

# Policy Brief

Wisconsin Institute for Law & Liberty



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## A Deep Dive into Governor Evers' K-12 Budget Proposal

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### Introduction

Last month Governor Evers rolled out his proposed budget including his policies for K-12 education.<sup>1</sup> We breakdown this budget, including the Legislative Fiscal Bureau's analysis and State Superintendent Taylor's testimony at the Joint Finance Committee.

We dive deep into nearly every provision in his budget, from his infamous choice freeze and public charter moratorium to the lesser-known provisions like changing private school accreditation, new-teacher licensing, the Early College Credit Program, and more mandates from Madison on local school districts.

#### Highlights:

- Evers wants to limit the funding increases by almost 300% for students in choice programs, independent charter schools, and open enrollment – *over 100,000 students this school year.*
- His voucher freeze would cost Wisconsin \$110 million in lost economic benefits.
- Evers was for charters before he was against them.
- The Special Needs Scholarship Program--a voucher program for disabled children that Evers wants to end--has 56% higher parental satisfaction than public schools.
- One out of every three families who use the private school tax deduction make less than \$78,000 / year. By eliminating it, Evers wants to make private schools only affordable for the rich.
- Evers accreditation proposal is a backdoor way to end the expansion of private choice schools.
- By increasing requirements for teacher licensing, Evers will exacerbate the teacher shortage.
- His funding plan contains an interesting concept ("weighted" funding) but is ultimately unrealistic and would do little, if anything, to improve student outcomes.

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## *Eliminates access to high-quality private and public charter schools*

### 1. Puts a moratorium on independent public charter schools

**Background:** Independent charter schools are public schools that are authorized by the City of Milwaukee’s Common Council, the chancellors within the University of Wisconsin system, Indian tribes, the Waukesha County Executive, and the Office of Educational Opportunity within the University-Wisconsin System. In exchange for more accountability through a charter contract, independent charter schools have less red tape than traditional public schools. They generally do not employ unionized teachers.

For the 2018-2019 school year, there were 24 independent public charter schools in Wisconsin, all located in southeastern Wisconsin, that educate more than 8,000 students.<sup>2</sup> The vast majority of independent, public charter schools are in Milwaukee with one school in Racine and one in Waukesha. These current schools are authorized by different entities: seven by the city of Milwaukee, 16 by the University of Wisconsin- Milwaukee, and one by the University of Wisconsin-Parkside. Next school year, two additional independent charters will be opened in Madison and authorized by the Office of Educational Opportunity.

**The governor’s budget** places a moratorium on new independent charter schools in Wisconsin until 2023.

Department of Public Instruction Superintendent Carolyn Stanford Taylor explained why she supports “pausing” programs like the independent charter school program saying:

[o]ur constitution says that we support public schools. The majority of our students are in the public schools. And so our focus needs to be on doing what we need to do for the majority of those students who are in those public schools.<sup>3</sup>

**WILL’s Take:** First off, Superintendent Taylor’s description of public charters contradicts her own department. DPI’s website describes charter schools as “*public*, nonsectarian schools created through a business-like contract or ‘charter’ between the charter governance board and the sponsoring school board or other chartering authority.”<sup>4</sup> Let’s all say it together: charter schools are public schools.

But what is most problematic is that Governor Evers is halting the expansion of some of the highest-performing schools in Milwaukee. Independent charter schools provide a better education on average at a far lower cost to taxpayers.<sup>5</sup> They receive \$8,619 per student compared with more than \$10,400 in per-pupil aid to traditional public schools.<sup>6</sup> In WILL’s latest school comparison study, independent charter school students were about 5% more likely

to be proficient in reading and 8% more likely to be proficient in math than students at traditional public schools.<sup>7</sup>

These schools also primarily serve students from backgrounds that Wisconsin's traditional K-12 system struggles the most to educate. According to the most recent data from DPI, 50% of students in independent charters are African American and 34% are Hispanic. About 79% come from economically disadvantaged backgrounds.<sup>8</sup>

It's no surprise then that in a 2019 poll, more than 54% of voters in Wisconsin expressed support for charter schools, including more than 40% of Democrats.<sup>9</sup>

Interestingly, Evers fully understands the importance of independent public charters in educating low-income, minority students. As State Superintendent of Public Instruction, he applied for a competitive federal grant for planning and implementing new public charter schools.<sup>10</sup> His application stated— *“Wisconsin State Superintendent Tony Evers is committed to every student graduating with the knowledge and skills necessary for success in college or career. He is also committed to eliminating persistent achievement gaps among Wisconsin's students. To achieve these goals, the Wisconsin Department of Public Instruction (DPI) will support the development of high-quality charter schools that will increase academic achievement for all students, especially those that are educationally disadvantaged.”*<sup>11</sup>

Yet, just two years later, Governor Evers recommends freezing the very schools that are working to eliminate the achievement gap for many Wisconsin students.

In fact, there's no shortage of interest in the creation of new independent charter schools. For instance, the Office of Educational Opportunity received 5 applications for schools in Madison over the last four years.<sup>12</sup> The University of Wisconsin-Milwaukee Office of Charter Schools has received 24 prospective applications and 8 completed applications since 2014.<sup>13</sup>

**The Bottom Line:** Evers purports to be a champion of public education but that's apparently only true if the schools employ unionized teachers. It's disappointing that Evers, who was for charters before he was against them, is willing to put a moratorium on schools that are most successful at educating low-income, minority students.

## **2. Freezes enrollment in the Milwaukee, Racine, and Wisconsin parental choice programs**

**Background:** There are three parental choice programs in Wisconsin: Milwaukee, Racine, and the rest of Wisconsin. Families that meet the specific requirements, including income and residency stipulations, are able to participate in the programs. In school year 2018-2019, the

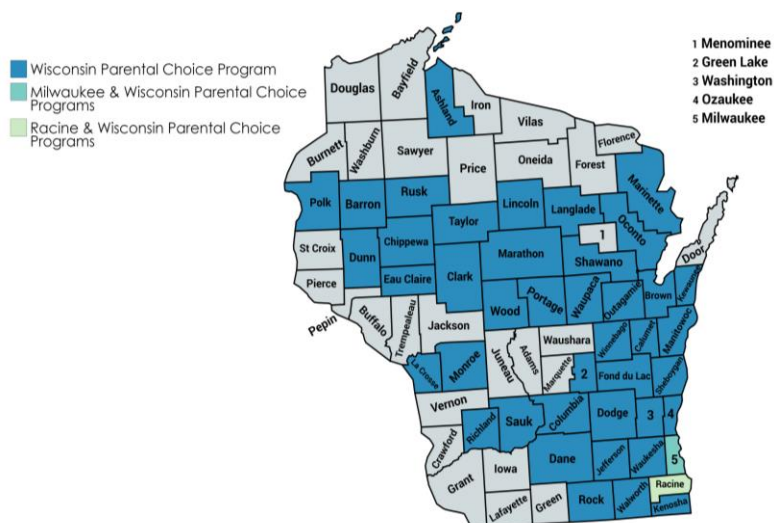


Milwaukee and Racine programs are not capped and serve 28,000 and 3,300 students, respectfully.<sup>14</sup>

The Wisconsin Parental Choice Program (WPCP) serves about 7,000 students in districts that are given a specific cap. Despite the cap, families across the state are participating in the program. Demand for the program is growing as schools join the program and provide an alternative to local public schools. The map highlights how private schools participating in the choice programs (“choice schools”) are serving students all over the state. Each county highlighted has at least one choice school in the WPCP.

**The governor’s budget** freezes enrollment in the MPCP, RPCP, and WPCP following the 2020-2021 school year.

In support of the governor’s proposal to freeze the parental choice programs, Superintendent Stanford Taylor raised concerns about the parental choice programs and their impact on public schools:



*I think every parent wants what’s best for their child. And we’re looking at the majority of our students are still in public schools and what we’re saying today is we’re looking at educational equity. So when we’re pulling money away from the system, we continue to cause that to erode. And so we’re asking for investment in our public schools so that we can meet those needs of the [choice family described by Rep. Nygren].<sup>15</sup>*

**WILL’s Take:** What the public school establishment fails to understand about school choice is that no matter how much money is provided to traditional K-12 public schools, the schools cannot meet the needs of all students. And that’s why we see significant benefits from school choice.

Choice schools achieve higher levels of proficiency for the low-income students who utilize them, all at a lower cost to taxpayers.<sup>16</sup> Students in these programs are four percentage points more likely to graduate from high school, and six percentage points more likely to go to college.<sup>17</sup> Choice participants have also been found to be less likely to commit felonies and misdemeanors relative to a comparison group of public school students.<sup>18</sup>

As a natural result of these positive social outcomes, a WILL study showed that the Milwaukee Parental Choice Program (MPCP) will lead to \$600 million in higher economic benefits for the city and state through more tax revenue and less resources spent on the criminal justice system.<sup>19</sup> More tax revenue results primarily from better career prospects that result from high school graduation, thus leading to a larger tax base. However, these estimates were based on growth in the MPCP continuing at a similar rate to the last five years. Governor Evers’ plan to freeze enrollment in the MPCP would limit these benefits, not to mention the opportunity for better life outcomes that lead to a higher rate of economic prosperity. Assuming a freeze goes into effect for the 2020-21 school year, Wisconsin would forgo \$110 million in economic benefits over the next fifteen years. This is calculated by looking at the economic impact of fewer students in the MPCP, which means fewer students in Milwaukee graduating from high school and more students participating in crime.

Model	Expected MPCP Enrollees	Change in Graduates	Economic Benefits of Graduation	Total Economic Benefits
<b>Current Law</b>	64,858	2,594.31	\$182,500	\$473,461,916.91
<b>Evers’ Budget</b>	49,682.55	1,987.30	\$182,500	\$362,682,620.84
	<b>Change in Economic Benefits</b>			<b><u>\$110,779,296.07</u></b>

Parental choice programs are not taking away a significant amount of funds from the public school districts, despite the establishment’s false narrative. In fact, only about 3% of the total funds spent on K-12 schools went to the parental choice programs in the fiscal year of 2018-2019.<sup>20</sup>

**The Bottom Line:** School choice is working in Milwaukee and across the state and the parental choice programs are a major component of that. Students at choice schools score higher on tests, are more likely to graduate from college, and are less likely to commit crimes. By freezing the voucher program, Governor Evers would deny opportunities for predominantly low-income students to attend high-performing schools, pushing more of them into failing local public schools and making it harder to escape the crushing grip of poverty.

### 3. Removes private school control over the application process for the parental choice programs

**Background:** The parental choice programs (Milwaukee, Racine and Wisconsin) have very similar application processes with a few slight differences.<sup>21</sup> By and large, private schools retain some degree of autonomy over the application process for school vouchers.

The Milwaukee Parental Choice Program (MPCP) is run by each of the 133 participating private schools. Within the boundaries of state law, the schools determine their own application period, including whether to have year-round enrollment or limit it to specific months. Similarly, the Racine Parental Choice Program (RPCP) is also run by each of the 26 participating private schools. By law, RPCP schools can choose their enrollment period for up to eight months or less.

The Wisconsin Parental Choice Program (WPCP) is administered by DPI due to the enrollment caps. There is currently a 3% cap on enrollment for each Wisconsin school district and participating schools may not accept students on vouchers beyond that cap. By law, the WPCP enrollment period is only four months. DPI, and not the particular school, determines which applications to accept on a random basis and creates a waitlist, if necessary. Currently, DPI's administration of the WPCP includes 262 schools and over 7,000 students. For students in the WPCP, it typically takes DPI until early to mid-June to notify all the families about whether their students have been accepted for the 2018-2019 school year.

**The governor's budget** removes choice schools' control over the application process and limits the enrollment time period for all programs to a maximum of eight months. This will result in change for Milwaukee families. While the details of the proposal are unclear, it will require DPI to determine the applicant count and if the count exceeds the cap, DPI, not the choice schools, will determine which students to accept on a random basis and establish a waiting list for the students who were not accepted.

**WILL's Take:** Governor Evers' proposal takes away control over the application process from choice schools. Families will have to rely on a bureaucratic agency to process the applications and maintain the waitlists.

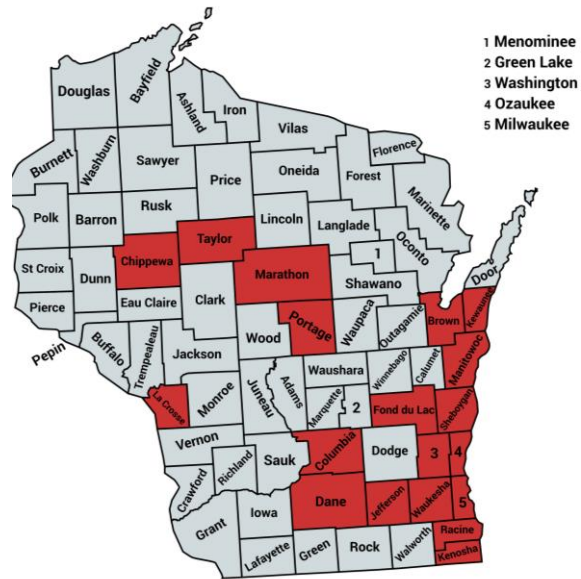
Governor Evers is also needlessly complicating the process by growing the involvement of a hostile government agency. For Governor Evers plan to work, DPI would likely have to hire significantly more staff to oversee the placement of almost 40,000 students in more than 250 private schools every year.

**The Bottom Line:** By giving DPI control over choice schools’ application process, Governor Evers wants the fox to guard the henhouse. DPI has a long history of being against school choice so they should have as little say over private schools as possible.

#### 4. Ends the Special Needs Scholarship Program

**Background:** In 2015, the legislature created a program to allow students with disabilities to access a private school.<sup>22</sup> The Special Needs Scholarship Program (SNSP) permits any Wisconsin student with a disability to attend a private school of their choice with a state-funded scholarship. Unlike the fixed funding amount in the parental choice programs, SNSP funding can be higher and is benchmarked to the student’s disability.

In order to participate in the program, state law requires the child to have an active Individualized Education Plan (IEP) or services plan.<sup>23</sup> Federal law requires all public school districts to provide an evaluation of any child that lives in the district, regardless of whether or not that child will ever attend a public school.<sup>24</sup> Since state law ties the SNSP voucher to a student’s current IEP, DPI regulations instruct that the pupil’s resident school district to develop the IEP or services plan.<sup>25</sup> Once a student receives the valid IEP or services plan, the family and private school work together to determine whether the school is the right fit for the student and how the school can best serve the child.<sup>26</sup>



The SNSP is growing quickly, with about 662 students enrolled for the 2018-19 school year; up from 215 students just two years ago.<sup>27</sup> The program is serving students across Wisconsin - the map shows every county that has at least one private school participating in the SNSP this school year.

**The governor’s budget** ends the Special Needs Scholarship Program by restricting new students after the 2019-2020 school year, which will ultimately phase out the program entirely.

**WILL’s Take:** Governor Evers is trying to remove access to a popular program that gives special needs children access to private schools that better serve their unique needs. A state required audit by the Legislative Audit Bureau in 2018 found that 58% more parents were



satisfied with the academic progress of their child in an SNSP school compared with their child's experience at traditional public schools.<sup>28</sup>

Perhaps most importantly, this program is serving some of the most vulnerable Wisconsin students. The nonpartisan legislative audit determined that of the students participating during the 2016-2017 school year, 56.2% were African American and 53.6% were economically disadvantaged.<sup>29</sup>

**The Bottom Line:** Many public schools do an exceptional job at educating special needs children--but some do not. And for that, the Special Needs Scholarship Program was created to give parents with a special needs student greater access to alternative schools. Some parents think that a private school offers a better environment to educate their children according to their unique needs.

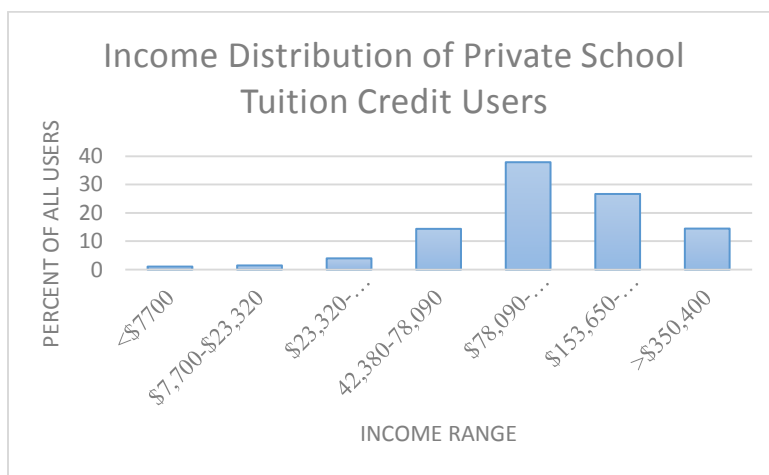
Make no mistake about it. In wanting to end the SNSP, Governor Evers is siding with left-wing, special interest groups over what is best for special needs children.

## 5. Repeals the private school tuition tax subtraction

**Background:** Since 2014, Wisconsin families can deduct from their state income taxes the cost of private school tuition.<sup>30</sup> This deduction is available to any family who pays private school tuition but excludes families that participate in a parental choice program. This deduction is limited to \$4,000 for kindergarten to 8<sup>th</sup> grade schools and \$10,000 for 9<sup>th</sup> to 12<sup>th</sup> grade schools.

**The governor's budget** repeals the private school tuition tax subtraction.

**WILL's Take:** In 2016, more than 38,000 Wisconsin families took advantage of the private school tuition tax deduction.<sup>31</sup> Contrary to some characterizations, the private tuition credit was not used exclusively by high-income families. Of those who used the deduction, 30.1% had household incomes of less than \$78,090 per year.<sup>32</sup>



Source: Wisconsin Department of Revenue

**The Bottom Line:** The tuition tax deduction helps give all families – not just the wealthy – the opportunity to attend a private school. By eliminating the deduction – along with freezing the parental choice programs, Governor Evers’ message is loud and clear: only the rich should be able to send their children to elite private schools.

## 6. Requires private schools in the parental choice programs to be fully accredited

**Background:** Private schools that want to participate in the parental choice programs must go through the accreditation process and achieve accreditation from an approved organization. Accreditation is a process that includes three stages: (1) pre-accreditation, (2) candidacy for accreditation, and (3) accreditation. State law defines pre-accreditation as the “review and approval of an education plan.”<sup>33</sup> This review of an education plan includes consideration of whether the school submitting the plan meets the requirements of being a private school, as defined by state law.

This is good policy because the accrediting agency serves as a first step in determining the private school’s operations, finances and academic model. The state does not require public schools, traditional or charter, to be accredited. The accreditation requirement only applies to private schools participating in a parental choice program.

Currently, the law requires a private school to (at least) be pre-accredited in order to join the parental choice program.<sup>34</sup> This allows a private school to participate in the parental choice program while the school is simultaneously going through the accreditation process. State law requires that a choice school annually prove their status on accreditation to DPI.<sup>35</sup>

**The governor’s budget** requires private schools that are joining the parental choice program to obtain accreditation by August 1<sup>st</sup> before the first school term the school participates in the program starting in the 2021-22 school year. The proposal removes the pre-accreditation process

completely and requires the completion of the accreditation process before participating in a parental choice program.

**WILL's Take:** The proposal will make it impossible for new choice schools to open. Given the length of the accreditation process, it clearly is designed to occur while a private school is open and teaching students. But Governor Evers' proposal wouldn't allow students in the parental choice program to attend a private school going through the accrediting process.

For example, several private schools are currently using this process to achieve accreditation while educating students in a parental choice program. St. Augustine Prep Academy is a candidate for accreditation through WRISA.<sup>36</sup> St. Augustine Prep opened its doors in 2017 and is currently serving over 900 students in grades pre-kindergarten to tenth grade. But under Governor Evers' proposal, St. Augustine Prep would not be able serve 99.66% of students who currently attend.<sup>37</sup>

The accreditation process is lengthy and costly. Private schools simply cannot participate in the parental choice programs if full accreditation is required before joining.

Moreover this is a solution in search of a problem. The existing process includes high standards for private schools to participate in the parental choice programs. The pre-accreditation step already serves as a sentinel for the parental choice programs ensuring that a participating private school meets the state requirements for private schools, offers a sound educational plan, and starts out on the right foot when it open its doors. Studies have shown that Wisconsin's existing accountability laws are working to cull bad actors from the program. Since 2003-2004, 57 private schools have been removed from the voucher programs for, among other things, failing to achieve or maintain accreditation.<sup>38</sup>

**The Bottom Line:** There is no problem that Governor Evers' is trying to fix. He is only adding regulations to one of the most regulated choice programs in the country. Wisconsin's fiscal accountability laws already work to cull low-performing schools from the choice programs.

The true political motives of his proposal are obvious in light of the fact that there are no accreditation requirements on public schools and Governor Evers isn't proposing any. This is despite the fact that several school districts, such as West Allis – West Milwaukee, recklessly blow a hole through their budget.<sup>39</sup> Education reformers should not be fooled by what sounds like an innocent idea. This is a backdoor way to stop new private schools from entering the choice programs and as such, should be a complete non-starter in the legislature.

#### **7. Requires all private school teachers at a choice school to be licensed**

**Background:** Teachers at private schools in a parental choice program must (at least) have a bachelor's degree from a nationally or regionally accredited institution of higher education.

**The governor's budget** requires all private school teachers in a private school participating in a parental choice program to hold a teachers' license or permit by July 1, 2022. This means that a bachelor's degree is no longer sufficient to teach.

To comply, teachers would need to complete the state-approved educator preparation program, pass additional tests on the specific licensure area and pay expensive fees.<sup>40</sup> Experienced teachers who continuously taught in a private school in a parental choice program for at least five years may apply for a waiver from the licensure requirement. However, in order to receive a waiver, the teacher must submit a plan for satisfying the licensure requirement to the Department of Public Instruction.

**WILL's Take:** This adds red tape to an already massively regulated program and could exacerbate the teacher shortage. Once again, Governor Evers is in search of a problem for his "solution."

Many private schools have teachers with advanced degrees in their subject areas that certainly qualify them to teach Wisconsin students without having to pass a test mandated by DPI. And, with students at choice schools outperforming their public school peers in academics, safety, and character, it seems odd to increase the teacher licensing requirements for choice schools.<sup>41</sup> As the saying goes, if it ain't broke, don't fix it.

Wisconsin's parental choice programs are some of the most regulated in the country.<sup>42</sup> For example, choice schools must complete criminal background investigations on all staff.<sup>43</sup> So, adding another layer of red tape could prevent private schools from joining or even staying in the parental choice program since it would require so many teachers to go through an extensive licensure process.

Lastly, Wisconsin already has a well-documented teacher shortage.<sup>44</sup> Due to the shortages across the state, public schools are relying on emergency licenses, referred to as a "one year license with stipulations," to fill positions and districts' use of these licenses for teaching more than doubled during the past five years.<sup>45</sup> Requiring private school teachers to go through the unnecessary licensure process could further the teacher shortage crisis. Perhaps Governor Evers should be exploring fewer requirements for licensing on teachers at public schools (and not the other way around).

**Bottom Line:** Governor Evers should leave teachers at choice schools alone. His licensing proposal risks exacerbating Wisconsin's teacher shortage and harms schools which already achieve better academic outcomes with their current teachers.

It also makes little sense. By requiring a DPI license, Evers' believes that President Obama is not qualified to teach Social Studies and Neil deGrasse Tyson is not qualified to teach Science. Let private schools – and ideally public schools – make their own decisions with teacher hires.

*Spends money on K-12 schools with no accountability for student achievement while underfunding some of the best schools*

Governor Evers is proposing a massive \$1.4 billion increase in K-12 spending for schools. The Governor's proposal is on top of former Governor Scott Walker's historic increase in the 2017-2019 state budget.<sup>46</sup> This is also occurring even though in 2011 Act 10 gave school districts an unprecedented ability to curb costs.<sup>47</sup> Governor Evers' proposal also limits access to the funding increases to only public schools, continuing to shortchange both choice schools and independent public charter schools.

A new statewide poll of registered voters found that support for an increase of \$1.4 billion in public school funding *substantially* declines when voters are informed that Governor Evers' budget includes no accountability measures.<sup>48</sup> Specifically, support for his budget flips from 59% approval to only 39% approval when voters have this information.

#### **Let's break down what Evers' budget does:**

**The governor's budget** guarantees a minimum amount of \$3,000 per pupil of state aid.

**WILL's Take:** A recent study showed that there is little relationship between spending and student achievement in Wisconsin's school districts, and the state already is at the highest level of funding in state history in terms of raw dollars.<sup>49</sup> There is reason to be skeptical that the governor's funding increases will lead to higher student outcomes. A recent poll by WILL showed that support for Governor Evers' spending plans decreased substantially when respondents were told that the plan included no academic accountability to track results.<sup>50</sup> Wisconsinites know that the state's academic performance has suffered in recent years, despite remaining in the top half of states in terms of per-pupil spending.

But most of all, by massively underfunding independent charter and choice schools, the problem is that Governor Evers' spending plan does little to target the schools that are already working.

**The governor's budget** would also restore the requirement that the state fund two-thirds of K-12 partial school revenues.



**WILL's Take:** Wisconsin is already extremely close to two-thirds funding—at approximately 65.4% during the previous year. Any substantive increase in school funding is already likely to reach the two-thirds threshold, which makes this proposal largely symbolic.

**The governor's budget** increases the state's reimbursement rate to public schools for special needs students by providing an additional \$600 million of dedicated funding.

**WILL's Take:** Currently, public schools, including independent charters, are reimbursed for only 25.3% of eligible costs from state funds. However, what is often left out of the discussion is that federal title funds for special education are over-and-above this amount. If federal funds, which reimburse approximately 12% of special education spending, are included in reimbursement rates for public schools, the reimbursement rate is closer to 37%.<sup>51</sup> Any additional costs are borne by school districts and may be taken from funds that would otherwise go to educating other students. So, a reasonable argument could be made that special needs students should be reimbursed at a higher rate than the status quo.

That said, the proposed budget appears unworkable. Under the governor's proposal, 60% of district costs for special education would be reimbursed by the 2020-21 school year at a cost of over \$600 million. Governor Evers is only able to increase special education funding by ending programs like the Special Needs Scholarship Program and limiting the growth of the parental choice programs (see pages 3- 9). Policymakers should work toward a more reasonable reimbursement rate increase for public schools that will help district bottom lines while not blowing a hole in future budgets.

**The governor's budget** incorporates an additional weight of 20% for economically disadvantaged students in the general school funding formula.

**WILL's Take:** This is an interesting concept and could lay the groundwork for future compromises--though it's a nonstarter without including choice and charter schools and questions remain how the funding would work. In a period of budget growth, it is possible to implement weighted student funding without taking money from other districts. However, this may not be possible given the low likelihood of Governor Evers' broader agenda being approved.

The budget includes "weights" for low-income students that would allow such students to receive 20% more than other students. These formulas promote equitable access to educational resources, and make funding more portable for students both within and between districts.

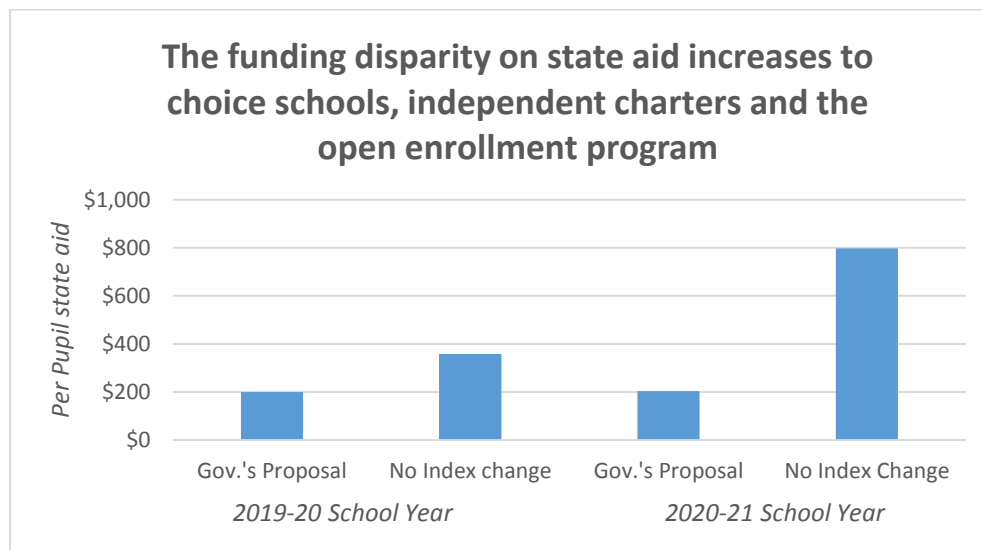
This concept has received support across the ideological spectrum, including from organizations such as the libertarian Reason Foundation.<sup>52</sup> At its core, putting a larger share of funding into weighted formulas is a step on the path to more portable student funding. When the money

follows the kid, schools are able to adapt more dynamically to changing student populations. Such formulas incentivize districts to create environments conducive to retaining students, as funding is, to some extent, dependent on effectively serving students who are given more weight.

There is growing evidence that putting more money in weighted student funding can be effective at closing achievement gaps. Research in 2013 found that districts that allocate 50% of their resources through a weighted funding formula are 10 times more likely to close achievement gaps than districts that only allocate 20% through this formula.<sup>53</sup> Another study of California schools found that the allocation of funding through a weighted student formula led to concentrated, significant gains for minority students relative to others.<sup>54</sup> In a state like Wisconsin that struggles mightily with racial and economic disparities, this is very important.

**The governor's budget** removes several categorical aids from the index that determine payments to parental choice programs, state aid to independent charters, and the open enrollment program which would limit the increase of state funds to each of these programs. The proposal would severely curtail the increase in state aid for these programs, while ensuring that funding to public school districts can substantially grow.

Specifically, the proposal would limit increases for these programs to positive changes in the revenue limit and per pupil aid, while removing other categorical aids from the calculation—aids that Governor Evers is primarily increasing under his budget. For choice, independent charter and public schools in the open enrollment program, this would reduce the increase in funding from \$358 per pupil in 2019-20 to only \$200 per pupil. For the 2020-21 school year, the funding would decrease from \$799 per pupil to only \$204 per pupil.





**WILL's Take:** The governor wants to limit increases in state aid for over 100,000 students that participate in Wisconsin's school choice programs--open enrollment, parental choice and independent public charters.<sup>55</sup> Choice schools and independent charters have one of the highest returns on investments so one would think that the state should be investing more into them. Yet Governor Evers wants to continue underfunding them. Indexing the choice and charter funding to a broad spectrum of state aids to public schools guarantees that both choice and charter schools get treated fairly when increases in spending occur, even if the gap does not close. With this provision, the governor would cause that gap to widen *further*. Governor Evers' budget is primarily focused on putting more money into the same categorical aids that he explicitly excludes from Wisconsin's school choice programs. Wisconsin should be focused on closing the funding gap for its high-performing schools, and this provision would do the opposite.

**The governor's budget** repeals the Opportunity Schools and Partnership Program (OSPP) and replaces it with the Urban Excellence Initiative, a combination of programs for the state's five largest school districts to support efforts to close the achievement gap. The state's five largest school districts are Green Bay, Kenosha, Madison, Milwaukee, and Racine. The budget proposes a funding increase of over \$10 million for early childhood education programs, summer school grants, grants for teachers and school principals and grants to support collaboration with community partners. While these programs are targeted at these five districts, the programs are not mandated, and the districts can choose whether to use the resources.

Superintendent Stanford Taylor described the Urban Excellence Initiative as a necessary investment into the five districts that are serving 20% of the state's student population and that are dealing with a disproportionate amount of poverty, special education and English language learners.<sup>56</sup>

**WILL's Take:** Governor Evers wants to double down on existing public school systems to try and fix an achievement gap that has persisted for years.<sup>57</sup> A report by Obama's U.S. Department of Education concluded that despite an increase of billions of federal dollars to low-performing public schools, there was no significant impact on math and reading test scores or high school graduation.<sup>58</sup> Once again, simply throwing more money at the status quo isn't going to help student achievement in low-income areas.

The state should look to invest in what is working. For example, St. Marcus Lutheran School, a private elementary school in the Milwaukee Parental Choice Program, educates nearly 100% of children that are both economically disadvantaged and come from minority backgrounds and their academic proficiency rates are some of the highest in Milwaukee, as well as across the state.<sup>59</sup> Similarly, HOPE Christian High School, a private high school in the MPCP, is in the top 20 schools for academic achievement and has had 100% of its high school seniors accepted into college.<sup>60</sup>



**Bottom Line:** While his spending plan does contain a few intriguing concepts-- such as weighted funding--there is little evidence that his plan, as constructed, would improve student outcomes. It is also deeply troubling that Governor Evers is willing to spend over a billion dollars in new funding for traditional public schools with no accountability for whether districts are using the money wisely.

Wisconsin's K-12 education system does not have a funding problem overall; there simply is not enough high-quality schools so the state should focus on helping the good ones expand. Governor Evers' funding plan does the opposite with its choice and charter school freeze.

### *Creates Red Tape for Wisconsin families, teachers, and schools.*

#### **1. Repeals an alternative education preparation program**

**Background:** Current law requires DPI to grant an initial teaching license to an individual who has met the general requirements of a bachelor's degree, successfully completed an alternative teacher certification program, which includes passing the pedagogy exam to receive a certificate under the program, and passing a background check.<sup>61</sup>

The Alternative Route Program Pathway is currently administered by nine providers, including universities, technical colleges, school districts, for profit and non-profit organizations.<sup>62</sup> During DPI's budget briefing, the agency stated that 26 applicants used the existing online non-profit program that the governor's proposal would eliminate.<sup>63</sup>

**The governor's budget** eliminates an alternative teacher preparation program for teacher licensure that is administered by a non-profit organization.

**WILL's Take:** Wisconsin is experiencing a teacher shortage, like many states across the nation.<sup>64</sup> To address the lack of licensed teachers, Wisconsin allows teachers to become licensed through the Alternative Route Program Pathway.<sup>65</sup> People who are career changers and college graduates that want to become teachers can obtain a subject-specific license in mathematics, science, special education, technology education and business education.

The teacher shortage crisis has been covered by the media across the state. The Appleton Post-Crescent's dive into the use of the alternative pathways found that the process is vital in order to have enough teachers.<sup>66</sup> "If we did not have alternative pathways, (the districts) would not have enough teachers," said Jenny Evrard-Larson, an instructor and regional support network director at CESA 6, the nonprofit that runs the teacher preparation program Franke attends. "Even



though our teachers aren't licensed, they do have the training and the capacity when they're done with their program," Evrard-Larson said.

Yet as Governor Evers wants to limit the ways teachers can access licensure and make it harder for schools to address the teacher shortage as well as limiting access to the classroom by experienced business professionals.

**Bottom Line:** The governor's proposal to eliminate an alternative pathway program will make Wisconsin's massive teacher shortage worse, making it harder for school districts to find teachers.

## 2. Eliminates the Early College Credit Program and replaces it with a limited program with the University of Wisconsin system and Technical college institutions

**Background:** In 2017, the legislature passed the Early College Credit Program, which allows all Wisconsin high school students to take one or more courses at a Wisconsin college or university for high school and/or college credit. The program is structured so that public or private school covers some of the cost for the high school student's course.

In 2018, Governor Walker signed a bill that created an alternative provision in the program which allowed both private and public high schools to enter into an agreement with a high education institution and continue the concurrent enrollment programs that existed between high schools and local universities across the state.<sup>67</sup> The changes also addressed some of the funding concerns by both private and public schools.<sup>68</sup>

**The governor's budget** eliminates the Early College Credit Program and replaces it with a more limited program. The proposal would only allow Wisconsin's public colleges to participate in the program. Furthermore, the program would be limited to "transcripted credits." This means high school students can take classes at local colleges or take a class with a high school instructor that has specific certification. This program would allow the students to receive credit from both the high schools and post-secondary institutions. The school board or private governing board of the high school would continue to enter into an agreement with the college so that the courses may take place at the high school and that instructor is certified or approved to teach the course. The governor also recommends making this program free for students.

**WILL's Take:** The governor's proposal makes it more cost effective for both private and public high schools to offer post-secondary college credits to their students through concurrent enrollment programs. However, the proposal limits the program to only public universities in Wisconsin. It prevents private colleges like St. Norbert College, whose College Credit Program has been around since 1963 and works with both public and private schools, from participating in the program.<sup>69</sup>

**The Bottom Line:** The governor’s proposal would limit the options that K-12 students have to take college courses while at high school.

### 3. Creates “transparency” on property tax bills

**Background:** Wisconsin law does not require property tax bills to include information on the parental choice programs. Wisconsin law requires information to be reported on property tax bills for any temporary property tax increases approved through a referendum or resolution by a school district or other local municipality.

In December 2018, the City of Racine included an insert showing the amount of taxes that support the parental choice program on the city.<sup>70</sup> However, the insert received a lot of backlash for its inaccuracy and misleading information.<sup>71</sup>

**The governor’s budget** changes Wisconsin’s property tax bills and requires the bills to include information about the gross aid reduction from a school district to fund students participating in a parental choice program in the district.

**WILL’s Take:** This proposal is not true “transparency” as Governor Evers claims. The property tax bill is not the right mechanism to report information about funding education. Taxpayers do not receive a detailed explanation regarding the amount of money the local public school district is receiving. Rather this is a political move to continue to undermine the parental choice programs across the state relying on the premise that public schools should continue to receive funding for students they no longer educate.

Under current law, when a student leaves for the choice program, the district has its state aid reduced by the amount of the voucher. This makes sense—the student is no longer being educated in the public school system, and the district no longer bears the costs of that child. But the loss of the child is not immediate since public school enrollment is based on a three-year rolling average. This allows a public school district to count the student as part of the district’s count--and subsequent revenue limit--as a diminishing benefit each year.

Current state law permits districts to levy property taxes for the lost student to recoup their “loss.” But this is analogous to a “Walmart tax” being added to the bills of customers who now choose to shop at Aldi, and undermines the competitive pressure that school choice is designed to create. Governor Evers’ proposal effectively places the blame for higher taxes on low-income kids who simply want a better education rather than on the bureaucrats in the district who don’t want to see their revenue decline.

Furthermore, there are many variables that affect a property tax bill. For example, many Wisconsin families chose to send their children to private schools and still pay property taxes. Yet the property tax bill would not include those savings.

**Bottom Line:** This has nothing to do with “transparency” and everything to do with helping local politicians and special interest groups play political games with taxpayers. We know this because it was tried in Racine. It was a complete failure, and the City’s reported cost of the Racine Parental Choice Program was inaccurate and overestimated the cost by over \$13 million.<sup>72</sup>

#### 4. Requires daily teacher preparation time

**Background:** There is no Wisconsin requirement for a public school to provide a teacher with a specific amount of preparation time each day. Advocates for public school teachers believe that teacher preparation time is important for professional development and teacher quality. A study from 2017 by the National Council on Teacher Quality found that some districts allow for planning time by the week while others require planning time by the day.<sup>73</sup>

**The governor’s budget** requires school districts to provide teachers with at least 45 minutes or a single class period for teaching preparation time each day.

**WILL’s Take:** The decision to require teacher preparation time is not the role of state government; rather it should be determined at the local level. District administration should work with their teachers and utilize the flexibility under the Act 10 reforms to figure out how best to schedule teachers’ days.

**The Bottom Line:** State government has no business dictating teachers’ schedules. Those decisions are best left up to school district administrators and teachers, which Act 10 made possible. Public schools need less red tape from Madison, not more as Governor Evers is proposing.

#### 5. Allows districts to hold more than two referenda in a calendar year

**Background:** State law limits how much money public schools can raise through property taxes. When a district wants to exceed the limits set, the district must ask the local property tax voters to increase the limit. In 2017, the state legislature limited the number of times a school board may proceed to referenda and is restricted to be held on regularly-scheduled election days.<sup>74</sup>

**The governor’s budget** repeals the current law that limits the number of school district referendum to two times a year.

**WILL's Take:** In the fall election, taxpayers across the state voted on 82 referendum questions with a potential tax impact of over \$2 billion in new spending.<sup>75</sup> Given this extremely high passage rate, when a referendum fails, there is likely a good reason for it in the minds of local voters. To force voters to repeatedly go to the polls to vote on the same measure with potentially minor adjustments is excessive and unnecessary. Moreover, going to referenda more often means that referenda will have to be held in concert with the lowest turnout races—races where the votes of organized, motivated forces such as the teachers union are more likely to have an impact on results. This is, in some ways, anti-democratic as the composition of the electorate in these elections least matches the general population of the state. Two opportunities for referenda per year is enough.

**The Bottom Line:** Current law provides ample opportunity for the school board to use the referendum mechanism to raise funds yet the Governor's proposal would force voters to repeatedly vote on school referendums. It rigs the system in favor of special interests and against taxpayers.

## Conclusion

Governor Evers' budget contains an eclectic mix of public school establishment proposals on K-12 education in Wisconsin. But rather than a budget that is “pro-kid,” the governor has crafted a budget that is a Christmas list of giveaways to the teachers' unions. It is incumbent on policymakers not to throw good money after bad, and carefully consider whether each proposal here is likely to have a meaningful, positive impact on the students of the state. From our standpoint, these proposals do more harm than good, particularly for the low-income and minority students that struggle the most in Wisconsin's K-12 education system.

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