



Alberta Darling

Wisconsin State Senator · District 8

Testimony before the Senate Committee on Education
Senate Bill 963
2/23/2022

Thank you committee members for taking the time to hear Senate Bill 963.

This bill is part of the Empowering Parents K-12 Education Reform Package to address the growing demand from parents to tailor their children's individual education, establish accountability, and encourage collaboration with educators.

Since being released, this bill has received negative attention. It is unfortunate that the attention is focused on naysayers of reform, instead on why a bill of this magnitude is necessary to start a conversation on the poor performance of the Milwaukee Public School (MPS) system that currently enrolls over sixty-six thousand students. Without this bill, I fear the level of interest from the media and key stakeholders would continue to be non-existent.

According to the most recent data, only 4.2% MPS students are proficient in math. 7.3% of students are proficient in English language arts. That is unacceptable and disheartening. While some may argue that this is due to the pandemic, this problem has existed for many years and has gone unaddressed for too long. As leaders in this state, we must demand more from our largest public school system.

Opponents of reform have often opined that MPS's struggles are due to the lack of funding. Last year, the state budget included over \$770 million dollars in total state aid just for the MPS system. On top of that, the system is expected to receive another \$770 million in federal COVID relief aid. And in 2020, a referendum was passed to generate another \$87 million dollars. I welcome a conversation on addressing the funding formula so more money follows a child into the classroom, but this is more than just a money problem.

Senate Bill 963 has three main components to address the poor performance and promote local control. First, effective July, 2024, Milwaukee Public Schools would be dissolved into four to eight City of Milwaukee public school districts. Second, it creates a seven member commission made up of the Governor and two appointees, the Mayor of Milwaukee and two appointees, and the State Superintendent of Public Instruction.

Lastly, it establishes by no later than October 1, 2022, the commission must determine the number of new school districts and submit to the legislature recommended changes to the statutes necessary to organize and operate the new districts.

Opponents of this legislation have levied many questions and hypotheticals on why this proposal could not work. I welcome those questions to be asked to the commission formed under this bill. The commission is ultimately tasked with proposing solutions to those questions. Next, they will submit their proposal to the legislature to begin the legislative process. Between now and 2024, there will be many discussions on what is best for the students in Milwaukee. I cannot be clearer. This bill is only the first step to a long and desperately needed discussion on how to help MPS's students.

The commission created under SB 963 has a very important role. That is why I chose the Governor who is accountable to all citizens of Wisconsin, the Mayor of Milwaukee who is accountable to their city, and the State Superintendent who is elected to be Wisconsin's education leader. These individuals were chosen because they have a vested interest in making sure our largest city is preparing students to become contributing members of our state.

Previous administrations, both Republican and Democrat have looked for ways to improve the quality of education in Milwaukee, Unfortunately, this problem continues to exist today. If we cannot work together to acknowledge the problem and fight for change, then we will lose yet another generation of kids. And that is a much more dire consequence than anything that can happen to legislators politically for making this bold leap forward.

I want to thank my colleague, Representative Wittke, for co-authoring this bill in the Assembly, and thank you committee members for hearing Senate Bill 963 today. I ask that you accept this challenge to create a better educational landscape for the students trapped in a failing system.



ROBERT WITTKE

STATE REPRESENTATIVE • 62nd ASSEMBLY DISTRICT
TESTIMONY: SENATE COMMITTEE ON EDUCATION
February 23, 2022

Madame Chair and Committee Members,

Recently, a constituent emailed this comment to me, “Our schools have failed our children because they have become a social experiment”. That sentiment, personal experience, and three years as Board President of Racine Unified School District drives me to push education reform from talk to action for our children. Thank you, Madame Chair and Committee Members, for taking time to hold a public hearing on this package of K-12 Education Reform bills.

Members, with all due respect, we can no longer let the status quo in education be our guide. When Senator Darling came to me with these proposals asking for me to join the effort, I was enthusiastic. She knows well how important it is for us to take action for our children. Thank you, Senator Darling.

In a recent statement from State Superintendent Dr. Jill Underly, she said “Our schools are facing major challenges, many of which existed long before COVID-19...” “We need solutions to these challenges...” and I couldn’t agree more, we just have a different way of getting there. Let me summarize four bills I’ve co-authored for our children and their parents. **Senate Bill 966 (SB 966)** would require the Department of Public Instruction (DPI) to use the Administrative Rules process to establish the method and formulas it will use in creating school and school district report cards. Specifically how pupil achievement and growth in reading and mathematics is determined. Schools should be able to count on a standard guide each year.

Senate Bill 964 (SB 964) and **Senate Bill 965 (SB 965)** team up to allow growth in Wisconsin’s already successful charter school program. Charter schools are a popular option that parents have used, with success, and SB 964 would create the Charter School Authorizing Board and allow it to authorize independent charter schools. Charter schools under current law may be authorized by school boards, the City of Milwaukee, the University of Wisconsin-Milwaukee and Parkside, Madison Area Technical College, the Waukesha County executive to name some of the authorizing entities. **SB 965** would allow increased access to charter schools by giving high-performing charter schools – those ranked in the top two performance categories in the most recent report card – to duplicate themselves. The duplication process is currently part of the charter contract and SB 965 expands the provision to these high performers.

Senate Bill 963 (SB 963) would reorganize the Milwaukee Public School System (MPS). This bill creates a Redistricting and Implementation Commission made up of the Governor and two appointees, the City of Milwaukee Mayor and two appointees, and the State Superintendent of Schools. Their charge is to look at the current district make up, student population and school buildings and determine how to establish four to eight new school districts in place of MPS. In the mid 2000’s a proposal was introduced to break up MPS; it failed. Today, too many children in MPS are failing and it must stop. We just can’t continue to spend hours and hours talking about what’s wrong with our schools then sit on our hands and do nothing. **SB 963** is a good starting point.

Our students and their parents, deserve better than status quo. I believe these bold proposals encourage action. Thank you again for holding this public hearing today.



P.O. Box 7222, Milwaukee, Wisconsin 53207

February 23rd, 2022

Senate Committee on Education
Sen. Darling, Chair
State Capitol, Rm 122 S
Madison, WI 53707

Dear Senator Darling and members of the Committee:

The Survival Coalition of Wisconsin Disability Organizations, a cross-disability coalition of more than 20 state and local organizations and groups, has significant concerns about two of the bills that are before the Assembly Committee on Education on Wednesday February 16. SB 974 would remove existing income limits and participation limits on Wisconsin's voucher programs; SB 963 would partition the Milwaukee Public School District into four to eight smaller districts. Both of these bills would be disproportionately harmful for students with disabilities.

Students with disabilities have federal rights to a free, appropriate public education, but those rights only apply in public schools. SB 974, which proposes an immense expansion of the voucher programs, would funnel scarce funding resources away from the public schools where those rights apply, and into private schools that are not bound by the Individuals with Disabilities Education Act (IDEA). We know from past decades of experience in Milwaukee that the unbridled expansion of vouchers tends to concentrate the students with the greatest disability-related challenges into public schools, while simultaneously cutting into the funding that supports them. Public schools remain the only schools in Wisconsin that are required to enroll and educate students of all abilities. To support students with disabilities to get the necessary education to lead a full and participatory life in communities across our state, Wisconsin should be supporting public schools rather than expanding voucher programs. SB 974 does the opposite.

SB 963, with its proposal to split the Milwaukee public schools into multiple districts, would add an additional layer of disproportional impact for students with disabilities, given that 19.6% of MPS students have disabilities while the statewide percentage is only 14.2%. The bill leaves undefined what would happen to a student who attends an MPS school outside their new home-district lines after the districts are drawn, but none of the possibilities are good: either undergoing the disruption of being forced to change schools, or the uncertainty and bureaucracy of being suddenly open-enrolled across district lines. In addition, the forcible split would reduce the placement opportunities that are currently available for students with disabilities across the entire city. The new subdivided districts would either incur additional expense in recreating those opportunities, or succumb to financial pressure and fail to offer them at all. A proposal this sweeping should involve a robust stakeholder process, and the lack of that input leaves this bill replete with unintended consequences, particularly for students with disabilities.

The Survival Coalition opposes both SB 974 and SB 963.

CITY FORWARD COLLECTIVE

111 West Pleasant Street, Suite 101
Milwaukee, WI 53212
414.988.5359 | cityforwardcollective.org

February 23, 2022

City Forward Collective, a Milwaukee-based nonprofit organization whose mission is to eliminate educational inequity by ensuring every Milwaukee child has access to a high-quality school, is testifying to provide the committee with information regarding SB 963/AB 966, which would dissolve the Milwaukee Public Schools and require the creation of 4-8 smaller districts serving the current MPS footprint:

- a. We believe the bill raises an issue of critical and citywide concern: The challenges regarding governance of MPS are real, and we agree there's an urgent need for bold action to disrupt a status quo that's not working for far too many MPS students.
- b. However, we also believe that in addressing this issue, we should follow the medical axiom to "do no harm". We are concerned that the nationally unprecedented act of breaking up MPS won't fix the problem, and that elements of this bill might actually do more harm than good for MPS students & families:
 - i. More bureaucratic bloat, less clarity for families: the bill proposes that Milwaukee would expand from 9 to as many as 56 elected school board members, from 1 to as many as 8 superintendents, and with the creation of redundant central office functions for everything from transportation to special education that families will have to navigate.
 - ii. Restrictions on right-sizing staff: the bill provides every current MPS staff member with a new statutory guarantee of continued employment, despite declining district enrollment and at a time when stakeholders across the ideological spectrum have expressed concerns about the effectiveness of district bureaucracy.
 - iii. Even more citywide fragmentation: there's already too much confusion and too little coordination across Milwaukee's three-sector education ecosystem; splintering the district in the manner proposed by this bill only makes this worse, and harder for our city to align on a shared vision and strategy for improving student outcomes.
 - iv. Worsens economic and racial segregation: wealth and opportunity aren't evenly distributed within Milwaukee, and smaller regional districts are likely to compound the city's deep and long-standing issues with residential and school segregation, as well as to result in less total funding for our city's highest-need students (especially through the federal Title 1 formula).



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Senate Bill 963

The Wisconsin Legislature has spent a good deal of time and effort convening a significant number of education study committees, has asked its legislative support offices to conduct research on K-12 policy and has heard from invited experts on education and members of the public alike in order to develop a significant set of policy recommendations that it has made to itself, and that, if implemented, would in fact support Wisconsin's students, close education gaps and produce overall gains in student achievement.

- Former Chair of the Senate Education Committee, Luther Olsen, in partnership with the National Conference of State Legislatures, produced the “No Time to Lose” report. A report that provided key recommendations to states to assist them with policies to produce world class education systems.
- In 2016, a Speaker’s Task Force on Urban Education was convened, met across regions of the state and ultimately produced a report that provided a set of “tangible solutions to improve educational outcomes.”
- In 2018, the Speaker’s Blue Ribbon Commission on K-12 Education funding was launched. The taskforce, after first stopping in Milwaukee, met in school districts and communities across the state, again heard from experts, school leaders and members of the public and again published a list of strong, well-researched recommendations that would, if implemented, significantly support students.
- In 2021, the Speaker’s Task Force on Racial Disparities was created and designated a subcommittee to focus on issues related to K-12 education. That subcommittee released a set of recommendations that could, if implemented properly, produce student outcomes worthy of the time and effort of the committee members and the members of the public who again provided testimony and made recommendations to the committee.

Senate Bill 963, a bill that would force the dissolution of Milwaukee Public Schools, is a piece of policy not based on any research, and is so arbitrary in nature that it simply proposes to break a school district up in anywhere from four to eight pieces.

The bill would be devastating and cause immense disruption to a school district and community that has been focused on coming together to attempt to provide stability and opportunities for students and families across Milwaukee. Instead of bringing people together on behalf of Milwaukee’s students, this bill would separate and segregate students by adding yet more boundaries to those that exist already. Instead of opening up opportunities, options and choices for parents and students, this legislation would eliminate public school choices and end the school opportunities that parents have to choose from now.

Without any basis in research, without consulting those who live in the local community, this bill divides, disrupts and destabilizes. It creates chaos, limits choice and offers no evidence to suggest that it will benefit children. We would respectfully request that the legislature revisit the well-documented, research-based education policy solutions that have demonstrated success in other states and in other countries. We have the opportunity before us to move policies forward that produce the outcomes that we would all like to see. The children of Milwaukee and of Wisconsin deserve the success that those policies will bring.

Wisconsin State Capitol
2 East Main Street
Madison, WI 53703

February 23, 2022

Dear Chairwoman Darling and Committee Members,

I am a former Milwaukee Public Schools science teacher. I adored my students, building administrators, and colleagues. Yet, my experience was heartbreaking on a daily basis. The devastating lack of academic proficiency and demoralization of staff, parents, guardians, and students was palpable in many schools throughout the district. The culture of inexcusably low expectations and excuses for failure, family disconnect, and violence was pervasive. I have been out of the district for several years, but the data today speaks to the lack of any measurable progress in recent years.

It's time to have an honest conversation about breaking up the failed institution that is Milwaukee Public Schools.

If Wisconsin lawmakers truly value education and protecting a bright future of *all* children in this state, then they would be wise to act quickly and support Senator Darling's reform efforts to split MPS into several smaller school districts – let me tell you why.

- 1) School and district culture can mean the difference between excellence and failure. Parents and educators want schools that represent their values. They want schools that allow their students to feel proud to belong to their school community. They want excellent outcomes for their students - and want a voice in the process.

This is one reason why we are seeing families flee from large public school systems, both in Wisconsin and nationally. Parents are “voting by foot” in record numbers. Enormous and intimidating Wisconsin education institutions are not representing families and educators the way many small traditional public, charter, private, and homeschooling options can. Smaller districts with a finely-tuned focus on community needs would not only benefit students, but the connection with community stakeholders as well.

- 2) Smaller districts would mean school board elections and the candidates themselves would more accurately represent the families and communities they serve. Parent and guardians' voices would be more influential because the boards would be competing with other local school districts. When parents feel they are seen and heard, the bond between home and school solidifies.

Teachers and administrators would also have better access to school board members and have more of a voice in decision making processes. When I moved on to other districts

smaller than MPS, I found access to central office curriculum writers and policy makers to be much easier, empowering me as an educator.

- 3) Smaller districts would provide more accountability for tax dollar allocation. Taxpayers across the state of Wisconsin know money is required to run successful schools. They don't, however, always trust that their hard-earned money is being used in the most effective ways. Transparency would be much easier attained with fewer schools, staff, and smaller-scale logistical operations. Better targeted supplemental income may also become available as local businesses and community organizations would be more likely to feel connected to community schools, and partner in fundraising and other engagement efforts.

Teacher, student, and parent burnout is real. Increasing family and community engagement is an absolute necessity when creating a school system with a positive and academically rigorous culture. The spending crescendo to an abjectly failing school district is not working, and unfortunately, the crippling burnout will persist until we take action.

We cannot underestimate our families' ability and willingness to make these changes to benefit who it is that matters most - the children.

It is time to support senator Darling's reform efforts. It is time to break up Milwaukee Public Schools.

Thank you for your time,

Karen Flanigan



MEMO

TO: Senate Committee on Education

FROM: Chris Reader, Executive Vice President of IRG Action Fund

DATE: February 23, 2022

RE: Support for SB 963, Reorganizing Milwaukee Public Schools

Chairwoman Darling and members of the committee,

Thank you for holding this hearing today on these important education reform proposals. My name is Chris Reader, and I'm the Executive Vice President for IRG Action Fund. IRG Action Fund is the advocacy and lobbying partner to the Institute for Reforming Government, a Wisconsin based think tank. We support SB 963.

For too long, Milwaukee children and families have been failed by the public-school establishment. Taxpayers have sent billions of dollars into a system in Milwaukee that structurally does not work. Wisconsin needs a strong K-12 school system in Milwaukee in order to succeed. Senator Darling, thank you for bringing this forward. You, Rep. Wittke and the bill cosponsors deserve credit for forcing a conversation about improving Milwaukee Public Schools.

Parents and taxpayers in Milwaukee are fed up with the status quo - which is why 85 (and growing) individuals from Milwaukee have signed a petition recently supporting these bold efforts to bring positive change into Milwaukee schools.¹

Many years of indifference, politically motivated opposition to change, poor fiscal planning, and interest-group politics have added up to some sobering facts.

Why Reform is Needed

1. Wisconsin's racial achievement gaps are routinely found to be either the worst in the nation or very near it². The Badger State is last for reading achievement for black

¹ <https://irgaction.com/2022/02/22/milwaukee-area-taxpayers-sign-petition-to-break-up-mps/>

² https://www.nationsreportcard.gov/profiles/stateprofile/overview/WI?cti=PgTab_GapComparisons&chort=2&sub=

students (among the 42 states reporting data).

2. Running a large urban school district isn't easy, but MPS does it worse than almost any other major urban district. Among dozens of the largest cities tested in the [Nation's Report Card](#)³, Milwaukee scored second worst in 4th grade math, in 8th grade math, and in 4th grade reading, and in 8th grade math. **Each time, they performed better than only Detroit and performed far worse than other challenging cities such as New York City, Chicago, DC, Los Angeles, Cleveland, and Baltimore.** Milwaukee's performance is bad and trending downward, and this was all before COVID.
3. According to the [MacIver Institute](#), **"Only 4.2% of MPS students scored proficient or better in Math on the Forward exams last year (grades 3-8)."**⁴ Only 7.3% of MPS students scored proficient or better in English on the Forward exams last year (grades 3-8)."
4. COVID-19 has made this dire situation a statewide crisis. Children are [struggling to pass classes](#) that often have indefensibly low expectations to begin with, and we are now only beginning to learn the extent to which the many children reading and doing math below grade level suddenly find themselves in an even deeper hole.⁵
5. And the problem will get worse. MPS closed its schools for nearly one and a half years. A [recent WILL study](#) by Dr. Will Flanders showed that districts that remained closed for in-person learning saw significant declines in math and English.⁶ Around one out of every three students at Milwaukee Public Schools, according to MPS, failed the fall semester.
6. MPS spends only 54% of its funding on instruction (13% on operations, 10% on staff, 7% on administration, and 7% on facilities), according to the [MacIver Institute](#).⁷

Milwaukee Public School District is simply "too big to succeed" and too broken to be healed through half-measures. Something must be done, and we applaud the authors of SB 963 for starting this bold conversation.

MAT&sj=WI&fs=Grade&st=MN&year=2019R3&sg=Race%2FEthnicity%3A+White+vs.+Black&sgv=Black&ts=Single+Year&tss=2019R3&sfj=NP

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<https://www.nationsreportcard.gov/profiles/districtprofile?chort=2&sub=MAT&sj=XQ&sfj=NL&st=MN&year=2019R3>

⁴ <https://www.maciverinstitute.com/2022/02/lawmakers-propose-mps-breakup/>

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<https://www.tmj4.com/news/coronavirus/mps-says-30-of-high-school-students-failed-fall-semester-11-5-increase-from-last-year>

⁶ <https://will-law.org/wp-content/uploads/2022/02/CountingTheCost-Final.pdf>

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<https://www.maciverinstitute.com/2021/11/deeper-dive-wisconsin-schools-receive-passing-grade-from-dpi-while-students-fail-miserably/>

In contrast, city leaders like former Milwaukee Mayor Tom Barrett subjected these children – who are more likely to live in poverty than their peers around the state – to nearly two decades of indifference and neglect. When he spoke up as mayor, it was more often than not to decry options like school choice that might actually give children stuck in failing schools a way out. Meanwhile **Wisconsin taxpayers have continued to pay billions into this failed system without any discernible improvement on outcomes.**

SB 963 is the Bold Reform Milwaukee Children Need

The bill would require a Commission, composed of the governor and two appointments, mayor of Milwaukee and two appointments, and the state superintendent of public instruction, to create between four to eight new school districts by October 1, 2022.

Overall, this would benefit parents and students in two main ways:

1. **More consumer choice.** Smaller school districts give parents more options on where to send their children to school, which increases accountability on the districts to perform better. This would also require school boards to be more innovative.
2. **Weakening the grip that special interest groups have on MPS.** An AEI study has shown that big, urban districts have proportionately strong teachers unions. This often leads to policies that are detrimental to students. For example, in Wisconsin, a WILL study showed that union strength was the number one predictor of a school closure - not presence of COVID.⁸ Smaller districts tip the balance of power from teachers' unions and towards students.

The MTEA and others have stated that this would bring about chaos. That is simply not true. Smaller government can - and should be - a more efficient government. School districts can still consolidate and share services like transportation, food, and administration. As we see in other parts of Wisconsin, smaller districts feature a closer relationship between administration and teachers, principals, and parents.

The new school boards would have to offer a better product in order to attract - and keep - students; this is especially true with a robust, vibrant network of educational options through private schools and public charters in Milwaukee.

By replacing MPS with smaller districts, each district will be more accountable to its neighborhoods and constituencies. While this plan requires further detail and measurable progress to ensure it results in meaningful change rather than a mere rearrangement of broken pieces, it is a serious attempt to address a crisis that cannot continue to be ignored.

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https://captimes.com/news/local/education/local_schools/will-study-unions-political-affiliation-more-predictive-of-virtual-learning-decision-than-covid-cases/article_f1adb15b-2e8d-5e06-9484-ee0e767597a0.html#tracking-source=home-top-story-1

Members of the committee, you have an opportunity with this bill to say that the children of Milwaukee matter. That the children and their families come before the teacher's union. That the neighborhoods of Milwaukee and the ability of teachers to make a difference in kids' lives comes before the education establishment. IRG Action encourages you to support this bill and move it forward to the full Senate.

Bill to Reorganize School Districts

The bill would require a commission, comprised of the Governor and two representatives from the Governor's cabinet, the Governor's cabinet, and the state department of public instruction, to create between four to eight new school districts by October 1, 2023.

Overall, the bill would require the commission to work with the

state department of public instruction to create the new districts and to ensure that the new districts are able to perform better. This would also require school boards to be more innovative.

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February 23rd, 2022

Senate Committee on Education
Sen. Darling, Chair
State Capitol, Rm 122 S
Madison, WI 53707

Dear Senator Darling and members of the Committee:

The Wisconsin Board for People with Developmental Disabilities (BPDD) appreciates the opportunity to provide testimony on SB 962, SB 963, SB 964, SB 965, SB 974. We are concerned will disproportionately impact students with disabilities.

SB 962 (Parental Rights)

Under the bill, all parents would be informed of any acts of violence or crimes occurring in schools, which could include students with disabilities. Many children with disabilities act out or exhibit behaviors to communicate. The bill does not clearly define what is considered an act of violence or crime. Advocates are concerned behaviors of students with disabilities will be reported to other parents and could led to the student being more isolated or labeled as problematic. It is not clear how the bill would protect the disability status of students with disabilities, which is required under IDEA.

SB 963 (Reorganizing of Milwaukee's schools)

Under the bill, Milwaukee Public Schools would become four separate districts. 19.6% of Milwaukee's student body are students with disabilities. Currently, parents can choose a school located anywhere in the district that best fits their child's special education needs, even if it is outside their neighborhood. It's unclear what happens to students with disabilities after new district lines are drawn. Creating four separate districts will mean less choice for parents and may result in schools that have higher proportions of students with disabilities and less funding from a smaller local tax base.

SB 964 and SB 965 (Charter Schools and Charter School boards)

These bills would expand of charter schools. In Wisconsin, charter schools are public schools and must provide special education required under IDEA but often have limited resources available to students who chose these options. Charter schools in Wisconsin may have certain acceptance requirements that may make it difficult for students with disabilities to gain entry. Nationally, 9.5% charter school students have disabilities, while 14.2% of students in Wisconsin's traditional public schools have disabilities.

SB 974 (Choice Income Limits)

This bill eliminates income and enrollment limits for the school choice program in Wisconsin. Private schools are not required to provide supports and services to children with disabilities under IDEA and the ADA. Public schools are required to educate students with disabilities. Often, private schools are not able to meet the needs of children with disabilities, which results in higher proportions of students with



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disabilities in the local public schools, and funding shortfalls result from serving higher need and higher cost students.

BPDD is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and integration and inclusion in all facets of community life for people with developmental disabilities¹.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Beth Swedeen".

Beth Swedeen, Executive Director,
Wisconsin Board for People with Developmental Disabilities

¹ More about BPDD https://wi-bpdd.org/wp-content/uploads/2018/08/Legislative_Overview_BPDD.pdf.

To: Members of the Wisconsin Senate Committee on Education
From: Americans for Tax Reform

Dear Chairman Darling,

On behalf of Americans for Tax Reform and our supporters across Wisconsin, I urge you to support Senate Bill 974, legislation before the committee today that would improve education opportunities and outcomes in Wisconsin by empowering more parents with the resources to send their kid to the school that best suits their child's unique needs. Wisconsin has a storied history as the place where the school choice movement began with bipartisan support. Today 46,000 students use an education voucher to attend private school in Wisconsin. However, more children deserve and need the chance to attend better, safer schools. As such I urge you and your colleagues to advance SB 974 today.

There were only six states to have reading scores significantly drop over the past three decades and Wisconsin is one of them. Two out of every three Wisconsin fourth graders lack reading proficiency. Today roughly 20% of freshman enrolling in the University of Wisconsin system must take remedial math. Minority students suffer greatly because of substandard public schools. Before the pandemic even hit, less than 10% of black students in Madison schools were proficient in English, while only 11% were reading proficient in Green Bay schools. Despite the strides that you and your colleagues have made to improve the education system in Wisconsin, it's clear further reforms are needed to expand school choice and provide better education opportunities. The pandemic has only worsened education outcomes and caused kids to fall behind, making the need for reform that expands school choice all the more imperative.

SB 974 is a smart reform that will eliminate family income limits for voucher eligibility, grade entry points, and state enrolment caps so that more parents and children can utilize education vouchers. SB 974 would also support children who want to stay in their assigned public school, but would benefit from outside instruction and coursework from an approved provider, other education materials, and additional resources to supplement their public school education.

With the personal resources to move into the school district of their choosing and the ability to pay for private school tuition out of pocket, high income and wealthy families already have school choice. SB 974 would expand school choice so that more low- and middle-income families are also empowered with the resources to provide their children with better schooling options, ones that are better suited to the unique needs of an individual student. Enactment of SB 974 will help make it so the ability to access the best education is not limited to children in upper income households. Enactment of SB 974 would also help students who experienced pandemic-related learning loss to catch up and will free them from ever again being trapped in a school that refuses to do in-person learning.

Another smart reform before the committee today, one that would lead to better education outcomes and improved opportunities in Wisconsin's largest metropolitan area, is SB 963. SB 963 dissolves the Milwaukee public school system, terminates the board, and in the place of the existing school district that has proven too big to succeed, creates smaller school districts that are closer and more responsive to the kids, families, and neighborhoods they serve. This is

certainly a bold reform, but such boldness is needed to rectify the serious problems plaguing Milwaukee public schools.

I thank you for your public service. As one of the 14 states where income tax relief was enacted last year, you and your colleagues commendably took action in 2021 to make Wisconsin a more attractive place to live, work, and do business. In 2022, I urge you to build upon your previous efforts to make Wisconsin an even better place to raise a family, which you can do by passing SB 974 and 963. If I or ATR can be of assistance, feel free to reach out to me or Patrick Gleason, ATR's vice president of state affairs, at pgleason@atr.org or 202-785-0266.

Sincerely,

Grover G. Norquist
President, Americans for Tax Reform



Statement before the State of Wisconsin Senate Committee on Education concerning
S.B. 963

Breaking Up Urban School Districts in Wisconsin

Howard Husock

Senior Fellow, American Enterprise Institute

February 23, 2022

The American Enterprise Institute (AEI) is a nonpartisan, nonprofit, 501(c)(3) educational organization and does not take institutional positions on any issues. The views expressed in this testimony are those of the author.

Good afternoon. My name is Howard Husock, and I am a senior fellow in domestic policy studies at the American Enterprise Institute (AEI), a leading public policy think tank in Washington, DC, dedicated to defending human dignity, expanding human potential, and building a freer and safer world. In my scholarship, I focus on municipal government, urban housing policy, civil society, and philanthropy.

Before joining AEI, I was vice president for research and publications at the Manhattan Institute and director of case studies in public policy and management at the Harvard Kennedy School. I am the author of the AEI research paper “The Case for Breaking Up Big Urban School Systems.”¹ I am honored to testify on legislation S.B. 963, which would “[dissolve] the Milwaukee Public Schools (MPS) and [create] in its place four to eight city of Milwaukee public school districts.”²

Please note that I speak only for myself. The American Enterprise Institute (AEI) does not take institutional positions on issues as noted on page 1.

I understand that my testimony before the State Assembly last week has been characterized as having been in favor of the legislation to which I refer. I intend for it and today’s testimony to be informational.

I will offer several reasons why I concluded that such a course of action might improve education in our large cities.

On the surface, of course, it may seem that larger school districts may be more efficient than smaller ones. They can, to be sure, procure supplies in bulk and realize similar economies of scale. The fact that spending per student tends to be higher in urban districts might reflect the special needs of students rather than some inherent inefficiency.

On closer inspection, however, there are good reasons to conclude that the smaller districts contemplated by the legislation this committee is considering could be advantageous for learning and system accountability.

It is worth noting that the highest-performing school districts in the state of Wisconsin are far smaller than that of the Milwaukee Public Schools. The Elmbrook public schools serve only about 7,400 students,³ for instance, while the Muskego-Norway public schools serve only about 4,800.⁴

Many factors affect student achievement, of course, but a body of social science research has shown that metropolitan areas characterized by competing smaller districts tend to show positive achievement results.

In a widely cited paper entitled “Does Competition Among Public Schools Benefit Students and Taxpayers?,” Stanford University economist Caroline Minter Hoxby examined the effect of greater public school choice due to a larger number of independent school districts in a metropolitan area. Minter Hoxby reported a range of positive and nonnegative effects. These included

Evidence that easier choice leads to greater productivity. Areas with greater opportunities for choice among public schools have lower per-pupil spending, lower teacher salaries, and larger

classes. The same areas have better average student performance, as measured by students' educational attainment, wages, and test scores.⁵

Minter Hoxby noted further:

Improvements in student performance are concentrated among white non-Hispanics, males, and students who have a parent with at least a high school degree. However, student performance is not worse among Hispanics, African-Americans, females, or students who do not have a parent with a high school degree. Also, student performance improves at both ends of the educational attainment distribution and test score distribution.⁶

The existence and, indeed, persistence of a relatively large number of districts and positive resulting effects are in keeping with economist Charles M. Tiebout's long-respected analysis of metropolitan area political economies. In his 1956 paper "A Pure Theory of Local Expenditures," he posited the idea of the "consumer voter," who faces choices among competing political jurisdictions that each potentially provide a distinct market basket of public goods, allowing for choice by virtue of residential self-selection. "The consumer-voter may be viewed as picking that community which best satisfies his preference pattern for public goods," writes Tiebout. "The greater the number of communities and the greater the variance among them, the closer the consumer will come to fully realizing his preference position."⁷ In the school district context, more choice improves the position of consumer voters, per Tiebout.

Were Milwaukee divided into four to eight school districts, it would be in a position to provide greater consumer choice and competition among districts to provide the best services.

That pressure to perform would be reinforced by a closer relationship between voters and a district school board. Voters in smaller suburban and small-town districts are not only more likely to know their school board members thanks to sheer proximity, but their own votes, as a percentage of an election total, are less diluted and thus more consequential. It's worth noting that only two of four open seats on the Milwaukee school board were even contested in the most recent election.⁸ In contrast, in Muskego-Norway, each of three seats was contested, despite their being incumbents holding those seats.⁹ This is the sort of robust local democracy we should encourage.

Finally, it is important to note that smaller districts would continue to provide teachers access to labor unions and negotiation rights. At the same time, labor disputes that might lead to a work stoppage, as we've seen during the COVID-19 pandemic, would affect smaller numbers of students. Indeed, the availability of alternative nearby examples of compromise could encourage similar approaches in neighboring districts. My own paper showed that smaller districts lay the groundwork for labor peace.

Heading into the fall of 2020, the Center for Reinventing Public Education found that "one in four school districts plan to reopen entirely remotely, but four in five urban school districts are set to, making them twice as likely as suburban districts and six times as likely as rural districts to do so."¹⁰ The Return 2 Learn Tracker developed by AEI indicated that the problem continued, even with the acceleration of vaccine distribution last spring (and to the devastating effect for largely low-income, minority students).

As of April 2021, 56 percent of rural school districts were fully in person, compared to 36 percent of urban school districts.¹¹ During the recent omicron wave, resistance from teachers unions in Chicago resurfaced, with Democratic mayor Lori Lightfoot referring to the action as “an illegal walkout. They abandoned their posts and they abandoned kids and their families.”¹²

The New Chicago Way: Lessons from Other Big Cities, a book by Ed Bachrach and Austin Berg, examines the dysfunction of the public school system in Chicago and carefully makes the case for the benefits of hypothetical urban disaggregation to solve some of the fundamental issues within the Chicago Public Schools. As the book points out, the desire for school decentralization in Chicago is certainly a driving force for parents: It was neighborhood parents who opposed the recent closing and consolidation of fifty schools.¹³

Moreover, data from the federal Bureau of Labor Statistics official work stoppages records of K–12 teachers strikes since 1993 show that the strikes have been concentrated in larger jurisdictions. Of the 66 strikes during that period, 36 have occurred either through statewide action or in one of the 100 largest school districts, including Chicago, Denver, Detroit, Los Angeles, and Oakland. Strikes have also occurred in an additional four districts that, though not in the top 100, are the largest in their metropolitan area (Buffalo, Dayton, Providence, and Youngstown).¹⁴

Giving Milwaukee the chance to consider dividing its school district into smaller ones may seem to be a dramatic change. In reality, it would align Wisconsin’s largest city with the scale of school district size in the Milwaukee suburbs and those of districts across the nation.

Some final but very important points. It may well be that, in contrast to many other big city schools systems, current trends in Milwaukee, especially the large number of students already availing themselves of charter and school choice, make Milwaukee less in need of such a break-up than other similar systems. Further, if a process is to go forward, it must be based on the clear assumption that the current system’s legacy obligations—pensions and retiree health care—will be honored and inviolate. If the City of Milwaukee believes this to be a practical approach worth considering, it deserves such consideration. It should be viewed as complementing, not competing with, the healthy school choice movement from which the city’s students are already benefiting.

I look forward to answering your questions. Thank you.

Notes

¹ Howard Husock, “The Case for Breaking Up Big Urban School Systems,” American Enterprise Institute, April 29, 2021, <https://www.aei.org/research-products/report/the-case-for-breaking-up-big-urban-school-systems/>.

² S.B. 963, Wisconsin Legislature (2021), <https://docs.legis.wisconsin.gov/2021/related/proposals/sb963>.

³ “Elmbrook School District,” *US News & World Report*, <https://www.usnews.com/education/k12/wisconsin/districts/elmbrook-school-district-110492>.

⁴ “Muskego-Norway School District,” *US News & World Report*, <https://www.usnews.com/education/k12/wisconsin/districts/muskego-norway-school-district-101820#:~:text=Overview%20of%20Muskego%2DNorway%20School,district's%20minority%20enrollment%20is%2010%25>.

⁵ Caroline Minter Hoxby, “Does Competition Among Public Schools Benefit Students and Taxpayers?” (working

paper, National Bureau of Economic Research, Cambridge, MA, December 1994), https://www.nber.org/system/files/working_papers/w4979/w4979.pdf.

⁶ Minter Hoxby, “Does Competition Among Public Schools Benefit Students and Taxpayers?”

⁷ Charles M. Tiebout, “A Pure Theory of Local Expenditures,” *Journal of Political Economy* 64 no. 5 (October 1956): <https://www.jstor.org/stable/1826343>.

⁸ “Milwaukee Public Schools, Wisconsin, Elections (2021),” Ballotpedia, [https://ballotpedia.org/Milwaukee_Public_Schools,_Wisconsin,_elections_\(2021\)](https://ballotpedia.org/Milwaukee_Public_Schools,_Wisconsin,_elections_(2021)).

⁹ Caitlin Sievers, “Three Incumbents Face Three Newcomers for Three Seats on the Muskego-Norway School Board,” *The Journal Times*, April 3, 2021, https://journaltimes.com/news/local/govt-and-politics/elections/three-incumbents-face-three-newcomers-for-three-seats-on-the-muskego-norway-school-board/article_ca92e3f6-150e-53de-878c-5430ce70c489.html.

¹⁰ Lauren Camera, “Big City Schools Are Less Likely to Reopen for In-Person Instruction,” *US News & World Report*, August 27, 2020, <https://www.usnews.com/news/education-news/articles/2020-08-27/big-city-schools-are-less-likely-to-reopen-for-in-person-instruction>.

¹¹ Return to Learn Tracker, website, <https://www.returntolearntracker.net/>.

¹² Jordan Wolman, “Lightfoot Says Teachers ‘Abandoned Their Posts,’ Remains ‘Hopeful’ Deal Can Be Reached,” *Politico*, January 9, 2022, <https://www.politico.com/news/2022/01/09/lightfoot-chicago-teachers-deal-abandoned-526807>.

¹³ Edgard H. Bachrach and Austin Ray Berg, *The New Chicago Way: Lessons from Other Big Cities*, (Carbondale, IL: Southern Illinois University Press, 2019).

¹⁴ These data were compiled from the Bureau of Labor Statistics. I use official work stoppages involving 1,000 or more K–12 education workers from 1993 to 2019. These data do not include informal strikes such as walkouts, sick-outs, and other mechanisms that teachers have used. See US Bureau of Labor Statistics, website, <https://www.bls.gov/wsp/>.