

No. 562, S.]

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CHAPTER 352

AN ACT to amend 41.01 (5) of the statutes, relating to tuition for handicapped children.

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

41.01 (5) of the statutes is amended to read:

41.01 (5) Handicapped children residing within the district or outside the district may be admitted to special classes or schools according to standards of eligibility which are determined by the bureau for handicapped children and according to available facilities in each such class or school. In case a disabled child who does not reside in a school district maintaining special classes or schools for children with such disabilities is eligible for special class attendance, he may be admitted as a nonresident pupil. *In cases where the state and local superintendents approve a transfer to a class in another district for good reason to serve the best interests of the child, he thereby becomes eligible to attend such class outside of his own district, and the tuition shall be paid for by the district of residence. Otherwise tuition * * * shall be chargeable to the county, town, city or village of which such pupil is a resident. Whenever any class for handicapped is conducted in a school district which is not co-extensive with the civil municipality, tuition for resident children shall be a charge upon the municipal government the same as for children who attend special classes outside of the municipality.* In determining the tuition for such handicapped children, the total cost of items reported in accordance with s. 41.03 (1) * * * plus the actual cost of operation and maintenance for each type of handicap, less any federal, state and county aids for the education of the handicapped for the preceding year, shall be divided by the total number of children receiving such services. On or before August 1 following the close of the school year, the clerk or secretary of the board of the district shall file the tuition claims for handicapped children on the elementary level with the clerks of the towns, villages or cities of their residences and shall file the tuition for handicapped children on the high school level with the clerks of the counties of their residences. Upon receipt of such tuition claims the respective clerks shall cause the amounts thereof to be spread upon the tax rolls for collection. When the taxes are collected tuition claims shall be paid to the treasurers of the school districts to which they are due by the municipal treasurers subject to the priority that is given to high school tuitions under s. 74.03 (5). For the purpose of this subsection "municipality" is defined as a town, village, city or county. Whenever such child resides in a district which maintains a special school or class for children with such disabilities and if he attends a special class in another district, his tuition shall, except where the state and local superintendents have approved a transfer, be a charge against the parent or guardian of such pupil. In the case of a crippled child who lives either within the district or outside, the basis for his enrollment in an orthopedic school shall be his need for special school facilities because of his inability to walk or climb stairs or his need for supervision or treatment as provided at such schools. Only children who are mentally able to carry the regular academic course shall be admitted to orthopedic schools.

Approved June 25, 1953.
