

WISCONSIN School News

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

August 2022 | wasb.org



A WATERSHED MOMENT

Photos and reflections on how Title IX revolutionized women's sports in Wisconsin and nationwide



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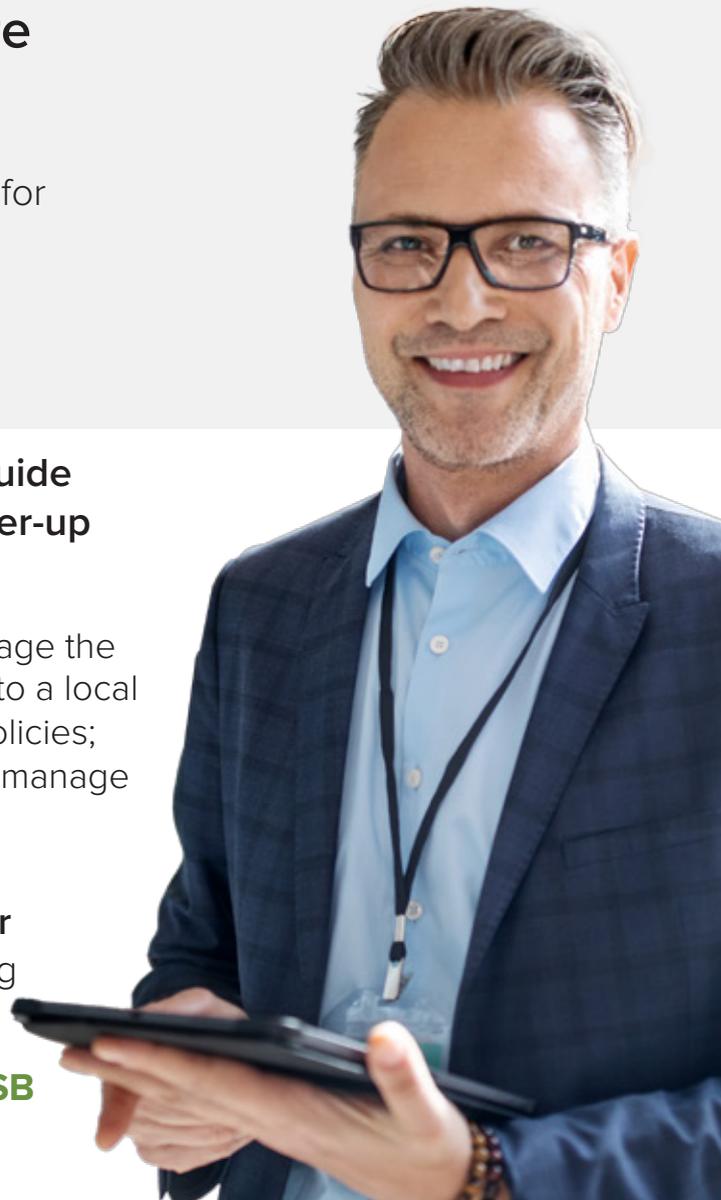
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OF SCHOOL BOARDS, INC.

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Wisconsin School News (USPS 688-560)
is published 10 issues per year by the
Wisconsin Association of School Boards, Inc.,
122 W. Washington Avenue, Madison, WI 53703.
Contents © 2022 Wisconsin Association of School Boards, Inc.
Subscriptions are available to nonmembers for \$90 per year.
Periodicals postage is paid at Madison, Wis., and other
additional entry offices.

The views expressed in *Wisconsin School News* are
those of the authors and do not necessarily represent WASB
policies or positions.

POSTMASTER: Send address changes to
Wisconsin School News, 122 W. Washington Ave.,
Madison, WI 53703.



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Pandemic Inflicts Food Supply Challenges

The pandemic and subsequent supply chain strains have increased food service challenges for Wisconsin's school cafeterias over the past two years, Wisconsin Public Radio reports.

School menus are frequently changing on short notice amid food shortages and staffing struggles, districts told WPR. Districts frequently had to substitute items when distributors faced shortages.

"You don't know until that [distributor] truck arrives at your back door, and that was hard. You always have to have something in your back pocket," said Dawn Smith, Beloit director of food and nutrition.

"Then, believe it or not in Wisconsin, cheese was probably the thing that hurt us the most, because there was a milk shortage — a couple milk companies shut down in Wisconsin," Smith said. "Because of the requirements that you need for National School Lunch, cheese and milk hit us the hardest."

Staffing kitchens has been an issue as well. Stevens Point started the school year short-staffed and had to rely on substitutes throughout the year as staff endured COVID-19 cases and exposures.

In late June, President Biden signed an extension for several pandemic waivers to school lunch requirements, including measures to allow meal deliveries and grab-and-go options through the end of the summer and higher federal reimbursement rates and supply chain flexibility through the end of the next school year. □

Survey: Two-thirds of Teens Prefer In-Person School

Sixty-five percent of teens say they would prefer completely in-person school over remote or hybrid learning, according to a Pew Research Center report from June.

Only 9% would favor a completely online environment, while 18% prefer a hybrid approach.

Across major demographic groups, teens prefer attending school completely in-person over other options, however Pew still found differences by race and ethnicity and household income. While 70% of white teens and 64% of Hispanic teens prefer

in-person learning, that number drops to 51% for Black teens.

Additionally, 71% of teens living in households earning \$75,000 or more a year report preferring in-person learning. That number drops to 60% among those whose annual family income is less than \$75,000. Preferring hybrid learning is also more common among teens living in households earning less than \$75,000.

To read the full survey, visit [pewrsr.ch/3y7PIUq](https://www.pewresearch.org/3y7PIUq). □

STAT OF THE MONTH

65%

Percentage of teens who said in a poll that they would prefer completely in-person school over remote or hybrid learning.

Source: Pew Research Center

Wisconsin Policy Forum Accepting Salute to Local Government Nominations

The Wisconsin Policy Forum is accepting nominations for its 30th annual Salute to Local Government awards.

The awards recognize outstanding performance by local governments, including school districts. The categories include effective problem-solving, advancement of racial equity, intergovernmental cooperation and private-public cooperation. In addition, there are two awards recognizing individual excellence.

While no longer accepting nominations for performance in response to COVID-19 challenges, they welcome pandemic-related nominations in any appropriate group category. The deadline for nominations is Aug. 31.

To nominate a school district or employee, visit [wispolicyforum.org/salute-nomination-form](https://www.wispolicyforum.org/salute-nomination-form). □

Wisconsin Public School Spending Grows at Slow Pace

Wisconsin's growth in public school spending continues to be lower than most states, according to a new Wisconsin Policy Forum report.

From 2002 to 2020, Wisconsin's per-pupil spending has increased by 49%, the third-smallest increase of any state in the country, behind Idaho and Indiana.

Over that same period, national per-pupil spending grew by about 75% and inflation by about 44%, according to the report.

Overall, Wisconsin's \$12,740 per-student spending ranks 25th

in the nation for 2020.

Next year's spending data could continue this trend due to flat per-pupil revenue limits set by state lawmakers in the 2021-2023 state budget.

"It would seem reasonable to guess that Wisconsin's ranking may fall further over the next two years because of the frozen revenue limit," said Sara Shaw, senior education policy researcher for the Wisconsin Policy Forum. □



Taking Our Cue From You

The noted cowboy humorist Will Rogers once said, “If you’re riding ahead of the herd, take a look back every now and then to make sure it’s still there.”

Taking this aphorism to heart, we gauged our members’ views on WASB services earlier this year.

At the heart of our survey were two questions:

What do our members think about WASB services? How could we serve them more effectively?

From the survey’s earliest stages — developing our goals and drafting questions — we worked with the professionals at the Wisconsin Institute for Public Policy and Service. They were instrumental in creating a survey that tells us what our members think and provides insights that we can act on.

We thank them for their help and recommend their services without reservation. We’d also like to thank the hundreds of school board members and administrators who took the survey as well as the dozens who joined online focus groups.

The WASB has been reviewing the results of the survey for a few months. We intend to put these insights into action, but our first step is understanding what our members have said.

More information on how this survey was conducted and a description of selected findings is available in Association News on page 24-25.

I was pleased to read that, on a 10-point scale, nearly 90% of respondents highly rated the overall value of WASB membership. Relatedly, three-fourths of members agreed that we provide high-quality legal and advocacy services.

This good news is welcome, but the true currency of a member survey are areas to improve.

Members told us what they saw as the three most important issues over the next year; finance, staff shortages and student academics topped the list.

We also heard that many members are not aware of some WASB services and resources, such as our Online Learning Platform and The Focus. For the record, the Online Learning Platform is a one-stop shop for school board member professional development content; The Focus is a policy publication that goes in-depth on some of the most important and complex issues facing school boards.

Finally, we learned that many school board members want to learn more about how to be effective legislative advocates for their community’s children.

These are only a few of many takeaways from the survey. Though we are beginning with reflection on what our members told us, we are eager to use this survey as a guide to improve.

Look for more details on those

changes in upcoming issues of Wisconsin School News.

Members can also hear more about the survey during Fall Regional Meetings. Look on page 26 to find the regional meeting schedule.

Our school boards are focused on continuously improving, on offering more opportunities and a better education each year. On this, we are taking your cue.

Just as schools can build community through traditions, such as graduations, we value our traditions at the WASB, too, like the State Education Convention.

We believe members appreciate them, too, but that doesn’t mean they can’t improve just as you do.

And that’s what this survey effort is about. We ask for your feedback all the time — email us at info@wasb.org if you have some now — and incorporate it into what we do. For example, members told us they continue to appreciate the online events added during the pandemic, so we have kept them in place after resuming in-person events.

This survey gives us a higher level of confidence that its feedback reflects the generalized view of members. Digesting all of this data has been a helpful process in itself these past few months.

But its real value will come in guiding changes to serve you better. ■

I was pleased to read that, on a 10-point scale, nearly 90% of respondents highly rated the overall value of WASB membership.

37 WORDS THAT CHANGED *Everything*



by WIAA Communications

“ No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. ”



A W A T E R S H E D M O M E N T

Before the passage of Title IX, sexist attitudes kept girls off the field

Title IX, passed 50 years ago this summer, was a watershed moment for women and girls.

Before its passage, only about 1 in 27 girls participated in high school sports nationally. Today, two in five do.

In its 126-year history, the Wisconsin Interscholastic Athletic Association observes that perhaps nothing has been more impactful on high school sports than the passage of Title IX legislation.

Among other requirements, Title IX mandates equality in athletics for things such as athletic equipment, uniforms, locker rooms, practice and competition facilities, scheduling, travel and expense benefits, the quality and compensation of coaches, publicity, marketing and access to training and medical services.

In the decades before Title IX, outdated attitudes — ostensibly rooted in a desire to protect their physical and mental well-being — kept most girls away from organized sports.

A review of archived WIAA meetings conducted in the early 1900s — and documented in “More Than a Game,” authored by former WIAA Associate Director Matt Otte — represented those views.

A 1925-26 membership survey

revealed more than 90% of respondents were opposed to interscholastic sports for girls. The varying reasons for opposition not only came from school administrators, but also from men and women in position to share their influence from other organizations as well as health professionals.

When an amendment to ban girls’ sports participation in the WIAA was advanced to the membership for a vote in 1926, it passed by a 69-48 margin.

In 1933, the rule was revised to state one of the board’s duties was to prohibit girls from participating in interscholastic competition in “major” sports. The rule may have opened an unintended opportunity for girls’ sports to be offered in sports not considered “major” sports. Therefore,



WIAA GIRLS' SPORTS MILESTONES



1936-37 Interscholastic competition is allowed for girls in golf, skating, swimming, tennis & volleyball

1963 WIAA Girls Sports Advisory Committee is formed

January 1968 WIAA Board of Control votes to allow girls' sports to encourage attendance, permit cheering, gain publicity & charge admission

1st WIAA Girls Track & Field State Tournament
 ♣ Appleton East High School ♣ Reedsburg

1st WIAA Girls Tennis State Tournament
 ♣ Whitefish Bay High School ♣ Whitefish Bay

1972 WIAA registers women as game & meet officials

1st WIAA Girls Golf State Tournament
 ♣ Winozomee Golf Course, Iowa ♣ Madison West ♣ Mary Hoffmann, Steve Bend East

1st WIAA Girls Volleyball State Tournament
 ♣ Neenah High School ♣ Shawano

1974 Girls Sports Advisory Committee is dissolved

1975 Board of Control allows girls to try out for boys' teams in only *non-contact* sports if there is no girls' team in a particular sport at their school, this would be revised to *any* sport in 1978

1st WIAA Girls Softball State Tournament
 ♣ Madison ♣ Madison West

1st WIAA Girls Soccer State Tournament
 ♣ Menomonee Falls High School ♣ Whitefish Bay

1984 Board of Control approves a task force to study gender equity in seasonal placement

2002 Barbara Deichl serves as 1st female president of the Wisconsin Athletic Directors Association

1st WIAA Girls Wrestling State Tournament
 ♣ La Crosse Center

November 4 1926 WIAA member "schoolmen" vote 69-48 to prohibit girls' interscholastic competition, girls' athletics remain as intramurals

1956-57 Interscholastic competition is allowed in cross country, golf & curling

1964 1st set of girls' sports rules are created by Girls Sports Advisory Committee

October 31 1970 1st WIAA Girls Swimming & Diving State Tournament
 ♣ Beloit High School ♣ Madison Memorial

April 3 1971 1st WIAA Girls Gymnastics State Tournament
 ♣ Eau Claire Memorial High School ♣ Green Bay Preble

June 15 1971 Karen Kuhn is hired as WIAA Girls Sports Coordinator & is the 1st woman on the executive staff

June 23 1972 Title IX is signed into law by President Nixon
"No person in the United States, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program of activity receiving Federal funding."

1974 Annual Meeting Presentation, "Non-Discrimination on Basis of Sex" is given by Wisconsin Department of Public Instruction's Title IX expert, Gordon Jensen

November 1 1975 1st WIAA Girls Cross Country State Tournament
 ♣ American Legion Golf Course, Wis. Rapids ♣ Prairie du Chem ♣ Susie Hanson, Ionia

1976 1st WIAA Girls Basketball State Tournament
 ♣ University of Wisconsin Field House ♣ Madison West, Lancaster, Marshall

1984 "Gender Minority" representative is added to both Board of Control & Advisory Council, Donna Thomas & Penelope Kleinhans fill these positions

March 1 2002 1st WIAA Girls Hockey State Tournament
 ♣ Alliant Energy Center, Madison ♣ Hudson

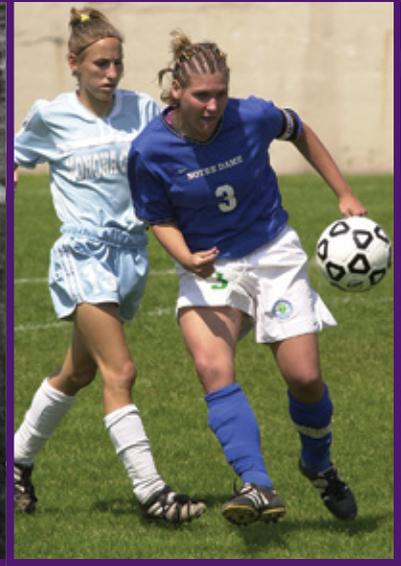
2021 Stephanie Hauser becomes the 1st female Executive Director in the 125-year history of the WIAA



interscholastic competition for girls in golf, skating, swimming, tennis and volleyball were permissible.

Except for the 1956-57 addition of cross country, golf and curling to the sports allowing girls, it would be a few more years before the WIAA sponsorship of girls' sports would again receive serious consideration. The staunch advocates for girls' physical education were only supportive of intramural activity, according to Otte's research.

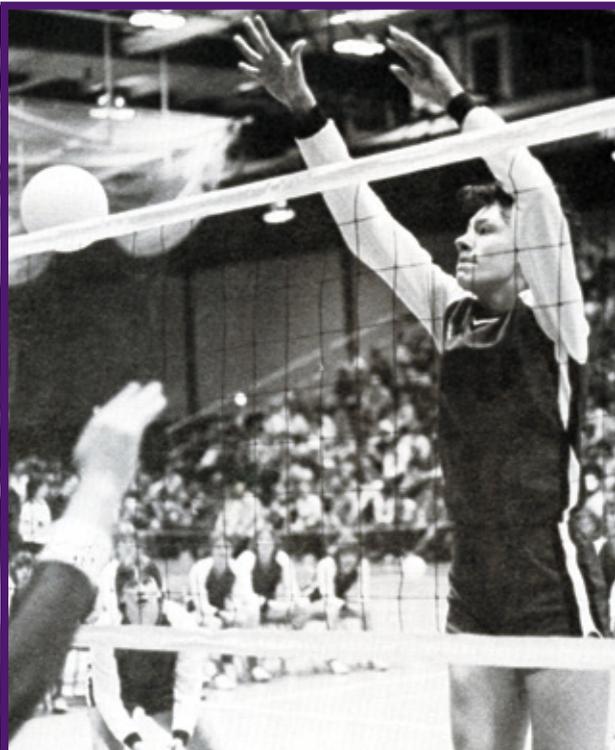
The mounting momentum to recognize girls' high school sports was instrumental in the formation of the WIAA Girls Sports Advisory Committee in 1963, which studied and created rules for girls' sports. That same year, the committee established the first set of rules for girls' sports, which didn't resemble any rules for boys' sports or what we know of girls' sports today.



Among the rules were no admission, no organized cheering, no awards except those given by their own school, and no events conducted in conjunction with boys' events. Spectator appeal and publicity was discouraged, and programs were required to be run by female faculty,

while female officials were preferred.

In 1968, the WIAA Board of Control approved the Girls Sports Advisory Committee's recommendation to remove a number of the restrictions on girls' sports, including admission, cheering and encouraging attendance.





“The fact that females could benefit from and enjoy school athletic participation was known for many years and very limited participation was available but it took Title IX to make it mandatory. That hallmark legislation has played a huge role in the quest for equality which is common sense and so deserved. It’s impossible to overstate the significance of Title IX and, unfortunately, the fact it was necessary.”

FRANK McCORMICK — *Retired WIAA Assistant Director*

Even before the amendment passed, the WIAA began trailblazing a path for girls to participate in tournaments for school-sponsored sports. Two years prior to the passage of Title IX, the WIAA conducted its first girls’ tournament with the State Girls Swimming & Diving Championships on Oct. 31, 1970, at Beloit High School.

During the 1970-71 school year, the WIAA conducted the first state championships for girls’ gymnastics and track and field. Athletic participation that year reached 4,312 girls.

Fast forward to 2020-21, and 60,637 girls, including multiple-sport student-athletes, participated in 11 sports. A 12th girls sport was added in 2021-22 with the sponsorship of wrestling, which launched the recognition of the 50th anniversary of Title IX on Jan. 29 at the La Crosse Center in La Crosse, Wis.

A number of other milestones dotted the timeline in the early 1970s, including allowing women to register to become licensed officials in 1972, coordinating joint rules meetings for boys’ and girls’ sports in 1973, and directing the first girls’ team tournament with the 1973 state volleyball championships.

With the inclusion of girls’ sports and greater equity balance, the board dissolved the Girls Sports Advisory Committee and replaced it with the Sports Advisory Council, consisting of five men and five women, in 1974.

Likewise, the regulation requiring girls’ teams to be directed and supervised by only female members of the faculty was eliminated in 1976, because it was difficult for schools to identify and hire female coaches for the growing number of girls’ sports.

Girls’ interscholastic experiences continued to grow throughout the 1970s and 1980s, with the addition of basketball and softball in 1976 and soccer in 1983. In 1984, further steps were added to provide gender diversity to the WIAA’s committee structure with gender minority representative added to the Board of Control and Advisory Council.

Donna Thomas of Lake Mills, and later of DeForest and Waterloo, was the first gender minority representative on the Board of Control, and in 2002-03 became the first woman to serve as president of the board. Another WIAA landmark in gender equity occurred in 2021, when Stephanie Hauser became the first women executive director in the 126-year history of the association after serving the membership in an assistant director’s role since 2015.

The 50th anniversary of Title IX legislation is an opportunity to celebrate the progress of girls’ interscholastic athletics as well as the individuals that have played a part in the history, present and future of education-based sports for girls. ■



“When Title IX was passed it had a strong effect on both females and males. Females who coached sports in a high school were given the title of girls sports supervisor, to become assistant to the athletic director. Many females in high schools and universities became superintendents, principals and held other administrative positions. Prior to Title IX there were very few, if any, females in these positions. Girls’ high school sports teams had practiced in an elementary school or another place, rather than the high school, but after Title IX, they practiced at the high school, used regulation size equipment and felt they were more equal to boys.”

JEAN OETTINGER — *Trailblazer Coach*

“When I was young and in school there were

no extracurricular sports for girls. Our participation was limited to cheering for the boys’ teams. I was, however, very competitive in multiple sports in intramurals and city recreation programs. Still,



I always wanted to compete against other schools as my brothers did. Therefore, when I began my professional teaching career, I chose a school that had started some girls’ sports teams, as I wanted to coach. However, these teams did not have school or district support. We had constant fundraisers to buy t-shirts for uniforms and to pay for bus transportation and officials for the teams.

Our practices were early morning or in the evening when the boys finished their practices. Title IX had an immediate and profound impact on my career. The school district had to provide resources to fund our teams. Girls and boys shared gym time. For the first time I got paid for coaching.

However, it did take many years of fighting and Title IX litigation before that payment equaled the pay the men received for coaching the comparable boys’ teams. Now, as I still coach and look back, I enjoy and appreciate seeing the benefits of sports which are now shared by all.

Title IX has given women the opportunities to have proper coaching, allowing them to excel, and giving many the chance to continue their sport careers and education through scholarships. We have come a long way. Thank you Title IX.”

MARY BLANDINO — *Trailblazer Coach, Official*



“Title IX positively enhanced

my career, my own education at the university level, my interactions professionally, my self-esteem, confidence and pride for the goals and accomplishments of young women. I am proud to be a role model, advocate, leader and

pathfinder. I was even proud to be adversarial, outspoken and unpopular at times. The journey was not easy or always smooth.”

DONNA THOMAS — *Trailblazer School Administrator, First Female WIAA Board of Control Member (served on WIAA BOC & Advisory Council)*



“The satisfaction of seeing girls finally

becoming a part interscholastic athletics following years of male domination thinking GAA, Girls Sports Days and other events that prohibited admission charges and awards was a sufficient alternative to what was

offered boys. I have witnessed the development of girls’ sports since the mid-1960s. Slowly, we’ve reached a point where some semblance of balance has been achieved, but let’s not be too satisfied.

The 50th anniversary of Title IX does not mean complete equity has been achieved.”

DOUG CHICKERING — *Retired WIAA Executive Director*



Achievement STARTS AT THE TOP

How the **Annual Board Development Tool** helps school boards continuously improve

by *Bill Foster and Rob DeMeuse*

Bob Poeschl and Barb Herzog are no strangers to public service. Between them, they have served on a city council, a county board and the Oshkosh Area School District Board of Education. Public education is perpetually changing, but the past few years have presented a new level of complexity.

Even a cursory Google search for school board elections in Wisconsin produces results that include “polarized

politics,” “reshaping,” “record turnover,” and no shortage of primaries.

This makes Poeschl and Herzog’s years of service invaluable. While new experience is helpful in any organization, continuity of plans and cohesion is also key.

“We need shared goals for our board that align with our strategic plan,” Poeschl says. “Then we can give direction and better support to our superintendent.”

This is where the Annual Board Development Tool comes in. This tool, developed in partnership between the Wisconsin Association of School Boards and School Perceptions, is free for all Wisconsin school districts. It allows board members to do three things:

- Identify areas where the board is aligned and where further dialogue and discussion is needed.

SAMPLE SURVEY STATEMENTS

- We manage by facts and our decisions are data-driven.
- We have an **effective orientation process** for new board members.
- We encourage constructive and **professional discussions** at board meetings.
- We **value differences of opinion** and do not let them degenerate into personality conflicts.
- We focus on **strategic decisions and policy issues** rather than on the administrative implementation of policy and other day-to-day management/operational issues.
- Our culture promotes **high expectations**.

- Pinpoint areas where board members expressed an interest in receiving additional information and/or training.
- Expose board members, especially newer ones, to a comprehensive array of school board responsibilities.

“As a board member, you are one of seven people responsible for the oversight of one person — the superintendent,” Poeschl says. “Having onboarding or orientation documents helps our newer board members, but the key is having everyone on the same page in terms of governance. We have to know and understand what the process is. As a board member and elected official, you have

the freedom to vote what you believe. However, getting to a good decision requires good data and shared goals. In our case, our guiding question is, ‘How will this decision help put students first?’”

For Herzog, the tool can’t — nor should — result in constant agreement. Boards need debate to remain healthy. Instead, the tool serves as a model of continuous learning and improvement.

“As a learning institution, we need to have a system of continuous improvement. We can’t expect that of others unless we’re modeling it in the boardroom.”

Bob continued, “As a board, we are responsible for helping determine

the ‘what’ — here’s what we want you to accomplish. The administration, then, can determine the ‘how’ — how best to get it done.”

■ ‘It’s just best practice’

That, of course, raises the question, “How do we know what we should or need to accomplish?” By using the tool, it becomes clear where you agree and where more conversation is needed. The more that boards talk about what they expect from each other and their school leaders, the easier it is to understand what work needs to be done to meet the expectations.

“Defining expectations make for a highly functioning and effective

SCORING SCALE

FULLY ACHIEVED

This is an area of notable strength that could serve as a model for other districts.

MOSTLY ACHIEVED

Performance is acceptable, but future improvements might be considered over the coming years.

PARTIALLY ACHIEVED

Performance needs improvement this year.

NOT ACHIEVED OR STARTED

This is an area where immediate improvements should be considered.

NOT SURE

This is an area where I have neither observed nor have knowledge of our district’s practices.



Photo by Allison Shelley for EDUimages

school board,” Herzog says.

“There’s a benchmark of behaviors and actions. How can I personally contribute to the effectiveness of the board collectively?”

Poeschl put it simply, saying, “The more that boards talk about what they want to learn from administration and each other, the better decision-making is taking place. There’s no regulation [the tool]. It’s just best practice.”

How does the tool work?

- At least once a year, a board or

district leader shares the tool via email with the remainder of the board.

- Respondents complete the self-evaluation using an achievement scale.
- Items in the tool feed six action areas that the board reviews both individually and collectively.

To help make sense of the results, boards can work with WASB consultants. School Perceptions can provide a report that shows how

your results compare to state averages. This report will also trend your longitudinal data to quantify your growth in each area.

“Don’t be afraid of consultants because they can introduce topics and ask questions that help shape needed conversation,” Poeschl says. “Consultants can be useful because it takes [the board] out of it and brings in the professional aspect. ‘Here’s what the report says, and here are some tools that you can use that have worked in other communities.’”

“The more that boards talk about what they want to learn from administration and each other, the better decision-making is taking place.”

■ It all starts at the top

School boards create the conditions that promote learning for children. Despite a degree of separation, a healthy and effective board is essential to promote student achievement.

Effective school boards set learning-focused goals based on student data, they seek training and professional development for staff and themselves, they don't waste time on day-to-day operational issues but

instead focus on achievement for all students, and they maintain positive relationships with school employees and community members.

In Oshkosh's case, community engagement is front and center.

“The last three years has provided ample opportunities for boards to be better and more responsive to the world around them and be more transparent,” Poeschl says. “We'll never satisfy everyone.

But we can engage everyone. We can always do a better job of helping the community be aware of what we do and what's in our power to change.

“We've decided what's important to us. Now, we're talking about things we weren't talking about before.” ■

Bill Foster is president and founder of School Perceptions and Rob DeMeuse is research director at School Perceptions.

KEY WORK ACTION AREAS

VISION

Effective school boards establish a clear vision with high expectations for quality teaching and learning that supports strong student outcomes. **They establish clear and specific goals to move districts forward.**

ACCOUNTABILITY

High academic standards, transparency and accountability undergird a world-class education. True accountability depends on **open decision-making, community engagement and support** and receptivity to new ideas and constructive criticism

POLICY

Policy is how a board sustainably exercises power to serve students. Through policy, school boards establish a set of **cohesive guidelines able to transform vision into reality.**

COMMUNITY LEADERSHIP

Through public advocacy and community engagement, school boards share their concerns and actions with the public. **Community leadership that builds public support is vital to implement the board's vision.**

RELATIONSHIPS

Both the school board and the superintendent have essential leadership roles that are interconnected but different. Effective school boards lead as a united team with the superintendent, each in their respective roles with **strong collaboration and mutual trust.**

EQUITY

Equity in education is the provision of personalized resources needed for all students to reach common goals. In other words, the goals and expectations are the same for all students, but **the supports needed to achieve those goals depends on the students' needs.**



Stimulus Spending Snapshot



HOW WISCONSIN DISTRICTS ARE USING FEDERAL AID

BY SARA SHAW

In response to the COVID-19 pandemic, the federal government allotted nearly \$2.4 billion in one-time relief funds to Wisconsin school districts. School board members ultimately carry the fiduciary responsibility for these funds, balancing current political realities, fiscal health and student support.

Data provided to the Wisconsin Policy Forum by the state Department of Public Instruction offers the first snapshot of how districts have used these dollars. We share those findings here in hopes of informing and inspiring conversations about allocating these funds.

Several sources of federal education relief aid

Readers may first find it useful to review the amount appropriated to Wisconsin public K-12 schools:

- \$204.6 million through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, including:
 - \$46.6 million in Governor's Emergency Education Relief (GEER I)
 - \$158.5 million in Elementary and Secondary School Emergency Relief (ESSER I)
- \$685.4 million through the

Consolidated Appropriations Act (CAA) and ESSER II

- \$1.49 billion through the American Rescue Plan Act (ARPA) and ESSER III

These amounts do not include a portion of ESSER funds that will be distributed via competitive grants or the \$110 million in federal Coronavirus Relief Funds reallocated to school districts and charter schools by Gov. Tony Evers.

Federal legislation allocated the majority of relief funds through the Title I formula, which is based on students' economic status. Districts serving higher percentages of stu-

dents from low-income households receive a larger proportion of the federal funds. The average school district or independent charter school in Wisconsin will receive \$2,872 per pupil, with a median allocation of \$1,843 per pupil.

Congress appropriated the federal dollars for a vast array of allowable expenditures to give school districts flexibility in addressing local needs. Most districts faced steep challenges related to COVID, and the funds provided an important resource to mitigate those harmful effects and address institutional inequities.

To gain access to the funds, districts submit plans to DPI. Once DPI approves a plan and the district has purchased the approved services or materials, the district may begin submitting claims for reimbursement to the state.

The spending data in this piece refer to claims submitted to DPI by districts as of March 9, 2022. Therefore, this piece reflects a snapshot of what was claimed up to that point and may not reflect districts' full spending or pandemic costs.

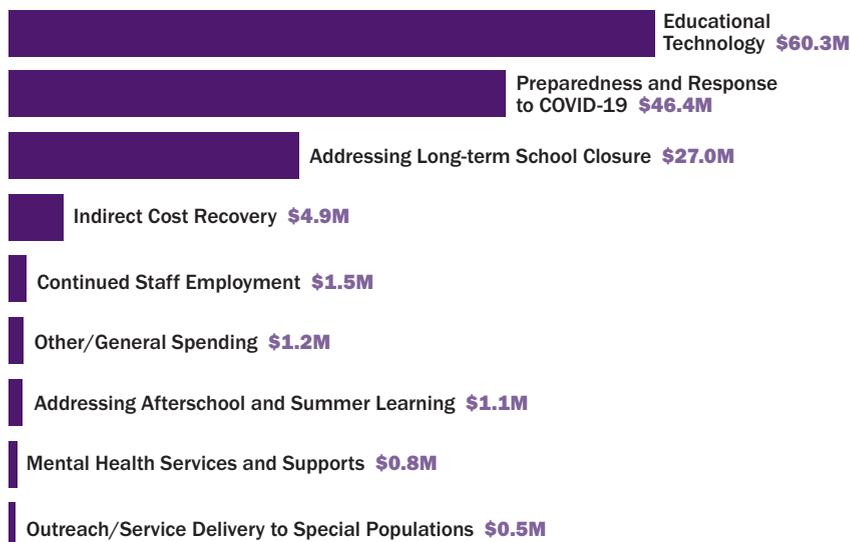
Using the first rounds of aid

Our analysis began by looking at where districts spent the first dollars allocated by the federal government — GEER I and ESSER I funds — as an indicator of districts' initial priorities. (Readers should note that capital investments on items like facilities improvements are not explicitly named in the provided DPI spending categories and therefore cannot be broken out in our analysis.)

Top ESSER I Spending Items

Total ESSER I funds claimed by Wisconsin K-12 districts by type of spending

Source: Wisconsin Department of Public Instruction



Statewide, GEER I funds went predominantly toward investments in:

- Educational technology (37.8%)
- Preparedness and response to COVID-19 (36.4%)
- Addressing long-term school closure (22.6%)

ESSER I funds followed a similar pattern, with even larger investments in educational technology (41.9%), followed by preparedness and response to COVID-19 (32.3%) and addressing long-term school closure (18.8%) (*see above*).

What do each of these broad categories actually mean? According to DPI's guide to reporting claims, sample costs include student laptops, hotspots and instructional software (educational technology); personal protective equipment and staff

training on minimizing disease spread (preparedness and response to COVID-19); and instructional materials, curriculum costs, staff professional learning and salary reimbursements for educators' planning time (addressing long-term school closure).

When we broke out these statewide totals by districts' locale, size and demographics, we found these three categories remained at the top regardless of district type, with some variation in prioritization. For example, urban and suburban districts spent the greatest amount of their ESSER I funds on educational technology (47.3% and 44%, respectively), while districts in towns and in rural areas spent the most on preparedness and response to COVID-19 (44.3% and 44.4%, respectively).

The same trends held true for

“We invested a lot of our federal money to bring in more special education, socio-emotional and English learner supports. We looked at all of our practices:

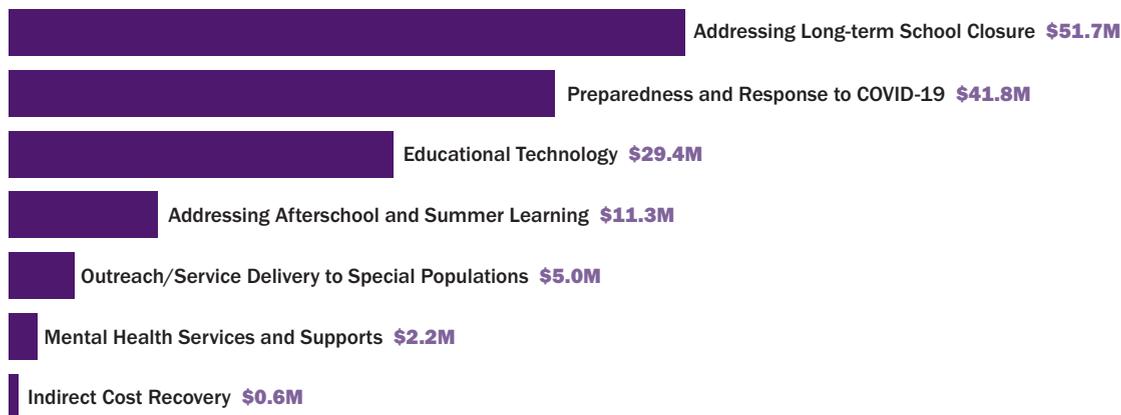
How do we connect as much as we can?”

— Lisa Johnson, associate director of summer school and extended learning, Green Bay Area Public School District

Top ESSER II Spending

Total ESSER II funds claimed by Wisconsin K-12 districts by type of spending

Source: Wisconsin Department of Public Instruction



districts of different sizes, with the largest districts spending the most on educational technology and smaller districts spending the most on preparedness and response to COVID-19.

Districts serving less than 25% of students from low-income households spent the greatest proportion of their ESSER I dollars (46.6%) on preparedness and response to COVID-19.

Districts with more than 50% of students from low-income households spent the greatest proportion (49.3%) on educational technology.

These figures appear to confirm previous Forum research on the “digital divide” that showed technology needs were greatest for districts serving the most students from low-income households and students of color. Although rural districts and their students also face significant technology challenges, previous Forum research found these districts returned to in-person learning more quickly, suggesting that they may have prioritized spending on in-person COVID protections over out-of-school technology. The challenge of rural broadband access also may have limited what the federal dollars could accomplish for rural districts.

Using the next round of aid

Districts are still in the middle of spending the next round of federal aid (ESSER II funds), but patterns

are already emerging. Districts have primarily focused their spending on the same categories as the first round, but in different proportions (*see above*):

- Addressing long-term school closure (36.4%)
- Preparedness and response to COVID-19 (29.4%)
- Educational technology (20.7%)

Rural districts, districts serving fewer than 1,000 students, and districts with less than 25% of students coming from low-income households have all continued to spend the most ESSER money on COVID-19 preparedness and response.

Other categories that did not attract much spending in the first round of federal aid are now seeing more use. Spending on afterschool and summer learning accounts for 7.9% of ESSER II claims so far, up from 0.8% of ESSER I. Expenditures on outreach and service delivery to special populations have grown from 0.3% of ESSER I claims to 3.5% of ESSER II claims. Mental health services and supports have ticked up from 0.5% of ESSER I claims to 1.5% of ESSER II claims, which represents an additional \$1.4 million going toward student mental health statewide.

These numbers suggest that, as the immediate shock of the pan-

demic has subsided, districts are starting to look more broadly at student needs and other priorities.

Strategic spending challenges

Districts across the country face the challenge of how to use federal relief funds effectively without leaving budgetary holes when the funds expire. Such strategic thinking typically requires intensive time and energy, both of which have been in short supply during the pandemic. District leaders and consultants we interviewed pointed to air quality and education technology expenditures as examples of “easy spending” that can meet COVID needs and not produce future budget holes. Figuring out how to support students’ academic recovery has been trickier, since investments to address their needs may not be sustainable once federal funds are exhausted, and yet is paramount.

The 2021-23 state budget heightened this tension for Wisconsin districts by providing no increase to state revenue limits. With rising inflation adding pressure to district budgets, there appears to be a real risk that districts feel a need to use some ESSER funds for ongoing costs. Such a move could mean fewer recovery opportunities for students and a “fiscal cliff” for districts when the funds run out.

“We really had to think about how to use the funds. Some were allocated quickly, like HVAC. More challenging were the learning gap areas: **How can we get resources and people out to help with those gaps, when those people either seem to not exist or they’re burnt out?**”

— Blaise Paul, director of business services, School District of South Milwaukee

Remaining opportunities

As of March 9, Wisconsin districts had filed reimbursement claims for 72.6% of the state’s GEER I funds, 90.8% of ESSER I, 20.8% of ESSER II and 0.6% of ESSER III (see below).

As previously noted, these figures do not tell the whole spending story. There is always a small lag between spending and claims, and there can also be large gaps between obligation and actual expenditure — for example, when districts have obligated funds for lengthy construction and renovation projects or have budgeted for recurring staffing costs that will add up over time. Some districts

may be intentionally reserving funds in case of additional COVID waves. The majority of unclaimed funds are concentrated in the handful of districts slated to receive the most funds. Finally, multiple state and district officials attributed the lag in ESSER III claims to the delayed approval of the Wisconsin ESSER III State Plan by the U.S. Department of Education after objections to clauses inserted by the State Legislature’s Joint Finance Committee.

Still, it appears that large quantities of federal funds remain to be spent, especially ESSER III funds, which must be obligated by Sept. 30,

2024. (The U.S. Department of Education in May announced potential extensions for cases in which the funds have been obligated.) School board members may take this opportunity to assess their expenditures so far and determine how to spend their remaining federal funds before deadlines. Guiding questions for their thinking may include:

- What do we know about our students’ needs?
- How have we already spent money to try to address those needs? What do we know about the impact of those expenditures?
- What gaps do we still see for our students? How can we use or reallocate our remaining federal funds to close those gaps?
- Are our investments one-time or recurring? If they are recurring, what will be our revenue source once the federal funds run out?
 - Hint: Any additional staffing amounts to a recurring expense. What partnerships might we leverage to access the additional time, resources and people needed without incurring long-term obligations?

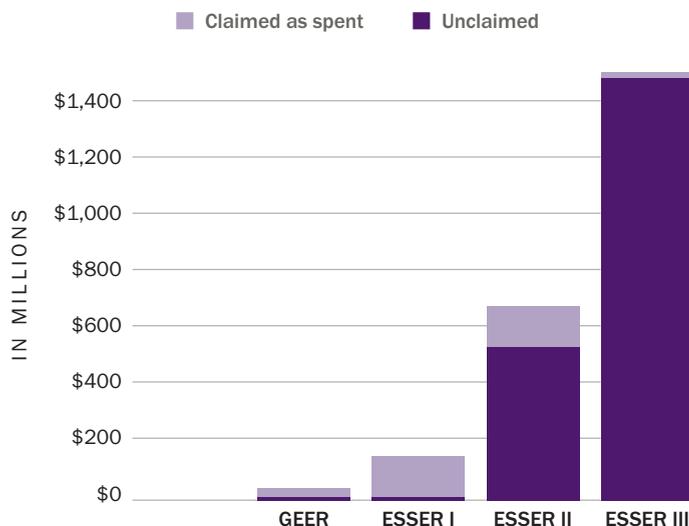
The stakes for these choices are great. The balance of available data indicates that students nationally and in Wisconsin experienced negative impacts from COVID. After the federal aid is spent, the most important question for the state will be: Did it successfully counter those impacts and make a difference for kids? ■

Sara R. Shaw is a senior researcher at the Wisconsin Policy Forum.

Nearly \$2 billion in Unclaimed ESSER Funds

GEER/ESSER funding to Wisconsin K-12 schools by round

Source: Wisconsin Department of Public Instruction



CLEAN AIR

for Classrooms

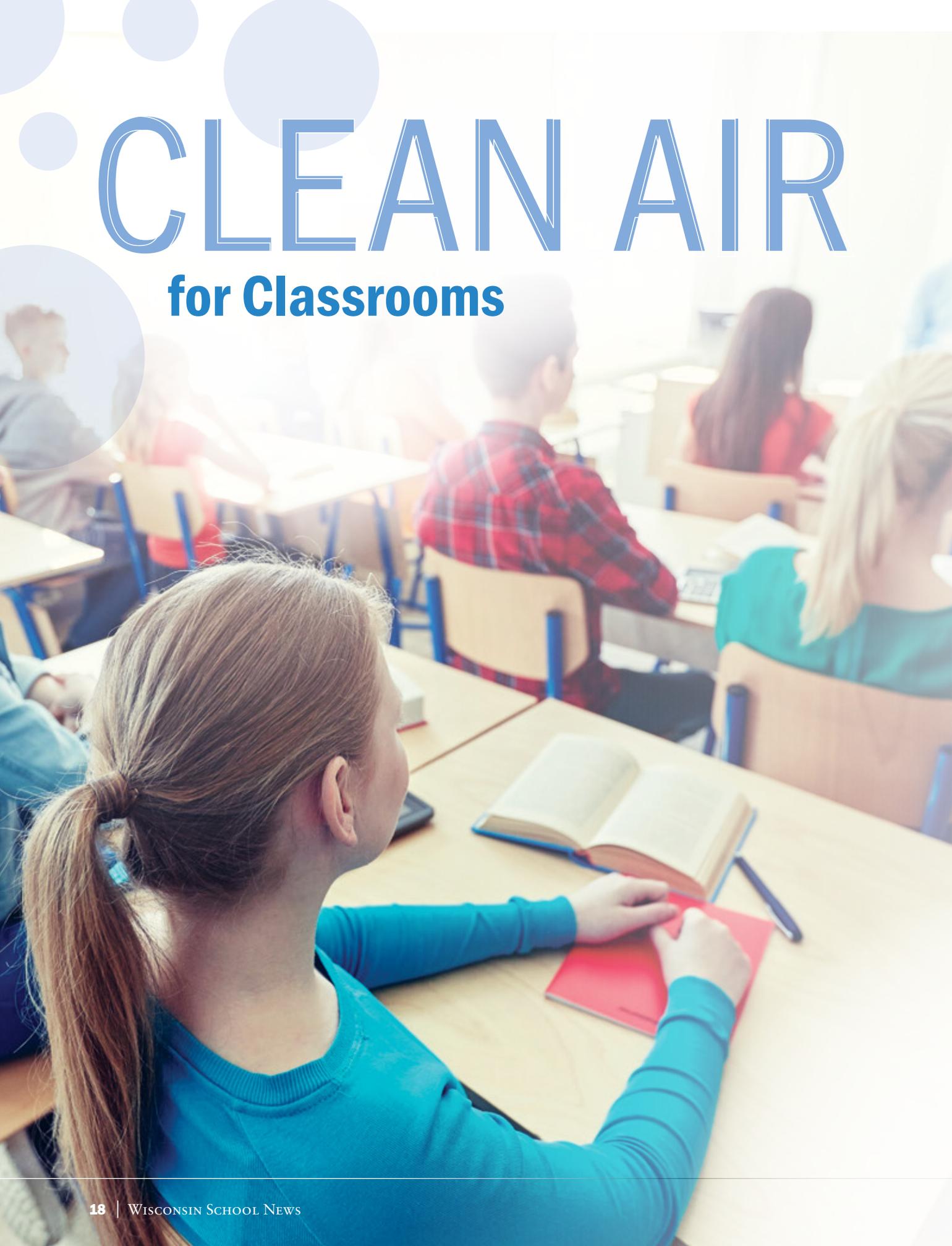




Photo: Johnson Controls

Jon Douglas from Johnson Controls works with the team on an indoor air quality assessment for the Richmond School District.

An indoor air quality assessment can enhance the well-being and productivity of staff and students

by Jeanne Siegenthaler and Tyler Smith

The COVID-19 pandemic highlighted just how important indoor air quality is for keeping students, teachers and staff healthy and thriving.

Clean, filtered, well-ventilated air helps reduce COVID-19 case counts in communities and schools. It also averts the spread of other airborne illnesses like the flu, eases asthma and allergy symptoms and filters out outside contaminants like car exhaust, bus fumes and pollen.

Our district consists of a single building, which is older and could benefit from better air. As superintendent of Richmond School District, I need to do everything possible to ensure the safety of our students and

teachers, and I know that good indoor air quality is critical to that goal.

However, coming up with a comprehensive improvement plan was overwhelming. Bombarded by emails and calls from companies eager to help, I found myself sifting through options, unsure which offered the best outcome for our district.

We received federal funding to address COVID-related issues, but I wanted to be careful about putting our district's money to good use. I was looking for a data-backed approach, one that gave my district a full, clear picture of potential problems. Before committing to investing in this crucial equipment, I needed to learn more.



Photo: Johnson Controls

Chris Duncan from Johnson Controls shows **Dr. Jeanne Siegenthaler, superintendent of Richmond School District**, a sensor used in the air quality assessment.

■ The many benefits of clean air

When we think about the air inside a school, our thoughts turn to temperature — whether it’s too cold or hot. But air quality includes many aspects we can’t feel.

Other factors that contribute to indoor air quality include volatile organic compounds such as benzene; inorganic gases, such as carbon monoxide; and dust and other particulate matter. Poor indoor air quality can increase illness and lead to higher rates of absenteeism, according to the U.S. Environmental Protection Agency.

An April 2021 analysis in The

Lancet showed that improved indoor air quality in schools can lead to better academic performance among students.

The study found that improving ventilation in a Texas school district significantly boosted math and reading test scores, while poorly ventilated classrooms caused a 5% drop in “powers of attention.” The researchers equated the effect of students breathing bad air to that of missing breakfast.

Adequate ventilation and filtration can address health concerns beyond COVID-19. Viruses like the flu, measles and common cold also spread easily through the air, often

leading to large numbers of students missing school and losing out on valuable learning. This particularly concerns educators when it comes to our most vulnerable students, who need extra assistance and can easily fall behind without consistent interaction with educators.

Wisconsin has also been experiencing longer and worse allergy seasons. The Wisconsin Department of Health Services reports that one in 12 kids in state has asthma, which is a leading cause of chronic illness in the U.S. One study estimates that productivity loss due to allergies is twice as high as that from migraines and three times higher than respiratory infections. Tree, grass and weed pollens can easily make their way into learning environments via open windows and unfiltered vents or on clothing and hair.

This means that when my teachers want to safely air out a classroom by opening a window, they must first know how healthy the outside air is, and how well-equipped their heating, ventilation and air conditioning systems are to clean it. We can’t know this without proper sensing and monitoring.

■ A data-backed approach

Last year, as I watched other districts spend tens of thousands of dollars on equipment, such as infrared systems, ionizers and purifiers, I was hesitant to make a significant purchase. Without having any baseline data, how would we know the new equipment was addressing our specific problems?

Then, last December, Johnson Controls provided a full indoor air quality assessment of our district. They temporarily installed sensors to collect key indoor air quality data in classrooms and other key areas, including the gymnasium. They measured room dimensions and snapped photographs of the spaces and sensor locations. The whole exercise was easy and took only about two hours. The sensors stayed in place for two weeks, analyzing room conditions during a variety of

The report's data and thorough analysis also **helped me justify spending to the school board.** I could clearly state our needs, rather than playing a guessing game or throwing darts at a target.

events, including class times, weekends and the annual winter concert, when the gym is more full than usual.

"It's a quick way to get some insight and to tell us what we should do next," says Jon Douglas, director of Healthy Buildings for Johnson Controls. "During the winter concert, carbon dioxide levels spiked really high. Those are the details you get with continuous monitoring."

He explained that assessments also help school districts understand what equipment isn't working — or isn't working to the best of its ability.

After two weeks, we received a full report. The report provided a good snapshot of where we with our air quality, and where we need to go. While I was surprised by some of the data, I also saw areas of opportunity.

Discovering where to improve

The report told us that one of our school's classrooms had higher than acceptable carbon dioxide levels, which health experts have linked to lethargy, meaning students could perhaps perform even better if the air quality were enhanced. Other classrooms had a higher level of airborne particles, suggesting the school's filtering equipment wasn't working quite as efficiently as it could. The report proposed solutions for both issues.

The report's data and thorough analysis also helped me justify spending to the school board. I could clearly state our needs, rather than playing a guessing game or throwing darts at a target. The board and I feel more comfortable knowing we're getting what we need.

We also pinpointed areas to

reduce waste. The report showed we frequently overventilated the gymnasium, unnecessarily costing the school money. A potential solution involves lowering the air flow when fewer people are using the gym. The company also examined the school's three aging rooftop HVAC units and proposed an affordable, more sustainable replacement that would improve indoor air quality.

For years, the faculty and I suspected the school might have a humidity issue. So the company returned in the spring and reinstalled the sensors to gather additional measurements. After finding several spots registered at 65% humidity, over the recommended 60%, the team gave suggestions on alleviating that issue.

We're hoping to start monitoring our indoor air quality on a contin-

uous basis using Johnson Controls sensors. Each month, we will receive a report that provides an updated analysis of our indoor air quality, recommends improvements and sets new air quality targets.

As I have discovered in my career as an educator, the more I learn, the more excited I become about what the world offers. The same holds true for this experience. We can increase the health and safety of our students and teachers by making a few adjustments and improvements to our indoor air quality. That's a win-win for all of us. ■

Dr. Jeanne Siegenthaler is superintendent of Richmond School District in Sussex. Tyler Smith is vice president of Healthy Buildings for Johnson Controls.

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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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The 2022 WASB Summer Leadership Institute, held this July in La Crosse, helped attendees connect their governance strategies with student success.

TO PROFICIENCY and Beyond...

Photos by Dan Linehan

Getting All Children What They Need

How do all children benefit from instruction so they're taken to proficiency and beyond?
And how do we address the needs of children who require more support?

A team of three WASB consultants — Dan Nerad, Louise Blankenheim and Cheryl Gullicksrud — went in-depth on these two questions at the 2022 WASB Summer Leadership Institute, held July 8-9 in La Crosse.

Defining the first question — summarized as “educational excellence” — WASB consultant and former superintendent Dan Nerad said it’s about helping students cultivate their talent and potential.

“Excellence is taking kids from where they are to where they need to go,” he said. “Proficiency isn’t enough.”

Drawing from a variety of education research, the consultant team offered several suggestions, including:

- Relentlessly pursue a small number of goals.
- Use data to make decisions and continuously improve on them.
- Foster a shared commitment to the belief that all children can learn.
- Gain engagement from family and community.
- Monitor for innovation and improvement.

Research has tied these leadership practices to the success of students, they said.

Part of this commitment for all children may mean providing more resources to students who need them to succeed. Some people call this practice “equity,” but its name is of less consequence than its practice, Nerad said.

Whatever you call this concept, districts have long committed to it in practice, he said.

Nerad illustrated that point with a few questions to the La Crosse audience of largely school board members. How many of you have a fine arts

On cultivating an outward mindset with peers, customers and managers:

“By knowing their needs, objectives and challenges, you can be responsive in your work to find places to be helpful.”

— Jo Miller, keynote speaker



Jo Miller, director of continuous improvement at CESA 8, discusses the importance of having the right mindset. She was the keynote speaker at the 2022 WASB Summer Leadership Institute.

program? Does it serve every student? Or an athletic program?

In other words, education leaders have long sought to give each child the opportunities that would best help him or her achieve their potential.

Presenters discussed specific ways that school board members could put these concepts into practice. One area of potential improvement is the removal of unjustified barriers to advanced coursework. Requiring that students be nominated by staff, for example, may be such a barrier.

Instead, consider the use of universal screening — assessing all children to determine which stu-

dents could benefit from advanced coursework.

Attendees took the opportunity to bounce ideas off each other.

At one point, as Gullicksrud spoke about offering district communications in multiple languages, a board member asked: Has anyone here put this into practice? How many languages do you use?

A few board members in the audience said their communications are indeed shared in Spanish and, in a few cases, in Hmong.

Kathleen Wied-Vincent, president of the Greendale School Board and Summer Leadership attendee, said

her district has expanded the ability of more students to enroll in honors courses. In the past, some advanced high school classes were effectively off-limits to some students.

“I’ve been attending these ever since I was elected,” she said of the Summer Leadership Institute. “I’ve learned something new at every single one of these. I really encourage fellow board members to come.”

Larry Dux, an attendee and member of the Pewaukee School Board, said he appreciated the refresher on research such as the Lighthouse Study, which examined the connections between school board practices and student achievement.

The event, he said, was tackling the big questions — “Why are we doing this? What do quality schools do to promote excellence for all children?”

“As a school board member, that’s what we should be all about.”

Next year’s Summer Leadership Institute will be in July in Green Bay. Stay tuned to WASB.org for details on how to register next spring. ■

Dan Linehan is the WASB director of communications.



Summer Leadership Institute attendees talk about how their own experiences relate to the topic at hand.

What did our members tell us about WASB services?

Our latest member survey, conducted earlier this year in partnership with the Wisconsin Institute for Public Policy and Service, WIPPS, consisted of an online survey followed by focus groups.

The WASB has only begun analyzing the results. In coming months, we'll follow up this initial look at the results by providing descriptions of changes that were driven by the survey results.

HOW WAS THE SURVEY DEVELOPED?

The WASB worked with WIPPS to develop questions to generate findings that could drive changes in what we do.

The intended audience for the survey was Wisconsin school board members, district administrators and CESA administrators.

The survey was offered online from Jan. 31 to Feb. 20.

WHO TOOK THE SURVEY?

The 523 people who completed the survey come from across Wisconsin and serve districts of all sizes. Half of respondents came from a school district with fewer than 1,000 students.

Three quarters of the people who took the survey were school board members. Superintendents and CESA administrators comprise the final fourth.

Details about the survey respondents — their ages, gender, education, experience and more — are available on the report at WASB.org.

WHAT WAS THE ROLE OF FOCUS GROUPS?

Looking to go deeper into the findings — to add context and explain the attitudes behind the survey responses — the WASB and WIPPS organized a series of focus groups. There were three separate focus groups — one each for school board members, school board presidents and district administrators — to better identify the perspective of each group.

The focus groups were held online this May. The following is a selection of survey findings.

► Advocacy

About three-quarters of respondents agreed that the WASB provides “high-quality legislative advocacy information and resources.”

At the same time, many members do not prioritize their

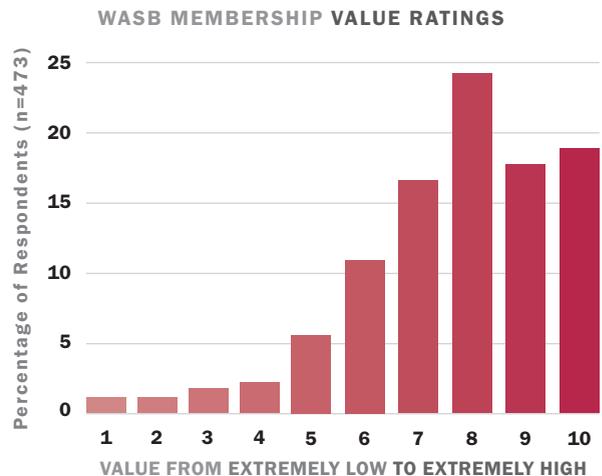


Figure 1

On the 10-point scale provided, nearly 90% of WASB respondents rated the overall value of WASB membership at 6 or above, and over 40% rated it either an 8, 9, or 10.

own advocacy, with half of boards putting legislative matters on the agenda once every six months or less often.

There were several potential explanations offered as to why board members are not more active in legislative advocacy. Each option is followed by the percentage of respondents who agreed or strongly agreed:

- Board members lack training, resources, or knowledge on how to engage in legislative advocacy (68%).
- My school board delegates legislative advocacy to the superintendent (45%).

WASB MEMBERSHIP LEGAL & POLICY RATINGS

	% Not at All or a Little Valuable	% Moderately Valuable	% Very or Extremely Valuable	% Not Familiar With This Resource
Updated Wisconsin School Laws	7	18	64	11
New School Board Member Handbook	9	20	62	8
Legal and Policy Newsletter (electronic)	8	26	61	6
Election Schedule and other election resources	13	23	52	12
PowerPoints presentation on legal/policy matters	13	23	51	13
Wisconsin Policy Resource Guide	12	25	49	14
Annual Meeting booklet	15	25	45	16
Policy Perspectives Newsletter (paper)	12	22	44	22
Nonrenewal Bulletin	14	22	40	24
Online Learning Platform	16	27	37	20
The FOCUS	12	24	37	27

Figure 2

75% of respondents agreed or strongly agreed that the WASB “provides high-quality legal and policy services and resources.”

- My school board is divided and cannot agree on a common position for legislative advocacy (20%).
- Legislative advocacy is not an important part of the school board member’s role (15%).

► Convention and events

The State Education Convention was seen as the most valuable event or publication by respondents. Members enjoyed the camaraderie, networking and learning at the convention.

Focus group members identified what they saw as areas to improve, including a perception that the conference is weighted toward larger, more urban districts. It’s important to note that the focus groups are too small to be statistically representative, but their feedback was nonetheless valuable.

See figure 3 for other events and communications offerings rated by respondents.

► Legal and policy services

Seventy-five percent of respondents agreed or strongly agreed that the WASB “provides high-quality legal and policy services and resources.”

Members rated many legal and policy resources as very/extremely valuable, with Updated Wisconsin School Laws and the New School Board Member Handbook receiving the highest ratings. (See figure 2, left)

► Overall value of membership

On the 10-point scale provided, nearly 90% of WASB respondents rated the overall value of WASB membership at 6 or above, and over 40% rated it either an 8, 9, or 10. (See figure 1, on page 24)

Stay tuned to these pages in coming months for more information about how the WASB intends to incorporate these survey findings and others into what we do. ■

A copy of the survey report is available on our website, WASB.org.

WASB MEMBERSHIP EVENT RATINGS

	% Not at All or a Little Valuable	% Moderately Valuable	% Very or Extremely Valuable	% Not Familiar with this Resource
State Education Convention	11	18	67	4
Other training events (ie; one-day conferences)	11	25	59	6
The WASB website	12	26	59	3
School News Magazine	19	32	45	4
eConnection Newsletter	18	33	45	5
Connection Podcast	26	22	15	37

Figure 3

The State Education Convention was seen as the most valuable resource by respondents.

2022 FALL REGIONAL MEETINGS & WORKSHOPS

Sept. 28 - Nov. 2



Connect with education leaders from your region during WASB Regional Meetings this fall. We'll gather to celebrate our accomplishments, get an update on WASB activities and, in select regions, elect directors.

- **Boards in regions 2, 5, 7, 10, 11 and 15** will be voting for a WASB regional director. (WASB directors serve staggered three-year terms.)
- **Each Regional Meeting features** networking, a legislative update and a report from WASB Executive Director John Ashley.
- **Prior to your Regional Meeting**, take part in an optional workshop with an experienced WASB attorney to learn more about running effective board meetings.
- **A statewide, online Regional Meeting** and workshop with the same program and agenda will be offered on the evening of Wednesday, Nov. 2. There is no fee to attend the online regional meeting (although registration is recommended). No voting will occur at the online Regional Meeting for any regional directors.

Visit WASB.org for more information and to register online. Registration fees for the Regional Meetings vary based on location. The workshop registration fee is \$75. Register for both events and receive a \$10 discount.

FALL 2022 REGIONAL MEETINGS SCHEDULE

- Region 1** | Oct. 11 – Ashland, Best Western/The Hotel Chequamegon
Oct. 12 – Rice Lake, Lehman’s Supper Club
- Region 2*** | Oct. 13 – Minocqua, Norwood Pines Supper Club
- Region 3** | Oct. 5 – Green Bay, Rock Garden/Comfort Suites
- Region 4** | Oct. 26 – Menomonie, Off Broadway (by Stout Ale House)
- Region 5*** | Oct. 25 – Rothschild, Holiday Inn
- Region 6** | Oct. 27 – Onalaska, Stoney Creek Hotel La Crosse-Onalaska
- Region 7*** | Oct. 6 – Neenah, Bridgewood Resort
- Region 8** | Oct. 4 – Kiel, Millhome Supper Club

- Region 9** | Sept. 28 – Fennimore, Southwest Tech
- Region 10*** | Oct. 20 – Wisconsin Dells, Trappers Turn
- Regions 11* & 15*** | Oct. 18 – Menomonee Falls, Davians
- Region 12** | Sept. 29 – Middleton, Middleton High School
- Region 13** | Oct. 19 – Burlington, Veterans Terrace
- Region 14** | TBD – Milwaukee, Milwaukee Public Schools Administration Building
- Online** | Nov. 2 – Open and complimentary to all members

* Denotes regions with elections for WASB Board of Directors



Online Learning Platform Expands

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

We understand school leaders are pressed for time, so we’ve been adding shorter webinars. To help school boards work together smoothly, we’ve added a 20-minute webinar on board norms. These are mutually agreed upon rules — something of a “code of conduct” that can help school boards navigate potentially contentious issues.

To help school boards work with their administrator, we’ve added a 35-minute webinar on governance team relationships.

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

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



WASB Welcomes SIERRA LINTON

Sierra Linton has joined the WASB as a communications and marketing specialist.

Sierra, a graduate of UW–Madison, spent more than a decade as a newscast director at two Madison-area television stations.

Her duties include assisting with the WASB website, social media accounts, podcast and promoting in-person and online events.

She enjoys cooking, going to the movies and listening to audiobooks.



WASB Connection Podcast

If school boards expect their educators to continuously improve, they should ask no less of themselves.

In this episode of the *WASB Connection Podcast*, we talk about one method for board members to assess their own skills and challenges. It's called the Annual Board Development Tool, and it's free to use for all Wisconsin school boards.

“It’s a great way to prompt conversations, to make people have those difficult conversations that we might not get with an open-ended question... It’s a lot more strategic and insightful.”

— Shelley Burns, president, Mequon-Thiensville School Board

Find the episode at WASB.org, or wherever you listen to podcasts.

SAVE THE DATE...

WASB FALL ADVOCACY WORKSHOPS

THURSDAY, NOV. 10
Tomahawk and Green Bay

TUESDAY, NOV. 15
Fennimore, Portage and Turtle Lake

UPCOMING ONLINE WORKSHOPS & WEBINARS

■ SCHOOL DISTRICT REFERENDA (TWO-PART)

PART 1: Community engagement **JULY 26** | Noon

PART 2: Legal & policy considerations **AUGUST 3** | Noon

More and more school districts are going to referenda for funding and facilities. This two-part webinar series begins with a discussion about engaging a community around a referendum project. Attendees will learn about how to structure a community input process. They will also learn about the outlook for upcoming referendums in Wisconsin.

The second part will cover the legal and policy considerations that you should consider before going to referendum. This includes detailed analysis of the different types of referenda, the procedure and timing of referenda, the use of district funds and resources during a referendum, the roles of the board, individual board members and staff during a referendum, and how districts, staff, and boards may interact with third party groups, e.g. “vote yes,” “vote no,” etc.

Like all WASB legal webinars, a recording of this online event is available for purchase at WASB.org.

■ PUPIL EXPULSION

SEPTEMBER 8 | Noon

There are state and federal laws relating to the expulsion of pupils. This webinar will provide a roadmap for the expulsion process and help avoid common pitfalls. The presentation will focus on procedures for administrators as well as for boards that conduct their own expulsion hearings.

■ EMPLOYEE POLITICAL SPEECH (NEW)

SEPTEMBER 28 | Noon

School district officials are rightly cautious about restricting the speech rights of employees. At the same time, public employees must recognize that there are limitations on their freedom of speech. Courts have recognized that public employers may control their employees’ speech in certain instances, particularly where the speech threatens the efficiency of the employer’s operations.

School officials are often confronted with issues surrounding when employees are speaking as an employee or as a citizen. These are particularly challenging issues for school officials to address, particularly when employees are making statements related to school district affairs over social media. This presentation will review the law in this area, including the steps that courts often take in reviewing claims by employees that they are speaking as a citizen rather than as an employee. We will review various court cases in this area, address common scenarios often confronted by schools, and address best practices for addressing these issues.

Resolutions Are Your Board's Chance to Put Its Imprint on the WASB

Passing a board resolution is the first step



Your board has a unique once-a-year opportunity to help shape the WASB's policy direction, and that opportunity is fast approaching.

Individual member school boards provide the policy guidance and direction that informs the WASB's legislative agenda and legislative advocacy efforts on your behalf. Boards initiate this process by adopting resolutions and submitting them to the WASB.

The best way you can get the WASB working on your issue is to offer a board resolution stating what you think our position on the issue should be and why. It can be on literally any relevant topic and can create a new resolution or amend/

eliminate existing ones.

If your resolution is advanced to and adopted by the Delegate Assembly in January, it will guide the WASB staff in its lobbying activities. In that way, resolutions are your board's opportunity to put its imprint on the WASB.

The deadline for submitting board resolutions to WASB is Sept. 15. Resolutions may be submitted online via the WASB website.

Because that deadline can seem to sneak up on boards amid all the back-to-school activities and school district budgeting decisions on board members' plates, we offer this column as a reminder. Board resolutions need to be adopted by your

board on or before Sept. 15 to be submitted, which means your resolution will have to be drafted and become part of your board's meeting agenda to meet that deadline.

Copies of the Resolutions Adopted by Delegate Assemblies book, containing all WASB resolutions adopted throughout the years, were mailed to all school board presidents and district administrators earlier this summer.

We suggest that your board take some time to review the book to see if there are issues that either aren't addressed by an existing resolution or are addressed by an existing resolution in a way that you feel needs to be changed or repealed. Please review the table of contents and the index as part of your review of the resolution book. The main reason resolutions are turned down is that an existing resolution already exists on a given issue and that existing resolution already covers the issue in the same or very similar way that the proposed new resolution seeks to address that issue. That said, a resolution to amend or repeal an existing resolution is always an option.

We hope you will consider drafting one or more resolutions on issues important to your district. When you do, please include a clear, concise rationale to explain the intent of your resolution.

If you have any questions or issues with your submission, please contact Dan Rossmiller or Chris Kulow.

SUBMITTING YOUR RESOLUTION TO THE WASB

1. Identify legislative priorities and issues important to your board.
2. Review the *WASB Resolution Book* to see what resolution, if any, the WASB has on your issue(s).
3. If a WASB resolution does not exist on your issue(s) or an existing resolution needs to be amended/repealed, draft a new resolution and have it approved by your full board.
4. Submit the approved resolution to the WASB by the **September 15 deadline**.

WASB Resolution Process

Each January during the State Education Convention, a representative (delegate) of each WASB member school board in the state votes on the submitted resolutions in a gathering called the WASB Delegate Assembly. The resolutions adopted by these school board member delegates are the official positions of the WASB and remain in force until amended or repealed.

Mostly, these resolutions come from resolution ideas submitted by individual WASB member school boards just like yours.

Once these resolution ideas are submitted, the WASB Policy and Resolutions Committee, comprised of about twenty-five school board members appointed each year from

all areas of the state and all types of districts, evaluates the submitted resolutions and determines which ones will advance to the Delegate Assembly in January. Often, the committee will suggest a modification. While the committee has a

strong say, it does not have the final say; board member delegates do. That is because under the WASB Bylaws, any resolutions turned down by the committee are still afforded an opportunity to be brought to the Delegate Assembly floor. ■

RESOLUTION/DELEGATE ASSEMBLY WEBPAGE

Visit WASB.org/advocacy-government-relations/delegate-assembly for more information on WASB resolutions and Delegate Assembly including:

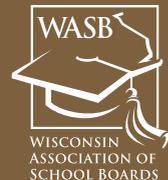
- Link to submit resolutions online
- Online version of WASB Resolution Book
- Video explaining how the WASB Government Relations staff use the resolutions to take positions on legislation



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.”



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Overtime Issues for Employees Performing Coaching or Other Duties

In many school districts, it is common for employees to perform additional duties as coaches, advisors, event staff, ticket takers, etc., beyond their “regular” job. Under both state and federal law,¹ all hours of work performed for a single employer must be counted toward an employee’s work in a given workweek and, unless an exemption from the wage and hour laws regarding overtime applies, must be counted and calculated in determining whether or not overtime wages are due to an employee. This area of the law is complicated and can be confusing. Additionally, some districts have long-established practices or policies of compensating individuals who work in more than one capacity that might not comply with state and federal wage and hour law.

Much of the confusion on this issue centers around coaches or other extracurricular advisors, so those positions will be the focus of this Legal Comment (although the same concerns can arise with respect to event staff, ticket takers, or other people who help with school-related events). Board members might be involved in selecting who will serve in an extra duty position, or they might be involved in decisions to modify the district’s approach to compensating employees who serve in multiple positions. Therefore, it is important that board members have a general understanding of these legal issues.

This Legal Comment will: (1) review how the law addressing this situation varies based on an employee’s eligibility for overtime pay; (2) explain some legally compliant methods for calculating overtime; and (3) discuss volunteers and other potential applicable exceptions to the general rules.

As an initial matter, employees generally fall into one of three categories with respect to overtime pay: (1) exempt employees (who are not eligible for overtime pay); (2) outside employees who are employed by a district solely as coaches or extracurricular advisors (who generally are not eligible for overtime pay); and (3) non-exempt employees (who are eligible for overtime pay).

■ Exempt employees

Many employees within a school district are considered “exempt” from the minimum wage and overtime obligations of state and federal wage and hour laws. These include the district administrator, principals and teachers. If an advisor/coach is an employee whose position is already exempt under the Fair Labor Standards Act, there is no overtime calculation required if the employee works an additional position or works more than 40 hours in a workweek because the position of advisor/coach is, in and of itself, considered exempt from overtime as a form of “teacher.”² This means, for example, if a high school math

teacher also coaches the girls’ softball team, it does not matter how many hours that individual works in either position because all of their time is considered exempt work under the Fair Labor Standards Act. Even if those exempt individuals performed other non-exempt tasks, such as performing as an event supervisor or ticket taker, their primary duty would still be considered teaching. Therefore, those additional duties, whether paid a flat rate stipend or at an hourly rate, would not affect their exempt status and can just be paid out to employees as additional compensation.

■ Outside employees

Most individuals who don’t work in any other capacity for a school district but are hired to coach or act as an advisor do not work more than 40 hours per week in this capacity for the school district. Therefore, overtime considerations normally do not come into play. However, some of these individuals could put in more than 40 hours of work in some weeks. For example, a football coach might work more than 40 hours a week during the playoffs. In this situation, the Department of Labor has held that as long as the advisor/coach is not employed in any other capacity in the school district, the advisor/coach is a “teacher,” and, therefore, not bound by minimum wage and overtime requirements.³

Some districts have long-established practices or policies of compensating individuals who work in more than one capacity that might not comply with state and federal wage and hour law.”

Where an hourly employee, in a single workweek, works at two or more rates, and the employee works more than 40 hours per week for the same employer, the employer has [only] two choices on how to calculate overtime.

■ Non-exempt employees

For an employee whose primary job with a district is non-exempt (e.g., custodian, secretary, paraprofessional, food service, transportation, usually paid at an hourly wage rate) and who also acts in an additional capacity as an advisor/coach, all hours worked, including those worked as an advisor/coach, both onsite and offsite, must be compensated as hours worked. If such a non-exempt employee works more than 40 hours in a workweek in a non-exempt position, including time worked as event staff or ticket taker, a school district would need to pay overtime for any hours worked over 40 in a week.

If the advisor/coach is paid an hourly wage as an advisor/coach and paid a different hourly wage for primary duties as a regular non-exempt employee (custodian, secretary, etc.), the overtime calculation must consider the difference in hourly rates and the total hours worked in the workweek to arrive at the correct overtime rate. Both state and federal law provide that where an hourly employee, in a single workweek, works at two or more rates, and the employee works more than 40 hours per week for the same employer, the employer has two choices on how to calculate overtime: (1) the weighted average (or blended rate); or (2) pay one and a half times the hourly rate in effect when the overtime work is performed.⁴

The weighted average method is the default method for both federal and state law. This method requires totaling all the compensation received by a given employee during the workweek at all applicable wage rates and then dividing that amount of compensation by the total number of hours worked at all jobs. That number is then divided by two to get the employee's overtime premium

rate for that week. The number of hours worked over 40 that workweek is then multiplied by that overtime premium rate and added to the employee's earnings for that week. This additional amount constitutes the employee's overtime pay for that week.

For example, if an employee worked 40 hours as a custodian at \$18 per hour (for a total of \$720 that week) and also worked 10 hours as an assistant swim coach at the rate of \$12 per hour (for a total of \$120 that week), they would have earned \$840 in regular time pay. To determine the overtime owed, the employer must divide \$840 by 50 (the total hours worked that week) to get the weighted average of \$16.80 for that week. Then, the employer divides the \$16.80 by two to get an overtime premium of \$8.40. That premium is multiplied by the 10 overtime hours for the workweek to get \$84 in overtime pay. That \$84 gets added to the \$840 to arrive at \$924 in total compensation owed to the employee for the week. [Note: this calculation must be performed for every workweek and will obviously vary if the number of hours in either category changes].

The second method, rate-in-effect, is also permissible under the law, but employers must first have an agreement with the employee to use that method of compensation before the work is performed. Such agreement could be set forth in a letter of appointment for the position, in a board policy, or in an employee handbook. Here is an example of using the rate-in-effect method. An employee's regular position pays them \$18 per hour, but an event staff supervisor position pays them \$12 per hour. The overtime rate that would have to be paid to the employee at time and a half (i.e. paid out multiplied by 1.5) is the rate established for the duties at

the time the employee works their overtime hours (their 41st hour, their 42nd hour, and so on). Depending on the number of hours worked in a particular week and when those hours are worked, the employee might earn overtime pay based on both the \$18-an-hour and the \$12-an-hour rates.

Regardless of the method a school district has selected to calculate overtime, if the advisor/coach is paid on a stipend basis for those duties, the school district must convert the stipend to an hourly rate for the advising/coaching duties that is at least \$7.25 per hour (the current minimum wage). This established hourly rate for the advising/coaching duties can then be used in the weighted average (blended rate) formula or in the rate-in-effect formula.

A major concern of allocating an hourly rate to the stipend paid to an advisor/coach is that the actual hours worked by the employee in the role of the advisor/coach might realistically be much greater than anticipated when the district established the converted hourly rate for the stipend. For example, if the stipend is \$2,500 and the allocated rate is the minimum wage of \$7.25 per hour, that limits the advisor/coach to working 345 hours in the position. If this is fewer than the number of hours actually performed by the employee in the advisor/coach position for that season or activity, the district owes the employee wages, including overtime, on those additional hours worked. The legal risk is greater in districts where advisors/coaches do not track their hours.

Because of the complexity and uncertainty involved in utilizing a stipend method, districts should be cautious in allowing non-exempt employees to perform advising/coaching duties on a stipend basis.

■ What about coaches who volunteer?

Some districts allow coaches/advisors to volunteer. In those cases, the volunteer hours do not count towards the overtime calculation. However, in order for this to apply, the volunteer must be “a bona fide” volunteer. This means the individual: (1) performs hours for civil, charitable, or humanitarian reasons without promise, expectation or receipt of compensation; (2) offers their service freely and without pressure or coercion, direct or implied, from the employer; and (3) does not perform the same type of service for the public agency as an employee as those for which they propose to volunteer. The Department of Labor has, however, allowed bona fide volunteers to be paid certain expenses or a nominal fee. In general, the department has allowed the fee or expenses that a district may pay a volunteer to be up to 20% of what the district would normally pay an employee for working in that position.⁵ Again, before districts pay a volunteer any amount, districts may wish to consult legal counsel.

■ Other exceptions

There is an exception to counting hours toward overtime for school district employees who voluntarily perform only “occasional or sporadic work.” In those situations, an employee’s occasional or sporadic work does not need to be combined with regular hours to determine potential overtime liability.⁶ Occasional or sporadic work is defined as infrequent, irregular or occurring in scattered instances.⁷

The key under the occasional or sporadic work exception is that employees are freely and solely at their own option agreeing to perform any such activities. The work also cannot be within the same general occupational category as the

employee’s regular work. For example, a district bus driver cannot volunteer to drive district sports teams to away events. However, a bus driver could occasionally and sporadically volunteer for an elementary reading program. The employee must be free to refuse to perform such work without sanction and without being required to explain or justify their decision for not agreeing to do the work. Caution must be taken with respect to employees who regularly agree to perform these duties without compensation. For example, if there is an annual holiday concert and an employee volunteers to be an event worker, that one-day activity would likely be considered occasional and sporadic. However, if an employee volunteers to be the PA announcer at every boys’ home basketball game or agrees to be a ticket taker at every home football game, that would probably not be occasional and sporadic. Districts should exercise caution in attempting to use the occasional and sporadic exception to paying overtime wages.

■ What about using compensatory time off?

Under certain conditions, employees of school districts may receive compensatory time off, at a rate of not less than one and a half hours off for each overtime hour worked, instead of providing cash overtime pay. Generally, school districts that wish to utilize this plan may allow employees to accrue up to 240 hours of compensatory time off. An employee must be permitted to use compensatory time off on the date requested unless doing so would “unduly disrupt” the operations of the district. Compensatory time must be established by agreement between the district and the employee, but such an agreement can generally be made via the inclusion of a compensatory time policy in board policy or in an employee handbook.

Thus, districts could use compensatory time for a non-exempt employee’s overtime rather than paying them cash overtime. But remember, the employee must get one and a half times the overtime hours worked off for this to be valid.

■ Summary

Complying with state and federal wage and hour laws can be time consuming and complicated. In no area is this truer than when it comes to paying employees for working in additional positions such as coaches/advisors or where employees wish to work additional duties such as event staff workers, ticket takers, etc. Understanding the various options is the first task. The second, and more complicated task, is implementing those options particularly in districts that might have long-standing practices or policies that are not consistent with existing law. Because there are many variables and each situation may be unique, districts are advised to get specific legal advice with respect to their situation. ■

■ Endnotes

1. Wisconsin law generally follows federal law in this area. See Wis. Admin. Code DWD s. 274.08(2).
2. U.S. Dep’t of Labor, Wage & Hour Div., Opinion Letter 2018-6 (Jan. 5, 2018).
3. *Id.*
4. 29 C.F.R. s. 778.419; U.S. Dep’t of Labor, Wage & Hour Div., Fact Sheet No. 23: Overtime Pay Requirements of the FLSA.
5. U.S. Dep’t of Labor, Wage & Hour Div., Opinion Letter 2005-51 (Nov. 10, 2005).
6. 29 U.S.C. s. 207(p)(2).
7. 29 C.F.R. s. 553.30(b)(1).

This Legal Comment was written by Michael Julka, Brian Goodman, and Doug Witte of Boardman Clark, WASB Legal Counsel. For related articles, see Wisconsin School News: “Overtime Issues Under the Fair Labor Standards Act” (Apr. 2021); and “Select Issues Regarding Wage and Hour Laws” (March 2011).



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