Resolution 18-01: Technical Resolution—Revisions to Repeal Outdated Resolutions

a) Repeal Resolution 1.24 (a) 190 Days

Rationale:
The Policy and Resolutions Committee recommended this change noting that Wisconsin public school boards are no longer subject to a statutory requirement to hold school for at least 180 days each year. (2013 Wisconsin Act 257 repealed the requirement that school boards must hold school for at least 180 days each year, but left in place the requirement that schools must schedule and hold a minimum number of hours of direct pupil instruction, as further specified by grade level.)

b) Repeal Resolution 4.11 Binding Arbitration Law Changes

Rationale:
2011 Wisconsin Act 10 made significant changes to the collective bargaining law affecting school district employees. The statutes no longer contain any final and binding impasse resolution procedures for parties that were unable to settle a dispute relating to one or more issues regarding wages, hours and conditions of employment to be included in a new collective bargaining agreement after a reasonable period of negotiation. The repeal of interest arbitration by Act 10 means that a school district employer can now unilaterally implement its final offer on total base wages at the point of impasse.

c) Repeal Resolution 4.12 Impasse Resolution Procedures

Rationale:
2011 Wisconsin Act 10 made significant changes to the collective bargaining law affecting school district employees. There are no longer any binding impasse resolution procedures contained in the statutes (see above). The repeal of interest arbitration by Act 10 means that a school district employer can now unilaterally implement its final offer on total base wages at the point of impasse.
d) Repeal Resolution 4.14 Award Settlements

Rationale:

2011 Wisconsin Act 10 made significant changes to the collective bargaining law affecting school district employees. There are no longer any binding impasse resolution procedures contained in the statutes. The repeal of interest arbitration by Act 10 means that a school district employer can now unilaterally implement its final offer regarding total base wages at the point of impasse.

e) Repeal Resolution 4.18 Total Compensation Increases

Rationale:

2011 Wisconsin Act 10 made significant changes to the collective bargaining law affecting school district employees, including providing that total bases wages is the only mandatory subject of bargaining and that all subjects other than total base wages are prohibited subjects of bargaining. (“Total base wages” excludes any other compensation, which includes, but is not limited to, overtime, premium pay, merit pay, performance pay, supplemental compensation, pay schedules and automatic pay progression.). In addition, under Act 10, there are no longer any binding impasse resolution procedures contained in the statutes. The repeal of interest arbitration by Act 10 means that a school district employer can now unilaterally implement its final offer regarding total base wages at the point of impasse.

f) Repeal Resolution 4.19 Health Care Bargaining

Rationale:

2011 Wisconsin Act 10 made significant changes to the collective bargaining law affecting school district employees, including providing that total bases wages is the only mandatory subject of bargaining and that all subjects other than total base wages are prohibited subjects of bargaining. (“Total base wages” excludes any other compensation, which includes, but is not limited to, overtime, premium pay, merit pay, performance pay, supplemental compensation, pay schedules and automatic pay progression.)

g) Repeal Resolution 5.53 Welfare Benefits

Rationale:

Because of the enactment of both state and federal welfare reform legislation following the adoption of this resolution, the conditions that gave rise to the concerns underlying this resolution have been greatly diminished.
Resolution 18-02: Hours of Instruction

Repeal and Recreate Resolution 1.24, as follows:

The WASB supports legislation to allow local school districts maximum latitude in determining what meets the total hours of direct pupil instruction required by the statutes in order not to be penalized by a reduction in state aid.

Rationale:

2013 Wisconsin Act 257 repealed the requirement that school boards must hold school for at least 180 days each year, but left in place the requirement that schools must schedule and hold a minimum number of hours of direct pupil instruction, as further specified by grade level. Currently, each school board must annually schedule at least 437 hours of direct pupil instruction in kindergarten; at least 1,050 hours of direct pupil instruction in grades 1 through 6; and at least 1,137 hours of direct pupil instruction in grades 7 to 12.

The WASB’s existing resolution 1.24 was last amended at the 2014 Delegate Assembly in order to allow the WASB to support repeal of the statutory requirement that each school board hold school for at least 180 days each year. In place of the 180-day requirement, the 2014 amendment supported allowing school boards to be governed only by the hours of direct pupil instruction required by statute. At the time there was a concern on the part of lawmakers and the DPI that without the minimum number of days’ requirement in statute, schools needed some minimum instructional requirement in order to receive their full share of state aid.

Since then, however, a number of school boards have sought flexibility from the hours of direct pupil instruction requirements.

For example, a pair of companion bills, Assembly Bill 221 and Senate Bill 105, have been introduced this legislative session to create a pilot program under which certain school districts would not be required to provide the minimum number of hours of direct pupil instruction required by state statutes. Specifically, these bills would create a pilot program for the 2018-19 and 2019-20 school years and would apply to school districts located within CESA 6 that received a rating of significantly exceeds expectations or exceeds expectations on the most recent school and school district report cards.

The WASB’s existing resolution 1.24 has prevented the WASB from taking a position on these bills. This resolution would allow the WASB to support these bills. But more broadly, it would also allow the WASB to explore ways for local school districts to maximize local control over how they meet the hours of instruction requirements without risking the loss of their state aid.
Resolution 18-03: *High-Poverty Aid*

**Repeal and Recreate Resolution 2.35 (a), to read as follows:**

The WASB supports legislation allowing each local school district eligible to receive high poverty aid to receive such aid as a categorical aid outside the revenue limits.

**Rationale:**

School districts with more than 50 percent of their pupils eligible for free and reduced price school meals are eligible to receive high poverty aid. This high poverty aid is currently received as a general (not categorical) aid by eligible districts. This means it is received subject to revenue limits, so it must be used by the districts that receive it to offset/reduce their gross property tax levy. It cannot be used to provide additional programming to address the needs of students from poverty backgrounds. This resolution would put the WASB on record as supporting providing this aid in all cases as a categorical aid outside of revenue limits.

Resolution 18-04: *FTE Calculation for Revenue Limit*

**Amend** existing **Resolution 2.41 (i) as follows:**

(i) The WASB supports legislation to provide that a district's revenue limit would be determined prior to the start of the district's fiscal year. In addition, the WASB supports allowing each school district with declining enrollment to use a five-year rolling average of enrollment based on enrollment data from the previous five fiscal years to calculate its annual revenue limit, allowing each school district with increasing or stable enrollment to use a three-year rolling average of enrollment based on enrollment data from the previous three fiscal years to calculate its annual revenue limit, changing the revenue limit FTE membership calculation to allow a district to use either a 5-year rolling average, 3-year rolling average or the current year membership, whichever is greater, and allowing a district to apply to the Department of Public Instruction for emergency aid or revenue flexibility.

**Rationale:**

This resolution would allow the WASB to support legislation allowing local districts to determine what time frame they wish to use to calculate enrollment (membership) for revenue limit purposes. Specifically, this amendment would place the WASB in support of a change that would enable growing enrollment districts to access revenue commensurate with their current enrollment without delay, while also expressing the WASB’s support for allowing declining enrollment districts the option to use either a three-year rolling average (i.e., current law) or a five-year rolling average in calculating their membership for revenue limit purposes in order to cushion the effects of declining enrollment. Each district could chose the approach most advantageous to it.
Resolution 18-05: Voucher Transparency

Create Resolution 2.70 (k) as follows:

The WASB supports legislation to require property tax bills to include information from the school district in which the property is located regarding the dollar amount (and percentage change) of the net reduction in state aid, if any, to the school district between the current year and the previous year as a result of pupils enrolled in the statewide voucher program, the Racine voucher program, the Milwaukee voucher program, or the special needs voucher program, as well as the amount of the increase, if any, in property taxes levied on all property in the school district in the current year and the amount of tax levied on the individual property in the current year, as the result of pupils enrolled in the statewide voucher program, the Racine voucher program, the Milwaukee voucher program, or the special needs voucher program.

Rationale:

This resolution would allow the WASB to support legislation that attempts to inform property taxpayers about the impact vouchers are having on their public schools’ state aid and on their property taxes. A pair of bills—Senate Bill 183 and Assembly Bill 267—introduced in the current legislative session would require property tax bills to include information from the school district where the property is located regarding the dollar amount (and percentage change) of any net reduction in state aid, as a result of pupils enrolled in the state’s four voucher programs. As written, this resolution would support this legislation in the form it was introduced and would additionally support including information on property tax bills about the change in the school district’s property tax levy, if any, as the result of voucher-related aid reductions and information about the tax impact on individual parcels of property, if any, as the result of voucher-related aid reductions.

Resolution 18-06: Per Pupil Reimbursement for Transporting Voucher Pupils

Create Resolution 3.55 (a) as follows:

The WASB supports legislation to require the state to fully fund as a categorical aid the cost to local public school districts of providing transportation to pupils who attend private and parochial schools through a taxpayer funded voucher program.

Rationale:

Under current law, pupils who attend private or parochial schools through the assistance of taxpayer-funded vouchers may be eligible to have their transportation to and from their voucher school provided and paid for by the public school district in which they reside. This resolution calls for legislation to have the state fully reimburse school districts for their transportation costs related to voucher pupils. It applies only to those private school pupils receiving taxpayer-funded vouchers because the vouchers of pupils who began participating in 2015-16 or later are funded by deducting state aid from the public school district providing the transportation.
**Resolution 18-07: Safe and Welcoming School Environments**

**Create:** The WASB is committed to ensuring that all students are able to learn and thrive in a safe environment and supports providing an equal opportunity for all students and all school district employees to develop and reach their full potential.

**Rationale:**

This resolution would affirm WASB support for the idea that school districts have an obligation to support all students and staff by providing a safe, positive environment where students and staff can excel academically and professionally.

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**Resolution 18-08: WIAA Autonomy**

**Create:** The WASB supports the autonomy of WIAA to govern itself and to determine regulations and standards for athletics and student eligibility while taking into account the input of its member schools. The WASB opposes legislative efforts to impose explicit or implicit mandates on the WIAA or its member schools.

**Rationale:**

This resolution would affirm WASB support for the autonomy of the Wisconsin Interscholastic Athletic Association (WIAA) as a voluntary membership, private, non-profit association amid legislative attempts to meddle in the affairs/policies of the WIAA. These legislative efforts have included attempts to impose mandates on the WIAA by legislation to limit or prohibit public schools from participating in WIAA activities, from being members of the WIAA or from paying dues to the WIAA, unless the WIAA takes or refrains from certain actions.

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**Resolution 18-09: Implementation of NCSL “No Time to Lose” Report Recommendations**

**Create:** The WASB petitions the Legislature and the Department of Public Instruction to jointly act with deliberate speed to implement the recommendations of the “No Time to Lose” report produced by the National Conference of State Legislatures. The recommendations include that our state should: study and learn from top performing national and state educational systems; create a statewide vision for reform; benchmark Wisconsin education policies against those of high performing countries and states; and begin by focusing on one priority area of reform. The WASB further encourages the Legislature and the Department of Public Instruction to include school board members throughout the process of investigating and implementing these reforms.

**Rationale:**

This resolution expresses WASB support for and involvement in implementing the recommendations of the bipartisan “No Time to Lose” report issued by the National Conference of State Legislatures (NCSL). This report stems from a study of high performing educational systems throughout the world that attempted to learn how what is being done in those high performing systems might inform
educational reform efforts here in the U.S. Despite numerous state-by-state and largely piecemeal reform efforts, the report finds that most state educational systems in the U.S. are falling behind the highest performing nations in a number of international comparisons and as measured by our own National Assessment of Educational Performance (NAEP), leaving the U.S. underprepared to succeed in the 21st century global economy. The “No Time to Lose.” report contains a number of recommendations for how to get started with reform. A second report, currently under development, focuses on implementation of the first report. To conduct this study, the NCSL formed a bipartisan group (that included Wisconsin state Sen. Luther Olsen) which made recommendations for improving our state education systems.

**Resolution 18-10: Local Fiscal Control**

**Amend** existing Resolution 1.00 Local Fiscal Control as follows:

The WASB believes that the locally elected school board should have control of its local fiscal affairs and, within broad state guidelines, be allowed to manage its affairs with provision for interdistrict cooperation. The WASB opposes constitutional amendments efforts that undermine the fiscal authority of local elected officials, diminish the role of citizens in the local decision-making process, and hinder the ability of Wisconsin public school boards to address the changing needs of their students.

**Rationale:**

This proposed amendment would strengthen the WASB’s position on local control by removing certain qualifying language from the existing resolution. Often the WASB Government Relations staff falls back on local control as the reason we take the positions we do on legislation. Because local control is a bedrock principle of the WASB, clearer and unqualified language may be appropriate. It is also questionable why the WASB’s resolutions would be specific only to constitutional amendments to undermine local fiscal authority when the threats to this authority more commonly come from legislation introduced by state lawmakers.

**Resolution 18-11: Recovery School Districts**

**Amend** existing Resolution 1.01 Preserving Powers (b) Recovery School Districts as follows:

The WASB opposes the creation in Wisconsin of a recovery school district or a similar state-level authority designed to take over public schools or school buildings.

**Rationale:**

This amendment addresses the current Opportunity School Partnership Program (OSPP) law and the question of whether a school district takeover mechanism the OSPP law creates based around local officials would qualify as a “state-level” authority.
2015 Wisconsin Act 55 (the 2015-17 state budget) established the Opportunity Schools and Partnership Program (OSPP). Student achievement and other factors determine whether public schools in a given school district are eligible for transfer into the OSPP program. Under current law, the OSPP law applies to a school district that: (1) has a pupil membership greater than 15,000; (2) was assigned to the lowest performance category on the report cards published for the district in the 2 most recent school years; and (3) received intra-district transfer aid in the same two most recent school years.

Under the OSPP law, an opportunity school is managed and controlled by a program commissioner appointed by the applicable county executive, not a state-level officer or authority. No schools have been transferred into the program to date, and the State Superintendent of Public Instruction indicated that no schools will be eligible for transfer into the program in the 2017-18 school year. In the 2018-19 school year, the Racine Unified School District could have had schools eligible for transfer into the program had the district’s report card scores been in the bottom category.

Resolution 18-12: Referendum Restrictions

Amend existing Resolution 1.25 Authority to Schedule Referenda as follows:

The WASB opposes limits on scheduling referenda. Further, the WASB opposes any limitation on the duration, scope or effect of school referenda.

Rationale:

In light of the flurry of bills introduced recently on restricting school district referenda or limiting their effect, this proposed amendment to the existing resolution would take a stronger stance against all attempts to restrict local control of school district referenda.

Resolution 18-13: Teacher Certification/Licensure

Amend existing Resolution 4.60 General Policy on Certification/Licensure as follows:

The WASB opposes teacher certification controlled by a professional practices board but will support a plan providing for a statutory advisory committee to the state superintendent, including parents, school board members, and other interested groups, providing for final decisions by the state superintendent. (1975-3)

(a) Certification

The WASB supports the concept of broader teacher certification to reflect the current or evolving configuration of grades in a school.

The WASB supports teacher licensure initiatives that foster a highly educated, highly trained, effective, adequately compensated, professional teaching force to meet the needs of our members.
**Rationale:**

The Policy and Resolutions Committee believed the WASB needs an updated, more aspirational policy statement on teacher licensure in general. The most recent state budgets and legislative sessions have included actual and proposed changes to teacher and administrator licensure primarily to address shortages. Concerns have been raised that some of those changes have eroded or threaten to erode the quality and/or professionalism of the teaching force. Additional concerns have been raised that these changes have diminished the value of a teaching license as well as the value of enrolling in and completing a teacher education program from an institution of higher education.