

CHAPTER 252, Laws of 1977

AN ACT to amend 121.54 (9) (a); and to create 121.54 (9) (am) of the statutes, relating to transportation of pupils in areas of unusual hazard.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 121.54 (9) (a) of the statutes is amended to read:

121.54 (9) (a) In school districts in which unusual hazards exist for pupils in walking to and from school for pupils who reside less than 2 miles from the school where they are enrolled, the school board shall develop a plan which shall show by map and explanation the nature of the unusual hazards to pupil travel and propose a plan, which may include of transportation if such transportation is necessary, which will provide proper safeguards for the school attendance of such pupils. Copies of the plan shall be filed with the sheriff of the county in which the principal office of the school district is located. The sheriff shall review the plan and may make suggestions for revision deemed appropriate. The sheriff shall investigate the site and plan and make a determination as to whether unusual hazards exist which cannot be corrected by local government and shall report the findings in writing to the state superintendent and the school board concerned. Within 60, but not less than 30, days from the day on which the state superintendent receives the sheriff's report, the state superintendent shall determine whether unusual hazards to pupil travel exist and whether the plan provides proper safeguards for such pupils. If the state superintendent makes findings which support the plan and the determination that unusual hazards exist which seriously jeopardize the safety of the pupils in their travel to and from school, the school board may shall put the plan into effect and state aid shall be paid under s. 121.58 (2) (c) for any transportation of pupils under this subsection. Any city, village or town may reimburse, in whole or in part, a school district for costs incurred in providing transportation under this subsection for pupils who reside in the city, village or town. A school district may make a charge for transportation provided under this subsection to be paid by the parent or guardian of the child transported. Such charges shall not exceed a sum sufficient to reimburse the school district for costs incurred in such transportation. If the school board and the parent or guardian cannot agree on the amount of the charges, the department shall determine whether the amount of the charges exceed the costs.

SECTION 2. 121.54 (9) (am) of the statutes is created to read:

121.54 (9) (am) Any person aggrieved by the failure of a school board to file a plan with the sheriff as provided in par. (a) may notify the school board in writing that an area of unusual hazard exists. The school board shall reply to the aggrieved person in writing within 30 days of receipt of the aggrieved person's notice. The school board shall send a copy of the board's reply to the sheriff of the county in which the principal office of the school district is located and to the state superintendent. Upon receipt of the school board's reply, the aggrieved person may request a hearing before the state superintendent for a determination as to whether an area of unusual hazard exists. If the state superintendent determines that an area of unusual hazard exists, the state superintendent shall direct the school board to proceed as provided in par. (a).

SECTION 3. **Effective date.** This act takes effect July 1, 1978.