

No. 240, A.]

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CHAPTER 512.

AN ACT to amend paragraph (b) of section (1), subsections (3), and (8), and paragraph (h) of subsection (7) of section 40.16 of the statutes, relating to transportation of school children.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Paragraph (b) of subsection (1), subsection (3), paragraph (h) of subsection (7), and subsection (8) of section 40.16 of the statutes are hereby amended to read: (40.16) (1) (b) It shall be lawful for the electors of any school district to authorize the district board to provide transportation to and from school for any or all of the children of school age residing in the district for whom transportation is not required by law. In any school district where the electors have failed or refused to provide transportation for children living more than two miles from the school in the home district and from a school in an adjoining district, the parent or guardian of any such child may transport him to *and from* school in the home district or to *and from a* school in an adjoining district, and shall be paid for such services by the district in which he resides at the rate of * * * *forty* cents per day for each child so transported, provided the child while being so transported attended school for not less than five months. In all such cases the transportation must be safe, comfortable and convenient. * * * *The district in which such children reside shall be entitled to state aid on account of the transportation of such children as provided in subsections (5), (6) and (9) of this section.*

(40.16) (3) It shall be the duty of the board of any school district, when authorized by the electors or required by law to provide transportation, to enter into written contracts in the name of the district with the parents or guardians or other persons for transporting or providing for the transportation to and from school of all persons of school age who attend and who are entitled to transportation. Such contracts must provide that the children shall be actually transported in a safe and comfortable manner in a conveyance provided with protection against cold and inclement weather. The driver of each conveyance shall be of good moral character, trustworthy, and responsible. Such driver

shall have control of the children and be responsible for their good behavior while going to and returning from school. He shall not use profane or improper language and shall prohibit the use of such language on the part of the children. He shall report all cases of insubordination to the parents and to the teacher or principal of the school. In all cases where a contract is entered into with a person other than the parent or guardian of the children to be transported, such person shall file a bond in the sum of three hundred dollars running to the school district with approved sureties in double the amount; said bond to be forfeited to the district in case of failure of such person to provide transportation in accordance with terms of the contract, as specified in this subsection.

(40.16) (7) (h) If upon receipt of the report, as provided in paragraphs (e) and (f) of this subsection, the state superintendent shall be satisfied that the district has complied with all the requirements of this subsection, he shall certify such fact to the secretary of state, who thereupon shall draw a warrant in favor of the treasurer of such district for a sum equal to the amount expended by such district for tuition and transportation, provided such amount shall in no case exceed one hundred fifty dollars for any one district; provided, further, a district receiving the special state aid provided in this subsection shall not be eligible to receive special state aid for transportation, as provided in subsection (6). *In case the district shall have qualified for state aid on account of transportation under subsections (1) to (6) inclusive, and also under subsection (7), the state superintendent is hereby authorized to apportion the aid to the district on the basis which will give the district the larger sum.*

(40.16) (8) In this * * * section the word "distance" shall be interpreted to mean distance as measured by the nearest traveled highway.

SECTION 2. This act shall take effect upon passage and publication.

Approved July 5, 1921.