

Frequently Asked Questions
Creation of a School District
Wis. Stats § 117.105

1. *How do I find information on the process to create a school district?*

Information regarding the process to create a school district can be found at the following web address: <http://www.dpi.wi.gov/sms/rg117105.html>.

2. *Who can make decisions for the new district prior to a new school board being seated?*

There is no legal authority for decisions to be made for the newly created school district before a school board is elected.

3. *When is a school board elected for the new school district?*

The first election of school board members in a newly created school district shall be held at the spring election following the referendum(s). [Wis. Stats. § 117.22(2)(bm)] School board members take office on the 4th Monday in April following the election, provided they have taken the oath of office. [Wis. Stats. § 120.06(4)]

4. *When can employees be hired for the new school district?*

The actual hiring process can only begin after the new school board has been seated.

5. *Can a school district hire employees if there is no collective bargaining agreement in place?*

Yes; the school board has the authority to offer employment contracts when there is no collective bargaining agreement in place.

6. *How are collective bargaining agreements initiated in a newly created school district?*

Employees have the right to initiate steps to organize for collective bargaining purposes. [Wis. Stats. § 111.70]

7. *Do current employees have recall rights if laid off due to the creation of a new school district?*

Employees laid off from the current district may notify the new school district, in writing, if they wish to be considered for any new or vacant position in the new school district. Employees laid off from the current school district would have 3 years of recall rights to new or vacant positions in the new school district. [Wis. Stats. § 117.25(4)]

8. *Questions regarding open enrollment and tuition waivers.*

Information regarding open enrollment and tuition waivers can be found at the following web address: <http://www.dpi.wi.gov/sms/psctoc.html>