

November 2024

ENHANCING DEMOCRACY

The Benefits of Holding School Board Elections in the Fall

Will Flanders, PhD
Lauren Greuel



WISCONSIN INSTITUTE
FOR LAW & LIBERTY

Executive Summary

For better or worse, school board elections in the United States—and Wisconsin—have become enveloped in our larger political debates. In such an environment, it is important that school boards represent a wide variety of constituents in every community across the state. Yet antiquated election practices call into question the extent to which school boards are representative. This paper examines the undemocratic nature of off-cycle school board elections in Wisconsin, with a focus on how the timing of these elections are impacted by low voter turnout and skewed representation.

Key Takeaways:

- **Low Voter Turnout:** Spring elections for school boards see significantly lower turnout (28.44% on average) compared to fall general elections (65.95%). This discrepancy leads to underrepresentation of the broader electorate.
- **Special Interest Influence:** Low turnout allows special interest groups, particularly teachers' unions, to exert outsized influence in school board elections. Data from the 2023 election cycle shows unions like WEAC had a high success rate in endorsing winning candidates.
- **Partisan Discrepancies:** Although school board races are non-partisan, partisan leanings are evident in endorsements, with left-leaning groups having slightly more success in electing candidates than right-leaning groups. This trend is more pronounced in low-turnout races.
- **Proposed Policy Change:** We recommend moving school board elections to the fall general election cycle to align with higher voter turnout, thus promoting greater democratic representation. If statewide implementation is not possible at the moment, this change could initially be implemented in Milwaukee—where misalignment with public interest is most acute.

Introduction

At its core, democratic government relies on the notion that the people have assented to their government. When the people's preferred policymakers are not in power, government becomes undemocratic. One measure of the health of a democracy is voter turnout. In 21 countries around the world, including Australia, voter participation is considered so important that it is mandatory for certain subsets of the population.ⁱ Even in national elections, the United States has often had lower voter turnout than other democracies. But there is another set of elections in the United States that are less democratic: off-cycle elections for positions like local school board.

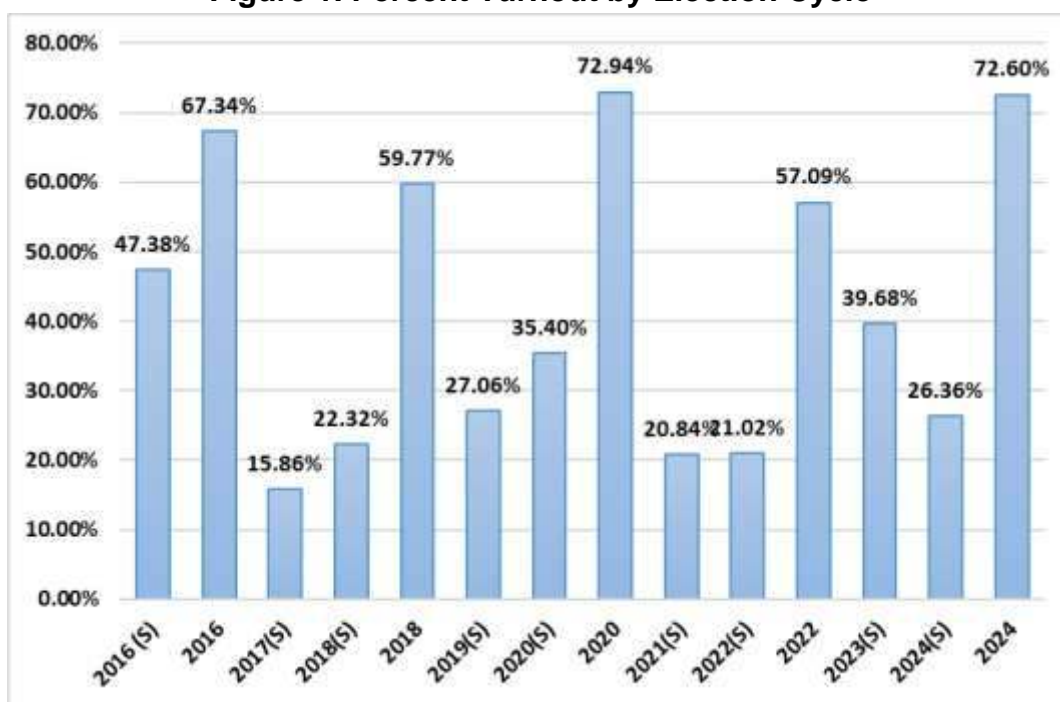
In Wisconsin, "non-partisan" races are in the spring. This includes elections for the Supreme Court of Wisconsin as well as for school boards. School board elections are on the spring ballot because of state law, specifically Wis. Stat. § 120.06(1), which states that "The school board shall be elected at the spring election."ⁱⁱ In this policy brief, we will argue that spring school board elections in Wisconsin do not adequately represent the people's will. Moving them to cycles with higher voter turnout will allow more voters to have a say in their school boards and will decrease the power of special interests to control election outcomes.

Only a Small Share of the Electorate Participate

Off-cycle elections have significantly lower participation than any other election in Wisconsin. To the extent that more participation is viewed by policymakers as a normative positive, this is problematic for electing officials that are supposed to represent the views of the people in an area. Figure 1 depicts the percent turnout in recent Wisconsin elections (dating back to 2016) using data from the Wisconsin Elections Commission.ⁱⁱⁱ Spring elections are denoted with an (S) along with the year at the bottom of the chart.¹

¹ Fall 2024 turnout is pre-canvass and thus not final.

Figure 1. Percent Turnout by Election Cycle



Obviously, Presidential years drive the highest turnout—peaking at 72.94% in 2020. But Gubernatorial races in 2018 and 2022 still drew a majority of eligible voters to the polls. The same cannot be said, in general, for the Spring elections. In years where they align with a competitive Presidential Primary—such as 2016—participation is boosted significantly. But no Spring election has had a turnout rate over 50%, while every Gubernatorial and Presidential general election has. On average, spring elections over this time frame have averaged 28.44% turnout, compared to 65.95% for General elections. This means that, on average, 37.51% of voters who participate in the General Elections do not have their voice heard in the spring elections.

Special Interest Power

As a result of the low turnout discussed in the previous section, small groups of voters can have an outsized impact on the results of the election. When it comes to school board races, teachers' unions are a group of interested individuals and have a motivation to get to the polls due to the impact of school boards on their job.

The teachers' unions power to significantly influence races is shown clearly in recent election results. Ballotpedia has created an important resource that breaks down school board election results based on who endorsed the candidates for the 2023 election cycle.^{iv} A portion of that chart is included below featuring several prominent endorsers—

Wisconsin Education Association Council (WEAC), the Democratic Party of Wisconsin, Moms for Liberty, and the Republican Party of Wisconsin.

Table 1. 2023 School Board Endorsements and Wins (Ballotpedia)

	All Races			Contested Races		
	Won	Lost	Win %	Won	Lost	Win %
WEAC	64	17	79.0%	75	17	81.5%
Democrats	48	14	77.4%	47	14	77.0%
Moms for Liberty	51	47	52.0%	42	47	47.2%
Republicans	81	71	53.3%	64	71	47.4%

WEAC had the highest winning percentage of any organization included in Ballotpedia's data; the state Democratic Party, with a winning percentage almost as high, was fourth. The most successful endorser on the conservative side was WisRed PAC—but they only participated in 30 contested races, which was less than half of the contested races engaged in by these other groups. Of course, this is not definite proof of union influence. Ballotpedia's definition of "contested" merely means that more than one name appeared on the ballot. Thus, it is possible the union endorses more broadly in non-competitive but still technically contested races. But it is certainly supportive of the notion that unions matter at this level.

Disproportionate Benefits to One Ideological Side

Individual school board races can be difficult to assess when it comes to partisan impact. While donations from teachers' unions or conservative groups could serve as a proxy, there are races where no donations are made from either side. Returning again to the Ballotpedia analysis, they find that 11.8% of school winning school board candidates were endorsed by left-leaning groups compared to 8.8% of right-leaning groups. This 3 percent disparity is somewhat substantial by Wisconsin standards, but the remaining 78.9% of candidates were endorsed by neither side—giving us little insight into the overall partisan picture.

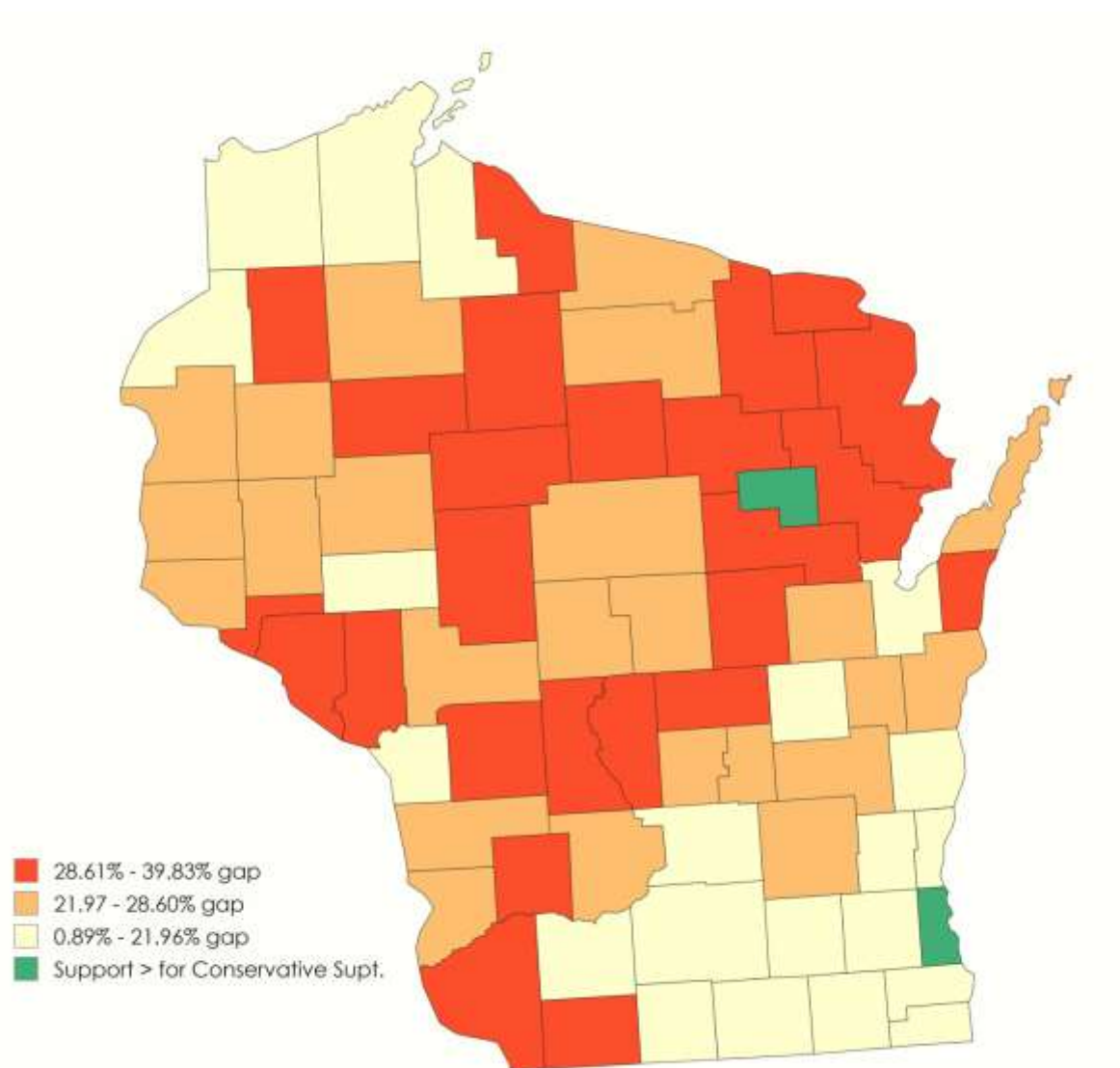
To illustrate how low-turnout Spring elections tend to benefit those with a vested interest in the outcome, we turn to another non-partisan spring race: the race for Superintendent of Public Instruction.

The superintendent race is held the year after a Presidential election (i.e. where neither Presidential nor Gubernatorial candidates are on the ballot), with the most recent races happening in 2017 and 2021. While these races are theoretically non-partisan, it is

possible to determine the partisan lean of the candidates. In 2017, for example, one nominee for state Superintendent was Tony Evers, who would go on in 2018 to win election to the Governorship as a Democrat. (In 2017 he ran against a candidate supported by conservative organizations.) In 2021, Jill Underly received the endorsements of many Democratic Party officials, while Deborah Kerr (although also a Democrat) received the support of many Republicans.^v

Here, we compare the vote share of each of the more liberal-leaning candidates with the vote share received by Republican Tim Michels in his bid for Governor in 2022. To keep things simple, this analysis is done at the county level. In all but two Wisconsin counties (Milwaukee and Menominee) the percentage of support was higher for Michels than it had been for Kerr. The same pattern holds when comparing Michels to conservative-supported Lowell Holtz (who ran against Tony Evers for [Superintendent in 2017](#)), with only those two counties supporting Holtz at a higher level. The Evers-Kerr comparison is found in Figure 2.

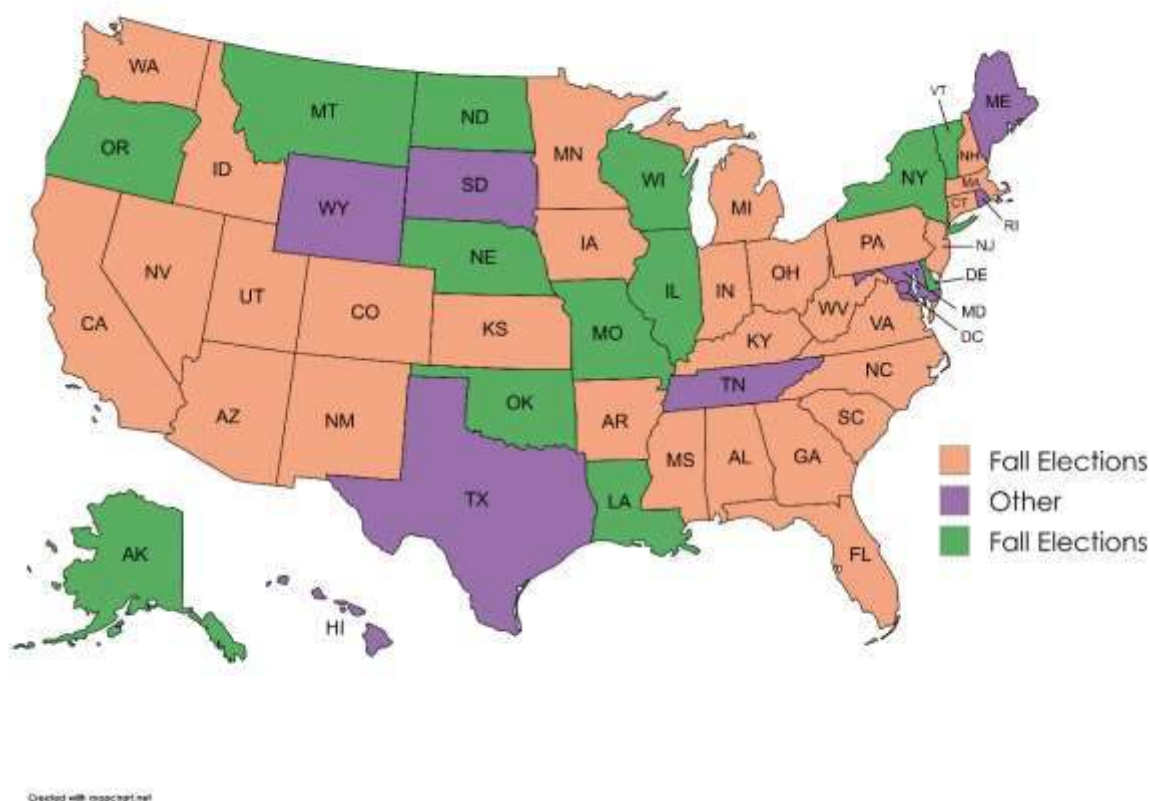
Figure 2. Vote Share: 2022 Republican Gubernatorial Candidate vs. 2021 Debb Kerr



Not All States Do It This Way

While some may think that school board elections in the fall would be unprecedented, many states throughout the nation do it this way. Indeed, a majority of states (29) hold fall school board elections—compared to just 13 that hold that election in the Spring. Seven states use some other system, and Hawaii is not divided into school districts.

Figure 3. School Board Election Timing by State



In states that do not currently have fall elections, there is growing momentum behind moving to the fall. Oklahoma, for instance, is considering legislation along these lines.^{vi} According to the bill's author, Representative Chris Banning,

"As a parent of four children in public education, I realize the importance of community involvement in our public-school board elections. House Bill 3563 would streamline the electoral process, making it easier for parents and communities to influence policies that directly impact their children's education."

The majority of races at all times of year remain nonpartisan. Of the states that hold Spring elections, all but one are non-partisan. Of those holding fall elections, three are partisan and three hold both partisan and non-partisan races. Of the states in the “Other” category, two have partisan races.

Other states have also moved towards holding school board elections during higher-turnout cycles. Tennessee considered legislation in early 2024 that would have required school board elections to be held on the day of the federal primary (August) or General Election (November).^{vii}

Policy Solutions

Policy Solution #1: Implement the Change Statewide

Fortunately, unlike many of the complex issues that we regularly opine on, the solution here is relatively straightforward: a statutory change can be made, changing Wis. Stat. § 120.06(1) to read: “The school board shall be elected at the ~~spring~~ November general election.” While this change is easy enough for school boards, it would be more challenging if policymakers decide that the same logic here applies to other races on the Spring ballot—such as the race for State Superintendent of Public Instruction or the Supreme Court of Wisconsin. Those changes would require constitutional amendments.

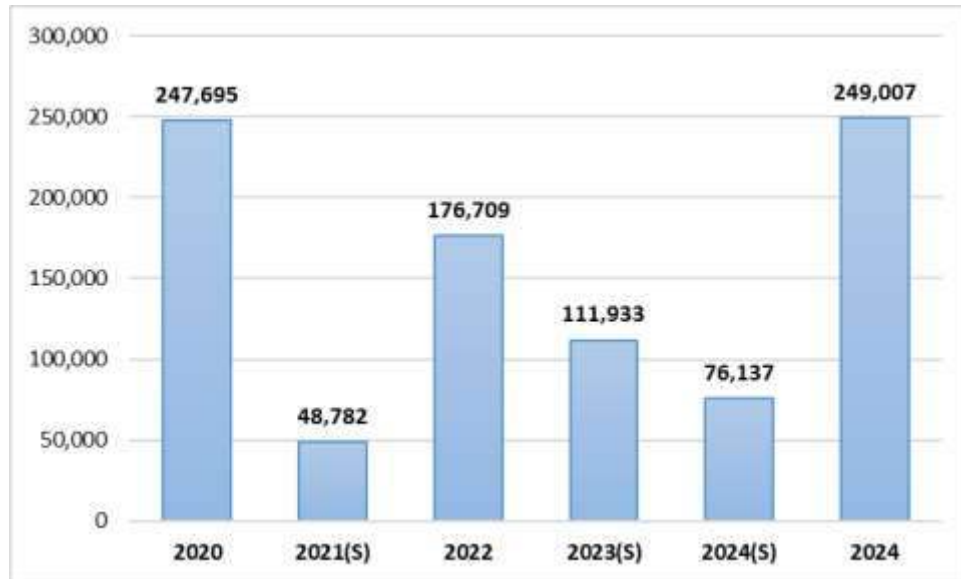
Policy Solution #2: Implement the Change in Milwaukee First

There is little doubt that all of the problems that stem from misalignment of school boards with the public interest have been felt most strongly in Milwaukee. Decades of extremely low proficiency have now been coupled with financial reporting issues that saw the school district fined by DPI for its incompetence, costing other districts around the state millions of dollars.

Figure 4 displays the total turnout by election in the City of Milwaukee. Turnout disparities between Fall and Spring elections in Milwaukee look similar to trends around the state. Total participation in the Spring 2021 election—which featured a key race for State Superintendent—only represented about 19.44% of the turnout in the 2020 Presidential election. The 2024 spring election drew slightly more people to the polls, but only 30.5% of 2024 Fall voter turnout² had a say on a massive referendum that will put district taxpayers on the hook for most of \$252 million annually in perpetuity.^{viii}

² Note that fall 2024 turnout is pre-canvas and thus not final.

Figure 4. Turnout by Election Cycle-City of Milwaukee



The Milwaukee Public Schools (MPS) school board has been particularly prone to capture from teachers unions. According to endorsement data obtained from Ballotpedia,^{ix} 18 out of 21 candidates endorsed by the Milwaukee Teachers' Education Association (MTEA) since 2013 have won their race. This works out to 85.71% of endorsed candidates.

Conclusion

Ideally, political concerns wouldn't have a preeminent role in the work of school boards. After all, the goal of everyone across the political spectrum ought to be ensuring that kids have the best education possible. Unfortunately, we do not live in this world. The funding from interest groups on both sides of the political aisle highlights that school boards regularly are thrust into our political debates on issues ranging from curriculum to gender identity. Given this reality, it is vital that not just special interests or those with an intense focus on school board politics have a say in school board elections. Removing the myth of non-partisanship from school boards doubtless has some negative aspects—but the benefits of a more democratic process far outweigh them.

Endnotes

-
- i <https://www.cia.gov/the-world-factbook/field/suffrage/>
 - ii <https://docs.legis.wisconsin.gov/statutes/statutes/120/I/06>
 - iii <https://elections.wi.gov/statistics-data/voter-turnout>
 - iv https://ballotpedia.org/Endorsements_in_Wisconsin_school_board_elections,_2023
 - v <https://news.ballotpedia.org/2021/03/25/deborah-kerr-jill-underly-running-in-wisconsin-state-superintendent-race/>
 - vi https://www.okhouse.gov/posts/news-20230129_1
 - vii <https://www.city-journal.org/article/make-school-board-elections-count>
 - viii <https://wispolicyforum.org/research/the-abcs-of-the-2024-mps-referendum/>
 - ix 2017 numbers can be found here; other years are on analogous webpages:
[https://ballotpedia.org/Milwaukee_Public_Schools_elections_\(2017\)](https://ballotpedia.org/Milwaukee_Public_Schools_elections_(2017))