

SECTION 4. This act shall be in force from and after its passage and publication.

Approved April 19, 1889.

[No. 8, A.]

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CHAPTER 528.

AN ACT to amend chapter 12, of the city charter of the city of Milwaukee, entitled, "public schools," approved March 3, 1875, and the several acts amendatory thereof.

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

SECTION 1. Section 6, of chapter 12, of the laws of the city charter of the city of Milwaukee, entitled, "public schools," is hereby amended so as to read as follows: The school board shall biennially elect by ballot on the first Tuesday in March a person of suitable learning and experience in the art of instruction and practical familiarity with the most approved methods of organizing and conducting a system of public schools, for superintendent of schools, and he shall hold his office for two years or until his successor is elected unless sooner removed. The superintendent of schools shall under direction of the school board, have a general supervision of the public schools of the city and the manner of conducting and grading them, of the teachers, and in connection with a committee of the board of the purchase of school apparatus. He shall, in connection with a committee of the board and subject to confirmation by the board, examine, employ, certificate, classify and transfer teachers, and he shall dismiss them for incompetency or inattention to duty, and he shall do and perform all such other duties as may be required by the board. He shall receive a salary not exceeding four thousand dollars per annum, to be fixed by the school board. The superintendent of schools shall appoint, subject to confirmation

Amendment to sec. 6, ch. 12, city charter of Milwaukee.

Superintendent of schools

by the board, an assistant superintendent who shall hold his position during the term for which the superintendent is elected unless sooner removed, and whose salary shall be fixed by the board not to exceed twenty-five hundred dollars. And no person shall be employed to assist in the supervision of public school instruction without the consent of the superintendent of schools, or unless two-thirds of the school board vote by ballot to appoint such person to assist in supervision.

Amendment to
sec. 8, relating
to public
schools.

SECTION 2. Section 8, of chapter 12, of the charter of the city of Milwaukee, relating to public schools, is hereby amended to read as follows: The board shall also appoint biennially some suitable person to act as secretary of the board, who shall receive a salary not exceeding two thousand dollars per annum, to be fixed by such board. It shall be his duty to attend the meetings of the board, to keep a record of the proceedings, and a full and fair account of all receipts and expenditures of the board, and to do and perform all such other duties as shall be required of him by said board. The secretary of the school board shall, before entering upon the duties of his office, execute a bond to the city of Milwaukee, in such form and penalty, and with such conditions as the board shall prescribe, with sureties to be approved by said board, which bond shall be filed with and kept in the office of the city clerk of said city; and the school board may require security to be given for the faithful performance of his duties, by any officer or employe of said board, in such form and amount as the board shall deem best, and may at any time require of any officer or employe, additional bonds and sureties, in its discretion. The secretary of the board shall also take the annual enumeration of the children of school age in the city of Milwaukee, required by law, and shall at the same time collect such further statistics and information relating to schools, and to the population entitled to school privileges in said city, as may be directed and required by the school board, and he shall receive for such service a compensation or fee of two cents per capita upon the entire enumeration of persons between the ages of four and twenty, residing in said city, to be audited by

the school board, and paid out of the funds provided for the support of the schools.

SECTION 3. This act shall take effect and be in force from and after its passage and publication, except as to the election of the superintendent, which shall take place upon the March preceding the expiration of the term of the present incumbent, whose term of office shall not be shortened by this act.

Election of school superintendent.

SECTION 4. Section 1, of chapter 12, of the charter of the city of Milwaukee is hereby amended by adding at the end thereof, the following: The seat of any member shall be deemed vacant and the common council shall proceed to choose a successor to any member who shall be absent for four successive regular meetings of said school board.

Amendment to sec. 1, ch. 12.

SECTION 5. Section 3, of chapter 12, of the charter of the city of Milwaukee is hereby amended so as to read as follows: Section 3. The school board of the city of Milwaukee is hereby authorized and required, subject to the approval of the common council, to establish and organize so many public or common schools in addition to those already established in said city as may be necessary for the accommodation of the children of the city entitled by the constitution and laws of this state to instruction therein; and the common council shall erect, purchase, hire or lease buildings and furniture and lots for the accommodation of such schools, and of the high schools in said city, and shall improve and enlarge such school buildings. The school board shall also have power to establish and define, from time to time, the boundaries of all common school districts in the city in such manner as they may deem best calculated to promote the interest of the schools. The school board shall also have power to employ all janitors necessary in the school houses and to fix their compensation.

Amendment to sec. 3, ch. 12.

Public schools.

SECTION 6. Sections 4, 5, 11, 12, 13, 14, 17, 18 and 19, respectively, of the charter of the city of Milwaukee are hereby respectively amended so as to respectively, read as follows: Section 4. The school-houses now erected and the lots on which they are situated, and the lots now or hereafter purchased for school purposes, and the school-houses thereon erected, shall be the property of

Amendments to sections 4, 5, 11, 12, 13, 14, 17, 18, and 19.

the city; and no lot shall be purchased or leased, nor shall any school-house be erected without an ordinance or resolution duly passed by the common council. Deeds of conveyance and leases shall be made to the city of Milwaukee.

Section 5. The school board shall have power to adopt for use in the several public schools in the city suitable text books, which shall be uniform and continue in use without frequent change; and when the school board shall have adopted for use in the public schools of the city any text book or text books, the same shall not be changed by the board for five years next thereafter; and the school board shall require that the system of instruction in the several public schools of the city shall be as nearly uniform as possible, and shall adopt, and at their direction, modify or repeal by-laws, rules and regulations for their own government, and for the organization, discipline and management of the public schools of said city; and generally adopt such measures as shall promote the good order and public utility of said schools; provided, that such by-laws, rules and regulations shall not conflict with the constitution and laws of this state.

Section 11. The school board are hereby authorized, and it shall be their duty to maintain the high school now established in said city, and to establish and maintain such other high schools as may, from time to time, be found necessary, and whenever more than one high school is so established, said board may divide said city into high school districts, and said schools shall be open to students residing within the said districts, and for that purpose the common council of the city of Milwaukee are hereby authorized to purchase suitable sites, and erect or purchase all necessary buildings for the use of said schools, and to enter into all contracts necessary for the accomplishment of the purpose of this section.

Section 12. The said high schools shall be public schools of Milwaukee, and as such shall be under the same supervision and control, except as herein provided, as other public schools of said city. The said board shall have power, and it shall be their duty to employ a principal, and such other teachers as may be necessary, for each of said high schools. The president of the

Board to maintain the high school now established.

Powers and duties of board.

board shall annually appoint a committee of said board of high schools, which, together with the superintendent, who shall be a member of said committee, shall employ or appoint all teachers in said high schools subject to the approval of the board. Section 13. The course of study in the high schools shall be liberal and shall embrace such studies as the said school board may deem proper; and the said board shall have power to grant diplomas and to confer degrees, in testimony of scholarship and literary acquirements. Section 14. The said school board shall have power to make rules and regulations for the government of teachers and students of said high schools, to prescribe terms of admission, to determine the text books to be used, to fix the number of classes and the conditions of graduation, and all other matters relating to the management of said high schools; provided, that no rule, order or regulation made by said board shall be valid, if inconsistent with the constitution and laws of this state. Section 17. The school board shall report to the common council of the said city at or before the first meeting of the council in January in each year, the amount of money required for the support of all the public schools in said city, including the high schools, for the next fiscal year. And it shall be the duty of said common council to levy and collect a tax in addition to the tax to be levied for general city purposes, upon all the taxable property of the said city, at the same time and in the same manner as other taxes are levied and collected by law, which with the other funds provided for the same purpose, shall be equal to the amount of money required by said school board for the support of said schools; provided, that the said common council may by the votes of two-thirds of all the members elect, levy a tax for a greater or less amount for such purposes. The said tax and entire school fund of the city shall not be used or appropriated directly or indirectly for any other purpose than the payment of the salaries of the superintendent of schools, the secretary of the board, the teachers and such other employes as the board may deem necessary, and the necessary and current expenses of schools including the purchase of school supplies, apparatus and fuel. Sec-

Rules and regulations for the government of teachers and pupils.

School moneys
to be paid to
city treasurer.

tion 18. All moneys received by or raised in the city of Milwaukee for school purposes shall be paid over to the city treasurer, to be disbursed by him on the orders of the president and secretary of the school board, countersigned by the city comptroller; provided, that the president, instead of signing each order, may certify upon the payrolls furnished by the secretary to the comptroller to the fact that the amounts therein are correct as allowed by the school board. Section 19. The school board shall be governed in all things by the school laws of the state, except as they are altered or modified by this act. They shall report to the common council annually in the month of September the general proceedings and acts of said board, the number and condition of the public schools kept in said city during the year, the time they have severally been taught, the number and names of teachers, and the amount of salary of each; the number of children taught in said schools, respectively; the result of the annual enumeration required by law; the extent of school accommodations in the several schools; the amount of school moneys raised or received during the year, distinguishing the amount received from the state fund, from the amounts derived from taxes levied by the county board of supervisors and by the common council, respectively, and the accounts allowed by them against the school fund in detail, together with such other information as they may deem useful, or as the common council may require. A copy of said report shall be transmitted to the state superintendent of public instruction, and a like copy to to the librarian of the state historical society at Madison. In case of the absence or inability from any cause, of the officers appointed by said school board to perform the duties of their respective offices, said board may appoint some suitable person to act in their place and stead during their absence or inability, and such person shall have and possess the same power and authority as the officer whose place he is appointed temporarily to fill.

Repealed.

SECTION 7. All acts and parts of acts contravening the provisions of this act are hereby repealed.

Approved April 19, 1889.