

CHAPTER 15

SCHOOL AND COMMUNITY FOREST LAW

The School and Community Forest Law, s. [28.20](#), Wis. Stats., enacted in 1947, allows schools, villages, cities, and towns to own land and practice forestry.

What Is The Purpose?

The goal of the school and community forest program is to have enrolled properties utilized to demonstrate sustainable natural resources management and for environmental education.

The original intent of the law was to demonstrate the economic advantages of managing timber and to allow municipalities to receive an income from these lands.

Over the years, forestry and forestry education have changed. Lands entered under the law provide an excellent opportunity to demonstrate sustainable forestry and to teach about land stewardship.

The Wisconsin Constitution limits the expenditure of public funds or use of public resources to works that advance public purposes or interests. Section 28.01, Wis. Stats., charges the Department with supervision of the forests of the state and advance the cause of forestry. This internal directive is designed to assure that Department assistance is consistent with the law.

The Wisconsin School Forest Program serves as a resource for all school forests in the state. Community and School Forests are coordinated by Gretchen Marshall, the School Forest Education Specialist, who is part of Learning, Experiences, and Activities in Forestry (LEAF) - Wisconsin's K-12 Forestry Education Program. LEAF is a partnership between the Wisconsin Department of Natural Resources-Division of Forestry and the Wisconsin Center for Environmental Education in the College of Natural Resources at the University of Wisconsin-Stevens Point. For more information on LEAF, visit [www.leafprogram.org](http://www.leafprogram.org).

A current map of Wisconsin's School Forests can be found online: [https://www3.uwsp.edu/enr\\_ap/leaf/school\\_forests/Pages/School\\_Forest\\_Map.aspx](https://www3.uwsp.edu/enr_ap/leaf/school_forests/Pages/School_Forest_Map.aspx) or by contacting the [School Forest Education Specialist](#). Contact information can be found here: [https://www3.uwsp.edu/enr\\_ap/leaf/school\\_forests/Pages/School\\_Forests.aspx](https://www3.uwsp.edu/enr_ap/leaf/school_forests/Pages/School_Forests.aspx) Gretchen Marshall at [Gretchen.Marshall@uwsp.edu](mailto:Gretchen.Marshall@uwsp.edu)

Who Is Eligible To Apply?

Any city, village, town or public school district.

Prior to As of July 1, 2004, private organizations will no longer be eligible school districts were eligible to enroll and although they are no longer eligible to enroll, those who are already enrolled prior to July 1, 2004; private properties currently enrolled will be are allowed to remain in the program.

What Is Permitted Under The Law?

Allows municipalities to acquire land, engage in forestry and appropriate funds for this purpose.

What Are The Benefits?

Upon registration with the Department, the school or municipality is eligible for:

- (1) for Free trees and seed from the state forest nurseries, and
- (2) for Technical assistance from Department foresters for carrying out tree planting and forest management plans. (including timber sale establishment and administration assistance)

~~In addition, school districts with registered properties are eligible (3) to apply for Wisconsin Environmental Education Board (WEEB) school forest grants, and (4)~~

(3) to receive Assistance from the Wisconsin School Forest Education Specialist.

~~Free trees and seeds from the state nurseries and eligibility for WEEB grants are contingent upon meeting the guidelines provided below which assure that public purposes or interests are advanced.~~

### Timber Sales

No trees may be cut unless they are marked or designated for cutting by a state forester. ~~(A harvest would be considered designated by a state forester if another party marked it, provided a state forester approves the marking.)~~ As written in s. 28.22, Wis. Stats., “Any sale of timber sale from a community forest shall be based on the scale, measure, or count of the cut products. Any sale of timber sale with either an estimated volume of at least 500 cord equivalents or an estimated value of \$3,000 or more at least \$10,000 from a community forest shall be by public sale after. Before a city, village, town or school district may sell timber from a community forest that meets the volume or value threshold under this section, it shall announce the sale through two publications of a classified advertisement announcing the sale in a newspaper having general circulation in the county in which the timber to be sold is located.” In other words, the DNR foresters should provide technical and administrative assistance throughout the timber sale process. ~~’s role in establishing and administering community forest timber sales is similar to how they would do so on DNR owned lands.~~ All income from community forests shall be paid into the community’s treasury, but may be assigned to the support of any legally authorized activity.

Foresters may utilize a sample [Timber Sale Contract](#) and associated documents ~~such as this example.~~ Providing a copy of the DNR Timber Sale contract (or any other related DNR forms) as additional examples would be permitted only if the forester explains that any document provided would need to be modified for school or community forest use (e.g. All reference to DNR and State specific language such as certification, training requirements, BMP provisions, nondiscrimination, affirmative action plan, Wis. Stats s. 26.03 reference, insurance and bond provisions, etc. would need to be removed before use). Foresters will not dictate or promote use of any specific contract or contract terms, those decisions will need to be made by the school or community forest and their legal counsel.

### Entry Criteria

1. Property must be owned or under legal control (e.g., lease, easement) of a municipality or school districts.
2. The school board or municipal governing body has adopted a resolution to dedicate a parcel as a school or community forest. The resolution must be submitted to the Department. ~~Upon the adoption of a resolution to dedicate a parcel as school or community forest and submission of it by the school board or the governing body of a municipality for registration, the Department will consider it.~~ The submitting body must also submit a copy of the minutes ~~or of the meeting that records adoption of the resolution indicating approval for land to be registered.~~ Wisconsin statutes do not establish a minimum acreage or productivity requirement for school or community forests. DNR foresters should cooperate on any size parcel a municipality or school district is willing to designate for the purpose of sustainable forestry education. ~~however the property should contain at least one acre of forest.~~
3. The municipality or school district ~~should must~~ indicate intent to actively manage the forest, where applicable. School districts ~~must should~~ indicate intent to provide sustainable forestry education as a component of their education programs. The indication of intent and subsequent development of a management plan will assure that public purposes and interests, as identified by the legislature in ss. 28.20 to 28.23, Wis. Stats, are being served by DNR assistance.
4. A management plan ~~must should~~ be completed and approved. (Due to Department workload constraints, Wisconsin School Forest Education Specialist may conditionally approve acceptance prior to completion of a management plan based on forester recommendations.)

### Application Procedures

## Private Forestry Handbook

The following procedure will be used for the application and approval of lands into the School and Community Forest Law Program.

1. Owner (or an authorized property representative) completes an application form (Application for Registration of a Community Forest, Form 2400-088) and submits it to the local DNR integrated forester.
2. DNR integrated forester reviews application, including a copy of the resolution and minutes evidencing its adoption, for accuracy and completeness and returns incomplete applications.
3. DNR integrated forester visits site to ensure property is eligible for enrollment meets criteria and completes a field examination using standard reconnaissance procedures (Chapter 100 in the Public Forest Lands Handbook, 2460.5). The reconnaissance information is recorded on Compartment Examination Record or the Managed Forest Law Land Exam and Practices Report (Form 2400-26 or 2400-128).
4. DNR integrated forester completes recommendation sections of the application.
5. DNR integrated forester sends applications meeting criteria to Wisconsin School Forest Education Specialist. A copy of the application is maintained by the forester and placed in the appropriate file.
6. If land is not eligible for enrollment does not meet criteria, DNR integrated forester sends letter of explanation to the property representative and to the Wisconsin School Forest Education Specialist indicating why it may not be registered and eligible to receive DNR resources.
7. Wisconsin School Forest Education Specialist conditionally approves acceptance based on forester recommendations.

Upon conditional approval, both a management plan and an education plan, where applicable, will be completed. If possible, these plans should be developed together and should be interrelated.

Forest Management Plan Procedure (see management plan guidelines below):

1. A management plan must should be completed and approved within one year of acceptance. Note: any individual, group or organization can be involved in developing the plan. If a DNR forester does not develop the plan, it will must should be submitted to a DNR integrated forester for review.
2. DNR integrated forester sends forest management plan to the first-line supervisor for approval review.
3. Upon approval Following internal review, first-line supervisor sends the management plan to the Wisconsin School Forest Education Specialist for final review. approval.
4. Both the Wisconsin School Forest Education Specialist and the Department's Forest Education Specialist will review education components of the plan, where applicable, prior to final approval.

Education Plan Procedure (see education plan guidelines below)

1. School district or municipality (if using property for education purposes) develops an education plan utilizing guidelines supplied by the Wisconsin School Forest Education Specialist.
2. School district or municipality sends the completed education plan to the Wisconsin School Forest Education Specialist for final review for approval.
3. Both the Wisconsin School Forest Education Specialist and the Department's Forest Education Specialist will review school forest education plans.

Upon completion of plans and review by Wisconsin School Forest Education Specialist, and Department Forest Education

Specialist, properties are officially entered into the program.

1. The Wisconsin School Forest Education Specialist notifies all parties (school district or municipality, responsible DNR integrated forester, Department Forest Education Specialist) upon acceptance and enters into the records.
2. The Wisconsin School Forest Education Specialist ensures that all parties (school district or municipality, responsible DNR integrated forester and Wisconsin School Forest Education Specialist) have copies of the forest management plan and the education plan (if applicable).

#### Forest Management Plan Guidelines

- Registered forests should, at a minimum, contain one (1) contiguous acre of forested land (80% forested and be at least 120 feet wide).
- Municipalities and school districts should maintain an updated forest management plan on properties 10 acres and larger and implement recommended practices.
- Management plans should be updated by an integrated forester, at a minimum, every 10 years per federal Forest Stewardship Program requirements. Management plans should be reviewed annually by municipality or school district personnel to ensure the plan is being followed.
- Forest management plans should meet the standards of a Forest Stewardship Plan (Chapter 21), Private Forestry Handbook, 2470.5, pages 21-11 through 21-12.) and the Forest Stewardship Program National Standards and Guidelines. Management plans developed for school forests and other community forests to be used for educational purposes should include educational opportunities available in the forest.
- All Forest management plans developed for school and community forests should be developed in the WisFIRS Private Lands program. Email a copy of any newly completed plan to the Wisconsin School Forest Education Specialist.
- Forest management plans should incorporate educational objectives as described by the school district's education plan, if available.
- If a forest management plan is not developed for a property under 10 acres, a description of the property and objectives for management should be written.
- Management plan or property description (for properties under 10 acres) can be completed by a DNR integrated forester, Cooperating Forester (at owner's expense) or other interested parties (including students). All management plans need to should be approved reviewed by a Department integrated forester. Both the The Wisconsin School Forest Education Specialist and the Department's Forest Education Specialist will review education components of the plans.

#### Education Plan Guidelines (apply to school forests and community forests used for education)

- Education plans should be developed and updated for school forests and other community forests to be used for educational purposes. The school district or municipality has the primary responsibility of developing the plan.
- The education plan should meet the criteria established in the official school forest education plan outline available from the Wisconsin School Forest Education Specialist.
- The plan will should include how sustainable forestry education will be included as a component of education programs.
- Education plans should utilize and take advantage of the forest management activities as described in the forest management plan, if available.
- Education plans written for school forests should be updated every five years and reviewed annually to ensure plans are meeting the districts' and the students' needs and taking advantage of the opportunities in the forest.
- Both the The Wisconsin school forest education specialist and the Department's Forest Education will review school forest education plans.

#### School Forest Program Incentives

The goal of the school forest program is to have enrolled properties utilized to demonstrate sustainable natural resources management and for environmental education. Developing, implementing, and maintaining management and education plans are essential for this to happen. A number of incentives exist to encourage the development of these plans. These include:

Department

- Properties enrolled in the program are eligible to receive free seedlings and seed from the state nurseries for on-site reforestation and afforestation, if they meet the forest management and education plan guidelines or use the seeds or seedlings to meet the guidelines.
- Properties enrolled in the program are eligible to receive assistance from a DNR forester in developing and implementing management plans.

Wisconsin Environmental Education Board (WEEB) (pending WEEB approval)

- WEEB school forest grants will be restricted to schools that meet the forest management and education plan guidelines or to schools that will be updating/developing the plans via the grant proposal.
- WEEB funding of proposals that affect management of a school forest should be contingent on a letter of support from the local Department forester.

Partnership programs

- If available, an annual disbursement of educational materials/funds should be available to those school forests that meet the forest management and education plan guidelines.
- School districts with registered school forests and community forests to be used for educational purposes will have access to programs and resources provided by Wisconsin School Forest Education Specialist.

Follow-Up

- Stay in touch with the teachers and others who use school and community forests.
- Help with management projects and educational activities.
- Encourage other professional resource managers to get involved with the property.
- Update the forestry management plan to schedule new projects or to reflect work that has been accomplished.

Sale of School and Community Forest Lands

When a forest parcel that is part of a Community Forest is sold, notification must be made to the Wisconsin School Forest Education Specialist. The municipality will be contacted to confirm the sale has occurred and documentation will be requested in order to remove the parcel from the School and Community Forest program. If the DNR Forester becomes aware of the sale before it is sold, letting the Wisconsin School Forest Education Specialist know ahead of time is appreciated.