



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 307
[2009 Senate Bill 598]

**Alternate Timelines for School
District Consolidation**

2009 Wisconsin Act 307 creates two alternative timelines for the procedure to consolidate two or more school districts if the school boards specify in their initial resolutions which alternative timeline applies.

Under *current law*, the first formal step in consolidation of school districts is adoption of a resolution by the school boards stating that they will “consider” consolidating their school districts.

In the *July* following adoption of the resolution to consider consolidation by two or more school boards, the school boards of the affected school districts may order the school districts consolidated by each adopting a resolution ordering the consolidation. If a school board does not adopt a resolution ordering or denying the consolidation before August 1, the inaction is considered to be a denial of the consolidation.

If the school board of each affected school district adopts a resolution ordering the consolidation, the consolidation takes effect on the following *July 1*, unless a referendum is required. A referendum must be held if one of the following occurs:

- At the time of adopting the consolidation resolution, the school board of any affected school district directs the holding of a referendum.
- Before the second Tuesday of *September*, a petition requesting a referendum, signed by at least 10% of the electors who reside in the school district, is filed with the school district clerk of the school district that has the highest equalized valuation of the affected school districts.

If a petition requesting a referendum is filed, the school district clerk of the school board adopting the resolution or the school district clerk receiving the petition, must immediately notify the

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.

school boards of the other affected school districts, the Secretary of the SDBAB, and the clerk of each city, village, or town if any part of it is contained within an affected school district. The referendum must be held on the Tuesday after the first Monday in **November** following the adoption of the consolidation resolution or receipt of the petition. Votes must be counted separately for each affected school district.

If a majority of the votes cast in each affected school district is in favor of consolidation, the school districts will be consolidated on the **following July 1**.

Act 307 creates two alternative timelines for school district consolidation. Under the first alternative, the school boards may order the school districts consolidated in the first **December** following the adoption of their resolutions to consider consolidation. Under this timeline, a petition requesting a referendum must be filed before the second Tuesday of **February**. If a referendum must be held, it must be held on the first Tuesday in **April**. A consolidation approved under this timeline takes effect on the **second following July 1**.

Under the second alternative, the school boards may order the school districts consolidated in the first **May** following the adoption of their resolutions to consider consolidation. Under this timeline, a petition requesting a referendum must be filed before the second Tuesday of **July**. If a referendum must be held, it must be held on the second Tuesday in **September**. A consolidation approved under this timeline takes effect on the **following July 1**.

The school boards must specify in the resolution to consider consolidation which alternative timeline applies.

Effective date: Act 307 takes effect on May 27, 2010, and first applies to resolutions to consider consolidation that are adopted on the effective date.

Prepared by: Anne Sappenfield, Senior Staff Attorney

May 24, 2010

AS:ksm