

No. 684, S.]

[Published November 14, 1953.

CHAPTER 629

AN ACT to amend 40.08 (1) of the statutes (as renumbered and amended by chapter 90, laws of 1953, and as amended by chapter 127, laws of 1953), relating to dissolution of a school district by neglect to operate a school and providing schooling for pupils residing in such district.

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

40.08 (1) of the statutes (as renumbered and amended by chapter 90, laws of 1953, and as amended by chapter 127, laws of 1953) is amended to read:

40.08 (1) If a district for 2 or more successive years neglects to operate a school for its children as required by law, it shall be attached to a district or districts that do operate a school or schools, by referendum pursuant to the provisions of s. 40.35, by county school committee pursuant to the provisions of s. 40.303, or by municipal board action pursuant to the provisions of s. 40.30. The state superintendent shall notify the school district clerks of districts which are subject to the provisions of this section and shall notify the clerks of the municipalities in which all parts of such districts lie and the secretaries of the county school committees of the counties in which these districts lie within 60 days of the date on which the districts become subject to the provisions of this section. *However, only during the period ending June 30, 1955 any district which does not operate a school is authorized to and shall arrange for the attendance of its pupils at the elementary grades of some other district on a nonresident tuition basis and provide transportation to and from such school by the methods provided in s. 40.53 (5) for all its pupils who reside 2 miles or more from the school of such other district that they attend, and may use such funds on hand as have been raised or appropriated for operation and maintenance or levy taxes to pay for such tuition and transportation and to reimburse parents for any such tuition or transportation they have paid or furnished. If a district fails so to do during said period its pupils may attend the elementary grades at the nearest available school of another district or the school which is certified by the county superintendent having jurisdiction as more feasible for them to attend and such district of residence shall be liable to the district whose schools such pupils attend for the nonresident tuition and cost of transportation said district is required to provide, or to the parents of such children for any such tuition or transportation they have paid for or furnished as the case may be. The school board of a district to which any territory is attached or consolidated therewith shall levy and collect a special tax against the property in the territory attached thereto or consolidated therewith for such amount as is payable for tuition and transportation, at the time of such attachment or consolidation, by the district in which such territory so attached or consolidated was located prior thereto, in the proportion that the valuation of the territory attached thereto or consolidated therewith bears to the total valuation of the district in which such territory was located prior to such attachment or consolidation. This amendment shall operate retroactively to and including May 15, 1953.*

Approved November 13, 1953.
