



2009 ASSEMBLY BILL 437

September 23, 2009 - Introduced by Representatives VUKMIR, VOS, DAVIS, NASS, GUNDERSON, ZIPPERER, BIES and LOTHIAN, cosponsored by Senators KANAVAS, GROTHMAN, DARLING and A. LASEE. Referred to Committee on Education Reform.

1 **AN ACT to amend** chapter 119 (title), 119.01, 119.02 (1) and 119.02 (2) of the
2 statutes; **relating to:** reorganizing the Milwaukee Public School System into
3 eight school districts and creating a Milwaukee Public Schools Redistricting
4 and Implementation Commission.

Analysis by the Legislative Reference Bureau

Effective July 1, 2013, this bill dissolves the Milwaukee Public Schools (MPS) and creates in its place eight Milwaukee public school districts. Each new school district must operate grades kindergarten to 12. Each new school board must consist of seven members elected at large for three-year terms. The initial election of school board members occurs at the 2013 spring election.

The bill creates a Milwaukee Public Schools Redistricting and Implementation Commission (commission) consisting of the state superintendent of public instruction and two individuals appointed by the governor.

The commission must determine the boundaries of the new school districts and, by July 1, 2011, submit to the legislature recommended changes to the statutes necessary to organize and operate the eight new school districts. The recommended legislation must do all of the following:

1. Transfer school buildings from the city of Milwaukee to one of the Milwaukee public school districts.
2. Address the taxing and borrowing authority of each Milwaukee public school district.

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1 (1) CREATION OF MILWAUKEE PUBLIC SCHOOL DISTRICTS. The Milwaukee Public
2 School System is dissolved. The territory comprising the dissolved school district is
3 divided into 8 separate school districts, the boundaries of which shall be determined
4 by the Milwaukee Public Schools Redistricting and Implementation Commission.

5 (2) MILWAUKEE PUBLIC SCHOOLS REDISTRICTING AND IMPLEMENTATION
6 COMMISSION. There is created a Milwaukee Public Schools Redistricting and
7 Implementation Commission consisting of the state superintendent of public
8 instruction and 2 individuals appointed by the governor. Commissioners shall
9 receive no compensation or reimbursement for their services or expenses. The
10 commission shall do all of the following:

11 (a) Determine the boundaries of the 8 Milwaukee public school districts to be
12 created under subsection (1). To the extent practicable, the population in each
13 district shall be roughly equal. The commission shall consider the location and
14 capacity of school buildings when drawing the boundaries under this paragraph.

15 (b) Submit to the legislature by July 1, 2011, recommendations on legislation
16 needed as a result of the creation of the Milwaukee public school districts under this
17 act, on any other legislation required to implement this act, and on related matters
18 deemed by the commission to be desirable or necessary to organize and operate the
19 school districts created under this act, including the appropriate allocation of assets
20 and liabilities under section 66.0235 (2c) of the statutes to each of the 8 school
21 districts created by this act. The recommended legislation shall do all of the
22 following:

23 1. Transfer each school building and grounds and each school site from the city
24 of Milwaukee to the Milwaukee public school district created under this act within
25 which that school building and grounds or school site is located.

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1 2. Address the taxing and borrowing authority of each Milwaukee public school
2 district created under this act.

3 3. Ensure that persons employed by the Milwaukee Public School System on
4 June 30, 2013, are employed by one of the Milwaukee public school districts created
5 under this act on and after July 1, 2013.

6 4. Revise the statutes to define and clarify the rights of employees under
7 subdivision 3. under retirement, social security, group insurance and other fringe
8 benefit programs and under collective bargaining agreements. The salary and fringe
9 benefit rights and privileges of such employees existing under collective bargaining
10 agreements in effect on June 30, 2013, shall be preserved until superseded by
11 provisions of a succeeding collective bargaining agreement, and the tenure rights
12 and privileges existing under sections 118.23 and 119.42 of the statutes shall be
13 preserved.

14 5. Provide for the continuation of the program under section 119.23 of the
15 statutes as follows:

16 a. Require each of the 8 Milwaukee public school districts created under this
17 act to implement a program under which certain eligible pupils in grades
18 kindergarten to 12 who reside within the boundaries of one of the 8 school districts
19 may attend, at no charge, any private school located within the boundaries of that
20 school district.

21 b. Ensure that pupils enrolled in a private school under section 119.23 of the
22 statutes in the 2012–13 school year and who would be eligible to enroll in a private
23 school under section 119.23 of the statutes in the 2013–14 school year will remain
24 eligible to be enrolled in a private school under a program to be established as
25 provided under subdivision 5. a. in the 2013–14 school year.

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1 (3) RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC INSTRUCTION. The
2 department of public instruction shall do of the following:

3 (a) Provide staff services to the commission created under subsection (2).

4 (b) Provide assistance to each of the 8 Milwaukee public school districts created
5 under this act, including planning for the operation of the school district.

6 (4) MEMBERS OF MILWAUKEE PUBLIC SCHOOL BOARDS.

7 (a) Each of the Milwaukee public school districts to be created under subsection
8 (1) shall be governed by a school board consisting of 7 members elected at large as
9 provided in section 120.42 of the statutes. The initial members of each Milwaukee
10 public school board shall be elected at the 2013 spring election and shall take office
11 on July 1, 2013.

12 (b) The initial terms of 4 of the initial members of each Milwaukee public school
13 board shall be 2 years. The initial terms of 3 of the initial members of each
14 Milwaukee public school board shall be 3 years. For the initial election, in filing
15 nomination papers and a declaration of candidacy, each candidate shall specify
16 whether he or she seeks office for a 2-year or a 3-year term. Successors to the initial
17 board members shall serve for 3-year terms.

18 (5) UNIFIED SCHOOL DISTRICT LAWS APPLY. Each of the Milwaukee public school
19 districts created under this act shall be a unified school district under subchapter II
20 of chapter 120 of the statutes, and each school district shall operate grades
21 kindergarten to 12.

22 **SECTION 6. Effective dates.** This act takes effect on the day after publication,
23 except as follows:

