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Official publication of the Wisconsin Association of School Boards, Inc.

Students Speak Up

Learning, coping and building
resilience during COVID-19



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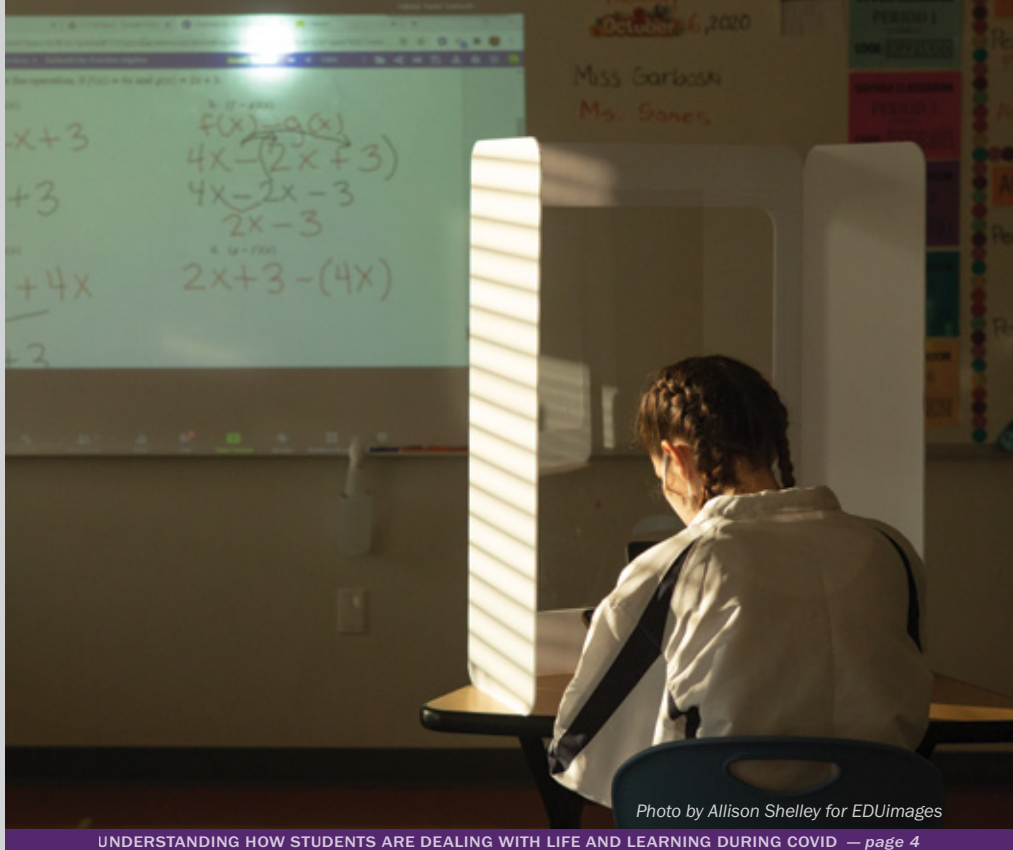


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Map Shows Internet Speeds, Availability Across State

A new map of internet speed and availability across Wisconsin can help education leaders pinpoint gaps in availability and affordability.

The U.S. Department of Commerce's "Indicators of Broadband

Need" map combines data sources to help users understand broadband access from multiple levels.

For example, the map uses Federal Communications Commission data to show the areas for

which there is no broadband service and census data to show the percentage of households in each area without internet access.

To find the map, search for "Indicators of Broadband Need map." □

CDC: Suicide Attempts Among Teen Girls Rose by 50% During Pandemic

The Centers for Disease Control and Prevention is reporting that emergency department visits for suspected suicide attempts by adolescent girls rose sharply during the pandemic.

Suicide attempts increased by roughly half in February and March of this year, compared with the same period in 2019.

Meanwhile, the number of emergency department visits for suspected suicide attempts was stable for teen boys and stable among all adults aged 18-25.

Though it is a troubling sign of severe distress among teen girls, the report does not indicate that suicide deaths have risen. The suicide rate among people aged 15-24 years saw no significant change from the third quarter of 2020 compared with a year earlier. □

Bloomer Teacher Wins National Family and Consumer Sciences Award

A Bloomer High School family and consumer sciences/health teacher has been named a 2021 National Merit Finalist by a national organization.

Charlene Kelley was recognized at the virtual national convention of the American Association of Family and Consumer Sciences held in June. Among her other work, Kelley teaches about poverty and hunger in her region.

"I want to instill the value of what it means to be food insecure and that it happens here," Kelley said in an article published by her alma mater, UW-Stout. "There is a problem here and we have to work through it." □

STAT OF THE MONTH

1 in 4

One in four U.S. teachers say they may leave before the end of the school year, up from one in six prior to the pandemic. *Source: Rand Corporation*

Stressed by Pandemic, More Teachers Consider Quitting

One in four U.S. teachers say they may leave before the end of the school year, up from one in six prior to the pandemic, according to a Rand Corporation survey. Teachers cited a lack of assistance with technical work and implementation of COVID-19 safety measures as sources of stress.

Teachers, who responded in January and February, were twice as likely as other employed adults to experience job-related stress and three times as likely to have depression symptoms.

"Teacher stress was a concern

prior to the pandemic and may have only become worse," wrote policy researcher Elizabeth Steiner. Meanwhile, the Partnership for the Future of Learning has published a 152-page playbook on teacher recruitment, preparation and retention efforts.

The playbook asks districts to create long-term efforts such as teacher residencies and grow-your-own programs. Federal coronavirus aid, in particular, can be used to "build their teacher pipeline and support new teachers' entry into the profession," the report states. □

Nominations Sought for Local Government Awards

The Wisconsin Policy Forum is accepting nominations for its annual awards that recognize outstanding performance by local governments, including school districts.

Nomination categories in the 29th annual Salute to Local Government awards include effective problem-solving, intergovernmental cooperation and private-public cooperation.

New this year is an awards cate-

gory to recognize the role local governments and school districts play in promoting racial equity. A special award category for individual performance in response to issues and challenges created by the COVID-19 pandemic has returned for a second year.

The deadline for nominations is Sept. 3, 2021. To nominate a school district or employee, visit bit.ly/salute-form. □



We're Adapting as Your Needs Change

School boards in Wisconsin and across the nation have seen an increased interest in their meetings and proceedings in recent months. While many boards have long hoped for more community engagement, more than a few districts have found themselves facing some very challenging circumstances as tensions rise around responses to the ongoing pandemic, curriculum offerings and teacher training.

We know that every school leader wants an excellent educational system for their community and for all students to succeed, regardless of race, ethnicity, socio-economic status, disability or gender. With that shared goal as our focus, the WASB has been working to highlight the tools, resources, governing strategies and leadership practices for school leaders to proactively address the increased community interest and keep working towards excellent educational outcomes for every student.

To specifically address the recent increased attention on board proceedings, the WASB has built a Board Officer Training Series as part of the new WASB Online Learning Platform to provide in-depth guidance on effective meeting management.

To go deeper into these topics, boards are encouraged to take advantage of the WASB's extensive school law and board governance expertise. With our cadre of knowl-

edgeable school attorneys and consultants, we're able to provide a wide range of training and can blend legal and governance topics into a single, tailored workshop or a series of workshops.

Whether there is an interest in learning more about the roles and responsibilities of school boards, strategic planning, policy making, building listening skills, handling conflict, or any number of other topics, the WASB can help. (Consider pairing an Online Learning Platform subscription with in-person trainings to make the most use of your board's time and resources. Watch the recorded webinars on the Platform and then bring in a WASB attorney or consultant to go in depth.)

In addition, all members can access the WASB website at WASB.org to read the June 2021 Policy Perspectives, which focuses on the intersection of community interest in curriculum with board policy, as well as the basics of the state's Open Meetings and Public Records laws, complaint procedures and effective meeting management.

This fall, we'll be hosting workshops before each regional meeting that focus on effective community engagement at board meetings. A WASB attorney and consultant will review best practices for establishing the board agenda, structuring the public comment period for productive input by community members and staff, ensuring accessibility and

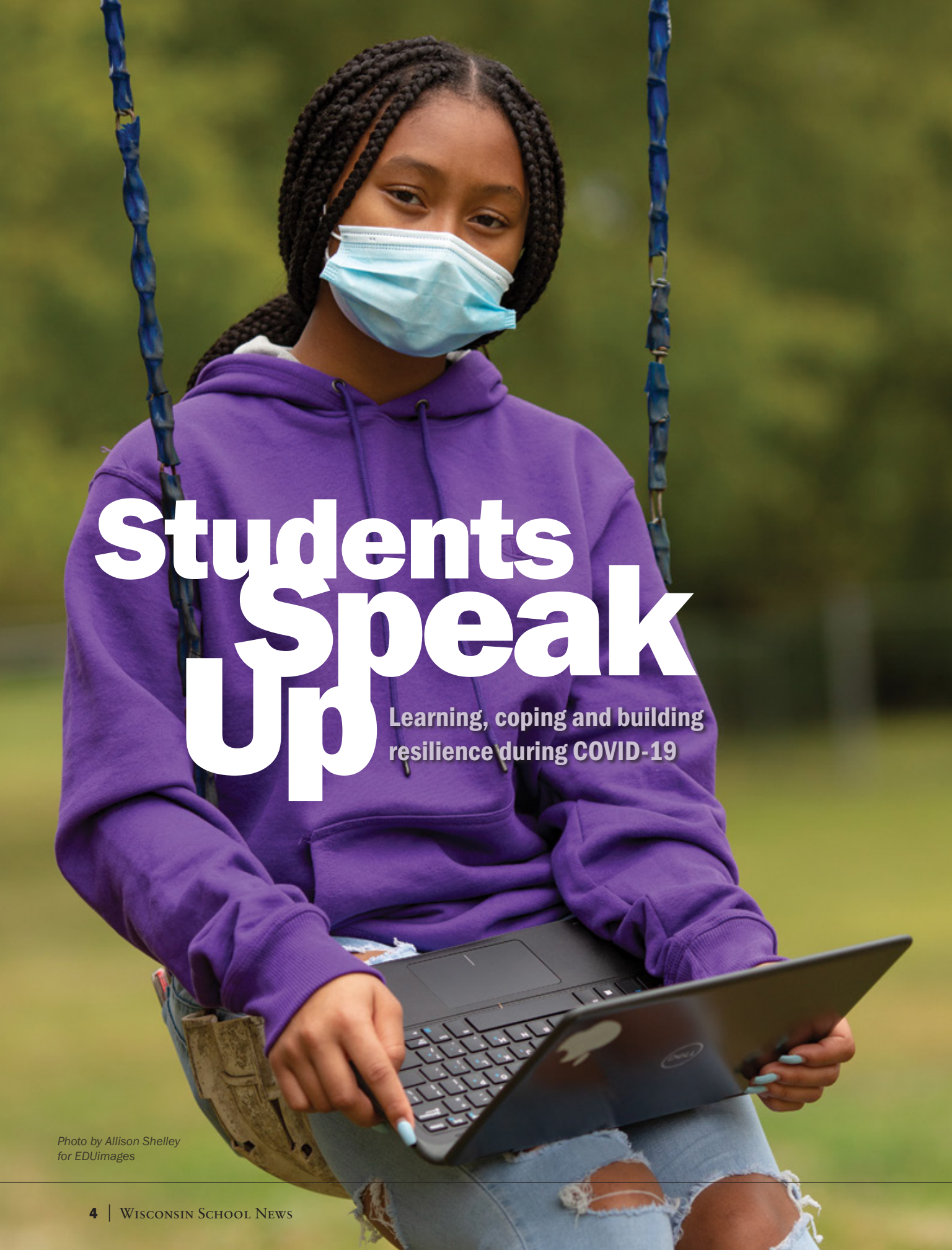
other meeting logistics. They will also discuss ways to engage with community members and staff before and after the meeting to promote productive dialogue.

For school district staff, the WASB launched an online Civil Rights Training series in July with the law firm Boardman & Clark. Training materials are organized into student- and employee-focused tracks covering topics such as First Amendment rights, race-based discrimination and religious freedom. (Learn more on page 27.) Please encourage your staff to consider subscribing to this new training as well as the Title IX Training series developed last summer.

Building effective community engagement is always a valuable use of school leaders' time. Yet we know you have other serious challenges in front of you — recruiting and retaining staff, providing resources to assess and meet students' social and emotional needs, ensuring the necessary technology and internet access, improving opportunities for students with disabilities, allocating the federal pandemic response dollars efficiently, and much more.

As you move forward into the new school year, we look forward to learning from you on how your school district programs, services and relationships may have changed and how the WASB can best meet your needs. ■

Building effective community engagement is always a valuable use of school leaders' time.



Students Speak Up

Learning, coping and building
resilience during COVID-19

*Photo by Allison Shelley
for EDUimages*

Seeking to better understand how Wisconsin high school students are coping with school, learning and life in general during COVID-19, “The Voices of Wisconsin Students Project: Learning, Coping and Building Resilience During COVID-19” looked to understand in more detail the nature of students’ sources of stress and anxiety and their thoughts on what support they need. Equally important was to identify, strengthen and reinforce examples of students’ success and resiliency.¹

To gather this feedback, the Wisconsin Institute for Public Policy and Service Research Partners (a unit of the University of Wisconsin System) and the Medical College of Wisconsin conducted 13 virtual focus groups with a total of 96 Wisconsin high school students in January and February 2021. The students came from 29 Wisconsin counties; 46 rural, urban and suburban communities; and 56 high schools.

By compiling and sharing this information, the “voices” of Wisconsin students can help policymakers and stakeholders make more informed and targeted decisions about how to support students during challenging times. This information can also help inform local communities about the need for additional resources to address students’ situations.

This article summarizes the key findings of the focus groups. The full report provides examples and illus-

trates feedback and input from the student participants.

The “Voices of Wisconsin Students” project was supported by the Wisconsin Department of Health Services with funding from the Centers for Disease Control and Prevention and developed with input from many additional partners, including the Wisconsin Department of Public Instruction, the Wisconsin Office of Children’s Mental Health, and the University of Wisconsin-Extension.

■ Stress, anxiety and depression

Many focus group participants reported that they, along with their peers, experienced high (and increasing) levels of stress, anxiety and, in some cases, depression during the pandemic. For some of the students, COVID-19 exacerbated existing mental health challenges. Students’ reported: challenges with virtual school and learning during COVID-19; concerns about keeping up with homework, grades and study skills; uncertain futures; lack of connections with teachers, peers and school; diminished social opportunities; and isolation. While many students reported struggling during COVID-19, some did indicate that

their stress and anxiety had decreased during COVID-19 due to factors such as more sleep, more time to oneself, more time to work out, less pressure to hang out and be social, and a smooth adjustment to their learning model.

One student discussed her mental health during a focus group, saying:

“The schoolwork can really cause your mental health to go downhill, because you’re worried about it. And then a lot of people, like me, take school very seriously, and like to be in a good place with grades. I like to be proud of my grades and stuff like that, and I know people like that are really having a tough time.”

“I feel like at the end of the day, once this whole COVID situation goes away, I’m going back to losing the people skills and losing the skills to know how to study. How do you be in a classroom and aren’t afraid to ask a teacher a question? It’s like, you’re re-teaching a baby how to walk or something. It’s harder now.”

“... Social-wise, I feel like my anxiety just goes up whenever I see someone because I just kind of panic. My friends surprised me for my birthday a couple months ago, and I was terrified. I was like, ‘OK, just stay away.’ And they were close enough to each other, but they were all wearing masks. But I was

Many focus group participants reported
that they, along with their peers, experienced high (and increasing) levels of stress, anxiety and, in some cases, depression during the pandemic.



Photo by Allison Shelley
for EDUimages



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just like 10 feet away, saying, ‘Hi.’ Yeah, they teased me so much about it. I feel like even when I go back to school, it’s just going to be strange, seeing everyone and being able to go close to them.”

Many focus group participants reported that they perceived an increase in the use of drugs, alcohol and vaping products among their peers. A lack of other healthy coping mechanisms for pressures, stress, anxiety and declining mental health during COVID-19 were the primary reasons the students cited for the increase. Other reasons they noted included boredom, more free time, a lack of supervision at home, tensions at home with parents and/or difficult home situations, and peer pressure. Some noted that substances help students alleviate feelings of fear, isolation and loneliness that many experienced during COVID-19. Some

students expressed that spending more time at home may have decreased drug and alcohol use among some students.

“Specifically within the people that I’ve talked to, it’s been increasing due to the increase of mental health issues. They’re just trying to escape from it, and they’re turning to drugs and alcohol to escape that.”

“I think it’s gone up because I know before COVID, a lot of people would use alcohol and drugs as a coping mechanism for their everyday life, and then you throw a one-in-a-million thing into their life that will massively affect it, it’s just very stressful.”

“I think that with this pandemic, a lot of people who weren’t using drugs started to use drugs just because of the stress, and they have nothing else to help them cope with what’s going on.”

Challenges of virtual school and learning

Virtual learning was described as a significant struggle and challenge for the vast majority of focus group participants. This included students in fully virtual models as well as those in blended or hybrid models and those who engaged in virtual learning on a periodic basis (for example, during isolation or quarantine).² The nature of their concerns and struggles manifested in several ways, including a sense that virtual learners are not a high priority, especially for schools that simultaneously implemented virtual and in-person models; difficulty accessing teachers or receiving timely help; a lack of hands-on learning opportunities and engaging strategies for remote learning; increased distractions while trying to learn at home; challenges

Many focus group participants reported that they perceived an increase in the use of drugs, alcohol and vaping products among their peers.

with time management and keeping track of assignments and due dates; significant increases in workload; decreases in motivation; and temptations to do the bare minimum needed to complete assignments. Despite the challenges, virtual learning provided some students with a greater sense of independence, flexibility and ability to learn at their own pace. Even students who strongly disliked attending school virtually could point to several things they learned that will help them be better students in the future, including being more of a self-advocate in reaching out to teachers, structuring their day more efficiently, and understanding their personal learning preferences.

“Attending virtual feels like my school is treating my decision to be online as what I would prefer, but it’s put behind the in-person. Some teachers don’t post that day’s work until 3 o’clock in the afternoon. We

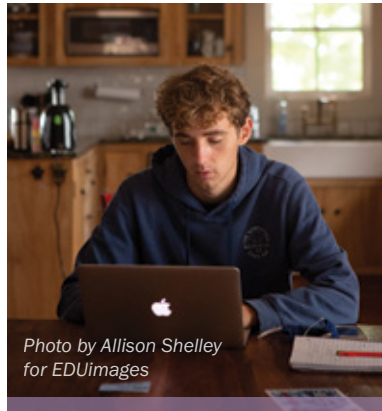


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are not their priority. I am not as important. That’s what it feels like.”

“In-person days are a knowledge dump. Teachers try to get in as much as possible and at-home days students are working on their own. We are supposed to ask questions [when at home] but the teachers aren’t available — they are teaching the other half.”

“One of the positives for me is probably new hobbies. And I guess I feel I’m being more independent, especially during this time, it gives you more time to focus on your homework or understand things better. Definitely, for me, that was one of the positives. I kind of saw myself in a different state of just focusing on school a bit more and just seeing what I can do to help out.”

■ Connectedness and belonging

Many of the students who participated in the focus groups expressed feelings of grief surrounding the loss of aspects of their high school experience. The cancellation of sports, clubs, band, choir, performing arts and other extracurricular activities was noted as a significant loss for many students. For some students, the lack of sports made it harder for them to stay on track with their schoolwork given the routine structure that practices and athletic activ-



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ities typically provide. Several student-athletes noted the negative impacts on their physical health. Some students expressed frustration that sports were taking place at their school, but their clubs were not.

Many of the students in the focus groups expressed a lack of connectedness to their school, teachers and friends. This was especially pronounced for the students in virtual learning environments. In-person students were more likely to express that they felt like people at school cared about them and they did not feel left out.

Access to friends and the ability to make friends is a key aspect of students feeling a connection and sense of belonging. Overwhelmingly, they missed their friends and opportunities to socialize. Even students who attended in person expressed barriers to connecting with friends given the need to maintain social distancing while in school; being on a cohort schedule opposite their friends; or being separated from others who remained virtual.

Students who quarantined worried about maintaining their connections with friends. Students who transitioned from middle to high school last fall described feeling especially disconnected from their school and peers. In several

Students who transitioned from middle to high school last fall described feeling especially disconnected from their school and peers.

cases, freshmen students had never physically set foot in their school building. Schools that reinforced a common understanding of the collective challenges of the pandemic helped some students feel less alone.

For the students, the ability to see and talk with friends and participate in sports and extracurricular activities were key elements of feeling connected to others and their school. There were virtual students in several groups who expressed the personal challenges they experience when they see their classmates doing things (sports, social activities, etc.) that they cannot because they or a family member is particularly high risk. These students may need additional support.

The students identified teachers as playing an especially important role in helping them feel more connected to their school. There were many students who recognized that specific teachers were making efforts to provide extra help; taking extra time to ask them

how they were doing; reaching out to find out why they were not turning in assignments; and trying to incorporate fun things into their classes. Students who are able to connect with their teachers in person valued and appreciated those opportunities. At the same time, some students expressed frustration when they asked for help with schoolwork and did not get a response.

The student comments illustrate the importance of student-teacher dynamics in terms of helping students feel a greater sense of connectedness and belonging. For virtual learners, the loss of opportunities for spontaneous interactions with their teachers may have exacerbated their feelings of disconnectedness. The importance of the student-teacher relationship may be even more pronounced during heightened times of uncertainty, putting greater expectations on teachers for leadership, reassurance and emotional support.

“Our teachers would always put us in breakout rooms and stuff. It’s like, okay, cool... and I could be the only person with my camera on. And I’ll be like, ‘Hi, guys, remember me? Three months ago, you know, we were all back in school.’ And they’d be like, ‘Wait, what’s your name again...?’”

"I am feeling less connected. Teachers will tell the in-person kids one thing but then never send that info to the other kids. I do feel more connected to my friends, because my parents are letting me hang out with my friends and my girlfriend."

"They try to make it so they promote the message that everybody, everyone belongs here. But it's nothing more than that. It's just kind of like they say it, but they don't really do anything else to make it clear."

"I have been asking way more questions than I have in the past, because I want to be connected to my teachers. I just kind of decided that on my own, that I would have to be more outgoing if I was going to be successful."

Getting help: mental health and wellness

The students expressed that they most commonly turn to friends for

support with mental health challenges, followed by their parents. School-based resources were perceived by the students as more limited or not accessible. It was not clear whether friends or parents are equipped with the information and resources needed to help. Most of the students in the focus groups had a trusted adult they could talk to although this was not always an adult at their school. Parents were the main adults students said they reach out to for help. Some students reported having no one to talk to, causing them to bottle up their feelings and "suffer in silence."

The students in the focus groups generally struggled to identify school-based or other resources available to help with mental health concerns. Some expressed trying to cope on their own. Many students recognized and expressed a need for more mental health resources at their school (specifically

counselors, therapists and psychologists) yet at the same time noted the complexities of asking schools to serve in a mental health capacity. While students referenced their school counselor as a potential source of help, and several did describe specific instances where their school counselor was an integral source of help for them, many shared a perception that the counselors were not accessible, were too busy or were focused on helping students with prac-

Some students reported having no one to talk to, causing them to bottle up their feelings and "suffer in silence."

tical problems like scheduling issues, and they did not want to burden them.

Stigma was identified by the students in the focus groups as the primary



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reason why kids do not seek help when they need it. Many felt that they or their peers do not ask for help at school or in general because doing so leads to embarrassment, fear and shame. Some are reluctant or not willing to get help on their own because they do not think it will help them; because they do not want to talk about their personal mental health challenges, preferring to handle them on their own; or because they do not think they deserve help.

Breaches of trust were also identified as a reason students are reluctant to ask for help. There were several instances where students described situations where they had reached out for help within their school and felt that confidentiality was not maintained or their problem or concern was not taken seriously.

"We have a guidance counselor at our school, and she has a lot of great resources. However, she's very busy, so it's difficult. She's not always available. But almost all of our teachers are willing to talk about any sort of problems that we have, and a lot of students have a favorite teacher they would go to. But my friends and I, we all talk to each other. We're each other's therapists, and we all just equally dump our problems on each other. But we all love



Photo by Allison Shelley
for EDUimages

"I think there is shyness and embarrassment. And it can take just one time to talk with someone and realize that it is helpful."

that we can, we feel comfortable enough to do that."

"Stigma is a pretty big part of it, because I have struggled with depression and anxiety, and there have been times where I have had an anxiety attack during class. And all my classmates know I have anxiety and I struggle with all these issues. And yet there's still this huge stigma around depression and anxiety."

"I think there is shyness and embarrassment. And it can take just one time to talk with someone and realize that it is helpful."

"Students and staff are judgy. Our guidance counselor and principal say no one will know, but it ends up that they tell your parents or another teacher. I can only think of a couple of teachers who would actually help and keep it confidential."

■ Coping and resilience

Despite significant challenges, the students we spoke with were finding the "silver linings" and reasons to be positive. Many students have developed a greater self-awareness and a deeper sense of gratitude for their family, close friends, school and teachers as well as for their personal health and safety during COVID-19. Students who were attending school in-person (either periodically in a hybrid or blended model, or on a full-time basis) were appreciative that they had that opportunity when many other students across the state did not. Several in-person students were appreciative of their school's attention to, and emphasis on, COVID-19 safety. Those students described the use of masks, social distancing and consistent enforcement of COVID-19 safety precautions by teachers and staff as signs that they felt their school was keeping them safe. Some students developed new interests and new ways of spending their time that they would not otherwise have had the opportunity to develop.

Many students identified specific strategies or things that helped them

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cope or feel more resilient while trying to learn and go to school during COVID-19. They include: increasing self-awareness of the need to relax and recharge; volunteering; making opportunities for self-reflection such as meditation, journaling, and religious or spiritual study; spending time with pets; releasing stress and emotions; participating in private therapy; exercising and focusing on health; managing and organizing time and tasks; listening to music or playing an instrument; spending time in nature; spending time with family; connecting with friends online; and driving around in their car.

At the conclusion of each focus group, the participants had the option to complete an anonymous online survey about their experience. The students overwhelmingly found the focus group to be a positive experience and reported that participating positively impacted their mental health. They enjoyed hearing each other's stories and the meeting structure allowed the students to feel heard. The students reported that the discussions were comforting and they gained new insights about mental health.

Beyond an information-gathering method, these results suggest that there may be additional benefits to providing students with similar opportunities to engage with one another and discuss topics of interest and importance to them, especially with peers in other schools and in other areas of the state. This virtual focus group model and the process used to gather the information underlying this study could be replicated in other settings such as schools, school districts, communities and youth organizations, or applied to other kinds of topic areas.

"I feel like the people in power should respond more to the students and ask them how they're feeling in different ways to improve more often."

"I feel, at the moment, we don't really have as much of a voice. I just really want them to get feedback for how we're doing and what we should do and what we want, what they should do, and what we want them to do."

"Students should get a bit more of a say. It's kind of hard because, obviously, coronavirus is a global health pandemic, and your parents should have some say whether you go back to school because it affects the entire family. But even just online school, even if we could just get input, like, hey, this works for me and this doesn't, because we are the ones who are learning through online school, and I don't think our parents or teachers can really tell what is working for us." ■

For more information about the project or to access the reports, visit

wipps.org/research-partners/

Access the high school report directly at:
wipps.org/research-partners/Voices-High-School

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Sofie Kjellesvig



1. A separate report summarizes the focus group findings from Wisconsin middle school students. While the middle and high school reports follow a similar format and organization, each should generally be considered as a stand-alone document. Although there is some overlap in the themes described in the two reports, the authors urge caution in making side-by-side comparisons of similarities and differences between middle and high school students in their responses to the focus group questions. The qualitative focus group data were not analyzed to systematically identify areas where middle and high school students may differ in their experiences. All reports can be found at wipps.org/research-partners/.
2. At the time of the focus groups, 70 of 96 students were in fully virtual or blended/hybrid models. Of the 26 students who were in-person at the time of the focus groups in late January and early February, many had just recently returned to in-person learning. Many students experienced multiple learning models over the course of the year and switched between various models.

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Employee Recognition REIMAGINED

On March 25, a learning support specialist at Elmbrook Schools opened an email and burst into tears.

Anusha Mathavaraj Ganesan wasn't emotionally prepared for the outpouring of appreciation she read that afternoon. She'd been at the district part-time for barely a year, but the message made clear that she had already made an impact.

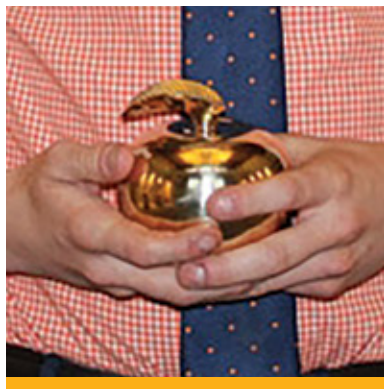
Ganesan read accounts of her individual attention to students; of how she assessed students and adjusted her instruction to challenge and support them; of how she helped introduce a new math curriculum to the schools; and about how coworkers saw her as a peer.

She was reading a letter from teachers at four district elementary schools nominating her for the district's employee recognition award, the Golden Apple.

Ganesan wasn't the only Elmbrook

employee to be touched that day. More than 450 staff members in the district — more than a third of all employees — had been nominated, and each one received the letter nominating them so they could read their colleagues' remarks.

Widening the program's impact well beyond a few dozen winners was one of the district's main goals when it reimaged its employee recognition



efforts about seven years ago.

"This nomination process really elicits some powerful testimonies to our people," says Chris Thompson, chief strategy officer at Elmbrook Schools since 2005.

The emphasis on recognizing staff at each stage of the process extends to finalists, too, as Brookfield Central math teacher Trenton Coleman recalls. As he was teaching algebra this April, the school principal and the district's communications coordinator stepped into his classroom carrying a golden envelope. Knowing instantly what it meant, Coleman listened as the principal recapped his time with the district.

"The kids gave me a round of applause," he says.

The second major change to Elmbrook's employee recognition program was the ceremony itself.

They moved from a cafeteria event to an Oscars-style, choreo-

"This nomination process really elicits some powerful testimonies to our people."

— Chris Thompson, chief strategy officer, Elmbrook Schools



The Elmbrook School District rethinks the awards process, creating an Oscars-like event

graphed event held at a Brookfield cultural arts center. Students share in the recognition by announcing the winners and joining staff members in live and recorded skits.

Awards shows are known for being tedious, but Elmbrook breaks up the monotony with humorous videos. A “Kids Say the Darndest Things” segment asked kids how old you have to be to retire (wait until your 30s) and how much money you need to retire (hold off until you have \$90 saved up).

Thompson says focusing on each stage of the process was a central part of the district’s employee recognition makeover.

■ Focus on process

A traditional awards show puts most of the focus on the eventual winner, but that approach is contrary to a school culture that focuses on shared work and shared rewards.

Recognizing employees at each step “allows us to do what we do and still declare one Golden Apple



winner,” Thompson said.

It starts with nominations. Any employee can nominate another, and the district received about 900 of them this spring across 15 award categories. Each nomination letter is shared with the nominee.

Coleman received two nominations for new educator of the year. One was from his school’s administration team while the other was from the mother of a student he coached and taught. The mother told Coleman she appreciated how hard

he worked and how he cares about his students.

And he has worked hard. Coleman began teaching Advanced Placement calculus this year and spent time each day preparing his lessons.

Christine Schnabl, a substitute teacher, was nominated by the principal and school secretary at Swanson Elementary School.

“There has not been a day when we haven’t needed her to fill in somewhere — and she does it all with grace,” her nomination reads, in part. “Christine is a difference-maker at Swanson!”

Hearing from colleagues was especially helpful for substitutes during a hectic year in which Schnabl said, “You don’t often have a lot of time to connect with people during the day.”

Nominations are reviewed by a planning team, which receives input from principals and cuts nominees to three to six finalists per category. Finalists were notified April 15.

Ganesan learned she was a finalist during a Zoom meeting.



2021 Elmbroom retirees (left to right) Terry Little, Cheryl Flasch, Mia Hot, Judy Horvath, Tracy Gillespie, Cheryl Schenk, Jill Kokta, and Lori Golomski were recognized at the event. Several recent retirees also recorded a video sharing high points of their careers.

"I saw the senior communications coordinator in the waiting room, and thought she might be in the wrong meeting," she said.

Her confusion turned to anxiety when the principal joined, too. It wasn't a great day to be observed; most of her students were away taking a test and she planned to occupy the remainder with puzzles. She soon learned the reason for the visit.

"Every student in my class said, 'Congratulations,'" Ganesan says.

Pre-show jitters were especially high in the Coleman household. When he was named a finalist, he added his fiancée as his guest, but

then she was named a finalist, too.

"We said the whole time that hopefully one of us wins," he said.

■ A speech-free gala

The tone was set early the evening of May 3 at the Sharon Lynne Wilson Center for the Arts.

Supt. Mark Hansen made his entrance during an on-screen Zoom call — "I thought it was a full virtual event," he says from his home, squinting and rubbing his chin theatrically — but a life-size cutout shows up in his place, revealing it to be an act. He shows up in person a few minutes later.

"One of the guiding principles of the evening is we can poke fun at our superintendent in a fun and professional way and we're given license to do that," Thompson said after the event.

In a video played on screen, administrators and students read snippets of nomination letters. "You are always smiling, staying late You have changed our child's life by giving him a voice and helping him reach his potential ... You always believe I can succeed and rejoice in my success ... Our daughter has flourished under your instruction because you make her feel smart and confident."

As the awards got underway, Thompson, the event emcee, explained the process to the audience: "Like the Academy Awards, you'll find that our award presenters are also award-winning celebrities."

Thompson introduced several standout students, including a young woman who is part of the district's transitional service for young adults aged 19-21 years with intellectual disabilities and/or autism.

"The coolest part of the awards show is students handing out the awards," says Coleman, who taught the young woman when he was a substitute teacher at Brookfield East.

The students describe each category, list the finalists and announce the winner.

There are no acceptance speeches in order to keep the event running briskly and because many winners would feel uncomfortable in the spotlight. The awards show, like the process that came before it, was tailored to fit an ethos focused on

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collaborative achievement rather than individual achievement.

“There’s not a lot of pomp and circumstance,” Thompson said afterward. “Certainly, you should feel special and we want them to feel that way.”

As each winner took the stage, a live announcer introduced them and followed it up with a witty remark, such as: “Trenton would like to share this award with his fiancée, Margaret Geertson, because he would be afraid he would be single again if he didn’t.”

Foregoing speeches was just fine with Schnabl, who was nervous enough going on stage and said she “didn’t hear a single word that was being said.”

Every few awards, a video or a skit played to keep the show moving. A principal and student played a game of “Are You Smarter Than a 4th Grader?” Later, retirees talked on a recorded video about what made their career special.

A year earlier, Ganesan watched the gala online, thinking that it

would take many years to earn this sort of recognition. Now, she was taking the stage herself.

“It provides motivation to newcomers,” she says, adding that the award doesn’t take away from the work of her fellow educators. “Everyone did so well, was so committed to the students, but still when you get recognized, it motivates newcomers to the school district.” ■

To watch Elmbrook’s 2021 Engaged in Excellence Awards show, visit the district website at elmbrookschools.org.

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Sheila’s practice focuses on general school law, special education law, and employment law. She counsels public and private schools on topics such as: IDEA complaints and due process hearings; IEP and 504 Plan issues; student discipline, bullying, harassment, and discrimination complaints and investigations.



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CORINNE DUFFY
ATTORNEY

In her practice, Corinne focuses on general school law, labor and employment law, and litigation. She assists clients in drafting policies, procedures, and agreements and advises them on various issues, including employment contracts; discipline; and discrimination complaints and investigations, among others.



INTENTIONAL COMMUNICATION

Effective conversations in a time of discord and division

| *Liam Goldrick*

“A house divided against itself cannot stand.”

Then-U.S. Senate candidate Abraham Lincoln spoke these words in June 1858 in Springfield, Ill. His words reflected his perception of the deep divisions in the United States, a nation “half slave and half free,” as he described in that same speech, which was delivered less than three years prior to the Civil War that would begin just months into his presidency.

Fast forward to 2021 and political and racial polarization is once again wreaking havoc and splintering local communities. Except today, many of the battle lines are drawn between competing versions of the facts.

Society has gotten to a place in

which we sometimes cannot even discuss principles or strategies because we are stuck arguing about basic, provable or disprovable facts. Reflecting this nadir in our national dialogue, CNN’s #FactsFirst campaign aired a public service advertisement featuring a picture of an apple and a voiceover that says: “This is an apple. Some people might try to tell you it’s a banana.”

Having worked in politics, government, public policy and school communications in the District of Columbia, Pennsylvania, Vermont and Wisconsin for more than 25 years, I’ve watched the politics of mutually assured destruction take root and expose our often threadbare national fabric. The breakdown of democratic and social norms has unleashed anger and resentment that

was long bubbling beneath the surface of American life.

In recent years, tensions boiled over amidst instances of police brutality, including the murder of George Floyd; the polarizing presidency of Donald Trump; and rebellion against the health and safety requirements necessitated by the COVID-19 pandemic.

Wisconsin has seen its own share of division over the past 10 years, evidenced by the historic protests against Gov. Scott Walker and Act 10, the ongoing political battles between the state Legislature and Gov. Tony Evers, and last year’s police shooting of Jacob Blake in Kenosha that precipitated protests and additional violence and bloodshed.

School boards and district superintendents must continue navigating

Our experience is that effective school district communication requires a mix of **INTENTION, PLANNING AND SKILL** from school districts.

these choppy waters, as the divisions are deep and the turbulence is not going away. Schools are continually at risk of being drawn into these battles.

On the heels of fights over school reopenings and mask mandates this past school year, districts in Wisconsin and across the country are taking heat over issues related to equity.

Last year, the National School Boards Association launched the DIRE initiative to assist state school board associations and school districts in addressing racial inequities in education. Many districts across the country are engaged in diversity, equity and inclusion work because they believe in valuing and affirming the identities and perspectives of all individuals. They recognize they must provide equitable opportunities for every student.

Certain critics — sometimes purposefully, sometimes unintentionally — conflate a focus on educational equity intended to close achievement gaps with Critical Race Theory, an academic concept centered on the idea that racism is a social construct rather than due solely to individual bias or prejudice. Whether one agrees or disagrees with CRT, educators have a responsibility to ensure that all children have a sense of belonging and are fully included in their school community.

The Donovan Group, a Wisconsin-based national school communication firm, believes that effective communication begins with transparency and engaging one's community. As public education leaders, these should be our starting points, even in tumultuous times.

For school districts, engagement and assessment are critical.

Do stakeholders have an opportunity to address the school board?

Do families feel heard within their individual school and the district community?

Do taxpayers feel they receive

communication from the district and have access to sufficient information about the district budget?

Are your stakeholders given opportunities to weigh in via regular surveys of communications (and other topics)?

Does your district have a communications plan with measurable objectives and that is regularly refined based on stakeholder feedback?

Survey data can be useful to capture a baseline and track improvement over time. Surveys we administer on behalf of school districts typically ask a series of questions specific to communication practices, as well as “right track/wrong track” responses. An example of this latter type of question is a five-point Likert scale item (with responses being strongly agree, agree, neither agree nor disagree, disagree and strongly disagree):

“I am satisfied with the information I receive from the school district.”

“I feel welcome in the school district.”

Prior to the pandemic, the 2019 State of K-12 Customer Experience survey of 500 educational leaders suggested that nearly all aspired to build trust with their stakeholders, but too few were confident in their district's ability to deliver on that goal.

The survey found that 90% of school and district leaders say that building community trust is critical to the mission of their organizations, but only 52% believe their districts could effectively accomplish it. Similarly, engaging parents and community members (81%) and effective crisis communications (80%) were cited among the most important communications objectives. Only a bare majority of school leaders felt their districts could do these things effectively.

Our experience is that effective school district communication requires a mix of intention, planning and skill from school districts.

First and foremost, district leaders must be committed to transparent and intentional communica-

Alana Leffler has been promoted to a Shareholder

Alana's practice focuses on advising public and private schools in the areas of general school law, special education law, and labor and employment law. She regularly counsels clients on topics such as: student discipline; bullying, harassment, and discrimination complaints.




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SCHOOL DISTRICTS CANNOT LET
themselves get drawn too deeply
into contemporary issue battles
and disagreements that are
unlikely to be solved.

tion. When that mindset exists, we find that good things happen and difficult situations can be avoided.

Second, effective communication requires a strategic approach. An annual communication plan can provide such a roadmap for a school district with key messages, core strategies, a list of tactics, a calendar of deliverables and a set of performance metrics.

Finally, truly effective communication often requires more than just good intentions and a solid plan. It also blossoms from learned effort or professional management. Many districts are able to employ a communications director or manager. Some larger districts may even support a communications office.

Sometimes disengaging is OK,

too. School districts cannot let themselves get drawn too deeply into contemporary issue battles and disagreements that are unlikely to be solved. Social media is a forum that should be leveraged and monitored by districts, but perhaps also one that is not the best medium for thoughtful dialogue. As appropriate, redirect inquiries or complaints to other channels and address them on an individual basis.

Sometimes, real crises do emerge from these contentious issues. When that occurs, it's time for district leaders to engage thoughtfully by gathering the facts, lining up their team and prioritizing their contacts.

There always will be critics of public schools and school districts. Some of this critique is healthy and

productive, elevating the work of school boards and local control of education. Increasingly, some of it is unfortunately destructive and wanton.

If you attend to purposefully communicate and engage with your community over the long haul, it will grow an atmosphere of trust, goodwill and mutual respect in your district community. As educational leaders and school board members, that foundation will serve you well during times of challenge and crisis. ■

Liam Goldrick is a partner with the Donovan Group. Now based in Philadelphia, he was a resident of Madison and Stoughton, WI from 2004 to 2016.

To learn more about the Donovan Group, visit donovan-group.com/wisconsin or awsa.memberclicks.net/crisis-communications.



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In addition to improving and refining our existing services this past year, the WASB launched a number of new initiatives in 2020-21, including:

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- A comprehensive Online Learning Platform with introductory and advanced modules to provide on-demand governance and legal trainings for members, including a module specifically for board officers
- Two online training series for school district staff — one focusing on Title IX training and the other on understanding the civil rights of students and employees
- Informative monthly Legal and Legislative Video Updates
- Timely Capitol Chat webinars during the state budget process
- A detailed Superintendent Evaluation Framework to foster productive board/superintendent relationships
- A dynamic Virtual State Education Convention
- A thought-provoking WASB Connection podcast



We look forward to working with you in 2021-22.

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TOP 3 Referendum Mistakes

From an Owner's Representative Perspective



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

- 1 - Poor RFP** (request for proposal) when selecting the architect and construction manager
- 2 - Ignoring** (or not knowing) important roles of the school district
- 3 - Failing** to audit project costs

School district boards, superintendents, business directors and facility directors have limited opportunities to be part of a successful capital referendum. When a school district is presented with one of these opportunities, it is important to manage the referendum at the highest level. Districts typically partner with professional firms to assist with the details of planning and managing a referendum.

Building Solutions, an owner's representative firm in Wisconsin, is often approached by school districts looking to add a referendum expert to their internal staff team to efficiently and effectively navigate a capital referendum process. Building

Solutions stresses that a district considering a referendum must take the time to learn and understand "what not to do" before taking the first step toward a referendum.

This is the final article of a three-part series providing the perspectives of professionals directly involved in the proactive planning of successful referendums. The May and June/July 2021 issues of the Wisconsin School News included the architects' and construction managers' perspectives, respectively. This article provides the view of an owner's representative.

The top reasons districts utilize an owner's representative firm to help support a referendum project include:

by Curt Wiebelhaus

► Time

The architect and construction manager have key roles in the construction project since they are responsible for managing the majority of the project. Approximately 70% of the value of a referendum is allocated to the sub-contractors building or renovating the project. The construction manager is responsible for managing these sub-contractors, and the architect is responsible for providing the design that these contractors build from. This leaves 30% — or \$15 million on a \$50 million project, for example — of the responsibility on school district personnel. Examples of school district work include furniture procurement, equipment purchases, appliance purchases, information technology design and installation, audiovisual installation, moving in/out of spaces, contingency management, and management of the construction manager and architect. Due to the limited resources of a school district, the execution of these responsibilities often is not

performed to the desired level.

► Expertise

Another potential pitfall comes from district personnel having limited referendum or construction project expertise. The experience and knowledge needed to properly manage these tasks can only be achieved through training and years of experience.

► Financial

A \$50 million project that requires 30% to be managed by district personnel who don't have adequate time or expertise may have tremendous financial waste. Often, this portion of the project is marginally managed or managed by someone who has a conflicting interest with the school district. For a district to maximize the effectiveness of their referendum dollars, the district's internal team needs an expert who fully understands contracts, construction and referendums.

The top three referendum mistakes from an owner's representative perspective are:

1. **Poor RFP** (request for proposal) when selecting the architect and construction manager
2. **Ignoring** (or not knowing) important roles of the school district
3. **Failing** to audit project costs.

MISTAKE #1: Poor request for proposal when hiring an architect and construction manager

School districts must fully understand the request for proposal process and the strategy behind it. If district personnel are not confident in this role, they can hire a professional to create the RFP when selecting the architect and construction manager. The investment in this service is negligible compared to the value received. The RFP and contract are the foundation of the project structure.



For a district to maximize the effectiveness of their referendum dollars, the district's internal team needs an expert who fully understands contracts, construction and referendums.



■ Purpose of the RFP

The RFP process is an opportunity for the district to evaluate and compare multiple firms to ensure that the best choice is made. A referendum may be one of the most significant facility decisions that a district may ever make. The following four categories should be considered when selecting an architect and construction manager partner.

1. Firm's qualifications — How likely will the firm excel based on the previous experience, history and structure of the firm?

2. Project team qualifications — How likely will the specific team (project managers, project superintendent, estimators, etc.) excel based on their past history, experience and skills? The quality of the team that the district will interact with each day will be critical to the success of the project.

3. Work plan, strategy or approach to the project — Does the firm's strategy, approach, processes and work plan align with what is needed to excel?

4. Fees and costs — How do all the fees and costs of hiring the construction manager or architect compare to other competing firms?

If the selection team ignores one of these categories, they are missing the complete picture.

Using a system and process to evaluate RFP responses helps ensure that each evaluation team member is looking at the project holistically. This process helps ensure the best project for the district, and provides benefits such as:

Meeting community expectations — The community expects a thorough review and comparison of competing firms before awarding major referendum contracts.

Providing transparency — When a defined process is followed, there is minimal opportunity for warranted criticism from competing firms, taxpayers, school board members and others. Clear priorities are



The quality of the team that the district will interact with each day will be critical to the success of the project.

established in the RFP as respondents indicate how they will best meet the priorities, and a school district review team ranks each respondent based on how well the team believes they will execute. A clean and defined process will help ensure that the process identifies the firm best able to meet the district's needs.

Allowing for competition — Competition improves the outcome when selecting referendum partners. When firms know they are being compared to others, they will provide their best team, work plan and fees. School districts that award projects without going through a competitive process sacrifice the many benefits of the RFP process.

Some districts that have established relationships with architects and construction management firms from previous projects make the mistake of bypassing the competitive RFP process. Some just go through the motions while others may not even put out an RFP.

The best thing for the district and community is to diligently go through the complete process. Districts shouldn't ignore their relationships, but the magnitude of the potential referendum project deserves a thorough process. If the companies truly

have a better understanding of the district, that should be reflected in their proposal.

■ RFP Mishaps

School districts regularly share information with each other. It is common practice for a district to ask neighboring districts for a template RFP to solicit the market for a specific product or service. This can work great in many situations if only minor changes are needed. A major referendum project unique to an individual district is not one of those situations.

In addition, the construction management portion of the process is complex and not easily understood, particularly in regard to "fees and costs." Districts commonly ask, "What is the proposed construction manager fee?" The response provides just a tiny portion of the overall fees and costs that the construction manager will charge the project. There are more than 14 possible fees commonly charged on a project. If all 14 are not considered, it is impossible to evaluate a firm based on "fees and costs." A good RFP addresses all potential fees.

An excellent RFP includes a construction manager and architect contract that is fair, reasonable and helps protect the school district as it

The best projects include the school district, architect and construction manager working in sync.

prepares to make one of its largest capital purchases. If a district utilizes an owner's representative firm for any portion of the project, this is the most important portion.

MISTAKE #2 – Ignoring (or not knowing) important roles of the school district

School district personnel have an important role in ensuring the entire project is a success. Typically, the district will hire a construction manager to manage the construction portion of the project and an architect to design the project. The best projects include the school district, architect and construction manager working in sync. As a district prepares for a referendum, they need to

understand the additional inherent tasks so they can either prepare to reallocate resources internally or consider hiring an owner's representative to fill in where internal resources may be stretched too far. Below is a partial list of important roles that the school district has in a project.

1. Overall budget management – The construction manager is responsible for budgeting and managing the construction portions of the project. The school district needs to track and account for the remaining budget. They need to track the various funding sources and the soft costs related to the project to ensure the overall budget is maintained.

2. Manage soft costs – Each purchase order requires collecting a bid, reviewing and confirming the scope is accurate, and coordinating the work or scheduling a delivery. People often think a referendum is all about the significant sub-contractor work involved and forget about all the other related purchases the district makes to furnish or support the new and renovated spaces.

3. Cost auditing – Most projects have multiple billing errors and this role is commonly missed.

4. Conflict resolutions and negotiations – Construction can be stressful for everyone involved. At some point during a project, stress may elevate to a conflict or argument. Whoever the

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conflict is between, it is important that the district quickly addresses it so the conflict does not distract from the overall goal of efficiently improving the facility.

5. School operations expert —

Districts must do a good job communicating the facility needs and coordinating meetings with staff who can share their needs for the architect to design a solution. The architect cannot provide design solutions without meaningful input from administrators and staff.

MISTAKE #3 — Failing to audit project costs

With the size of most referendum projects and the complexities inherently involved, it is inevitable there will be billing errors. These errors can add up to a substantial amount throughout the project. Typical

projects have about \$150,000-\$200,000 in billing errors. The district is responsible for reviewing and catching these errors.

Most districts use a standard construction manager contract, known as an AIA 133 “cost-plus” contract, which has many advantages. Unfortunately, clear and concise pay applications are not one of those advantages. A typical pay application on a \$50 million project often has more than 100 pages of supporting costs that are included. The billing errors can only be found by reviewing this detail one page at a time.

Tips when cost auditing include:

- Audit the project cost as the project progresses with each monthly pay application. The nature of the errors found on the first pay application will likely be corrected for all future invoices.
- The time spent by an owner’s representative to audit cost on a project will quickly pay for itself through the errors corrected and oversight completed as part of the process.

through the errors corrected and oversight completed as part of the process. It is also significant that the community and school board know that additional third-party oversight is being performed.

- Be very cautious when entering into a non-AIA standard contract with a construction manager or design/build firm. Custom contracts that do not follow the industry-standard language often heavily slant the terms of the contract to the construction manager or design/build contractor. By following the RFP process above and including a district-created AIA contract, districts will not be in this situation. When districts are considering a non-standard contract, they can have an owner’s representative review the business terms of the contract and an attorney review the legal terms of the contract before signing it. In addition, a custom contract likely

The time spent by an owner’s representative to audit cost on a project will quickly pay for itself through the errors corrected and oversight completed as part of the process.



does not allow the cost to be audited as part of the pay application process.

- Some construction managers or design/build firms provide a guarantee of “no change orders.” This sounds great to many school districts, but the only way that a contractor can provide a guarantee of “no change orders” is if they have built in an internal contingency. This built-in contingency often becomes a profit for the construction manager or design/build firm when it is not used. Another option is for an owner’s representative to manage a transparent contingency and change orders to ensure the district does not get charged any more than the actual cost of the project plus the agreed-upon fee.

Avoid mistake #1 (poor RFP when hiring an architect or construction manager) by making a small investment to have a professional create and manage the RFP process.

Avoid mistake #2 (ignoring important roles of the school district) by making a checklist early in the project.

Avoid mistake #3 (failing to audit project costs) by setting the project up to receive proper documentation with each pay application and allocating time to review it. Every project has billing errors. It is expected that the school district has proper procedures in place to prevent or reduce these billing errors. Avoiding these three major mistakes will help ensure the project will be a success while building greater confidence in administration from the school board and the community. ■

Curt Wiebelhaus is the founder and owner’s representative at Building Solutions, www.buildingso.com, 414-303-4608



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- **Each Regional Meeting features** networking, a Legislative Update and a report from WASB Executive Director John Ashley.
- **Prior to your Regional Meeting,** take part in an optional workshop with an experienced WASB attorney and consultant to learn more about effective community engagement at board meetings. An experienced WASB attorney and consultants will review best practices for establishing the board agenda, structuring the public comment period for productive input by community members and staff, ensuring accessibility and determining other meeting logistics.
- **New in 2021:** A statewide, online Regional Meeting and workshop with the same program and agenda will be offered on Oct. 27. There is no fee to attend the online Regional Meeting (although registration is recommended). The online workshop will be the same fee as in-person. No voting will occur at the online Regional Meeting for any regional directors.

Visit [WASB.org](https://www.wasb.org) for more information and to register online.

Registration fees for the Regional Meetings vary based on location. The workshop registration fee is \$70. Register for both events and receive a \$10 discount.



FALL 2021 REGIONAL MEETINGS SCHEDULE

Region 1* | Sept. 29 – Spooner, Spooner Civic Center

Region 2 | Sept. 28 – Minocqua, Norwood Pines Supper Club

Region 3 | Oct. 6 – Green Bay, Rock Garden/Comfort Suites

Region 4* | Oct. 12 – Menomonie, Off Broadway (by Stout Ale House)

Region 5 | Oct. 13 – Rothschild, Holiday Inn

Region 6 | Oct. 28 – Onalaska, Stoney Creek Hotel La Crosse-Onalaska

Region 7 | Oct. 7 – Neenah, Bridgewood Resort

Region 8 | Oct. 5 – Kiel, Millhome Supper Club

Region 9* | Oct. 26 – Fennimore, Southwest Tech

Region 10* | Oct. 21 – Wisconsin Dells, Trappers Turn

Regions 11 & 15 | Oct. 19 – Pewaukee, The Ingleside Hotel

Region 12 | Nov. 3 – Verona, Verona Area High School

Region 13* | Oct. 20 – Elkhorn, Monte Carlo Room

Region 14 | TBD – Milwaukee, Milwaukee Public Schools Administration Building

Online | Oct. 27 – Open to all members

** Denotes regions with elections for WASB Board of Directors*



Online Learning Platform Expands

The WASB's Online Learning Platform — a comprehensive source of online training for Wisconsin education leaders — continues to grow

Our members are asking for help navigating conflict, so we've added a two-part webinar about complaint procedures and the chain of command to the Roles and Duties of School Board Officers module. Platform subscribers will learn how board policy and action can create a neutral framework for even highly charged and contentious issues to help community members and staff feel heard.

On Thursday, August 12, we're holding a facilitated discussion on the roles and responsibilities of school board presidents. WASB attorneys will walk through real-world scenarios that Wisconsin school board presidents have faced and engage participants in dis-

cussions. Visit WASB.org to register for the Aug. 12 event.

Access to the Online Learning Platform is available as year-long subscriptions based on board size. Districts can choose access to the full Platform or the Board Officers module only.

Learn more about the eight introductory and advanced modules in the Platform at WASB.org.

Members are encouraged to consider pairing a Platform subscription with in-person training by WASB staff to go deeper. Members can watch presentations ahead of time and then meet with a WASB attorney and/or consultant in one or a series of meetings. □

Wisconsin School Board Members Meet with Congressional Delegation

In June, the National School Boards Association hosted its annual Advocacy Institute for school board leaders from across the nation to learn about key federal issues affecting school boards and lobby their members of Congress. Members of the WASB's executive committee participated along with Executive Director John Ashley.

WASB President Sue Today (Sevastopol), 1st Vice President Barb Herzog (Oshkosh) and 2nd Vice President Rosanne Hahn (Burlington) participated in online meetings with their Congressional offices (Reps. Mike

Gallagher, Glenn Grothman and Bryan Steil, respectively). They also met with the office of Wisconsin Congressman Mark Pocan, who is a member of the House Education and Labor Committee along with Grothman.

Topics discussed included how the federal government can assist schools in solving teacher supply issues, expanding broadband access and increasing the federal share of costs for special education services mandated under the federal Individual with Disabilities Education Act (IDEA). □

WASB Civil Rights Training

Staff training on the civil rights of students and employees

School districts have the legal responsibility to carry out numerous state and federal laws protecting the civil rights of students and employees.

The WASB has partnered with the law firm Boardman & Clark to create a series of training modules to help districts navigate legal and practical civil rights issues for their students and employees.

Districts that subscribe receive access to all webinars and presentation materials in the series.

EMPLOYEE-FOCUSED MODULES:

- Age-Based Discrimination
- Religious-Based Discrimination and Accommodation
- Race-Based Employment Discrimination and Harassment
- National Origin and Ancestry Discrimination
- First Amendment Rights
- Sex, Sexual Orientation and Gender Identity Discrimination and Harassment
- Identifying Employees with Disabilities and Providing Accommodations
- Arrest and Conviction Discrimination

STUDENT-FOCUSED MODULES:

- Special Education Overview
- Section 504 and ADA Overview
- Race-Based Discrimination
- National Origin Discrimination
- Title IX Overview
(Note: separate, in-depth training on Title IX remains available for staff)
- Free Speech Rights
- Rights of Homeless Students
- Religious Freedom

NOTE: As of early August, this content is being recorded. For a schedule of live recordings, or to learn more about a training package that fits your district, visit WASB.org.

2021-23 State Budget Recap



February seems like a long time ago. Gov. Tony Evers' state budget was introduced on February 16, and contained a strong public school funding component, including significant investments in top WASB priorities. Five plus months as well as billions in federal COVID-relief funds and historic state tax revenue later, the state budget signed into law by the governor has little in common with his original proposal. Rather, what is now law essentially reflects the budget priorities of lawmakers on the budget-writing Joint Finance Committee.

After initially approving a K-12 state budget package that put federal COVID-relief dollars at risk, the JFC revisited the K-12 budget and approved an overall state spending plan for the next two years that preserves Wisconsin's access to more than \$2.3 billion in one-time federal funds for K-12 education.

By adding \$408 million to state general school aids over the next two years along with modest K-12 funding increases in other areas, the new budget meets "maintenance of effort" requirements imposed by Congress, according to the non-partisan Legislative Fiscal Bureau. Those federal maintenance of effort provisions require the state to maintain the same proportion of its overall spending on K-12 education in the next two-year state budget as in previous state budgets.

While the budget increases state general aids, it does not allow an increase in state-imposed revenue limits. That means the additional state aid will be swapped for local property taxes within the revenue limit with no additional school district spending allowed. Thus, the

additional state dollars provided as general aid will not help schools meet their ongoing operational costs but must be used to lower property taxes.

The majority of the actual spendable increases in resources are seen in special education aid, mental health grants and targeted assistance to rural schools.

Special Education Categorical Aid

- \$86 million in additional special education categorical aid over the biennium (\$17.8 million in 2021-22 and \$67.6 million in 2022-23) to reimburse eligible special education costs at the current level of 28.2% and 30% in those fiscal years, respectively.

School-Based Mental Health

- \$6 million more in each year of the biennium for school mental health categorical aid (for hiring of additional social workers only).
- \$3.5 million more in each year of the biennium to fund school-based mental health collaboration grants.

Sparsity Aid

- \$3.1 million more in 2021-22 and \$3.2 million more in 2022-23 for sparsity aid. Further, creates an additional tier of aid funded at \$100 per pupil for districts with enrollment between 745 and 1,000 and population density of less than 10 pupils per square mile.

High-Cost Transportation Aid

- \$6.4 million more in each year for high-cost pupil transportation. Reduces the threshold for qualifying for this aid from 145% to 140% of statewide average per-pupil transportation costs.

The budget also addresses two long-standing school funding issues by:

1. Eliminating a provision that skims-off a portion of the state general aid from every school district in the state in order to fund charter schools authorized by UW-Milwaukee, UW-Parkside and the City of Milwaukee (resulting in public school districts receiving about \$167 million more general aid over the biennium); and

2. Eliminating a delay in the payment of \$75 million of each year's state school aids until four weeks into the next fiscal year. This \$75 million will be folded into the existing four payments school districts receive. This change will not alter the amounts paid out, just the timing of when those amounts are paid.

The state Legislature was successful in not providing language in this budget that the governor could partially veto to increase funding for schools as he did in the last budget. As a result, the K-12 vetoes he did make were relatively minor.

The most significant veto affected the high-cost transportation aid provisions. The JFC had modified one of the eligibility criteria for this aid, replacing the sparsity factor (not more than 50 members/square mile) with a size criterion (fewer than 3,500 members). The governor vetoed that change, effectively maintaining current law.

Separate from the budget, the governor said he will allocate \$100 million of federal COVID-relief funding that is at his discretion for K-12 education. Based on guidance from the U.S. Treasury Department, the money must be allocated on a per-pupil basis. Payments will be based on fall enrollment counts and split between two years. The WASB anticipates that all school districts will receive a total of between \$120

and \$130 per pupil with “no strings attached” to its use (without even the restrictions placed on earlier federal COVID-relief funds).

Ultimately, the budget crafted by the GOP-controlled state Legislature and signed into law by Evers uses the significant amount of one-time federal relief funding as an excuse for the state to back off from its responsibility to fund schools. School boards will be put in the unenviable position of having to decide if they can substitute one-time federal dollars to free up state and local dollars for ongoing expenses while avoiding creating a fiscal cliff when those one-time federal funds run out.

Because the bulk of the federal funds will not be distributed evenly across districts — in fact, amounts received will vary widely — some boards will find this substitution strategy a more daunting challenge


than others. The governor’s pledge of additional federal funding will help, but it, too, is one-time funding.

Will the Legislature be willing to step up and provide schools with the resources they will need after the federal funds are no longer available? There are positive signs, including a projected \$1.67 billion surplus in the state’s general fund by the end of the biennium. Also, Rep. Joel Kitchens (R-Sturgeon Bay) told the Wisconsin State Journal that schools have legitimate concerns going forward and that Assembly Republicans are planning on holding onto that surplus to provide a “much more generous” increase in state aid in the next budget.

Baseball great Casey Stengel once said, “never make predictions, especially about the future” and we will heed that advice. It is worth noting, however, that despite \$4.4 billion in unanticipated and unprecedented


state revenues available for the state to invest in this budget, schools were an afterthought. We need to continue to work on outreach to state legislators at the local level. Get them in your schools to show them that investments in our kids are worth it. Show them where you have invested the federal dollars and where you have concerns looking into the future after those dollars are spent.

Thank you for advocating for your students and staff over this budget cycle. We are constantly grateful and inspired by your efforts. As we move into the post-budget legislative session, the WASB government relations team will continue to help you keep track of what is going on at the Capitol. Please reach out to us with questions or suggestions on what we can do to better serve you. ■




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Spending COVID-19 Federal Relief Funds

The pandemic has had a substantial and costly impact on school districts. Responses to COVID-19, including adopting comprehensive health and safety protocols; upgrading air filtration systems; complying with existing contractual obligations; developing virtual, hybrid and in-person instructional options; and providing additional educational services to account for missed services.

Recognizing this impact, the federal government has provided significant financial assistance for educational institutions through a series of three federal stimulus packages totaling nearly \$200 billion. They include: the Coronavirus Aid, Relief, and Economic Security Act (CARES Act); the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA); and the American Rescue Plan Act (ARP). Each of these stimulus packages includes funds directed at mitigating the impact of COVID-19 on districts through two grant programs: the Elementary and Secondary School Emergency Relief Fund (ESSER) and the Governor's Emergency Education Relief Fund (GEER). The Wisconsin Department of Public Instruction is administering both of these programs and will be an ongoing resource for districts.

While districts have discretion in spending ESSER and GEER funds, that discretion is not unlimited — some funds must be used for specific purposes and within specific timeframes. It is important for school boards to understand these funding parameters and work closely with business managers and other administrators so that districts can make decisions as to the appropriate use of each funding source. This Legal Comment provides an overview of the laws governing the use of these

federal funds, identifies allowable expenditures and outlines the spending timelines.

Spending ESSER funds

ESSER funds may be used for a wide variety of activities set forth in the three stimulus packages. While the list of approved activities in each of the stimulus packages is not identical, the U.S. Department of Education has indicated that all ESSER funds may be used for any activity listed in any of the three stimulus packages.¹ These include any expenditures for activities required or permitted by the Elementary and Secondary Education Act, the Individuals with Disabilities Education Act, the Adult Education and Family Literacy Act, the Carl D. Perkins Career and Technical Education Act, or the McKinney-Vento Homeless Assistance Act. For example, ESSER funds can be used to provide special education and related services for students who are eligible under the Individuals with Disabilities Education Act.

ESSER funds may also be used for the purpose of “preventing, preparing for, or responding to COVID-19,” including:

- Coordinating responses to COVID-19 with other agencies;
- Providing principals and other school leaders with resources to address the needs of individual schools;
- Providing activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness and youth in foster care;
- Training staff on sanitation and minimizing the spread of

infectious diseases;

- Purchasing cleaning and sanitizing supplies for district facilities;
- Planning for, coordinating and implementing activities during long-term closures;
- Purchasing educational technology;
- Providing mental health services and supports;
- Planning and implementing activities related to summer programming and supplemental after-school programs;
- Addressing the impact of lost instruction time;
- Making facility repairs and improvements to support student health needs;
- Inspecting, testing, maintaining, repairing, replacing and upgrading projects to improve the indoor air quality in schools;
- Developing strategies and implementing public health protocols, including to the greatest extent practicable, policies in line with guidance from the Centers for Disease Control and Prevention for the reopening and operation of school facilities; and
- Conducting other activities necessary to maintain operation of and continuity of services and continuing to employ existing staff.²

For example, districts may use ESSER funds to improve cybersecurity, hire professionals to deliver mental health support to students, or purchase trailers or modular units for instructional space. The funds may also be used to provide COVID-19 testing or vaccinations for staff and students and to provide

personal protective equipment.

Finally, ESSER funds may be used to finance construction, provided districts comply with the numerous state and federal regulations specific to these projects.³ These funds may be used for new construction, remodeling, alterations, renovations and repairs. However, the U.S. Department of Education discourages the use of ESSER funds for new construction because it may inhibit the use of funding for “other essential needs” and because such projects are “often time-consuming, which may not be workable under the short timelines” for spending.⁴

Special requirements related to American Rescue Plan Act ESSER funds

The third round of ESSER funding provided by ARP (ARP ESSER) imposes significant obligations on school district recipients. Initially, districts must reserve at least 20% of ARP ESSER funds for the purpose of addressing the “academic impact of lost instructional time through the implementation of evidence-based interventions.”⁵ With some exceptions, an ARP ESSER recipient is also prohibited from reducing per-pupil funding for any high-poverty school in an amount “that exceeds the total reduction in [district] funding ... for all schools served by the [district]” and “full-time equivalent staff per-pupil ... by an amount that exceeds the total reduction in the number of FTEs per-pupil in all schools served by the [district].” A “high-poverty school” is a school that is in the highest quartile of schools served by the school district

based on the percentage of economically disadvantaged students served, as determined by the state.

ARP ESSER funding also requires districts to develop two distinct, but related, plans of operation. First, district recipients of ARP ESSER funds must, within 30 days of receiving the funds, establish and make publicly available on the district’s website a plan detailing the district’s return to in-person instruction and continuity of services. The return plan must describe the following:

- How the district will maintain the health and safety of students, educators and other staff;
- The extent to which the district has adopted policies, and a description of any policies, on safety recommendations established by the CDC; and
- How the district will ensure continuity of services, including services to address students’ academic needs and students’ and staff members’ social, emotional, mental health and other needs, which may include student health and food services.⁶

A district must seek and consider public comment prior to adopting a return plan and then review and revise the plan at least every six months to incorporate additional public comment and explain how CDC guidance affects district policy.

Second, a Wisconsin recipient of ARP ESSER funds must develop and submit a plan to the DPI. A DPI ARP plan must include a description of how ARP ESSER funds will be used to implement prevention and mitigation strategies; address the academic impact of lost instructional

time; respond to the academic, social, emotional and mental health needs of all students; and provide information as to how all other ARP ESSER funds will be used. The DPI has encouraged districts to focus on improving reading outcomes in developing their DPI ARP plans.⁷

As with the federally required return plan, districts must seek public input and take that public input into account when developing their DPI ARP plans. Districts are required to “engage in meaningful consultation” with stakeholders and other organizations. Specifically, districts must consult with students, families, school and district administrators, educators, school staff and their unions, tribes (if present in or served by the district), civil rights organizations, organizations representing the interests of children with disabilities, English learners, children experiencing homelessness, children in foster care, migratory students, children who are incarcerated and other underserved students.

Spending GEER funds

Gov. Tony Evers has the discretion under two of the federal relief packages to award sub-grants of GEER funds to districts that the DPI determines have been “most significantly impacted by coronavirus.” The DPI established four criteria guiding the award of GEER funds based upon the percentage of: (1) students scoring below basic on English language arts; (2) students from economically disadvantaged families; (3) households with no electronic devices; and (4) households with no internet.⁸

Based upon these criteria, Evers has, to date, directed the DPI to

A district must seek and consider public comment prior to adopting a return plan and then review and revise the plan at least every six months to incorporate additional public comment.

The third round of ESSER funding ... imposes significant obligations on school district recipients.

award \$46.6 million in GEER funds to districts and tribal schools.⁹ He has also directed that funds must be used for health and safety, infrastructure and schedule modifications, and remote and distance learning. The DPI maintains a lengthy list of examples of permitted expenditures, which largely mirror the list of allowable ESSER fund expenditures.¹⁰

■ Spending GEER and ESSER funds to assist populations most impacted by the pandemic

The U.S. Department of Education has emphasized that federal relief funding should be used to provide equitable educational opportunities for all students. To that end, districts are encouraged by the department to use both GEER and ESSER funds to provide a wide variety of supports for underserved students or students who were disproportionately impacted by the pandemic. For example, funds may be used for providing extended-day or extended-year activities to recover lost instruction, hiring additional bilingual staff, eliminating special education evaluation backlogs, providing extended school year services to students with disabilities, and developing data systems to combat chronic absenteeism.

■ Timeline for spending GEER and ESSER funds

ESSER funds allocated pursuant to the first stimulus package in March 2020 (the CARES Act) must be spent between March 13, 2020, and Sept. 30, 2022. ESSER funds allocated in the second round of federal funding in January 2021 (the CRRSA) must be spent between March 13, 2020, and Sept. 30, 2023. Finally, ESSER funds allocated in the most recent

round of funding in March 2021 (the ARP) must be spent between March 13, 2020, and Sept. 30, 2024. All GEER funds must be spent by Sept. 30, 2022.

■ Conclusion

The significant federal relief funding authorized over the last year provides districts with meaningful opportunities to mitigate the effects of the pandemic on staff and students. Districts have substantial discretion to tailor their mitigation efforts, assist students who have been disproportionately affected by the pandemic, and engage in proactive measures to further halt the spread of COVID-19. To make the most of this opportunity, school board members and administrators should understand these funding sources, including the parameters under which these funds can be spent, the specific limitations on their use, the requirements to receive input and to develop and publish plans, and the timelines in which they must act.

In addition, districts should consider how these temporary funds will affect their long-range budgetary planning. In particular, because these are currently established as one-time grants of money, any expenditures of an ongoing nature will have an impact on future budgets when these funds will no longer be available. This will require districts to make budgetary adjustments to compensate for this loss of revenue. ■

■ End notes

1. Dept. of Educ., Frequently Asked Questions: Elementary and Secondary School Emergency Relief Programs Governor's Emergency Education Relief Programs 10 (May 2021), <http://bit.ly/dept-edu-faq>.
2. *Id.* at 10-12, 17.

3. While a complete list of applicable laws is outside the scope of this Legal Comment, construction work using ESSER funds triggers the obligation to comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Contracts related to such construction must comply with federal procurement procedures and must include mandatory contract terms. For example, contracts must comply with Davis-Bacon Act requirements regarding the payment of prevailing wages to laborers and mechanics, and contracts must include a provision for compliance with the Copeland "Anti-Kickback" Act.
4. *Id.* at 24.
5. *Id.* at 13.
6. American Rescue Plan Act Elementary and Secondary School Emergency Relief Fund, 86 Fed. Reg. 21195 (interim final requirements published Apr. 22, 2021).
7. Email from Mike Thompson, Deputy State Superintendent, Dept. of Pub. Instruction, to District Administrators (April 14, 2021), dpi.wi.gov/administrators/e-mail/esser-iii-proposed-plan.
8. Dept. of Pub. Instruction, Governor's Emergency Education Relief (GEER) Grant Program, <http://bit.ly/dpi-geer>.
9. *Id.*
10. Dept. of Pub. Instruction, GEER Funds (CARES ACT) Guidance on Public Allowable Costs, <http://bit.ly/geer-funds> (last modified October 15, 2020).

This Legal Comment was written by Michael J. Julka, Brian P. Goodman and Matthew W. Bell of Boardman & Clark LLP, WASB Legal Counsel. For related articles, see Wisconsin School News: "The Budget Process" (Jun. 2010); "Understanding the Financial Audit" (Dec. 2004).



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