



THOMAS WEATHERSTON

STATE REPRESENTATIVE • 62ND ASSEMBLY DISTRICT

Testimony on AB 325 before Assembly Committee on Education, September 10, 2015

Mr. Chairman and members of the committee, thank you for holding this hearing on AB 325.

A recent school board resignation in Racine has highlighted the need for correction in state law. In Racine, a school board member resigned in June and the board has been unable to fill the spot. Thirty-five times the board voted on a replacement, resulting in a tie. A school district's board should not be at risk of becoming paralyzed because of an inadequate method of filling vacancies. This bill will prevent this situation from happening again anywhere else in the state.

Other important votes are also being held up, as there is no majority and some members have skipped meetings to prevent a quorum. Waiting until the spring election to fill the spot has its own problems, since other votes on important issues still need to be made this year, such as on the budget and setting the tax levy. If the vacancy in Racine is not filled before next April the seat will have been empty for ten months, ten months during which the board was largely not functional.

This bill will allow a school board president to fill a vacancy on the school board if the office has been vacant for more than sixty days. The school board president does not have to appoint a member, but may choose to do so if the school board as a whole is unwilling or unable to agree on a candidate to fill the vacancy.

Except for Milwaukee, current law requires all school board vacancies to be appointed by the school board's remaining members. The appointment lasts until the next regular spring election, unless the vacancy occurred shortly before the regular election, in which case the appointment lasts until the following year's election.

This bill does not remove local control of the school board. State statutes already determine how vacancies are filled, this bill just provides a back-up option to the existing requirements. It also doesn't force an appointment, the provision is strictly optional.

In most circumstances existing procedures would suffice to fill any vacancy that arose. However, the ongoing situation in the Racine Unified School District reveals that a supplementary method is necessary. While the current method works for most school boards, there ought to be an alternative way to proceed when it doesn't.

Thank you again for holding this hearing on AB 325. I would be happy to answer any questions you may have.

Sen. Luther Olsen, Chair
Senate Committee on Education
State Capitol, Rm 313 South

Rep. Jeremy Thiesfeldt, Chair
Assembly Committee on Education
State Capitol, Rm 16 West

RE: SB 244/AB 325 – Allowing a school board president to fill vacancies

Dear Sen. Olsen and Rep. Thiesfeldt,

This letter is written to express our support for SB 244/AB 325, which will allow a school board president to fill a vacancy on a school board if the seat has been vacant for over 60 days. As current members of the Racine Unified School Board, we know very well the problems that an unfilled vacancy can cause.

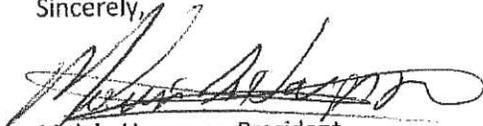
There has been an empty seat on the Racine's school board since June, due to a resignation of a board member. Since that time, the board cast ballots 35 times in an effort to agree on a replacement. Unfortunately, no candidate was able to garner more than four votes, with five being needed for a majority. As a result, the spot has remained unfilled since June.

Since then, the board has also faced tied votes on other issues, with no resolution in sight. This pattern is especially troubling in light of many important votes that must take place in the coming months, such as the vote on the annual budget. The students, parents, and the taxpayers in Racine deserve to have a school board that can make decisions in a timely manner and run the school district effectively.

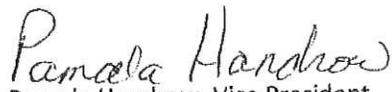
This bill retains local control in the process, because the school board president will be the one making the appointment. The president was first elected by the voters in the district to serve on the board, and then by the members of the board to serve as the presiding officer. As school board members ourselves, we believe this to be the best way to break a tie that cannot be otherwise resolved.

We appreciate that you are giving this bill a hearing, and urge your support of this needed reform so that this problem will never occur again in our state.

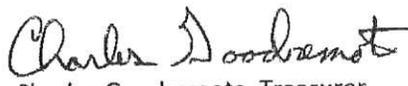
Sincerely,



Melvin Hargrove, President



Pamala Handrow, Vice President



Charles Goodremote, Treasurer



Kim Plache, Member



Van H. Wanggaard

Wisconsin State Senator

September 10, 2015

Testimony in Support of Assembly Bill 325

Thank you Mr. Chairman and members for this hearing today on Assembly Bill 325 relating to allowing local school board presidents to fill certain vacancies on local school boards.

This bill is the result of the situation we have in Racine with the Racine Unified School District. Three months ago, a school board member resigned from the school board because she was not eligible to serve. Under existing state law, a school board vacancy is filled by selection by the school board itself. With the exception of Milwaukee school district, city and county, this is also how other local governments also fill vacancies.

Unfortunately, the same state law that specifies how vacancies are filled does not specify what to do in the event of a tie. That is what happened in Racine. Since June, the school board has voted 35 times in an attempt to fill the vacancy – each time they have been deadlocked. 3 months and 35 votes to fill one school board vacancy is ridiculous. As a result of this vacancy, RUSD has had multiple tie votes on other matters, and recently two members walked out of a meeting – quickly – in order to prevent a quorum and a vote.

To resolve this situation, and to prevent this situation from occurring elsewhere in the future, we have introduced AB 325. This bill will allow a non-partisan, locally-elected school board member elected by his or her peers to be their school board president to appoint someone to a vacancy that has been unfilled for a period of 60 days or longer. At certain times of year, or in certain situations it may be better to wait to fill a vacancy. It really depends on the local situation. That is why the bill allows the school board president MAY fill the vacancy – it does not require it. The mere availability of the school board president appointment power may also spur negotiation and compromise. Right now there is no catalyst to select a new member.

Of course, there are times, like now in Racine, when filling a vacancy is critically important. Right now, we are 60-70 days from school districts having to set their budgets and tax levies. This already difficult process is made more difficult in the current situation when people fail to attend meetings or votes. This uncertainty is not good for the community, the local economy, the school district, the teachers or students. Passing AB 325 will resolve the situation in Racine, and prevent it from recurring elsewhere in the future.

Serving Racine and Kenosha Counties - Senate District 21



SCHOOL DISTRICT OF BARABOO

101 Second Avenue
Baraboo, WI 53913
(608) 355-3950 • Fax (608) 355-3960
www.baraboo.k12.wi.us



To: Assembly Education Committee

September 9, 2015

From: Doug Mering Policy Chairperson Baraboo School District Board of Education

Subject: Senate Bill 244 Regarding Filling of a Board Vacancy

Thank you members of the Assembly Education Committee. I am a board member who has been elected three times by the citizens of the Baraboo School District. Before I was first elected I attempted to fill a board vacancy which if it occurred today could have been filled using the legislation being proposed. The board interviewed 4 applicants with the first vote resulting in a 3-3 tie between myself and another community member. The board then waited 2 weeks till the next board meeting before doing another vote. I did fall on the short end of that vote when it occurred with one board member changing their vote resulting with the other community member getting onto the board with a 4-2 resultant board vote.

The thing was it could have just as easily stayed at 3-3 with the board president being the deciding vote in that instance under today's legislation. After I got elected onto the Board we came up with a new policy which I have submitted with my testimony that in the event of a repeat tie vote the impasse would be solved via a flip of a coin. I believe the Wisconsin legislature needs to respect local control, because this is what its citizens of Wisconsin wants. This bill imposes a policy which will affect not only the Racine School Board but every other board in the state including mine. This bill does not respect the tenants of local control. If you believe in local control you will not pass it. For one it puts too much power in the hands of one board member the President. In the future this could change the dynamic of who gets chosen President. Rather than pick a President who will build consensus I had better try to pick someone who is more like me.

Individual boards may choose to use the process being proposed but it should be up to those individual boards to make that decision not decreed by mandate from the state level.

cc- WASB

Baraboo Board of Education
Dr. Lori Mueller