



State of Wisconsin
1997 - 1998 LEGISLATURE
April 1998 Special Session

LRBa2851/1
MJL:jlg:km

**ASSEMBLY AMENDMENT 1,
TO SENATE BILL 2**

May 19, 1998 – Offered by Representative BOYLE.

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 2, as follows:

3 **1.** Page 2, line 3: delete the material beginning with “measuring” and ending
4 with “Schools” on line 5 and substitute “requiring the Milwaukee Public Schools to
5 meet certain educational criteria, abolishing the board of school directors of the
6 Milwaukee Public Schools and creating the Milwaukee Public Schools governing
7 commission”.

8 **2.** Page 2, line 11: before that line insert:

9 “**SECTION 1m.** 17.01 (8m) of the statutes is created to read:

10 17.01 (**8m**) By a commissioner appointed under s. 119.92 (1), to the appointing
11 authority.

12 **SECTION 1n.** 17.125 of the statutes is created to read:

1 **17.125 Removal of Milwaukee Public Schools commissioners.**

2 Notwithstanding s. 17.12 (1), a commissioner appointed under s. 119.92 (1) may be
3 removed at the pleasure of the appointing authority.

4 **SECTION 1p.** 17.26 (2) of the statutes is amended to read:

5 17.26 (2) In a 1st class city school district operating under subch. I of ch. 119,
6 by special election as provided under s. 119.08 (4).

7 **SECTION 1q.** 17.27 (3m) of the statutes is created to read:

8 17.27 (3m) MILWAUKEE PUBLIC SCHOOLS GOVERNING COMMISSION. A vacancy in
9 the membership of the Milwaukee Public Schools governing commission shall be
10 filled by the appointing authority.”.

11 **3.** Page 2, line 11: delete “**SECTION 1**” and substitute “**SECTION 1r**”.

12 **4.** Page 5, line 6: after that line insert:

13 “**SECTION 7m.** 118.01 (2) (e) of the statutes is created to read:

14 118.01 (2) (e) *Applicability.* This subsection does not apply to the school district
15 operating under subch. II of ch. 119.

16 **SECTION 7r.** 118.40 (1m) (a) of the statutes is amended to read:

17 118.40 (1m) (a) 1. A written petition requesting the school board to establish
18 a charter school under this section may be filed with the school district clerk.

19 2. The petition shall be signed by at least 10% of the teachers employed by the
20 school district or by at least 50% of the teachers employed at one school of the school
21 district. This subdivision does not apply to the school district operating under subch.
22 II of ch. 119.”.

23 **5.** Page 5, line 15: before that line insert:

24 “**SECTION 8m.** 118.40 (5) (b) of the statutes is amended to read:

1 (d) The percentage of pupils enrolled in the 3rd grade in the system whose score
2 on the reading test under s. 121.02 (1) (r) in the preceding school year was at least
3 at the basic level was equal to at least 90% of the percentage of all pupils enrolled
4 in 3rd grade in the state whose score on the test in the preceding school year was at
5 least at the basic level.

6 (2) If the department, the department of administration and the legislative
7 fiscal bureau certify that the system meets all of the criteria under sub. (1), then the
8 certification procedure shall be repeated biennially by December 15, unless the
9 system does not meet the educational criteria under sub. (1).

10 (3) The department shall calculate the percentages under sub. (1) and (2)
11 without the benefit of rounding.

12 **119.92 Commission; creation, duties.** (1) If the department, the
13 department of administration and the legislative fiscal bureau certify that the
14 system does not meet all of the criteria under s. 119.91, on March 1 of the year
15 following the certification, the commission is established. The commission shall
16 consist of 3 members, all of whom shall reside in the city of Milwaukee. One member
17 shall be appointed by the governor, one member shall be appointed by the state
18 superintendent and one member shall be appointed by the mayor of the city of
19 Milwaukee. The governor's appointee shall serve as the chairperson of the
20 commission. Unless the context clearly dictates otherwise, any law that applies to
21 the members of the board of school directors of a 1st class city school district applies
22 to the commissioners of the commission, and any law that applies to the president
23 of the board of school directors of a 1st class city school district applies to the
24 chairperson of the commission. Members of the commission shall serve at the
25 pleasure of the appointing authority.

1 **(2)** (a) If the commission is established under sub. (1), on July 1 of the year in
2 which the commission is established, the board of school directors of the system, the
3 position of superintendent of schools for the system and the positions under s. 119.32
4 (3) are abolished, and the commission assumes management and control of the
5 system. Unless the context clearly dictates otherwise, any law that applies to the
6 board of school directors of a 1st class city school district applies to the commission.

7 (b) The commission shall do all of the following:

8 1. Increase the quality of education in the system.

9 2. Ensure continuing academic improvement of pupils.

10 3. Reduce noninstructional expenditures in the system and use, to the extent
11 practicable, the moneys saved for instructional purposes.

12 4. Develop school-based budgeting.

13 5. Approve, reject or modify educational reform plans as provided under s.
14 119.94 (2) (b).

15 6. Appoint an executive director.

16 7. On July 1 of the year in which the commission is established, establish a body
17 to govern each school in the system beginning in the following school year and
18 determine the governing body's powers, composition and size, the process of selecting
19 the members of the governing body and the terms of its members. The commission
20 may establish different kinds of governing bodies for different schools in the system.

21 **(3)** In any action or proceeding in which the commission is a defendant, service
22 of any summons, writ, pleading or other papers served in commencing the action or
23 proceeding upon the chairperson of the commission and the executive director
24 constitutes service upon the entire commission. It is sufficient to serve on one
25 commissioner any notice required by law to be served upon the commission.

1 **119.93 Executive director.** (1) The executive director appointed under s.
2 119.92 (2) (b) 6. shall be a person of suitable learning and experience in the art of
3 instruction and shall have practical familiarity with the most approved methods of
4 organizing and conducting a system of schools. Unless the context clearly dictates
5 otherwise, any law that applies to the superintendent of schools of a 1st class city
6 school district, except s. 119.32, applies to the executive director.

7 (2) Under the direction of the commission, the executive director shall have
8 general supervision of all of the following:

9 (a) The public schools and the manner of conducting and grading such schools.

10 (b) The supervisory and administrative employes appointed under sub. (3),
11 principals, vice principals and teachers of the system.

12 (3) Subject to the commission's approval, the executive director shall appoint
13 supervisory and administrative employes as determined by the commission.

14 (4) The executive director shall be an advisory member of every committee of
15 the commission, except when an inquiry into his or her acts or an investigation of his
16 or her official conduct is under consideration by the committee.

17 (5) The executive director shall assign all teachers and engage and assign
18 substitute teachers at the per diem compensation fixed by the commission.

19 (6) The executive director shall collect such statistics and information relating
20 to schools and the population entitled to school privileges in the city of Milwaukee
21 as the commission directs.

22 (7) Notwithstanding ss. 115.28 (7), 118.19 (1) and 121.02 (1) (a), the commission
23 may appoint an executive director and may employ a business manager who are not
24 licensed by the department.

1 **119.94 Educational reform plans. (1)** This section applies if the commission
2 is established under s. 119.92 (1).

3 **(2)** (a) By February 1 of the year following the establishment of the commission
4 and annually thereafter, each school governing body in the system shall submit to
5 the commission for its review the school’s educational reform plan for the following
6 school year that includes all of the following:

7 1. The educational goals and expectations of the school governing body.

8 2. A description of the educational program of the school, including the method
9 to be followed to ensure parental involvement.

10 3. The methods that the school will use to enable pupils to achieve the
11 educational goals and expectations under subd. 1.

12 4. The methods that the school will use to measure pupils’ progress towards the
13 educational goals and expectations under subd. 1.

14 5. An annual budget and operational plan.

15 6. A professional development plan.

16 (b) Within 60 days of submission of the educational reform plan, the
17 commission shall either approve it, or, if any of the following are true, reject it:

18 1. The commission disapproves of the educational goals and expectations
19 contained in the educational reform plan.

20 2. The commission determines that the educational program of the school will
21 not allow the school’s pupils to meet the educational goals and expectations
22 contained in the educational reform plan.

23 3. The commission determines that a modification is necessary to ensure the
24 proper management of the school or the system.

1 (c) If the commission rejects the educational reform plan, it shall notify the
2 school governing body in writing of the reasons for the rejection. The school
3 governing body shall submit a revised educational reform plan by May 1. By June
4 1, the commission shall either approve the revised educational reform plan or modify
5 it for any of the reasons enumerated under par. (b).”.

6 **9.** Page 14, line 19: delete lines 19 to 22 and substitute:

7 “(2c) EDUCATIONAL CERTIFICATION. By December 15, 1999, the department of
8 public instruction, the department of administration and the legislative fiscal
9 bureau shall jointly determine and certify to the governor and the joint committee
10 on finance the graduation, attendance and dropout rates for the Milwaukee Public
11 Schools in the 1998–99 school year and the percentage of pupils enrolled in the 3rd
12 grade in the Milwaukee Public Schools whose score on the reading test under section
13 121.02 (1) (r) of the statutes in the 1998–99 school year was at least at the basic level,
14 as calculated and defined by the department of public instruction.

15 (2f) MILWAUKEE PUBLIC SCHOOLS GOVERNING COMMISSION. If the Milwaukee
16 Public Schools governing commission is established, on July 1 of the year in which
17 the commission is established, all of the following shall occur:

18 (a) *Assets and liabilities.* The assets and liabilities of the board of school
19 directors of the Milwaukee Public Schools become assets and liabilities of the
20 Milwaukee Public Schools governing commission.

21 (b) *Tangible personal property.* All tangible personal property, including
22 records, of the board of school directors of the Milwaukee Public Schools is
23 transferred to the Milwaukee Public Schools governing commission.

