

State of Wisconsin



2021 Assembly Bill 966

Date of enactment:
Date of publication*:

2021 WISCONSIN ACT

AN ACT *to renumber* 119.9000 (1); *to amend* chapter 119 (title), subchapter I (title) of chapter 119 [precedes 119.01], 119.01, 119.02 (intro.), 119.02 (1), 119.02 (2), 119.04 (1), 119.04 (2) and 119.50 (3); and *to create* 119.9000 (1e) and 119.9000 (1m) of the statutes; **relating to:** reorganizing the Milwaukee Public School System into four to eight school districts and creating a Milwaukee Public Schools Redistricting and Implementation Commission.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter 119 (title) of the statutes is amended to read:

CHAPTER 119
FIRST-CLASS-CITY SCHOOL SYSTEM
SYSTEMS IN FIRST CLASS CITIES
OTHER THAN MILWAUKEE

SECTION 2. Subchapter I (title) of chapter 119 [precedes 119.01] of the statutes is amended to read:

CHAPTER 119
SUBCHAPTER I
FIRST-CLASS-CITY SCHOOL DISTRICT
DISTRICTS IN FIRST CLASS CITIES
OTHER THAN MILWAUKEE

SECTION 3. 119.01 of the statutes is amended to read:
119.01 Applicability. This chapter subchapter applies only to cities of the 1st class.

SECTION 4. 119.02 (intro.) of the statutes is amended to read:

119.02 Definitions. (intro.) In this chapter subchapter, unless the context clearly requires otherwise:

SECTION 5. 119.02 (1) of the statutes is amended to read:

119.02 (1) "Board" means the board of school directors in charge of the public schools of a city of the 1st class other than those public schools transferred to the opportunity schools and partnership programs under s. 119.33 or subch. II.

SECTION 6. 119.02 (2) of the statutes is amended to read:

119.02 (2) "City" means a 1st class city of the 1st class other than the city of Milwaukee.

SECTION 7. 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V, and VII of ch. 115, ch. 121, and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.364, 115.365 (3), 115.366, 115.367, 115.38 (2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35),

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a ~~1st class city~~ school district operating under this subchapter and board but not, unless explicitly provided in this ~~chapter~~ subchapter or in the terms of a contract, to the commissioner or to any school transferred to an opportunity schools and partnership program.

SECTION 8. 119.04 (2) of the statutes is amended to read:

119.04 (2) The board shall exercise the powers, perform the functions, and be entitled to all school aid under sub. (1) insofar as the same are relevant to cities of the 1st class. The board and the schools in ~~cities of the 1st class~~ a school district operating under this subchapter shall be governed in all matters by the general laws of the state, except as altered or modified by express amendments.

SECTION 9. 119.50 (3) of the statutes is amended to read:

119.50 (3) The superintendent of schools shall keep separate accounts of all money raised and apportioned for ~~1st class city purposes of a school district purposes operating under this subchapter~~. The money shall be disbursed in accordance with this section and s. 66.0607 (5) and shall be paid from the proper funds.

SECTION 10. 119.9000 (1) of the statutes is renumbered 119.9000 (1s).

SECTION 11. 119.9000 (1e) of the statutes is created to read:

119.9000 (1e) "Board" has the meaning given in s. 119.02 (1).

SECTION 12. 119.9000 (1m) of the statutes is created to read:

119.9000 (1m) "City" means a 1st class city.

SECTION 13. Nonstatutory provisions.

(1) DEFINITION. In this section, "commission" means the Milwaukee Public Schools redistricting and implementation commission created under sub. (3) (a).

(2) DISSOLUTION OF MPS; CREATION OF NEW SCHOOL DISTRICTS. The Milwaukee Public School System is dissolved. The territory comprising the dissolved school district is divided into new school districts as determined by the commission under sub. (4) (a).

(3) MILWAUKEE PUBLIC SCHOOLS REDISTRICTING AND IMPLEMENTATION COMMISSION.

(a) There is created a Milwaukee Public Schools redistricting and implementation commission that consists of the governor, 2 members appointed by the governor, the state superintendent of public instruction, the mayor of the city of Milwaukee, and two members appointed by the mayor of the city of Milwaukee.

(b) The members of the commission shall receive no compensation or reimbursement for their services or expenses.

(c) The department of public instruction shall staff and provide funding for the commission.

(d) The commission terminates upon the earlier of the following:

1. The date the commission makes the determinations under sub. (4) (a) or the date the commission submits the recommendations under sub. (4) (b), whichever is later.

2. October 1, 2022.

(4) COMMISSION; POWERS AND DUTIES. No later than October 1, 2022, the commission shall do all of the following:

(a) Determine the number of public school districts, which shall not be less than 4 nor more than 8, created in the city of Milwaukee under sub. (2) and the boundaries of the school districts. To the extent practicable, the commission shall make the population in each school district roughly equal. The commission shall consider the location and capacity of school buildings when drawing the boundaries under this paragraph.

(b) Submit to the legislature recommendations on legislation needed as a result of the creation of the city of Milwaukee public school districts under this act, on any other legislation required to implement this act, and on related matters deemed by the commission to be desirable or necessary to organize and operate the school districts created under this act, including the appropriate allocation of assets and liabilities under s. 66.0235 (2c) to each of the school districts created under this act. The commission shall recommend legislation under this paragraph to do at least all of the following:

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

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

3. Ensure that persons employed by the Milwaukee Public School System on June 30, 2024, are employed by one of the public school districts created under this act on and after July 1, 2024.

4. Provide for the continuation of the program under s. 119.23.

5. Provide for the continuation of any charter school authorized under s. 118.40 by the board of school directors in charge of the Milwaukee Public Schools.

(5) RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC INSTRUCTION. The department of public instruction shall provide assistance to the city of Milwaukee public school districts created under this act, including planning for the operation of the school districts.

(6) MEMBERS OF NEW PUBLIC SCHOOL BOARDS.

(a) Each of the city of Milwaukee public school districts created under this act shall be governed by a school board consisting of 7 members elected at large as provided in s. 120.42. The initial members of each school

board shall be elected at the 2024 spring election and shall take office on July 1, 2024.

(b) The initial terms of 4 of the initial members of the school board for each city of Milwaukee public school district created under this act shall be 2 years. The initial terms of 3 of the initial members of each school board shall be 3 years. For the initial election, in filing nomination papers and a declaration of candidacy, each candidate shall specify whether the candidate seeks office for a 2-year or a 3-year term. Successors to the initial board members shall serve for 3-year terms.

(7) UNIFIED SCHOOL DISTRICT LAWS APPLY. Each city of Milwaukee public school district created under this act shall be a unified school district under subch. II of ch. 120 and shall operate grades kindergarten to 12.

SECTION 14. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The treatment of ss. 119.01, 119.02 (intro.), (1), and (2), 119.04 (1) and (2), 119.50 (3), 119.9000 (1), (1e), and (1m), subch. I (title) of ch. 119, and ch. 119 (title) and SECTION 13 (2) and (7) of this act take effect on July 1, 2024.
