

West Allis-West Milwaukee School District Administration Office

Attachment to Resolution
February 22, 2021

The Board of Education for the School District of West Allis-West Milwaukee, et al. has voted to adopt a Resolution denying the Petition from Torin and Autumn Misko (“Petitioners”) to alter school boundaries, by requesting to detach approximately 0.25 acres of land at 12855 W. North Lane, New Berlin, from the School District of West Allis-West Milwaukee, et al. and attaching the property into the New Berlin School District. After the discussion at the Board meeting on Monday, February 22, 2021, the Board adopted the Resolution denying the Petition based on the criteria for school reorganizations as they affect the educational welfare of all the children residing in the affected school districts pursuant to Wisconsin Statute section 117.15. Specifically, the Board has voted to deny the Petition based on the following reasons:

- ✎ Torin Misko acknowledged he was made aware of the school district in which the house was located when he had bought the home.
- ✎ The property at issue is located in the center of the block within our District boundaries and approval of this would set a concerning precedent. *See* Appendix A.
- ✎ It is important to maintain current District boundaries, as the District is a landlocked district.
- ✎ The property at issue is surrounded by property and homes that would remain in our District. This would create boundary confusion and uncertainty in that area and would result in the district boundary being non-contiguous and make District territory unclear.
- ✎ Denial of the request maintains current neighborhood school boundaries and does not require new boundaries to be drawn which would disrupt families and students.
- ✎ Districts reviewing petitions are required to consider the topography and effect on boundaries. Districts are permitted to take the effect on boundaries and topography into account, especially if an alteration results in the district being noncontiguous as in this case.
- ✎ The property at issue is closer to Hoover Elementary, a school in our District, than to the nearest elementary school in New Berlin.
- ✎ We currently have 257 students attending West Allis-West Milwaukee District Schools from our boundaries within the City of New Berlin.
- ✎ While the District name does not specifically reference New Berlin where the property is located, our District name comports with State Statute 115.01 and the “et al.” which means “and others” includes New Berlin and Greenfield. In addition, the school name for the area of the District where the property is located does not identify any specific community.
- ✎ The State Open Enrollment process allows for students to attend non-resident schools no matter where they live, which is an option available to the Petitioners.
- ✎ Petitioner Torin Misko indicated his children cannot take advantage of Open Enrollment into New Berlin due to a policy in our District not to allow other school districts to enter our District to provide transportation. However, according to the Department of Public Instruction, parents are responsible to provide transportation to and from school in the

nonresident school district, except that transportation required in a child's IEP must be provided by the nonresident school district. A nonresident or resident school district is permitted (but not required) to provide transportation to open enrolled pupils, however the nonresident school district is prohibited from picking up or dropping off a pupil within the boundaries of the pupil's resident school district unless the resident school district agrees. We have consistently denied requests for such transportation. Further, at this time, Petitioners have not made a formal request to our District for an exception to the policy or requesting our agreement to allow New Berlin School District to transport Petitioners' students.

- ✦ All children who live in New Berlin and attend Hoover Elementary are already being bused to school. A change in the District boundaries would increase bussing within that area, with some buses going to West Allis and others going to New Berlin. It would also result in increased costs of transportation for the School District of New Berlin, reducing funding in other areas.
- ✦ If this property and other properties in New Berlin were approved to detach, the racial and economic balance of the District will shift significantly. See Appendix B.
- ✦ The approval of the Petition would result in a loss of current and future revenue to our District's detriment, especially if more properties in that area petition and join another school district, including the possible closure of Hoover Elementary.
- ✦ The potential for additional detachment of New Berlin properties may result in West Allis-West Milwaukee District schools seeing a higher concentration of students with disabilities requiring higher costs to serve, resulting in reduced available funding for regular education students in the West Allis-West Milwaukee School District. Appendix C.
- ✦ Our District is able to offer our school children a School District-operated Recreation Department for extracurricular activities. Petitioners' family has the ability to use the District's recreation center, and it is our understanding that they have used it in the past.
- ✦ While Petitioner Torin Misko indicated New Berlin School District has higher "report card" scores, this is only true when comparing total scores. The West Allis-West Milwaukee School District is improving more quickly in terms of "report card" scores. See Appendix D.
- ✦ Petitioner Torin Misko expressed he wanted Waukesha County data and local health department guidance from Waukesha to be used in making decisions regarding in-person instruction for his children. Our District is following the guidance of the health department that covers the majority of our students and families. We offer hybrid and virtual instruction, and will move to in-person when it is appropriate to do so.
- ✦ Maintaining current boundaries provides the opportunity for more students to participate in the innovative learning experiences facilitated through Deeper Learning and Project Based Learning.
- ✦ Maintaining current boundaries provides for continuity of services for SPED, SEL, and Gifted and Talented Services without disruptions.



Stephanie Emons
Board President
School District of West Allis-West Milwaukee, et al.

February 22, 2021

Dated