



WEEKLY UPDATE TO THE BOARD OF EDUCATION

June 9, 2022

A MESSAGE FROM SUPERINTENDENT CARLTON D. JENKINS

Dear Board Members,

This week is the final week of our 4th quarter, which commences an eventful school year. Throughout this year, our scholars, families, staff, and community members have leaned forward together with equity, excellence, humanity, and intentionality in the face of myriad challenges: ongoing COVID-19 pandemic; persistent racial injustice and social unrest; national staffing shortages; persistent inflation; and global supply chain disruptions. Despite these challenges, our community has displayed a great level of resilience and willingness to work in partnership with our district in pursuit of graduating all our students ready for college, career, and the community.

Throughout this week, our scholars are being celebrated for their achievements. Their accomplishments include academic and co-curricular honors as well as qualifying for the next stage in their academic and professional journeys. Some students are being celebrated for making the important transition from 4K to kindergarten, while others are reveling in being able to transition to the next grade. Other scholars are moving from elementary to middle school, while others are transitioning to high school. Finally, some of our scholars are making the leap from high school to postsecondary study, careers, service in the armed forces, or volunteer/service opportunities. We salute all our learners for what they have accomplished as well as how they will make us proud by applying what they have learned in the next step of their journey.

As we celebrate our scholars who are making transitions, we must not forget to recognize our dedicated staff members who have shared their knowledge, compassion, and expertise with our scholars throughout this challenging school year. We thank them for the positive impact they continue to make on our students, families, and community members. Their diligence in keeping students at the center of everything we do is commendable and makes MMSD a truly special place.

Thanks for your continued support and partnership. We look forward to providing you with more updates on our district's progress next week.

Sincerely,

Carlton

Carlton D. Jenkins, Ph.D.



Anti-Racist IEP Project Overview

Attached below please find the Anti-Racist IEP Project Overview for the 2021-2022 school year.



Summer Semester Programming

Please see below the responses to board member questions about the Summer Semester Enrollment update emailed on June 1, 2022.

What was the criteria used to decide if a student was unenrolled?

A cross-functional team which included the Director of Summer Learning, the Executive Director of Assessment and Learning Supports, the Associate Superintendents, the Executive Director of Human Resources, and the Executive Director of Madison Schools and Community Recreation (MSCR) met early and often to discuss the impacts of our Summer Semester staff shortage, brainstormed multiple scenarios, and ultimately, identified criteria for the unenrollment of a percentage of students based on staff hired. The criteria and process were shared with Summer Semester Principals and all Summer Semester Principals reviewed the list of students prior to unenrollment. Then, families & MMSD Administrators were notified about the program adjustments.

Additional Information for how students were selected for unenrollment.

Summer Semester is part of a year-long strategy that provides critical additional learning time to support students on their pathway to college and career and community readiness. In support of our vision, our program is focused on:

- engaging students in high-quality instruction that is targeted to accelerate growth in key skills so that students finish Summer Semester better prepared for the upcoming school year;*
- providing students, the opportunity for credit recovery to stay on track for graduation;*
- supporting the transition from 4K to 5K, 5th to 6th, and 8th to 9th*

Based on the vision of Summer Semester, the needs of the students, families and our program partners, the criteria below were factors that were considered when identifying students for continued enrollment in our summer semester. We applied these criteria systematically to ensure our most vulnerable students were assured continued enrollment and that unenrollment was proportional to the original demographics of students enrolled.

- 1. Students identified in Transition Ed Programs (TEP) - prioritized so that they have consistent programming during summer.*
- 2. Students in Full day MSCR - some students enroll for half day and others enroll in a full day - Summer Semester is in the morning and MSCR programming is in the afternoon. Full day students were prioritized to reduce the impact of the afternoon programming that already has a waitlist.*
- 3. Students that are Special Ed - while we don't implement IEPs in the summer, we know that students with IEPs are students who benefit from this learning support*

4. *Students who met Grade & Attendance Criteria - we reviewed the list of students who met the original criteria identified for Summer Semester*
5. *Critical Transitions: 4K, 5th grade, 8th grade - identified as a priority in the Summer Semester vision*
6. *Date of Enrollment - took into consideration when a student was enrolled in Summer Semester*

OTHER INFORMATION

- **Weekly Metrics and Ops Recordings and Agendas:**
6.7.2022 Weekly Metrics Meeting [Agenda](#) & [Recording](#)
No Biweekly School-Central Office Operations Meeting
- **Staffing Analysis**
Please see the attached updated report dated June 6, 2022, detailing our efforts to make sure our schools are staffed and remain open for student learning. This report also includes movement on a number of programs and processes.
- **Construction Update**
Attached you can find our first construction update about Memorial High school. You can expect regular communications about our progress with the contraction projects.
- **Wellness Policy**
Please see the attached memo for an update on revisions for the Wellness Policy.
- **Summer Arts Academy**
Summer Arts Academy will launch in just a few short weeks. Please see the attach document providing a status update on the work done to date and the exiting things occurring very soon.
- **Board Member Amendments/ Inquiries**
Please see the attached spreadsheet to review all the board member amendments and inquires submitted for the 2022-23 budget.
- **Great Things Happening Around MMSD**
 - West High School student, Anna Siebers, was chosen from a National History Day competition for a virtual Smithsonian exhibit showcase. Out of 53 exhibits, she is the only scholar who will be representing the State of Wisconsin. Siebers's exhibit, "*Debating Primary Elections: Robert M. La Follette's fight against government corruption*" will be available for view [online](#) from June 13 through 27.
 - Three MMSD scholars receive [National Merit Scholarships](#): Regan Banaszak, Sorin Caldaru, and Thavida Johnston.
 - There is much excitement this week around [graduation](#) and [promotion](#) ceremonies

- La Follette choir members perform musical story time to inspire youngers to read and sing.
- The Class of 2022 continued "senior walks" at elementary schools - check out this fun video!

OUR UPCOMING BOARD CALENDAR

- Mon., June 13, 5 p.m. Operations Work Group
Virtual/ In person for BOE members
- Fri., June 17, TBD Board Retreat
In person
- Sat., June 18, TBD Board Retreat
In person
- Week of June 20 Board Member Briefings
Virtual
- Tues., June 21, 5:30 p.m. Jefferson Renaming Citizens' Ad Hoc
Virtual
- Thurs., June 23, 4:30 p.m. Retirement Reception
Monona Terrace- Grand Terrace
RSVP online at mmsd.org/rsvp
- Thurs., June 23, 5:15 p.m. Safety and Student Wellness Ad Hoc
Virtual
- Mon., June 27, 8 a.m. Board Officers
Virtual
- Mon., June 27, 6 p.m. Regular BOE Meeting
In person and virtual – Open to the public

ITEMS ATTACHED FOR INFORMATION

1. Anti-Racist IEP Overview
2. Staffing Analysis
3. Memorial High School Construction Update
4. Wellness Policy Update
5. Summer Arts Academy
6. Board Member Amendments/ Inquiries 2022-23
7. U.S. Mail
 - a. Wisconsin Association of School Boards- Policy Perspectives- May 2022

Anti-Racist IEPs

District-wide Implementation - Phase I Pilot - 2021-22 School Year

The MMSD Anti-Racist IEP Committee (ARIC) formed during the summer of 2020. Members have and continue to dedicate their time reviewing, collecting, and analyzing data, along with developing tools to facilitate Anti-Racist IEPs. The Phase I implementation pilot will consist of the following two processes:

I. The Role of PSTs - PSTs will apply the [Anti-Racist IEP Criteria](#) when reviewing IEPs for scholars who transfer from outside of the district and when working with case managers to write an initial IEP for a scholar who identifies as Black or multi-racial with one of their races being Black. PSTs have a prominent and unique opportunity to ensure MMSD does not adopt and keep in place for any length of time an IEP that is not written in alignment with the Anti-Racist Criteria. In addition, PSTs can support initial IEPs moving forward to be written to be Anti-Racist. For both transfer and initial IEPs, the IEP team, with agreement from the parent/caregiver and student, will review the Anti-Racist IEP Criteria by section as the IEP is completed. This part of the process should demonstrate genuine effort to gather feedback from team members and make further revisions to the IEP so the parent/caregiver and student describe each section as being accurate, strengths-based, and Anti-Racist. Use of the criteria will be documented on the IEP meeting cover sheet (for data purposes, will not print).

II. The Role of Special Education Case Managers- Each case manager will pilot the Anti-Racist IEP process by choosing IEPs of two scholars on their caseload who identify as either Black or multi-racial with Black being one of the races. One of each should be selected, if possible. If there is only one scholar, that IEP should be used. Once two IEPs are selected, the case manager will note when those annual IEPs are due. In the 2-4 weeks prior to the IEP team meeting, the case manager will complete the [Anti-Racist IEPs Rubric & Reflection](#) form. The e-mail address of the case manager will not be collected and the identity of the scholar will remain confidential in the completion of the rubric.

Prior to the annual IEP team meeting for the two scholars whose IEPs were revised during the completion of the Anti-Racist IEP Rubric and Reflection form, the case manager will share the [Anti-Racist IEP Criteria](#) with the parent/caregiver along with the draft of the IEP (about 1 week before the meeting).

The case manager will bring copies of the Anti-Racist IEP Criteria to the meeting. Prior to the team reviewing each section of the IEP, the case manager, Principal, or LEA representative will ask the parent and student if it is ok to use the criteria. If the parent/caregiver and student agree, the case manager, Principal, or LEA rep will read the criteria, and make sure the team, including the parent/caregiver and student, are aware that the goal is for the section being reviewed to meet the criteria. This part of the process should demonstrate genuine effort to gather feedback from team members and make further revisions to the IEP so the parent/caregiver and student describe each section as being accurate, strengths-based, and Anti-Racist. The case manager will check the box on the IEP cover sheet to document the Anti-Racist Criteria was used to review language in the IEP (for data purposes, will not print).

** A case manager who does not have at least one student on their caseload who identifies as either Black or multi-racial with Black being one of the races should let their PST know.

Madison Metropolitan School District

Staffing Analysis

June 6, 2022

This report is a snapshot of all the work that is being done for this week as well as movement on a number of programs and processes.

The substitute office is working in tandem with the Chiefs to make sure that all schools are staffed with the usage of 40+ central office staff to supplement needs within the schools. Also, please note that Absence Management does not necessarily indicate why staff is out of the building; rather, Absence Management depicts who needs a substitute for a particular date.

The deployment of central office personnel will sub on Thursdays/Fridays and select one additional day between Monday through Thursday. This deployment plan will last until the end of the school year.

- Looking at Absence Management for week of June 6, 2022:
 - **The week of June 6, 2022 – This is an overall look at absences:**
 - Absences – **1054 (416 Unfilled)**
 - Percent Filled – **60.34**
 - Percent Unfilled – **39.66**

 - Monday – June 6, 2022
 - Absences – **284 (117 Unfilled)**
 - Percent Filled – **61.98**
 - Percent Unfilled – **38.02**
 - Percent with Central Office Usage – **69.79**
 - Number of Central Office Personnel – **16 (1 available half day)**

 - Tuesday – June 7, 2022
 - Absences – **262 (100 Unfilled)**
 - Percent Filled – **67.50**
 - Percent Unfilled – **32.50**
 - Percent with Central Office Usage – **69.38**
 - Number of Central Office Personnel – **3**

 - Wednesday – June 8, 2022
 - Absences - **270 (107 Unfilled)**
 - Percent Filled – **64.33**
 - Percent Unfilled – **35.67**
 - Percent with Central Office Usage – **67.52**
 - Number of Central Office Personnel – **5 (1 available half day)**

 - Thursday – June 9, 2022 – Last day of school
 - Absences - **243 (88 Unfilled)**
 - Percent Filled – **67.79**
 - Percent Unfilled – **32.21**
 - Percent with Central Office Usage – **81.21**
 - Number of Central Office Personnel – **20 (1 available half day)**

COVID Leave:

Covid Relief was approved for five (5) days on January 10, 2022, for benefit eligible employees. The leave is available from January 11, 2022, through June 30, 2022. **To date, we have had an additional 35 leave requests bringing the overall total to 1239.**

COVID Hardship Leave Launch:

Covid Hardship Leave was approved for fifteen (15) days which are available from September 23, 2021, to June 20, 2022. A communication was sent on March 15th announcing the application was now available. **To date, we have received 64 requests bringing the overall total to 998.**

Current Updates:

There will be an MMSD Retirement Reception that will take place on June 23rd. Due to COVID-19, this momentous occasion will celebrate three years of MMSD retirees from the 2019-2020, 2020-2021 and 2021-2022 school years, along with a guest, are invited to this open hours/reception-style celebration.



Date: Thursday, June 23, 2022

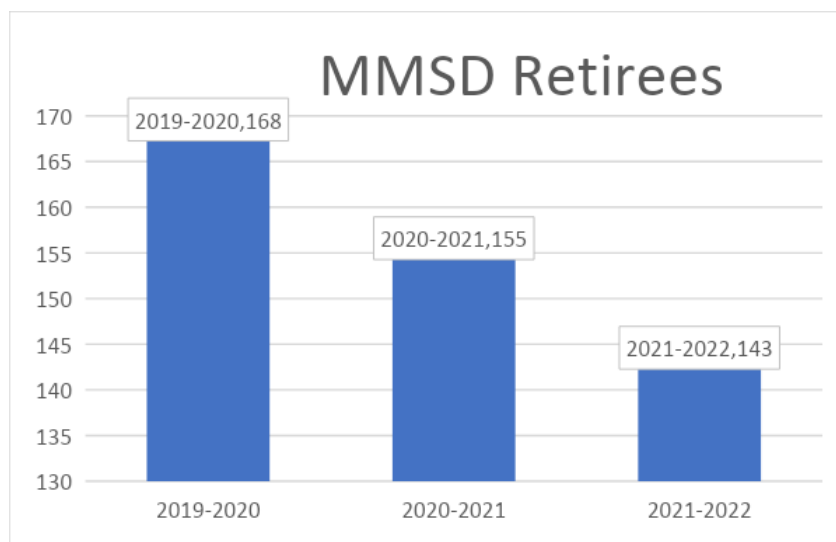
Location: Monona Terrace – Grand Terrace

Time: 4:30 p.m. to 7 p.m., informal program begins at 5 p.m.

RSVP online: mmsd.org/rsvp

The retirees are being asked to submit a photo, any words of inspiration or advice. A video slideshow will be shown at the reception to recognize their hard work and dedication to serving the students and families of MMSD. The deadline for the submissions are due Monday, June 13, 2022.

The reception will honor 466 retirees for the three years 2020 – 2022.





Future Ready Construction Update

PROVIDED BY FINDORFF

Madison Metropolitan School District 06.10.2022



This week's update: Memorial High School

We are committed to keeping you informed as we complete construction from the MMSD 2020 facilities referendum.

Construction is starting!

The District's construction manager, Findorff, is preparing to start the first phase of construction work at Memorial High School.

While construction will be in full swing as of June 13, workers got an early start with ceiling removal in a few areas of the school. Demolition is moving along in the music room with ceiling and wall removals to prepare for new reconfigured spaces.

As we roll into summer, construction crews will start work on the new foundation, masonry walls and underground utilities for the new additions.

Upcoming work starting this summer

- Continuing ceiling, floor, and wall demolition in the music, social studies, and English classrooms
- Clearing the site for the new building additions
- Putting in new plumbing piping throughout building
- Updating and reconfiguring ductwork for new, more efficient heating and air conditioning equipment



Architectural rendering of the arts addition at Memorial High School



Ceiling removal and bathroom demolition have started on the first floor

DID YOU KNOW?

The building additions at Memorial High School will serve as new instructional and support spaces for band, choir, and orchestra, as well as tech ed and science, technology, engineering and mathematics (STEM) spaces. These additions are set for completion in February of 2023!

For additional information or questions,
scan the QR CODE to be directed to the MMSD construction page.



Findorff
BUILDING & BEYOND



Future Ready Construction Update

PROVIDED BY FINDORFF



In the music room, ceilings were removed, and demolition of the existing walls is starting soon to make way for a new reconfigured layout



Ceiling removal is complete in a few areas of the school



The west end of the south parking lot is quickly filling with construction materials and trailers

For additional information or questions,
scan the QR CODE to be directed to the MMSD construction page.



Findorff
BUILDING & BEYOND

TO: Members of the Board of Education

FROM: Cindy Green, Associate Superintendent Teaching and Learning
Ashley Riley, Physical Education, Health, and Wellness Coordinator

DATE: June 9th, 2022

RE: Update, Wellness Policy Revisions

Wellness Policy Update

After gathering input from students, staff, families, and community, we now are working to finalize the revised Wellness Policy. We are ensuring the policy meets the USDA requirements, while being sensitive to the fact that much of the procedure will remain procedure, which will be updated on a more regular basis. The policy will encompass those areas that the USDA and the DPI requires, with an overlay of the CDC's Whole School, Whole Community, Whole Child (WSCC) framework for addressing health in schools.

MMSD WSCC Leads

Department/Area	Team Member
Curriculum and Instruction	Ashley Riley-Lead
Operations and Food and Nutrition	Cedric Hodo Nichelle Smith Ursula Ballard
Student and Staff Supports	Leia Esser Sara Knueve Sara Parrell Kari Stampfli Kristen Guetschow Semaj I Sconiers
MSCR	Janet Dyer
Athletics and Co-Curriculars	Jeremy Schlitz
Family, Youth and Community Engagement	César Sanchez Carolyn Stanford Taylor
Safety and Security	Gina Aguglia Sedric Morris Sr
Staff Wellness and Human Resources	Tracey A Caradine

To: MMSD Board of Education
 From: Peter Kuzma, Arts Education Coordinator • pjuzma@madison.k12.wi.us
 Re: Summer Arts Academy • Project Management & Development Update
 Date: June 8, 2022



We are super excited to both launch the summer arts academy in just a few weeks and also provide a status update on the work done to date and the exciting things to occur very soon.

<p>Programming Progress: K-5</p>	<p>Overview of all courses running: Courses/Experiences offered K-5 through SREC residencies:</p> <ul style="list-style-type: none"> ● Whoopensocker ● Madison Children's Museum ● Overture Center <i>Kids in the Rotunda on the Road</i> ● Arts For All: Taiko Drumming, Music, Visual Art ● HARMONY Project: movement, music, and instruments ● Bilingual Music group experiences
<p>Programming Progress: 6-12</p>	<p>Courses offered at 6-12 Arts Hub and partner sites:</p> <ul style="list-style-type: none"> ● Intro to Guitar* ● Digital Art & Virtual Reality Portraits & Museums (6-8 and 9-12)* ● Open Art Studio and Printmaking Explorations ● Ballet & African American Dance & Majorettes* ● African Drumming/Hip Hop Electronic Music Beat* ● Rock/Rhythm & Blue (RnB) Band Camp* ● Digital Music & Media Production* ● Musical Composition (T/Th)* ● Musical Theatre Production ● Technical Theater ● Performing/Theater Arts* <p>● *Black teaching artists, and/or programs developed by Black organizations Arts Hub sites, are marked with an asterisk.</p>
<p>Sites & Program Reach</p>	<ul style="list-style-type: none"> ● 319 6th-12th grade Students enrolled as of June 8, 2022 (!) ● Enrolled student demographics: <ul style="list-style-type: none"> ○ Black/African American: 41 (14.5%) ○ Two or more races: 31 (11%) ○ Hispanic: 42 (14.9%) ○ American Indian/Native Alaskan: 1 (0.35%) ○ Asian: 20 (7%) ○ White: 146 (51.7%) ● Enrollment by site (early confirmed numbers) <ul style="list-style-type: none"> ○ K-4 MSCR SREC: 1200+ ○ 5-12 Arts Hubs & Partner sites: 319 <ul style="list-style-type: none"> ■ O'Keeffe: 106 ■ Cherokee: 166 ■ Wright: 24 ■ The HOUSE, Urban Arts: 23
<p>Sites and Staffing</p>	<p>SAA Site Locations</p> <ul style="list-style-type: none"> ● Confirmed 4 sites: <ul style="list-style-type: none"> ○ Cherokee Arts Hub ○ O'Keeffe Arts Hub ○ Wright Music Site ○ The HOUSE Inc. Dance Site <p>Staffing / Hiring</p> <ul style="list-style-type: none"> ● 90% Percentage of staff positions filled - that is something to celebrate!

Proposal #	Date Submitted	Amendment Type (Expenditure Reduction, Expenditure Add, etc.)	Item Name	Board Member Sponsor	Estimated Cost	Member Budget Proposal As Written	Admin Analysis
1	5/23	Expenditure Reduction (Reallocation)	Base Wage	Nicki Vander Meulen	\$3 million	<p>I move that, at or before the June Regular board meeting. Operations Work Group meeting, the Board be presented with recommendations for budget cuts or reallocations totaling 3 million that can be used to reduce the tax levy, balance the budget, and/or increase staff compensation. These recommendations should emphasize cost savings in administration, purchased services, non-capital and capital objects, and unfilled positions, and may not include cuts to union staff positions. Recommended cuts may not increase class sizes or reduce direct services to students. These recommendations could include revenue and/or revenue authority neither anticipated in the Draft Preliminary Budget nor already allocated to staff compensation. Suggested cuts would include a mandatory cut of 7.8 FTE from Doyle Staff .</p>	<p>Based on the parameters, there are very few non-represented positions in the vacancy list for 22-23 at Doyle. There would not be enough vacant positions in the entire Admin/NUP category to accomplish this amount, and would not be recommended by the administration for reduction based on the work streams that have vacancies.</p> <p>The administration is looking into other areas of the budget for reduction, including investigating revenue sources for modification. For example, the pandemic's effect on spending state-wide has affected categorical aid proration and has been very inconsistent.</p> <p>For reference, the only non-personnel areas with large enough dollar amounts that could reach a significant enough sum would be C&I (CRLM), Transportation, Custodial Supplies, Utilities, Maintenance, 4K Provider Contracts, District Insurance, and Workers Compensation. Most of these areas represent fixed or uncontrollable costs. Some efficiencies have been identified in our insurance renewal for 22-23, but major reductions in these areas is not recommended by the administration.</p> <p>Other non-personnel areas including 2X Charters, Open Enrollment, Voucher Payments, and Interfund Transfers are not possible areas for reductions.</p> <p>Note: The district is still in labor bargaining for 22-23. An amendment that addresses base wage would not be actionable outside of the authority already given to the administration.</p>
2	5/26	Expenditure Add	Expand Drivers Education	Nichelle Nichols	TBD	<p>I propose that the MMSD Driver's Education program be expanded in summer 2023 and summer 2024 through ESSER funds (health and emotional safety or instruction) to serve more low-income youth in our district with access and opportunity to obtain a driver's license.</p> <p>The program is currently offered in the summer through MSCR and Dane County CESA (who provides the driving school process).</p> <p>I need details on how many students are currently served in order to expand the program and come up with a dollar amount, but to me, this is a necessary way for us to help prepare students to be community ready as they graduate from high school. Too many of our students and families cannot afford private driver's education</p> <p>This collaboration with Dane County was initiated in 2015 https://countyofdane.com/PressDetail/9046</p>	<p>This could be part of ESSER planning for Summer 2023, but availability for summer 2024 may not be available as this is nearing the end of the grant period. The Current ESSER plan commits almost all of our ESSER funding between staffing and contractual commitments. Depending on program scope, we would need to identify ESSER funding available closer to Summer 2023 within existing resources on ESSER before committing.</p> <p>(Timing for Summer 2024 is not related to 2022-23 budget amendments.)</p>

Proposal #	Date Submitted	Amendment Type (Expenditure Reduction, Expenditure Add, etc.)	Item Name	Board Member Sponsor	Estimated Cost	Member Budget Proposal As Written	Admin Analysis
3	5/27	Expenditure Add	District Athletic Director	Chris Gomez-Schmidt	\$225,000+	<p>This amendment would add a ____ FTE position to oversee comprehensive athletics programs at the district level.</p> <p>Current status: Each of the 4 comprehensive HSs currently has 1.0 FTE for a building-based athletic director. Currently, one of our building-based athletic directors has the district level athletic director job added to his current role. I have tried to decipher how this is funded in the central office budget but cannot find it. There must be extra compensation or FTE currently added for this role.</p> <p>Background and rationale: Below are previous reports to the board on athletic participation. If we want to seriously address the access issues to athletics such as transportation and access at the middle school level to increase opportunities to try different sports at earlier grades, we need someone with dedicated time to work on this in a comprehensive way in addition to all of the district level tasks with coordinating approx. 3,000 student athletes, coaches, and facilities.</p>	<p>Establishing a District Level Athletic Director would likely involve the creation of a new office structure within Doyle. At minimum, this would be an administration level position, at an estimated rate of \$150K with benefits. It is likely that district level coordination of athletic programming would also require a full time clerical position, at an estimated rate of \$75K with benefits.</p> <p>Additional Information: The District-wide budget for Athletic programming is within the Office of Secondary Education (pg 138 April Budget Book). This includes programming for all athletic coaches, PD, and training. The Athletic Director Positions (including the Memorial AD that has District responsibilities) are part of building workbooks and are not captured in this total.</p> <p>As a funding source has not been identified, it is unclear how we would create this position in the 22-23 at present.</p>
4	5/27	Expenditure Add	Director of Multilingual Services and Programs	Chris Gomez-Schmidt	TBD	<p>This amendment would add a ____ FTE position to oversee and direct the multilingual, ELL, DLI and other global literacy services and programming that falls under the Multilingual Services and Programs department.</p> <p>Current status:</p> <p>Clarification is needed about which administrator is currently overseeing the comprehensive work of serving students previously under the umbrella of the OMGE department when this staff appears to now be split between two central office departments. While there is a 0.5 FTE investment in the Multilingual Programs and Services Coordinator position for 022-23, I am recommending an additional investment. I would prefer to have this discussion at the programmatic level to determine how the reorganization has affected the provision of services and the accountability mechanisms for the work. In addition, we have an ELL Plan that is now outdated as work on the revisions and community input into the new Plan was halted during the pandemic.</p> <p>As the budget process locks us into staffing for the 2022-23 school year, I see no choice but to add this by budget amendment.</p> <p>Background and rationale: English Language Learners comprise over 25% of students in MMSD. In the 2020-21 budget, the Office of Multilingual and Global Education existed within Teaching and Learning. The department had 2.0 administrators at that point. It appears that in the 2021-22 budget, this department was absorbed into Curriculum and Instruction and perhaps state and federal programs but I have not been able to track the movement of the BRS positions through that budget cycle. From the website, it appears that while the current Multilingual Services and Programs department has an instructional coordinator, a state and federal coordinator and an administrative assistant, there is no one directing the department overall.</p>	<p>In order to ensure that the needs of our EL students were being met across the district, MMSD re-organized former OMGE workstreams to exist across central office. This was a recommendation from the EL Plan external evaluation of 2019.</p> <p>In June 2021, the Office of Multilingual and Global Education was re-organized across two existing departments: Curriculum and Instruction and State and Federal Programs. Since then, Dr. Gabi Bell, Director of Instruction- Literacy, Biliteracy, Arts, World Language, and Humanities and her team have been overseeing the instructional programming for English Language Learners in MMSD including ESL and BRT supplemental language supports. At the same time, Jennifer Waldner, Director of State and Federal Programs and supervisor of the Multilingual Programs and Services team (comprised of former OMGE staff) have been managing the compliance pieces of EL programming including accountability, school ESL / BRT allocations, DLI Lottery, ACCESS testing, BRS support, translation and interpretation needs, and private parochial ESL.</p> <p>An option to consider for this amendment is to pull back Director of Instructional Coaching / PD (Org 481) to create this position. This position was vacant during 21-22. We are in the process of investigating the impacts to the EL Teams before this could be implemented.</p> <p>Additional information: The Multilingual Programs and Services Coordinator .5 FTE is actually a 1.0 staff member. ESSER funding was utilized for .5 FTE of this position in order to retain this former OMGE staff member in State and Federal Programs: Multilingual Programs and Services, continuing the work of supporting EL accountability and compliance. After ESSER funding expires, we will be using a portion of our Title III award to sustain this position as part of the organization changes. This is in line with how other positions in our ELL program have been funded previously.</p>

Proposal #	Date Submitted	Amendment Type (Expenditure Reduction, Expenditure Add, etc.)	Item Name	Board Member Sponsor	Estimated Cost	Member Budget Proposal As Written	Admin Analysis
5	5/26	Other	Bonus Structure	Laura Simkin	Unknown	<p>All unspent money budgeted for all MMSD employee staff salaries and benefits minus a 20% reserve (to cushion variability between quarters) will be automatically rolled into a new account for quarterly bonuses. These bonuses will be distributed among all permanent MMSD staff under \$75,000 annual salary on a quarterly basis. At the end of the 2022-2023 budget year, the remaining reserved money will also be distributed to eligible staff.</p> <p>Impacted line items and accounts:</p> <ul style="list-style-type: none"> 35 0100 Salaries 48 0200 Benefits 178 0100 Salaries 189 0200 Benefits 255 0100 Salaries 262 0200 Benefits 291 0100 Salaries 300 0200 Benefits 355 0100 Salaries 364 0200 Benefits 	<p>This amendment is not possible as written. Positions are budgeted based on their purpose in the staffing plan and their funding source. Staff must be paid based on their required coding within the state WUFAR coding manual and their funding source. A reallocation of resources for bonuses as suggested would create auditing questions about how funding is being diverted in this manner.</p> <p>Bonuses paid during the 2020-21 and 2021-22 school years have been paid out of existing salary accounts to track spending by the positions generating them.</p> <p>A bonus structure that is based on quarterly savings would be inconsistent and ultimately unsustainable by definition as positions are filled throughout the year.</p>



POLICY PERSPECTIVES

Vol. 44, No. 10
May 2022

WASB LIST OF ANNUAL NOTICE REMINDERS UPDATED AHEAD OF 2022-2023 SCHOOL YEAR

The WASB has updated the list of annual student and parent notices that, depending on the specific notice, need to be distributed, posted, and/or published at various points during next school year. Districts can obtain a copy of the list by visiting the applicable “Hot Policy Topics” page on the WASB website (<https://wasb.org/policy/hot-policy-topics/>).

Within the document, we have highlighted the substantive revisions and clarifications. Fortunately, there are relatively few changes to the list for 2022-23. The only new notice obligation added to the list concerns the distribution of information sheets that address sudden cardiac arrest in youth athletic activities. As was further covered in the April 2022 issue of *Policy Perspectives*, integrating that new obligation into existing procedures should be relatively straightforward for most districts since the information on sudden cardiac arrest is required to be added to the concussion information sheets that school districts are already distributing.

If a WASB member has any difficulty accessing the updated list of annual notice requirements, please contact the WASB’s Teresa Kimball (tkimball@wasb.org).

In addition, although we attempt to keep close track of the various state and federal notice requirements, it is possible that we have missed something. If your district comes across an item that might be appropriate to add to the list, please let us know. We sincerely appreciate such input.

STATUTORY CODE OF ETHICS AMENDED TO CLARIFY LOCAL OFFICIALS’ RESPONSIBILITIES REGARDING GIFTS AND SIMILAR ITEMS OF VALUE

Most school board members and administrators are aware that in connection with their role as a public official, they generally may not solicit, accept, or receive, for their personal benefit, any items or services of more than nominal/insignificant value. The relevant restrictions are established most directly in section 19.59 of the state statutes, as further interpreted by the Wisconsin Ethics Commission and the courts. The restrictions apply, for example, to items or services that might reasonably be expected to influence a school district official’s vote, official actions, or judgment, or that could reasonably be considered as a reward for an official’s past actions.

Specific provisions within section 19.59 also prohibit any person from *offering* or *giving* public officials the types of items, services, and entertainment opportunities that such officials are prohibited from *accepting*. Nonetheless, because school district officials sometimes work with vendors and other persons who may be unfamiliar with state law or who more regularly engage in private sector dealings, school officials sometimes find themselves in a position of having to politely refuse an offer (e.g., for a golf outing, tickets to an upcoming game or entertainment event, or a paid-for meal that is intended as a “thank you” or as a “relationship builder”).

Somewhat more awkward than turning down an offer is dealing with items of value that simply show up at an administrator’s office, via email, or

at a board member's home. In such a situation, the school district official never had a chance to refuse the item, but the official also cannot simply keep it. Section 19.59 was recently amended by 2021 Wisconsin Act 267 to give local public officials specific direction for such scenarios. Under the amendment, which largely tracks the previous guidance of the Ethics Commission:

19.59(1b): "If a local public official receives an item that the official is not permitted to accept or retain [under the Code of Ethics or the state lobbying laws], the official **shall** do one of the following:

- (a) Give the item to the official's agency to use or sell, except that the agency may not sell the item to any government employee or official.
- (b) Give the item to another local agency or to a public institution, such as a local school, library, or museum, that can use the item.
- (c) Give the item to a charitable organization, as defined in s. 11.0101 (4), not including a charitable organization with which the official or his or her immediate family is associated.
- (d) Return the item to the donor.
- (e) If the donor is neither a lobbyist, as defined in s. 13.62 (11), nor a principal, as defined in s. 13.62 (12), purchase the item at its full retail value and keep the item."

Q: Do all local policies addressing restrictions imposed by the Local Government Code of Ethics (section 19.59) need to be modified in response to 2021 Wisconsin Act 267?

Not necessarily. Most significantly, school districts will want to ensure (1) that board members and appropriate personnel are made aware of the change in the law; and (2) that nothing in existing local policies conflicts with the new requirements that apply to items that a local public official has received but is prohibited by law from accepting or retaining.

In many cases, existing local policies will not expressly address how to handle such items, and there will be no conflict with the amended law. Whether a district wishes to amend local policies

and procedures to expressly incorporate the new requirements is a matter of local discretion. Ultimately, the new requirements (i.e., the available options for dealing with such items) apply to all "local public officials" regardless of whether the specific options are expressly listed/identified in a local policy or procedure.

Q: Which positions are considered "local public officials" under section 19.59?

Most of the provisions found in section 19.59 are directed at "local public officials." For purposes of the statute, the term "local public official" is defined in the combination of sections 19.42(7w) and 19.42(7x). The definition lacks perfect clarity, but it unambiguously encompasses all school board members and almost certainly includes a school district's contracted administrators and supervisory department heads. At the same time, not *all* school district employees are considered local public officials for purposes of section 19.59 (e.g., typical clerical and custodial positions are examples of positions that are almost certainly not covered by the statute). There is ambiguity whether the applicable definition of "local public official" encompasses all teaching positions, and the WASB staff is not aware of any definitive resolution of the question—particularly after the changes to collective bargaining that resulted from 2011 Wisconsin Act 10. It is even possible that some public school teachers have duties, assignments, or other job characteristics that bring their position under section 19.59, whereas others do not. (See, e.g., 1999 Wis. Eth. Bd. 01 for a pre-Act 10 discussion of the issue.)

Some school districts have taken at least some of the guesswork out of interpreting the reach of section 19.59 by using board policy to extend the same rules and expectations to all, or nearly all, employees. Such a decision may reflect (1) a belief that the relevant statutory rules and expectations reflect desired practice in the district for all employees, and/or (2) a desire to avoid inadvertent violations of the statute given the different potential interpretation that could be applied.

CHANGES TO FEDERAL REGULATIONS UNDER TITLE IX AND SECTION 504 ARE EXPECTED, BUT STILL MONTHS AWAY

The U.S. Department of Education is in the process of proposing possible amendments to the formal regulations that implement Title IX (the federal law that prohibits all forms of sex discrimination in education programs and activities that receive federal funding) and Section 504 (the federal law that prohibits recipients of federal funding from discriminating on the basis of disability and that establishes education-related rights of individuals with disabilities). While it is expected that both of these rule-making initiatives will substantially affect school districts' policies and procedures, it is highly unlikely that either of the initiatives will reach finality prior to the start of the 2022-23 school year. It is even possible, especially in connection with Section 504, that any final regulations may not take effect until after the 2022-23 school year ends.

- **Title IX:** The potential amendments to the Title IX regulations (34 C.F.R. Part 106) are expected to address (1) unlawful sexual harassment in educational settings (e.g., revisiting the 2020 regulations that address sexual harassment, sexual violence, and complaint procedures); and (2) the application of Title IX to preventing and addressing discrimination based on gender identity and sexual orientation.

Although the Department had previously projected that the proposed rules would be published and open for public comment prior to the end of April 2022, that target date has passed. Entering the month of May, the draft rules were still going through an interagency review process within the executive branch and were not yet available for public viewing. Once the proposed rules are published for public access, school officials and other stakeholders will have an opportunity to submit comments on the proposed amendments. Then, the Department will evaluate the comments before issuing any final regulations—a process that could take several months.

- **Section 504.** The Section 504 rule-making initiative is at an even earlier stage than the Title IX process. On May 6, the U.S. Department of Education announced plans to gather general public input on possible amendments “to help decide how best to improve current regulations to assist America's students with disabilities.” The Department will also be holding various listening sessions. Initial comments and suggestions can be submitted via email to Section504@ed.gov through at least the end of June.

Eventually, the Department may publish a notice of proposed rules, and the proposed rules themselves would be subject to another round of public comment at that time. The Department's current Section 504 regulations can be found in 34 C.F.R. Part 104.

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WASB members are encouraged to contact the WASB's legal and policy services staff with any questions.

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LEADING THE WAY FOR ALL STUDENTS

2022 SUMMER LEADERSHIP INSTITUTE



JULY 8 & 9, 2022 • RADISSON HOTEL • LA CROSSE

Friday, July 8

8:30 a.m.-3:45 p.m.

Keynote: Our Mindset: Stories We Tell Ourselves

In her keynote address, Jo Miller will describe what it means to turn outward and focus on the needs of others. How we view other people and their needs can become a source of organizational excellence or a barrier to change.

JoAnn Miller, Director of Continuous Improvement, CESA 8

Main Session: Elevating Achievement for All Children: A Focus on Excellence and Equity

We'll offer strategies for attendees to promote excellence for all children. We'll share information on how districts can constructively focus on equity practices for all children. Finally, we will discuss how the roles of the school board and superintendent impacts this critically important work.

Louise Blankenheim and Dan Nerad, WASB Governance Consultants

Special Event (Optional): Dinner and Dialogue on the Positive Power of Servant Leadership

Enjoy a relaxing dinner networking with colleagues from around the state. Event begins at 5:30 p.m.

Servant leadership is timely and timeless. Through storytelling, evidence-based research and personal participation, people will be encouraged on their own journey into servant leadership.

Registration add-on required (cost of \$40).

*Tom Thibodeau, Associate Professor,
Viterbo University*

Saturday, July 9

8:30-11:30 a.m.

Main Session: School Boards and Superintendents Working Together: A Governance Mindset

High-performing board members and superintendents understand that in order for school districts to be successful, all parties need to be effective.

Participants in this session will explore the following ideas related to effective governance:

- Developing one's mindset in relation to others
- Practicing effective and frequent communication
- Creating a team that performs at high levels as it pursues the moral imperative
- Understanding roles in a trust-based culture
- Aligning actions strategically

George Steffen, Cheryl Stinski and Patti Vickman, Governance Consultants, WASB



For more information and to register, visit WASB.org.

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- Communications by Board Members, Including Through Social Media
- Guiding School Board Operations Through Policy
- The Roles and Responsibilities of School Board Members

FOR CLERKS, TREASURERS AND PRESIDENTS

Introducing School Board Officers to Their Roles

The Platform's Board Officer Training Series includes 16 webinars dedicated to helping school board presidents, clerks and treasurers understand their roles as described in law and policy, such as:

- Introduction and Overview of Board President Statutory Responsibilities
- Board President's Common Policy Responsibilities
- Running Effective School Board Meetings
- Board Clerk Duties
- Board Treasurer Duties

The Online Learning Platform also includes training modules for veteran board members on a wide variety of subjects.

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