for other purposes. Through related WASB efforts, the NSBA adopted resolution language calling for allowing school districts flexibility to apply Maintenance of Effort (MOE) under IDEA.

Resolution 16-05: Creation of a Statutory Mechanism to Allow Districts to Set Aside Funds in Trust for the Purchase of Long-Term Fixed Assets

Create: The WASB supports creating a statutory mechanism to allow school districts to place into a trust for future use a portion of their general funds that would be counted as shared costs for state aid purposes in the year the funds are placed in trust. Such a trust would be used for the purchase of long-term fixed assets, including but not limited to, school busses, vans, snowplows, phone systems, or other technology items with a useful life of more than one year when purchased in bulk, and such trust funds must be spent pursuant to a long-range plan adopted by the school board of the district.

The WASB GR staff has been in conversations with several lawmakers from the Janesville area about drafting legislation to implement this resolution for introduction in the 2017-18 legislative session. (The Janesville School Board proposed this resolution.)

Resolution 16-06: Increase Special Education Categorical Aid Reimbursement to 33 Percent Amend existing Resolution 2.31 as follows:

The WASB supports increasing the special education categorical aid reimbursement level to not less than 33 percent of prior year eligible costs and maintaining funding at not less than this percentage each year thereafter. The WASB further supports the following provisions related to funding for children with disabilities:

The 2017 WASB Legislative Agenda includes increasing special education categorical aid to reimburse at least 30 percent of aidable costs or providing a special education-related revenue limit adjustment as a priority. The WASB GR team was successful in urging the DPI to include such an increase in its budget request to the governor. The DPI's request seeks funding to increase the state reimbursement for special education

services from 26 percent to 28 percent in the first year (2017-18) and to 30 percent in the second year (2018-19).

Resolution 16-07: Restore Two-Thirds State Funding and Increase Primary Guarantee Value per Member

Create: The WASB supports increasing the primary guaranteed value per member in the general aid funding formula to \$3 million each year and restoring a statutory commitment to fund two thirds of school costs each year.

The WASB GR staff has had conversations with lawmakers about drafting legislation to implement this resolution at least in part. It appears likely that a proposal to modify the distribution of general school aids to provide a \$1,000 per pupil minimum aid payment will be advanced by Assembly Republicans in the 2017-18 session. If so, such a proposal would have a similar effect as increasing the primary guaranteed value per member as described in the resolution.

Resolution 16-08: Sparsity Aid

Create: The WASB supports legislation creating a separate allotment, regardless of membership, within the sparsity aid program for districts with fewer than five members per square mile with per pupil aid amounts to be paid on a sliding scale such that lower enrollment districts would receive greater amounts per pupil than higher enrollment districts.

The WASB GR staff has been in conversations with several rural lawmakers about drafting legislation to implement this resolution by creating a sliding-scale sparsity aid program for districts with enrollments above 745, the current cut-off for the existing sparsity aid program. for introduction in the 207-18 legislative session.

The WASB GR team successfully urged the DPI to include a proposal that moves in the direction of what is called for in this resolution in its budget request to the governor. That request seeks funding to create a second tier of eligibility within the program to expand eligibility for Sparsity Aid to districts that have sparse pupil populations and a general aid membership between 746 and 1,000. Under the DPI's proposal, districts meeting the second tier criteria would be eligible to receive aid in the amount of \$100 per pupil.

Resolution 16-09: Sliding Scale Funding Formula Adjustment

Create: The WASB supports legislation to implement a sliding scale formula factor multiplier to increase the membership of districts for revenue limit purposes.

The WASB GR staff has been in conversations with the DPI about how such a formula factor multiplier might work. The 2017 WASB Legislative Agenda makes seeking inflationary “catch-up” adjustments to school district resources a priority with the goal to provide an additional \$200 per student in each year of the 2017-19 biennium. If adopted, this increase in resources would help all districts, whether small or large. (See also Resolution 16-01, above.)

Resolution 16-10: Student Assessments

Create: The WASB supports statewide implementation of a uniform, reliable statewide assessment that would not be modified for a period of years sufficient to effectively evaluate the performance of all publicly-funded students in the state, regardless of whether those students attend a public school, charter school or private voucher school.

The WASB GR staff has been in conversations with legislators about the need for stability in student assessments even before this resolution was adopted. This year's school and district report cards used results in grades 3-8 from the state's third different set of standardized tests or assessments in three years, causing the DPI to warn that, "using data from three different assessments in calculations, along with other changes, makes comparisons of school and district performance to prior report card ratings inaccurate and inadvisable." Under current law, charter school students and students in private schools who receive vouchers take the same assessments public school students are required to take. This was the first year that schools in the Milwaukee, Racine, and Wisconsin voucher programs submitted data to the DPI using a new data collection system.

Resolution 16-11: State-Mandated Graduation Requirements

Create: The WASB supports local school board control for determining high school graduation standards and the assessments that will be used to issue a high school diploma. If the state requires assessments for graduation, those assessments should be fully funded by the state.

The WASB GR staff will utilize this resolution to inform our position on legislation related to this issue going forward. So far, the only exam required for graduation in Wisconsin is the citizenship test and the associated costs to districts are difficult to determine.

Resolution 16-12: Use of Electronic Communication to Notify Parent of Child's Truancy

Create: The WASB supports legislation to allow school attendance officials to notify a parent or guardian of their child's truancy that does not qualify as habitual truancy using modern electronic communication mediums, including but not limited to email or text messages in lieu of existing notification requirements.

Last session, the WASB supported **2015 Senate Bill 122**, relating to allowing new methods for notifying a parent or guardian of a habitually truant pupil. Senate Bill 122 was signed into law as **2015 Wisconsin Act 52**. This Act allows a school attendance officer to provide notice to a parent or guardian by 1st class mail. Act 52 also allows an attendance officer to simultaneously notify the parent or guardian of a habitually truant student by an electronic communication.

The WASB GR staff has been in conversations with the lawmakers who authored the legislation described above about drafting legislation to implement this resolution that will be introduced in the 2017-18 legislative session.

Resolution 16-13: Elimination/Reduction of Newspaper Notice/Publishing Requirements

Create: The WASB supports legislation allowing school districts to publish statutorily-required notices electronically on the school district website and other social media maintained by the school district in lieu of publishing these notices in newspapers.

The WASB GR Team testified before the Legislative Council Special Committee on Government Documents and Legal Notices this summer and urged them to eliminate the requirement that school boards must publish their board proceedings in a newspaper published in the district and instead allow boards the option to post their proceedings on the district's website. Although the Study Committee declined to recommend this change, the WASB GR Team has been working with lawmakers and the Wisconsin League of Municipalities on legislation to accomplish this goal for school boards and municipal governing bodies. This legislation will be introduced in the 2017-18 session.

Resolution 16-14: Mental Health Supports

Create: The WASB supports the provision of state funding adequate to: address the shortage of mental health professionals in our state qualified to address the needs of school age children and young adults; provide adequate professional mental health supports in our schools and our communities; and permit schools to enter into effective partnerships with agencies that are involved with mental health to provide for school-based mental health programs, that could provide services, including but not limited to, the following:

- Comprehensive student screening in every school;
- Professional development for classroom teachers on recognition and appropriate classroom response to support affected students;
- Professional mental health counselors and or services;
- Professional education and training to expand availability of mental health professionals; and
- Public information programs related to mental health.

The 2017 WASB Legislative Agenda makes support for coordinated efforts to secure state grant funding to support school site-based mental health programs, supports and services in districts that wish to allow third-party providers to provide such services on-site a priority. The WASB GR Team has urged the DPI to explore initiatives to expand access and improved services in the mental health area. The DPI's budget request to the governor includes the following requests for funding (beginning in 2018-19) to assist school districts that wish to partner with social service agencies to provide mental health services in school facilities:

- *Mental Health Categorical Aid:* \$3 million to support school districts in the provision and expansion of mental health services.
- *Mental Health Collaboration Grants:* \$2.5 million to create a competitive grant program to support school districts in connecting youth to needed mental health services.
- *Mental Health Training Support:* \$420,000 for training to boost school districts' capacity to provide mental health screening and intervention services to pupils.

The WASB is also working with a coalition of a groups seeking state funding to expand school-based mental health programs in districts that voluntarily opt to offer such programs services. This group, the Wisconsin Coalition for Expanding School-Based Mental Health, includes (among others) the Wisconsin Association of Family and Children's Agencies (WAFCA), Lutheran Social Services, Catholic Charities, Jewish Family Services, UW Hospital/American Family Children's Hospital, and the Children's Hospital of Wisconsin.

Resolution 16-15: Transfer of Territory from One District to Another

Create: The WASB supports the following changes to statutes relating to and governing transfers of territory from one school district to another:

- Reduce the current threshold for a transfer of parcels to be considered a transfer of a large territory from seven percent to one percent so that any petitions that exceed a property value or student count of one percent of the donor district would require approval by public binding referendum held in both affected districts, assuming that one or both of the affected school boards deny the petition;
- Require that all the property values and student counts presented via petition(s) to transfer a small territory in a given annual petition period be aggregated, and that if the aggregated property values or student counts in those petitions exceed the threshold for a transfer of parcels to be considered a transfer of a large territory, treat them as a transfer of a large territory;
- Clarify the standards to be used to determine the asset transfer calculation in both the large and small parcel detachment-reattachment process.

The WASB GR staff will be in conversations with lawmakers about drafting legislation to implement this resolution for introduction in the 2017-18 legislative session.