

**Palmyra-Eagle Area School District 2019**  
**School District Dissolution – Wis. Stat. §117.10**

Dissolution Initiation and Effective Date

The district dissolution process is initiated by the Board of Education of a school district.

The school board may adopt a resolution to consider dissolving the school district prior to July 1 of any year.

- ***In the case of the Palmyra-Eagle Area School District (PEASD), the order to consider was adopted by the board on April 8, 2019.***

During the month of July of that same year, the school board may order the school district be dissolved.

- ***The PEASD board voted to dissolve at its July 1, 2019 meeting.***

If the order to dissolve is then approved by a 7-member School District Boundary Appeal Board (SDBAB), the dissolution becomes effective July 1 of the following school year; *July 1, 2020 for PEASD.*

Advisory Referendum on Dissolution

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; ***PEASD board did NOT order an advisory referendum when it voted to dissolve on July 1, 2019.***
- Before the 2nd Tuesday of September (*September 10, 2019 for PEASD*) a petition for an advisory referendum, signed by at least ten (10) percent of the electors residing in the PEASD school district, is filed with the school district clerk. ***Electors submitted a petition for an advisory referendum to PEASD on September 6, 2019. PEASD will hold the advisory referendum on November 5, 2019.***
- ***The advisory referendum held November 5, 2019, supported dissolution of the district. The unofficial vote count on November 6 was 1,218 in favor of dissolution, 1,080 opposed.***

SDBAB Process

The 7-member board is made up of the state superintendent or her designee and six elected school board members who currently serve on the State Superintendent's School District Boundary Appeal Board.

The SDBAB will hold public hearings and continue to meet, as needed, to reach a decision before January 15, 2020 to either affirm or deny the PEASD board's order to dissolve the district.

The SDBAB will hear from members of the public as well as representatives from other school districts that may be affected by a dissolution.

The SDBAB discusses the order and makes a decision in open session. In accordance with Wis. Stat. §117.15, the board considers and weighs specific criteria as they affect the welfare of all of the children in each of the impacted school districts.

### SDBAB Outcomes

After September 10, 2019 OR following the advisory referendum (November 5, 2019) AND prior to January 15, 2020, the SDBAB order either affirms or denies the PEASD school board's dissolution order.

If the SDBAB affirms the dissolution, it must:

- assign the PEASD's territory to one or more other districts;
- assign the proportion of assets and liabilities per Wis. Stat. § 66.0235(2c)(a); and
- determine the employment status for current PEASD employees.

State law requires the SDBAB to assign any district(s) assigned PEASD territory a proportion of PEASD assets and liabilities. A district's proportion of assets and liabilities is based on its share of the dissolved district's equalized property value that the SDBAB has assigned, as determined by the Department of Revenue, or under an alternative plan approved by a three-fourths vote of "each school board concerned." Wis. Stat. § 66.0235(2c). The SDBAB will also describe the assets and liabilities of the PEASD. Wis. Stat. § 117.17(1)(b).

Following the SDBAB's order, an apportionment board assigns specific assets and liabilities (other than school buildings and sites) constituting each district's "proper proportion" as established under Wis. Stat. § 66.0235(2c)(a) or (b). The apportionment board is made up of all the involved school boards' members or committees appointed by those school boards. Wis. Stat. § 66.0235(5). The right to possession and control of school buildings and sites automatically passes to the school district in which they are situated upon the effective date of dissolution. Wis. Stat. § 66.0235(3)(b).

### Appeal

Any person aggrieved by an order of the SDBAB may appeal the order to a circuit court within 30 days after copies of the SDBAB dissolution orders are filed. Wis. Stat. §§ 117.14(1) and §117.17(2).

To begin the appeal, the aggrieved person must serve written notice, specifically stating the grounds for the appeal, upon the Secretary of the SDBAB and file the notice with the clerk of circuit court of any county in which any territory of any affected school district is located.

### Resources

DPI Palmyra-Eagle Dissolution webpage: <https://dpi.wi.gov/sms/palmyra-eagle-dissolution>

DPI District Dissolution webpage: <https://dpi.wi.gov/sms/reorganization/dissolve-a-district>

Laws related to school district reorganization are found in Chapter 117 of Wis. Statutes: <https://docs.legis.wisconsin.gov/statutes/statutes/117.pdf>

School District Reorganization - History and Orders: <https://dpi.wi.gov/sms/reorganization/history-and-orders>

DPI SMS 11/06/19