

★ SPECIAL 2022 CONVENTION PREVIEW ★

WISCONSIN SchoolNews

November 2021 | wasb.org

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

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WISCONSIN SchoolNews

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College Financial Aid Applications Drop Amid Pandemic

Fewer seniors at Wisconsin high schools are taking a critical first step toward securing financial aid for college, according to a September report from the Wisconsin Policy Forum.

The number of seniors completing the Free Application for Federal Student Aid, or FAFSA, dropped by 12.2% from 2019 to 2021.

These completed forms are important because they are a requirement for federal grants, work-study and loans. Students who complete the FAFSA are more likely to go to college, research has found.

The drop was higher among some subgroups. In schools comprised of more than half students of color or students living in poverty, the decline in FAFSA applications more than doubled schools without these characteristics.

The report suggests several potential reasons for the decline. Fewer in-person interactions may reduce the opportunities for school staff to talk with families and students. These conversations are a necessary part of the process, touching on family finances and students' plans for the future.

The report also offers a number of potential methods to improve FAFSA completion. "Nudges" sent via text have helped in some states, including Arizona and Washington.

Six states have gone further, tying FAFSA completion to high school graduation requirements and supporting students.

Read the full report at bit.ly/2Yazqw0. □

Food Shortages Prompt Cafeteria Creativity

Labor shortages across the food supply have spurred schools in Wisconsin and throughout the country to find creative solutions to feed students.

"I don't know of any school district in Wisconsin that isn't facing food shortages," Randy Jones of the Wisconsin Department of Public Instruction told the Manitowoc Herald Times.

The shortages come with little warning, said Manitowoc Public School District director of food service Janelle Schultz.

"Just today, we expected a truckload of hamburger patties that never

arrived," Schultz said. "They were completely out."

In Wausau, school nutrition supervisor Laticia Baudhuin tried to order a double-stacked convention oven and was told it wouldn't be available until March.

"I don't know where all of the people are," she said.

Nutrition staff are switching their menus and ordering in advance. But some of the problems are harder to solve.

"Being a lunch lady is really, really hard work," Baudhuin says. "And, unfortunately, it doesn't draw a lot of people in." □

STAT OF THE MONTH

9

Number of Wisconsin students referred to police out of every 1,000 students in 2017 – twice as many per 1,000 as the nationwide average (4.5). *Source: WPR.org*

Wisconsin Schools Refer to Police at Twice the National Rate

Public schools in Wisconsin referred students to police twice as often as schools nationwide in 2017, Wisconsin Public Radio reported.

Nine Wisconsin students out of every 1,000 were referred to police, compared to the national rate of 4.5 per 1,000. The state also shared nationwide disproportional referrals to Black, Latino and, especially, Native American children.

Wisconsin was more likely than any

other state to refer Native students to law enforcement, a rate of more than three times their white peers, the analysis found.

The data show "appalling" and "disturbing" disparities, Diana Cournoyer, the executive director of the National Indian Education Association, told WPR. She said that she was not surprised, however.

"Every Native person knows this, whether you're in Wisconsin or not," she said. □

EIGHT WISCONSIN PUBLIC SCHOOLS Receive Blue Ribbon Honors

Eight Wisconsin public schools received National Blue Ribbon School honors from the U.S. Department of Education for excellent academic performance.

"These schools have gone above and beyond in their support for students," State Superintendent Jill Underly said. "I applaud the hard work and commitment of both teachers and students at each of these schools, and I am excited to recognize them today as National Blue Ribbon Schools."

Nominated by the state superintendent in February, the public schools completed an application and underwent a national review process. Wisconsin's public 2021 Blue Ribbon Schools are:

- Robinwood Elementary; Franklin Public School District
- Jefferson Lighthouse Elementary; Racine Unified School District
- Westview Elementary; Platteville School District
- Coloma Elementary; School District of Westfield
- Foxview Intermediate; Unified School District of De Pere
- Hatley Elementary; D.C. Everest Area School District
- River Crest Elementary; Hudson School District
- Drummond Elementary; Drummond Area School District

Schools were honored in one of two categories, either for closing achievement gaps or being among the highest-performing schools. □



Forward Together for Our Students

The annual Wisconsin State Education Convention is your opportunity as school leaders to come together with colleagues from around the state to learn, network and celebrate public education. It's a time to expand your horizons, strengthen your connections and re-energize you for the work ahead.

As registration opens for the 101st State Education Convention, we're excited to begin announcing the keynote speakers and lineup of breakout sessions.

We'll begin on Tuesday, Jan. 18 with pre-convention workshops designed to delve deeper into the core work of school boards, effective dialogue, inclusive learning environments and school finance.

At our opening general session the next day, we'll be joined by a familiar face many of you have asked to return. Ravi Hutheesing, who was a highlight at the 2018 convention, was once best known as the guitarist in the '90s boy band Hanson.

After becoming an aviator and a cultural diplomat for the U.S. State Department, Hutheesing in 2018 launched a network with more than 100 schools around the world. He believes we must teach the most important life-skills for a global future, including cultural competence and how to continuously pivot.

On Thursday, Jan. 20, we'll hear from Brandon Fleming, a college dropout turned educator and inspi-

ration speaker.

Fleming started a nonprofit that has enrolled more than 100 students of color into an international summer debate residency at Harvard University. He and his team train youth with no prior debate experience to compete against debaters from elite programs.

They achieve incredible results. Every group trained by Fleming has won the international competition since 2017.

Our breakfast speaker will balance out these weighty topics with a bit of levity. Karyn Buxman is a humorist, but not the standup kind. Instead, she seeks to understand through brain science what many of us sense intuitively — humor is a powerful tool to communicate and engage.

The State Education Convention has always aimed to feed your heart as much as your head. It is my hope that these inspirational speakers will renew your sense of purpose while the breakout sessions will provoke thought and discussions long after you leave the room.

There will be sessions on how to engage productively with community members, sessions that will address the impact of the pandemic on leadership practices, teaching and facilities as well sessions that challenge you to look ahead on workforce needs. There will also be sessions that will help you recruit and retain employees, and sessions that will help you budget more efficiently, among many others.

You'll want to be there.

This special issue of the Wisconsin School News previews the sessions, speakers and exhibitors. Visit WASB.org/convention to stay up to date with announcements, special events and the final schedule.

Barring any extraordinary setbacks in public health, we plan to hold the convention in person. However, there may be COVID protocols in place based on public health guidance. Watch for updates as the event draws nearer.

In the meantime, there are plenty of online learning opportunities — both live and on demand. The most recent additions are the series of three meeting management webinars that were recorded in October and available to all members. They focus on helping boards effectively accommodate public participation at board meetings. We also recorded a webinar focused on cybersecurity in October and a legal and legislative update.

In the coming weeks, the Legislative Conference sessions will be available online to attendees. To be a more effective advocate for your students, I encourage you to take advantage of the recorded presentations. We'll also be hosting webinars on school board elections that staff and board clerks, in particular, may find helpful.

Visit WASB.org for details and to register.

Let's keep moving forward together for our students. ■

It is my hope that these inspirational speakers will renew your sense of purpose while the breakout sessions will provoke thought and discussions long after you leave the room.

KEYNOTE SPEAKER RAVI HUTHEESING



Pivoting to Cultural Competence

The Wisconsin State Education Convention is proud to bring back Ravi Hutheesing as the opening keynote.

Ravi's journey as a rock star, aviator and U.S. State Department cultural diplomat is an inspiring example of how to pivot and succeed in an ever-changing world.

He is the first American-born descendant of India's first family (which includes prime ministers Nehru and Gandhi), but his worldwide visibility skyrocketed in 1997 as the guitarist of triple Grammy-nominee, Hanson. The group performed at the White House, Madison Square Garden, Saturday Night Live, Today Show and more.

Ravi later became a pilot and aviation speaker, helping the industry attract new student pilots. In 2015, the U.S. State Department began sponsoring his cultural programs in Russia, Indonesia, Iraq and Lebanon.

In his keynote, Ravi talks about how education leaders must re-evaluate the overall goal of education now while committing to

teaching the most important life-skills for a global future, including cultural competence and how to continuously pivot. Today's educators have an unprecedented opportunity and responsibility to not only achieve equity in education, but to defeat generations of implicit biases so that all students can develop a healthy curiosity about the world and truly become global citizens.

"With 40% of today's jobs about to be automated, we will no longer be defined by what we do, but rather, by who we are," he says. "We cannot fail to equip all students with the most critical skills of tomorrow — skills that go beyond the current 'college and career-ready' focus."

Ravi is also the founder of Ravi Unites Schools — a large network of international K-12 schools whose classes participate in peer-to-peer, real-time interactions — and author of "PIVOT: Empowering Students Today to Succeed in an Unpredictable Tomorrow." □

PRE-CONVENTION WORKSHOPS

TUESDAY, 1:30-5PM, WISCONSIN CENTER, PRE-REGISTRATION REQUIRED

★ Successfully Govern Your District Together

Board members are continually challenged to address the ever-changing educational landscape. In this session, participants will learn about best practice ideas for district governance based on the board and superintendent having a collaborative mindset, a moral imperative in their commitment to the stakeholders, and a shared purpose based on sound principles and practices. Learn how purposeful board actions can lead to a positive organizational culture that ensures high levels of learning for all, keeps students and staff safe, and is fiscally responsible to the taxpayers. This session content is based on the book, "The Governance Core," by Davis Campbell and Michael Fullan.

Wisconsin Association of School Boards

★ Inclusive School Board Leadership

Inclusive School Board Leadership for K12 School Board Leaders explores the role of the 21st century school board member, challenging equality and deficit-minded board leadership styles, and the negative impact each has on achievement for students from communities that have historically been marginalized. This workshop will help school board members prepare to engage key constituents from the balcony to the playing field, to ensure their commitment to inclusion is widely shared and openly communicated. Additionally, school board members will learn how to develop an inclusive vision for the board. A vision is a dream or picture of what a board wants to look like at the end of the term, individually and collectively and identify ways to be intentional in the input of inclusion into board policy and practice.

Kinect Education Group

KEYNOTE SPEAKER BRANDON FLEMING



From Struggle to Success — A Story of Inspiration and Service

An at-risk youth and college dropout turned award-winning educator, Fleming is an assistant debate coach at Harvard University and founder/CEO of the Harvard Diversity Project. Fleming was recruited to join the Harvard debate faculty at the age of 26. Harvard later approved Fleming’s proposal to establish a new department within the university system called the Harvard Diversity Project — an unprecedented pipeline program.

Fleming now leads an executive staff and board that has raised over a million dollars to enroll more than 100 students of color into Harvard’s international summer debate residency on full scholarship. Fleming recruits underserved youth with no prior debate experience who he trains to compete against hundreds of elite debaters from more than 25 countries around the world.

For three consecutive years, since the program’s inception in 2017, every cohort trained by Fleming has won the international competition, with one group achieving an unprecedented

undefeated record as global champions.

Fleming has established a groundbreaking organization that is pipelining Black youth into Ivy League and elite colleges and universities, including Harvard, Yale and Stanford, on full scholarship. Fleming’s story, erudition and achievements have enabled him to use his voice to inspire and impact lives in places ranging from federal prisons to the United Nations General Assembly.

At the age of 29, Fleming was named to the Forbes 30 Under 30 list. And in May 2021, North Carolina Wesleyan University bestowed upon Fleming the Doctor of Humanities honorary degree.

“Miseducated: A Memoir,” released in June 2021, is about Fleming’s journey — in life and language — from being an at-risk youth and a college dropout to becoming an award-winning Harvard educator. □

PRE-CONVENTION WORKSHOPS

TUESDAY, 1:30-5PM, WISCONSIN CENTER, PRE-REGISTRATION REQUIRED

★ School Finance Puzzle

Gain a conceptual understanding of the major components of the Wisconsin school finance system using a hands-on, interactive approach. The presentation team will include members of the Wisconsin Association of School Business Officials and the School Finance Team for the Wisconsin Department of Public Instruction. Attendees will become acquainted with the basics of the budget cycle, revenue limits, equalization aid, property taxes and referendums — how these components interrelate and how they impact board decision-making.

Leave the workshop with increased confidence in discussing school finance concepts and using this knowledge to help foster an environment of trust in your community for the benefit of students.

Wisconsin Association of School Business Officials

★ Navigating Discussions When the Stakes are High

School boards frequently face high-stakes issues that require substantial discussions in the face of opposing views and strong emotions. Many of these discussions play important roles in shaping board member expectations, the relationships that board members need in order to accomplish the important work of the board and, ultimately, the outcomes the board achieves. Navigating these kinds of discussions effectively takes certain skills including self-control, courage, finding common ground, active listening, creating safe spaces, de-escalating conflict, asking neutral questions, self-assessment and even humility.

Learn the skills that will help you set the stage for effective dialogue when facing high stakes issues with opposing views and strong emotions.

Wisconsin Association of School Boards

Forward Together

FOR OUR STUDENTS

2022 State Education Convention

BREAKOUT SESSIONS

Visit the convention website at WASB.org/convention for the complete schedule of breakout sessions.

LEADERSHIP | **STUDENT ACHIEVEMENT** | **COMMUNITY ENGAGEMENT**
HUMAN RESOURCES | **SCHOOL FINANCE** | **SCHOOL LAW** | **FACILITIES**

LEADERSHIP

● A Chaos to Calm Story

Those who navigated through Act 10 last decade experienced a time like no other in Wisconsin — until this past year. In this session, presenters will share their story about overcoming an almost \$200 million unfunded liability and then prevailing in a lawsuit. The 10-year journey to funding other postemployment benefits coincided with developing a plan and passing a referendum that led to a total of \$181 million of facility improvements. Through the process, the presenters learned that the transition was made possible by a focus on children, and a strong partnership between the school board and the superintendent.

Neenah Joint School District

● Data Governance for Effective Data Use

Learn how a district's data governance team is empowering district leaders to leverage the strategic and operational insights within their data. The Elmbrook School District has developed a structured framework driven by their strategic initiatives, each of which is aligned with a set of clear targets against which the district is measuring its progress. Attendees will discover how their organizational strategy is informing goal setting and progress evaluation — and the role their centralized data hub is playing to support decision makers at all levels within the organization.

Elmbrook School District

● Effective Listening Skills

Effective communication is at the heart of every successful working relationship. Proficient listening skills reduce misunderstandings and contribute to teamwork and constructive conflict management — saving time, money and frustration. Identify obstacles to effective listening and improve your listening skills to communicate constructively with teachers, administrators, parents, students and the public to create productive relationships and build strong schools.

Wisconsin Association of School Boards

● Elevating Achievement for All

The work of school boards call for us to have a more intentional focus on how we can better meet the needs of all children while we also address

WASB Breakfast Program Speaker: KARYN BUXMAN



Thursday, January 20, 7-8:30 a.m. Pre-registration required, \$38
Crystal Ballroom, Hilton Milwaukee City Center

Karyn Buxman is a TEDx speaker, successful author, brain-based high-performance coach, former school board member — and a neurohumorist (she lives at the intersection of humor and the brain).

As a global expert in strategic humor for business, Karyn helps high performers go from great to mastery. From the Mayo Clinic to the Million Dollar Round Table, organizations around the world hire Karyn to educate, inspire and entertain their audiences again and again. She's one of 260 people (and only 55 women) in the world to be inducted into the National Speakers Association's Speaker Hall of Fame. Her latest book, "Funny Means Money: Strategic Humor for Influence & World Domination," will be published by Forbes Books in 2022. Karyn is serious about humor!



THURSDAY LUNCHEON PROGRAMS

★ WASDA Luncheon

Thursday, January 20, Noon -1:15 p.m.
Pre-registration required, \$42
Hilton Milwaukee City Center

Hosted by the Wisconsin Association of School District Administrators, featuring the 2021 Superintendent of the Year.

★ WASBO Luncheon

Thursday, January 20, Noon -1:15 p.m.
Pre-registration required, \$42
Hilton Milwaukee City Center

Hosted by the Wisconsin Association of School Business Officials, featuring the 2021 Wisconsin School Business Officials of the Year.

equity needs for specific groups of children. This session will highlight specific strategies for addressing this dual focus. Our goal is to help boards and superintendents advance needed improvements for children while avoiding difficult zero-sum related debates that are occurring in some places related to equity. The key is to a focus on best practices within our classrooms and schools and to understand ways to continue to help those children who are struggling most as learners.

Wisconsin Association of School Boards

● **Improvement Leadership: The Calendar Invite You Can't Decline**

This session will highlight improvement leadership — a unique set of educational leadership skills grounded in instructional leadership

and change theory that focuses teams on what matters most when implementing essential change. As part of a regional consortium, CESA 3 has developed a workbook for leadership teams with monthly activities, homework, coaching tips and reflection on schoolwide improvement efforts.

CESA 3

● **Key Works 101: Using the Key Works to 'Ride Out the Storm'**

The Key Work of School Boards is a data-driven framework that aims to help boards achieve excellence in school governance through a road map designed to assist and support their work. It is essential during turbulent times that effective board governance principles serve as the foundation of school board leadership. This workshop will highlight

how utilizing the five action areas within the Key Work framework — vision, accountability, policy, community leadership and relationships — can help you stay focused on your key governance responsibilities and stay strong in any storm that arises.

Wisconsin Association of School Boards

● **Key Works: Developing Strong Relationships**

A strong relationship between board members and the superintendent is one of the five core skills effective boards practice to foster high levels of achievement for all students. In this session, participants will examine the components necessary for effective governance teams: knowledge of self-strengths, healthy intra-board dynamics, a strong board/superintendent rela-

**On-Site
REGISTRATION**

When arriving at the Wisconsin Center, proceed to the third floor for convention registration. Registration will be open on Tuesday, Jan. 18, 11 a.m. – 6 p.m. and re-opens on Wednesday at 7 a.m. To save time, one person may pick up all of the badges for your district or organization.

tionship and how those relationships drive an effective district.

Wisconsin Association of School Boards

● **Pandemic Experiences Shape Changes to School District Policies**

Some of the changes wrought by the pandemic may endure for the foreseeable future. This presentation will provide an overview of some of the pandemic-driven implications and trends that WASB staff have identified in connection with both board governance — and instruction-related policies. Topics will include the future of remote/electronic board meetings and policies that address remote learning days.

Wisconsin Association of School Boards

● **Rebuilding a Culture: The Lessons Learned**

The Belmont Community School Board received a letter of resignation from its district administrator on June 30, 2020, two months after half the board was replaced while planning to reopen the school during the pandemic. Members of the board will share details of how they quickly worked together, used resources from the WASB and hired an interim district administrator. Presenters will share how increased communication with staff members helped all stakeholders feel more

informed and valued, and how increased communication helped guide decisions throughout the year.

Belmont Community School District

● **Superintendent Evaluations: A Continuous Improvement Conversation**

The school board’s process to evaluate its superintendent should be viewed as a supportive and continuous improvement conversation. In this session, learn how shared goals can provide a source of growth in the evaluation process. Experienced WASB consultants will share the components of the Superintendent Evaluation Framework and discuss measures to include on checklists and narrative feedback.

Wisconsin Association of School Boards

● **The Role of Equity in Continuous Improvement**

The tools of continuous improvement, such as understanding the problem, data metrics and plan-do-study-act cycles, hold the potential to focus improvement efforts in a school district and at individual schools. In this session, the Greendale School District will share several ways the tools of continuous improvement have been focused on problems of equity and support improvement in narrowing discrepancies in outcomes for students of color and students who qualify for free and reduced-price lunch.

Greendale School District

● **WASB Breakfast Keynote Continues**

Join the WASB Breakfast keynote speaker, Karyn Buxman, for a one-hour breakout session. A global expert in strategic humor for business, she’ll continue the conversation using her expertise as a neurohumorist who lives at the intersection of humor and the brain.

Karyn Buxman

● **What Can Your Students Offer at School Board Meetings**

School boards govern on behalf of many stakeholders, both within the school and throughout the school community. Critical decisions that impact student programming are considered regularly by school boards. Do you consistently hear first-hand from a representative voice of the student body? This presentation will provide an opportunity to hear directly from school board members and their student representatives of the value of having student members as ex-officio members.

Wisconsin Association of School Boards

**STUDENT
ACHIEVEMENT**

● **A District’s Journey to Selecting and Implementing High-Quality Curriculum**

Selecting and implementing a high-quality, standards-aligned curriculum paves the way for increased student learning and decreased opportunity gaps. District leaders will describe how they identified the need to adopt a standards-based, knowledge-building curriculum, and approached the curriculum selection and implementation process. Highlights will include approaches to generating stakeholder participation, changing management strategies, and designing daily curriculum-based professional learning and coaching.

Stoughton Area School District

● **Addressing Truancy in Time to Save Our Children**

Learn how a school community outreach worker tracks attendance to identify pre-truant children in order to offer those children and their families the help they need to bring the child back into the classroom. The presenters will talk about how community outreach programs address truancy before it has a significant impact on children. Out-

reach workers are crucial, working proactively to overcome obstacles and ease the stress on administrators attempting to ensure children don't fall through the cracks.

*Rice Lake Area School District,
Barron County Restorative Justice*

● **College and Career Readiness: From Vision to Data-Driven Change**

This session's presenters led an initiative to create and use actionable data dashboards that measure the student body's progress toward college and career readiness as defined by the Redefining Ready! National College and Career Readiness Indicators. Learn about the district's creation process of the dashboards, key partners, observable outcomes in student readiness, an organizational tool to help districts facilitate their own process, and evidence of systemic school improvement.

Beloit Turner School District

● **Creating and Sustaining a Mental Health Advisory Committee**

Mental health and social-emotional learning must be a major focus within communities, especially within educational organizations. This session will highlight how one district created and utilized a mental health advisory committee that included parents, community mental health providers, school district psychologists, a social worker and administrators. This committee was charged with moving portions of the district strategic plan forward, focusing on the social-emotional well-being of all students and staff while overseeing the creation of mental health grant funding.

*New Berlin School District,
Family Services in Waukesha*

● **Cultivating Culture and an Enriching Environment**

To help students reach high achievement levels, educators must first recognize their own needs and be mindful of prioritizing self-care and compassion resilience. Only then can they be prepared to develop, ensure,

nurture and sustain a calm, predictable and consistent atmosphere to create a safe learning environment. Session attendees will hear one district's journey toward creating an environment that supports the whole child, building a stronger universal system, and supporting the social-emotional and self-care needs of students and staff.

Racine Unified School District

● **Effective Continuous School Improvement Process**

Learn research-based practices that guide school teams in effective continuous school improvement. Presenters will discuss building and using leadership teams at the school level to support school improvement, analyzing data to build a shared understanding of critical student performance problems, and articulating critical student performance problems based on data. They will also cover collaboratively generating potential root causes of critical student performance problems, developing meaningful school goals and taking action steps to improve student outcomes.

Superior School District

● **Investing in Student Success Through Reinvigorated STEM/STEAM**

Hear how two school districts reinvigorated their dated technical education programs and underutilized spaces into exciting, hands-on learning environments that integrate and align K-12 initiatives with workforce needs. Learn how they expanded and renovated facilities to enhance student learning opportunities in areas like robotics, agriculture, aquaponics, manufacturing, engineering, metals and woods.

DeForest Area and Mayville School Districts, J.H. Findorff & Son

● **Minimizing the Impact of School Violence**

On the morning of Dec. 3, 2019, a student at Oshkosh West High School violently attacked the student resource officer. As a result of the attack, the school implemented its ALICE protocol. The presenters will talk about the steps taken to prepare Oshkosh West staff members, students and facilities. In this case, preparation contributed to the best possible outcome of the incident. The presenters will also discuss the incident and the aftermath, focusing on lessons learned and how to help a

YOUR GOALS. OUR MISSION.

Wisconsin public school districts face unprecedented challenges and opportunities. The attorneys at Renning, Lewis & Lacy, s.c., are dedicated to helping you meet the challenges and take advantage of the opportunities.



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school community heal from a shared traumatic experience.

Menasha and Oshkosh Area School Districts

● Myths About Learning We Need to Abandon

This session will feature a brief self-assessment for participants on popular myths and established truths about learning. The presenters will explore eight myths that have been dispelled by research, yet persist in classrooms and schools across the nation. Session attendees will be invited to discuss why myths about learning can be so difficult to abandon. The risks and consequences of continued adherence to the myths will be highlighted and explored.

CESA 1 Institute for Personalized Learning

● Profile to Practice

It is no longer enough for school districts to prioritize academic standards. Now is the time to embrace a community-engagement approach to define what expectations your community has for high school graduates beyond the academic standards. Clearly defining these outcomes affords an opportunity to transform classroom practices to align with real-world skills and dispositions.

Necedah Area School District

● SEL and Mental Health are the Work of All in Education

The Wisconsin Center for Resilient Schools was formed in 2020 to help schools and districts build their capacity to implement and sustain trauma-sensitive social emotional learning and comprehensive school-based mental health. Join this session to learn more about a

systems approach for sustainable change that can impact all students through an equity lens. Presenters will discuss the key components needed to build school-based mental health and well-being programs that serve every student and adult.

Wisconsin Center for Resilient Schools

● Soaring Our Way with STEAM: A PreK-12 Experience

This session will share preK-12 experiences that foster skill development for new and innovative career pathways for students and empower adults in a rural community. Presenters will highlight examples of hands-on, relevant, project-based learning that foster 21st century skills of communication, collaboration, critical thinking and creativity. Ideas for community engagement, school business partnerships and grant

Wisconsin Challenge Academy

A Choice... A Challenge... A Change

What is the Challenge Academy?

A 5½-month, quasi-military, residential, alternative education program that offers students the opportunity to earn their high school equivalency diploma, replace negative habits with positive ones, and develop the life skills necessary to be successful, responsible citizens.

We hold two classes per year:
January-June and July-December

Cadet Eligibility Requirements:

- Not on track to graduate high school on time
- 16 but not yet 19 years old
- A legal resident of the United States and Wisconsin
- Not on parole or adult probation
- Willing to be free from illegal drugs/substances
- No felony convictions



Cost: There is no direct costs to the youth or families other than bringing some personal items. The Challenge Academy provides all food, clothing, housing and equipment required.

Earn your HSED: 92% of Cadets will complete their high school equivalency diploma. Course work includes math, English, science and social studies.

Volunteer Program: It is a volunteer program, which means Cadets are not court ordered or placed in the program.



749 E 12th Ave., Ft McCoy, WI 54656 | 608.269.9000 | Apply online at challengeacademy.org

writing will show how the district garnered the resources necessary to establish elementary, middle and high school fabrication laboratories.

Southern Door County School District

● **Supporting Music Education in Wisconsin**

The federal Every Student Succeeds Act specifically includes access to music and the arts as part of a well-rounded education to ensure that all students have access to an enriched curriculum and educational experience. To help districts comply with the federal law, the Wisconsin School Music Association collaborated with PBS Wisconsin to develop a curriculum focused on the songs of Wisconsin. Presenters will share scheduling examples that support access to a well-rounded education and resources that connect arts with social and emotional learning.

Horicon School District, Wisconsin School Music Association

● **The Future Economy: What School Leaders Need to Know**

Change is happening at a pace faster than any other time in history. In this session, participants will get insight into how labor market trends are shifting, what these changes will mean for our future economy and the importance of prioritizing career

readiness, and how public and private partners are working together to provide easy-to-access resources and support for all districts in Wisconsin.

Franklin School District, CESA 1, DPI, Milwaukee7 and New Plastics

● **The School Resource Officer Model: Finding a Way Forward**

The Middleton-Cross Plains Area School District recently completed a comprehensive evaluation of its school resource officer model. Using a variety of evaluation tools, including a literature review, stakeholder surveys, focus groups and data analysis, the evaluation resulted in a set of unique recommendations that were tailored to local feedback and community input. Listening to the greater community and completing a thorough evaluation helped the district successfully navigate a politically charged and divisive issue.

Middleton-Cross Plains Area School District

● **The Tobacco Endgame: Helping Schools Address Vaping**

From 2014 to 2018, there was a 154% increase in e-cigarette use

Convention / Delegate ORIENTATION

Are you new to the convention or serving as a first-time delegate at the WASB Delegate Assembly? Attend a special session on Wednesday, Jan. 19 at 8 a.m. in Ballroom AB to learn everything you need to know to get the most out of your convention experience.

Wisconsin Association of School Boards

among Wisconsin high school students. Without swift action, millions of students are at risk of a lifetime of nicotine addiction, tobacco-related diseases and premature death. Educators have been placed at the forefront of this crisis, forced to constantly keep informed about the newest products designed to encourage and enable youth use. What do you need to know about e-cigarettes? How do we protect youth — and your staff — from them? And ultimately, how do we support and assist the 40% of youth tobacco users who want to quit?

American Heart Association, Wisconsin Tobacco Prevention and Control Network

● **Transforming the Experience of 4-Year-Old Kindergarten**

Session attendees will learn how the Pewaukee School District reimagined early learning by creating an immer-

■ 2022 WASB Delegate Assembly | Wednesday, January 19, 1:30 p.m. — Wisconsin Center

Vote on the policies that will guide the association's legislative agenda. Delegates will meet in Ballroom AB of the Wisconsin Center at 1:30 p.m. on Wednesday, Jan. 19.

Before heading to the convention, each school board should be certain that its delegate (and alternate) understands the board's position on the resolutions and is prepared to vote accordingly. Decisions reached by the Delegate Assembly will help set the statewide education agenda.

A pre-Delegate Assembly Discussion will be held at 7 p.m. on Tuesday, Jan. 18 in the Crystal Ballroom at the Hilton Milwaukee City Center Hotel. New delegates are invited to a Convention/Delegate Assembly orientation meeting in the Wisconsin Center Ballroom AB at 8 a.m. on Wednesday, Jan. 19.



Please note: Delegates must pick up their credentials directly outside of the Delegate Assembly hall during designated hours (see website for details). Credentials are handled separately from convention registration materials to ensure that one representative from each member board can participate.

sive 4-year-old kindergarten experience. This model provides play-based learning using science and social studies themes with deep infusion of literacy and numeracy. Since implementation, Pewaukee has seen academic and social-emotional skill development soar. Presenters will show how classrooms can be physically transformed into a museum-like environment that is fiscally sustainable and yields positive learning outcomes.

Pewaukee School District

● **What Trauma Sensitivity Looks Like in the Classroom**

A trauma-sensitive school is a model of practice with seven essential ingredients. In this session, participants will learn about the prevalence of trauma and adversity in the lives of our students; discuss how this impacts students emotionally, socially and developmentally; and learn strategies to increase relationship and regulation in the classroom.

CESA 7

● **Wisconsin Pyramid Model: PBIS for Your Youngest Students**

Are you looking to build a strong

foundation for mental health before or as children enter elementary school? This session will introduce the Wisconsin Pyramid Model, an evidenced-based framework promoted nationally as an equitable and multi-leveled system of support to guide social and emotional learning of young children. The Pyramid Model can be implemented in partnership with collaborative community programs as a start to district Positive Behavioral Interventions and Supports implementation.

Wisconsin Alliance for Infant Mental Health

COMMUNITY ENGAGEMENT

● **Engaging Your Community During Tough Times**

The Marinette School District was facing declining enrollment, too many buildings and outdated learning environments. The school district, along with its professional partners, engaged the community to build a plan to create an educationally excellent and operationally efficient school district. The team worked with the community

through various groups, surveys, meetings and community engagement sessions to listen to their needs, wants and concerns. The information allowed them to follow a plan that brought consensus and a successful referendum during a pandemic.

Marinette School District, DD Communication Services, Somerville Architects & Engineers

● **From Interested to Enrolled: Empowering Student Voice in Your Communication Strategy**

School communication strategies and tactics highlight student experience, but they rarely incorporate authentic student voice beyond a social media takeover during homecoming week. Join an experienced school district communicator along with her student media team to learn about their award-winning strategies. They will outline the evolution of their scalable program including steps to develop audience personas, considerations for customer journey mapping, student perspectives, how to identify and smooth pain points, and best practices for student-run social media channels.

Stevens Point School District

● **Getting the Whole Picture: Effective Strategies in Leveraging Community Input**

Whitnall, Menomonee Falls and Shorewood have crafted approaches that help them gain input from multiple constituencies while operating with the WASB's Key Work of School Boards at heart. The Key Works highlights policy development and a strong relationship between the board and superintendent as core skills that effective boards use to govern. Members of each district's board will share how they have effectively worked to include multiple perspectives from a range of constituencies while focusing on the broader picture and operating with the superintendent as the point of contact to the organization.

Menomonee Falls, Shorewood and Whitnall School Districts

**COMING SOON!
2022
CONVENTION APP**

**The 2022 State
Education Convention
App will be available soon.**

The app — for Android and iPhone — will include the complete convention schedule, maps, session descriptions and more.

Sponsored by Delta Dental and Baird Public Finance.



● **Spread the Positive – Simple Ways to Use Social Media**

Your community needs to see the great things happening in your school. Social media is an easy way to reach thousands of people every day with student and staff stories, videos, celebrations and more. Come and see exactly how schools across Wisconsin are using Facebook and Instagram to tell their story. This presentation will break down how to build a system to continuously share stories on social media, including tips and strategies districts can implement immediately.

*Ashland School District,
#SocialSchool4EDU*

● **Unity in the Community Begins with You**

Through a pandemic as well as civil, economic and political unrest, Howard-Suamico School District's leadership guided the school system that resulted in the passage of two referendums in April 2021, high employee satisfaction rates and widespread comfort with in-person learning at the end of the 2020-21 school year. By discussing basic leadership principles and policies, session presenters will leave attendees with a better understanding of how to convert adversity into opportunity.

Howard-Suamico School District

● **Wrap Around Equity: Arms Around the Community**

Community support is essential in every student having access to a high-quality education. Attendees of this breakout session will learn how one district is engaging the community in efforts to transform teaching and learning and create an equitable outcome for every student. They will share highlights and lessons learned from meaningful partnerships including leadership teams, a Community Equity Ally Academy and a community dialogue series about the history of racism. Participants will leave with concrete examples and details of options for creating similar opportunities of advancing understanding and equity for all.

Fond du Lac School District

HUMAN RESOURCES

● **Empowering Educators through Professional Learning and Connected Goal-Setting**

Greenfield School District's comprehensive approach to professional learning allows educators to engage in purposeful, student-focused, self-directed professional learning and goal-setting. The presenters will demonstrate how the district's various layers of professional learning work together to support the attainment of district, individual building and professional learning community goals as well as providing educators with self-directed growth opportunities.

Greenfield School District

● **Financial Wellness: It Starts with You and Benefits Employees**

How prepared are your employees to save for the future? Participation in workplace retirement plans is fundamental to employees' retirement readiness, and this session will show the role that school districts have in preparing their employees for retirement. Presenters will share how financially healthy employees can save districts money; the benefit of workplace financial wellness programs; advancements in school districts and benefits plans; and more.

WEA Member Benefits

● **Grow Your Own Teacher Pool**

Without an adequate supply of prepared and qualified teachers, school districts turn to community members who have not yet earned the credentials to teach the subjects and students they are hired to teach. In addition, many districts have individuals who have expressed interest in joining the education profession but need financial support to achieve that goal. This collaborative session will show how one educator preparation program collaborates with districts to support options for growing a teacher pool that reflects the local community.

CESA 6

IMPORTANT REMINDER

The state's Open Meetings Law and Code of Ethics apply to school board member and administrator attendance at the State Education Convention.

A *Legal Comment* with details is linked on the convention website (under Home on the navigation bar).

● **How COVID-19 Changed the Way We Interact with Health Care**

The pandemic introduced unforeseen changes in the way society lives and interacts, including the health care system. As people were forced to stay home, consumers turned to virtual doctors' visits, online psychiatry and digital exercise programs among other ways to get the care they need. Presenters will highlight key advantages of moving toward the digital health care space as well as the top tools and support school districts need to help employees make the shift.

WEA Trust

● **Make or Break: Leveraging Culture to Navigate Change**

There is no such thing as a culture-neutral workplace. Culture, which turns strategy into results, will either fuel or fracture local efforts to navigate and implement change. To create a healthy workplace culture, district leaders must keep a finger on the pulse of the changing landscapes, the needs of students and families, budgets, community support, human resource functions and strategic plans that support student learning. The presenters have intentionally defined, cultivated and sustained a workplace culture that leverages talent and leads to excellence.

CESA 9

SCHOOL FINANCE

● **Staying Financially and Academically Relevant in a Competitive Free-Agent Market**

The Clinton Community School District implemented a performance-based compensation model in 2018. Learn from key stakeholders how they collaboratively built a compensation model that adheres to four pillars: attract, train and retain staff; performance based; attainable pathway; and financially sustainable. This unique compensation model has significantly raised professional expectations, while financially rewarding staffers and empowering teacher leaders.

Clinton Community School District

● **Using Benchmark Data to Determine Compensation**

Many school districts are facing difficult choices about how to utilize their resources to attract and retain quality educators. Learn from a Wisconsin district about how to utilize benchmarking data and determine which tools to effectively establish compensation standards. The Wisconsin Policy Forum will provide commentary about the recent trends highlighting educator shortages throughout the state and region.

Kettle Moraine School District

● **Utilizing Benefits to Recruit and Retain Employees**

School districts face unique challenges when it comes to recruiting and retaining quality staff. This panel discussion will highlight features of a strong, competitive benefits package that will reassure employees and prospective employees that they are valued and will have the resources needed to maintain their health.

Security Health Plan of Wisconsin

● **Balancing Short-Term Needs with Long-Term Fiscal Responsibility**

Long-term budget forecasting is critical to a school district's financial success. This session will highlight the current state biennial budget and how districts can approach using ESSER funds to balance the budget and plan for long-term financial obligations. Session participants will receive sample communication visuals and talking points to help facilitate discussion with district stakeholders.

Cedarburg School District, Baird Public Finance

● **Basic Financial Oversight of the School District: Top 10 Controls**

One of a school board member's primary responsibilities is to provide financial oversight. With that in mind, this session will focus on the top 10 things that all board members should know to exert good financial controls. Among the most important actions a board member can take are having a base understanding of the annual budget and asking timely questions.

Pewaukee and Nekoosa School Districts

● **Cyber Crime: Are You Ready for an Attack?**

Wisconsin schools are falling victim to both small- and large-scale cyber attacks every day. Schools are a prime target for hackers looking to steal data and cause havoc. Is your district ready to take these threats on? Are you proactively protecting your district's student, employee and financial data? Do you have a communication plan in the event of a cyber incident? This session will provide attendees with resources and guidance as they begin to answer these questions for their organization.

Hudson School District

● **Equity in Funding Within Your School District**

Look at how to use resources and data to address student needs to provide an equitable building-level approach. This interactive discussion will examine how resources and data can be used to a district's advantage. Presenters will leave attendees with an equitable building-level approach to budgeting and preparing for the future.

Oak Creek-Franklin School District

● **Financing Schools Under Today's Regulatory Framework**

Attendees will collect valuable information on financing of schools under today's modified regulatory framework. The Dodd-Frank Wall Street Reform and Consumer Protection Act forces districts to navigate through school financings differently. This rarely discussed topic is critical for the well-being of Wisconsin schools and the billions financed by local communities. Attendees will understand the tools available to them to maximize cost-effectiveness and flexibility when issuing debt under today's regulatory framework.

Ehlers

● **Making Sense of ESSER Federal Stimulus Resources**

With allocations finalized for federal relief dollars in response to the COVID-19 pandemic in the form of grants through ESSER I, II and III, school districts will need to determine how to use the funds over the next few years to manage unexpected costs related to the pandemic and how to use the funds to balance their operational budgets. This session will explore how to effectively take advantage of the federal grant dollars for both the short term and long term as well as how to meet various state and federal guidelines when spending the funds.

Beloit, Medford Area, Menasha Joint and Platteville School Districts

COMPLIMENTARY REGISTRATION for Administrative Assistants

School district administrative assistants are invited to attend the State Education Convention with complimentary registration.

Eligible individuals must be designated as administrative assistants in the WASB database.

● **The School District Budget Cycle: A Primary Management Tool**

The school district budget is one of the primary management tools for school administrators and boards. Its primary purpose is to translate the district's strategic initiatives into programs and services that support student learning. Referencing the WASB/WASBO Budget Cycle Handbook, this presentation will discuss revenue sources and limits, budget planning and development, reconciliation and approval, budget management and reporting. Board members in attendance will have an opportunity to share their best practices.

Wisconsin Association of School Boards

● **Understanding Fund Balance**

A district with an appropriate fund balance can avoid excessive short-term borrowing, accumulate sufficient assets to make designated purchases or cover unforeseen emergency expenses, and demonstrate financial stability to preserve or enhance bond rating. Tools like Fund 41, Fund 46 and designated fund balances can help districts maximize their community's use of resources. Session attendees will also leave with a better understanding of the value and utility of fund balance.

Kimberly Area, La Crosse and Menomonie Area School Districts, PMA Network

SPECIAL SCHOOL FINANCE SESSIONS

● **A Deep Dive into Wisconsin School Finance**

This special, in-depth deep dive into Wisconsin's school finance system will describe how the revenue limit sets the total dollars that can be raised through state equalization aids and local property taxes for each district. The presenters will walk participants through the calcu-

lation of state equalization aids based on the variables and factors that drive the formula: each district's spending, property tax base and number of students. Attendees will improve their understanding of how the overall district budget works, learn concepts of fund accounting, and gain confidence in their school-funding advocacy.

Stevens Point Area School District, CESA 1, Baird Public Finance, Wisconsin Department of Public Instruction

● **Referendum Workshop: Unlocking Secrets to Success**

Is a facilities or operational referendum in your future? A successful referendum requires thoughtful preplanning. This special interactive workshop will provide school districts an opportunity to review referendum basics and to hear about unique challenges that other school districts have faced during the referendum process. The objective is to help school districts identify their district-specific challenges and collaborate with others to develop solid referendum strategies well before election day.

Wrightstown Community, Weston, Monroe and Wisconsin Heights School Districts, Baird Public Finance, von Briesen & Roper.

MOBILITY SOLUTIONS

Electric scooters are available for rental from On the Go Mobility. Contact them at 414-228-7100 or mail@onthegomobility.com before you arrive in Milwaukee to make arrangements. On the Go Mobility will bring a scooter to your hotel or the convention center for you.

IMPORTANT: The convention center does not have scooters available on site. You must call ahead.

SCHOOL LAW

● **Free Speech: Tinker Era through 2021 and Beyond**

In this session, attorneys will explore the changing territory of free speech. After providing a brief update on legal considerations including a recent U.S. Supreme Court decision, they will discuss the interplay with technology, different forums in the school setting, and out-of-school free speech and misconduct. To cover various free speech situations, presenters will examine the latest relevant cases and use practical hypotheticals.

Davis|Kuelthau

● **Managing Public Participation During School Board Meetings**

Effectively managing public comment time during school board meetings can present a difficult balancing act for school boards. While providing regular opportunities for members of the public to offer input is important, school boards also need to carefully manage meeting time, encourage constructive discourse, and maintain control if speakers get out of line or become aggressive. This session will identify the relevant legal and policy considerations school boards can use to guide decisions during meetings or refine their current approach to public participation.

Wisconsin Association of School Boards

● **New Developments in School Law**

WASB staff counsel will review significant developments in school law over the last year, covering new laws, administrative rules and important court decisions. They will cover matters related to the pandemic, civil rights, constitutional law and more.

Wisconsin Association of School Boards

● **SAA Legislative Update**

Learn about current legislation pending in the 2021-22 legislative session as well as what one-time federal dollars and frozen per-pupil revenue limits mean for your community and future district budgets. The presenters will include a scenario that highlights a statewide perspective on what a “cost to continue” means for school districts facing a 4% inflationary cost for 2022-23 and a frozen state budget on a per-pupil basis.

Kettle Moraine School District, School Administrators Alliance

● **WASB Legislative Update**

Attendees will learn about legislation affecting public K-12 schools that may be enacted in the final months of the 2021-22 legislative session and will receive tips on how to respond effectively as advocates for their districts, schools and schoolchildren.

Wisconsin Association of School Boards

● **What Districts Need to Know About Seclusion and Restraint**

In March 2020, as school doors were closing due to the pandemic, a revised state statute governing the use of restraint and seclusion in schools quietly went into effect. The revised statute significantly altered districts’ obligations related to the use of seclusion and restraint. Now that most students have returned to in-person instruction, the number of incidents of restraint and seclusion are on the rise, and so too are complaints alleging violations. Is your

district prepared? Participants will leave better informed of the major changes as well as a restraint and seclusion “to-do” list to evaluate a district’s compliance.

Madison Metropolitan School District, Boardman & Clark

FACILITIES

● **Beyond Reopening: What’s Next for School Buildings?**

The pandemic and changing academic landscape caused people to look deeper into school designs, including indoor environmental quality, school operations and cleaning. This session will review building features implemented to keep schools open — or help them reopen. The presenters will discuss how measures designed to protect the health of students and teachers interact with other goals, including energy savings. Attendees will leave with a better understanding of design and construction resources; methods for keeping schools open during a pandemic; and design features that can reduce the transmission of contaminants.

Hoffman Planning, Design & Construction, Inc.

● **Clearing the Air – A Data-Driven Approach to Maintaining Indoor Air Quality**

Faced with a potential lawsuit and national pressure regarding indoor air-quality during COVID, Racine Unified School District kept its cool. The district took a data-driven approach by measuring the amount of outside air being brought into each school, compared it state and national standards. This allowed decisions to be made on a case-by-case basis, using data to determine solutions that fit each school. They saved more than a million dollars and increased employee confidence in their facilities.

Nexus Solutions

● **Construction Contracts: Do You Know the Basics?**

School districts cannot manage a construction contract without understanding what is in it. American Institute of Architects construction contracts are the standard contract used by most construction managers and architects and should be demanded by all school districts undergoing a capital project to ensure a fair and reasonable contract. This presentation will use a quiz game to help attendees learn about construction contracts for their next capitol or referendum project.

Mukwonago Area School District, Building Solutions

● **Eliminate Surprises, Save With a Low-Cost, Comprehensive Facility Plan**

Quality facilities are a result of good planning. However, a facility plan is not truly a plan without a comprehensive assessment, long-term strategy, relevant solutions, realistic budgets and the tools needed to pay for the solutions. This presentation, which is the result of an exclusive statewide partnership between CESA Purchasing and Nexus Solutions, will show attendees low-cost, hassle-free steps they can take immediately to position their district for success over the next 10 years.

CESA Purchasing, Nexus Solutions

● **Engaging Students in the Facility Design Process**

The story of the Madison Metropolitan School District referendum will help session participants learn about engaging students in the facilities design process. After passing a facilities referendum in November 2020, the district took several months to re-engage the community, including students, in a post-referendum conversation about its design priorities. Classroom observations, student focus groups, surveys and Facebook Live events increased student agency and permitted the district to increase



Policy Resource Guide

Made in Wisconsin for Wisconsin school districts, the **WASB Policy Resource Guide** is a convenient, up-to-date, web-based policy tool providing sample policies and the resources needed to customize local policies.



Contact the WASB today.

Policy Services | 608-257-2622 | 877-705-4422 | Visit wasb.org

student voice and learn how students engage with the built environment.

Eppstein Uhen Architects, Madison Metropolitan School District

● Implement an Effective Emergency Operations Plan

Wisconsin Act 143 requires public school districts and private schools to submit an emergency operations plan each January to the Wisconsin Department of Justice, Office of School Safety. This session's presenters will review the process to develop a school safety plan, utilize best practices and integrate important community partner collaborations.

Omro School District, DOJ Office of School Safety, Wisconsin School Safety Coordinators Association

● Maximizing Facility Savings with Renewable Energy

As solar prices have decreased dramatically in recent years, more schools are investigating the move to renewable energy. Making a facility as energy

efficient as possible should be the first step before investing in renewable energy. Energy-efficient improvements can reduce utility costs and allow a facility to install a smaller solar array to support its building load. Learn from the Darlington School District, which saved over 180,000 kWh of energy annually by incorporating a solar power system, about how to prepare your facility for this type of installation by focusing on reducing energy consumption.

Focus on Energy

● The Journeys to Becoming One-Campus Districts

The Hilbert and Horicon school districts each transformed from separate buildings and locations to a one-campus solution within the past five years. The changes have had a positive impact on the school districts, communities, operations, staff cohesiveness, student engagement and school programs. Session attendees will learn the many benefits that the districts have experienced

through the consolidation of their schools and campuses. In addition, attendees will learn about the steps the districts took to close and sell their previous elementary buildings.

Hilbert and Horicon School Districts

● Trust, Relationships Matter When Choosing a Facility Project Delivery Method

Every district has facility needs, but they don't always know where to start. Learn how to choose the right design and construction delivery projects. The presenters will share their experience in choosing a team to guide them through their successful \$54.8 million referendum process and projects. Attendees will learn the risks and rewards of different design and construction delivery methods as well as gain an understanding of the many factors to consider.

Mauston School District, Miron Construction Co., Plunkett Raysich Architects

Celebrating the Arts

Talented student music groups and the work of student artists from around the state will proudly be on display at the State Education Convention.

STUDENT MUSIC PERFORMANCES

Student music groups presented in partnership with the Wisconsin School Music Association and the WASBO Foundation.



WEDNESDAY | Jan. 19
General Session
 Wauwatosa East Chamber
 Orchestra

THURSDAY | Jan. 20
General Session
 Chippewa Falls
 Wire Choir

FRIDAY | Jan. 21
General Session
 Spencer High School
 Handbell Ensemble



STUDENT ART CONTEST



In partnership with the Wisconsin Art Education Association, the WASB holds an **annual art contest** showcasing the work of Wisconsin student artists. **Award-winning pieces from this year's contest will be displayed at the 2022 State Education Convention.**



STUDENT CONVENTION VIDEO TEAM



The WASB is seeking a team of students to capture the convention experience on camera. The WASB is taking applications from interested student teams. One team will be selected to attend at least one day of the convention and produce a short video highlighting some of the activities, speakers and events that will make up the 2022 State Education Convention.

For more information, visit WASB.org/convention. Select "Request for Proposals" and then "Convention Student Video Team." *Apply online by Nov. 30.*

CONVENTION HOTELS

The following hotels located near the Wisconsin Center offer special convention rates to attendees and exhibitors. Visit the Convention website at WASB.org/convention for details about reservation blocks — including pricing requirements, reference codes and direct links.

Aloft Milwaukee*

877-462-5638

aloftmilwaikedowntown.com

**Courtyard Marriott
Milwaukee Downtown***

800-321-2211, marriott.com

**DoubleTree by Hilton
Milwaukee Downtown***

414-273-2950, doubletree.hilton.com

Hampton Inn and Suites*

800-426-7866, hilton.com/en/hampton

Hilton Milwaukee City Center

414-935-5940, hilton.com

Hyatt Regency Milwaukee

888-421-1442, milwaukee.hyatt.com

(Important note: The skywalk between the Hyatt Regency and the Wisconsin Center will NOT be available due to construction for the expansion of the Wisconsin Center.)

Saint Kate Arts Hotel

414-488-0540, saintkatearts.com

(formerly the InterContinental)

SpringHill Suites

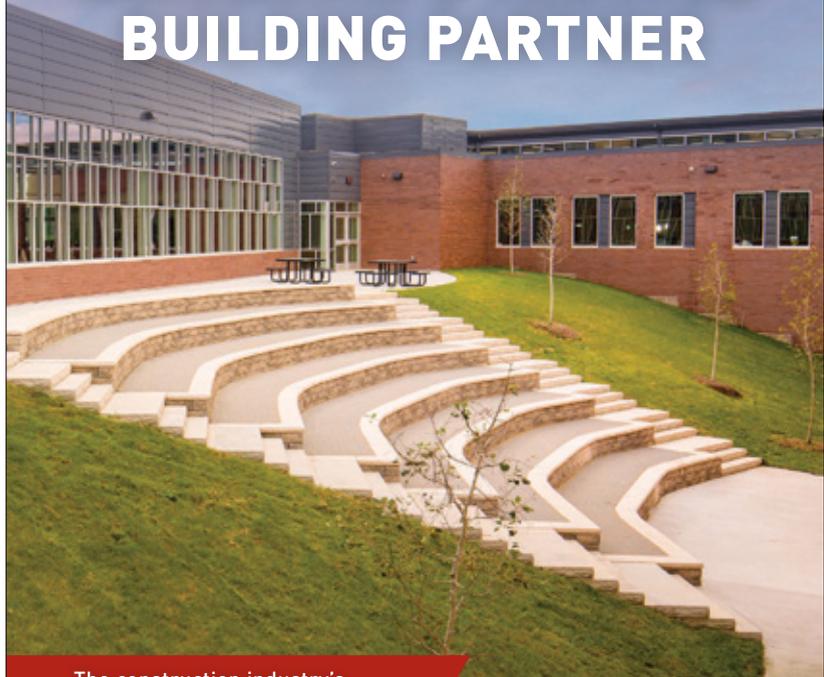
Milwaukee Downtown

877-688-4615, marriott.com

The WASB provides housing blocks as a courtesy to attendees to provide lower, negotiated room rates. If possible, please cancel unneeded room reservations before the block cut-off deadlines to give other districts an opportunity to take advantage of the lower, negotiated rates.

*Complimentary shuttle service provided by Lamers Bus Lines will run between the Wisconsin Center and these convention hotels on Wednesday, Jan. 19 and Thursday, Jan. 20.

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When the Muskego-Norway School District decided to build a new middle school to support their facility organization plans, they trusted CG Schmidt to build it right — completing the project on time, on budget and with the highest level of quality to last for generations.

Whether you are building a new school, updating spaces for a new curriculum or renovating the main entrance and office space, see why CG Schmidt has been Wisconsin's most trusted building partner since 1920.



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2022 CONVENTION SCHEDULE

All events take place at the Wisconsin Center unless otherwise noted.

WI Center 1st Floor: General Sessions, WASB Delegate Assembly, Breakout Sessions and Coat Check

WI Center 2nd Floor: Breakout Sessions, Art Exhibit and Skywalk to Hilton

WI Center 3rd Floor: Registration, Bookstore and Exhibit Hall

TUESDAY | JANUARY 18

- 11 a.m. - 6 p.m. **REGISTRATION** (3rd Floor)
- 1 - 5 p.m. **CONVENTION BOOKSTORE**
- 1:30 - 5 p.m. **PRE-CONVENTION WORKSHOPS**
Note: The 2022 Pre-Convention Workshops will be held in the Wisconsin Center.
- 7 - 8 p.m. **PRE-DELEGATE ASSEMBLY DISCUSSION**
Hilton Milwaukee City Center

WEDNESDAY | JANUARY 19

- 7 a.m. - 5 p.m. **REGISTRATION**
- 8 - 9 a.m. **BREAKOUT SESSIONS**
Including **CONVENTION/DELEGATE ORIENTATION**
- 8 a.m. - 5 p.m. **BOOKSTORE**
- 9 - 10 a.m. **DEDICATED EXHIBIT HALL TIME**
MORNING REFRESHMENTS Kick-off the convention with morning refreshments in the Exhibit Hall.
- 9 a.m. - 4:30 p.m. **EXHIBIT HALL**
- 10 a.m. - Noon **GENERAL SESSION**
AWARD PRESENTATIONS Educators and administrators of the year; Wisconsin Student Art Award
- Noon - 1:30 p.m. **LUNCH; DEDICATED EXHIBIT HALL TIME**
- 1:30 p.m. **DELEGATE ASSEMBLY**
- 1:30 - 2:30 p.m. **BREAKOUT SESSIONS**
- 2:30 - 3:30 p.m. **DEDICATED EXHIBIT HALL TIME**
- 3:30 - 4:30 p.m. **BREAKOUT SESSIONS**

THURSDAY | JANUARY 20

- 7 - 8:30 a.m. **WASB BREAKFAST**
Hilton Milwaukee City Center
- 8 a.m. - 3 p.m. **REGISTRATION; BOOKSTORE**
- 8:45 - 9:45 a.m. **BREAKOUT SESSIONS**
- 8:45 - 11:30 a.m. **EDUCATION TOUR** (times subject to change)
- 9 a.m. - 2 p.m. **EXHIBIT HALL**
- 9:45 - 10:45 a.m. **DEDICATED EXHIBIT HALL TIME**
- 10:45 - 11:45 a.m. **BREAKOUT SESSIONS**
- 11:15 a.m. - 1:45 p.m. **LUNCH;**
DEDICATED EXHIBIT HALL TIME
- Noon - 1:15 p.m. **WASDA LUNCHEON;**
WASBO LUNCHEON Hilton Milwaukee City Center
- 1:45 - 2:45 p.m. **BREAKOUT SESSIONS**
- 3 - 5 p.m. **GENERAL SESSION**
SCHOOL BOARD SERVICE AWARDS

FRIDAY | JANUARY 21

- 8 - 9 a.m. **BREAKOUT SESSIONS**
- 9:15 - 10:15 a.m. **BREAKOUT SESSIONS**
- 10:30 a.m. - 12 p.m. **GENERAL SESSION**



REGISTRATION FORM



CONVENTION 2022

Wisconsin State Education Convention

January 19-21, 2022 • Wisconsin Center • Milwaukee, WI

REGISTER ONLINE! WASB.org/convention

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Your Title for Badge PLEASE CHECK ONLY ONE

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(NOTE: This opt out does not apply to post-convention emails resulting from an attendee allowing an exhibitor to scan his/her badge on site.)

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- Yes, I would like assistance for (please explain): _____

Complimentary Spouse Registration

Spouse registration is complimentary, but meals and special events must be purchased separately.

- Yes, please register my spouse

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ATTN: Convention Registration
 Wisconsin Association of School Boards
 122 W. Washington Ave., Suite 400
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REGISTRATION DEADLINES

EARLY BIRD – Dec. 15, 2021
 STANDARD – Jan. 7, 2022
 Meal Reservation Deadline – Jan. 7, 2022

CANCELLATIONS

No refunds will be given unless cancellation is received by 5 p.m. Jan. 7, 2022

REGISTRATION	
# PEOPLE	TOTAL

EARLY BIRD Registration
 WITH FULL PAYMENT ONLY
 Must be received BY Dec. 15, 2021 _____ × \$250 = \$ _____

STANDARD Registration
 Payments received AFTER Dec. 15, 2021 _____ × \$285 = \$ _____

MEAL FUNCTIONS	
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- WASB BREAKFAST**
 7 a.m. Thursday, Jan. 20 _____ × \$ 38 = \$ _____
 WASDA LUNCHEON
 Noon, Thursday, Jan. 20 _____ × \$ 42 = \$ _____
 WASBO LUNCHEON
 Noon, Thursday, Jan. 20 _____ × \$ 42 = \$ _____

REGISTRATION, SPECIAL EVENTS, MEALS... **GRAND TOTAL \$**

SPECIAL EVENTS

PRE-CONVENTION WORKSHOPS, **TUESDAY, Jan. 18**

- WORKSHOP:** The Opportunity of Conflict _____ × \$ 80 = \$ _____
 WORKSHOP: Successfully Govern Your District Together _____ × \$ 80 = \$ _____
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- CHECK FOR** \$ _____ enclosed, payable to the WASB.
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EXHIBITORS



NOTE: This is a complete listing of exhibitors as of press time. Visit WASB.org/convention for an updated list or reference the 2022 State Education Convention Guide or app. ♦ WASB Service Associate ★ 2022 Convention Sponsor

Administrative Software and Integration Tools

- CESA 7
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- CESA 6
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- Wisconsin Association of School Boards
- ★ Wisconsin Association of School Business Officials
- Wisconsin Association of School District Administrators
- Wisconsin Department of

Public Instruction – School Nutrition Team

- Wisconsin Interscholastic Athletics Association
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- Musco Sports Lighting
- ProStar Surfaces
- Southern Bleacher Company
- Summit Commercial Fitness, Inc.

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- #SocialSchool4EDU
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- Bradford Systems
- Dinamico, LLC
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- ESS

- Heartland Business Systems
- ♦ Key Benefit Concepts, LLC
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- Rural Virtual Academy
- WEA Academy
- Wisconsin Virtual School (CESA 9)

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- ★ ♦ Baird Public Finance
- CESA 10
- CESA 5
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Wisconsin Department of
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Wisconsin Virtual School (CESA 9)

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◆ Bray Architects

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Apex Efficiency Solutions, SBC

Athletic Field Services, Inc.

◆ C.D. Smith Construction, Inc.

CESA 10

◆ CG Schmidt, Inc

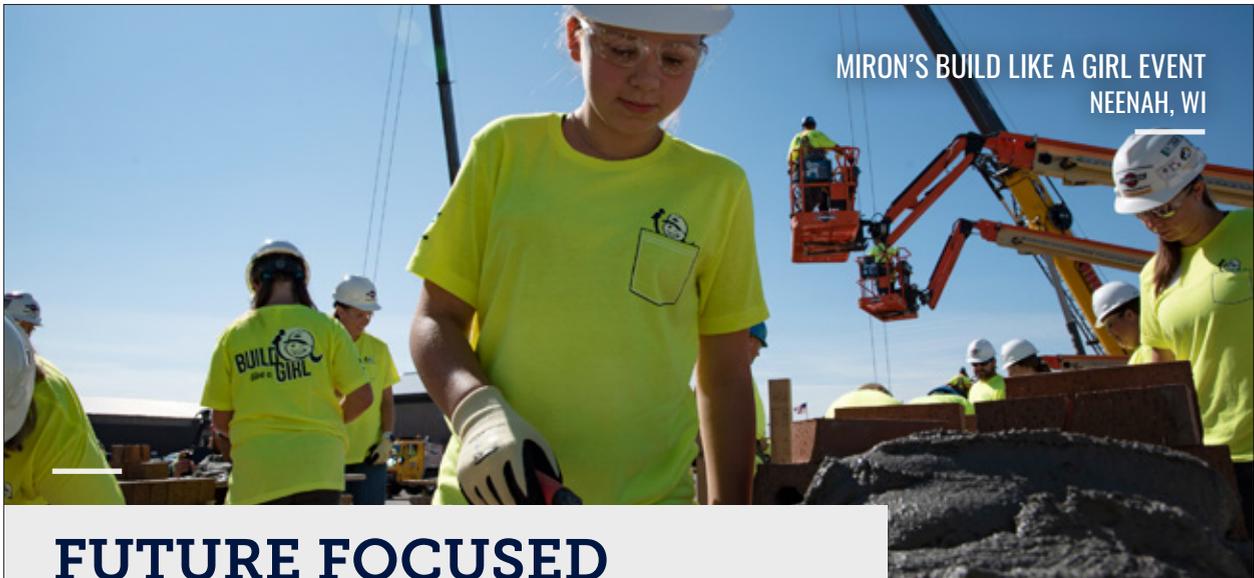
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 Hellas Construction
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Facilities: Mechanical Systems and Energy Services

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CESA 6
 ★ Forecast5 Analytics, Inc.

Insurance: Health, Dental, Vision, LTD, Life and Long-term Care

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 CM Regent Insurance Co.
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 ◆ USI Insurance Services
 ★ WEA Trust

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Ansay & Associates, LLC
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 ◆ Community Insurance Corporation/WCA Group Health Trust
 ◆ Gallagher
 Liberty Mutual Insurance
 ★ ◆ M3 Insurance
 ◆ R&R Insurance Services, Inc.
 ★ The Insurance Center
 ◆ USI Insurance Services
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 MidAmerica Administrative & Retirement Solutions
 ◆ National Insurance Services
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 ◆ Community Insurance Corporation/WCA Group Health Trust
 ◆ Gallagher
 Liberty Mutual Insurance
 ★ ◆ M3 Insurance
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CESA Purchasing
Chartwells School Dining Services
Dashir Management Services, Inc.
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Wisconsin Association of School Boards

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Dorreen Dembski Communication Services, LLC
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Neola, Inc.
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Symmetry Energy Solutions
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Wisconsin Department of Public Instruction – School Nutrition Team
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Teaching Services

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Mackin
Rural Virtual Academy
Teachers On Call a Kelly Services Company
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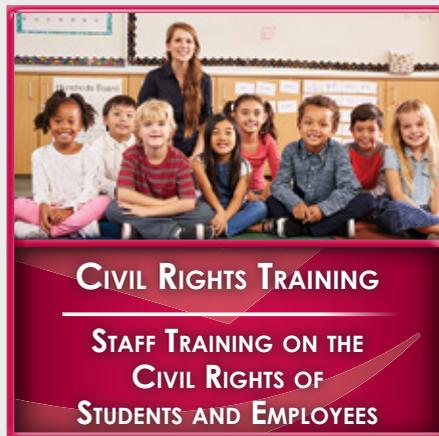
◆ Dairyland Buses, Inc
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Landmark Services Cooperative



Legislative Conference Online

This fall's **Legislative Conference** has a new virtual format and the same mission — to help our members learn from some of the state's top minds in fields related to education. Subscribers can attend live online and receive recordings to watch on their schedule. Register to watch the following sessions:

- **Will My Referendum Pass or Fail?** Recent doctoral dissertation research focused on the factors affecting the success of rural school referendums.
- **The Looming Teacher Supply Challenge: What Can be Done to Combat It?** Explore the findings of a recent report that delved into the threat to the teacher workforce posed by fewer education graduates.
- **What ARE They Thinking? A Closer Look at Public Opinion in Wisconsin** Examine the latest Marquette Law School Poll findings with a nationally noted pollster and political scientist.
- **Making Sense of the Political Environment for Public K-12 Education** Get special insight from a “pundit panel” of keen-eyed Capitol observers who will go beyond the headlines to discuss the political climate surrounding K-12 public education in Wisconsin.
- **A Look at School Funding and Other Hot Topics** Hear from the key leaders of the state Legislature’s majority party.



WASB Civil Rights Training

The **WASB/Boardman & Clark Civil Rights Training Series is now complete** with 16 modules that help districts carry out numerous state and federal laws protecting the civil rights of students and employees. Districts that subscribe receive access to:

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
- Free speech rights
- Rights of homeless students
- Religious freedom

To learn more about a training package that fits your district, visit WASB.org. □



Fall 2021 Regional Meetings Recap Page

Visit our [Fall Regional Meeting recap page at WASB.org](#) to find presentations and videos from the meetings, along with photos of members who've achieved new levels in the WASB Member Recognition Program. □

WASB TITLE IX TRAINING

The WASB partnered with Boardman & Clark to create a series of training modules to help school districts adapt to wide-reaching changes to sex discrimination laws that took effect in August 2020.

Districts looking to subscribe for the 2021-22 school year can learn more about a package that fits their needs at [WASB.org](#). □

SAVE THE DATE
Thursday, Feb. 24, 2022
SPRING LEGAL CONFERENCE

UPCOMING ONLINE WORKSHOPS AND WEBINARS

■ ELECTIONS NOTICES AND PROCEDURES WEBINARS

November 9 and 16, **12 p.m.**

Wisconsin school districts must comply with numerous statutory obligations related to elections. The two-part Elections Notices and Procedures webinars will cover key deadlines, required notices and post-election processes. The webinars will be of particular interest to school district clerks and to superintendents' administrative assistants (who often assist with election duties).

Part 1 (Nov. 9): Election Notices and Procedures

Part 2 (Nov. 16): Campaign Finance.

Registration includes access to Part 1 and Part 2.

■ FAMILY MEDICAL LEAVE ACT WEBINAR

December 9, **12 p.m.**

This webinar will review requirements under the Wisconsin and federal Family and Medical Leave Act, including eligibility for leave for birth or adoption; serious health conditions of employees, parents, spouses and children; and the various leaves available to military service members and their families. Employer notice and documentation requirements will be covered along with employer and employee rights and obligations during and after FMLA leaves.

■ RECURRING WEBINAR:

WASB LEGAL AND LEGISLATIVE VIDEO UPDATE

November 17 and December 15, **12 p.m.**

WASB attorneys and government relations staff provide a complimentary, monthly update on recent legal and legislative issues to answer members' most pressing questions. No registration required. Visit [WASB.org](#) for the link.

UPCOMING 2022 WEBINARS

FEBRUARY 15

Individual Contracts and the Nonrenewal Process Webinar

APRIL 12

School Board Reorganization Meeting Webinar

MAY 5

School Board Member Use of Social Media Webinar

K-12 Legislation Under the Lens

Taking a close look at pending legislation's effect on student instruction



The legislative session in Madison continues with public hearings and legislative action in the Senate and Assembly on K-12 bills. The 2022 elections, particularly the gubernatorial election, are influencing the debate, with both sides looking to define their priorities through the bills that are passed and those that are vetoed.

For the GOP legislative majorities, the K-12 themes of accountability and transparency through unfunded mandates and new reporting requirements have been joined with the theme of voucher expansion. How Gov. Tony Evers decides to act on the bills sent his way will likewise influence his own K-12 platform as he runs for reelection.

■ New mandates/reporting

As the WASB evaluates pending legislation, it asks, “Do they help school districts educate their students? Do they enable schools to put more resources toward instruction?” There is a concerning trend of adding requirements that would direct staff time, funds and attention away from educating students.

Senate Bill 463 and Assembly Bill 488 (curriculum transparency) would require each school board to post on its website a lengthy and prescriptive list of the learning materials and educational activities used in the district, including the full text of any syllabi, outlines and handouts created by the school board or a teacher as well as any procedure or policy in effect that applies to the documentation, review or approval of such learning materials

or educational activities.

That bibliographic list, organized by grade level, subject and teacher, would have to be updated at least twice a year and maintained for at least five years. Any district resident could sue the district to force compliance and be awarded up to \$15,000 in attorney’s fees, well beyond the normal limit of \$500. The WASB believes this bill could be costly for districts that do not have a full-time webmaster. Further, we note that parents already have a legal right under the federal Protection of Pupil Rights Amendment law to review these materials.

SB 448/AB 475 (referendum interest) would require that the ballot statement included with any school district borrowing referendum question also provide the estimated amount of the interest accruing on the amount of the bonds along with the interest rate. If the interest rate is a variable rate, the statement must specify the amount of the interest accruing using the lowest and highest rates during the term for which the rate is applicable.

The WASB is not opposed to a requirement that a school board or school district disclose the amount of interest or the interest rate. However, the WASB has strong concerns about requiring this information to be part of the ballot question. That could lead to legal challenges and attempts to overturn the referendum result if the estimated rates differ from the actual rates. A better approach would be to require school boards and districts to disclose this information

on their websites or during public information meetings held prior to the referendum.

SB 567/AB 561 (credit recovery courses) would require a school board to annually report the number of pupils who attended a credit recovery course during the school year as well as the pupils’ grade levels and the subject of the recovery courses. The Department of Public Instruction would be required to annually compile and submit that information to the appropriate standing committees of the state Legislature.

In the bill, “credit recovery course” means a program or course, including an alternative education program as defined by state statute, that allows a pupil to retake a course or make up course credit for a course the pupil took but did not pass and that is required for high school graduation. The Assembly version was amended to exempt private schools and add more reporting requirements on public schools, including reporting this information by student ethnicity, English learner status and truancy record.

SB 585/ AB 602 (crime reporting) would require public high schools and private high schools participating in a parental choice program to collect statistics on violations of municipal disorderly conduct ordinances and certain crimes, including homicide, sexual assault, burglary, battery and arson, that occur on school property, on transportation provided by the school or at school-sanctioned events.

Statistics must be collected about

The trend of adding requirements that would direct staff time, funds and attention away from educating students is concerning.

THE WASB LEGISLATIVE CONFERENCE HAS GONE VIRTUAL, but the agenda stays much the same. Watch the WASB website at WASB.org and eConnection emails for the schedule.

the crime or disorderly conduct if: a) it occurred on a weekday between the hours of 6 a.m. and 10 p.m.; b) it was reported to law enforcement; and c) a charge was filed or a citation issued.

The collected statistics must be reported to the DPI. The department would be required to include the collected statistics on the annual school and school district accountability reports (commonly referred to as school and school district report cards), but would be prohibited from using those statistics to determine a school or school district's performance on the annual school and school district accountability report.

SB 598/AB 562 (gender identity) would require each school board and each operator of an independent

charter school to give notice to a pupil's parents or guardians before providing any program related to sexual orientation, gender, gender identity or gender expression to the pupil. A "program" is defined to include instruction and materials as well as any test, survey, questionnaire or other activity.

A pupil may not be required to participate if the parent or guardian submits a written request to opt out of the program.

■ **Voucher expansion**

SB 587/AB 600 (transfer payments) would allow students in a public or private school to transfer to any other private or public school if the school has different COVID-19 masking or vaccine policies. A taxpayer-funded

payment amount must then follow the student to their new school.

The bill also contains the provisions from a previously vetoed bill (SB 384) prohibiting a school district from being a member of an interscholastic athletic association (i.e., the WIAA) unless the association allows an exception to its transfer rules based on the manner in which educational programming was delivered during the 2020-21 and 2021-22 school years.

For more updates on these bills and others, follow the WASB Legislative Update Blog and bill tracking chart on the WASB website and watch upcoming WASB Legal & Legislative Update webinars. ■

Dan Rossmiller is the WASB Director of Government Relations; Chris Kulow is the WASB Government Relations Specialist.



Legislative Update

Stay up-to-date on the latest state and national legislative news by following the WASB Legislative Update website. The mobile-friendly site is regularly updated by WASB staff and includes a "Follow" tool that allows you to receive email updates when a new item is posted.

Visit the WASB Legislative Update website by visiting wasb.org. Select "Advocacy & Government Relations" and then "Legislative Update."



Advocacy and Government Relations | 608-257-2622 | 877-705-4422 | Visit wasb.org



Whistleblower Policies, Promissory Estoppel and Wrongful Discharge

Sometimes despite a district's best efforts, an adverse employment decision with respect to one of its employees results in extensive litigation. This was the situation in a recent case decided by the Wisconsin Court of Appeals in which a special education teacher challenged her contract nonrenewal. This teacher alleged that the nonrenewal violated the district's whistleblower policy, breached an implied contract of employment, and was contrary to public policy. The case illustrates some of the claims an employee might bring against a district following an adverse employment action. This Legal Comment will summarize the facts giving rise to the case, review the court's assessment of the legal claims made in that case, and outline some key takeaways for districts.

■ Facts of the case

Vonda Johnson was a high school special education teacher assigned to teach 18 to 20 students in her first year of employment. For the following year, Johnson thought she was going to run an alternative education program in lieu of her special education assignment. Instead, the district decided to have her teach 12 students in the alternative education program and also teach 10 special education students. Johnson was concerned about her caseload that second year and looked up the Department of Public Instruction's formula for suggested special education teacher to student ratios. According to her calculations, her caseload was above the suggested ratio. Johnson complained to the district's director of special education stating that she could not provide adequate instruction to her

special education students with such a high caseload. Johnson received some help from a part-time paraprofessional the first semester, but she still considered that insufficient.

Johnson then read the employee handbook, which contained a whistleblower provision. She wanted to voice her concerns regarding the district's potential noncompliance with state and federal special education laws without fear of retaliation. She believed she would be protected by the provision if she voiced her concerns to the rest of the administration. She had a meeting with the special education director, the principal, and the district administrator where she expressed her concern that she could not properly meet her students' educational needs as required by law.

Prior to her complaints, however, the district administration perceived a change in Johnson's attitude and job performance. She was beginning to arrive late to work and calling in sick more often. Additionally, her instruction was more often comprised of worksheets rather than Johnson's usual, more hands-on approach. Her email communication with her supervisor was also taking on an inappropriate tone.

Johnson was working under an ongoing teacher contract that was subject to the nonrenewal procedures of Wis. Stat. § 118.22. Provided that the board complied with that statute, Johnson could be nonrenewed for any reason or no reason, but not for a reason that was prohibited by law or board policy. Johnson was given a performance improvement plan in December, which she refused to sign. She took some steps outlined in the plan, but did not complete the plan. In March of that school year, Johnson was

given preliminary notice of potential nonrenewal. She had a private conference with the board where she explained that she was trying her best to do her job, but that her caseload was too large. She also stated that she was being "harassed and persecuted" by the administration. The board voted to nonrenew her contract based on her refusal to acknowledge, sign and meet the requirements of her performance improvement plan. She then filed a lawsuit in state court.

■ The teacher's claims

Johnson did not assert any violation of the statutory nonrenewal procedures of Wis. Stat. § 118.22. Therefore, she was limited to arguing that the board nonrenewed her for a reason that was prohibited by law or board policy and that she was, therefore, entitled to continued employment with the district or to damages. Johnson asserted three different bases for such a claim: (1) that the employee handbook and its whistleblower provision modified her at-will status; (2) that the district made a promise with the whistleblower provision that induced action of a definite and substantial character by Johnson and that promise should be enforced by the court; and (3) that an exception to at-will employment — wrongful discharge in violation of public policy — should apply to Johnson.

■ The court's analysis of these claims

Whistleblower claim

With respect to Johnson's whistleblower claim, the court held that it did not have to reach the issue of whether the whistleblower provision altered Johnson's at-will status and

created an employment contract claim. The court reasoned that, even if the whistleblower provision altered her status, Johnson did not comply with the requirements of the policy. The policy required a written complaint to the district administrator. Additionally, she failed to identify a specific policy, practice or activity of the district that allegedly violated the law. The court held that a departure from the Department of Public Instruction's formula for special education staffing ratios does not establish an actual violation of special education laws.

Even if Johnson had been attempting to tell the administration that her high caseload would prevent her from providing an adequate education to her students as required by state and federal special education laws, that would only be expressing a concern about a potential future violation of the law. Potential future violations of the law are not protected by whistleblower provisions. Finally, she could not prove she was retaliated against for blowing the whistle under the provision because there was undisputed evidence that the board nonrenewed her contract because she refused to sign her performance improvement plan and failed to comply with its requirements — not because she complained about her student caseload. Because Johnson was unable to rebut the district's justification for its action, her retaliation claim based upon the whistleblower policy failed.

Promissory estoppel claim

Johnson also made a claim for promissory estoppel. Promissory estoppel is a legal theory that, in effect, creates an implied contract in the absence of a written contract between an employer and employee. Johnson

argued that the whistleblower policy promised that if she verbally complained about an illegal practice by the district, the policy would protect her from adverse action by the district through its anti-retaliation provision. In order to establish a claim for promissory estoppel, Johnson was required to satisfy three elements: (1) that the district made a promise to Johnson that the district should have reasonably expected would have resulted in her relying on that promise to her detriment; (2) that Johnson relied on that promise to her detriment by inducing Johnson to take an action of a definite and substantial character; and (3) that fairness and justice demanded that the court enforce the district's implied promise.

However, the court held that Johnson's promissory estoppel claim failed on the second element because the district's whistleblower policy did not induce her to take action "of a definite and substantial character." The only action Johnson took based upon the policy was to verbally complain about her caseload. In addition, her claim failed on the third element because the record established that her non-renewal was not related to her verbal complaints. Thus, fairness and justice did not demand that she be reinstated.

Wrongful discharge claim

Finally, the court dismissed Johnson's claim of wrongful discharge in violation of public policy. This legal doctrine prohibits an employer from violating a "fundamental and well-defined public policy as evidenced by existing law." Claims under this doctrine often arise in the context of whistleblower claims because this doctrine prohibits employers from terminating an

employee who refuses to act in an unlawful manner or who fulfills an affirmative legal obligation that is placed on that employee. Courts generally construe this doctrine narrowly to maintain Wisconsin's public policy in favor of at-will employment.

Here, the court held that Johnson failed to articulate a clear violation of public policy. She argued that state and federal law require a free appropriate public education and adequate resources for students with disabilities. Additionally, she said that the law prohibits discrimination based on students with disabilities. She also stated that the law prohibits misconduct in public office. The court dismissed these arguments as being "far too attenuated from the particular actions she took." She also tried to assert that her high caseload prevented her from complying with her affirmative obligations under state and federal special education laws. However, the court concluded that there was no actual violation of those laws. Johnson was only alleging the possibility that the laws might be violated in the future. The district did not order her to violate the law nor did the law require her to complain about her caseload. Therefore, her wrongful discharge claim was dismissed.

Takeaways for districts

This case illustrates several important principles for schools. Handbooks will generally not be construed as contracts if they contain proper disclaimer language such as "This handbook does not constitute a contract for employment." However, districts should be aware they are bound by the policies they set forth in a handbook. For example, if the whis-

Handbooks will generally not be construed as contracts if they contain proper disclaimer language.

whistleblower provision in this case was written more broadly to protect any employee that raises educational concerns with a supervisor, that provision could turn many routine disagreements between employees and supervisors into a protected activity by the employee. This could create an argument that the district was retaliating against the employee for exercising rights under the policy. This also has the potential of eroding an employee's at-will status.

The objective of whistleblower policies is to encourage employees to report potentially unlawful conduct or conduct in violation of board policy so it can be corrected promptly. Such a policy protects employees from adverse employment actions if they follow the reporting procedures in the policy and report, in good faith, unlawful conduct or violations of board policies by staff or board members of the district. Districts are under no legal obligation to adopt a whistleblower policy. Therefore, boards should evaluate the potential benefits such a policy can provide for the district against the potential obligations and complexities such a policy might create.

Districts should also be aware of the doctrine of promissory estoppel, although its scope is limited, particularly in the whistleblower context. An example of a fact situation giving rise to a potential promissory estoppel claim might be the following: A district states in its handbook that a teacher will be reimbursed \$50 per credit if they successfully complete a master's level college course. A teacher relies on that promise and incurs costs and expends significant time and effort to successfully complete the course. Then, the district refuses to reimburse the teacher. Even though the handbook is not a contract, a court could conclude that the promise of reimbursement was specific, induced definite and substantial action by the

teacher in the form of taking the class, and that justice required the district to uphold its promise. Such situations do not occur often, but do illustrate that district policies can create the potential for promissory estoppel claims if employees are relying on those policies to the employees' detriment.

This case also reaffirms the importance of having performance or conduct-based documentation supporting adverse employment actions. In addition to whistleblower policies and handbook provisions, there are a variety of laws that prohibit districts from discriminating against or retaliating against employees based on protected class status or after taking certain actions. Given the breadth of these laws, districts are advised to always have documentation in support of the districts' non-discriminatory and non-retaliatory reasons for adverse employment actions. This will limit the potential viability of any discrimination or retaliation claim.

Finally, the case is a good illustration that the doctrine of wrongful discharge in violation of public policy remains a narrow exception to at-will employment. While this doctrine can apply in whistleblower scenarios (with or without an applicable handbook provision), it requires an employee to articulate a clear public policy that an employer violated by terminating or nonrenewing the employee. Speculative concerns about potential violations of the law are unlikely to be sufficient. However, this doctrine might apply in the following situation: An employee is told to use a chokehold to restrain a student, in violation of Wisconsin's seclusion and restraint law. The employee refuses to do so and is terminated. Wisconsin's seclusion and restraint law is a clearly articulated public policy, and a district that terminates or nonrenews an employee who refuses to violate

that law could be liable under the doctrine of wrongful discharge in violation of public policy.

Conclusion

Whistleblower policies can serve a district's interests by encouraging prompt internal reporting of alleged illegal conduct or possible violations of district policies. This allows the district time to investigate and remediate the situation before the problem grows larger. However, boards should also be aware of district whistleblower policies in the context of adverse employment actions, so boards can be sure that they have an adequate, documented basis for taking adverse actions other than the employee's potential whistleblowing. Boards should also understand how the doctrine of promissory estoppel might apply when board policies are changed or not followed. Finally, boards should be familiar with how wrongful discharge claims might arise if a board's adverse employment actions violate clear public policies established by state and federal laws, even if those laws do not contain specific anti-retaliation provisions. ■

End notes

1. *Johnson v. Sch. Dist. of Flambeau*, No. 2019AP000725, 2020 WL 6141029 (Wis. Ct. App. Oct. 20, 2020) (unpublished) (per curiam).
2. *Id.* ¶ 20.
3. *Id.* ¶ 21.
4. *Id.* ¶ 23.
5. Wis. Stat. s. 118.305.

This Legal Comment was written by Michael J. Julka and Brian P. Goodman of Boardman Clark, WASB Legal Counsel. For related articles, see Wisconsin School News: "Documentation and the Defense of Discrimination Claims" (June 2021); "Legal Implications of Employee Handbooks" (Dec. 2020); "Employment-based Retaliation Claims" (Nov. 2016); and "The Legal Significance of School Board Policies" (Nov. 2007).



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