



SCHOOL DISTRICT ELECTION SCHEDULE

2024 Spring Election



Supporting, Promoting and Advancing Public Education



WISCONSIN
ASSOCIATION OF
SCHOOL BOARDS

Supporting, Promoting and Advancing Public Education

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SCHEDULE AT-A-GLANCE

2024 SPRING ELECTION

NOVEMBER 2023

- 28 • Deadline for Newspaper Publication of Type A Notice of Election
- On or About 28 • Prepare Packet of Information for Potential Candidates

DECEMBER

- 1 • Earliest Date for Circulation of Nomination Papers, If Required
(NOTE: Nomination Papers Are Not Required in Many School Districts)
- 1 - Jan. 2 • Most Candidates Will File Campaign Registration Statements, Declarations of Candidacy, and Nomination Papers (If Required) During this Period
- 22 • Deadline for Incumbents to File Notice of Noncandidacy (5:00 p.m.)
• Deadline for Clerk to Give Public Notice of Incumbent Noncandidacy (If Any)
- On or About 31 • Clerk Notifies Non-Exempt Committees of Deadline for Filing Campaign Finance January Continuing Report (for Period Ending December 31)

JANUARY 2024

- 2 • Candidate Deadline for Filing All Ballot Access Documents (5:00 p.m.)
• Clerk Makes Initial Determination of Candidates' Eligibility for Ballot (The Sufficiency of Filings Should be Evaluated on a Rolling Basis)
• Only If Applicable, Clerk Gives Public Notice of 72-Hour Filing Extension
- 9 • Drawing of Lots for Ballot Order; Certify Ballot Eligibility to County Clerk(s)
• When a Primary is Required, Notice to Municipal Clerks of Primary Election
- 16 • Deadline for Non-Exempt Committees to File January Continuing Report
- 17 • Clerk Performs Duties with Respect to Campaign Finance Reports that Have Been Filed or that Are Delinquent
- On or Before 29 • If a Primary Election Is Being Held, Provide Municipal Clerk with Ballots (Only If Separate Paper Ballots Are Utilized)

FEBRUARY

- On or About 5 • If a Primary Election Is Being Held, Clerk Notifies Non-Exempt Committees of Deadline for Filing Preprimary Campaign Finance Report
- 6 - 12 • Deadline for Non-Exempt Committees to File Preprimary Report (If Applicable)
- 13 • Clerk Performs Duties with Respect to Campaign Finance Reports that Have Been Filed or that Are Delinquent
- 16 • Write-in Candidate Registration Deadline for Primary Election (12:00 p.m.)
- On or Before 19 • If Primary Election Is Being Held, Choose Board of Canvassers
- 19 • If Primary Election Is Being Held, Publication of Notice of Primary Election (May Occur Earlier If the Newspaper Does Not Publish on Mondays)
- 20 • Spring Primary Election
- On or About 20 • If Primary Election Held, Issue Open Meetings Law Notice of Board of Canvassers Meeting(s)
- On or About 21 • If Primary Election Held, Receipt of Election Materials and Related Duties

FEBRUARY *(continued)*

- On or About 21 - 27
 - If Primary Election Held, Canvass of Primary Returns and Written Determination of Primary Results
- On or About 21 to March 1
 - If Primary Election Held, Recount Request May Be Filed by a Qualifying Aggrieved Party (If any)
- On or About 22 to March 1
 - If Primary Election Held, Drawing of Lots for Ballot Order
 - If Primary Election Held, Certify Nominations and Ballot Order to County Clerk(s)

MARCH

- On or Before 11
 - Provide Municipal Clerk with Ballots (Only If Separate Paper Ballots Are Utilized)
- On or About 18
 - Clerk Notifies Non-Exempt Committees of Deadline for Filing Preelection Campaign Finance Report
- 19 - 25
 - Deadline for Non-Exempt Committees to File Preelection Report
- 26
 - Clerk Performs Duties with Respect to Campaign Finance Reports that Have Been Filed or that Are Delinquent
- 29
 - Write-in Candidate Registration Deadline for Spring Election (12:00 p.m.)

APRIL

- On or Before 1
 - Choose Board of Canvassers (Consider Appointing Canvassers Multiple Weeks in Advance)
- 1
 - Newspaper Publication of the Notice of Spring Election (May Occur Earlier if the Newspaper Does Not Publish on Mondays)
- 2
 - Spring Election
- On or About 2
 - Issue Open Meetings Law Notice of Board of Canvassers Meeting(s)
- After 2
 - Some Campaign Committees May File a Campaign Finance Termination Report
- On or About 3
 - Receipt of Election Materials and Other Related Duties
- 3 - 9
 - Canvass of Election Returns and Written Determination of Election Results
- On or About 3 - 12
 - Recount Request May Be Filed by a Qualifying Aggrieved Party (If any)
- On or About 3 - 12
 - Clerk Issues Certificate(s) of Election
 - Clerk Notifies Municipal and County Clerks of School District Officers
- On or Before 22
 - School Board Members Take and File Official Oath
- 22
 - School Board Members Take Office
- 22 - May 22
 - Election of School Board Officials (i.e. Board Officers)

JUNE

- On or About June 30
 - Clerk Notifies Non-Exempt Committees of Deadline for Filing Campaign Finance July Continuing Report (for Period Ending June 30)

JULY

- 15
 - Deadline for Non-Exempt Committees to File July Continuing Report
- 16
 - Clerk Performs Duties with Respect to Campaign Finance Reports that Have Been Filed or that Are Delinquent

WASB School District Election Schedule

2024 Spring Election

The Wisconsin Association of School Boards (WASB) has prepared the *School District Election Schedule* as a reference for common, union high, and unified school districts for use throughout the upcoming primary and election season. The main sections of this publication are the following:

- **2024 Spring Election Schedule At-A-Glance**
(a convenient and concise list of critical dates and events, found inside the front cover)
- **[Part I](#): Overview of Ballot Access Documents**
- **[Part II](#): Key Tasks and Deadlines Organized by Date**
- **[Part III](#): List of Elections Commission and Ethics Commission Forms**
(The forms are electronically linked in the PDF edition of this publication, which is available to WASB members on the WASB website.)

In addition to contacting the WASB with election-related questions, districts are also encouraged to contact their county and municipal clerks and the Elections Commission (608-266-8005). Specific questions about campaign finance issues can be directed to the Ethics Commission (608-266-8123). School board clerks and individuals assisting clerks should also monitor the two commissions' websites for potential training opportunities and for election-related publications and guidance. The following may be particularly useful resources:

- The [Election Administration Manual for Wisconsin School District Clerks](#)
(published by the Elections Commission; last updated January 2021)
- The [Election Administration Manual for Wisconsin Municipal Clerks](#)
(published by the Elections Commission; last updated September 2023)
- The [Campaign Finance Overview - Local Candidate Committees](#)
(published by the Ethics Commission; last updated September 2023)

The WASB *School District Election Schedule* is designed to provide general information and commentary as a service to WASB members based on current law and agency guidance as it existed at the time of publication. It should not be relied upon as legal advice. If legal advice is needed, the services of the school district's designated legal counsel should be obtained.

Edited by the WASB staff.

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School District Election Schedule

2024 Spring Election

Part I: Overview of Ballot Access Documents

The following items are often referred to as “ballot access documents” for any qualified elector who wishes to be a candidate and have their name listed on the official ballot for the office of school board member at a spring election:

- The Campaign Finance Registration Statement (Form CF-1L or CF-1)
- The Declaration of Candidacy – School District Candidates (Form EL-162sd)
- Nomination Papers (Form EL-169) with elector signatures, **if** nomination papers are required to run for the school board in the district

If an otherwise-qualified elector, **including any incumbent who wishes to run for another term in 2024**, does not file sufficiently complete ballot access documents by the ballot access deadline established in state law, then the person’s name cannot appear on the ballot. *Sections [8.30](#) and [120.06\(6\)\(b\)](#)*. The following are several additional important points that school district clerks and school district employees assisting a clerk should be aware of, and many of them are also further addressed in Part II of this publication:

- The statutory deadline for filing the ballot access documents is 5:00 p.m. on the first Tuesday in January. *Section [120.06\(6\)\(b\)2](#)*. However, that default deadline can be affected by the following:
 - If the first Tuesday in January is also a legal holiday (i.e., New Year’s Day), then the deadline is moved to 5:00 p.m. on the next day. *Section [120.06\(6\)\(b\)2](#)*.
 - If any incumbent board member whose term of office expires in April of the same calendar year as the upcoming spring election both (1) fails to file a timely Notification of Noncandidacy by the applicable December deadline, and (2) does not file the required ballot access documents by the ballot access deadline in January, then the ballot access deadline for such office is extended by 72 hours for all persons except such incumbent. *Section [120.06\(6\)\(b\)3](#)*.
- The school district’s filing location must be open and staffed to receive filings until 5:00 p.m. on the day of the ballot access deadline. There is no exception or allowance for the fact that the applicable office may otherwise be closed for a winter break. Because school district offices generally have extended periods of closure immediately prior to the day of the ballot access deadline, school districts are encouraged to make information about their hours of business widely available to the community and to any known potential candidates (such as electors who have requested a candidate packet).

- A candidate may file their Campaign Registration Statement and their Declaration of Candidacy well ahead of the deadline—even prior to the November publication of the school district’s “Type A” Notice of Election. There is no “too early” date for filing either of those two documents that is defined in state law. In contrast, in school districts in which nomination signatures are required, only signatures obtained on or after December 1 are valid. Therefore, it is never possible to file nomination papers (if required) prior to December 1.
- Any individual who is considering running for school board needs to be aware that, in some cases, the Campaign Registration Statement (Form CF-1 or CF-1L) **must** be filed prior to the statutory ballot access deadline in order to comply with the campaign finance laws. Compliance with the campaign finance statutes needs to be evaluated separately from compliance with the ballot access deadline. Additional information about events that trigger a requirement for filing the Campaign Registration Statement can be found below.
- Once a person files ballot access documents that qualify the individual’s name to appear on the ballot, the individual cannot withdraw his/her name from the ballot. This is true even if the person expresses his/her desire to withdraw prior to the formal ballot access deadline. *Section [120.06\(7\)\(a\)](#).*
- State law provides that the filing of a nomination paper, ballot application, financial report, affidavit, or other form or statement with the appropriate official responsible for accepting such materials under chs. 5 to 12 of the Wisconsin Statutes irrevocably transfers the legal title to such official or agency, regardless of the sufficiency of the filing. The official shall retain all election materials until destruction or other disposition is authorized by law. *Section [7.24](#).*

A. The Campaign Finance Registration Statement (Form CF-1 or Form CF-1L)

The Wisconsin Ethics Commission maintains two versions of the Campaign Finance Registration Statement form, and school board candidate committees may use either version of the form to register. One version is an “all purpose” CF-1 form that may also be used by other types of committees (such as referendum committees) that are also required to register under the campaign finance laws. The second version of the form, the CF-1L, provides a simpler, specialized form that is exclusively for use by local candidate committees. It eliminates the additional sections of the “all purpose” form that are irrelevant to local candidate committees.

New Candidates (Not an Incumbent or Otherwise Currently Registered) – A person who wishes to be a candidate for the office of school board member and to have their name appear on the spring election ballot (and the primary election ballot, if applicable) must file a Campaign Registration Statement by the earlier of:

1. The date on which the person files nomination papers with the appropriate filing officer. *Sections [8.10\(5\)](#) and [11.0101\(1\)\(a\)1](#).*
2. The date on which the person receives a contribution, makes a disbursement, or gives consent for another person to receive a contribution or make a disbursement in order to bring about the individual’s nomination or election to office. *Section [11.0101\(1\)\(a\)3](#). (Note: The statutes qualify this criteria by providing that an unregistered candidate may (1) make a disbursement, or incur an obligation, in the amount required to rent a postal box, or in the*

minimum amount required by a bank or trust company to open a checking account, prior to the time of registration, and (2) accept a contribution, make a disbursement, or incur an obligation required for the production of nomination papers. Section [11.0202\(2\)\(b.\)](#)

3. The date on which the person files a Declaration of Candidacy. Section [120.06\(6\)\(b\)5.](#)

4. The ballot access deadline, as discussed above. Section [120.06\(6\)\(b\)2.](#)

The first two dates listed above relate to the Wisconsin campaign finance laws as they apply to individual candidates and their “candidate committees.” Every registered candidate is considered to have a committee for campaign finance purposes, even when the candidate chooses not to designate a separate treasurer or other officers. Specifically, s. [11.0202\(1\)\(a\)](#) of the statutes provides that “each candidate, through his or her candidate committee, must file a registration statement with the appropriate filing officer ... as soon as practicable after the individual qualifies as a candidate.” The term “candidate,” for purposes of school board elections, is defined in s. [11.0101\(1\)\(a\)](#) to include an individual who files nomination papers or who receives a contribution or makes a disbursement (or gives consent for another person to do so) in order to bring about the individual’s nomination or election to office.

If a candidate, under the above outline of possible registration deadlines, files his or her registration statement substantially after receiving contributions or making disbursements, but also files complete ballot access documents prior to the final ballot access deadline, the probable outcome would be that the person’s name may be certified to appear on the ballot. However, the candidate may also have liability related to a violation of the campaign finance laws. See Section [8.30\(2\)](#).

Incumbents Running for Re-Election (Continuing Candidates) – Incumbent school board members, as persons holding a local office, are also considered “candidates” under state law throughout their entire term of office. Section [11.0101\(1\)\(c\)](#). As a result, all incumbents (including any board member serving as an appointee following a school board vacancy) who will be running for a new term in the spring election will already have a previous registration statement on file with the school district clerk. However, any such incumbent must also file an amended registration statement related to the upcoming spring election. The amended registration statement will indicate the office sought and the date of the applicable election. In terms of the timing for filing an amended registration statement when running for re-election, incumbents should follow the same deadlines that would apply to registration if they were a new candidate, as discussed above.

Candidates Who Lost a Previous Election but Who Remained Registered – Sometimes a candidate who loses an election chooses to remain registered (i.e., rather than terminating their registration) with the intent of running as a candidate in a subsequent election. Such a candidate must file a timely amended registration statement related to the subsequent election. The amended registration statement will indicate the office sought and the date of such subsequent election. In other words, a registration relating to a previous election—even though not terminated—is not sufficient to count as a ballot access document for a subsequent (i.e., future) election.

Write-In Candidates – An elector of the school district who does not file his or her ballot access documents in time to qualify for the ballot, or who decides to seek office only after the ballot access deadline has already passed, may attempt to run for office as a write-in candidate. There are at least two circumstances where the statutes expressly require a write-in candidate to file a Campaign Registration Statement:

1. The person becomes a “candidate,” as defined under Ch. 11, by virtue of receiving a contribution, making a disbursement, or giving consent for another person to receive a contribution or make a disbursement in order to bring about the individual’s election to office; or
2. At least one living person’s name has been certified to appear on the ballot for the office in question, no candidate certified to appear on the ballot dies before the date of the election, and the potential write-in candidate wishes to have his/her write-in votes counted. In this situation, the person must file a registration statement by no later than 12:00 p.m. (noon) on the Friday before the applicable election. If the person fails to register by the deadline, his/her write-in votes will not be counted by the board of canvassers. *Section [7.50\(2\)\(em\)](#).*

If there is no living person who appears on the ballot for an office, or if there are fewer living candidates certified to appear on the ballot than the total number of school board seats in a specific contest where voters are permitted to vote for multiple candidates (e.g., there are two at-large seats to be filled and there is only one named candidate on the ballot), then all write-in votes will be counted for the office(s) in question regardless of whether the person receiving write-in votes has filed a registration statement. *Section [7.50\(2\)\(em\)](#).* In the situations where all write-in votes will be counted, the campaign finance laws may independently require a write-in candidate to file a Campaign Registration Statement (e.g., if a write-in candidate engages in any financial activity related to their write-in campaign). Thus, compliance with the campaign finance laws always needs to be evaluated independently from the question of which write-in votes will ultimately be counted in connection with an election.

Even in situations where a write-in candidate may not be required to file a Campaign Registration Statement, a person who is actively soliciting write-in votes or otherwise holding themselves out as a write-in candidate may still choose to file a registration statement out of an abundance of caution regarding possible ambiguities in the law or to be included in any list of “registered write-in candidates” that may be produced.

All School Board Candidates: Designating a Treasurer and a Depository on Registration Statements or Amended Statements – Filing officers (i.e., school district clerks) and persons assisting filing officers often have questions about the obligation of a committee to designate a committee treasurer and a depository on the registration statement. With respect to candidate committees, the statutes provide as follows:

1. Each candidate shall either designate a treasurer of his or her candidate committee to comply with the registration and reporting requirements or serve as the treasurer himself/herself. If the candidate appoints a separate treasurer, the candidate and the candidate’s treasurer shall cosign the registration statement of the committee. *Section [11.0201\(1\)](#).*
2. The registration statement shall include the name and address of the depository account of the candidate committee and of any other institution where funds of the committee are kept. *Section [11.0203\(1\)](#). (Note: It is not necessary for a candidate to provide the specific depository account number on the registration statement.)*
3. A candidate who receives no contributions, makes no disbursements, and incurs no obligations shall file the registration statement, but need not designate a campaign depository account until the first contribution is received, disbursement is made, or obligation is

incurred. *Section [11.0202\(1\)\(b\)](#). (Note: This narrow exception is available to a candidate committee only to the extent that the candidate receives no contributions, makes no disbursements, and incurs no obligations in any amount.)*

4. Any candidate who serves as his or her own treasurer and who is authorized to file and files a registration statement claiming an exemption from filing campaign finance reports may designate a single personal account as his or her committee's depository account and intermingle personal and other funds with campaign funds within the account. If such a candidate later establishes a separate candidate committee depository account, then the candidate shall transfer all campaign funds in the personal account to the new depository account. *Section [11.0201\(2\)\(b\)](#).*

Additional information regarding these requirements can be found in the instructions to the Campaign Registration Statement (Form CF-1L and Form CF-1) and in the [Campaign Finance Overview - Local Candidate Committees](#), as published by the Wisconsin Ethics Commission.

All School Board Candidates: Methods of Filing Campaign Registration Statements or Amended Statements – A registration statement (or amended registration statement) is considered timely filed when the signed original is in the physical possession of the designated filing office by no later than the applicable filing deadline. However, a registration statement shall also be considered timely filed if both of the following apply:

1. A duplicate copy of the document is received by the filing officer, in its offices, by facsimile process (i.e., by the electronic transmission of a duplicate copy of a signed original) no later than the day and hour at which the document is required to be filed; and
2. The signed original of the document is either received at the filing offices with a postmark not later than the filing deadline or delivered to the filing officer not later than the filing deadline.

The burden of establishing that a duplicate copy has been received by facsimile process at the offices of the filing officer is upon the person, committee, or group that is required to file the document. *Section [ETH 6.04](#).*

All School Board Candidates and Their Candidate Committees: Campaign Finance Reporting Obligations – In addition to serving as a ballot access document and as an important part of compliance with the campaign finance laws, another important function of the Campaign Registration Statement is that the representations made on the statement affect the candidate committee's campaign finance reporting obligations. Specifically, on the registration statement (or on an amended statement), a candidate committee may either (1) claim the exemption from filing campaign finance reports, if otherwise eligible to do so, or (2) not claim the exemption. If a candidate committee is not eligible for the reporting exemption or otherwise chooses not to claim the reporting exemption, then the committee must file periodic campaign finance reports with the school district clerk (or the clerk's designee) as further specified in Chapter 11. The reporting obligations are summarized on the "Campaign Finance Checklist – Municipal and School District Candidates" (Form ETIS-8), as updated annually by the Wisconsin Ethics Commission. If claimed, a reporting exemption applies to campaign finance reports other than the termination report.

For purposes of eligibility for and claiming an exemption from filing campaign finance reports, a candidate committee may have no more than \$2,500 in aggregate contributions, disbursements, or

obligations in a calendar year. *Section [11.0104\(1\)\(a\)](#)*. As an example, if a candidate committee receives \$2,000 in contributions and disperses \$501 in campaign expenditures within a single calendar year, then the committee has aggregate financial activity (i.e., \$2,501) that exceeds the exemption-eligibility threshold. Therefore, if the committee had initially claimed a reporting exemption, it would need to revoke the exemption as further addressed below.

If a candidate committee lawfully claims an exemption from filing campaign finance reports, the exemption applies until the committee either:

1. Alters its exemption status by filing an amended registration statement.
2. Exceeds the exemption eligibility threshold under s. [11.0104\(1\)\(a\)](#) for aggregate financial activity in any calendar year (see below for more information);
3. Dissolves (i.e., terminates its registration), as provided in s. [11.0105](#); or
4. Amends its registration statement to become a state candidate committee (which is not a very common process).

Sections [11.0104\(1\)\(c\)](#), [11.0104\(2\)](#), and [11.0104\(3\)](#). The ongoing validity of a previously claimed reporting exemption does not exempt an incumbent board member from the requirement of filing a timely amended registration statement as a ballot access document in connection with his/her participation in a bid for re-election. In other words, an incumbent who intends to run for re-election and qualify for placement on the ballot must still file all required ballot access documents for that upcoming election, including an amended registration statement. Also, as previously mentioned above, an exemption applies only to reports other than the termination report.

Significantly, all registered candidate committees, including those committees that have claimed a reporting exemption, have an ongoing obligation to maintain adequate records of their financial activities. Also, as further described below, a committee's records retention obligations often extend to periods after the date that the committee has filed a termination report.

All School Board Candidates and their Candidate Committees: Revoking or Losing a Campaign Finance Reporting Exemption (if applicable) –

1. *Revocation of the exemption in anticipation of future financial activity (i.e., aggregate financial activity for the calendar year is currently still below the exemption threshold)*. A candidate committee that initially claimed a reporting exemption may determine that the committee expects or is highly likely to exceed the reporting exemption threshold for an applicable calendar year and, therefore, proactively change their exemption status prior to the date that the committee actually exceeds the \$2,500 threshold. This can be accomplished by filing an amended Campaign Registration Statement that changes the committee's exemption status. If revoked in this manner, the committee shall comply with the reporting requirements applicable to the committee as of the date of revocation. *Sections [11.0104\(2\)](#) and [11.0104\(3\)](#)*.
2. *Loss of exemption eligibility due to committee financial activity other than an unanticipated contribution*. A reporting exemption that a candidate committee previously claimed on a registration statement no longer applies if the committee exceeds the \$2,500 threshold for aggregate financial activity within a calendar year. (*Note: The receipt of an "unanticipated*

contribution” that causes a committee to exceed the threshold is a special case that is addressed in the next paragraph.) The September 2023 edition of the Ethics Commission’s *Campaign Finance Overview – Local Candidate Committees* manual states that, upon exceeding the exemption limit, “An amendment to the registration statement must be filed with the appropriate filing officer immediately.” (Note: Although the meaning of “immediately” is arguably ambiguous in this context, it might mean filing an amended registration no later than 10 days after the occurrence of the activity that caused the loss of the exemption, per s. 11.0203(3).) Further, upon the loss of the exemption, the committee is required to file campaign finance reports beginning with the next regular report due after the earlier of either the date that the amended registration was filed or the date that the committee exceeded \$2,500 in aggregate contributions, disbursements, or obligations. Section [11.0104\(3\)](#).

3. Options when the receipt of an unanticipated contribution causes the committee to exceed the reporting exemption eligibility threshold. If a candidate committee claims the exemption and then receives an unanticipated contribution that results in the committee exceeding the \$2,500 threshold in aggregate contributions, disbursements and obligations, the committee must either (1) immediately file an amended registration statement revoking the exemption (and meet other related requirements), or (2) within 15 days of receipt of the contribution, return the contribution or donate the contribution to the common school fund or to a charitable organization. Section [11.0104\(5\)](#).

All School Board Candidates and their Candidate Committees: Contribution Limits, Recordkeeping, and Attribution Statements – All registered candidate committees (including those who are eligible for and who have claimed a reporting exemption) must adhere to the general limits that apply to contributions from specific sources, as further specified in Chapter 11 of the state statutes. For example, except for the candidate’s own contributions to his or her own candidate committee (which are not limited but do count toward the \$2,500 threshold for claiming a reporting exemption), there is a limit on the amount/value of any contribution that a school board candidate (whether exempt from reporting or not) may lawfully accept from any individual donor. Specifically, an individual may contribute to a school board candidate committee no more than the greater of \$500 or \$0.02 times the number of inhabitants of the district as certified by the filing officer, but never more than \$6,000. Section [11.1101\(1\)\(h\)](#).

Following the 2020 federal census, the staff at the Wisconsin Ethics Commission provided the WASB with a spreadsheet, based on the results of the census, that shows each district’s total population and calculates the limits that apply to (1) contributions from any individual or from another candidate committee; or (2) contributions from a political action committee. As of October 2023, the Ethics Commission’s census data is posted on the [WASB website](#). Please note the following:

1. Because the relevant formulas are subject to both a minimum floor and a maximum ceiling, all school districts except for the 71 largest school districts actually have the same candidate contribution limits. However, once a school district has a total population of more than 20,000 people, the formulas start to yield district-specific results for one or both of the contribution limits shown in the table.
2. Unless the legislature amends the campaign finance laws, it is probable that the 2020 census data will be used to determine the applicable campaign contribution limits until the results of the 2030 census are available.

It is also very important for all registered candidate committees to understand that claiming an exemption from filing reports (when eligible to do so) does not relieve the candidate or his/her candidate committee from other obligations imposed by the campaign finance laws. For example, even committees that are exempt from filing periodic campaign finance reports must:

1. Track and keep adequate records of all receipts, disbursements, and obligations (e.g., loans). The general rule is that the committee treasurer (or the candidate if the candidate is serving as the treasurer) is required to maintain the records of the candidate committee in an organized and legible manner for not less than 3 years after June 30 of the year of the election to which the records relate. *Sections [11.0201\(4\)](#) and [11.1103](#).*
2. Include “paid for by” attribution statements on applicable campaign materials. *Section [11.1303](#) and Section [ETH 1.96](#).*

School Board Candidates and their Candidate Committees: Terminating Registration –

All committees that dissolve or that determine that obligations will no longer be incurred, disbursements made, or contributions received—including exempt committees—must eventually file a termination report to end their registration and discontinue their reporting obligations. Termination reports are filed with the school district clerk or the clerk’s designee and must (1) show a final cash balance of zero; (2) include the information required to be reported by that committee on its continuing reports; and (3) identify the manner in which any residual funds were disposed. *Section [11.0105](#)*. Residual funds may be used for any purpose not prohibited by law (including transferring the money to another registrant within the permitted contribution limit), returned to the donor(s) in an amount not exceeding the original contribution, or donated to a charitable organization or the common school fund. *Section [11.0105\(3\)](#)*.

The following additional requirements and restrictions are stated in the campaign finance laws regarding termination reports:

1. A person who is a candidate by virtue of holding a local office must remain registered under the campaign finance laws. *Sections [11.0101\(1\)](#) and [11.0202\(1\)](#). (Note: This means that incumbent board members who are continuing in office and candidates who take office after prevailing in an election do not file termination reports during their term of office. In contrast, termination reports may be filed by the committees of candidates who lost the election or the committees of school board members who have reached the end of their term of office without obtaining an additional term of office.)*
2. In no case may a candidate committee file a termination report covering any period ending sooner than the date of the election in which the candidate committee is participating. *Section [11.0105\(1\)\(b\)](#).*

If a registered committee does not file a termination report and has not properly claimed an exemption from filing campaign finance reports, then the committee both remains registered and must continue to file timely campaign finance reports with the clerk. In addition, if a candidate committee decides to remain registered for the purpose of receiving contributions, making disbursements, or incurring obligations in connection with a future election, then the committee (regardless of whether it is claiming a reporting exemption) has an obligation to amend their registration on a timely basis to expressly indicate the office being sought and the date of such future election.

In the September 2023 edition of the *Campaign Finance Overview – Local Candidate Committees* manual and in the instructions to the applicable forms, the Ethics Commission provides the following additional guidance and interpretations related to termination reports:

- All candidate committees, including committees that have claimed a reporting exemption, that wish to terminate (i.e., dissolve) are required to file a termination report. Terminating registration normally involves submitting **both** a completed campaign finance report marked as a “termination report” (i.e., Form CF-2L) **and** a completed request for termination (i.e., Form CF-13).
- If a candidate **committee holding a reporting exemption** wishes to terminate after the spring election (e.g., because the candidate lost the election and presently has no plans to run again in the future), they must file Form CF-13 **and** a termination report (Form CF-2L) documenting “all contributions and all disbursements [if any] for the calendar year” (quoting from page 16 of the September 2023 *Campaign Finance Overview*).
- When a **non-exempt** candidate committee files for termination, the committee must file form CF-13 **and** a termination report (Form CF-2L) documenting any committee financial transactions (other than a final distribution of residual funds or loan forgiveness) that occurred since the reporting period covered by the committee’s most recent report.

The Ethics Commission guidance summarized immediately above indicates that, under s. 11.0105: (1) the date on which a termination report is filed can affect the required content of the termination report, and (2) **both** non-exempt and exempt committees can sometimes have an obligation to report certain previous financial activity (e.g., certain contributions, obligations, and disbursement) as part of filing their termination report. In such cases, the committee needs to attach a completed campaign finance report that covers the relevant reporting period to the CF-13 Termination Request form. Candidate committees that have questions about the required content of their termination report should refer to guidance provided by the Ethics Commission and, if necessary, contact the Ethics Commission directly for additional clarification that addresses the committee’s specific facts and circumstances.

Although not expressly required by state law, it is highly recommended for the school board clerk or a designee acting on behalf of the clerk to confirm to the committee in writing (i.e., to the candidate and to any separate committee treasurer) that the committee has successfully terminated their registration, subject to any possible subsequent review or determination by the Ethics Commission or the courts.

Additional Campaign Finance Resources – A complete overview of Wisconsin campaign finance law is beyond the scope of this publication. However, school district clerks and any district employees who are assisting the clerk should familiarize themselves with all of the following:

- Subchapters I, II, VIII, XI, XII, and XIII of [Ch. 11](#) of the state statutes (including particularly the campaign-finance-related duties of the local filing officer, as specified in s. [11.0102\(3\)](#));
- The campaign-finance-related forms identified in Part III of this publication (including especially the CF-1L and CF-1) and their related instructions;
- The content of the most-current version of the [Campaign Finance Overview -- Local](#)

[Candidate Committees](#) manual, as published by the Ethics Commission; and

- The additional guidance and other information found on the Ethics Commission’s website.

If any candidate or candidate committee presents complex questions about the proper interpretation or application of the campaign finance laws, school district filing officers are often well-advised to refer the candidate or the committee representative to the Ethics Commission or to a personal attorney.

Note: Other persons and groups, including political action committees, recall committees, and referendum committees are also subject to the campaign finance laws and may be required to file a registration statement with the school district clerk under certain circumstances. A full discussion of these other potential registrants is beyond the scope of this publication. However, it is important for school district clerks to know that Chapter 11 of the statutes sets forth registration requirements applicable to referendum committees (i.e., groups formed for the purpose of actively supporting or opposing any school district referendum). Specifically, every referendum committee that makes or accepts contributions, makes disbursements, or incurs obligations for the purpose of influencing a particular vote at a referendum in a calendar year in an aggregate amount in excess of \$10,000 shall file a registration statement. A referendum committee that reaches the threshold for registration shall file the registration statement (1) before making any disbursement or incurring any obligation over the \$10,000 threshold, or (2) no later than the 10th business day commencing after receipt of the first contribution that causes the committee to exceed the \$10,000 threshold. Sections [11.0101\(28\)](#) and [11.0802](#). Finally, 2021 Wisconsin Act 265 eliminated statutory language that had previously suggested that school district referendum committees may have been required to pay an annual filing fee to the Ethics Commission.

B. The Declaration of Candidacy – School District Candidates (Form EL-162sd)

Any person who wishes to run for the office of school board member and who wants their name to appear on the official ballot (including an incumbent who wishes to run for a new term) must file a completed and sworn Declaration of Candidacy (Form EL-162sd) by no later than the ballot access deadline in January. On the Declaration of Candidacy, the candidate swears to his or her eligibility to hold the local office that they are seeking, and the candidate also specifies the exact form of his or her name as he or she wishes it to appear on the official ballot. If a candidate has not filed a Campaign Registration Statement by the time he or she files a Declaration of Candidacy, the candidate shall file the statement with the declaration. [Section 120.06\(6\)\(b\)5.](#)

Once filed, a Declaration of Candidacy may not be withdrawn. [Section 120.06\(7\)\(a\).](#) More generally, the filing of a nomination paper, ballot application, financial report, affidavit, or other form or statement with the appropriate official under chs. 5 to 12 of the Wisconsin Statutes irrevocably transfers the legal title to such official, regardless of the sufficiency of the filing. [Section 7.24.](#) Therefore, even if requested by the filer, a school district clerk is not permitted to return such filed records to the filer (but may, and often must, provide a copy).

In the event of a change in any of the information provided on the Declaration of Candidacy, a candidate shall file an amended declaration under oath with the school district clerk. [Section 120.06\(6\)\(b\)5.](#)

The Elections Commission maintains a Declaration of Candidacy form ([EL-162sd](#)) specifically for school board candidates in order to account for the application of unique language found in s. [120.06\(6\)\(b\)2](#) of the state statutes. Note that the link to EL-162sd is a Wisconsin Elections Commission webpage with links to both the EL-162 and EL-162sd. School board candidates are required to use the EL-162sd. Specific questions about ballot eligibility under Form EL-162sd and the Elections Commission’s interpretation of s. [120.06\(6\)\(b\)2](#) should be directed to the commission. However, a key aspect of the commission’s current interpretation of the statutes appears to be that, in order to qualify for ballot placement as a candidate for school board, an individual generally must be a qualified elector of the school district *at the time of filing* a Declaration of Candidacy. A qualified elector is defined in s. [6.02](#) as a U.S. citizen, 18 years of age or older, who has resided in the election district for at least 28 days before any election at which he or she offers to vote (and who is not disqualified by one or more of the impediments described in s. [6.03](#)).

All Candidates Attempting to Qualify for the Ballot: Methods of Filing a Declaration of Candidacy – A Declaration of Candidacy is considered timely filed when the signed original is in the physical possession of the designated filing office by no later than the applicable filing deadline. However, a Declaration of Candidacy shall also be considered timely filed if **both** of the following apply:

1. A duplicate copy of the document is received by the filing officer, in its offices, by facsimile process or email process (i.e., by the electronic transmission of a duplicate copy of a signed original) no later than the day and hour at which the document is required to be filed; **and**
2. The signed original of the document is either received at the filing office with a postmark not later than the filing deadline or delivered to the filing officer not later than the filing deadline.

The burden of establishing that a duplicate copy has been received by facsimile process at the offices of the filing officer is upon the person, committee, or group that is required to file the document.
Section [EL 6.04](#).

Write-In Candidates – Write-in candidates are not attempting to qualify to have their name included on the election ballot. Therefore, they are normally under no obligation to file a Declaration of Candidacy. However, as an exception that rarely arises in practice, the January 2021 edition of the Elections Commission’s manual for school district clerks states, “A write-in candidate who prevails at a primary must file a Declaration of Candidacy (and CF-1 if not already filed) before the candidate’s name may be placed on the election ballot.”

Filing Officers: Review of the Declaration of Candidacy – According to the [Election Administration Manual for Wisconsin Municipal Clerks](#) published by the Elections Commission (as revised in September 2023), the declaration signed by the candidate must include the following items: (1) the candidate’s name; (2) the proper title of the office the candidate is seeking, including any applicable seat information; (3) the candidate’s residential address, including the address number, street, and municipality for voting; (4) the candidate’s name in the form that the candidate wishes the name to appear on the ballot; and (5) the form must be either notarized or signed by a person who is authorized to administer oaths.

Filing officers (i.e., school district clerks) and persons assisting filing officers often question whether the filing officer has an obligation to conduct a criminal background check on candidates. The September 2023 edition of the *Election Administration Manual* advises as follows: “The municipal

clerk is not required to verify that every elected official or candidate for elected public office has not been convicted of a felony for which they have not been pardoned. The clerk should rely on the sworn statement of the candidate on the Declaration of Candidacy. No action should be taken unless there is evidence in the form of a sworn complaint... ”

C. Nomination Papers (Form EL-169); Not Required in All Districts

In some school districts, nomination papers with a designated number of elector signatures must be filed for a candidate to qualify for placement on the ballot in a school board election. Where nomination papers are required, any qualified elector of the school district who desires to be a candidate for school board and appear on the ballot shall file nomination papers, in the form prescribed under s. [8.10](#), with the school district clerk at the filing location specified in the notice of election. *Sections [119.08\(2\)](#) and [120.06\(6\)\(b\)2](#)*. Write-in candidates do not solicit nomination signatures or file nomination papers.

Nomination papers submitted for filing must be accompanied by a Declaration of Candidacy and by a Campaign Registration Statement if those two other documents have not been previously filed. *Sections [8.10\(5\)](#) and [11.0101\(1\)\(a\)1](#)*. Accordingly, if nomination papers are required, nomination papers should not be submitted or accepted for filing in the absence of the other ballot access documents for that candidate. Once filed, nomination papers may not be withdrawn. *Section [120.06\(7\)\(a\)](#)*.

Nomination papers are required when any of the following applies:

	Number of Signatures (under s. 8.10(3)):
1. The candidate seeks to be elected as the at-large member of the board of school directors for Milwaukee Public Schools. <i>Section 119.08(2)</i> .	Not less than 1500, nor more than 3000
2. The candidate seeks office as one of the members of the board of school directors for the Milwaukee Public Schools that are elected from election districts. <i>Section 119.08(2)</i> .	Not less than 400, nor more than 800
3. The school district contains any territory lying within a 2nd class city. <i>Section 120.06(6)(b)2. (Note: Under s. 62.05, cities with a population of at least 39,000 and less than 150,000 generally constitute cities of the 2nd class, although population alone is <u>not</u> determinative.)</i>	Not less than 100, nor more than 200 (but see the exception permitted by s. 8.10(3)(km)2 .)
4. The school board or the school district annual meeting in any other school district (i.e., where none of the other criteria in this list applies) has adopted a resolution requiring school board candidates to file nomination papers. <i>Section 120.06(6)(b)2</i> .	Not less than 20, nor more than 100

As the fourth criteria listed above suggests, in a school district that has no territory lying within a 2nd class city, the school board or (if applicable) the annual meeting of electors may, by resolution, either (1) require that nomination papers be filed by all candidates seeking election to the school board, or (2) rescind a previously-adopted resolution that had required nomination papers. Any such resolution must be adopted no later than the last Tuesday in November in order for the resolution to apply to the school board elections occurring at the next spring election. *Sections [120.06\(6\)\(a\)](#) and [120.06\(6\)\(b\)](#)*.

If a school district has territory lying in a 2nd class city, and that territory is less than or equal to 10 percent of the total territory of the school district, then either the annual meeting or the school board of the district may adopt a resolution to reduce the number of elector signatures that are required for the nomination of school board candidates to “not less than 20 and not more than 100” signatures. In the absence of such a resolution, candidates for school board in a school district that has any territory lying in a 2nd class city must (as required under prior law) obtain and file the signatures of not less than 100 and not more than 200 electors. *Section [8.10\(3\)\(km\)2](#). (Note: Section [8.10\(3\)\(km\)2](#) does not specify a deadline for such a resolution to be adopted by the school board or annual meeting for the resolution to apply to the next election. It is possible that a relevant deadline might be the fourth Tuesday in November, which is the latest date for the publication of the Type A Notice of Election.)*

Where nomination papers are required, the papers may not be circulated for elector signatures prior to December 1 preceding the election. *Section [8.10\(2\)\(a\)](#)*. Completed papers with a sufficient number of valid signatures must be filed by no later than the ballot access deadline (as discussed above).

In order to be timely filed, all nomination papers must be in the **physical possession** of the filing officer by the statutory deadline. The nomination papers with the **original** signatures must be filed. No photocopies, faxes, or electronic documents are permitted. *Section [120.06\(6\)\(b\)](#); Sections [EL 2.05](#) and [EL 6.04\(2\)](#)*.

The Elections Commission maintains Form [EL-169](#) for nomination papers. Only one signature per elector for the same office is valid. However, where an elector is entitled to vote for more than one candidate for the same office, a person may sign the nomination papers of as many candidates for the same office as the person is entitled to vote for at the election. In addition to his or her signature, in order for the signature to be valid, each signer of a nomination paper shall legibly print his or her name in a space provided next to his or her signature and shall list his or her municipality of residence for voting purposes, the street and number, if any, on which the signer resides, and the date of signing. *Section [8.10\(4\)](#); Section [EL 2.05](#)*.

If a person submitting nomination papers requests a filing receipt, the filing officer may use Form [EL-151](#). Although issuing a receipt in the absence of a specific request does not appear to be mandatory, it is an advisable practice.

The process for verifying and challenging nomination papers and elector signatures is further addressed in [Ch. EL 2](#) of the Wisconsin Administrative Code, in the [Election Administration Manual for Wisconsin Municipal Clerks](#), and in other written guidance that has been issued by the Elections Commission.

School District Election Schedule

2024 Spring Election

Part II: Key Tasks and Deadlines Organized by Date

November 28, 2023

Deadline for Publication of the “Type A” Notice of Election in Common,
Union High School and Unified Districts; Provide Copy to Municipal Clerks

No later than the fourth Tuesday in November prior to the spring election, the school district clerk shall publish a Type A notice, under s. [10.01\(2\)\(a\)](#). *Section [120.06\(6\)\(b\)](#)*. Provide a copy of this notice to the clerk of each municipality lying wholly or partially within the school district. *Section [120.06\(8\)\(a\)](#)*.

If the newspaper in which a school district publishes its election notices is not published on the specified deadline, state law indicates the school district clerk shall publish the Type A notice in the closest preceding issue. *Section [10.04\(3\)\(a\)](#)*. In all school districts, clerks and individuals who are assisting the clerk must additionally account for the deadline that the applicable newspaper establishes for submitting legal notices for publication in advance of the intended publication date.

The purpose of this notice is to inform the public and potential candidates of the upcoming election and of the specific offices to be elected. This notice must be entitled “Notice of Election” and include the following information: (1) the date of the election; (2) the office(s) to be elected (be sure to account for any relevant vacancies that have arisen); (3) the name(s) of the current incumbent(s); (4) the length of the term(s) and expiration date(s); (5) the beginning date for circulating nomination papers, if applicable; (6) the deadline for filing declarations of candidacy and, if applicable, nomination papers; (7) the proper location to file declarations of candidacy and, if applicable, nomination papers; (8) a statement on where to find district boundary information; and (9) the date of the primary election, should a primary be required. *Section [10.01\(2\)\(a\)](#)*.

Note: Once a district has published its Type A notice and provided a copy to the municipal clerk(s), it is also a good idea to send a copy to the applicable county clerk(s). This will alert the county clerk(s) to the fact that you are having an election in the spring and identify the offices that are up for election.

*Note: If your school district will be voting on a school district referendum at the spring primary or at the spring election, the clerk must publish a “Type A: Notice of Referendum Election” on the fourth Tuesday before the election at which the referendum will be on the ballot. *Section [10.06\(4\)\(c\)](#)*. In 2024, the fourth Tuesday before the spring primary is January 23. The fourth Tuesday before the spring election is March 5. The required content for a Type A notice of a referendum is different than the content listed above for school board elections. This publication does **not** address all notices related to a school district referendum. For additional information about referenda, please refer to the WASB [School District Guide to Referenda](#) on the WASB website.*

On or About November 28, 2023
Prepare a Packet of Information for Potential Candidates

In the interest of facilitating interactions with potential candidates and fulfilling the duties of a local filing officer, including the campaign-finance-related duties specified in s. [11.0102\(3\)](#), the school district clerk or a district employee assisting the clerk should prepare and make available to interested electors a packet of information for potential candidates for school board. The packet should include at least the following:

- Ballot Access Checklist – School District Candidate ([Form ELIS-5](#), checklist for the 2024 spring election, as revised May 2023 or later)
- Campaign Finance Checklist – Municipal and School District Candidates ([Form ETIS-8](#); checklist for the 2024 spring election, as revised July 2023 or later)
- Campaign Finance Registration Statement ([Form CF-1L](#) or [Form CF-1](#))
- Declaration of Candidacy – School District Candidates ([Form EL-162sd](#))
- Nomination Paper for Nonpartisan Office ([Form EL-169](#)), but include this form **only if** nomination papers are required to run for school board in the district

Such a packet for candidates may also include:

- A notice from the school board clerk that the forms prescribed by the Wisconsin Ethics Commission for the making of reports and statements under the campaign finance laws are available on the commission's website (i.e., at <https://ethics.wi.gov/Pages/Resources/ResourcesOverview.aspx>) and that the clerk will make copies of such forms and certain manuals prescribed by the Ethics Commission available to candidate committees at no charge upon request.
- A copy of the [Campaign Finance Overview - Local Candidate Committees](#) manual, as published by the Ethics Commission. *(Note: Even if this manual is not included in the packet, any candidate committee is entitled to request a copy of this manual from the local filing officer at any time, and the filing officer must provide a copy at no charge.)*
- A copy of the WASB's [Guide for Candidates](#) booklet.
- Any other information that the local school district may wish to provide to potential candidates for school board (e.g., a copy of the Type A notice of election, information about school board meetings, other initial orientation-type material, etc.).

November 28, 2023
Deadline to Adopt a Resolution to Require Candidates to File Nomination Papers, or to Rescind Such a Requirement (This Option Is Available Only to Common, Union High, and Unified School Districts that Have No Territory in a 2nd Class City)

In a school district which does **not** contain territory lying within a 2nd class city, the school board may, or in a common or union high school district the school board or annual meeting may, by resolution adopted not later than the last Tuesday in November preceding an election for members of

the school board, require that nomination papers be filed by all candidates seeking election to the school board. If the school board or annual meeting has previously required the filing of nomination papers in such a school district, the body imposing the requirement may, by similar resolution adopted not later than the last Tuesday in November preceding an election for members of the school board, rescind the requirement. If nomination papers are required by such a resolution, then candidates must obtain and file at least 20 but no more than 100 valid signatures. *Sections [8.10\(3\)\(ks\)](#) and [120.06\(6\)\(a\)](#). (See Part I of this publication for more information about nomination papers.)*

On or About December 1, 2023 to January 2, 2024 **Candidates Will Be Filing Ballot Access Documents**

School district electors who are interested in being candidates for school board at the spring election (including incumbents) will generally be filing their ballot access documents in the period that starts on December 1 and that ends on the first Tuesday in January. As covered in greater detail in Part I of this publication, the following are considered ballot access documents:

- The Campaign Finance Registration Statement (Form CF-1L or Form CF-1)
- The Declaration of Candidacy – School District Candidates (Form EL-162sd)
- Nomination Papers (Form EL-169) with sufficient elector signatures, if nomination papers are required to run for school board in the district

Review Part I of this publication for additional important information about each of the ballot access documents, including information that helps to identify which districts require nomination papers. As also identified below, December 1 is the earliest date that nomination papers may be circulated for valid signatures.

School district clerks and district employees assisting the clerk should be aware that incumbent school board members who wish to run for another term of office are required to file ballot access documents that are specific to 2024 spring election. In addition, **some individuals may file their Declaration of Candidacy and/or Campaign Finance Registration Statement prior to December 1**. That is not only acceptable, but even required in some circumstances. For example, if an elector wishes to raise or spend campaign funds prior to December 1, then the campaign finance laws generally require the elector to file a Campaign Finance Registration Statement prior to December 1.

Filing Officer Review of Campaign Registration Statements

The rules of the Ethics Commission provide as follows:

- (1) Any registration filed with a filing officer which is insufficient as to essential form, information or attestation shall be rejected by such officer and shall be promptly returned if possible to the proposed registrant indicating the nature of the insufficiency. The proposed registrant shall be informed that the attempted registration was not effective. *Section [ETH 6.02\(1\)](#). (Note: School district filing officers should consider that the portion of this rule that directs them to return a defective registration may be inconsistent with s. [7.24](#) of the state statutes. It may be necessary to harmonize the two provisions by obtaining input and direction from the Ethics Commission as needed.)*

- (2) Any registration statement filed with a filing officer which is insufficient or incomplete in some manner but substantially complies with law shall be accepted by such officer who shall then promptly notify the registrant indicating the nature of the incompleteness or insufficiency. The registrant shall then have 15 days from the date of such notice to rectify the problem. If the incompleteness or insufficiency is not rectified by the registrant within 15 days from the date of the notice, the registration lapses and is not effective. *Section [ETH 6.02\(2\)](#).*
- (3) If a filing officer receives a registration statement or amended registration statement seeking to claim the exemption from campaign finance reporting and the filing officer knows that the candidate committee is not eligible for the exemption, the filing officer shall accept the registration but notify the committee within 10 business days that it is not eligible for the exemption for that calendar year. The notice shall also indicate that the committee is required to file campaign finance reports. *Section [11.0104\(1\)\(d\)](#).*

Eligibility for Appearance on Ballot

The names of candidates, **including incumbents**, who have **not** timely filed a Declaration of Candidacy and a Campaign Finance Registration Statement shall not appear on the ballot. If nomination papers are required, filing nomination papers on a timely basis is also necessary to qualify for the ballot. The school district clerk will also refuse to place a candidate's name on the ballot if: (1) the candidate's nomination papers (if required) are not sufficiently prepared, signed, and executed; or (2) the candidate would not qualify for office due to age, residence, or other impediment. Additional ineligibility criteria also apply but are unlikely to be encountered in practice. *Sections [6.02](#), [6.03](#), [8.30](#), and [120.06\(6\)\(b\)](#).*

December 1, 2023

First Day that Nomination Papers May Be Circulated for Signatures (If Nomination Papers Are Required)

Nomination papers, if required, shall not be circulated earlier than December 1. *Section [8.10\(2\)\(a\)](#).
(See Part I of this publication for more information about nomination papers.)*

December 2*, 2023

Deadline for Incumbent Board Members with Tax Years Starting on January 1 to Refuse their 2024 Salary

A school board member may send written notification to the school district clerk and the school district treasurer that the school board member wishes to refuse to accept the salary that he or she is otherwise entitled to receive. The notification generally applies only to one taxable year at a time. A school board member may initiate or renew his or her refusal by sending a notification annually at least 30 days before the start of the school board member's next taxable year. *Sections [120.07](#) and [120.45](#).*

** Note: Thirty days before January 1 is December 2. However, December 2 falls on a Saturday in 2023. Because a notification can still be "sent" on a Saturday (e.g., by postmarked U.S. Mail or by email), it is not clear that the extension provision found in s. [990.001\(4\)\(c\)](#) (which addresses "filing with" and "service upon" school district officers on Saturdays, Sundays, and legal holidays) would apply. To avoid such uncertainty, a school board member who wishes to refuse his or her salary should send written notice to the clerk and treasurer **on or before December 2** and should **not** assume that the deadline can be extended to December 4.*

On or before December 22, 2023 (5:00 p.m.)
Incumbent Notice of Noncandidacy

No later than 5 p.m. on the 2nd Friday preceding the latest time prescribed for filing declarations of candidacy, an incumbent may file written notification with the school district clerk that the incumbent is not a candidate for reelection to his or her office. A Notification of Noncandidacy may be filed using the facsimile or email process defined under s. [EL 6.04](#). If an incumbent fails to file this notification and also does not file a Declaration of Candidacy (and, where required, nomination papers) by 5:00 p.m. on the ballot access deadline, then the deadline for filing the materials necessary to appear on the ballot is extended by 72 hours for all other candidates for such office. *Section [120.06\(6\)\(b\)3](#); see also [Form EL-163](#).*

Although there is no process for withdrawing a Notification of Noncandidacy once it has been filed, incumbents who have filed a Notification of Noncandidacy are permitted to change their mind and become a candidate in the spring election. That is, such an incumbent may still choose to file timely ballot access documents or choose to run for the office as a write-in candidate.

On or before December 22, 2023
Clerk to Give Public Notice of Incumbent Noncandidacy (If Applicable)

After receipt of an incumbent’s Notification of Noncandidacy (if any), the school district clerk shall provide prompt public notice that the incumbent has filed the notification. The public notice shall be posted on the school district’s Internet site or, if the school district does not maintain an Internet site, by posting notices in at least 3 different locations within the school district. *Sections [8.10\(2\)\(am\)](#) and [120.06\(6\)\(b\)3m](#).*

Note: The statutes do not further define what constitutes “prompt” public notice. Prior election event calendars maintained by Wisconsin Elections Commission have identified the date of the noncandidacy filing deadline as the deadline for providing this public notice. Subject to any additional guidance or directives from the Elections Commission, the WASB recommends giving public notice as each Notification of Noncandidacy is actually received—even if it is many days prior to the final deadline for such a filing. Using this “rolling notice” process, the notice will be current as of the December 22, 2023, filing deadline and throughout the school district’s winter break. Waiting multiple days after December 22, 2023, to give this public notice would not be likely to be considered sufficiently prompt.

On or About December 31, 2023
**Notify Non-Exempt Committees of Duty to File a
Continuing Report for the Period Ending December 31***

Under s. [11.0102\(3\)](#), local filing officers currently have all of the following duties:

- (1) To notify each committee required to file campaign finance reports and statements that all necessary forms are available on the website of the Ethics Commission;

- (2) To make all forms prescribed by the Ethics Commission for the making of reports and statements available, without charge, to any committee that is required to file reports or statements with the officer; and
- (3) To make available to any committee that is required to file campaign finance reports, upon request and without charge, copies of any manuals that have been prescribed by the Ethics Commission under s. [11.1304\(3\)](#).

In addition, current state law further provides, “Whenever a filing officer sends a form or notice of the filing requirements under this chapter to the treasurer of a candidate committee, the filing officer shall also send a notice to the candidate.” *Section [11.0102\(3\)\(c\)1](#)*.

It is unclear how often filing officers should issue such notices and whether each committee can dictate its preferred method of communication for such notices. (For example, s. [11.0203\(1\)\(b\)](#) provides as follows with respect to candidate committees: “Unless otherwise directed by the treasurer on the registration form and except as otherwise provided in this chapter or any rule of the commission, all mailings that are required by law or by rule of the commission shall be sent to the treasurer at the treasurer's address indicated upon the form.”)

Local filing officers no longer have an express statutory duty to provide campaign finance law reporting forms to each registered, non-exempt committee by first class mail for each reporting period. However, pending further guidance from the Ethics Commission on the proper interpretation and performance of the above-listed duties, local filing officers may conclude that the best method of proceeding is to contact each registered, non-exempt committee in connection with each reporting deadline to notify the committee of the applicable reporting deadlines and of the availability of the relevant forms. Particularly if such notice is sent electronically, the filing officer may even elect to include copies of the relevant forms as attachments to the communications. Such periodic communications over the course of an election cycle may be more than is minimally required, but the remainder of this publication assumes that the filing officer is taking that approach.

** Note: The deadline for each non-exempt committee to file the continuing report is January 16, 2024. Filing officers should keep in mind that non-exempt candidate committees need to file a continuing report for the period ending December 31st only if the committee was registered on or before December 31st. New committees that first register on or after January 1st are not required to file the continuing report in January.*

January 2, 2024 (5:00 p.m.)

Ballot-Eligibility Deadline for Filing Declarations of Candidacy, Campaign Registration Statements, and Nomination Papers (If Required)

No later than 5 p.m. on the first Tuesday in January prior to the spring election, or on the next day if Tuesday is a holiday, any qualified elector of the school district, **including incumbents**, may file a sworn Declaration of Candidacy (Form EL-162sd), Campaign Finance Registration Statement (Form CF-1L or Form CF-1), and nomination papers, where required, with the school district clerk at the place specified in the notice of the election. *Sections [8.30\(2\)](#) and [120.06\(6\)\(b\)2](#)*. The filing office must remain open **until 5:00 p.m.** to receive candidate filings on the day of the filing deadline.

The state statutes provide that the final ballot access deadline is not to be construed to exempt a candidate from applicable penalties if he or she files a registration statement later than the time prescribed in s. [11.0202\(1\)\(a\)](#). *Section [8.30\(2\)](#)*.

If an incumbent fails to file a Declaration of Candidacy and, if required, nomination papers by January 2, 2024, and if the incumbent also did not timely file a Notification of Noncandidacy, then all candidates for the office held by the incumbent, other than the incumbent, may file a Declaration of Candidacy and, if required, nomination papers no later than 72 hours after the regular deadline. If the ballot access deadline is extended under those circumstances, the filing office must remain open until 5:00 p.m. on the day of the extended filing deadline. In 2024, 72 hours after the regular deadline is 5:00 p.m. on Friday, January 5, 2024.

Note: Additional information about the ballot access documents and the ballot eligibility deadline can be found in Part I of this publication.

January 2, 2024

Clerk Must Give Prompt Public Notice of Any Incumbent Noncandidacy that Causes an Extension of the Ballot Eligibility Deadline (If Applicable)

As stated in the previous item, if an incumbent fails to file a Declaration of Candidacy and, if required, nomination papers by January 2, 2024, and if the incumbent also did not timely file a Notification of Noncandidacy, then all candidates for the office held by the incumbent, other than the incumbent, may file a Declaration of Candidacy and, if required, nomination papers no later than 72 hours after the regular deadline.

The school district clerk is required to provide prompt public notice if an incumbent who did not submit a timely Notification of Noncandidacy also fails to file a Declaration of Candidacy (i.e., in effect, the requirement is to give prompt public notice of the 72-hour extension of the ballot eligibility deadline, if applicable). The public notice shall be posted on the school district's Internet site or, if the school district does not maintain an Internet site, by posting notices in at least 3 different locations within the school district. [Section 8.10\(2\)\(am\)](#) and [120.06\(6\)\(b\)3m](#).

Note: The statutes do not further define what constitutes "prompt" public notice for this purpose. Subject to any additional guidance or directives from the Wisconsin Elections Commission, the WASB recommends giving this public notice, if applicable to the district, as soon as practicable after the regular ballot access deadline expires (e.g., via a website notice that is posted on the evening of the original ballot access deadline).

January 5, 2024

Deadline for Filing Challenges to Ballot Access Documents (Assuming that the Regular Filing Deadline Was Not Subject to an Extension)

Any challenge to the sufficiency of a candidate's nomination papers, where nomination papers are required, must be made by verified complaint and must be filed with the appropriate filing officer (in this case with the school district clerk) within 3 calendar days after the filing deadline for the challenged nomination papers. The challenge must be established by affidavit, or by other supporting evidence, demonstrating a failure to comply with statutory or other legal requirements. [Section 8.07](#) and [Section EL 2.07](#).

The form of the complaint and its filing must comply with the requirements of [Ch. EL 20](#) of the Wisconsin Administrative Code. The complainant shall file both an original and a copy of the challenge at the time of filing the complaint; however, the failure of the complainant to provide the filing officer with a copy of the challenge complaint will not invalidate the challenge complaint. The filing officer shall make arrangements to have a copy of the challenge delivered to the challenged candidate within 24 hours of the filing of the challenge complaint. The filing officer may impose a fee for the cost of photocopying the challenge and for the cost of delivery of the challenge to the respondent. *Section [EL 2.07](#)*

The response to a challenge to nomination papers must be filed, by the candidate being challenged, within 3 calendar days of the filing of the challenge and must be verified. *Section [EL 2.07](#)*

After the deadline for filing a response to a challenge, but not later than the date for certifying candidates to the ballot, the local filing officer shall decide the challenge with or without a hearing. *Section [EL 2.07](#)*.

Note: In the event there is a formal legal challenge to a potential candidate's eligibility to appear on the ballot that extends beyond the filing officer's initial determination of the issue, it is helpful for the school district clerk to notify the relevant county clerk(s) that the final determinations of ballot eligibility and the candidates' ballot order may be delayed until the challenge is resolved.

January 9, 2024

Deadline for Verification and Certification of Ballot Eligibility and Determination of Need for a Primary Election

No later than 5 p.m. on the 2nd Tuesday in January, the school district clerk shall verify the declarations of candidacy or certify the names of the candidates who have filed valid nomination papers. In making verifications or certifications, the school district clerk shall designate the form of each candidate's name to appear on the ballot in the manner prescribed in s. [7.08\(2\)\(a\)](#). *Section [120.06\(7\)\(a\)](#)*.

For additional information about situations in which an individual may not be certified to appear on the ballot, see Part I of this publication and the item above titled, "Eligibility for Appearance on Ballot."

Note: After conducting the drawing of lots for ballot order (see below), school district clerks should use form EL-405 (Certificate of Nomination) to certify to the appropriate county clerk(s) the names of ballot-eligible candidates and the order in which candidates will appear on the ballot.

When A Primary Election is Required

The school board shall require a primary election if there are more than 2 candidates for any seat on a 3-member board or more than twice as many candidates as there are members to be elected to an unnumbered school board of more than 3 members. In school districts in which a plan of apportionment of school board members under s. [120.02\(2\)](#), an apportionment plan that apportions the territory of the school district into election districts under s. [120.42\(1m\)](#), or a plan for election of school board members to numbered seats has been adopted, the school board shall require a primary election for particular apportioned areas for which there are more than twice as many candidates as there are members to be elected and for any numbered seat for which there are more than 2 candidates. When there is a primary election, it shall be held in conjunction with the spring primary. *Section [120.06\(7\)\(b\)](#)*.

Notice to Municipal Clerks of Primary Election, If applicable

The school district clerk must notify the municipal clerk of each municipality lying wholly or partially within the school district of the primary election, if one is to be held, and furnish such clerks with a copy of the notice of the school board election. *Section [120.06\(8\)\(a\)](#).*

January 9, 2024

Drawing of Lots for Ballot Order for Placement on the Spring Primary Ballot or, Where No Primary is Required, for Placement on Spring Election Ballot

Not later than the 2nd Tuesday in January, or the next day if the first Tuesday is a holiday, the school district clerk shall determine the order in which the names of candidates shall appear on the ballot by supervising the drawing of lots for placement on the spring primary ballot, or, where no primary is required, for placement on spring election ballot. *Sections [5.58\(1g\)\(c\)](#), [5.60\(4\)\(c\)](#), and [120.06\(8\)\(b\)](#).*

As further covered in a subsequent item, below, for those offices requiring a primary, the names of the winners of the primary election will be redrawn in a similar fashion after the primary to determine the order of placement on the spring election ballot.

Note: School district clerks are not required to publish a notice of the drawing of lots for ballot order. However, the drawing should be considered to occur “in public,” and a candidate’s request to attend and witness the drawing should not be denied. The clerk should keep a record of the procedures followed during the drawing. The drawing is to be random. Therefore, it would be inappropriate to, for example, simply put candidates’ names in alphabetical order (unless they are randomly drawn in that order). See pages 49-50 of the Election Administration Manual for Wisconsin Municipal Clerks for more information on procedures to be used in the drawing of lots for ballot order placement.

Once the time for challenging a candidate's eligibility to appear on the ballot has passed and the eligible candidates and the ballot order are known, the school district clerk is required to transmit a list of certified candidates to the relevant county clerk(s) using the EL-405 (Certificate of Nomination) form. It is recommended that the school district clerk also send the county clerk(s) a copy of each candidate's Declaration of Candidacy (Form EL-162sd). Providing this information to the county clerk(s) will help ensure that the candidates’ names appear on the ballot correctly.

January 16, 2024

Deadline for Non-Exempt Committees to File January Continuing Campaign Finance Report

All candidate committees that were registered under the campaign finance laws as of December 31, 2023, and that did not claim an exemption from filing campaign finance reports for the reporting period ending on December 31st must file the campaign finance report required under s. [11.0204](#). The report must be filed with the school district clerk no earlier than January 1st and no later than January 15th.^{*} The report must include each contribution received, disbursement made, or obligation incurred during the reporting period, through December 31. *Sections [11.0103\(3\)](#) and [11.0204](#).*

* Note: Monday, January 15, 2024, is a legal holiday. Section [990.001\(4\)\(b\)](#) specifies that deadlines falling on Sundays or legal holidays are extended to the next secular day.

January 17, 2024
Duties of Clerk Regarding Campaign Finance Reports
that Have Been Filed or that Are Delinquent

The school district clerk, as the local filing officer, shall:

- (1) Develop a filing, coding, and cross-indexing system consonant with the purposes of the campaign finance laws and the filing officer's statutory duties.
- (2) Compile and maintain on an electronic system a current list of all reports and statements received by or required of and pertaining to each registered committee. *(Note: Initial guidance from the former Government Accountability Board regarding this requirement indicated that an electronic spreadsheet or word processing file would be a sufficient "electronic system." The election administration manuals published by the Elections Commission provide additional guidance about filing officer recordkeeping requirements.)*
- (3) Determine whether each report or statement required to be filed has been filed in the form and by the time prescribed by law, and whether it conforms on its face to the requirements set forth in applicable law.
- (4) Immediately send to any committee that is delinquent in filing, or that has filed otherwise than in the proper form, a notice that the committee has failed to comply. Whenever a candidate committee has appointed an individual other than the candidate as campaign treasurer, the filing officer shall send the notice to both the candidate and the treasurer of the candidate committee.
- (5) Notify the Ethics Commission, in writing, of any facts within the filing officer's knowledge or evidence in the officer's possession, including errors or discrepancies in reports or statements and delinquencies in filing which may be grounds for civil action or criminal prosecution. The Ethics Commission has created a form (CF-30) for local filing officers to use to provide such notice. The commission may, at its discretion, transmit a copy of the notification received from the local filing officer to the district attorney.
- (6) Make available a list of delinquents for public inspection.
- (7) Make the reports and statements filed with the officer available for public inspection and copying, commencing as soon as practicable but not later than the end of the 2nd day following the day during which they are received.
- (8) Upon the request of any person, permit copying of campaign finance reports or registration statements that have been filed with the officer.

Section [11.0102\(3\)](#).

January 23, 2024

Deadline for Filing Petition to Change Number, Apportionment or Election of School Board Members in Unified School Districts

At least 70 days prior to the election of school board members in a **unified** school district, a petition may be filed with the school district clerk requesting a change in the number of school board members, the establishment of a plan of apportionment, or a plan for election to numbered seats. Sections [120.02](#) and [120.41\(2\)](#).

On or Before January 29, 2024

Provide Municipal Clerk(s) with Ballots for Primary Election (If a Primary Is Held and If Separate Paper Ballots Are Utilized)

Where paper ballots are utilized at a spring primary election or spring election,* the school district clerk shall provide the municipal clerk(s) with an adequate supply of ballots at least 22 days before the election. Sections [5.58\(1g\)](#) and [120.06\(8\)\(d\)](#).

Ballots must be available by January 30, 2024 in each municipal clerk's office for absentee voting at the spring primary (if a primary is required). Section [7.15\(1\)\(cm\)](#).

** Note: In many cases, county clerks will physically prepare and print consolidated, machine-readable ballots. Section [5.655](#). However, particularly if a school board election or a school district referendum is the only item being contested at the spring primary or if the district customarily prints paper ballots for school board elections, the school district should contact the relevant county clerk(s) to confirm the procedure for ballot preparation and printing.*

On or About February 5, 2024

Notify Non-Exempt Committees of Duty to File a Preprimary Campaign Finance Report (If a Primary Election Is Held)

When a primary election is being held for one or more school board offices, each candidate committee that is not exempt from filing campaign finance reports and that is participating in the primary election must file a preprimary campaign finance report no earlier than 14 days and no later than 8 days preceding the primary. Sections [11.0103\(3\)](#) and [11.0204](#).

Local filing officers no longer have an express statutory duty to provide campaign finance law reporting forms to each registered, non-exempt committee by first class mail for each reporting period. However, in light of the filing officer duties that are specified in s. [11.0102\(3\)](#)* and pending further guidance from the Ethics Commission on the proper interpretation and performance of those duties, local filing officers may conclude that the best method of proceeding is to contact each registered, non-exempt committee in connection with each reporting deadline to notify the committee of the applicable reporting deadlines and of the availability of the relevant forms. Particularly if such notice is sent electronically, the filing officer may even elect to include copies of the relevant forms as attachments to the communications. Such periodic communications over the course of the year may

be more than is minimally required, but the remainder of this publication assumes that the filing officer is taking that approach.

** Note: Refer to the item above titled, “Notify Non-Exempt Committees of Duty to File a Continuing Report for the Period Ending December 31,” at pages 19-20 of this publication, for a list of the relevant duties.*

February 6 to February 12, 2024
Deadline for Non-Exempt Committees to File a Preprimary Election
Campaign Finance Report (If a Primary Election Is Held)

When a primary election is being held for one or more school board offices, each candidate committee that is not exempt from filing campaign finance reports and that is participating in the primary election must file a preprimary election campaign finance report no earlier than 14 days and no later than 8 days preceding the primary. *Section [11.0204](#).*

The report shall begin with the first contribution received, disbursement made, or obligation incurred during the reporting period, and shall include all contributions received, disbursements made, and obligations incurred as of the end of the 15th day preceding the primary election. *Section [11.0103\(3\)](#).*

February 13, 2024
Duties of Clerk Regarding Campaign Finance Reports that Have Been
Filed or that Are Delinquent (If a Primary Election is Held)

Note: For a list of the relevant duties, refer to the item above that is also titled, “Duties of Clerk Regarding Campaign Finance Reports that Have Been Filed or that Are Delinquent,” at page 24 of this publication. See also s. [11.0102\(3\)](#) of the state statutes.

February 16, 2024 (12:00 p.m.)
Write-in Candidate Registration Deadline for the Primary Election
(If a Primary Election Is Held)

If at least one candidate has been certified to appear on the ballot for the office sought by a write-in candidate, and provided that no candidate who has been certified to appear on the ballot dies before the election, then write-in votes may only be counted if the write-in candidate has filed a Campaign Finance Registration Statement under s. [11.0202\(1\)\(a\)](#) by no later than noon on the Friday immediately preceding the election. *Section [7.50\(2\)\(em\)](#).*

However, if no candidates have been certified to appear on the ballot for the office in question, or if a candidate who was certified to appear on the ballot dies before the election, then all write-in votes shall be counted, regardless of whether the person receiving votes filed a registration statement. *Section [7.50\(2\)\(em\)](#).*

Note: Regardless of this vote-counting deadline, if a person who is seeking write-in votes becomes a “candidate” as defined under [Ch. 11](#) (e.g., by virtue of receiving a contribution, making a

disbursement, or giving consent for another person to receive a contribution or make a disbursement in order to bring about the individual's election to office), the campaign finance laws separately require the person to file a Campaign Finance Registration Statement at that time.

Provide Names of Registered Write-in Candidates (If Any)
to the Municipal Clerks

The school district filing officer or his or her designee should send the names of all registered write-in candidates to all applicable municipal clerks. While there is no express requirement that school district clerks notify applicable municipal clerks of registered write-in candidates, the Wisconsin Elections Commission [Election Day Manual](#), at page 114 of the 2020 edition, directs municipal clerks to provide a list of registered write-in candidates to election inspectors. That list will be incomplete if school district clerks fail to inform municipal clerks of registered school board write-in candidates.

On or Before February 19, 2024

Choose Board of Canvassers (If a Primary Election Is Held)

The school district clerk shall choose two qualified electors prior to the date of the election being canvassed who shall, with the school district clerk, constitute the school district board of canvassers. If the school district clerk is a candidate at the election being canvassed, the other two members of the board of canvassers shall designate a third member to serve in lieu of the clerk for that election. [Section 7.53\(3\)](#).

The Elections Commission advises that appointed members of the board of canvassers are required to take and file an oath of office prior to undertaking any duties as an election official. (Form EL-154 may be used.)

Note: The WASB has asked the Wisconsin Elections Commission to clarify whether the members of a school district board of canvassers are required to be compensated for their service under s. [7.03](#) of the state statutes. At least until clarification is received, a conservative approach would be to either (1) pay the members of the board of canvassers a reasonable daily or hourly rate, or (2) secure a written declination of such compensation from any canvasser who chooses to volunteer his/her services.

February 19*, 2024

Newspaper Publication of Notice of Primary
(If a Primary Election Is Held)

The clerk shall publish a Class 1 notice, in accordance with [Ch. 985](#), on the Monday before the primary election. If, due to the method of delivering newspapers in the school district, the school district clerk determines that more effective notice will be provided by publication at an earlier date, the school district clerk may publish the notice not earlier than three days before the primary. In addition, if publication is made in a newspaper which does not publish on Monday, publication shall be made on the closest preceding day on which the newspaper publishes.

The notice shall contain the following information:

- (1) The date of the election;

- (2) The names of all candidates in the order in which they are listed on the ballot;
- (3) The location and open hours of polling places and a designation of which persons should vote at each polling place; and
- (4) A facsimile ballot and the relevant portions of the voting instructions under s. [10.02\(3\)](#).

Section [120.06\(8\)\(c\)](#); see also Sections [10.01\(2\)\(b\)](#) and [10.01\(2\)\(d\)](#).

Provide a copy of this notice to the clerk of each municipality lying wholly or partially within the school district. Section [120.06\(8\)\(a\)](#).

** Note: Newspaper operational deadlines will likely require the clerk or the clerk's designee to contact the newspaper and provide the newspaper with the text of the notice well before February 19, 2024.*

February 20, 2024
Spring Primary Election

The spring primary is held on the third Tuesday in February. Section [5.02\(22\)](#).

On or About February 20, 2024
Issue Open Meetings Law Notice of the Meeting(s) of the Board of Canvassers
(If a Primary Election Is Held)

A formal opinion of the Attorney General of Wisconsin states that a duly selected and convened board of canvassers constitutes a governmental body for the purposes of the open meetings law. As such, meetings of the board of canvassers to canvass the primary election are subject to the notice provisions and open session requirements of the open meetings law. Public notice of the meeting(s) generally must be given at least 24 hours prior to the start of the meeting. Sections [19.83](#) and [19.84](#).

On or About February 21, 2024
Receipt of Election Materials and Other Related Duties
(If a Primary Election Was Held)

After the primary election, the school district clerk shall receive all election materials from municipal clerk(s), including ballots (after they have been counted, reported, and secured) if the school district election ballots are separate. Sections [7.51\(5\)\(b\)](#) and [120.06\(8\)\(e\)](#). The municipal clerks are generally required to deliver these materials no later than 4 p.m. on the day after the election. Sections [7.51\(5\)\(b\)](#) and [7.53\(3\)\(a\)](#). Once in possession of the materials, the school district clerk is obligated to retain and later supervise the destruction of the election materials from the primary and from the spring election, pursuant to s. [7.23](#), insofar as applicable. Section [120.06\(8\)\(g\)](#).

The receipt of the materials will enable the school district clerk to ensure that the election is properly canvassed, that any recount is conducted as required by law, and that other related duties are performed. Sections [7.53\(3\)](#), [120.06\(8\)\(f\)](#), [120.06\(8\)\(h\)](#), and [120.06\(14\)](#).

On or About February 21 to 27, 2024*
Canvass of Election Returns and Written Determination of Primary Results
(If a Primary Election Was Held)

The Elections Commission advises that appointed members of the board of canvassers are required to take and file an oath of office prior to undertaking any duties as an election official. The school district clerk or any notary may administer the oath and Form EL-154 may be used.

The board of canvassers shall prepare a written statement showing the numbers of votes cast for each person for each office and for and against each question and shall prepare a determination showing the names of the persons who have won nomination to the school board and the results of any school district referendum. Each statement and determination shall be attested by each of the canvassers, and the statement and determination shall be filed in the school district office. *Sections [7.53\(3\)\(a\)](#) and [120.06\(14\)](#).*

The board of canvassers must wait to begin its work until after the municipal clerk(s) have delivered the tally sheets, inspectors' statements, ballots, and applicable envelopes and materials to the school district clerk. The municipal clerks are generally required to deliver these materials no later than 4 p.m. on the day after the election. *Sections [7.51\(5\)\(b\)](#) and [7.53\(3\)\(a\)](#).*

The latest possible date and time that the canvass may commence is 9 a.m. on the Tuesday after the election. *Section [7.53\(3\)\(a\)](#).*

Once the canvassing of the election begins, it is to continue, without adjournment, until it is completed. However, as an exception to this rule, if the board of canvassers has met before 4 p.m. on the Monday after the election and thereafter receives amended statements, tally sheets, and lists from a municipal clerk for provisional ballots that are eligible to be counted under s. [6.97\(4\)](#), then the board of canvassers must reconvene no later than 9 a.m. on the Tuesday after the election and adjust the returns accordingly. *Sections [7.51\(5\)\(b\)](#) and [7.53\(3\)\(a\)](#).*

In all cases, the board of canvassers must complete the canvass and prepare its statements and determinations no later than 4 p.m. on the Tuesday after the election. *Section [7.53\(3\)\(a\)](#).*

** Note: Due to the statutory timing of the canvassing, this section indicates an approximate timeline for conducting the canvass. The ending date of the canvass will determine the timeline for recount requests (see below).*

Note: Districts are encouraged to carefully review s. [7.53\(3\)\(a\)](#) of the Wisconsin Statutes. In order to be certain that the board of canvassers will avoid the need to reconvene to adjust the returns to account for provisional ballots, as further described in the above paragraph, the meeting of the board of canvassers would have to be scheduled to begin either: (1) at 4 p.m. or later on the Monday after the election; or (2) at 9 a.m. or earlier on the Tuesday after the election. When scheduling the meeting of the board of canvassers, school district clerks are encouraged to coordinate with the applicable municipal clerks regarding any outstanding provisional ballots that are eligible to be counted under s. [6.97\(4\)](#).

Note: The WASB has asked the Wisconsin Elections Commission to clarify whether the members of a school district board of canvassers are required to be compensated for their service under s. [7.03](#) of the

state statutes. At least until clarification is received, a conservative approach would be to either (1) pay the members of the board of canvassers a reasonable daily or hourly rate, or (2) secure a written declination of such compensation from any canvasser who chooses to volunteer his/her services.

On or About February 21 to March 1, 2024
Recount Request May Be Filed (If a Primary Election Was Held)

Any candidate voted for at any election who meets the definition of an “aggrieved party” under s. [9.01\(1\)\(a\)5](#) may request a recount. The petitioner shall file a verified petition or petitions accompanied by the fee prescribed by law, if any, with the school district clerk not earlier than the time of completion of the canvass and not later than 5 p.m. on the third business day following the last meeting day of the board of canvassers determining the election for that office. Section [9.01\(1\)\(a\)](#).

Note: An “aggrieved party” eligible to file a recount petition is a candidate who trails the leading candidate by no more than 40 votes in elections at which 4,000 or fewer votes were cast or by no more than 1% of the total votes cast for the office in elections at which more than 4,000 votes were cast. Section [9.01\(1\)\(a\)5](#). The “leading candidate” includes every individual whose vote total at the time of the filing of the recount petition would entitle the individual to election or nomination to office. In an election in which more than one office of the same type is to be filled from the same territory, the number and percentage of votes cast shall be determined by first dividing the total number of votes cast for the office by the number of offices being filled at the election from the same territory. Section [9.01\(1\)\(ag\)5](#).

On or About February 22 to March 1, 2024
Drawing of Lots for Ballot Order Following any Primary Election

Not later than the third day following the completion of the canvass of the primary election, if a primary is held, the school district clerk shall determine the order in which the names of the candidates for school board seats are printed on the ballot by supervising the drawing of lots. Sections [5.60\(4\)\(c\)](#) and [9.01\(1\)\(a\)](#). However, if there is no person who meets the definition of an “aggrieved party” under s. [9.01\(1\)\(a\)5](#) for purposes of requesting a recount, then the drawing of lots should occur no later than the 2nd day following the completion of the canvass. Section [120.06\(8\)\(b\)](#).

Note: Sections [5.60\(4\)\(c\)](#), [9.01\(1\)\(a\)](#), and [120.06\(8\)\(b\)](#) can sometimes be in conflict. The timeline in section [5.60\(4\)\(c\)](#) appears to better account for the three business days a candidate is allowed to petition for a recount (assuming that there is an eligible “aggrieved party” as defined in the recount statutes). In the event of a recount, the school district clerk may wish to contact the Elections Board for advice on scheduling the drawing of lots for ballot order for the spring election.

Note: School district clerks are not required to publish a notice of the drawing of lots for ballot order. However, the drawing should be considered to occur “in public,” and a candidate’s request to attend and witness the drawing should not be denied. The clerk should keep a record of the procedures followed during the drawing. The drawing is to be random. Therefore, it would be inappropriate to, for example, simply put candidates’ names in alphabetical order (unless they are randomly drawn in that order). See pages 49-50 of the Election Administration Manual for Wisconsin Municipal Clerks for more information on procedures to be used in the drawing of lots for ballot order placement.

On or About February 22 to March 1, 2024
School District Clerk Certifies Nominations and Ballot Order to
County Clerk(s) (If a Primary Was Held)

As soon as the deadline for filing a petition for a recount has passed, the school district clerk shall certify nominations after the primary. When a valid petition for a recount is filed, the school district clerk shall not certify the nomination for the office in question until the recount has been completed and the time allowed for filing an appeal has passed or is appealed until the appeal is decided. *Sections [7.53\(3\)](#) and [7.53\(4\)](#).*

School district clerks should use form EL-405 (Certificate of Nomination) to certify the spring election candidates to the appropriate county clerk(s).

Note: In a 1st class city school district—i.e., the Milwaukee Public Schools—the municipal board of canvassers or election commissioners certifies nominations after each primary election. Section [7.53\(3\)\(b\)](#).

On or Before March 11, 2024
Provide Municipal Clerk(s) with Ballots (If Required*)

Where paper ballots are utilized at a spring primary election or spring election,* the school district clerk shall provide the municipal clerk(s) with an adequate supply of ballots at least 22 days before the election. *Sections [5.58\(1g\)](#) and [120.06\(8\)\(d\)](#).*

Ballots must be available by March 12, 2024 in each municipal clerk’s office for absentee voting at the spring election. *Section [7.15\(1\)\(cm\)](#).*

** Note: In many cases, county clerks will physically prepare and print consolidated, machine-readable ballots. Section [5.655](#). However, particularly if a school board election or a school district referendum is the only item being contested at the spring election or if the district customarily prints paper ballots for school board elections, the school district should contact the relevant county clerk(s) to confirm the procedure for ballot preparation and printing.*

On or About March 18, 2024
Notify Non-Exempt Committees of Duty to File
a Preelection Campaign Finance Report

Each candidate committee that is not exempt from filing campaign finance reports and that is participating in the spring election must file a preelection campaign finance report no earlier than 14 days and no later than 8 days preceding the election. *Sections [11.0103\(3\)](#) and [11.0204](#).*

Local filing officers no longer have an express statutory duty to provide campaign finance law reporting forms to each registered, non-exempt committee by first class mail for each reporting period. However, in light of the filing officer duties that are specified in s. [11.0102\(3\)](#)* and pending further guidance from the Ethics Commission on the proper interpretation and performance of those duties,

local filing officers may conclude that the best method of proceeding is to contact each registered, non-exempt committee in connection with each reporting deadline to notify the committee of the applicable reporting deadlines and of the availability of the relevant forms. Particularly if such notice is sent electronically, the filing officer may even elect to include copies of the relevant forms as attachments to the communications. Such periodic communications over the course of the year may be more than is minimally required, but the remainder of this publication assumes that the filing officer is taking that approach.

** Note: Refer to the item above titled, “Notify Non-Exempt Committees of Duty to File a Continuing Report for the Period Ending December 31,” at pages 19-20 of this publication, for a list of the relevant duties.*

March 19 to 25, 2024

Deadline for Non-Exempt Committees to File Preelection Campaign Finance Report

Each candidate committee that is not exempt from filing campaign finance reports and that is participating in the spring election must file a preelection campaign finance report no earlier than 14 days and no later than 8 days preceding the election. *Section [11.0204](#).*

The report shall begin with the first contribution received, disbursement made, or obligation incurred during the reporting period, and shall include all contributions received, disbursements made, and obligations incurred as of the end of the 15th day preceding the election. *Section [11.0103\(3\)](#).*

March 26, 2024

Duties of Clerk Regarding Campaign Finance Reports that Have Been Filed or that Are Delinquent

Note: For a list of the relevant duties, refer to the item above that is also titled, “Duties of Clerk Regarding Campaign Finance Reports that Have Been Filed or that Are Delinquent,” at page 24 of this publication. See also s. [11.0102\(3\)](#) of the state statutes.

March 29, 2024 (12:00 p.m.)

Write-in Candidate Registration Deadline for the Spring Election

If at least one candidate has been certified to appear on the ballot for the office sought by a write-in candidate, and provided that no candidate who has been certified to appear on the ballot dies before the election, then write-in votes may only be counted if the write-in candidate has filed a Campaign Finance Registration Statement under s. [11.0202\(1\)\(a\)](#) by no later than noon on the Friday immediately preceding the election. *Section [7.50\(2\)\(em\)](#).*

However, if no candidates have been certified to appear on the ballot for the office in question, or if a candidate who was certified to appear on the ballot dies before the election, then all write-in votes shall be counted, regardless of whether the person receiving votes filed a registration statement. *Section [7.50\(2\)\(em\)](#).*

Note: Regardless of this vote-counting deadline, if a person who is seeking write-in votes becomes a “candidate” as defined under [Ch. 11](#) (e.g., by virtue of receiving a contribution, making a disbursement, or giving consent for another person to receive a contribution or make a disbursement in order to bring about the individual’s election to office), the campaign finance laws separately require the person to file a timely Campaign Registration Statement.

Provide Names of Registered Write-in Candidates (If Any)
to the Municipal Clerks

The school district filing officer or his or her designee should send the names of all registered write-in candidates to all applicable municipal clerks. While there is no express requirement that school district clerks notify applicable municipal clerks of registered write-in candidates, the Wisconsin Elections Commission [Election Day Manual](#), at page 114 of the 2020 edition, directs municipal clerks to provide a list of registered write-in candidates to election inspectors. That list will be incomplete if school district clerks fail to inform municipal clerks of registered school board write-in candidates.

On or Before April 1, 2024
Choose Board of Canvassers

The school district clerk shall choose two qualified electors prior to the date of the election being canvassed who shall, with the school district clerk, constitute the school district board of canvassers. If the school district clerk is a candidate at the election being canvassed, the other two members of the board of canvassers shall designate a third member to serve in lieu of the clerk for that election. [Section 7.53\(3\)](#).

The Elections Commission advises that appointed members of the board of canvassers are required to take and file an oath of office prior to undertaking any duties as an election official. (Form EL-154 may be used.)

Note: The WASB has asked the Wisconsin Elections Commission to clarify whether the members of a school district board of canvassers are required to be compensated for their service under s. [7.03](#) of the state statutes. At least until clarification is received, a conservative approach would be to either (1) pay the members of the board of canvassers a reasonable daily or hourly rate, or (2) secure a written declination of such compensation from any canvasser who chooses to volunteer his/her services.

April 1*, 2024
Newspaper Publication of the Notice of Spring Election

The clerk shall publish a Class 1 notice, in accordance with [Ch. 985](#), on the Monday before the spring election. If, due to the method of delivering newspapers in the school district, the school district clerk determines that more effective notice will be provided by publication at an earlier date, the school district clerk may publish the notice not earlier than three days before the election. In addition, if publication is made in a newspaper which does not publish on Monday, publication shall be made on the closest preceding day on which the newspaper publishes.

The notice shall contain the following information:

- (1) The date of the election;
- (2) The names of all candidates in the order in which they are listed on the ballot;
- (3) The location and open hours of polling places and a designation of which persons should vote at each polling place; and
- (4) A facsimile ballot and the relevant portions of the voting instructions under s. [10.02\(3\)](#).

Section [120.06\(8\)\(c\)](#); see also Sections [10.01\(2\)\(b\)](#) and [10.01\(2\)\(d\)](#).

Provide a copy of this notice to the clerk of each municipality lying wholly or partially within the school district. Section [120.06\(8\)\(a\)](#).

** Note: Newspaper operational deadlines will likely require the clerk or the clerk's designee to contact the newspaper and provide the newspaper with the text of the notice well before April 1, 2024.*

April 2, 2024 Spring Election

The spring election is held on the first Tuesday in April. Section [5.02\(21\)](#).

On or About April 2, 2024 Issue Open Meetings Law Notice of the Meeting(s) of the Board of Canvassers

A formal opinion of the Attorney General of Wisconsin states that a duly selected and convened board of canvassers constitutes a governmental body for the purposes of the open meetings law. As such, meetings of the board of canvassers that are held to canvass the spring election are subject to the notice provisions and open session requirements of the open meetings law. Public notice of the meeting(s) generally must be given at least 24 hours prior to the start of the meeting. Sections [19.83](#) and [19.84](#).

After April 2, 2024 Some Candidate Committees May File a Campaign Finance Termination Report

All committees that dissolve or that determine that obligations will no longer be incurred, disbursements made, or contributions received—including exempt committees—must eventually file a termination report to end their registration and discontinue their reporting obligations. Termination reports are filed with the school district clerk or the clerk's designee.

The following restrictions are stated in the campaign finance laws regarding termination reports:

- (1) A person who is a candidate by virtue of holding a local office must remain registered under the campaign finance laws. Sections [11.0101\(1\)](#) and [11.0202\(1\)](#). This means that incumbent board members who are continuing in office and those candidates who take office after prevailing in the election will not be filing termination reports.

- (2) In no case may a candidate committee file a termination report covering any period ending sooner than the date of the election in which the candidate committee is participating. *Section [11.0105\(1\)\(b\)](#).*

School board clerks have obligations to review and determine the facial sufficiency of termination reports, notify the Ethics Commission of potential errors or discrepancies in the reports, and retain and manage the reports in the same manner as applies to other campaign finance reports. *Section [11.0102\(3\)](#).*

Although not expressly required by state law, it is highly recommended for the school board clerk or a designee acting on behalf of the clerk to confirm to the committee in writing (i.e., to the candidate and to any separate committee treasurer) that the committee has successfully terminated their registration, subject to any possible subsequent review or determination by the Ethics Commission or the courts.

Note: For a list of the relevant duties performed by the clerk with respect to campaign finance reports, refer to the item above that is titled, “Duties of Clerk Regarding Campaign Finance Reports that Have Been Filed or that Are Delinquent,” at page 24 of this publication. See also s. [11.0102\(3\)](#) of the state statutes. For additional information specific to termination reports, please Part I of this publication.

On or About April 3, 2024 Receipt of Election Materials and Other Related Duties

After the spring election, the school district clerk shall receive all election materials from municipal clerk(s), including ballots (after they have been counted, reported, and secured) **if** the school district election ballots are separate. *Sections [7.51\(5\)\(b\)](#) and [120.06\(8\)\(e\)](#).* The municipal clerks are generally required to deliver these materials no later than 4 p.m. on the day after the election. *Sections [7.51\(5\)\(b\)](#) and [7.53\(3\)\(a\)](#).* Once in possession of the materials, the school district clerk is obligated to retain and later supervise the destruction of the election materials from the primary and from the spring election, pursuant to s. [7.23](#), insofar as applicable. *Section [120.06\(8\)\(g\)](#).*

The receipt of the materials will enable the school district clerk to ensure that the election is properly canvassed, that any recount is conducted as required by law, and that other related duties are performed. *Sections [7.53\(3\)](#), [120.06\(8\)\(f\)](#), [120.06\(8\)\(h\)](#), and [120.06\(14\)](#).*

April 3 to 9, 2024* Canvass of Election Returns and Written Determination of Election Results

The Elections Commission advises that appointed members of the board of canvassers are required to take and file an oath of office prior to undertaking any duties as an election official. The school district clerk or any notary may administer the oath and Form EL-154 may be used.

The board of canvassers shall prepare a written statement showing the numbers of votes cast for each person for each office and for and against each question and shall prepare a determination showing the names of the persons who are elected to the school board and the results of any school district referendum. Each statement and determination shall be attested by each of the canvassers, and the

statement and determination shall be filed in the school district office. [Sections 7.53\(3\)\(a\) and 120.06\(14\)](#).

The board of canvassers must wait to begin its work until after the municipal clerk(s) have delivered the tally sheets, inspectors' statements, ballots, and applicable envelopes and materials to the school district clerk. The municipal clerks are generally required to deliver these materials no later than 4 p.m. on the day after the election. [Sections 7.51\(5\)\(b\) and 7.53\(3\)\(a\)](#).

The latest possible date and time that the canvass may commence is 9 a.m. on the Tuesday after the election. [Section 7.53\(3\)\(a\)](#).

Once the canvassing of the election begins, it is to continue, without adjournment, until it is complete. However, as an exception to this rule, if the board of canvassers has met before 4 p.m. on the Monday after the election and thereafter receives amended statements, tally sheets, and lists from a municipal clerk for provisional ballots that are eligible to be counted under s. [6.97\(4\)](#), then the board of canvassers must reconvene no later than 9 a.m. on the Tuesday after the election and adjust the returns accordingly. [Sections 7.51\(5\)\(b\) and 7.53\(3\)\(a\)](#).

In all cases, the board of canvassers must complete the canvass and prepare its statements and determinations no later than 4 p.m. on the Tuesday after the election. [Section 7.53\(3\)\(a\)](#).

** Note: Due to the statutory timing of the canvassing, this section indicates an approximate timeline for conducting the canvass. The ending date of the canvass will determine the timeline for recount requests (see below).*

Note: Districts are encouraged to carefully review s. [7.53\(3\)\(a\)](#) of the Wisconsin Statutes. In order to be certain that the board of canvassers will avoid the need to reconvene to adjust the returns to account for provisional ballots, as further described in the above paragraph, the meeting of the board of canvassers would have to be scheduled to begin either: (1) at 4 p.m. or later on the Monday after the election; or (2) at 9 a.m. or earlier on the Tuesday after the election. When scheduling the meeting of the board of canvassers, school district clerks are encouraged to coordinate with the applicable municipal clerks regarding any outstanding ballots that are eligible to be counted under s. [6.97\(4\)](#).

Note: The WASB has asked the Wisconsin Elections Commission to clarify whether the members of a school district board of canvassers are required to be compensated for their service under s. [7.03](#) of the state statutes. At least until clarification is received, a conservative approach would be to either (1) pay the members of the board of canvassers a reasonable daily or hourly rate, or (2) secure a written declination of such compensation from any canvasser who chooses to volunteer his/her services.

On or About April 3 to 12, 2024 **Recount Request May Be Filed**

Any candidate voted for at any election who meets the definition of an “aggrieved party” under s. [9.01\(1\)\(a\)5](#) may request a recount. The petitioner shall file a verified petition or petitions accompanied by the fee prescribed by law, if any, with the school district clerk not earlier than the time of completion of the canvass and not later than 5 p.m. on the third business day following the last meeting day of the board of canvassers determining the election for that office. [Section 9.01\(1\)\(a\)](#).

Note: An “aggrieved party” eligible to file a recount petition is a candidate who trails the leading candidate by no more than 40 votes in elections at which 4,000 or fewer votes were cast or by no more than 1% of the total votes cast for the office in elections at which more than 4,000 votes were cast. Section [9.01\(1\)\(a\)5](#). The “leading candidate” includes every individual whose vote total at the time of the filing of the recount petition would entitle the individual to election or nomination to office. In an election in which more than one office of the same type is to be filled from the same territory, the number and percentage of votes cast shall be determined by first dividing the total number of votes cast for the office by the number of offices being filled at the election from the same territory. Section [9.01\(1\)\(a\)5](#).

On or About April 3 to 12, 2024 Certificate(s) of Election

As soon as the deadline for filing a petition for a recount has passed, the school district clerk shall promptly issue a certificate of election (Form EL-153) to each person elected to any office. If there is no “aggrieved party” (i.e., if no person is eligible to initiate a recount) as defined in s. [9.01\(1\)\(a\)5](#), then the school district clerk does not need to wait until expiration of the time for filing a recount petition. When a valid petition for a recount is filed, the clerk shall not issue the certificate of election for the office in question until the recount has been completed and the time allowed for filing an appeal has passed, or if appealed until the appeal is decided. Sections [7.53\(3\)](#), [7.53\(4\)*](#), and [120.06\(10\)*](#).

Personal service or service by first class mail of a certificate of election is official notification for all legal purposes to any person of his or her election to office. Section [7.80](#).

** Note: The deadlines for issuing a certificate of election, as expressed differently in s. [7.53\(4\)](#) and s. [120.06\(10\)](#), should be harmonized by issuing the certificates as soon as practicable after completion of the canvass if there is no “aggrieved party,” after the recount petition deadline passes if there is an “aggrieved party,” or, if applicable, after the recount process is completed.*

Note: In a 1st class city school district --i.e., MPS -- the municipal board of canvassers or election commissioners issues certificates of election to persons elected to the MPS board of school directors. Section [7.53\(3\)\(b\)](#).

Notifying Municipal and County Clerks of School District Officers

The clerk shall report the name and post office address of each officer of the school district, within 10 days after the election or appointment of the officer, to the clerk and treasurer of each municipality having territory within the school district. Sections [120.05\(1\)\(a\)](#), [120.17\(1\)](#), and [120.44\(2\)](#).
(Note: The term “officers of the school district” refers to all school board members.

The clerk, secretary, or other administrative officer of the school district shall provide the county clerk with the name, phone number, email address, and post-office address of local officials. Section [59.23\(2\)\(s\)](#). *(Note: The telephone number and email address do not need to be the board member’s personal telephone number and personal email address. A district telephone number and official school district email address may be used.)*

On or Before April 22, 2024
Deadline for Newly Elected School Board Members to File Notice of Refusal of Salary that Takes Effect at the Start of the Term of Office

A school board member may send written notification to the school district clerk and the school district treasurer that the school board member wishes to refuse to accept the salary that he or she is otherwise entitled to receive. The notification applies only to that taxable year. A school board member elected at the spring election shall send the notification **no later than the day on which the board member takes the official oath of office** and before the board member performs any services in his or her capacity as a board member. The notification applies only to the taxable year in which the school board member's election has been certified. *Sections [120.07](#) and [120.45](#).*

On or Before April 22, 2024
School Board Members Take and File the Official Oath

On or prior to the fourth Monday in April, any school board member elected **or re-elected** to office at the spring election shall take and file the official oath. The school district clerk has authority to administer the oath of office. A notary public or other person with authority to administer oaths may also administer the oath to school board members. The forms of the oath are set out in s. [19.01](#). The Elections Commission maintains an official oath form (EL-154). *Sections [19.01](#), [120.06\(4\)](#), [120.06\(10\)](#), [120.17\(10\)](#), [120.42\(2\)](#), [120.44\(2\)](#), and [887.01\(1\)](#).*

The official oath shall be in writing and subscribed and sworn to. The oath does not need to be administered at or in conjunction with a school board meeting. If desired, the oath may be administered orally in addition to the written oath (e.g., during open session of a school board meeting), but such additional administration should be considered largely ceremonial. *Section [19.01](#).*

April 22, 2024
School Board Members Take Office

School board members elected at the spring election take office, provided they have taken and filed the official oath, on the fourth Monday in April. *Sections [120.06\(4\)](#) and [120.42\(2\)](#).*

April 22 to May 22, 2024
Election of School Board Officials (i.e., Board Officers)

In the case of a **common** or **union high school district** school board with more than three members, the school board shall annually elect a school district president, vice president, treasurer, and clerk from among its members at a school board meeting held on or within 30 days after the fourth Monday in April. *Section [120.05\(1\)\(c\)](#).*

Annually, on or within 30 days after the fourth Monday in April, the school board in a **unified** school district shall elect a school district president, vice president, clerk, and treasurer from among its members and a school board secretary who need not be a member of the school board. *Section [120.43\(1\)](#).*

Note: A school board that lost its president, treasurer, or clerk as a result of the spring election might consider holding their election of board officers on or very soon after the fourth Monday in April to minimize concerns about the signing of authorized disbursements and the performance of other duties of such school board officers.

June 17, 2024*

Deadline for Filing Petition to Change Number, Apportionment, or Election of School Board Members in Some (Not All) Union High School Districts

At least 30 days prior to the annual meeting in a union high school district, a petition requesting a change in the number of school board members, the establishment of a plan of apportionment, or a plan for election from numbered seats may be filed with the board clerk. Sections [120.02](#) and [120.08\(1\)](#).

** Note: This date is the deadline **only if** the union high school district annual meeting is held on the third Monday in July and **if** the district office is closed on Saturday, June 15, 2024. By statute, when the last day for filing a document with any officer or agent of any school district falls on a Saturday and the duly established official office hours of such officer or agent, to which the document is required to be filed, do not include any office hours thereof on such Saturday, the filing may be done on the next succeeding day that is not a Sunday or a legal holiday. Section [990.001\(4\)\(c\)](#).*

June 24, 2024*

Deadline for Filing Petition to Change Number, Apportionment, or Election of School Board Members in Some (Not All) Common School Districts

At least 30 days prior to the annual meeting in a common school district, a petition requesting a change in the number of school board members, the establishment of a plan of apportionment, or a plan for election from numbered seats may be filed with the board clerk. Sections [120.02](#) and [120.08\(1\)](#).

** Note: This date is the deadline **only if** the common district annual meeting is held on the fourth Monday in July and **if** the district office is closed on Saturday, June 22, 2024. By statute, when the last day for filing a document with any officer or agent of any school district falls on a Saturday and the duly established official office hours of such officer or agent, to which the document is required to be filed, do not include any office hours thereof on such Saturday, the filing may be done on the next succeeding day that is not a Sunday or a legal holiday. Section [990.001\(4\)\(c\)](#).*

On or About June 30, 2024

Notify Non-Exempt Committees of Duty to File a Continuing Report for the Period Ending June 30

Each registered candidate committee that is not exempt from filing campaign finance reports must file the July continuing campaign finance report with the school district clerk. Sections [11.0103\(3\)](#) and [11.0204](#).

Local filing officers no longer have an express statutory duty to provide campaign finance law

reporting forms to each registered, non-exempt committee by first class mail for each reporting period. However, in light of the filing officer duties that are specified in s. [11.0102\(3\)](#)* and pending further guidance from the Ethics Commission on the proper interpretation and performance of those duties, local filing officers may conclude that the best method of proceeding is to contact each registered, non-exempt committee in connection with each reporting deadline to notify the committee of the applicable reporting deadlines and of the availability of the relevant forms.

Particularly if such notice is sent electronically, the filing officer may even elect to include copies of the relevant forms as attachments to the communications. Such periodic communications over the course of the year may be more than is minimally required, but the remainder of this publication assumes that the filing officer is taking that approach.

** Note: Refer to the item above titled, “Notify Non-Exempt Committees of Duty to File a Continuing Report for the Period Ending December 31,” at pages 19-20 of this publication, for a list of the relevant duties.*

July 15, 2024
Deadline for Non-Exempt Committees to File
July Continuing Campaign Finance Report

All registered candidate committees that are not exempt from filing campaign finance reports for reporting period ending on June 30 must file the campaign finance report required under s. 11.0204. The report must be filed with the school district clerk no earlier than July 1 and no later than July 15. The report must include each contribution received, disbursement made, or obligation incurred during the reporting period, through June 30. Sections [11.0103\(3\)](#) and [11.0204](#).

Note: Actively serving school board members always continue to be “candidates” under the campaign finance law throughout their term of office. Thus, current school board members remain registered and, unless exempt, subject to the periodic reporting requirements. In addition, current school board members may not file a termination report while they hold office.

July 16, 2024
Duties of Clerk Regarding Campaign Finance Reports
that Have Been Filed or that Are Delinquent

Note: For a list of the relevant duties, refer to the item above that is also titled, “Duties of Clerk Regarding Campaign Finance Reports that Have Been Filed or that Are Delinquent,” at page 24 of this publication. See also s. [11.0102\(3\)](#) of the state statutes.

Part III: List of Elections Commission and Ethics Commission Forms

The elections forms listed below are updated with some frequency. Accordingly, WASB strongly encourages school districts to access the most-current copy of the forms directly through the websites of the Ethics Commission (<https://ethics.wi.gov/Pages/Resources/ResourcesOverview.aspx>) and the Elections Commission (<https://elections.wi.gov/forms>), as applicable.

In addition, school officials using the electronic version of this document (accessible to members via the WASB website at WASB.org) will find that the list below includes electronic links to each of the specific forms. However, the specific form designations and their active links change with some frequency. As a result, not all of the form numbers, form titles, and links provided below may be current and active for the duration of the entire election cycle. School districts may contact WASB or the appropriate Commission with any questions about the forms.

Forms to Include in Initial Candidate Packets

(Note: Some forms in this category are duplicated in other categories, below.)

[Ballot Access Checklist for School District Candidates](#) (ELIS-5)

[Campaign Finance Checklist - School District Candidates](#) (ETIS-8)

[Campaign Registration Statement](#) (CF-1L for Local Candidate Committees)

[Declaration of Candidacy – School District Candidates](#) (EL-162sd)

[Nomination Paper for Nonpartisan Office](#) (EL-169) (include this form in candidate packets **only if** nomination papers are required)

Forms Used by Candidates (Non-Campaign Finance Related)

[Declaration of Candidacy – School District Candidates](#) (EL-162sd)

[Nomination Paper for Nonpartisan Office](#) (EL-169) (if nomination papers are required)

[Notification of Noncandidacy](#) (EL-163)

[Official Oath](#) (EL-154)

Forms Used by Candidate Committees (Campaign Finance Compliance)

[Campaign Finance Registration Statement](#) (CF-1L for Local Candidate Committees; use of the more general Form CF-1 is also permissible)

[Campaign Finance Report for Local Committees](#) (ETHCF-2L; also sometimes labeled CF-2L)

- [Electronic Local Campaign Finance Report](#) (CF-2LE; a spreadsheet version)

[Campaign Finance Report -- Statement of No Activity](#) (CF-2NA)

[Termination Request](#) (CF-13, which often needs to be combined with Form ETHCF-2L to make a complete “termination report;” the CF-13 is also sometimes called “Schedule 4”)

Forms Used by the Local Filing Officer (Clerk)

[Nomination Paper Receipt](#) (EL-151) (use of this form does not appear to be mandatory)

[Notice of Campaign Finance Violation, Error, or Discrepancy](#) (CF-30)

[Certificate of Nomination](#) (EL-405)

[Board of Canvassers Statement; Tabular Statement of Votes Cast](#) (EL-106, EL-106-p, EL-106sd)

[Certificate of Election](#) (EL-153)

[Official Oath](#) (EL-154)

[Types of Ballots](#)* (when separate paper ballots are prepared just for school board seats)

Note: The ballots that were available at the time of publication were for last year’s 2023 election.

- School Board Primary Ballot, Unnumbered (At-Large) Seats (EL-222)
- School Board Primary Ballot, Numbered Seats (EL-223)
- School Board Primary Ballot, Area-Appportioned Seats (EL-224)
- School Board Spring Election Ballot, Unnumbered (At-Large) Seats (EL-225)
- School Board Spring Election Ballot, Numbered Seats (EL-226)
- School Board Spring Election Ballot, Area-Appportioned Seats (EL-227)
- Reverse Side of Paper Ballot (EL-229) **

** Note: These sample ballots would need to be adapted for use by a 3-member school board.*

*** Note also: The Elections Commission has informed the WASB that some school district clerks are using outdated ballots with information on the back of the ballots that is incorrect and sometimes contrary to current law. School district clerks should review the sample ballots available on the Elections Commission website (and linked above) to make certain that the information provided on the ballot and on the back of the ballot is current and correct.*