

**Resolution 2526R-006**

**Support of Litigation Seeking Adequate and Constitutionally Required State  
Funding for Wisconsin Public Schools**

**By Directors Zombor, Herndon, Ferguson, Fons, O'Halloran, Reza, Siemsen, and Vannoy**

WHEREAS, Article X, Section 3 of the Wisconsin Constitution guarantees that the Legislature shall provide by law for the establishment of district schools which shall be “as nearly uniform as practicable” and shall provide all children with an equal opportunity for a sound basic education; and

WHEREAS, in *Vincent v. Voight* (2000 WI 93), the State Supreme Court of Wisconsin held that “Wisconsin students have a fundamental right to an equal opportunity for a sound basic education;” and that

“An equal opportunity for a sound basic education is one that will equip students for their roles as citizens and enable them to succeed economically and personally;” and that

“The legislature has articulated a standard for equal opportunity for a sound basic education in Wis. Stat. §§ 118.30(1g)(a) and 121.02(L) (1997-98) as the opportunity for students to be proficient in mathematics, science, reading and writing, geography, and history, and for them to receive instruction in the arts and music, vocational training, social sciences, health, physical education and foreign language, in accordance with their age and aptitude;” and that

“The State Supreme Court of Wisconsin has held that ‘An equal opportunity for a sound basic education acknowledges that students and districts are not fungible and takes into account districts with disproportionate numbers of disabled students, economically disadvantaged students, and students with limited English language skills;” and that

“So long as the legislature is providing sufficient resources so that school districts offer students the equal opportunity for a sound basic education as required by the constitution, the state school finance system will pass constitutional muster,” and

WHEREAS, for more than sixteen years, state general aid to public school districts has failed to keep pace with inflation and rising educational costs, including the increasing needs of students with disabilities, students experiencing poverty, and English language learners; and

WHEREAS, Wisconsin’s current school finance system continues to limit district revenue authority based on 1993 per-pupil spending levels, with only minimal and unpredictable adjustments since 2010; and

WHEREAS, because of insufficient and inconsistent state funding, school districts across Wisconsin — including the Milwaukee Public Schools — have been compelled to reduce programming, increase class sizes, delay capital improvements, and rely increasingly on local property taxpayers through operational referendums to fund basic educational services; and

WHEREAS, the frequency and dollar amount of operational referendums across the State have reached historic highs, shifting financial responsibility from the State to local communities and exacerbating inequities between districts with differing property wealth; and

WHEREAS, statewide data demonstrates concerning declines in student proficiency in reading and mathematics over the past two decades, with disproportionate impacts on students with high needs; and

WHEREAS, on Monday, February 24, 2026, students, parents, educators, school districts, and education advocacy organizations filed suit in Eau Claire County Circuit Court against the Wisconsin State Legislature and the Joint Committee on Finance, alleging that the current school finance system violates constitutional guarantees of uniformity, equal opportunity, equal protection, and adequate provision for public education; and

WHEREAS, the claims asserted in the litigation allege, among other things, that:

the current system denies students an equal opportunity to obtain a sound basic education;

the character of instruction is not as nearly uniform as practicable across districts;

students with high needs are not provided constitutionally sufficient support;

the State's special education reimbursement rate is deficient and undermines equal educational opportunity;  
and

the funding system violates constitutional principles essential to maintaining a free government; and

WHEREAS, the Milwaukee Board of School Directors has a fiduciary and moral obligation to advocate for sustainable, equitable, and constitutionally adequate funding for all Wisconsin students; now, therefore, be it

RESOLVED That the Board hereby affirms that a free and uniform system of public education is foundational to democracy, economic vitality, and the well-being of Wisconsin's communities; and, be it

FURTHER RESOLVED, That the Milwaukee Board of School Directors formally expresses its support for the pending litigation seeking to require the Wisconsin State Legislature to fulfill its constitutional obligation to adequately and equitably fund public education; and, be it

FURTHER RESOLVED, That the Board authorizes and directs the Superintendent, the Board Clerk, and their designees, to take all reasonable and appropriate steps to support the objectives of the litigation, including communicating the Board's formal position and permitting the use of the Milwaukee Board of School Directors' name, logo, and adopted resolution in informational and advocacy materials consistent with district policy and applicable law; and, be it

FURTHER RESOLVED, That the Board demands that the Wisconsin State Legislature:

Increase general state aid to reflect inflationary realities;

Reform the school finance system to ensure uniformity and equal opportunity;

Increase special education reimbursement to a level that prevents the cross-subsidization of services from general education funds; and

Provide sustainable and predictable funding sufficient to meet the needs of all students, particularly those with high needs; and, be it

FURTHER RESOLVED, That the Board directs the Board Clerk to transmit a copy of this resolution to the Wisconsin Association of School Boards (WASB), Governor of Wisconsin, the Wisconsin State Legislature, and the Joint Committee on Finance, and to share it, as appropriate, with other relevant stakeholders; and, be it

FURTHER RESOLVED, That the Board hereby reaffirms its commitment to student-centered governance and to advocating for policies that ensure every child — regardless of ZIP code, background, or socioeconomic status — has access to a sound basic education.

*Introduced February 26, 2026*

*Adopted February 26, 2026*