

14, 15; 1909 c. 204; 1917 c. 453 s. 3; Stats. 1917 s. 37.13; 1919 c. 601 s. 1; 1945 c. 20; 1951 c. 548; 1969 c. 276 ss. 589 (2) (b), 602 (1), (2), (4).

37.29 History: 1935 c. 397, 445; Stats. 1935 s. 40.22 (12); 1953 c. 90 s. 170; Stats. 1953 s. 37.29; 1955 c. 146 s. 16; 1969 c. 276 ss. 602 (1), 603 (2).

37.30 History: 1925 c. 114; Stats. 1925 s. 40.30 (9); 1927 c. 425 s. 9; Stats. 1927 s. 37.30; 1935 c. 550 s. 400; 1943 c. 229; 1945 c. 20; 1951 c. 548; 1955 c. 146; 1969 c. 276 ss. 583 (1), 602 (1), 603 (1).

37.31 History: 1931 c. 185; Stats. 1931 s. 37.31; 1937 c. 142; 1951 c. 438, 548; 1953 c. 61; 1955 c. 10; 1965 c. 497; 1969 c. 233; 1969 c. 276 ss. 259, 602 (4); 1969 c. 424 s. 26.

The board of regents cannot assign a permanent teacher in a state teachers college to a named position in which his principal occupation is that of teaching, and then effect his discharge by subsequent action abolishing the position although continuing the work. State ex rel. Karnes v. Board of Regents, 222 W 542, 269 NW 284.

A teacher who has completed his probationary period is guaranteed tenure "during efficiency and good behavior," and any discharge for a cause that does not qualify as inefficiency or bad behavior is contrary to law and reviewable in certiorari. State ex rel. Ball v. McPhee, 6 W (2d) 190, 94 NW (2d) 711.

A teacher in a teachers college who is permitted to serve the required period acquires permanent tenure. Action of the board of regents in discharging the teacher is reviewable by certiorari. 21 Atty. Gen. 38.

A teacher whose probationary period at a state teachers college is interrupted by military service is to be restored to the probationary status which he had at the time of leaving the state service to enter the military service. 35 Atty. Gen. 150.

The right of a teacher to permanent employment subject to removal for cause arises upon completion of the required period of teaching in a teachers college, irrespective of any notice to the teacher, either prior to or subsequent to the completion of the final probationary year of teaching, that he will or will not be employed for the following year. 39 Atty. Gen. 212.

A teacher in a state college who retires June 30 pursuant to 37.11 (2), Stats. 1951, is entitled to be paid for summer leave which he would have received but for retirement. 42 Atty. Gen. 33.

37.36 History: 1969 c. 154; Stats. 1969 s. 37.36.

CHAPTER 38.

Special Schools.

38.01 History: 1969 c. 276; Stats. 1969 s. 38.01.

38.13 History: 1911 c. 616; 1911 c. 664 s. 146; Stats. 1911 s. 553p-1; 1913 c. 772 s. 70; 1915 c. 515; 1917 c. 494; 1917 c. 578 s. 3; 1917 c. 671 s. 38; 1917 c. 677 s. 23, 24, 25; Stats. 1917 s. 41.13; 1919 c. 362 s. 32; 1927 c. 425 s. 119; 1937 c. 349; 1945 c. 72; 1947 c. 9 s. 31;

1947 c. 89; 1949 c. 52, 350; 1951 c. 33; 1951 c. 319 s. 236; 1955 c. 10; 1957 c. 528; 1959 c. 659 s. 79; 1961 c. 51; 1961 c. 359 s. 2; Stats. 1961 s. 41.13, 41.15 (1), (2); 1963 c. 224; 1965 c. 163 ss. 57, 58; 1965 c. 287; 1965 c. 292 ss. 3, 6, 11 (3); 1965 c. 463; Stats. 1965 s. 41.13; 1969 c. 154; 1969 c. 276 ss. 275, 276, 594 (1), 595 (1), 604 (3); 1969 c. 501; Stats. 1969 s. 38.13.

The state vocational board may not direct expenditure of funds received from the U. S. government for vocational aid except in compliance with restrictions and conditions of federal laws. 31 Atty. Gen. 30.

38.14 History: 1957 c. 453; Stats. 1957 s. 41.14; 1965 c. 292 s. 11 (3); 1969 c. 276 ss. 275, 277, 604 (3); Stats. 1969 s. 38.14.

38.146 History: 1965 c. 83, 292; Stats. 1965 s. 41.146; 1969 c. 276 ss. 275, 616; Stats. 1969 s. 38.146.

38.15 History: 1911 c. 616; 1911 c. 664 s. 146; Stats. 1911 s. 553p-3; 1915 c. 515 s. 2; 1917 c. 578 s. 3; 1917 c. 675; 1917 c. 677 s. 27 to 30; Stats. 1917 s. 41.15; 1919 c. 362 s. 37; 1921 c. 377; 1921 c. 442 s. 17; 1927 c. 425 s. 121; 1929 c. 13; 1931 c. 147; 1937 c. 213, 349; 1939 c. 265, 303; 1945 c. 142, 560; 1947 c. 344; 1949 c. 342, 639; 1951 c. 33, 372; 1953 c. 61; 1957 c. 224; 1959 c. 446; 1961 c. 359, 585, 622, 655; 1963 c. 52, 418; 1965 c. 163, 252; 1965 c. 292 ss. 6, 11 (3); 1967 c. 92 s. 22; 1969 c. 276 ss. 275, 604 (3), 616; 1969 c. 392 s. 84; Stats. 1969 s. 38.15.

On district schools see notes to sec. 3, art. X.

The statutory scheme, specifically as reflected in 41.15 (9), (14) and (17), Stats. 1961, clearly recognizes that a school operated by a vocational and adult educational board of a municipality is an agency or department thereof, and such a municipality is properly a party to a suit answerable to judgment in an action instituted by one injured in an accident. Severson v. Beloit, 42 W (2d) 559, 167 NW (2d) 258.

A member of a local board of industrial education cannot be employed as a teacher in vocational schools. 4 Atty. Gen. 671.

The title to property acquired for vocational schools must be in the city. The board of industrial education may erect buildings therefor on any city grounds with the consent of the proper authority. 6 Atty. Gen. 765.

A married woman employing a maid, but not herself employed, is not a "representative employe" and is not eligible for appointment as such to membership on the local board of industrial education. 9 Atty. Gen. 124; 10 Atty. Gen. 932.

The local board of industrial education is given full power by 41.15 and 41.16, Stats. 1921, to expend funds provided for such education, including the purchase of grounds, supplies and equipment, drawing plans, erecting buildings, and managing vocational schools. 10 Atty. Gen. 942.

Members of a local board of industrial education are appointed under 41.15, which does not require them to take the oath of office. If they do not take the oath of office they are de facto officers, if not de jure, and their acts are valid. 10 Atty. Gen. 1048.

In a city of less than 5,000 population the establishment of a vocational school is optional with the school board, but such school, once

established, cannot be abolished either by the school board or by the common council. 10 Atty. Gen. 1066.

In the administration of the vocational education law a city must be treated on the basis of the population given to it by the federal census, although a preceding census may have credited the city with a greater population. 11 Atty. Gen. 852.

The name of the board of industrial education should not appear in a deed of real property to the municipality. A local board of industrial education has control of all property purchased for the use of industrial schools and such property cannot be conveyed by the city or converted to other uses by it without the sanction of such local board of industrial education. Income derived from property purchased for the use of industrial schools but not presently needed goes to funds of the board of industrial education and not to the city. A person residing in a municipality of more than 5,000 inhabitants and not employed elsewhere is not eligible to attend an industrial school maintained in a neighboring municipality. 12 Atty. Gen. 507.

A board of industrial education of one municipality cannot conduct an apprentice school in another municipality. Individual members of the board would be personally liable for money illegally expended. 13 Atty. Gen. 481.

A local board of industrial or vocational education is required to maintain schools for industrial education and to require levy of sufficient taxes to enable it to carry on such school; in case the board is short of funds it can borrow money for that purpose. 16 Atty. Gen. 394.

A local board of education has power to transfer a junior high school building and site to a local board of vocational education, to be used as a vocational school. A local board of vocational education has not the legal right to sell a lot purchased for vocational school purposes and to apply the proceeds thereof to a necessary building project in connection with a junior high school. A local board of vocational education has no power to dispose of a site independently of the common council but the common council cannot convey property nor convert it to other uses without consent of the vocational board. 18 Atty. Gen. 323.

A member of a local board of vocational education in a city is not eligible to appointment by such board as local director of vocational education. 18 Atty. Gen. 430.

A vocational school board must carry insurance upon vocational school buildings. 19 Atty. Gen. 222.

The offices of vocational school board member and alderman are incompatible; and the offices of board member and municipal treasurer are compatible. 19 Atty. Gen. 609.

Where there is a contest as to the right to the office of superintendent of schools in a city, one actually exercising functions of the office under claim of right is a de facto officer and entitled to serve as a member of the board of vocational education under provisions of 41.15. 21 Atty. Gen. 1105.

A member of the board who is appointed as employe will remain a representative of employes although during his term of office he became an employer. 22 Atty. Gen. 473.

An officer and stockholder in a utility company furnishing electricity to all schools in a city is not eligible to membership on a local board of vocational education. 24 Atty. Gen. 69.

An operator of an insurance agency who employs one stenographer and operator of a barber shop who employs one journeyman barber are "employers" within the meaning of 41.15, Stats. 1935. 25 Atty. Gen. 5.

Boards of vocational education have no power to furnish transportation to and from work for persons employed on national youth administration projects. 26 Atty. Gen. 457.

Local schools of vocational and adult education have insurable interest in machinery and equipment purchased and paid for originally by local schools for a defense training program but with respect to which they are reimbursed 100 per cent by allocation of federal defense training funds, title and ownership to which is vested in the state board of vocational and adult education subject to control of United States office of education. 31 Atty. Gen. 270.

A local board of vocational and adult education does not have authority to pay insurance premiums for hospital insurance for members of its teaching staff. 37 Atty. Gen. 446.

Neither teachers nor employes, full time or part time, employed by local boards of vocational and adult education under 41.15 and 41.17, Stats. 1957, are required to take periodic health examination under the provisions of ch. 393, Laws 1957, which repealed and recreated 40.30 (10m) (a) and created 143.16. 46 Atty. Gen. 253.

Except as otherwise provided in 41.15 (11) (a), Stats. 1963, a member of a city board of education should not serve on a local board of vocational and adult education. 53 Atty. Gen. 114.

38.155 History: 1957 c. 224; Stats. 1957 s. 41.155; 1963 c. 414; 1965 c. 20, 163, 292, 625, 653; 1967 c. 47; 1967 c. 92 s. 22; 1969 c. 276 ss. 275, 594 (1), 604 (3), (4); 1969 c. 392 s. 87 (3); Stats. 1969 s. 38.155.

38.16 History: 1911 c. 616; 1911 c. 664 s. 146; Stats. 1911 s. 553p-4; 1917 c. 436, 494; 1917 c. 578 s. 3; 1917 c. 677 s. 31; Stats. 1917 s. 41.16; 1919 c. 191 s. 1, 2; Spl. S. 1920 c. 22; 1921 c. 576 s. 8; 1927 c. 425 s. 122; 1929 c. 103, 261; 1937 c. 349; 1941 c. 129; 1947 c. 108, 362, 396; 1951 c. 372; 1953 c. 61; 1955 c. 555; 1957 c. 224; 1963 c. 6, 414; 1965 c. 627; 1967 c. 92 s. 22; 1969 c. 276 s. 275; Stats. 1969 s. 38.16.

The common council of a city is not required to levy a tax for vocational school purposes at the mill rate requested by the local board of industrial education. It is sufficient if the amount so raised, added to funds otherwise provided for the same purpose, equals the amount so requested. The state and local boards of industrial education are vested, by 41.13 to 41.21, with power to determine what amount shall be contributed by local taxpayers for industrial education, within the statutory mill limit. State ex rel. Hathaway v. Mirlach, 174 W 11, 182 NW 331.

A city may come under the industrial board of education law even though it is a part of a joint school district. 4 Atty. Gen. 721.

"The next fiscal year" means the city fiscal year and follows the year in which the report is made. 10 Atty. Gen. 903.

The city clerk and common council of a city maintaining vocational schools must receive and act on the report of the local board of industrial education even though it be filed after September 1. 10 Atty. Gen. 1048.

State aid granted to vocational schools is not a reimbursement of the city for moneys expended by it, but is supplementary to the city's expenditure, and is subject to the sole control of the local board of industrial education. The tax levy limit applies only to local taxes levied under 41.16 (2), Stats. 1921. 11 Atty. Gen. 16.

The common council of a city may be compelled to provide funds for building operations of the local board of industrial education. No authority exists for the creation of a reserve fund for building purposes, but a city may issue bonds for such purpose. 9 Atty. Gen. 490 and 556; 11 Atty. Gen. 565.

The statutes contemplate an annual levy, and a levy that should have been made in 1924 is not authorized to be made in 1925. 14 Atty. Gen. 220.

Under 41.16 (5), Stats. 1925, a board of industrial education in a village has only power to issue orders directing payment; the village treasurer actually pays orders. 14 Atty. Gen. 562.

The limitation upon levy of taxes for vocational school purposes in 41.16 (2), Stats. 1931, is referable to local municipal assessment. 21 Atty. Gen. 283.

Where a local board of vocational and adult education has received the amount which it requested from a city under this section, the city and not the local board of vocational education has authority to make short term loan from the bank to pay current expenses of such board. 32 Atty. Gen. 311.

38.17 History: 1911 c. 616; 1911 c. 664 s. 146; Stats. 1911 s. 553p-5; 1917 c. 494; 1917 c. 578 s. 3; 1917 c. 677 s. 32; Stats. 1917 s. 41.17; 1927 c. 425 s. 123; 1937 c. 349; 1965 c. 292 s. 11 (3); 1969 c. 276 ss. 275, 604 (3); Stats. 1969 s. 38.17.

A local board of industrial education has power to use funds under its control to publish information as to courses offered and terms of admission; information published in newspapers that such instruction is free is proper. 16 Atty. Gen. 777.

38.175 History: 1935 c. 92; Stats. 1935 s. 39.276; 1953 c. 90 s. 168; Stats. 1953 s. 41.175; 1969 c. 276 s. 275; Stats. 1969 s. 38.175.

38.18 History: 1911 c. 616; 1911 c. 664 s. 146; Stats. 1911 s. 553p-7; 1915 c. 238; 1917 c. 578 s. 3; 1917 c. 677 s. 33; Stats. 1917 s. 41.18; 1927 c. 425 s. 124; 1929 c. 142; 1937 c. 349; 1945 c. 41; 1951 c. 372; 1957 c. 224; 1965 c. 292 ss. 7, 11 (3); 1969 c. 241 ss. 12, 33; 1969 c. 276 ss. 275, 616; 1969 c. 366 s. 117 (2)(f); Stats. 1969 s. 38.18.

The fact that a municipality has paid high school tuition for a person does not relieve it from the obligation to pay vocational school tuition for him. 25 Atty. Gen. 200.

A minor placed in a school district not primarily for the purpose of attending school has

residence for school purposes in such district. 25 Atty. Gen. 608.

Vocational education at public expense may not be denied to Wisconsin residents meeting the standards prescribed in 41.18 (1), Stats. 1951, by a local board's withholding approval on grounds other than those referred to in the statute. If a vocational school admits such a pupil on a tuition basis, it may not charge him tuition, but must bill the proper municipality as provided in 41.19. 41 Atty. Gen. 357.

A local board of vocational and adult education does not have the power to adopt a policy or rule which arbitrarily defines "resident" for admission purposes in a more restrictive manner than the term is used in 41.18 (1), Stats. 1957, and which would in effect deny free vocational school training to a bona fide resident of the municipality who met other standards set forth in 41.18 (1). 46 Atty. Gen. 220.

38.19 History: 1911 c. 616; Stats. 1911 s. 553p-8; 1917 c. 578 s. 3; Stats. 1917 s. 41.19; 1919 c. 679 s. 33; 1927 c. 425 s. 125; 1929 c. 142; 1937 c. 349; 1939 c. 421; 1945 c. 41; 1947 c. 135; 1949 c. 153; 1951 c. 24, 274; 1953 c. 61 s. 2; 1953 c. 169; 1955 c. 249; 1957 c. 97; 1963 c. 284; 1965 c. 163 ss. 61 to 63, 85 (4); 1965 c. 292 s. 11 (3); 1965 c. 433 s. 121; 1967 c. 26, 43; 1967 c. 291 s. 14; 1969 c. 241 ss. 13, 33; 1969 c. 276 ss. 275, 604 (3), 616; 1969 c. 366 s. 117 (2)(f); 1969 c. 392 ss. 19, 87 (22); Stats. 1969 s. 38.19.

Nonresident tuition fees provided for in 41.19, Stats. 1925, may be collected by bringing an action of mandamus to compel proper officials to allow a claim. 15 Atty. Gen. 31.

Under 41.19, Stats. 1937, a vocational school offering university of Wisconsin extension division courses may charge nonresident tuition fees. 26 Atty. Gen. 116.

The nonresident tuition charge for each day or evening of actual attendance is not dependent upon the number of hours involved, the word "day" being regarded as an indivisible unit of time, including fractions of a day. 27 Atty. Gen. 433.

A vocational school student who became 21 on June 15, 1937, who, prior to entering said school in 1935, had been living with her parents, who has been entirely self-supporting while attending school, who voted in the general election in 1938 in a city where the school is located, who has not returned to her parents' home for a visit within the past year and who claims present intention of making the city in which the school is located her permanent residence and is now looking for permanent work in such city, is a resident student for tuition purposes. 28 Atty. Gen. 115.

It is discretionary with a local board of vocational and adult education under 41.19, Stats. 1941, whether tuition shall be charged for nonresident pupils. If local boards require payment of tuition for nonresident students they may exempt pupils serving as apprentices of residents pursuant to ch. 106. A minor apprentice may acquire residence different from his parents' for school purposes so as to be entitled to attend vocational school maintained by the municipality in which the employer resides free of tuition charges, even though parents of the minor reside in another municipality. An adult apprentice is not entitled to attend a vocational school maintained by a mu-

nicipality in which a contract is to be performed free of tuition charges unless such apprentice actually resides in that municipality or, if not residing therein, unless the board elects not to charge tuition for attendance of such person. 31 Atty. Gen. 155.

Children who live in a foster home "reside" in the municipal subdivision where said foster home is located as such word is used in 41.18 and this section. 38 Atty. Gen. 215.

An out-of-state resident who is an eligible veteran under Public Law 16 and Public Law 346 may be enrolled in an agricultural vocational course given by a Wisconsin high or vocational school under contract with the veterans administration. An instructor in such a school may cross the state line to visit the farm of the out-of-state resident for purposes of carrying out this educational program. If the instructor were otherwise eligible, he would not be deprived of the protection of the workmen's compensation act by crossing the state line in the course of his employment. 39 Atty. Gen. 214.

A nonresident student less than 21 years of age need not ordinarily return home every week end in order to continue to be eligible for payment of tuition by the municipality of his residence. Such student, attending a school of vocational and adult education may accept part time jobs in the municipality where he is attending school without affecting his residence status for school purposes provided he does not thereby become emancipated or become an indentured apprentice. 39 Atty. Gen. 331.

A local board cannot adopt a policy of refusing to pay tuition for residents of its municipality under age 21 to attend a school of vocational and adult education elsewhere. A local board may withhold approval in individual cases where vocational training equivalent to that which is desired is available at home. 39 Atty. Gen. 582.

38.20 History: 1911 c. 616; 1911 c. 664 s. 146; Stats. 1911 s. 553p-9; 1917 c. 578 s. 3; Stats. 1917 s. 41.20; 1927 c. 425 s. 126; 1937 c. 349; 1965 c. 292; 1969 c. 276 ss. 275, 616; 1969 c. 494; Stats. 1969 s. 38.20.

Course fees as provided in 41.20, Stats. 1951, should cover the cost of materials consumed in a course and should not be set so high as to cover both the cost of the materials consumed and the cost of instruction. 41 Atty. Gen. 357.

38.21 History: Stats. 1929 s. 20.33 (2) (a) to (c), 20.335 (2), (3); 1931 c. 67 s. 68, 72; Stats. 1931 s. 41.21; 1937 c. 349; 1943 c. 272; 1943 c. 552 s. 3; 1945 c. 122; 1947 c. 9, 272; 1957 c. 224; 1959 c. 659 s. 79; 1959 c. 696; 1961 c. 316; 1965 c. 163; 1965 c. 292 ss. 10m, 11 (3); 1965 c. 433; 1967 c. 43; 1967 c. 92 s. 22; 1969 c. 154 ss. 140, 141, 141m; 1969 c. 276 ss. 275, 604 (3), 616; Stats. 1969 s. 38.21.

The state board of vocational and adult education in certifying reports of local boards to the director of budget and accounts for state aid under 41.21 (1)(b), Stats. 1937, may not consider items of instructional expense which have been incurred but which have not actually been paid. 26 Atty. Gen. 406.

41.21 (3), Stats. 1945, applies in situations where teachers are employed through circuit relations committee of schools of vocational

and adult education to teach in several local vocational schools under arrangement whereby said teachers spend one day each week teaching in each local school. Such teachers are employes of each of said local schools on the day or days they teach therein. As a result 41.21 (3) prevents payment of state aids to said local schools receiving the services of such teachers, commencing with school year 1945-1946, unless contracts containing provisions such as are therein specified have been entered into. 34 Atty. Gen. 409.

41.21 (3), Stats. 1945, is applicable when individuals are engaged in teaching in local schools of vocational and adult education on a part-time basis even though teaching is not the principal or major occupation of such individuals. 35 Atty. Gen. 26.

The new vocational, technical and adult education school districts established under 41.155 can be viewed as operating one "school" for the purposes of state aid under 41.21 (1) (b), Stats. 1967. 57 Atty. Gen. 241.

38.215 History: 1945 c. 381, 586; Stats. 1945 s. 41.215; 1947 c. 49; 1953 c. 169; 1965 c. 292 s. 11 (3); 1965 c. 433 s. 121; 1967 c. 291 s. 14; 1969 c. 276 ss. 275, 604 (3); Stats. 1969 s. 38.215.

The state board and the state department of veterans' affairs have no authority to negotiate a loan of funds from the appropriation of one department to that of the other. 35 Atty. Gen. 182.

38.36 History: 1899 c. 268 s. 1; 1901 c. 373 s. 1; 1903 c. 338 s. 1; Supl. 1906 s. 411-1; 1917 c. 232; 1917 c. 578 s. 3; Stats. 1917 s. 41.36; 1919 c. 497; 1921 c. 255; 1927 c. 425 s. 138; 1931 c. 67 s. 63; 1945 c. 20; 1953 c. 61 s. 2; 1955 c. 37, 146, 652; 1969 c. 276 ss. 275, 602 (1); Stats. 1969 s. 38.36.

38.37 History: 1899 c. 268 s. 2; 1901 c. 373 s. 2; 1903 c. 338 s. 2; Supl. 1906 s. 411-2; 1917 c. 578 s. 3; Stats. 1917 s. 41.37; 1919 c. 93 s. 15; 1919 c. 362 s. 34; 1921 c. 255; 1927 c. 425 s. 139; 1943 c. 384; 1945 c. 559; 1955 c. 146; 1963 c. 565; 1969 c. 276 s. 275; Stats. 1969 s. 38.37.

Hold-over members of the county normal school board were de facto officers and the board a de facto board with authority to hire a school principal. The contract of hire did not require the approval of the state superintendent. State ex rel. Mattek v. Nimtz, 204 W 311, 236 NW 125.

Where a county normal school board and a county are defendants in an action, and their interests are not identical, the school board may employ counsel, and expenses so incurred may be paid as operating expenses. 21 Atty. Gen. 89.

Faculty members of a county normal school can enforce a contract with the board if the school is subsequently closed. 22 Atty. Gen. 468.

A county normal school board has authority under 41.37, Stats. 1947, to repair existing buildings which comprise part of the county normal school buildings, but does not have authority to remodel or to build a new building or buildings. In the event it is desired to remodel an existing building or buildings or to build a new county normal school building or buildings, the county board or a committee

thereof must proceed with the work. 37 Atty. Gen. 243.

The county treasurer of the county in which a county normal school is located is the treasurer of a joint county normal school board. The board may not select one of its members for such position. 39 Atty. Gen. 32.

38.375 History: 1945 c. 276; Stats. 1945 s. 41.375; 1955 c. 146; 1969 c. 276 s. 275; Stats. 1969 s. 38.375.

38.38 History: 1899 c. 268 s. 3; 1901 c. 373 s. 3; 1903 c. 338 s. 3; Supl. 1906 s. 411-3; 1917 c. 578 s. 3; Stats. 1917 s. 41.38; 1919 c. 679 s. 36; 1921 c. 255; 1927 c. 425 s. 140; 1955 c. 146; 1969 c. 276 s. 275; Stats. 1969 s. 38.38.

Moneys payable out of funds appropriated to a joint county normal school are to be paid by the county treasurer of the county in which the school is located, upon order of the board properly signed, under 41.38, Stats. 1949. 39 Atty. Gen. 32.

38.39 History: 1899 c. 268 s. 4; 1901 c. 373 s. 4; 1903 c. 338 s. 4; Supl. 1906 s. 411-4; 1907 c. 601; 1907 c. 676 s. 19; 1909 c. 264; 1911 c. 455; 1911 c. 664 s. 84; 1913 c. 259; 1917 c. 405; 1917 c. 578 s. 3; Stats. 1917 s. 41.39; 1927 c. 425 s. 141; 1955 c. 146; 1969 c. 276 s. 275; Stats. 1969 s. 38.39.

38.395 History: 1967 c. 92; Stats. 1967 s. 41.395; 1969 c. 276 s. 275; Stats. 1969 s. 38.395.

Legislative Council Note, 1967: Transfers to the county teachers college law a requirement in present s. 40.46 (3) (b) and (c). [Bill 353-S]

38.40 History: 1901 c. 373 s. 6; 1903 c. 338 s. 6; 1905 c. 509 s. 2; Supl. 1906 s. 411-6; 1911 c. 602; 1913 c. 418; 1917 c. 578 s. 3; Stats. 1917 s. 41.40; 1919 c. 601 s. 3; 1923 c. 372; Stats. 1923 s. 41.40, 41.405; 1927 c. 425 s. 142; Stats. 1927 s. 41.40; 1945 c. 20; 1953 c. 61 s. 2; 1955 c. 146; 1961 c. 305; 1969 c. 276 s. 275; Stats. 1969 s. 38.40.

38.41 History: 1907 c. 601; 1907 c. 676 s. 19; 1909 c. 601; 1911 c. 349; Stats. 1911 s. 411-6a; 1917 c. 578 s. 3; Stats. 1917 s. 41.41; 1927 c. 425 s. 143; 1955 c. 146; 1967 c. 226; 1969 c. 276 s. 275; Stats. 1969 s. 38.41.

38.42 History: 1903 c. 338 s. 7; Supl. 1906 s. 411-7; 1909 c. 98; 1913 c. 105; 1917 c. 578 s. 3; Stats. 1917 s. 41.42; 1919 c. 679 s. 36; 1927 c. 425 s. 144; 1927 c. 513; 1947 c. 34, 368, 393, 601; 1949 c. 551; 1955 c. 146 s. 11; 1963 c. 565; 1969 c. 276 ss. 275, 616; Stats. 1969 s. 38.42.

When a county normal school is so located that it is impracticable to provide suitable practice teaching thereat, students may be transported at public expense to and from a country school for that purpose. 19 Atty. Gen. 431.

A joint county normal school board under 41.42, Stats. 1945, is without authority to determine that the school property be insured in the state insurance fund under 210.04, Stats. 1945. Such property is owned by the respective counties and the interest of each is only insurable in said fund the same as other property of such county. 36 Atty. Gen. 258.

38.43 History: 1903 c. 338 s. 8; Supl. 1906 s. 411-8; 1909 c. 98; 1917 c. 578 s. 3; Stats.

1917 s. 41.43; 1919 c. 679 s. 36; 1927 c. 425 s. 145; 1955 c. 146, 652; 1969 c. 276 s. 275; Stats. 1969 s. 38.43.

38.44 History: Stats. 1929 s. 20.31 (2); 1931 c. 67 s. 61, 62; Stats. 1931 s. 41.44; 1943 c. 132, 534; 1945 c. 20; 1947 c. 9, 34, 561; 1949 c. 262, 551; 1953 c. 61 s. 2; 1953 c. 476, 631; 1955 c. 146, 410; 1957 c. 364; 1959 c. 387; 1959 c. 659 s. 79; 1965 c. 433 s. 121; 1965 c. 632; 1967 c. 43; 1967 c. 291 s. 14; 1967 c. 314; 1969 c. 276 ss. 275, 602 (3); Stats. 1969 s. 38.44.

Where a county training school is established by 2 or more counties under 41.36 and 41.42, Stats. 1917, state aid may be given to each county. 7 Atty. Gen. 315.

38.45 History: 1903 c. 338 s. 10; Supl. 1906 s. 411-10; 1917 c. 578 s. 3; Stats. 1917 s. 41.45; 1927 c. 425 s. 146; 1947 c. 34; 1955 c. 146; 1959 c. 155; 1969 c. 276 s. 275; Stats. 1969 s. 38.45.

38.46 History: 1903 c. 338 s. 11; Supl. 1906 s. 411-11; 1909 c. 223; 1917 c. 578 s. 3; Stats. 1917 s. 41.46; 1923 c. 420; 1925 c. 240; 1927 c. 425 s. 147; 1933 c. 241; 1947 c. 34, 151; 1951 c. 405; 1955 c. 146; 1959 c. 155; 1969 c. 276 ss. 275, 616; Stats. 1969 s. 38.46.

38.47 History: 1901 c. 288 s. 1; Supl. 1906 s. 553c; 1909 c. 313; 1911 c. 429; 1917 c. 578 s. 3; Stats. 1917 s. 41.47; 1927 c. 425 s. 149; 1927 c. 474 s. 1; 1969 c. 276 ss. 275, 616; Stats. 1969 s. 38.47.

A county agricultural school may be discontinued by the county board. 5 Atty. Gen. 351.

38.48 History: 1901 c. 288 s. 2; Supl. 1906 s. 553d; 1917 c. 578 s. 3; Stats. 1917 s. 41.48; 1919 c. 93 s. 17; 1919 c. 328 s. 33; 1919 c. 362 s. 34; 1927 c. 425 s. 150; 1955 c. 146 s. 16; 1969 c. 276 s. 275; Stats. 1969 s. 38.48.

38.50 History: 1901 c. 288 s. 4; Supl. 1906 s. 553f; 1917 c. 578 s. 3; Stats. 1917 s. 41.50; 1927 c. 425 s. 152; 1955 c. 652 s. 16; 1969 c. 276 s. 275; Stats. 1969 s. 38.50.

38.51 History: 1901 c. 288 s. 5; Supl. 1906 s. 553g; 1911 c. 663 s. 34; 1917 c. 578 s. 3; Stats. 1917 s. 41.51; 1927 c. 425 s. 153; 1969 c. 276 s. 275; Stats. 1969 s. 38.51.

38.52 History: 1901 c. 288 s. 6; Supl. 1906 s. 553h; 1911 c. 663 s. 34; 1917 c. 578 s. 3; Stats. 1917 s. 41.52; 1927 c. 425 s. 154; 1969 c. 276 s. 275; Stats. 1969 s. 38.52.

38.53 History: 1901 c. 288 s. 7; Supl. 1906 s. 553i; 1917 c. 578 s. 3; Stats. 1917 s. 41.53; 1927 c. 425 s. 155; 1969 c. 276 s. 275; Stats. 1969 s. 38.53.

38.54 History: 1901 c. 288 s. 8; Supl. 1906 s. 553j; 1911 c. 663 s. 34; 1913 c. 285; 1917 c. 578 s. 3; Stats. 1917 s. 41.54; 1927 c. 425 s. 156; 1947 c. 151; 1957 c. 77; 1967 c. 92 s. 22; 1969 c. 276 s. 275; Stats. 1969 s. 38.54.

38.55 History: 1901 c. 288 s. 9; Supl. 1906 s. 553k; 1911 c. 663 s. 34; 1917 c. 578 s. 3; Stats. 1917 s. 41.55; 1927 c. 425 s. 157; 1969 c. 276 ss. 275, 603 (1); Stats. 1969 s. 38.55.

38.56 History: 1907 c. 11; 1911 c. 663 s. 37; Stats. 1911 s. 553n; 1917 c. 578 s. 3; 1927 c. 425 s. 158; 1969 c. 276 s. 275; Stats. 1969 s. 38.56.

38.57 History: Stats. 1929 s. 20.31 (3) (a),

(b); 1931 c. 67 s. 64; Stats. 1931 s. 41.57; 1933 c. 140 s. 3; 1947 c. 9; 1949 c. 500; 1949 c. 643 s. 24L; 1951 c. 672; 1955 c. 366; 1959 c. 659 s. 79; 1965 c. 433 s. 121; 1967 c. 92 s. 22; 1967 c. 291 s. 14; 1969 c. 154 s. 377; 1969 c. 276 s. 275; Stats. 1969 s. 38.57.

38.58 History: 1917 c. 364; 1917 c. 671 s. 38; Stats. 1917 s. 670 (20); 1919 c. 695 s. 38; Stats. 1919 s. 41.58; 1927 c. 425 s. 159; 1969 c. 276 s. 275; Stats. 1969 s. 38.58.

38.60 History: 1919 c. 364; Stats. 1919 s. 41.60; 1927 c. 425 s. 160; 1937 c. 349; 1943 c. 272; 1965 c. 292 s. 11 (3); 1965 c. 433; 1967 c. 92 s. 22; 1969 c. 276 ss. 275, 604 (3); 1969 c. 392 s. 84; Stats. 1969 s. 38.60.

CHAPTER 39.

Higher Educational Agencies and Compact for Education.

Editor's Note: To trace the histories of sections of old Ch. 39 see the conversion table printed ahead of Ch. 115. This reflects the 1967 revision of the chapter. A researcher should also check the histories printed under each section in the 1961, 1963 and 1965 editions of the statutes. For the histories prior to 1960 see Wis. Annotations, 1960 and the conversion table printed ahead of Ch. 39 in that volume.

39.01 History: 1967 c. 92; Stats. 1967 s. 39.01; 1969 c. 276.

Legislative Council Note, 1967: Like s. 39.024 (1). (Bill 353-S)

39.02 History: 1969 c. 276; Stats. 1969 s. 39.02.

39.03 History: 1967 c. 92; Stats. 1967 s. 39.03; 1969 c. 154; 1969 c. 276 ss. 594 (1), (2), (3), 602 (1), 603 (2), (3), 604 (2); 1969 c. 438.

Legislative Council Note, 1967: Restates s. 39.024 (3) with minor revisions and clarifications. (Bill 353-S)

39.04 History: 1967 c. 92, 313; Stats. 1967 s. 39.04; 1969 c. 276 s. 594 (1), (2).

Legislative Council Note, 1967: Restates s. 39.024 (2) (d) and (e) with minor revisions and clarifications. (Bill 353-S)

39.05 History: 1967 c. 92; 1967 c. 291 s. 14; Stats. 1967 s. 39.05; 1969 c. 276 ss. 264, 265, 594 (1), 603 (3).

Legislative Council Note, 1967: Like s. 39.024 (4). (Bill 353-S)

39.09 History: 1967 c. 349 ss. 5, 8 (3); Stats. 1967 s. 39.20 (4); 1969 c. 276 s. 268; Stats. 1969 s. 39.09.

39.11 History: 1945 c. 570; Stats. 1945 s. 43.60 (4); 1951 c. 319 s. 202; 1953 c. 360; 1967 c. 349 ss. 5, 8 (3); Stats. 1967 ss. 39.20 (3), 43.60 (4); 1969 c. 276 ss. 267, 289, 290, 594 (7); Stats. 1969 s. 39.11.

The state radio council has no power under 43.60, Stats. 1955, to lease or to make any other arrangements for the use of its facilities for private commercial purposes. 46 Atty. Gen. 41.

39.13 History: 1945 c. 570; Stats. 1945 s. 43.60 (5) (a) and (b); 1969 c. 276 s. 291; Stats. 1969 s. 39.13.

39.15 History: 1969 c. 3, 185; Stats. 1969 s. 39.15.

39.23 History: 1969 c. 465; Stats. 1969 s. 39.23.

39.26 History: 1969 c. 276; Stats. 1969 s. 39.26.

39.27 History: 1967 c. 92; Stats. 1967 s. 39.27; 1969 c. 276.

Legislative Council Note, 1967: Restates s. 39.023 (11) with minor revisions. (Bill 353-S)

39.28 History: 1967 c. 92; Stats. 1967 s. 39.28; 1969 c. 276 ss. 272, 595 (2).

Legislative Council Note, 1967: Restates s. 39.023 (3), (4), (8), (9) and (12) with minor revisions and clarifications. Restates s. 39.023 (3) in general terms because the omitted specific language merely repeats the requirements of P.L. 88-204 and is therefore unnecessary, and because the plan required by that act has been submitted. (Bill 353-S)

39.29 History: 1967 c. 92; Stats. 1967 s. 39.29; 1969 c. 276 s. 595 (2); 1969 c. 392 s. 87 (17).

Legislative Council Note, 1967: Restates s. 39.023 (10) with minor clarifications. (Bill 353-S)

39.30 History: 1967 c. 92; Stats. 1967 s. 39.30; 1969 c. 154; 1969 c. 276 s. 595 (2); 1969 c. 336.

Legislative Council Note, 1967: Restates and rearranges s. 39.023 (5) with minor revisions and clarifications. (Bill 353-S)

39.31 History: 1967 c. 92; Stats. 1967 s. 39.31; 1969 c. 276 ss. 595 (2), 604 (2); 1969 c. 336.

Legislative Council Note, 1967: Restates s. 39.023 (6) with minor revisions and clarifications. (Bill 353-S)

39.32 History: 1967 c. 92; Stats. 1967 s. 39.32; 1969 c. 276 ss. 273, 274, 595 (2).

Legislative Council Note, 1967: Restates and rearranges s. 39.023 (7) with minor revisions and clarifications.

This chapter deletes present s. 39.35, relating to retirement payments to certain teachers, since the section is completely obsolete and no persons are receiving benefits under it. (Bill 353-S)

39.33 History: 1967 c. 313; Stats. 1967 s. 39.33; 1969 c. 154; 1969 c. 276 s. 595 (2).

39.34 History: 1967 c. 313, 341; Stats. 1967 s. 39.34; 1969 c. 276 s. 595 (2).

39.35 History: 1967 c. 333; Stats. 1967 s. 39.35; 1969 c. 154.

39.37 History: 1969 c. 154; Stats. 1969 s. 39.37.

39.75 History: 1965 c. 641; Stats. 1965 s. 39.75; 1967 c. 43.

39.76 History: 1965 c. 641; Stats. 1965 s.