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A Roadmap to Student Achievement

Policies to improve student outcomes
at Wisconsin K-12 schools





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Table of Contents

- Introduction 1**

- Incentivize high performing public charter and private schools to expand 5**
 - A. Remove barriers that prevent private schools in parental choice programs from expansion 6
 - B. Create equitable transportation laws so all students can easily and safely attend the school of their choice 9
 - C. Provide high performing private and public charter schools with better access to facilities so they can more easily expand 10
 - D. Attract new public charters schools to Wisconsin and make it easier for existing high performing public charter schools to expand 13

- Create more educational opportunities for students in Wisconsin 15**
 - A. Remove obstacles that prevent the Wisconsin Parental Choice Program (WPCP) expansion 16
 - B. Expand the options for students with special needs to access open enrollment by changing the process to be similar to Minnesota 18
 - C. Improve the course choice program by allowing children at public schools to take classes at private schools 19
 - D. Consider creating a Wisconsin Education Savings Account 20

- Promote a state education funding system that is equitable, transparent, and takes control over how federal funds are spent 22**
 - A. Require funding equity between public school districts, public charter and private schools in a parental choice program 23
 - B. Exercise greater state control over federal education dollars 25
 - C. Create transparency in the school funding model by requiring public school districts to report how taxpayer dollars are being used 27

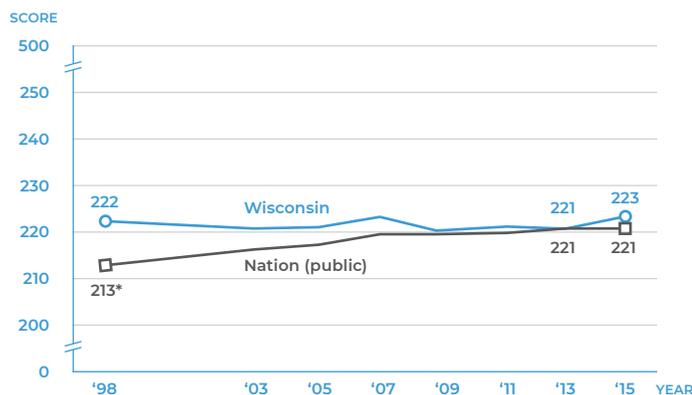
- Conclusion 30**

Introduction

It has become too much of a bipartisan article of faith that education in the Badger State is strong, the overwhelming majority of students receive an adequate to exceptional education through their public schools, and that we're getting a good return on our investment. But the reality is quite different. Many urban schools across Wisconsin, and most certainly Milwaukee, are not excelling. Too many students are not being properly equipped for college or the twenty-first-century workforce. And perhaps most importantly, we should know how money is being spent by districts before we ask for more.

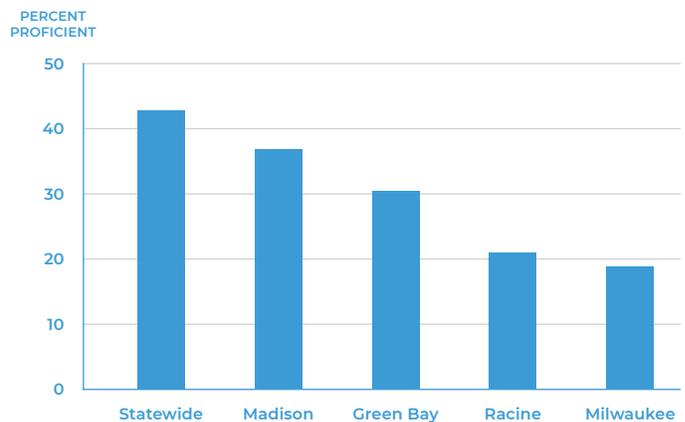
By many measures, Wisconsin's K-12 education system is falling behind other states — and the developed world. The 2015 NAEP rankings shined

Figure 1: Average Scores for State/ Jurisdiction and Nation (public)



* Significantly different ($p < .05$) from 2015. Significance tests were performed using unrounded numbers.

Figure 2: ELA Proficiency by District



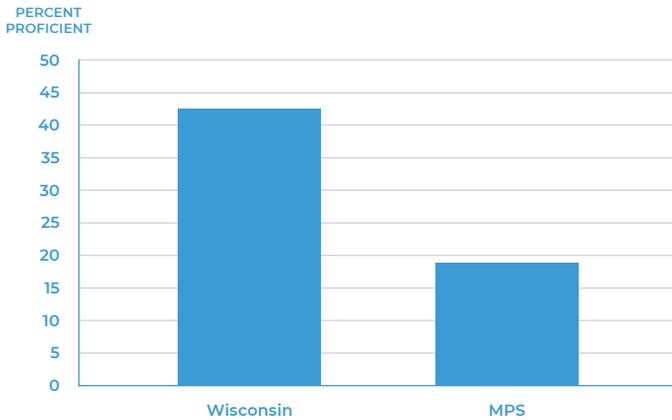
a light on many of the problems in Wisconsin education today. Two decades ago, Wisconsin ranked significantly higher than the national average in reading achievement among fourth and eighth graders. Today, the state is no different from the average. The chart shows the performance of Wisconsin's fourth graders in reading on the NAEP since 1998.¹

Two things likely account for much of this: 1) Wisconsin's urban education problems are not limited to Milwaukee, and 2) there is a lack of discussion regarding the education problems in other cities across Wisconsin, such as Madison and Green Bay.

The Milwaukee Public School District (MPS) in particular is struggling. According to DPI's Forward Exam test scores, a staggering 78% of students were not proficient in English, and about 83% of students were not proficient in Math.²

As can be seen in the graph below which compares MPS’s math results with the rest of the state, proficiency in Milwaukee is far lower than in other districts. Moreover, there are still more than 40 MPS schools that fail to meet expectations even with the new weighting system.³ The graduation rate hovers around 60%.

Figure 3: ELA Proficiency

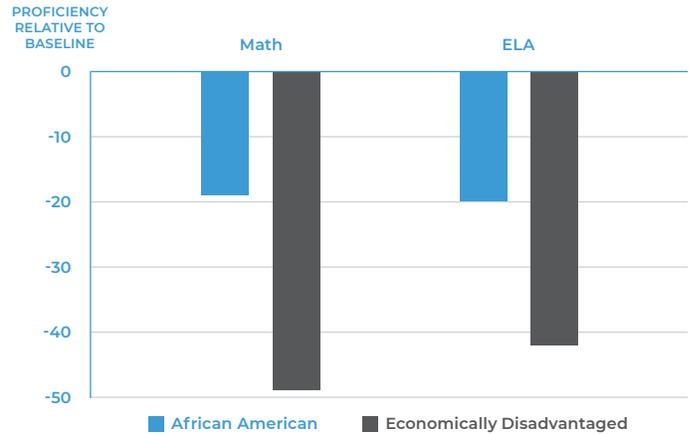


MPS has been subject to a series of well-intentioned reforms, most recently in the form of the Opportunity Schools Partnership Program (OSPP).⁴ Each reform has only been met with stiff resistance, resulting in more heartaches and headaches than actual results. The power of the teacher union as an obstinate bureaucracy, and a school board seemingly happy with the status quo, has made MPS a black hole for reform ideas.

But there is an under told story - most urban districts suffer from poor performance, particularly among African American students and economically-disadvantaged students. In Green Bay, only 19.7% of students from low-income families are proficient in English. A staggeringly low 11.4% of African American students are proficient in English. In Madison, only 9.5% of African American students were found to be proficient in English, and 14.1% of students who are economically disadvantaged were proficient. The next chart demonstrates that both African American students and students who are economically disadvantaged are struggling in their academic performance relative to other students. The chart shows the difference between the base line (a school with no economically disadvantaged students

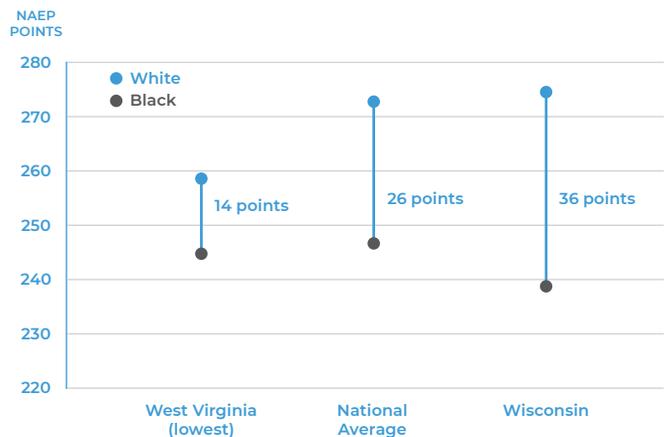
or African American students) and a school that is one hundred percent economically disadvantaged or African American. In both cases, this shift results in predicted lower proficiency rates. The below chart was created using the models from our *Apples 2 Apples* report, controlling for a number of other factors.⁵

Figure 4: ELA Proficiency



Wisconsin as a whole continues to have the largest black-white achievement gap of all states, only surpassed by the District of Columbia on the 2017 NAEP. The table below shows the achievement gap between white students and African American students in the state with the smallest gap (West Virginia), the national average gap, and the Wisconsin gap for reading. A similar gap exists in mathematics.

Figure 5: Black-White Achievement Gap, 2017 NAEP Reading



While education overall in Milwaukee is far from perfect, school choice provides parents with more educational options, including many higher performing schools, than the neighborhood public

schools. Simply put, students in urban cities like Madison, Racine and Green Bay need access to better schools and more choices. Compared to Milwaukee,

Figure 6: School Types in Madison

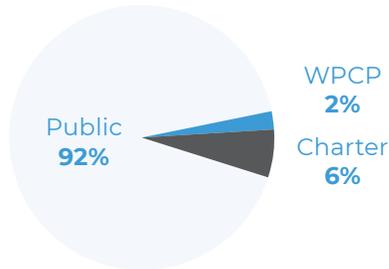
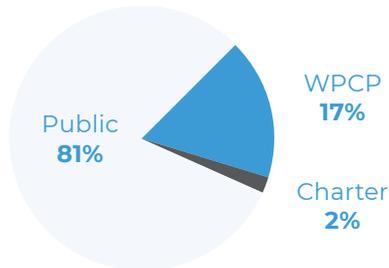


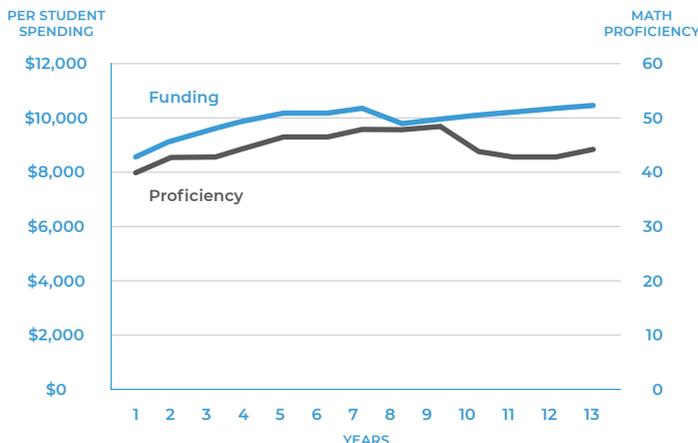
Figure 7: School Types in Green Bay



other urban areas across the state do not have robust educational options. For instance, in both Madison and Green Bay, students are not provided access to a lot of choices outside of the public school district.

Despite the lack of choices for students in struggling districts; the debate in Madison only yields the same answer: “let’s spend more money.” But what if we told you that Wisconsin already funds its schools at a relatively high level compared with other states?⁶

Figure 8: Per-Student Spending & Proficiency on State Exams in Math over Time



For example, Milwaukee Public Schools still ranks thirteenth in the country in per-pupil spending among districts with more than 40,000 students.⁷ Interestingly, when we tell Wisconsin residents this, over 60% are content with current levels of spending.⁸

The problem with the educational spending debate in Wisconsin is that it is cloaked in opacity. Billions of dollars leave Madison and head into the state’s 422 school districts each year. Once they leave state coffers, we lose track of them. How are those dollars being spent? Are we getting the best bang for our buck? If we were to increase funding, would it actually make it to the classroom or get skimmed by some intermediary level of bureaucracy? Before we appropriate more money for education, we need to know where our current dollars are going. In addition, WILL’s research in the past has shown that Wisconsin already spends more per student than many OECD countries, without better outcomes.⁹ For example, the average student at Milwaukee Public Schools (MPS) scores better than only 26% of all international students in reading and 18% in math while spending about \$3,400 (39%) more than the OECD average.¹⁰

If all of the debate about ever higher levels of spending, education reform is treated as an afterthought. This is a problem because, as numerous studies have shown, private schools participating in the Milwaukee Parental Choice Program (MPCP), public charters and education savings accounts are the best ways to get poor kids into schools that are safer, have better graduation rates, and have better academic outcomes.

Consider:

Safety: Research has found that MPCP schools have significantly lower rates of 911 calls and arrests than traditional public schools.¹¹

Better academic outcomes: According to the recent state report cards, Milwaukee public charter schools, on average, were rated “meets expectations” with a total score of 70.5 and private MPCP schools, on average, were rated “meets expectations” with a total score of 68.3. On average, MPS was rated “meets few expectations” with a total score of 59.4.¹²

More likely to go to college: Students in the MPCP are 4% more likely to enroll in college than students in traditional public schools.¹³

Lowered involvement in crime: Students in the MPCP are 3% less likely to commit a felony and 5% less likely to commit a misdemeanor.¹⁴

Economic benefits: Lower crime rates and higher graduation rates from the MPCP will lead to nearly \$500 million in economic benefits to Milwaukee and Wisconsin over the next thirty years.¹⁵

Better use of taxpayer money: Public charter schools (independent and non-instrumentality) provide a better “bang for the buck,” achieving 2.7% higher proficiency rates in science and 2.5% higher proficiency rates in math for every \$1,000 spent.¹⁶

Peer-reviewed research and gold-standard studies — both from academics and think-tanks — confirm that school choice leads to improved student outcomes.

With help from extensive interviews with school leaders and national think tanks, this roadmap offers serious policy recommendations on how to improve student outcomes.¹⁷ We release this document abiding by the free market principles of competition and incentives and empowering parents to make the best decision for their children’s education. Therefore, we are guided by the following principles:

1. Incentivizing high performing charter and private schools to increase the number of seats in their schools and expand their campuses.
2. Create more educational opportunities for students in Wisconsin.
3. Promote a state education funding system that is equitable, transparent, and takes control over how federal funds are spent.



**Incentivize high performing
public charter and private
schools to expand.**

Remove barriers that prevent private schools in parental choice programs from expansion

When a business in Wisconsin wants to expand, the question from policymakers is “what can we do to help you expand?” In fact, there is an entire agency dedicated to such work. Yet when it comes to education, there is virtually nothing the state does to help high-performing charter and choice schools expand. It’s illogical but worst of all it is holding Milwaukee’s education back.

I.

Change the payment schedule from quarterly to monthly to minimize financial barriers for private schools participating in a parental choice program.

School leaders all over Milwaukee complain that it is difficult for schools to secure loans in the private sector due to inconsistent revenue. Part of the problem is that current law requires that schools in any of the parental choice programs are paid quarterly, meaning only four times a year. DPI pays 25% of the total amount in September, November, February and May for all the students attending the private school that year.¹⁸ For many private schools in the Milwaukee Parental Choice Program (MPCP), almost the school’s entire student population consists of students in the MPCP. For these private schools, their revenue is essentially restricted to four times a year. Unlike private schools participating in a parental choice program, public schools receive state funds on a more consistent basis because they receive some state funds nearly every month throughout the school year and receive local and federal funding as well.¹⁹

This means that the current payment system puts significant financial pressure on schools participating in a parental choice program because they receive a payment in May and then don’t receive the next payment until September. That is four months with no cash flow. Not only is this bad fiscal practice, but

it prevents schools from receiving additional money from lending organizations because the schools cannot demonstrate predictability of funds. This change would benefit public school districts because it would reduce the district’s need for short term borrowing of funds and/or using reserve funds. This means that the school district would have more funds available.

It should be noted that this change would have a fiscal impact on the state — by distributing the state funds more often, the state loses the interest gained by holding on the large amount of funds throughout the year. But that raises the question of whether the point of the money is to accrue interest for state coffers or to educate students as quickly as possible?

One option is to adopt a bill proposed in 2017 that would change the state’s school aid payments to a 12-month distribution schedule.²⁰

II.

Streamline all parental choice program enrollment periods so the enrollment periods are consistent and easy for school leaders and parents.

The enrollment period for the parental choice programs across the state are not the same. Both the

Racine and Wisconsin Programs are limited to specific months when parents are able to enroll their children for the next school year.²¹ In Milwaukee, the enrollment period is all year long. Both of these enrollment timelines come with challenges and put choice schools at an unfair disadvantage compared to their public school peers.

There is no perfect system. A yearlong enrollment period for schools in Milwaukee can result in schools seeing a constant churn of students, as they enroll in and out of schools across the city. For private schools in the MPCP, this results in significant financial challenges because the number of students enrolled is unpredictable. While this is due to a variety of socioeconomic factors, the students are harmed the most because they are enrolling in the middle of the school year and having to play catch-up with the school’s curriculum, mission and culture. However, the MPCP enrollment system allows the private school to control their enrollment timelines, ultimately helping the school control some of the disadvantages to the system.

The Racine Parental Choice Program (RPCP) is limited to enroll students eight months of the year, which means that if a child leaves a school in the middle of the year, the school is unable to accept a new student that is also participating in the RPCP. This hurts the school because it is revenue that they relied upon when budgeting at the beginning of the year. This also affects children with transient families because they are

Open Application Periods

Each school selects its open application periods from the following options:

MPCP	RPCP	WPCP
Feb. 1 - 20	Feb. 1 - 20	Feb. 1 - April 20
Mar. 1 - 20	Mar. 1 - 20	
Apr. 1 - 20	April 1 - 20	
May 1 - 22	May 1 - 22	
June 1 - 20	June 1 - 20	
July 1 - 20	July 1 - 20	
Aug. 1 - 20	Aug. 1 - 20	
Sept. 1 - 14	Sept. 1 - 14	
Oct. 1 - 20		
Nov. 1 - 20		
Dec. 1 - Jan. 7		

“This is a barrier for existing parental choice schools to expand into the Wisconsin Parental Choice Program. If this would be changed, it would help schools like HOPE expand.”

— Zach Verriden, Executive Director at HOPE Christian Schools

unable to register to attend a different private school participating in a parental choice program, outside of the enrollment period unless the child meets specific requirements. For both the Racine and Milwaukee programs, the private schools control what months they will run the enrollment period.²²

The Wisconsin Parental Choice Program (WPCP) is even more limited. Schools can only register students for the upcoming school year from February until April. Often, parents are not thinking about their child’s next school in February-April. The limited enrollment periods are barriers for new schools to open, especially in areas like Green Bay and the Fox Valley, because they are limited to a small time period to recruit students. Additionally, the Department of Public Instruction runs the enrollment process, due to the district caps, so schools have no control over the enrollment process at all.

This change would help participating private schools to have more control over the enrollment process and allow the schools to default to a full year of enrollment. It makes the process simpler for parents because they only need to track the school’s enrollment deadline, instead of both the state and school enrollment deadlines.

III.

Simplify the income verification process for parents in a parental choice program

If a child wants to attend a public school in the Milwaukee Public School district or a public charter school, the parents simply enroll their child. In comparison, applying to participate in any of the parental choice programs requires a parent to undergo the burdensome and demeaning process of having to prove that they are poor.

For the poorest of the poor this isn't always easy — especially for those who come from other states. According to Zach Verriden, Executive Director of HOPE Christian Schools, “At HOPE, the business managers will spend months helping parents complete paperwork. [T]here is a psychological impact on the parent wanting to choose the best school for their child. Having to prove that they are poor enough to participate in the program is a psychological barrier.”

Even if the family is able to collect the documents, the verification processes by the Department of Revenue and Department of Public Instruction are difficult to navigate and the information must be perfect. For example, the information provided must include names, addresses, social security numbers, and other state and federal tax identification numbers of the pupil's parents or legal guardians that reside in the same household as the pupil; whether the legal guardians are married; the names of all other members of the pupil's family residing in the same house, etc.²³

“I have had many families give up on the process due to the stringent rules on what residency documents are acceptable and difficulties obtaining proof of income if they did not file taxes. We also have lost kids because the parents could not find their tax documents and the DOR method could not find the families record of taxes in the system so they could not be verified in time.”
— A business manager at HOPE Christian Schools.

Despite these challenges for both parents and schools to verify income eligibility, HOPE was told by DPI that, “Parents should be so lucky to go to your school.” MPCP schools are also required to undergo auditing of their students and any errors in the family income status can cost the school tens of thousands of dollars — even when the school is in session.

The easiest solution would be to simply eliminate the income caps so that low-income parents can enter the MPCP as easily as they can a public charter or traditional public schools. If that is not politically palatable, then there are two other ways to improve the income verification process to be less burdensome:

- 1. Create an online portal for parents to streamline the income verification process**

Documents needed to prove income to attend:

Public School: **0**

Public Charter: **0**

Private parental choice program: **Multiple**

- 1) Social security number of all parents or taxpayer ID number
- 2) Federal income tax return
- 3) W2 tax form or final earning statement
- 4) Proof of cash income
- 5) Proof of participation in government assistance programs for the last six months or earlier.

for any of the parental choice programs.

An online enrollment process could permit the participating private schools to quickly verify if a family qualifies for a parental choice program as well.

For example, enrollment into the Florida scholarship programs including the McKay scholarship, which is for students with IEPs or 504 accommodation plans, includes an online system to see if the student qualifies for the scholarship.²⁴ Similarly, the Florida Gardiner scholarship enrollment system allows parents to upload the necessary enrollment documents, like proof of residency, into the online system.²⁵ Arizona's Department of Education has an interactive enrolment website to help families determine if their child is eligible for the Empower Scholarship Account program.²⁶

- 2. Create an online program for parents to see if their family qualifies for any of the Wisconsin parental choice programs.** This online program could include the existing enrollment options from the Department of Revenue and the Department of Public Instruction. This could be a first step in creating an online portal for families who participate in a parental choice program to check eligibility, enroll, and manage their child's information.²⁷

Create equitable transportation laws so all students can easily and safely attend the school of their choice

For most families, transportation is an important part of the decision when choosing the best school for their child in every sector. Yet the Wisconsin busing laws are a mess. Wisconsin law requires public school districts to transport children living within their district to their school, including private schools, with reasonable uniformity.²⁸ However, the legislature has created various rules for school districts on busing. The result is a confusing set of statutes that are difficult to understand and apply fairly. Many school districts are able to change the rules on transportation for some families (typically private-school students), while prioritizing others (typically traditional public-school students).

Reforming these statutes is a challenge because it will likely restrict transportation benefits for some in the state. But these laws must be reformed to reflect the current education landscape and make the laws more equitable for all Wisconsin students.

The law should require school districts to treat all students with reasonable uniformity in their transportation policies, including requiring districts to use the same method of transportation for both private and public school students.

In order to treat students fairly, the laws should be reformed to require school districts to have the same transportation policies for all students — including those attending private schools. Currently the law creates an exemption for school districts that opt to use the “City Option,” which removes the public

school district’s obligation to bus any child if public transportation is available. Milwaukee Public Schools (MPS) have opted to use the City Option, but their policies violate the law because they do not treat private school students with reasonable uniformity compared to all MPS students. MPS elects to transport certain public school students to specialty schools, which are schools that can accept students from across the city. However, MPS denies transportation to children who attend private schools that accept students from across the city. MPS’ policy impacts several private high schools in Milwaukee, including St. Joan Antida High School and Messmer High School.

In particular, districts should not be able to pick and choose which students they will transport, i.e. public school districts, and which students they will not, i.e. private school students. Nor should the district be permitted to use a yellow bus for public school children and choose a different method for private school parents. The law should require that district policies be uniform in determining which students to transport and the means by which the children will be transported.

Provide high performing private and public charter schools with better access to facilities so they can more easily expand

When a business in Wisconsin wants to expand, the question from policymakers is “what can we do to help you expand?” In fact, there is an entire agency dedicated to such work. Yet when it comes to education, there is virtually nothing the state does to help high-performing charter and choice schools expand. It’s illogical but worst of all it is holding Milwaukee’s education back.

I.

Amend the Surplus Property law with three changes that would make it more effective and better address the facilities crisis in Milwaukee.

In 2015, the Wisconsin legislature enacted the Surplus Property law, which requires the sale of vacant school buildings in Milwaukee to charter and private schools.²⁹ The law was passed in response to MPS’ unwillingness to sell vacant buildings to charter and private schools.³⁰ Despite the legislature’s intention, both the City of Milwaukee and MPS have failed to implement the law in alignment with the intent of the legislature. To date, there are at least 9 vacant schools and 39 under-utilized school buildings in Milwaukee which means there is nearly one million vacant instructional square feet in MPS. This facility crisis has cost taxpayers at least \$10 million in utility costs over the last ten years, a number that is likely much higher when it accounts for general maintenance, deferred maintenance, and other costs, like grounds keeping and security. After three years of the Surplus Property law, the City has yet to sell a building to an

Vacant Schools: By the Numbers

48 Vacant & underutilized buildings

10 Vacant buildings received interest from choice, charter schools

0 Buildings sold to choice, charter schools

\$5.895m Dollars MPS would have if it sold 9 vacant school buildings

\$10m Dollars spent on maintenance for vacant buildings

interested private or charter school, despite interest in nearly all of the buildings.

There are three ways to amend the Surplus Property law:

- 1. Include an enforcement mechanism.** An enforcement mechanism would permit an aggrieved party to hold the city accountable by seeking damages if the City was found to have violated the law. The legislature could also give the Wisconsin Attorney General the authority to enforce the law against the City.
- 2. Broaden the definition of “eligible schools” to include all vacant and underutilized schools.** The current definition permits MPS to play a shell game with its vacant buildings by identifying them as part of an “active expansion

plan” and then never following through. The definition of underutilized must be amended and clarified to better explain what MPS buildings meet the definition, what the legislature’s intent for these buildings include, and whether the law permits leasing, as well as purchasing, these buildings.

3. **Remove the City as the seller and give the authority to sell and lease eligible buildings to a different government entity.** The City has shown that it is not a reliable entity to sell these buildings because it has aligned its interests with MPS against private and charter schools. The legislature could follow the model set by other states, like Indiana, which requires a state agency to sell the buildings on behalf of the school district.³¹

II.

Create additional funding avenues for charter and private schools so high-performing schools can expand.

Wisconsin public charter and private schools want to expand successful programs, but these schools struggle to fundraise or access capital for facilities. Some schools apply for competitive grants from organizations such as The Drexel Fund³² and Charter School Growth Fund.³³ Both of these organizations provide phenomenal financial support to Wisconsin schools. However, these funds are limited and it is not a scalable model. Moreover, often it is difficult to get funding from the private sector due to the high interest rates that accompany certain private schools whose revenue is almost entirely dependent on bi-annual funding from the government.

Due to the difficulty in accessing facilities, many public charter schools in Wisconsin feel pressure to charter with MPS because facilities are part of the contract. Other schools must rely on loans and fundraising to access capital for facilities. Even if a school is able to get a loan to purchase a building, additional fundraising is required to cover the cost to open the school — for school supplies, desks, technology, etc.

There are several ways to create additional funding for high performing public charter and private schools to expand:

1. **Expand access to state capital through existing state programs that provide capital financing assistance.** The Wisconsin Health and Education Facilities Authority (WHEFA)³⁴ is a public authority that provides capital financing assistance to Wisconsin non-profit health care institutions, independent colleges and universities, private elementary, and secondary schools, and all Wisconsin 501(c)(3) non-profit organizations, which include most private and charter schools.

WHEFA provides financing through the sale of revenue bonds to institutional lenders and investors. The bond sale proceeds are loaned by WHEFA to the borrowing organization at a lower cost, which includes exemption from federal income taxation and lower interest rates. The borrowing organization repays its loan to WHEFA so no state or other public funds are used. The availability of financing and the terms and conditions depend on the credit-worthiness of the applicant. This year, Fox Valley Lutheran High School, a private school in the Wisconsin Parental Choice Program, received financing through WHEFA to expand its school.³⁵

The legislature could require high performing public charter and private schools, defined by law, to receive priority for access to funding when they apply to WHEFA.

Alternatively, the state could create a specific grant through an existing state agency for high-performing schools, both public and private, to expand and create new schools. Existing agencies that provide grants include the Wisconsin Economic Development Corporation, whose duties include supporting economic development in Wisconsin.³⁶ Another option is the Department of Administration which administers community development block grants,³⁷ among others.

A grant to support the expansion of high performing schools in Milwaukee could be given to a traditional public school, a public charter school and a private school in a parental choice program, that meets specific criteria, such as high performance or location in a ‘desert’³⁸ in Milwaukee.

- 2. Create a competitive school start-up fund or credit enhancement program.** The challenge to receive funding from a lending organization is difficult for both private and public charter schools due to the nature of school financing. Some states have created programs to help charter schools qualify for outside lending. For example, Arizona created the public-school credit enhancement program which helps schools’ credit ratings on bonds, enabling financing at lower interest rates and lower borrowing costs.³⁹ The program makes bonds less risky for investors because the state ensures the bonds will be repaid, even if the school is not able to make payment. A similar program also exists in Washington D.C. for charter schools.⁴⁰

California provides charter schools with access to low-cost funding for facilities and is a combination of 50% grant money and 50% loaned money.⁴¹ The money can be used to construct new facilities or update existing district facilities (that are at least 15 years old) for charter schools throughout the state.

Georgia also offers competitive grants to charter schools for facilities to provide facility funding more comparable to traditional public schools. The grants can be used to purchase property, lease, renovate, build and/or purchase vehicles for transportation of students.⁴²

The recent decision by the United States Supreme Court in *Trinity Lutheran Church of Columbia, Inc. v. Comer* makes it unclear whether state grants, that can be accessed by nonprofits, can be awarded to religious organizations or if the decision only narrowly applies to playground surfaces.⁴³

The legislature could create a similar school start-up fund that permits all schools to apply for competitive grants for facility needs.

- 3. Add a per pupil allowance for facility and start-up costs to private schools in a parental choice program and public charter schools.** Several states provide access to capital for schools, such as a “per pupil allowance” for specific facility and start-up costs. For example, Arizona provides a per-pupil allocation, known as “additional assistance,” to public and charter schools.⁴⁴ The funds can be used for facility construction and operational needs.⁴⁵ Washington D.C. gives a per pupil stipend for facilities to help charter schools with facility costs.⁴⁶ Indiana has a per-pupil facilities allotment for charter schools that can be used for facilities and transportation purposes.⁴⁷

The legislature could create a similar per pupil allocation designated for facility costs for public charter schools in Wisconsin. The legislature could also consider adding the same amount to the per pupil fund for private schools in a parental choice program.⁴⁸

- 4. Permit public charter schools — authorized by school districts — to access funding approved by school district referendum for capital improvement.** Existing Wisconsin law permits school boards for public schools to adopt resolutions to create capital improvement funds for financing the cost of school facilities.⁴⁹ The law also permits school districts to create a long-term capital improvement trust fund with some of the money. But the statute does not enable district authorized public charter schools to access these funds.

The legislature could amend state law to permit district charters, both instrumentality and non-instrumentality, to access funding if the school district adopts such resolutions.

Attract new public charters schools to Wisconsin and make it easier for existing high performing public charter schools to expand

WILL research shows that public charter schools, both independent and non-instrumentality, earn better outcomes than the traditional public schools, especially in Milwaukee.⁵⁰ Yet barriers exist that prevent these schools from expanding and prevent new public charter schools from opening in Wisconsin.

I.

Mandate that charter authorizers approve the contract expansions for high performing non-instrumentality public charter schools.

The charter authorization process in Milwaukee is a burdensome one. The City of Milwaukee has erected barriers rather than seeking out opportunities. Despite some of the best public charter schools being authorized by Milwaukee Public Schools, the Milwaukee teachers union continues to target these schools.⁵¹ As a result, the charter authorization process would be greatly benefited if the politics were taken out of the process.

Current law seeks to do this by requiring authorizers to approve expansions of high performing public charter schools for future expansions. But the law is limited to independent charter authorizers so it does not apply to public charter schools authorized by Milwaukee Public Schools.

Independent Charter Schools: By the Numbers

City of Milwaukee – The 7 charter schools' academic performance on state report card (from 17-18):

Significantly Exceeds Expectations: **0**
 Exceeds Expectations: **2**
 Meets Expectations: **2**
 Meets Few Expectations: **2**
 Fails to Meet Expectations: **1**

UWM – The 15 (out of 16) charter schools' academic performance on the state report card (from 17-18):

Significantly Exceeds Expectations: **0**
 Exceeds Expectations: **7**
 Meets Expectations: **3**
 Meets Few Expectations: **0**
 Fails to Meet Expectations: **0**
 Alternative rating – satisfactory: **3**
 Alternative rating – needs improvement: **2**

Amend the law to make this provision more effective and expand its impact by moving the provision to a different part of the charter school law, specifically the authorizing entity's duties.⁵² Moving this provision would require that all authorizers, including districts, must follow the law. It becomes a duty for the authorizer (rather than emphasizing the contract) and would strengthen the provision because it is a requirement.

II.

Create another authorizing entity for independent public charter schools.

Wisconsin continues to lag behind other states regarding charter school laws. In a recent report by the National Alliance for Public Charter Schools, Wisconsin was ranked 38 out of 44 states for the best charter school laws.⁵³ The report found that Wisconsin charter school laws had a variety of areas for improvement, including providing multiple authorizing options in all districts. Wisconsin law requires independent charter authorizers to approve expansions to permit high performing public charter schools to expand.⁵⁴

Independent charter schools are the most autonomous form of charter schools in Wisconsin. They operate with complete control over their school and administration, and include some of the highest performing schools in Wisconsin. WILL's recent Apples 2 Apples report⁵⁵, the most comprehensive analysis of every K-12 school in the state, found that independent charters consistently outperform MPS. Additionally, certain charter authorizers, like UWM, perform better than independent charters authorized by other entities.

Despite being some of the best schools in the state, there is a lack of independent charter schools outside of Milwaukee. As of the 2017-18 school year, 24 independent charter schools operated in Milwaukee while only 2 were located outside of the city. However, current Wisconsin law gives authorization authority to entities such as the UW system technical schools and County Executive of Waukesha County,

neither of which has authorized a charter school. If these entities do decide to charter, it is likely to be a specialized school and the model of a charter network is likely to be difficult to support.

There are two options to achieve a statewide charter authorizer:

1. **Create a statewide authorization board for independent public charter schools.** Similar to the proposal by the governor in the 2013-15 budget, a statewide charter authorization board would have the authority to contract with charter schools across the state. This board could function as an additional high-quality authorizer in Milwaukee; its primary focus could be out-state Wisconsin. This would ensure that high-quality charter schools have access to every part of Wisconsin and would help encourage and expand these networks to serve Wisconsin's rural students with the most need.
2. **Create a statewide public charter schools authorization appeals board.** A state charter authorization appeals board could serve two purposes — (1) allow an interested charter operator to appeal a denial from an existing charter authorizer, and (2) authorize charters across the state if the board is convinced the appeal is valid. This is similar to the existing appeals process in place in Oklahoma.⁵⁶ The Oklahoma State Board of Education can receive appeals from charter operators who have been denied by the local school board and may choose to authorize the charter if it meets specific criteria.⁵⁷



**Create more educational
opportunities for students
in Wisconsin.**

Remove obstacles that prevent the Wisconsin Parental Choice Program (WPCP) expansion

By removing barriers to the WPCP, we can make more children available for the program — and, in doing so, incentivize more schools to join the program. Some may argue that there are not a sufficient number of schools in rural Wisconsin to make the WPCP viable, but this is untrue. Twenty-one percent of private schools in Wisconsin have an address in a rural area.⁵⁸

Furthermore, the WPCP includes suburbs outside of Milwaukee and Racine. For several private schools in the Milwaukee and Racine area, the schools participate in all three parental choice programs because the programs are based on student residency, not the school's location. This puts the administrative burden on schools because the programs have different requirements for eligibility and timelines for registration. If the WPCP was streamlined to have the same requirements as Racine and Milwaukee, it would help more private schools participate in the programs and provide more children with access to high performing schools.

The WPCP should be streamlined with existing programs in Milwaukee and Racine to encourage schools to participate and open up more opportunities for kids in outstate urban cities through three changes:

“Families in our community, and even some attending our school, would benefit greatly from changes to the WPCP. Children are unable to control what happens in their parents’ lives. Any child who moves to the surrounding Milwaukee area after April 20 is automatically ineligible for a voucher because the application window has closed. These children and families deserve the chance to choose what school they feel is best for their children regardless of when they arrive in the area and regardless of what grade they are entering. It is not doing what is best for children and families in Wisconsin by limiting when they are eligible for a voucher.”

— Nathan Wingfield, Principal at Our Father's Lutheran Church and School

1. **Remove the grade-level entry limitations. Severe limitations on the grade levels in which students can enter WPCP schools impede school growth.** Currently, students are only allowed to enter the WPCP at grade K4, K5, 1st, or 9th.⁵⁹ A student or parent who is unsatisfied with his public school in second grade is forced to wait eight years before having access to better educational options. More than anything else, this requirement makes it impossible for new, private schools, focused on low-income students, to open as there would be large gaps in the number of students that they could serve. Eliminate the grade level entry points so that students can enroll into a private school in parental choice program at any point in their academic career. Short of this change, the addition of more grade level entry points between grades 1 and 9 would be desirable.

2. **Remove the enrollment caps. In the first year of the WPCP, only 1% of students in a school district were eligible to participate in the program.** This number will increase by 1% per year for 10 years, at which point the enrollment cap is to be lifted. Using the most recent data available from DPI, only about 23,000 students of 766,671 students in Wisconsin outside Milwaukee and Racine would be eligible to participate in the WPCP in during the 2018-19 school year. In order to alleviate this problem, the enrollment caps should be immediately lifted from the WPCP.

3. **Raise the income limit to at least 300%, synchronizing it with the MPCP and RPCP.** The 2017-2019 budget increased the income eligibility of the WPCP from 185% (\$45,000 for a family of four) to 220% (\$54,000 for a family of four) of the federal poverty limit. While this increase helps more families to access the program, the WPCP income eligibility is not the same for families participating in the MPCP. For families in Milwaukee, the income eligibility limit is 300% of the federal poverty limit. Why should kids in one part of the state have access to better educational options than kids in the rest of the state?

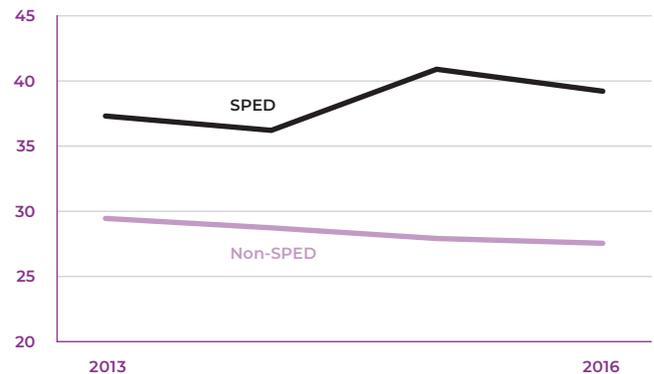
Expand the options for students with special needs to access open enrollment by changing the process to be similar to Minnesota

Wisconsin's open enrollment program is incredibly popular, allowing over 27,000 children to choose their own public school other than where they live.⁶⁰ But sadly Wisconsin law allows schools to deny special needs children access to the program that children without special needs receive. The amended law should mirror Minnesota's program.

In 2016-2017, this two-tracked system resulted in 1,178 special needs children having their open enrollment application rejected.⁶¹ Since 2009, over 10,000 special needs students had their applications rejected.⁶² This rate is significantly higher than the rate of rejection for non-special needs students. The Figure on the right tracks the rejection rate for special needs (SPED) students and non-special needs students over the past four school years.

Over this time period, students with disabilities were about 10% more likely to be denied open enrollment than those without a disability.

Figure 9: Percent Denied



To fix this disparity, eliminate the ability for school districts to create a two track system for open enrollment.⁶³ This amendment would make Wisconsin's open enrollment system similar to Minnesota and would fix this disparity between opportunities available to special needs students and those without special needs.⁶⁴ It is also unlawful to ask any questions about a student's special needs prior to enrollment.

Improve the course choice program by allowing children at public schools to take classes at private schools

Wisconsin's part-time open enrollment, also known as "Course Choice," allows students to take courses outside of their local public school.⁶⁵ It is a program that encourages parents to tailor their child's curriculum to their needs, and schools to specialize in subjects that others may not. Originally the program permitted students at public schools to take courses at a number of other schools including charter schools, private schools, and the University of Wisconsin System. This program was utilized by both public and private schools. For example, Notre Dame Academy included several Green Bay Area School District students in their Mandarin Chinese classes.

Perplexingly, Act 36, the 2017-19 budget, shrunk the eligibility of the program by restricting the program to public school students taking courses only at a nonresidential public school district starting in 2018-2019. This change means that public school students can no longer take courses at private schools.

By continuing to leave out students at private schools whose parents' support the local school districts through taxes, there will not be an increased level of harmony within the state's educational sector. Those students will enjoy the benefits of taking different courses. But public schools will benefit by allowing children from private schools to fill class seats that may be empty.

There are two ways to expand Course Choice: (1) Reverse the provision in Act 36 by allowing public school students to take courses at private schools, and (2) open up the program to private school students so that they can take courses outside of their school, i.e. local public school.

"Over the few years that Notre Dame Academy (NDA) participated in the Course Options Program, students from the Green Bay Area Public School District, the Howard-Suamico School District and Ashwaubenon School District took a course at NDA. The majority of the public school students enrolled in our foreign language courses, including our Mandarin program and IB German program. Obviously, there is interest in certain academic areas that not all students share. If we can gather the ones together from various areas of a community then together they can take advantage of an opportunity like the Mandarin program here at NDA. It is very difficult to find a qualified instructor in this area and if school districts can pool and share their resources then more students can have the benefit of having access to some unique academic classes."

— Karen Konop, Outreach Administrator,
Notre Dame Academy

Consider creating a Wisconsin Education Savings Account

Wisconsin has been left behind when it comes to school choice. And a large part of that is the inability to adopt an Education Savings Account (ESA). There are 6 states that have adopted an ESA program.⁶⁶

ESAs are superior to state voucher programs for a number of reasons:

1. ESAs increase choice,
2. They provide more freedom for parents to tailor education specific to their child, and
3. They foster market competition.

It is a complete rebuke of the one-sized fits all education system and recognition that children have unique needs that may not be fully addressed in one brick and mortar building. ESAs can knock down barriers across the state. For example, consider that 78% of rural school districts do not employ teachers to educate gifted children. If students in that school district had access to an education savings account, they could attend some courses at the local public school and take online courses — perhaps for gifted children — accessing teachers in the suburbs. Or if a child needs additional help in school, parents could use the ESA for tutoring or personalized learning software.

Here are three ways Wisconsin can create its first ESA:

1. **Implement a broad-based, universal ESA.** A broad-based ESA available to all students would be ideal and is the most likely scenario to lead to the sort of marketplace competition that economists like Milton Friedman originally envisioned. Legislation for a broad-based ESA has been passed in Arizona and Nevada.
2. **Start a pilot program for ESAs focused on a small subset of students.** For example, different ESAs could focus on gifted and talented students; students with disabilities; or economically disadvantaged students in Milwaukee. Wisconsin's gifted and talented students do not have access to additional funds or programs to help them succeed. An ESA targeting gifted and talented students — particularly those from low-income families — could help ensure that children have the resources to foster their talents. Qualifying parents could use an ESA for online courses, private tutors, college or tech courses, mentorship programs, AP testing, or ACT/SAT prep courses. It would be used to complement the existing per-pupil funding mechanism. A gifted and talented ESA was introduced in Wisconsin; however, it failed to pass the legislature in the 2017-2019 session.⁶⁷

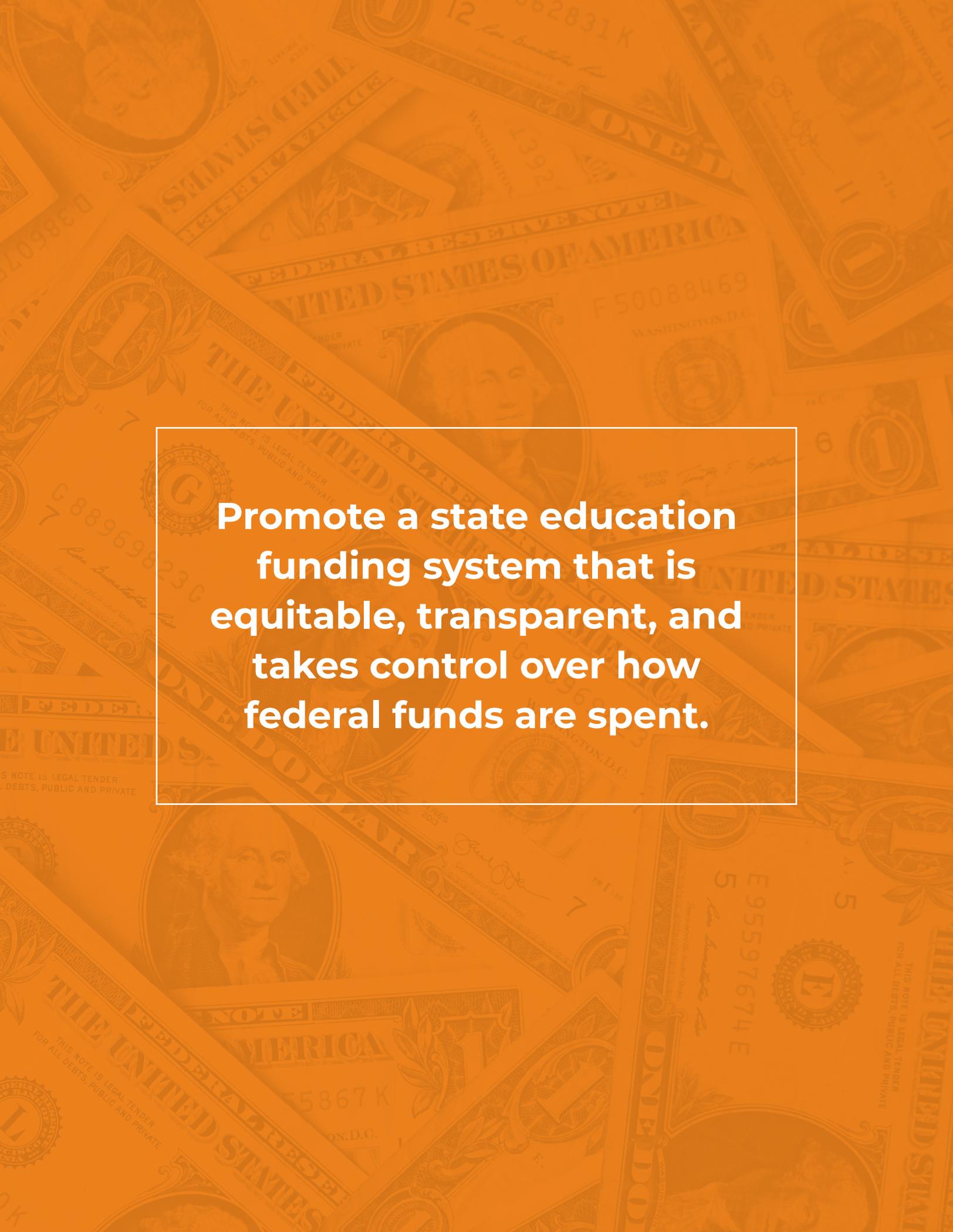
An ESA for students with disabilities is a different mechanism than the existing Special

Needs Scholarship Program. While both options expand education opportunities for students with special needs, an ESA would allow even more customization by the family. Programs focused on special needs students already exist in Florida, Tennessee, Mississippi, and North Carolina.

3. Turn the Milwaukee Parental Choice Program into the Milwaukee ESA Program.

An ESA in Milwaukee could permit parents to mix and match services that are judged to be of the greatest benefit for their child, such as summer school and after school programs. For example, a parent could utilize a portion of their ESA to fund attendance at a private school, while utilizing another portion to fund a tutoring program in a subject area in which their child struggles. Another parent may save a portion of the ESA to help fund a summer school program, or even save for college.⁶⁸

This would have several benefits. As examinations of existing ESAs have shown, the vast majority of people use ESAs to send their children to private schools.⁶⁹ This makes it a smooth transition for parents who are satisfied with the education their children are currently receiving in the MPCP, as these parents would see little change to these programs. In addition, surveys have found that parents are extremely satisfied with the benefits offered by ESAs, and enjoy the ability to tailor their child's education to their needs.⁷⁰

The background of the image is a dense, repeating pattern of US dollar bills, including one-dollar and five-dollar bills, rendered in a monochromatic orange color. The bills are slightly offset and overlapping, creating a textured, layered effect. The text is centered within a white-bordered box.

Promote a state education funding system that is equitable, transparent, and takes control over how federal funds are spent.

Require funding equity between public school districts, public charter and private schools in a parental choice program

I.

Eliminate the funding disparity between private schools participating in a parental choice program, charter and traditional public schools in Wisconsin.

Why should students who choose a private or charter school be worth less than students who attend a public school?

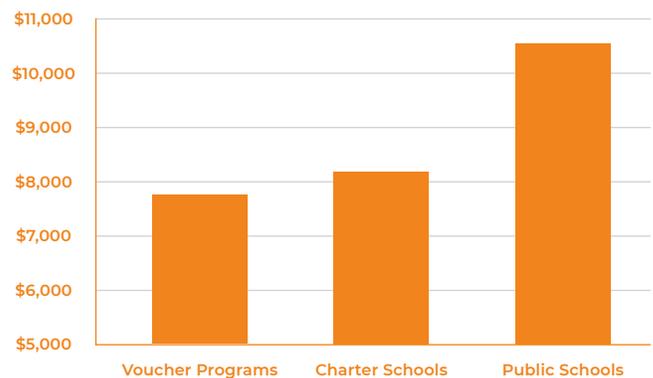
While the rhetoric about fair funding has tended to focus on Wisconsin’s traditional public schools, choice and charter school sectors in Milwaukee receive *significantly less* funding than traditional public schools. Excluding federal revenue sources, the average public school student in Milwaukee received more than \$10,555 in state and local funding in the 2017-18 school year. Independent and non-instrumentality public charter school students received significantly less at \$8,188 per student.⁷¹ Even worse off were students in the MPCP, who received either \$7,530 in the case of a K-8 grade student or \$8,176 in the case of a 9-12 grade student for the 2017-2018 school year. The bar chart to the right details the funding disparity between each of Milwaukee’s school sectors based on these numbers.

This is a major problem. Such funding disparities make it difficult for private schools in a parental choice program to compete for teachers, who are often paid significantly less than they would be in the public school system. According to both private school and public school leaders, the average cost to educate a child in Milwaukee is around \$9,000. Private schools in a parental choice program must devote additional

“Give our school an opportunity to expand and enhance existing programs, such as music and PE, to further enrich our student’s education. The additional funding would also give us the ability to relieve our long term debts, such as paying off the school building and continue to invest into our talented staff at the school. We want to retain high quality staff and to do so, we need to be competitive with compensation in a way that represents their talents.”

— David Dodge, the former principal at Garden Homes Lutheran School

Figure 10: Per Student Funding



time and make difficult decisions about funding specific programs due to this gap.⁷² The 2017-19 budget did increase funding for choice schools and should be commended for it.⁷³ But the increase was not enough to fix the funding disparity.

II.

Prohibit school districts from skimming a portion of funding that belongs to public charter schools.

Non-instrumentality public charter schools must contract with a school district every five years to be authorized. In the process of drafting these contracts, the district is allowed to negotiate how much per-pupil funding each school will receive. That's right. The amount of funding that a school receives is *not standardized*, rather it is based on whether they can haggle with the district administration.

Now, the amount that the state sends for those children is standardized, so the district gets to keep anything between what the state sends and what they can negotiate. Pair this with the 3% in "administrative fees" that the district is also able to charge and you see a substantial skim from non-instrumentality public charter schools.

How much? For 2016-17, that state allocation was \$10,450 per student. However, in Milwaukee, the per-pupil allocation for non-instrumentality public charter schools was only \$8,188. Then an additional 3% was taken from the \$8,188. *This means that MPS skimmed \$2,488 per student at each non-instrumentality public harter school in 2016-2017.*

Using the number of students enrolled in non-instrumentality charters, we estimate the following savings by eliminating the skim⁷⁴ in the table to the right.

MPS has been scamming the non-instrumentality public charter schools from its per-pupil allocation, even though its non-instrumentality charters are some of the highest performing schools in the city. Both Carmen schools and Milwaukee College Prep, non-instrumentality public charters, ranked higher than any MPS traditional school, according to a WILL study.⁷⁵

There are options to prevent school districts from skimming funds from non-instrumentality public charter schools. For instance, require that school districts give the entire state allocation for per-pupil funding to the non-instrumentality charter school and eliminate the district's ability to "skim" the funds. Additionally, reform state law and limit the district's ability to charge administrative fees to the non-instrumentality public charter schools. This is similar to the Illinois law which limits the administrative fee cost to 3%.⁷⁶

Preliminary Skim data: Skim Amount by School (2016-2017)

Highland Community School

Enrollment: **375** MPS Skim: **\$820,125**

Milw. Community Cyber High School

Enrollment: **169** MPS Skim: **\$369,603**

La Causa Charter School

Enrollment: **800** MPS Skim: **\$1,749,600**

HAPA-American Peace Academy

Enrollment: **1325** MPS Skim: **\$2,897,775**

Business and Economics Academy of Milw.

Enrollment: **762** MPS Skim: **\$1,666,494**

NOVA Tech

Enrollment: **99** MPS Skim: **\$216,513**

Carmen MS/HS of Science and Tech NW Campus

Enrollment: **507** MPS Skim: **\$1,108,809**

Milw. College Prep-Lloyd St.

Enrollment: **499** MPS Skim: **\$1,091,313**

Universal Academy for the College Bound

Enrollment: **1051** MPS Skim: **\$2,298,537**

Banner Preparatory School

Enrollment: **64** MPS Skim: **\$139,968**

Milw. College Prep-38th St

Enrollment: **521** MPS Skim: **\$1,139,427**

Carmen HS of Science and Tech S Campus

Enrollment: **366** MPS Skim: **\$800,442**

Milw. Environmental Science Academy

Enrollment: **310** MPS Skim: **\$677,970**

Total Enrollment

Enrollment: **6,848** MPS Skim: **\$14,976,576**

Exercise greater state control over federal education dollars

The direct flow of federal dollars to private schools is illegal under federal law and there is not a lot the state can do about this. However, there are at least two ways that state can take greater control over the allocation of federal education dollars.

I. **Create a “Choice LEA” and seek a waiver from the U.S. Department of Education to change the flow of federal funds to private schools.**

Federal law requires that funds are received and managed by a public entity. Although federal Title dollars are generated by students, i.e. students that meet the qualifications of federal law receive funds; the funds do not follow the students directly. This puts private schools at a disadvantage because public school districts control all of the federal funds and the “equitable” services that are provided to qualified private school students. Independent public charter schools are their own school districts and receive federal funds directly. However, these schools must manage all of the administration of the federal dollars, which can be an immense drain on the school leadership.

Wisconsin could create a public entity that is separate from the school districts. The state could give the public entity the designation of a local educational agency (LEA), which is the federal definition of a

school district. The role of the Choice LEA would help private and independent public charter schools use Title dollars more effectively because the Choice LEA would have the authority to access and manage the federal funds.

How will the Choice LEA work? The Choice LEA would become a public entity, making it capable of accepting and managing federal funds. Private schools and independent public charter schools would opt in to working with the Choice LEA. The Choice LEA would then work with those schools helping with the consultation between the public school district and the private school. Once an agreement is made, the Choice LEA would take over the administration of the equitable federal funds, and would work directly with each private school on how those funds are used. This could include the selection of the vendor administering the Title services, working with the school to maximize the use of federal funds and reporting to DPI on the use of the funds.

Independent public charter schools could work with the Choice LEA to maximize the use of their Title dollars and help with the administration of accepting federal dollars. The Choice LEA could report all of the data and work with vendors to create a marketplace for Title services that are most cost effective.

This is a novel concept and to our knowledge, no state has created an additional streamline for federal funds.

Education stakeholders, including the Badger Institute and leaders in Wisconsin, could also encourage Congress to amend federal law and permit the creation of a Choice LEA that includes both public charter and private schools outside of the resident school district.

II.

Require the Department of Public Instruction to use untapped resources in the ESSA law.

The Every Student Succeeds Act (ESSA) requires states to submit a state plan in order to receive federal funding. It is the federal law for education and impacts all Wisconsin public schools. These federal “Title funds” support programs and services for low-income students with the highest need, professional development for teachers, services for English Language Learners, and more. ESSA gave states the authority and flexibility to develop education policies that are not federally mandated.

Wisconsin’s state plan for the federal funds was compiled by State Superintendent Tony Evers and received limited input from the state legislature and no oversight from the governor.

Wisconsin’s state plan left federal funds on the table. The state plan did not opt into creating grants for school districts who want to provide direct student services with Title I funding. Wisconsin could have created these grants and expanded Wisconsin’s Part-Time Open Enrollment Program, which allows public school students to take classes outside of their public school district. New Mexico opted into this grant and plans to create competitive grants for districts to provide specific services, such as AP course access.

The plan also fails to maximize Title VI, Part A funds under ESSA. The Student Support and Academic Enrichment Grants (Title VI, Part A) is one of the most flexible federal programs and was recently increased to \$1.1 billion for the 2018-2019 school year. Wisconsin’s state plan continues the status quo of giving school districts grants to use the funds in traditional matters like training for school professionals, a state comprehensive digital training

plan and support for student learning. Other states maximized this opportunity to reward schools for their innovation and good work. For instance, Tennessee’s state plan uses 5% of the Title VI, Part A grant to create “Go Further” competitive grants to districts who are doing something well and extends its scope, such as innovative instructional methods.⁷⁷

The Department of Public Instruction should create competitive grants for school districts with some of the funds from Title I (Direct Student Services Grant) and Title VI, Part A (Student Support and Academic Enrichment Grant). These grants could be used to incentivize school districts to better serve their students and reward school districts who are using innovative methods already.

Create transparency in the school funding model by requiring public school districts to report how taxpayer dollars are being used

Wisconsin's K-12 funding system is so complicated that only a handful of people in the entire state comprehend it. In fact, a recent statewide poll by WILL found that many people, including those who identified as Democrats and Republicans, did not know the amount of per student funding in Wisconsin.⁷⁸ This is concerning.

Transparency is directly linked to sound public policy and good government. Parents should be able to access, with ease and simplicity, information on how much money a school district spends and what they spend their money on. Policymakers should be able to take that data and evaluate whether taxpayer money is being spent properly and has a sufficient return on investment. In fact, state law requires private schools participating in a parental choice program to report how state dollars are being used through a rigorous annual audit with DPI. But we cannot answer those questions for public schools.

The existing information on school district finances is difficult to access and not inclusive of all financial information. For example, the Department of Public

Instruction provides information on general finance data and school salaries, while each school district publishes its own budget. But this information is not available in a central database. Nor are school districts required to provide information on their financial management practices despite examples such as Milwaukee Public Schools facing a \$133 million deficit by 2023.

Other states have made great strides in transparency for school financing. In 2017, Georgia's governor signed a law which requires the state's Department of Education to collect and publish every public school's expenses in a searchable database.⁷⁹ Georgia also has a financial efficiency rating system for its school districts, which provides a comparison of district spending per student with the district's overall academic performance.

In Texas, the FIRST system (Financial Integrity Rating System of Texas) rates all traditional public schools and public charter schools by their financial management practices.⁸⁰ This system encourages school districts to better manage their financial

resources and to ensure that the maximum amount of money is being spent on direct instructional purposes. Texas also requires all local governments, including school districts, to report information on its debt obligations.⁸¹

Oklahoma's governor recently signed a transparency bill to require the state's Department of Education to include district and school-level revenue and expenditure data on its website. It also requires school districts to provide a link to their financials on their websites.⁸²

Transparency in government funding relating to children does not end with K-12 traditional funding. Students receive funding from a variety of sources and many lack transparency. In Maryland, there is an effort to halt the odious trend of monetizing children in need. For example, legislators have sponsored bills that require disability and survivor benefits to be used to help children in foster care rather than letting the state collect the money.⁸³

The legislature should increase transparency in Wisconsin's public school funding system by requiring information on school district revenue and expenditures to be published in a central database. Additionally, create a requirement for school districts to be assessed on their financial management practices and the results should be public. This information could be used to reward schools and districts that demonstrate financial efficiency.

Information that should be provided includes per-pupil cost at school-level and district-level. The federal education law, Every Student Succeeds Act (ESSA), will require all states to provide student level funding data by school and district. The U.S. Department of Education has given states time to develop the report cards and report the data. But the 2018 state report cards must describe what steps the state and district are taking to implement this requirement.⁸⁴ However, DPI has been slow to implement ESSA in Wisconsin and continues to ignore statutory requirements for rulemaking. The legislature should pass laws to ensure that school funding transparency laws are implemented faithfully.

Conclusion

Wisconsin is no longer a leader in education reform and we cannot accept the status quo any longer. Despite per pupil spending that is more than half of our state peers, Wisconsin students are not meeting achievement levels, especially in the urban areas. Education reform efforts are making a difference for students and the state should help high performing schools expand so more students can access better schools. We hope that this roadmap made clear that more money isn't the answer, there are a variety of large and small reforms to improve student achievement and the state should give all Wisconsin students access to more education opportunities.

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22. MPCP and RPCP: Schools registering to participate in the MPCP and/or the RPCP must notify the DPI, on the school’s ITP due annually January 10, of the open application period(s) the school will participate in during the upcoming school year. No amendments related to the open application periods are allowed after January 10. https://dpi.wi.gov/sites/default/files/imce/sms/Choice/Bulletins/01-01_application_process_bulletin.pdf
23. Wis. Stat. § 119.23(2)(a)1.b.
24. Florida Department of Education, 2018-2019 McKay Student Intent, <https://www.floridaschoolchoice.org/Intent/McKayIntent/StudentIntent.aspx>
25. Step up for Students, <https://www.stepupforstudents.org/>
26. Superintendent of Public Instruction, Empowerment Scholarship Account Program, <http://www.azed.gov/esa/eligibility-requirements/>
27. Similar to Ohio’s Parental Portal, See <http://education.ohio.gov/Topics/Other-Resources/Scholarships/EdChoice-Scholarship-Program/EdChoice-Scholarship-Information-for-Parents>
28. See Wis. Stat. § 121.54. See also “Nothing in this constitution shall prohibit the legislature from providing for the safety and welfare of children by providing for the transportation of children to and from any parochial or private school or institution of learning.” Wisconsin Constitution, Art. I, § 23.
29. Wis. Stat. § 119.61
30. Esenberg, Szafir, Ramlow, “Why the State of Wisconsin Forced Coca-Cola to Sell to Pepsi,” August 2015, <https://www.will-law.org/wp-content/uploads/2016/02/Why-Coca-Cola-Must-Sell-to-Pepsi.pdf>
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32. The Drexel Fund, <http://drexelfund.org/>
33. The Charter Growth Fund, <http://chartergrowthfund.org/>

34. Wisconsin Health and Educational Facilities Authority, <http://whefa.com/>
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36. Wis. Stat. § 238.03
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38. Saultz, Mensa-Bonsu, Yaluma, Hodges, “Charter School Deserts: high poverty neighborhoods with limited educational options,” April 2018, <https://edexcellence.net/publications/charter-school-deserts-report>
39. Governor Doug Ducey, Credit Enhancement Program, <https://education.azgovernor.gov/edu/achievement-district>
40. Office of the State Superintendent of Education, Facilities Financing for DC Public Charter Schools, <https://osse.dc.gov/service/facilities-financing-dc-public-charter-schools>
41. California School Finance Authority, Charter School Facilities Program, <http://www.treasurer.ca.gov/csfa/charter.asp>
42. Ga. Code Ann. § 20-2-2068.2
43. *Trinity Lutheran Church of Columbia, Inc. v. Comer*, 137 S. Ct. 2012, 2017 (2017).
44. U.S. Department of Education, December 2008 press release, “Innovations in Education: making charter school facilities more affordable: state-driven policy approaches,” https://www2.ed.gov/admins/comm/choice/charterfacilities/report_pg10.html
45. The Arizona legislature has suspended funds to this program since 2009, but Governor Lucey of AZ proposed to restore the funding over the next five years. <https://azednews.com/governors-budget-proposal-fully-restore-additional-assistance-five-years/>
46. District of Columbia Official D.C. Code § 38-2908
47. Indiana Code § 20-24-13
48. District of Columbia Official D.C. Code § 38-2908
49. Wis. Stat. § 120.135 and Wis. Stat. § 120.137
50. Flanders, Will. “Apples 2 Apples: the definite look at school test scores in Milwaukee and Wisconsin for 2018.” <https://www.will-law.org/wp-content/uploads/2017/02/apples.pdf>
51. Fidlin, Dave. “School Board approves Carmen’s rental rate.” January 10, 2018, Urban Milwaukee, <https://urbanmilwaukee.com/2018/01/10/school-board-approves-carmens-rental-rate/>
52. Wis. Stat. § 118.40(3m)
53. National Alliance for Public Charter Schools, “Measuring up to the model: a ranking of state charter public school laws.” March 2017, http://www.publiccharters.org/wp-content/uploads/2017/03/MODEL-Report_FINAL.pdf
54. Wis. Stat. § 118.40(2r)(b)2.c.

55. Flanders, Will, “Apples 2 Apples: the definite look at school test scores in Milwaukee and Wisconsin for 2018.” <http://www.will-law.org/wp-content/uploads/2018/05/2018-apples-to-apples-1.pdf>
56. Oklahoma Statutes § 3-132(9)(A)
57. Under Section 3-132(A)(9), the Board may grant the “appeal” only when it “find[s] evidence” that (1) the application is “thorough and high quality” under the Act’s standards, (2) the community clearly supports the charter school, and (3) the school district’s reasons for denial “are not supported by the greater weight of the evidence and the strength of the application.”
58. 2017. “The Case for School Choice in Rural Wisconsin.” WILL Policy Brief. <https://www.will-law.org/wp-content/uploads/2017/04/REPORT-Rural-Schools-Need-to-Expand-WPCP.pdf>
59. Department of Public Instruction, Private School Choice Programs: 2018-2019 student applications, <https://dpi.wi.gov/sms/choice-programs/student-applications>
60. PL. 2nd Disc. DPI 0152 SW v. Evers
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62. Calculated using the DPI Annual Reports on Open Enrollment from 2009-2010 to 2016-2017, specifically looking at the “special education related reasons” for total nonresident denials. <https://dpi.wi.gov/open-enrollment/data>
63. Eliminate Wis. Stat. § 118.51(5)(a)1. & 4.
64. Eliminate Wis. Stat. § 118.51(5)(a)1. & 4.
65. Wis. Stat. § 118.52
66. Including Wisconsin, which last legislative session introduced a limited, pilot ESA for gifted and talented students.
67. Wisconsin Introduces first-of-its-kind Gifted and Talented Education Savings Account, December 15, 2017, <https://www.federationforchildren.org/wisconsin-introduces-first-kind-gifted-talented-education-savings-account/>
68. Butcher, Johnathan and Lindsey Burke. “The Education Debit Card II,” EdChoice, <https://www.edchoice.org/research/the-education-debit-card-ii/>
69. 83% of parents use the Arizona ESA for private tuition.
70. Butcher, Johathan and Jason Bedrick, 2013. “Schooling Satisfaction: Arizona Parent’s Opinions on Using Education Savings Accounts”; Greene, Jay and Greg Forster, 2003. “Vouchers for Special Education Students: An Examination of Florida’s McKay Scholarship Program,” Manhattan Institute Civic Report
71. Calculated per pupil amount in the 2016-2017 school year
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81. Texas Comptroller, <https://comptroller.texas.gov/transparency/local/debt/isds.php>
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