

Referenda Procedures and Reporting Requirements

General Guidance

Legal Counsel

Consult with legal counsel early to ensure proper wording of referendum and that all requirements for dates and notices are met. The referendum must be held in accordance with Chapters 5 through 12 of the [Wisconsin Statutes](#). The deadlines and notifications listed on this page are not inclusive of all necessary requirements of Chapters 5 through 12.

School District Clerk

The school district clerk is responsible for the preparation and distribution of the ballots - [s. 67.05\(3\)b](#), Wis. Stats.

Costs

In regularly scheduled elections, district pays for ballots and municipality pays for poll workers - [s. 5.68](#) and [s. 7.03](#), Wis. Stats. In special elections, the district pays for all costs - s. 7.03, Wis. Stats.

Polling Place Closings

In the case of special elections, polling places can sometimes be closed - [s. 120.06\(9\)](#), Wis. Stats. However, a polling place cannot be closed if:

- ten percent or more of the electors voting in the last school board election voted at the polling place;
- the polling place is located in a municipality situated entirely within the district; and
- the referendum is held in accordance with Chapters 5 through 12 of the Wisconsin Statutes.

School District Bonds, Referendum to Issue Debt


Consult Early

Consult with bond counsel early in the process.


Resolution Adoption

Board adopts resolution calling for election on proposed borrowing. See [s. 67.05\(6a\)](#),² Wisconsin Statutes, for all requirements for referenda to issue debt.

Requirement for Sufficient Time

- Resolution must provide for sufficient time (within 10 days, school district clerk must publish notice of such adoption - [s. 67.05\(6a\)\(a\)2](#),² Wis Stats.).
- Referendum to be held not earlier than 70 days after the adoption of the resolution - [s. 67.05\(6a\)\(a\)2a](#),² Wis. Stats. Note that the district must publish a notice under [s. 10.01\(2\)](#),² Wis. Stats., on the fourth Tuesday before the referendum and also on the day before the referendum ([s. 67.05\(3\)](#),² Wis. Stats). Refer to Wisconsin State Statute Chapter 10 for all election dates and notices.
- The district must notify DPI of the scheduled day of the referendum via the [School Finance Reporting Portal](#) (<https://dpi.wi.gov/sfs/reporting/safr/overview>) and submit a copy of the resolution to DPI within 10 days after adopting a resolution that authorizes the school board to incur debt per [s. 120.115\(1\)\(a\)](#),² Wis. Stats. A copy of the initial resolution and referendum question should be sent to [Roger Kordus](#) .


Certificate Submission Time Frame

Within 10 days after the election, a copy of the Certificate of Board of Canvassers verifying the vote tally should be scanned and emailed to Roger.Kordus@dpi.wi.gov .

Revenue Limit, Referendum to Exceed

Similar to Bond Referendums

Essentially the same procedures and requirements as bond referendums. See [s. 121.91\(3\)](#),² for all requirements for referenda to exceed the revenue limit. Board adopts resolution calling for election on proposed borrowing:

- state the amount;
- state whether it is for a recurring or nonrecurring purpose (if both, amount for each must be stated); and
- within 10 days of adopting resolution, the school board shall notify DPI of the scheduled date of the referendum and submit a copy of the resolution to [Roger Kordus](#) .

Lieu of Special Referendum

In lieu of a special referendum, the school board may specify that the referendum be held on the next regularly scheduled primary or election day, if such election is to be held not earlier than 70 days after the adoption of the resolution per s. [121.91\(3\)\(a\)](#) (previous law required 42 days).

Held in Accordance of State Statutes Chapters 5-12

The referendum is held in accordance with Chapters 5 through 12 of the State Statutes. Refer to Wisconsin State Statute Chapter 10 for all election dates and notices.

Scheduled Referendum Day Notification

The district must notify DPI of the scheduled day of the referendum via the [School Finance Reporting Portal \(https://dpi.wi.gov/sfs/reporting/safr/overview\)](#) and submit a copy of the resolution to DPI within 10 days after adopting a resolution that authorizes the school board to exceed the revenue limit per s. [121.91\(3\)\(a\)](#). A copy of the initial resolution and referendum question should be sent to [Roger Kordus](#).

Certificate Submission Time Frame

Within 10 days after the election, a copy of the Certificate of Board of Canvassers verifying the vote tally should be scanned and emailed to [Roger Kordus](#).

Revenue Limit, Energy Efficiency Exemption

Districts must report the school board vote on resolutions to exceed the district's revenue limit authority for the purposes of expending the additional funds for qualifying energy efficiency projects and/or for repayment of debt service costs on a bond or note issued, or a state trust fund loan obtained related to qualifying projects [as permitted under 2013 Wisconsin Act 20]. Board adopts resolution to exceed the revenue limits via energy efficiency exemption - s. [121.91\(4\)\(o\)](#), Wis. Stats. Within 10 days of adopting resolution, the school board shall notify the department of the resolution,

NOTE: In 2013 Wisconsin Act 20, [121.91\(4\)\(o\)3.](#) of the statutes was created to read:

If a school district issues a bond or note or obtains a state trust fund loan to finance a project described in subd. 1. and the school district's utility costs are measurably reduced as a result of the project, the school board shall use the savings to retire the bond, note or state trust fund loan.

See [Revenue Limit Exemption for Energy Efficiencies](#)


(<https://dpi.wi.gov/sfs/limits/exemptions/overview>) for additional information regarding use and reporting.

Additional Information

Effective October 12, 1997, districts are required to notify DPI within ten days of holding a referendum of the results of that referendum. Notification to DPI of upcoming referendum elections is performed via the Internet through the DPI [School Finance Reporting Portal](#) (<https://dpi.wi.gov/sfs/reporting/safr/overview>). The district's ID and password is required.

See [Referendum Information](#)

(<https://dpi.wi.gov/sfs/reporting/safr/referendum/overview>) - Resources for additional reporting information .

The information above is for general guidance. DPI does not interpret state statutes relating to holding the actual election, which includes ballots, polling issues and election laws. For legal or election logistical questions, please contact your legal counsel or the [Government Accountability Board](#) .

*For questions about this information, contact dpifin@dpi.wi.gov
(<https://dpi.wi.gov/user/641/contact>) (608) 267-9114, [Roger Kordus](#)
(<https://dpi.wi.gov/user/11606/contact>) (608) 267-3752*