

STATE OF WISCONSIN  
DEPARTMENT OF PUBLIC INSTRUCTION  
SCHOOL DISTRICT BOUNDARY APPEAL BOARD

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Review of an Order of Dissolution Filed by the School District of Wausaukee

ORDER  
SDBAB 2009-02

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NATURE OF THE REVIEW

This matter is before the School District Boundary Appeal Board (hereinafter referred to as Appeal Board) under sec. 117.10, Wis. Stats., pursuant to an order of dissolution filed by the School District of Wausaukee, Wisconsin, with the Secretary of the School District Boundary Appeal Board on July 14, 2008.

PROCEDURAL HISTORY

On June 26, 2008, the school board of the School District of Wausaukee voted to consider the dissolution of the School District of Wausaukee per s. 117.10(1), Wis. Stats. On July 8, 2008, the school board of the School District of Wausaukee voted to dissolve the School District of Wausaukee. Public hearings were held in Wausaukee, Wisconsin, on August 26, 2008, and September 30, 2008. The Appeal Board toured the School District of Wausaukee on August 26, 2008. At the September 30, 2008 hearing the Appeal Board met for discussion and possible action on the dissolution order.

The Appeal Board, consisting of the following members representing the various sized districts, was present at the meeting on September 30, 2008:

Patricia Silver	Richland School Board	Small school district
Richard Eloranta	Owen-Withee School Board	Small school district
Steven Pate	Portage Community School Board	Medium school district
Therese Travia	South Milwaukee School Board	Medium school district
Dennis Kavanaugh	Oshkosh Area School Board	Large school district
Mary Kathleen Maloney	Green Bay Area School Board	Large school district
Tony Evers	Deputy State Superintendent	State Superintendent Elizabeth Burmester's designee

Elizabeth E. Kane served as non-voting chair of the Appeal Board. Janice Zmrazek served as recording secretary.

The Appeal Board heard presentations of relevant information concerning how Order No. 2009-02 would impact the educational welfare of the children enrolled in the School District of Wausaukee and in the surrounding school districts. It also reviewed the written record prepared for the Appeal Board review.

#### DECISION AND ORDER

The Appeal Board has considered all information presented in the dissolution order and has applied the required legal standards for school district reorganization, including the criteria under sec. 117.15, Wis. Stats. By a vote of 7-0 of its members, the Appeal Board has reversed Order No. 2009-02 of the school board of the School District of Wausaukee and, therefore, has denied the dissolution of the School District of Wausaukee.

The Appeal Board's reasons for Order No. 2009-02 are as follows:

***Criteria 1:***

*The geographical and topographical characteristics of the affected school districts, including the estimated travel time to and from school for pupils in the school districts.*

Dissolution of the School District of Wausaukee would result in increased bus travel for many students.

**Criteria 2:**

*The educational needs of all of the children residing in the affected school districts, the educational programs currently offered by each affected school district and the ability and commitment of each school district to meet those needs and continue to offer those educational programs.*

The electors of the School District of Wausaukee have approved a funding referendum that demonstrates the community's commitment to maintaining educational programs to meet the needs of all students. District officials have expressed the intent to maintain current program quality within the budget and improve over time. It is possible that students at the high school level would have access to more classes if dissolution occurred and they were moved into a bigger district. It was noted that increased enrollment in neighboring districts might strain the ability of those districts to maintain current programs.

**Criteria 3:**

*If territory is proposed to be detached from one school district and attached to an adjoining school district, whether the proposed detachment will have any adverse effect on the program currently offered by the school district from which the territory is proposed to be detached, including both curricular and extracurricular aspects of that program.*

Dissolution of the School District of Wausaukee would have an adverse effect on students and the community. It is not known if the surrounding affected school districts would be able to provide educational offerings similar to that which is currently available in Wausaukee. It is unlikely that programming in the adjoining districts would be enhanced and the possibility exists that special programs, such as gifted and talented or math that currently exist in Wausaukee, would be diluted, at best. Loss of the school would adversely affect community spirit and the pride parents and students have in the district.

**Criteria 4:**

*The testimony of and written statements filed by the residents of the affected school districts.*

The Appeal Board heard from students, parents, and other community members, members of the School District of Wausaukee Board of Education, as well as teachers and administrators from the district. A tour of the K-12 school at Wausaukee was also conducted.

An overwhelming majority of testimony indicated support for maintaining the School District of Wausaukee. The district officials, parents, and students that spoke at the hearings indicated their strong commitment to work together to sustain and improve the district, and carry out the long-term plan being developed based on the passage of the 10-year referendum. Students, parents, and district officials who spoke referred to the school as the heart of their community.

In addition to written and verbal testimony, the Appeal Board also heard from administrators of the surrounding school districts regarding bus routes and program offerings. Statistical data and profile information about Wausaukee and the neighboring districts were also provided by the Department of Public Instruction.

**Criteria 5:**

*The estimated fiscal effect of the proposed reorganization on the affected school districts, including the effect of the apportionment of assets and liabilities.*

Information from the districts bordering Wausaukee suggested that the debt that would be part of the division of assets and liabilities would be a significant burden. One or more of the neighboring districts would also experience increased costs related to the development of new bus routes or extension of existing routes.

**Criteria 6:**

*Whether the proposed reorganization will make any part of a school district's territory noncontiguous.*

Only districts bordering the School District of Wausaukee would be affected by dissolution.

**Criteria 7:**

*The socioeconomic level and racial composition of the pupils who reside or will reside in territory proposed to be detached from one school district and attached to an adjoining school district or in school districts proposed to be consolidated or in a school district proposed to be dissolved; the proportion of the pupils who reside in such territory who are children at risk, as defined under sec. 118.153(1)(a); and the effect that the pupils described in this paragraph will have on the present and future socioeconomic level and racial composition of the affected school districts and on the proportion of the affected school districts' enrollments that will be children at risk.*

The School District of Wausaukee has a relatively high poverty rate. Currently just under 50% of the students qualify for subsidized lunches. Children who are economically disadvantaged and at risk with regard to academic success might be adversely affected if they were moved to different school districts, subject to longer bus rides, and put in an unfamiliar environment with regard to school and community culture. Dissolution of the Wausaukee district might also make it more difficult for parents, particularly low-income parents, to conveniently travel to meet with teachers to discuss the needs of their children or to participate in school activities.

**Criteria 8:**

*The results of any referendum held under s. 117.10.*

The district did not hold a referendum on the question of dissolution. During the 2007-08 school year the district had two referendums for operating costs. The referendum held in February of 2008 failed by a substantial margin. A second referendum held in June 2008 failed by 19 votes. A third referendum held in August of the 2008-09 school year passed by a margin of 1,234 to 674. The successful passage of the third referendum, which will provide additional revenue to the district for a ten-year period, demonstrated support from the community to maintain the district.

**Criteria 9:**

*Other appropriate factors.*

The effort of students, parents, and staff to get the August referendum passed, and the strength of the vote demonstrate community support for the district and the plan being developed to ensure continued quality and financial soundness.

THEREFORE, IT IS ORDERED THAT Order No. 2009-02 of the school board of the School District of Wausaukee is hereby denied by Order of the School District Boundary Appeal Board.

Dated December 16, 2008.

Elizabeth E. Kane  
School District Boundary Appeal Board

Order filed with the Secretary, School District Boundary Appeal Board on December 16, 2008.

Elizabeth E. Kane, Secretary

## RIGHT TO APPEAL TO CIRCUIT COURT

Any person aggrieved by this order may appeal the order to a circuit court by filing an appeal within 30 days after copies of the order are filed with the secretary of the board under sec. 117.17(2), Wis. Stats., with the circuit court of any county in which any territory of any affected school district is located.

See sec. 117.14, Wis. Stats.

Order sent to:

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District Administrator  
School District of Wausaukee  
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Wausaukee, WI 54177-0258

Ken Jones, Clerk  
School District of Wausaukee  
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Amberg, WI 54102