

WHOLE GRADE SHARING AGREEMENTS

2015 Act 55 (the 2015-17 state biennial budget) authorized school boards of two or more school districts to enter into a Whole Grade Sharing (WGS) agreement. 2017 Act 59 made changes to the program. Agreements shall be for one or more entire school years, and may include one or more grades, including pre-kindergarten, 4K and 5K.

Authorization for WGS agreements is included in [s.118.50, Wis. Stats.](#) State law requires that a WGS agreement include the following components:

- 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 also “Special Education” below).
 - 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:
 - i) *School Year*: Must be provided by the resident district unless negotiated in the agreement.
 - ii) *Summer School*: The school board responsible for transporting pupils during summer school if transportation is provided. If school district provides transportation for resident pupils to attend summer school, transportation must also be provided to pupils who attend summer classes in the district under a WGS agreement.
 - h) The attendance areas within the school district if a school board enters into a WGS agreement that designates more than one school district for the attendance of its pupils.
 - i) Agreements must be signed no later than February 15 in order to be effective for the ensuing school year.
- 3) 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; e.g., approve a resolution no later than 12/17 to enter into a WGS agreement that would be 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.
 - c) Request a feasibility study of the WGS agreement if a petition signed by at least 20 percent of the electors residing in the school district is filed with the school board within 30 days after publication or posting requesting the study. Upon receipt of the petition, the school board must contract with an organization approved by DPI to conduct the feasibility study.
 - d) Hold a public hearing at least 30 days prior to entering into, extending or renewing a WGS agreement. Two or more school boards that will be parties to the agreement may hold a joint public hearing in one of the school districts.
 - e) Enter into (or extend or renew) a WGS agreement by **February 15th prior** to the beginning of the school year in which the WGS agreement will be in effect.
 - f) Provide a certified copy of the WGS agreement to DPI within 10 days of completing an agreement.
- 4) **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.
- 5) **Pupils with Disabilities:**
- a) 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.
 - b) 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.
- 6) **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).
- 7) **State Aid:** School districts participating in a WGS agreement will be held harmless from reductions in state equalization aid resulting from the decision to enter into a WGS agreement. These districts will be eligible for aid in an amount that is no less than the amounts to which the individual districts were eligible in the school year prior to the school year in which the agreement takes effect, for the first five years of the WGS agreement. The hold harmless aid for WGS districts will continue into the sixth and seventh years of the agreement, in an amount equal to 66 percent and 33 percent (respectively) of the hold harmless aid received by the districts (if any) in the fifth year of the agreement. This provision applies only to new agreements.