



WISCONSIN  
ASSOCIATION OF  
SCHOOL BOARDS



Feb. 9, 2022

# Legal & Policy Services

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NEWSLETTER

## Lead Stories

### New 2020 Census Data Determines Campaign Finance Contribution Limits for School Board Candidates

School board candidates are required to adhere to contribution limits when accepting any monetary or in-kind donations to their campaign. As further detailed on page 7 of the Wisconsin Ethics Commission's [campaign finance manual for local candidates](#), contribution limits are determined using statutory formulas that rely on each school district's total population. The Ethics Commission's staff recently provided the WASB with a spreadsheet, based on the 2020 federal 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 (the yellow column); or (2) contributions from a political action committee (the gray column). We have uploaded the [Ethics Commission's data to 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, the 2020 census data will be used to determine the applicable campaign contribution limits until the results of the 2030 census are available.

3. All candidate committees must adhere to the applicable contribution limits, even if the committee has registered as “exempt” from filing campaign finance reports.

## Ethics Commission Provides Advisory Opinion on Campaign Finance Consequences of Candidates’ Joint Advertising

A single advertisement, yard sign, or other piece of candidate advocacy may be used to urge the election of more than one candidate. However, when two or more candidate committees work together on such joint advocacy, the appropriate tracking and reporting of the related contributions and disbursements is not clearly addressed in the state statutes. At the request of a WASB member, the WASB asked the Ethics Commission to provide guidance for the benefit of district clerks and board candidates. In response, [the Ethics Commission has provided an advisory opinion](#). As reflected in the opinion, the correct tracking and reporting of such joint advertising is complicated.

## HR Corner

## CPI Increase for Collective Bargaining Agreements with a Term Beginning July 1, 2022

The Wisconsin Department of Revenue has advised the Wisconsin Employment Relations Commission that the CPI-U increase applicable to one-year collective bargaining agreements with a term beginning on [July 1, 2022, is 4.70%](#). This figure represents the maximum percentage increase to total base wages that can be negotiated with a certified collective bargaining unit pursuant to a collective bargaining agreement covering a term of July 1, 2022 through June 30, 2023.

### New ED Memos Detail Strategies for Retaining Staff Using ARP Funds

The U.S. Department of Education has released two memos detailing how schools can use ARP funds and other federal resources to address labor shortages. The first, [targeting teachers](#), offers short- and long-term strategies and a series of examples of states and districts successfully using federal funding to overcome challenges. The second, [targeting school staff](#), provides four strategies as well as state and local practices for transportation and cafeteria and custodial staff.

### Biden Administration Releases More Information for Schools on COVID-19 Testing, Including:

- CDC's [National Resources Supporting School COVID-19 Screening Testing](#)
- CDC's ELC [Reopening Schools](#) and [Operation Expanded Testing](#) overviews
- Secretary Cardona's [Dear Colleague Letter](#) on federal resources to support COVID-19 testing

### DHS Office of Children's Mental Health Releases Fact Sheet on Supporting Child Well-being Through COVID-19 Grief

The Office of Children's Mental Health announced the publication of a fact sheet entitled "[Supporting Child Well-Being through COVID-19 Grief](#)," which details what parents, schools, communities, and policymakers can do to attend to a young person's grief, help them heal, and become healthier and more resilient moving forward.

## Recently Released

# Links to Access the Archives for WASB Publications

(website login required)

- [Policy Perspectives](#) - January-February 2022: Asked & Answered: Recent Policy-related Inquiries with an Employment Focus
- [Legal Comment](#) - January 2022: "Developments Regarding Reasonable Suspicion Searches"
- New Laws [bulletins](#) - Coverage of legislative Acts is current through Jan. 31, 2021. Coverage of DPI regulations is current through Jan. 31, 2021.
- The WASB [School Law and Policy Index](#) - The School Law and Policy Index is a great place to start when you have a legal- or policy-related question that may be affected by state statutes or DPI regulations. (The Index does not cover federal statutes or federal regulations. For best results, download and then open the Index in a PDF reader application rather than viewing the Index in a web browser.)
- Looking for another practical resource? Visit our [web page of useful links](#) related to Wisconsin school law. The page is intended to serve as a hub for many important WASB, state, and federal resources. Scroll all the way down the page and open the different sections to get a sense of the scope of coverage.

### About this newsletter

This newsletter is distributed up to twice a month by email to WASB members. The newsletter includes notices of and links to various WASB publications and member resources, as well as original content.

The WASB Legal and Policy Services Newsletter is intended as an informational newsletter for WASB members and not as legal or other professional advice. It contains information to facilitate a general understanding of the topics that are addressed, but it does not present an exhaustive treatment of the legal and policy issues. The newsletter should not be used as a substitute for legal advice from an attorney. For legal advice, it is important for the reader to consult with the school district's designated attorney, who will be able to apply the law to specific facts and circumstances. All original content created by the WASB within the Legal and Policy Services Newsletter is protected by copyright. The WASB claims no rights regarding non-WASB, third-party content that is electronically linked in this newsletter.

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