



A Shared Vision & Future for Kids

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Supporting, Promoting and Advancing Public Education

Welcome

Who are We, and Why are We Here This Evening?

- Kevin Shetler, Superintendent – Siren School District
- Josh Hetfield, Superintendent – Webster School District
- Kyle Luedtke, Superintendent – Frederic School District

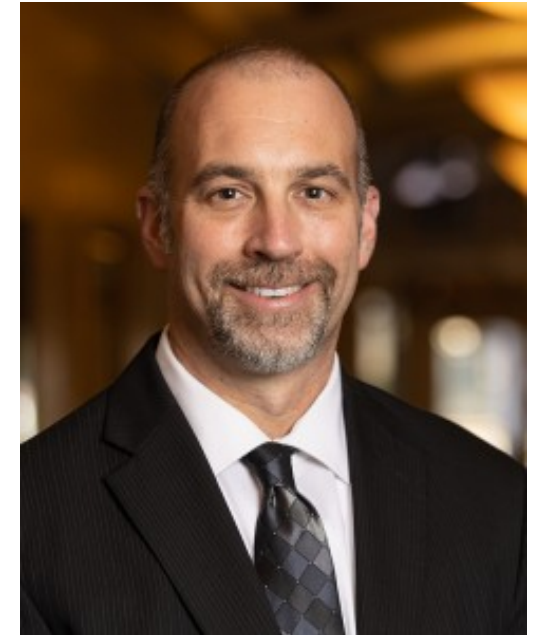


Who is This?

Ben Niehaus, WASB Director of Member Services

Ben serves the WASB as its director of member services, leading the WASB search and governance consultants in addition to collaborating with each department of the WASB to support and enhance services for the WASB membership. Ben is a former rural school district administrator who served both the Goodman-Armstrong Creek and Florence County school districts. He began his professional career as a business education teacher. Beyond his role as a school administrator, he has served on various associations and committees speaking in advocacy for rural schools, their students and communities.

Ben was Wisconsin's 2019 Rural School Superintendent of the Year. He holds bachelor's and master's degrees from UW-Stevens Point and UW-Whitewater and administrative licensures from UW-Whitewater and Winona State University as a business manager, principal and superintendent.



Agenda

- Whole Grade Sharing
- Tuition Agreements
- Open Enrollment
 - Part-Time Open Enrollment
- Shared Service Agreements
- Other
 - Consolidation
 - Dissolution
 - School Boundary Appeals Board



Whole Grade Sharing



The school boards of 2 or more school districts may enter into a whole grade sharing agreement that provides for all or a substantial portion of the pupils enrolled in one or more grades, including 4-year-old and 5-year-old kindergarten and prekindergarten classes, in any of the school districts to attend school in one or more of the other school districts for all or a substantial portion of a school day.



Where Did Whole Grade Sharing Begin?

Iowa

- Began in late 1980's
- 14 districts of about 300+ implementing
- 40 districts receiving or sending one-way
 - Iowa Map

Wisconsin – Whole Grade Sharing (WGS)

- The 2015-2017 Budget Act established detailed procedures, deadlines, and other restrictions and requirements applicable to whole grade sharing agreements.
- The 2015-2017 Budget Act established a special adjustment to state aid for school districts participating in a whole grade sharing agreement. The special adjustment applies to the first 6 school years following the school year in which the agreement first takes effect. The amount of the adjustment declines in the 5th and 6th year.
- No districts (to our knowledge) in Wisconsin have implemented
 - Numerous share “one way” for specific classes (predominately high school)

What is Special Adjustment Aid

- Wis. Stat. sec. 121.105 provides additional aid to school districts that generate less than 85 percent of the state aid generated in the previous year.
- It is referred to as a “parachute aid”

What does this mean for a WGS agreement?

Districts that enter into a whole grade sharing agreement are eligible for special adjustment aid. In each of the first five years after an agreement first takes effect, each participating district is guaranteed to receive at least as much general aid as it received in the year prior to the agreement taking effect.

WGS Agreement – state law requires...

1. Provide for all or a substantial portion of the pupils in one or more grades in any of the school districts to attend school in one or more of the other school districts for all or a substantial portion of a school day.
2. Specify all of the following:
 - a) The term of the agreement and date by which each school board must notify the other school boards of its intent to renew the agreement.
 - b) The grade levels affected by the agreement.
 - c) The annual per pupil amount* a resident school district pays the nonresident school district
**see next slide for pupils with IEP*
 - d) The school board that will award graduation diplomas.
 - e) The school board that is required to maintain pupil records.
 - f) The school board that provides transportation required per IEPs for student with disabilities.
 - g) The school board responsible for transporting pupils (without an IEP) during the school term.

...continued

- **Pupils with Disabilities:**

- The resident district payment amount for a pupil, for whom an individualized education program is in effect and who is attending a school under a WGS agreement, is \$12,000 in FY17 and will be increased, beginning in FY18, per the current law open enrollment indexing adjustment. Payment is prorated for pupils attending less than full school year.
- The district the pupil with a disability is attending can submit eligible special education costs to DPI for reimbursement under state special education categorical aid programs.

- **Open Enrollment:** A pupil's open enrollment status is held in abeyance when attending a school under a WGS agreement if the pupil was already open enrolled into the nonresident district.

- **Counting Pupils:** Pupils will continue to be counted by their ***district of residence*** for state general/equalization aid and revenue limit purposes, regardless of which district hosts a particular grade(s)

Timelines and Notice

- A school board interested in entering into, extending or renewing a WGS agreement must do the following:
 - a) Adopt a resolution stating its intention to enter into, extend, or renew an agreement at least 60 days prior to entering into the WGS agreement **[note: February 15th deadline for entering into an agreement effective for the following school year]**.
 - b) Publish notice of the adoption of the resolution within 10 days of adoption, via a class 1 notice under ch. 985, Wis. Stats., in a newspaper published in the school district or post a notice of the adoption of the resolution as provided in s. 10.05, Wis. Stats.

Additional Resources

- DPI Information on Whole Grade Sharing
- Wisconsin Legislative Council Staff Brief - Study Committee on Shared School District Services
- Wisconsin Administrative Code Whole Grade Sharing PI 33
- 118.50, 121.105(4); see also 115.28(61), 117.05(5)(a), 117.30(1)(d)

Tuition Agreements



- **What it is:** A legal contract where one school district pays another district to educate one or more of its resident students.
- **The Goal:** It is primarily a payment for instructional services. For example, if a small district does not have a specialized class (like a specific special education program), it will pay the tuition for its student(s) to attend a neighboring district.



Tuition Agreements for Individual Students

Agreements for individual students are authorized by s. 121.78 (1) (a), which was updated by the 2015-17 biennial budget bill. This type of agreement is for one school year and must include two components:

1. The **specific amount of tuition** to be paid in the school year of attendance, determined with one of the three DPI-approved methods:
 - **Method 1: Standard (or Statutory) Tuition**
 - **Method 2: "Base Transfer Plus"**
 - **Method 3: Actual Cost**

***Which One?** Consider the potential impacts of any variance between what is charged and the costs being offset.*

2. A **specific estimate of the maximum amount of state aid**, if any, to be received by the enrolling district in the following year and paid to the resident district as a transit of aid. If the actual aid received is greater than the estimate, the enrolling district retains the difference.

Open Enrollment

- The open enrollment program allows parents to apply for their children to attend public school in a school district other than the one in which they reside.



Open Enrollment

- **Application**

- The regular open enrollment application period for the 2026-27 school year begins on February 2, 2026, and ends at 4:00 pm on April 30, 2026

- **Can applications be denied?**

- Both the nonresident and resident school districts may deny an application for reasons specified in state law. If an application is denied by either the resident or nonresident school district, the parent may file an appeal with the DPI within 30 days.

- **How do students get to school?**

- Parents are responsible to provide transportation to and from school in the nonresident school district, except that transportation required in a child's IEP must be provided by the nonresident school district. A nonresident or resident school district is permitted (but not required) to provide transportation to open enrolled pupils, however the nonresident school district is prohibited from picking up or dropping off a pupil within the boundaries of the pupil's resident school district unless the resident school district agrees.

<https://dpi.wi.gov/open-enrollment>

Open Enrollment Tuition

- 2024-25: \$8,962
 - Special Needs: \$13,814
- 2025-26: \$10,102
 - Special Needs: \$14,454
- 2026-27: \$11,030 (estimated)
 - Special Needs \$14,882 (estimated)

WIAA Eligibility

- Open Enrollment and Tuition Waivers are likely to directly impact athletic participation, and eligibility, particularly as to varsity sport participation for up to one calendar year (365 days beginning with the student's first day of attendance at a new school).

WIAA Transfer Rules and Waiver Quick Facts

Part-time Open Enrollment



- Beginning in the 2018-19 school year, a pupil enrolled in a public school in the high school grades may attend public school in a nonresident school district for the purpose of taking a course offered by the nonresident school district.
- A pupil may attend no more than two courses at any time in nonresident school districts.



Part-time Open Enrollment

Cost: If approved, the course is free for the student. The resident school district pays for the tuition.

Transportation: Parents or guardians are usually responsible for getting the student to and from the class.

Parents are responsible to provide transportation to and from school in the nonresident school district, except that transportation required in a child's IEP must be provided by the nonresident school district. A nonresident or resident school district is permitted (but not required) to provide transportation to open enrolled pupils, however the nonresident school district is prohibited from picking up or dropping off a pupil within the boundaries of the pupil's resident school district unless the resident school district agrees.

Other Resources **Part-time Open Enrollment does NOT impact WIAA Eligibility*

- [Wis. Stat. 118.52](#)
- [DPI / FAQ](#)

Shared Service Agreements



A Wisconsin Section 66.0301 agreement is a legal contract that lets school districts or local governments work together. Under state law Wis. Stat. § 66.0301, districts can share the costs of specific program to save money and resources.

- Typically used for sharing staff between districts, transportation services, educational programming and extracurriculars.



Things to Consider

- **Logistics (What's your geography?)**
 - Mileage costs
 - Inclement Weather
 - Time – lost instruction/service – what is most effective use of time?
 - How is time compensated, both in “workable time” and actual compensation
- **Schedule**
 - Unknown/unexpected – what is contingency
 - Flex – give and take
- **Responsibility (Professional & Personal)**
 - Is what looks good on paper reality in action? Will it sustain?

WIAA - Athletic Cooperatives

- Seek athletic conference approval first
- WIAA cooperative team agreements must then be submitted by the following dates, the year prior to initiation to be considered eligible for the WIAA tournament series.
 - **Fall Sports:** October 1
 - **Winter Sports:** February 1
 - **Spring Sports:** May 1

WIAA Co-Op Team Information

Consolidation & Dissolution



Wisconsin statutory provisions allow for the reorganization of a school district by the consolidation of two or more school districts and for dissolution by a school district.

**MPS is the exception*

Please see Wis. Stat. 117.08



Consolidation Overview

Background

Consolidation
Procedural
Process

Assets & Liab
ilities

Finance & Op
erations

Other Legal
Implications

Consolidation – Feasibility Study

Two step process: (for each district and combined)

1. Revenue Projections

- Revenue Calculation & Equalized Aid
- Other per pupil revenues (sparsity, transportation, etc.)
- *Does NOT get into depths/specifics of Federal Grant eligibility*

2. Expenditure Projections

- Each district will have an individual projection completed, and then a combined projection for a comparative analysis

Time:

- **Approximately two months for analysis and completion**
- **Approximately six months for consideration & outreach**

Initiation of Consolidation

- **Initiation of Consolidation:** School district consolidation may be initiated by the adoption of resolutions by two or more school boards stating that they will consider consolidating their school districts.
- **Notification of Resolutions:** The school district clerk of each school board adopting a resolution under this subsection shall send a certified copy of the resolution to the school boards of each of the other affected school districts and to the secretary of the School District Boundary Appeal Board (SDBAB).

Reference: Wisconsin Statute [117.08](#)

Default Consolidation Timeline

12 months

- **Consolidation Order Adopted – 7/1-7/31 of e.g., 2024**
- *Request for Petition Filed by – 2nd Tuesday in September*
- *Referendum Held on – 1st Tuesday, after the 1st Monday, in November*
- **Consolidation Takes Effect on – Following July 1**

Reference: Wisconsin Statute [117.08 \(2\) and \(3\)](#)

Alternative Timelines

Alternative Timeline 1 – 117.08(5)(a)

- **18 months**
 - **Consolidation Order Adopted – 12/1-12/31 of e.g., 2023**
 - *Request for Petition Filed by – 2nd Tuesday in February*
 - *Referendum Held on – 1st Tuesday in April*
 - **Consolidation Takes Effect on – the 2nd following July 1**

Alternative Timeline 2 – 117.08(5)(b)

- **13 months**
 - **Consolidation Order Adopted – 5/1-5/31 of e.g., 2024**
 - *Request for Petition Filed by – 2nd Tuesday in July*
 - *Referendum Held on – 2nd Tuesday in September*
 - **Consolidation Takes Effect on – the following July 1**

Consolidation

Assets & Liabilities



Per Wisconsin Stats. § 117.25, when school districts consolidate, all previous districts cease to exist. All property, assets, claims, obligations, contracts, and liabilities are automatically transferred to and vested in the newly formed consolidated school district.



Assets and Liabilities

- On the effective date of consolidation all of the following apply under:
 - Title to all property and assets of the former school districts become vested in the new consolidate district
 - Claims, obligations and contracts of the former districts become those in the same of the new consolidated district
 - Employees of the former districts become employees of the new school district
 - Other – CBA, operation of former facilities, etc.

Reference: Wisconsin Statute [117.25\(1\)\(a\)-\(c\)](#)

School Consolidation – Financial Implications

-
- Consolidation Aid is addressed under Wis. Stats. 117.08(6) and 117.09(6).



Consolidation Aid

DPI shall pay to a school district created by a consolidation under this section that takes effect on or after July 1, 2019, the following amounts:

- a) In the school year in which the consolidation takes effect and in each of the subsequent 4 school years, \$150 multiplied by the number of pupils enrolled, as defined in s. [115.437\(1\)](#), in the school district in that school year.
- b) In the 5th school year following the school year in which the consolidation takes effect, 50 percent of the amount the school district received under par. [\(a\)](#) in the 4th year following the school year in which the consolidation takes effect.
- c) In the 6th school year following the school year in which the consolidation takes effect, 25 percent of the amount the school district received under par. [\(a\)](#) in the 4th year following the school year in which the consolidation takes effect.

Reference: Wisconsin Statute [117.08\(6\)](#)

Consolidation Aid

- The 2019 Budget Act specifies that a district's current three-year rolling average pupil count under revenue limits would be used to calculate the aid payment, as for per pupil aid under current law.
- Additionally, the budget specifies that in the school year in which a school district consolidation takes place and each of the subsequent four school years, the consolidated district would receive sparsity aid equal to not less than 50% of the aggregate amount of sparsity aid received by the consolidating school districts in the school year prior to the year in which the consolidation takes effect.

Consolidation Aid Proposals in 2025 Legislative Session

- **LRB-5364** would have increased Year 1 aid to \$1,500, Year 2 aid to \$650, Years 3-5 remaining at \$150 and Years 6-7 decreasing the same as current aid (50% of Year 5 in Year 6 and 25% of Year 5 in Year 7).
- **LRB-2828** would have provided up to \$25,000 for two or more districts, as a consortium, to utilized for consolidation feasibility studies
- **LRB-5399** would have provided up to \$500 per student, per grade level subject to a whole grade sharing agreement
- **LRB-1251** would have provided supplemental aid to help alleviate property tax levy rates by buying down a portion of increased tax levies

School Consolidation - Other Legal Considerations



- Policies and Procedures
- Pupil Issues, e.g., Open Enrollment, Transportation, Special Education Services, Title IX access to programs and facilities
- Public Records Retention and Pupil Records
- Student Handbooks for the New School District



Consolidation – Other Legal Considerations

- Individual Teacher Contracts
 - One-year contracts, renewal timelines set forth in [Wis. Stats. 118.22](#)
- Individual Administrator Contracts
 - One- to two-year contracts, renewal timelines set forth in [Wis. Stats. 118.24](#)
- Support Staff Letter of Assignments/Contracts, Collective Bargaining Agreements, Employee Handbooks
 - ***Staffing Retention***
- Vendor Contracts, Intergovernmental Agreements

Most Recent Consolidations

- **Holy Hill Area School District** (2018) – Friess Lake and Richfield Joint 1 merged
- **Herman Neosho Rubicon School District** (2016) – Herman, Neosho and Rubicon merged
- **Chetek-Weyerhaeuser Area School District** (2010) – Chetek and Weyerhaeuser merged
- **Chequamegon School District** (2009) – Glidden and Park Falls merged

**** Loyal and Greenwood are in process of consideration***

- ***November 2026 Referendum for July 1, 2028 Consolidation***

School Dissolution



- **Initiation of Procedures** - The dissolution of a school district may be initiated by the adoption of a resolution by the affected school board stating it will consider dissolving the school district. The school district clerk of the school board adopting the resolution shall send a certified copy of the resolution to the Secretary of the School District Boundary Appeal Board (SDBAB).

- **School Board Action** - In the July following the adoption of the resolution to consider dissolution, the school board may order the school district dissolved by adopting a resolution ordering the dissolution. Failure of a school board to adopt a resolution either ordering or denying the dissolution before August 1 constitutes a denial of the dissolution. If the order is approved by the SDBAB, the dissolution becomes effective the following July 1.

[Wis. Stats. 117.10\(1\)](#); [Wis. Stats. 117.10\(2\)](#)



School District Dissolution

Advisory Referendum - [Wis. Stats. 117.10\(3\)](#)

- If the school board determines that the school district shall dissolve, an advisory referendum on the dissolution shall be held if either of the following happens:
 - At the time of adopting the resolution ordering the dissolution, the school board directs the holding of an advisory referendum; or
 - Before the second Tuesday of September a petition for an advisory referendum, signed by at least ten percent of the electors residing in the school district, is filed with the school district clerk.
- If a referendum is required, it shall be held on the Tuesday after the first Monday in November following the receipt of the petition or adoption of the resolution.

School District Dissolution

Board Review - [Wis. Stats. 117.10\(4\)](#)

- After the second Tuesday in September following the adoption of the resolution to dissolve, or after the advisory referendum, if one is required, the School District Boundary Appeal Board (SDBAB) shall review the dissolution and before the following January 15 issue an order either affirming or denying the school board's dissolution order.
- If the SDBAB determines that the school district shall dissolve, it shall also assign the school district's territory, assets and liabilities ([s. 66.0235\(2c\)\(a\), Wis. Stats.](#)) to one or more other school districts.

History

- Last district that dissolved was Ondossagon in 1990
- Others on the brink since 2000
 - Florence County
 - Palmyra-Eagle
 - Hustisford (July 2026)

School District Boundary Appeals Board (SDBAB)



The School District Boundary Appeal Board (SDBAB) is created within the Department of Public Instruction (DPI) by [s. 15.375, Wis. Statutes](#) to address certain issues related to school district reorganization. The Board consists of 12 school board members appointed by the State Superintendent of Public Instruction for staggered two-year terms. Four members represent small school districts, four represent medium school districts and four represent large school districts. No more than one member may come from each of the 12 CESA areas.



School District Boundary Appeals Board

Three-member panels of SDBAB members (one each from a small, medium, and large district) hear appeals related to small territory detachment. Seven member boards, consisting of two representatives each from small, medium and large districts, and the state superintendent or his or her designee, **address issues related to district creation and dissolution, annexation or boundary disputes.**

Reference: Wisconsin Statutes [117.05\(1\) and \(2\)](#)

SDBAB Decision Making Criteria

The following criteria is used when the SDBAB considers an appeal to a request to detach or attach a property.

- geographical and topographical characteristics of the affected districts, including estimated travel time for students to and from school;
- educational needs of all children residing in the affected districts;
- educational programs currently offered by each district;
- any adverse effect on the programs currently offered by the district from which the territory is proposed to be detached, both curricular and extracurricular;
- testimony and written statements filed by residents of the affected districts;
- estimated fiscal effect of the proposed reorganization of the affected districts;
- socioeconomic level and racial composition of students who reside in the territories and the impact those students would have on future socioeconomic level and racial composition of the affected districts; and
- other appropriate factors.

Reference: Wisconsin Statutes [Chapter 117](#) and [117.15](#)

Questions

This presentation is a product of the **Wisconsin Association of School Boards, Inc.**

This presentation is intended to provide authoritative general information, with commentary, as a service to WASB members.

The materials and information provided in this presentation should not be relied upon as legal advice. If needed, legal advice regarding any topic, issue, situation or incident should be obtained from the school district's legal counsel.

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