

WISCONSIN STATUTES

117.10 Dissolution of a school district.

- (1) Initiation of procedures. A school board may adopt a resolution stating that it will consider dissolving the school district. The school district clerk of a school board adopting a resolution under this subsection shall send a certified copy of the resolution to the secretary of the board.
- (2) School board action. In the first July beginning after the adoption of a resolution under sub. (1), the school board may order the school district dissolved by adopting a resolution ordering the dissolution. Failure of a school board to adopt a resolution either ordering or denying the dissolution before August 1 constitutes a denial of the dissolution by the school board. The school district clerk of a school board adopting a resolution under this subsection, either ordering or denying a dissolution, shall file a certified copy of the resolution as provided under s. 117.17 (2). A school board order under this subsection is not effective unless affirmed by the board under sub. (4).
- (3) Advisory referendum.
- (a) If the school board adopts a resolution under sub. (2) ordering a dissolution, an advisory referendum on the dissolution shall be held under this subsection if one of the following occurs:
1. At the time of adopting the resolution under sub. (2), the school board directs the holding of an advisory referendum on the dissolution.
 2. Before the 2nd Tuesday of September following the adoption of the resolution under sub. (2), a petition conforming to the requirements of s. 8.40 requesting an advisory referendum, signed by at least 10 percent of the electors who reside in the affected school district, is filed with the school district clerk. The validity of the petition shall be governed by the rules promulgated under s. 8.40 (3).
- (b) If an advisory referendum is directed or a petition requesting an advisory referendum is filed under par. (a), the school district clerk shall immediately notify the secretary of the board and the clerk of each city, village or town, any part of which is contained within the school district. The advisory referendum shall be held in the school district as provided under s. 117.20.
- (4) Board review. After the 2nd Tuesday of September following the adoption of the resolution under sub. (2), if no advisory referendum is required, or after the advisory referendum, if one is held, the board shall review the dissolution and, before the following January 15, issue an order either affirming or denying the school board's dissolution order. **The order shall be in writing, shall include a statement of the reasons for the order** and shall be filed as provided under s. 117.17 (2). If the board affirms the school board's dissolution order, the board shall also issue an order assigning the school district's assets and liabilities under s. 66.0235 (2c) (a) 1., and the school district's territory, to one or more other school districts, and providing for the employees of the dissolved school district under s. 117.25 (3). If the board affirms the school board's dissolution order, the school district shall be dissolved on the following July 1.
- (5) Effect of new building construction. A school district may not be dissolved under this section if it has constructed a new school building within the 3 years immediately preceding the adoption of a resolution under sub. (2) and, on the date the resolution is adopted, the school district has outstanding debt for the building. This subsection does not apply if the school district to which the building is assigned under sub. (4) agrees to accept both the school building and the outstanding debt for the school building or, prior to the effective date of the dissolution, the building is sold and the debt is paid.

117.14 Appeal to court.

- (1) Any person aggrieved by the denial of a consolidation under s. 117.08 (2) or 117.09 (2), the granting of a detachment and attachment of territory under s. 117.11 (3) or any order of the board or an appeal panel under this chapter may, within 30 days after copies of the order are filed with the secretary of the board under s. 117.17 (2), appeal the order to a circuit court as follows:
- (a) If the order is issued under ss. 117.08, 117.09 or 117.10, the appeal shall be filed with the circuit court of any county in which any territory of any affected school district is located.
- (2) A person appealing under this section shall serve a written notice of appeal stating specifically the grounds upon which the appeal is based on the secretary of the board and file the notice with the clerk of the circuit court.

117.17 Reorganization order.

(1) Contents; effective date.

(b) Every order of school district reorganization under s. 117.10 that dissolves a school district shall state the school district that is dissolved and describe the territory, assets and liabilities of the school district. Every order of school district reorganization issued under s. 117.10 (4) shall describe the territory, assets and liabilities allocated to each other school district under that subsection.

(d) Every order of school district reorganization and every order under s. 117.35 (3) shall state the date on which it is to take effect. The date shall be as specified under ss. 117.08 to 117.132, 117.27 (1) and 117.35 (3). If an appeal is made to court under s. 117.14, the court may stay enforcement under s. 227.54 of the order if a showing is made that there is substantial probability that the party seeking review will prevail on the merits and will suffer irreparable harm if a stay is not granted.

17.25 Transfer of assets, liabilities and employees; agreements between consolidating school districts.

(1) Consolidations

(d) 1. Employees of the school districts under par. (a) become employees of the new consolidated school district.

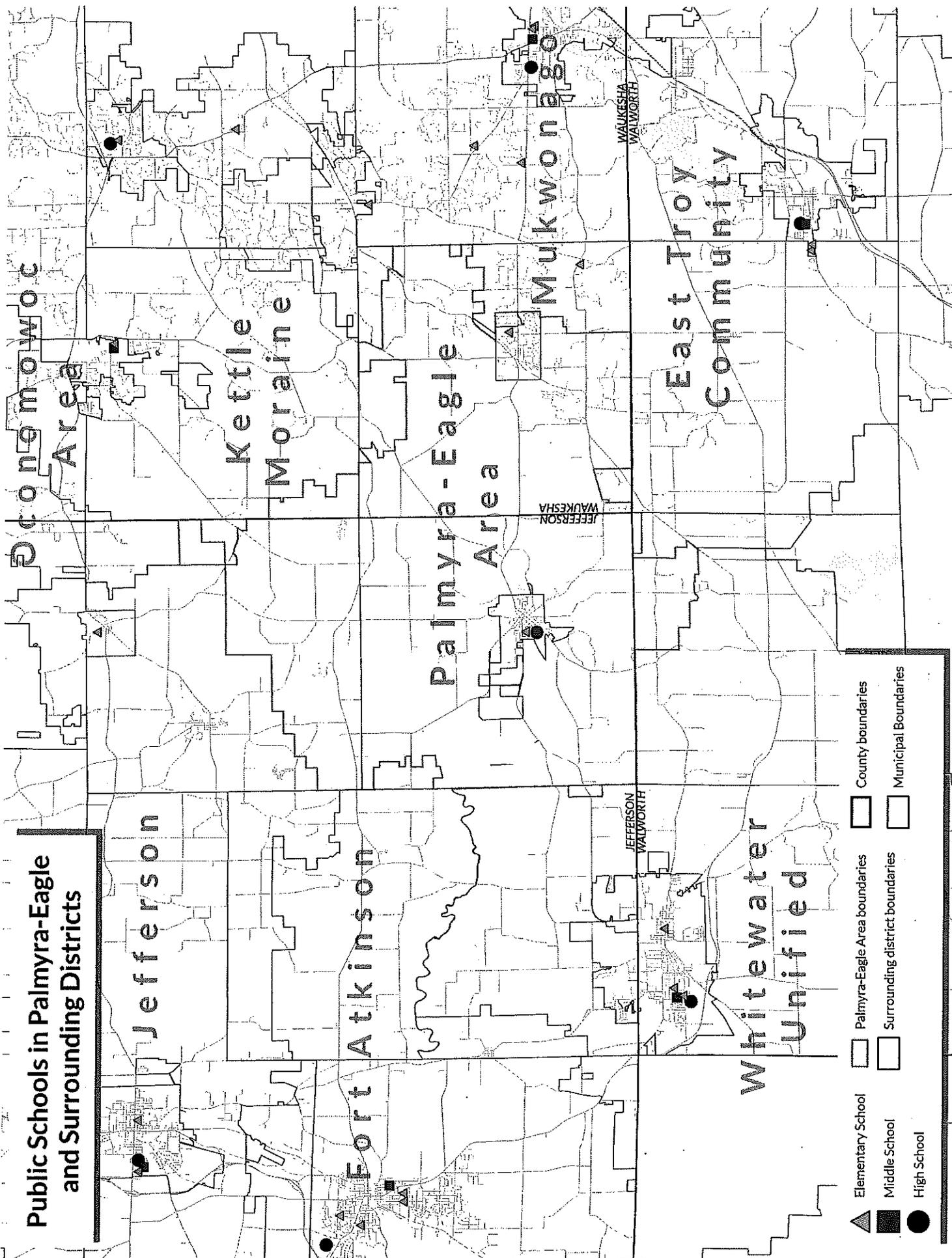
(2) Detachment and attachment of territory.

(b) 1. Any employee of the school district from which territory is detached who is laid off as a result of the reorganization has priority over other persons, except employees of the school district to which the territory is attached and former employees of that school district who were laid off from that school district, for 3 years after the effective date of the reorganization for new positions and vacant positions for which he or she is qualified in the school district to which the territory is attached.

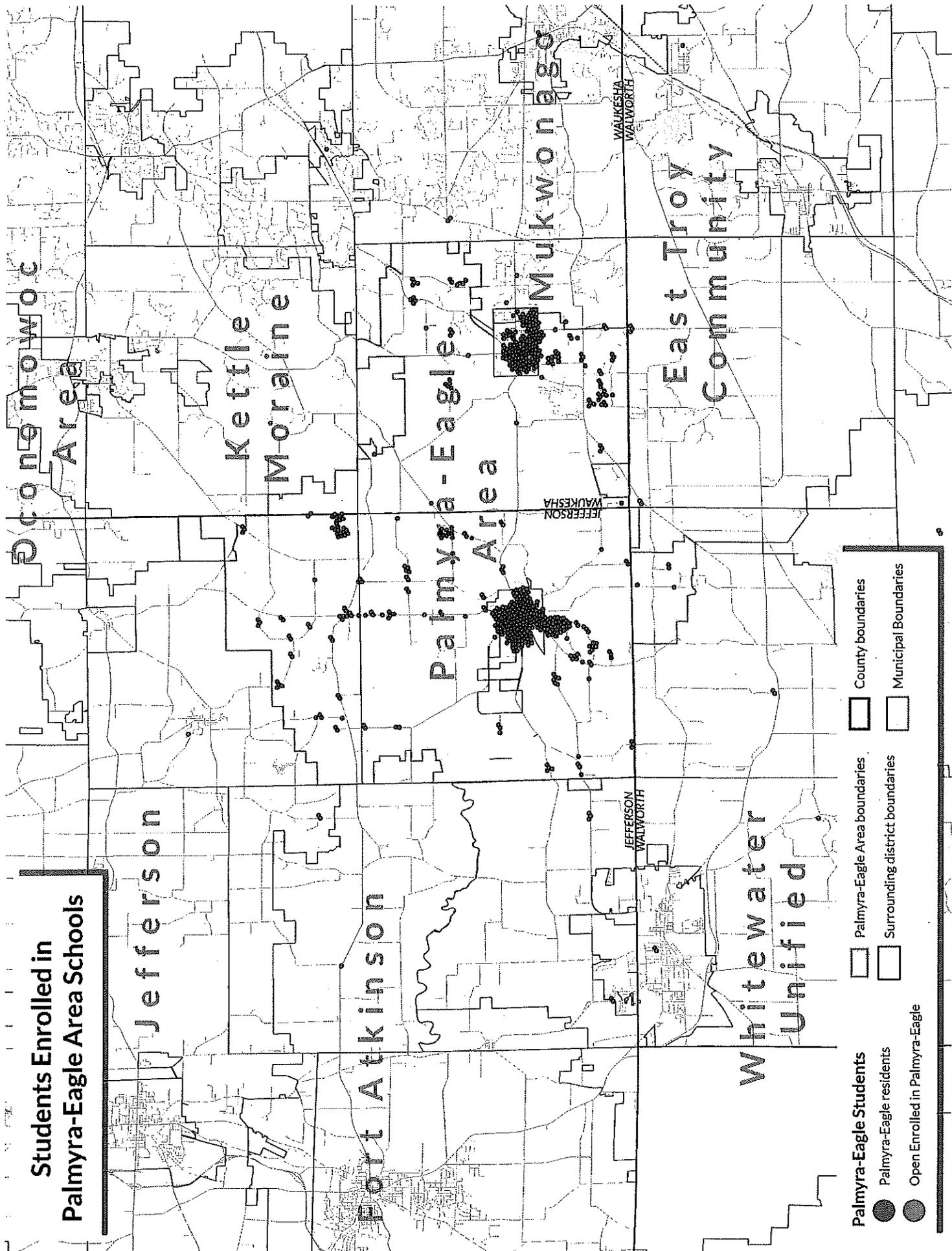
2. Any person who wishes to exercise his or her priority under subd. 1, shall notify the school district to which the territory is attached, in writing, that he or she wishes to be considered for any new position or vacant position and shall include in the notice the address to be used by the school district to notify the person of such positions.

(3) Dissolutions. If the board affirms the school board's dissolution order under s. 117.10 (4), the board's order shall specify that either sub. (1) (d) 1. or (2) (b) applies to employees of the dissolved school district and shall identify the other school district or school districts that shall be treated as the new consolidated school district or school district to which territory is attached for the purposes of sub. (1) (d) 1. or (2) (b). If the board's order identifies more than one such school district, it shall also identify which of the employees of the dissolved school district become employees of which of the identified school districts under sub. (1) (d) 1., or have priority for employment in which of the identified school districts under sub. (2) (b).

Public Schools in Palmyra-Eagle and Surrounding Districts

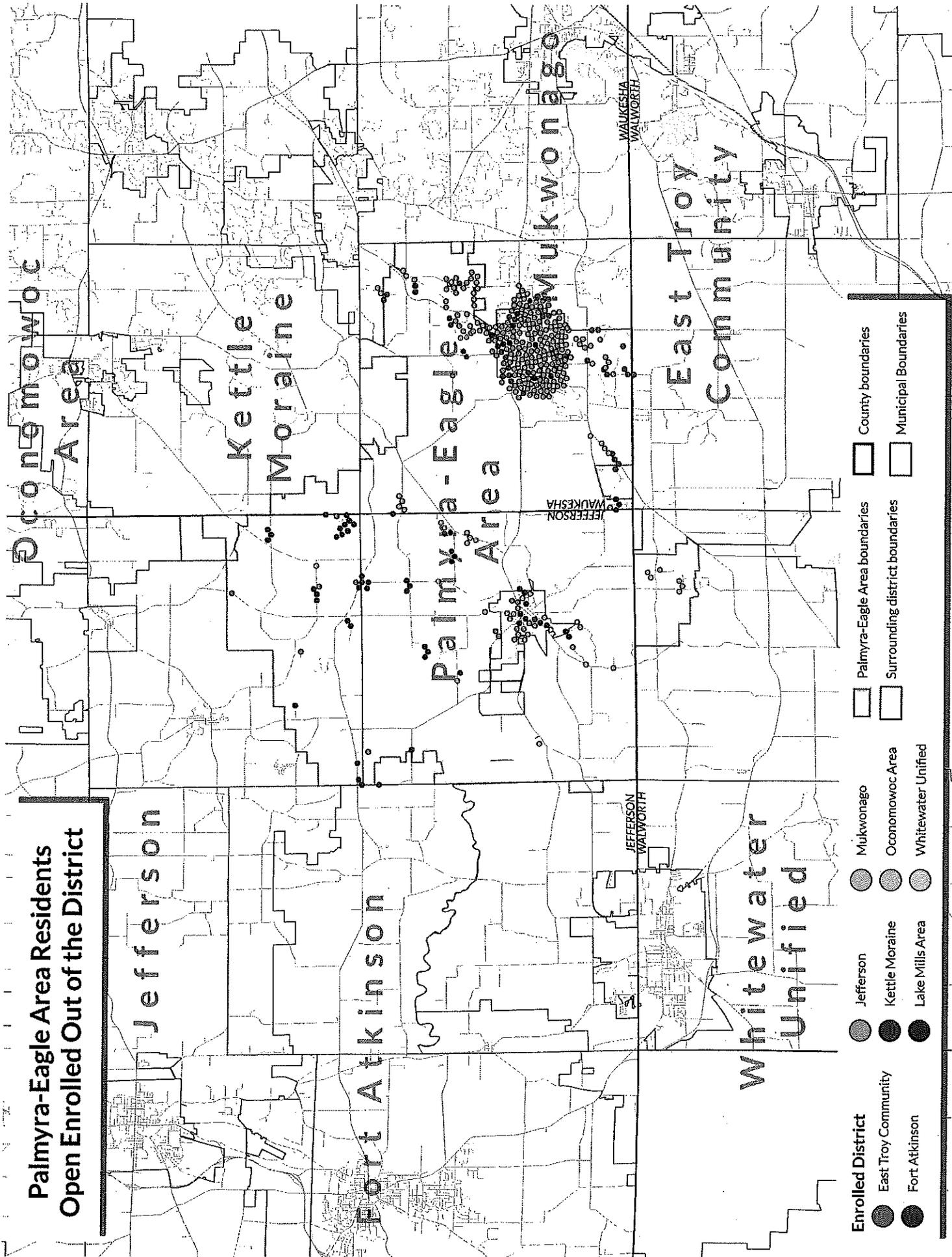


Students Enrolled in Palmyra-Eagle Area Schools



-  Palmyra-Eagle boundaries
-  Surrounding district boundaries
-  Palmyra-Eagle residents
-  Open Enrolled in Palmyra-Eagle
-  County boundaries
-  Municipal Boundaries

Palmyra-Eagle Area Residents Open Enrolled Out of the District



- | | | | |
|-------------------|----------------------|-----------------------------------|------------------------|
| ● Jefferson | ● Mukwonago | □ Palmyra-Eagle Area boundaries | □ County boundaries |
| ● Kettle Moraine | ● Oconomowoc Area | □ Surrounding district boundaries | □ Municipal boundaries |
| ● Lake Mills Area | ● Whitewater Unified | | |

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>

PI SMS 11/06/19

Tentative SDBAB Hearing/Meeting Schedule
Palmyra-Eagle Dissolution Review 2019-20

Date	Day of Week	Location	Start Time	End Time	Open/Set Up	Close	Purpose***
11/7/2019	Thursday	Room 323 - High School	2:00 PM	3:00 PM	2:00 PM		SDBAB Meeting/Orientation on District Dissolution
11/7/2019	Thursday	P-E High School Gym	3:30 PM	5:30 PM			Public Hearing (invited speaker: PEASD, 30 minutes)
11/7/2019	Thursday	P-E High School Gym	6:30 PM	9:30 PM			Public Hearing
11/14/2019	Thursday	**Eagle Elem School Gym	3:30 PM	5:30 PM	2:00 PM		Public Hearing (invited speakers: PEASD teachers and staff)
11/14/2019	Thursday	**Eagle Elem School Gym	6:30 PM	9:30 PM			Public Hearing (invited speakers: PEASD teachers and staff)
11/21/2019	Thursday	P-E Middle School Gym	3:30 PM	5:30 PM	2:00 PM		Public Hearing (invited speakers: 7 surrounding districts, 30 min ea)
11/21/2019	Thursday	P-E Middle School Gym	6:30 PM	9:30 PM			Public Hearing (invited speakers: 7 surrounding districts, 30 min ea)
12/5/2019	Thursday	Community Center (HS)	3:30 PM	5:30 PM	2:00 PM		Public Hearing
12/5/2019	Thursday	Community Center (HS)	6:30 PM	9:30 PM			Public Hearing
12/12/2019	Thursday	Community Center (HS)	6:30 PM	9:30 PM			Hold for SDBAB Discussion/Decision on District Dissolution
12/19/2019	Thursday	Community Center (HS)	6:30 PM	9:30 PM			Hold for SDBAB Discussion/Decision on District Dissolution
1/6/2020	Monday	Community Center (HS)	6:30 PM	9:30 PM			Hold for SDBAB Discussion/Decision on District Dissolution
1/9/2020	Thursday	P-E Middle School Gym	6:30 PM	9:30 PM			Hold for SDBAB Discussion/Decision on District Dissolution
1/9/2020	Thursday	Community Center (HS)	6:30 PM	9:30 PM			Hold for SDBAB Discussion/Decision on District Dissolution
1/10/2020	Friday	Community Center (HS)	6:30 PM	9:30 PM			Hold for SDBAB Discussion/Decision on District Dissolution

*Note: due to PEASD need, the SDBAB meeting/orientation will likely be moved to room 323 across from the high school gymnasium

**Note: break room for SDBAB will be the staff lounge room 116 at Eagle Elementary School

***Note: Invited speakers will have opportunity to appear first, then general public. General public testimony should be limited to 5 minutes.

Updated 11/5/19

Palmyra-Eagle Area School District – Reorganization Highlights

		District Legal Name
July 31, 1896	Certificate of Establishment – Free Public High School - SD No. 1 – Town of Palmyra	
June 30, 1952	Territory from Town of Sullivan, Jefferson County, and Town of Ottawa, Waukesha county (Stone School, Jt. SD No. 2) was added	Jt. SD No. 1, Village of Palmyra, Towns of Palmyra and Sullivan, Jefferson County, and Towns of Eagle and Ottawa, Waukesha County
August 17, 1955	Territory from Town of LaGrange, Walworth County (Tamarac School, Jt. SD No. 3) was added	Jt. SD No. 1, Village of Palmyra, and Towns of Palmyra and Sullivan, Jefferson County, Towns of Eagle and Ottawa, Waukesha County, and Town of LaGrange, Walworth County
July 1, 1961	Territory from Town of Cold Spring, Jefferson County (Corner Grove School, Jt. SD #3) was added	Jt. SD No. 1, Village of Palmyra, and Towns of Palmyra, Sullivan and Cold Spring, Jefferson County, Towns of Eagle and Ottawa, Waukesha County, and Town of LaGrange, Walworth County
July 1, 1962	Territory from Village of Sullivan and Town of Concord, Jefferson County, (Sullivan Graded, Jt. SD #8) was added	Jt. SD No. 1, Villages of Palmyra and Sullivan, Towns of Palmyra, Sullivan, Cold Spring, and Concord, Jefferson County, Towns of Eagle and Ottawa, Waukesha County, and Town of LaGrange, Walworth County
May 17, 1963	Certificate of Establishment to Operate High School Grades given by the State Superintendent (Palmyra High SD)	
June 30, 1963	All territory from Village of Sullivan and Towns Jefferson and Concord, and part of the Town of Sullivan, Jefferson County, was detached and given to SD No. 10, City of Jefferson	Jt. SD No. 1, Village of Palmyra, Towns of Palmyra, Sullivan, Cold Spring, Jefferson County, Towns of Eagle and Ottawa, Waukesha County, and Town of LaGrange, Walworth County
October 1, 1963	Additional territory in the Town of LaGrange, Walworth County (from Jt. SD No. 1, City of Whitewater, et. al) was added	
July 1, 1964	All territory from the Village of Sullivan and part of the Town of Concord (from Jt. SD No. 10, City of Jefferson) was added	Jt. SD No. 1, Villages of Palmyra and Sullivan, Towns of Palmyra, Sullivan, Cold Spring, and Concord, Jefferson County, Towns of Eagle and Ottawa, Waukesha County, and Town of LaGrange, Walworth County
July 1, 1965	Additional territory in the Town of Ottawa, Waukesha County (from Jt. SD No. 17, Village of Dousman, and Delafield UHSD) was added	
August 1, 1966	All territory from Village of Sullivan and Town of Concord, and part of the Town of Sullivan, Jefferson County, was detached and given to SD No. 10, City of Jefferson	Jt. SD No. 1, Village of Palmyra, Towns of Palmyra, Sullivan, Cold Spring, Jefferson County, Towns of Eagle and Ottawa, Waukesha County, and Town of LaGrange, Walworth County
June 21, 1971	Territory from the Village of Eagle and Town of Eagle (Eagle State Graded, Ward School, Jt. SD No. 9, from the Mukwonago UHS) was added	Jt. SD No. 1, Village of Palmyra, Towns of Palmyra, Sullivan, Cold Spring, Jefferson County, Village of Eagle, Towns of Eagle and Ottawa, Waukesha County, and Town of LaGrange, Walworth County
July 1, 1973	Additional territory from the Town of Eagle (Jt. SD No. 1, Village of East Troy) was added	
1976		Palmyra-Eagle Area School District
July 8, 1976	Additional territory from the Town of Eagle (Jt. SD No. 10, Village of Mukwonago) was added	
July 1, 1982	Additional territory from the Town of Eagle (from Kettle Moraine SD) was added	

FINANCIAL	Prior Year Aid Membership 2017-18 used in 2018-19 Aid Calc	EQ Value 2018-19 Aid Calc	Value per Member 2018-19 Aid Calc	Total Shared Cost 2017-18 used in 2018-19 Aid Calc	Shared Cost Per Member for 2018-19 Aid Calc	Mill Rate Fall 2018	2017-18 Ending Fund Balance	Outstanding Debt (End of 2017-18)	2018-19 General Aid	Aid to Cost % for 2018-19 General Aid
PALMYRA-EAGLE	1093	790,670,161	723,394	12,901,023	\$11,803	10.97	2,659,479.58	14,230,000	4,110,289	31.86%
EAST TROY	1758	1,535,925,968	873,678	18,667,656	\$10,619	9.21	4,290,602.01	21,989,584	4,703,140	25.19%
FORT ATKINSON	2858	1,472,164,406	515,103	31,322,225	\$10,959	10.48	11,057,287.48	6,085,000	16,900,826	53.96%
JEFFERSON	1988	988,196,632	497,081	23,132,289	\$11,636	11.35	4,254,590.87	33,910,000	12,313,104	53.23%
KETTLE MORAINE	3709	3,592,182,325	968,504	44,116,004	\$11,894	9.97	12,076,415.29	40,875,223	4,920,735	11.15%
MUKWONAGO	4678	3,374,535,126	721,363	46,508,648	\$9,942	7.95	15,459,011.92	46,850,000	19,524,937	41.98%
OCONOMOWOC	5737	5,375,869,595	937,052	60,177,204	\$10,489	9.32	20,777,698.13	94,471,104	12,530,339	20.82%
WHITEWATER	1977	1,366,232,629	691,064	23,609,216	\$11,942	11.67	5,104,132.20	25,474,326	8,087,889	34.26%
Statewide			594,939		\$10,810	9.44				49.10%

STUDENT DEMOGRAPHICS – 2018-19

	Aid Membership	Enrollment	American Indian	Asian	Black	Hispanic	Pacific Isle	White	Two or More	Economically Disadvantaged	Students w/ Disability	ELL/ LEP
PALMYRA-EAGLE	1092	769	0.13	0.0	1.04	12.22	0.0	85.05	1.56	31.47	15.6	2.86
EAST TROY	1758	1646	0.3	0.24	1.03	5.83	0.12	89.61	2.86	21.93	10.87	0.91
FORT ATKINSON	2858	2843	0.14	1.51	1.58	16.95	0.18	77.88	1.76	39.75	17.72	5.77
JEFFERSON	1988	1874	0.32	1.01	1.81	19.1	0.16	75.45	2.13	40.93	17.82	8.43
KETTLE MORAIN	3709	3868	0.21	1.32	0.72	5.66	0.03	89.06	3.0	13.03	11.79	0.75
MUKWONAGO	4678	5040	0.1	0.97	0.52	4.84	0.02	90.42	3.13	12.2	11.94	0.36
OCONOMOWOC	5737	5272	0.15	1.27	0.93	6.37	0.0	87.86	3.41	17.89	10.81	2.2
WHITEWATER	1977	1940	0.26	1.49	2.47	29.79	0.26	63.2	2.53	42.73	17.37	15.62
State			1.1	4.04	9.06	12.33	0.08	69.28	4.1	40.68	14.04	6.03

Schools 2018-19	# EI Schools	EI. Enroll.	# Middle Schools	Middle Enroll.	# High Schools	H.S. Enroll.	TOTAL
PALMYRA-EAGLE	2	381	1	133	1	255	769
EAST TROY	2	688	1	362	1	596	1646
FORT ATKINSON	5	1259	1	635	1	949	2843
JEFFERSON	3	846	1	401	1	627	1874
KETTLE MORAINÉ	6	1654	1	839	1+3 charter	1375	3868
MUKWONAGO	7	2655	1	763	1	1622	5040
OCONOMOWOC	5	2032	2	1525	1	1715	5272
WHITTEWATER	4	936	2	410	1	594	1940

School counts from DPI directory

2018-19 Staffing	# Teachers	ratio	# Admin	ratio	# Other	ratio	Total Staff
PALMYRA-EAGLE	65	11.83	16	48.06	34	22.62	115
EAST TROY	109	15.10	68	24.21	48	34.29	225
FORT ATKINSON	214	13.29	50	56.86	124	22.93	388
JEFFERSON	140	13.39	48	39.04	110	17.04	298
KETTLE MORAINNE	225	17.19	66	58.61	128	30.22	419
MUKWONAGO	314	16.05	65	77.54	154	32.73	533
OCONOMOWOC	341	15.46	65	81.11	162	32.54	568
WHITEWATER	139	13.96	36	53.89	81	23.95	256

Counts from DPI Public Staff Reporting
Admin includes all licensed staff - other than teachers

CRITERIA FOR SCHOOL DISTRICT REORGANIZATIONS – S.117.15

SDBAB Panel Member _____

File No. _____

<p>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.</p>	
<p>The educational needs of all 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.</p>	
<p>If territory is proposed to be detached from one school district and attached to an adjoining school district or proposed to be included in a new school district under s. 117.105, 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.</p>	
<p>The testimony of and written statements filed by the residents of the affected school districts.</p>	
<p>The estimated fiscal effect of the proposed reorganization on the affected school districts, including the effect of the apportionment of assets and liabilities.</p>	
<p>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 territory . . . 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 s. 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.</p>	
<p>The results of any referendum held under s. 117.10.</p>	
<p>Other appropriate factors.</p>	