



DATE: January 2022

TO: District Administrators

FROM: Mark Elworthy, EdD
School Administration Consultant

SUBJECT: Petitions to Detach Small Territory from a District (Wis. Stat. sec. 117.12)

This is the time of year when district residents or property owners may submit petitions requesting to have property detached from a school district and attached to a different school district. Complete information regarding the procedures for detachment and attachment of a small territory initiated by a district resident or property owner can be found on the Department of Public Instruction (DPI) website at [Public School District Reorganization](#).

Please note:

- A district receiving a request to detach must provide a copy of the reorganization procedures to any petitioner.
- A petition submitted after January 31 is not timely and cannot be considered until February 2023.
- A petition must include an accurate description of the territory proposed for detachment, as certified by the municipal clerk. If this information is insufficient or missing, consider returning the petition as invalid.
- A petition must be signed by a majority of residents living on the property or the owners of at least 50 percent of the property measured by equalized value. If a petition includes more than one parcel, consider asking the petitioner for documentation ensuring that the signing requirements have been met, to ensure the petition is valid.
- The same territory cannot be the subject of a petition two years in a row unless both school boards have adopted resolutions waiving the timeline. If the petition includes any of the same territory as one submitted last year, consider returning it as invalid unless both boards have acted to waive the timeline.
- After determining that the petition is valid, and adding the number of students living on the property, a district receiving a petition to detach must send a copy of the petition to the school board of the school district to which the territory is proposed to be attached and to me in care of the School District Boundary Appeal Board (SDBAB) at the DPI, P.O. Box 7841, Madison, WI 53707-7841.
- Each affected school board must give the petitioner(s) an opportunity to meet with the board in February to discuss the reasons for the proposed reorganization.
- In February, each affected school board may adopt a resolution either granting or denying the proposed reorganization. A simple vote is not sufficient, and failure to act is considered a denial. If the request is denied by either district, the petitioner may appeal to the SDBAB.

If you have questions, please contact me at mark.elworthy@dpi.wi.gov or (608) 266-9534.