

No. 597, S.]

[Published June 18, 1917.

CHAPTER 440

AN ACT to create subsection 34 of section 893 (892) of the statutes, relating to the powers of village boards.

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

SECTION 1. A new subsection is added to section 893 (892) of the statutes to read: (Section 893. (892)) 34. To levy and to provide for the assessment and collection of a tax, or to borrow money in any year, not exceeding one-twentieth of one per cent of the assessed valuation of such village for the promotion and publicity of natural scenic environment and arousing public interest therein, with the purpose of inducement of visits thereto by the general public, in which visits the general material welfare of such villages may be promoted, provided the same is deemed desirable by a two-thirds vote of all members of the Village Board of such village.

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

Approved June 15, 1917.

No. 180, A.]

[Published June 18, 1917.

CHAPTER 441

AN ACT to repeal sections 419e to 419g, inclusive, 430—1 to 430—4, inclusive, 430—6 to 430—8, inclusive, 496—9 to 496—12, inclusive, 496q, 496r and 496t, of the statutes; to amend subsection (3) of section 20.25, and paragraph (c) of subsection (2) of section 20.26 of the statutes; and to create sections 430—1 to 430—9, inclusive, of the statutes, relating to the transportation of pupils, and making an appropriation.

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

SECTION 1. Sections 419e to 419g, inclusive, 430—1 to 430—4, inclusive, 430—6 to 430—8, inclusive, 496—9 to 496—12, inclusive, 496q, 496r and 496t, of the statutes, are repealed.

SECTION 2. There are added to the statutes nine new sections to read: Section 430—1. 1. It shall be the duty of the school board of any consolidated rural school district formed in accordance with the provisions of sections 496—1 to 496—8, to provide transportation to and from such consolidated school for the entire school year for all children between the ages of six and sixteen in the district residing more than two miles from such consolidated school.

2. 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 school in the home district or to a school in an adjoining district, and shall be paid for such services by the district in which he resides at the rate of twenty cents per day for each such 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 shall be reimbursed ten cents per day for each such child who while being transported attended school for at least five months. The aid shall be paid by the state as provided in sections 430—5, 430—6 and 430—9, of the statutes.

3. It shall be the duty of the school board of any district in which the electors have voted to suspend all of the schools in the district to provide for the payment of the tuition of all children of school age residing in the district who desire to attend school in some adjoining district or districts during such time as the district school is suspended, and to provide transportation to and from school for a period of at least six months during the school year or for such time as the district school is suspended, for all children between the ages of six and sixteen residing more than one mile from the nearest school.

Section 430—2. In all cases where the electors of any district at the annual meeting or at a subsequent special meeting prior to the third Monday of November fail to levy a tax sufficient to pay for the tuition or transportation or both required by law, or authorized by the electors, the school board, on or before the Wednesday next following the said third Monday in November, shall determine the sum necessary to pay for tuition or transportation, or both, as the case may be, and the district clerk shall at once certify to the town or village clerk the amount so fixed and when so certified to the town or village clerk such amount shall be levied and collected as other district taxes are now levied and collected.

Section 430—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 section.

Section 430—4. If in the judgment of the school board of any district it is to the interest of the district to provide board and lodging in lieu of transportation for all or a part of the period for which transportation has been authorized by the electors or is required by law for children residing more than four miles from the nearest school in the home district or in an adjoining district, it shall be legal and shall be the duty of such school board to make arrangements whereby such children shall be boarded in a suitable place not more than one mile from a school. The school board shall make a contract with the person or persons with whom such child or children board, and shall pay for the board and lodging of such pupil or pupils out of the fund provided for transportation, provided the amount so paid for board and lodging of any child shall not exceed two dollars and seventy-five cents per school week of five days.

Section 430—5. The school board of the district in which the pupil resides and the principal teacher of the school in which the pupil is enrolled shall on or before the first day of August of each year make under oath a report giving the name of each pupil transported more than two miles; the number of days transportation was provided for such pupil; the number of days such pupil attended while being transported; the distance from the home of such pupil to the school; the amount paid for

transportation, to whom paid, and such other information as the state superintendent may require. In case board and lodging have been provided in accordance with section 430—4, said report shall give the name of each pupil so boarded and lodged, the number of days such pupil attended while being boarded, the distance from the home of such pupil to the nearest school in the home district or an adjoining district, distance from the boarding place to the school attended, the amount paid for board and lodging, to whom paid, and such other information as the state superintendent may require.

Section 430—6. Upon receipt of such report, if the state superintendent shall be satisfied that transportation or board and lodging have been provided in accordance with law, he shall certify to the secretary of state the amount due such district on account of providing transportation or board and lodging, or both, said amount to be determined as follows:

(1) For each pupil residing more than two miles and not more than three miles from the school for whom transportation was provided for at least six months, or for such time as required by law, and who attended not less than five months while being so transported, ten cents per day for each day attended while being transported.

(2) For each pupil residing more than three miles but not more than four miles from school for whom transportation was provided for at least six months or for such time as required by law, and who attended not less than five months while being transported, fifteen cents per day for each day attended while being transported.

(3) For each pupil residing more than four miles from school for whom transportation was provided for at least six months or for such time as required by law, or who, residing more than four miles from the nearest school in the home district or in an adjoining district, was boarded in accordance with the provisions of section 430—4, and who attended not less than five months while being transported or boarded, twenty cents a day for each day attended while being transported or boarded.

(4) In case of any pupil for whom transportation was provided for at least six months or during such time as said pupil resided in the district but who failed to attend five months while being transported, the district shall receive the aid as provided in paragraphs (1) to (3), inclusive, provided such failure to attend five months was due to absence from the district or any other legal excuse.

Section 430—7. Whenever the electors of any rural district containing one or more one-department rural schools shall direct

the school board to close all the schools in the district, each such district shall be entitled to special state aid as hereinafter provided, upon complying with the following conditions:

(1) Tuition shall be paid for all persons of school age who may desire to attend school at a district maintaining a one or two-department rural school, or a state graded school, or the grades below the free high school in a free high school district for at least thirty-two weeks, including legal holidays, and transportation shall be provided for the same period of time for all such pupils who reside more than one mile from the nearest school in an adjoining district.

(2) The average daily attendance of pupils transported under the provisions of this section from any district to the school in any rural school district, or to a state graded school, or to the grades in a district maintaining a free high school, shall be at least eighty per cent of the entire number enrolled for transportation to such school during each term of school.

(3) The district board shall, in all cases where the school is closed and transportation is provided by team, enter into a written contract in the name of the district with one or more persons whereby it is agreed that such person or persons are to transport or provide for transporting the children in a safe and comfortable manner to and from the school or schools in the district where provision has been made for their schooling. The children shall be 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. Provided that in cases where it is practicable, conveyance by interurban, steam railway, or automobile shall be equivalent to transportation by team. 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 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 section.

(4) No state aid under the provisions of this section shall be

paid to any district providing transportation and tuition for its pupils at a district maintaining a rural school of one or more departments, unless the school in the district where such nonresident children attend shall be a first-class rural school as defined in sections 560f to 560m, inclusive, and acts amendatory thereof, and it is further provided that in case the district entering into a contract for the schooling of nonresident pupils, according to the provisions of this section, shall fail to maintain a first-class rural school as provided in sections 560f to 560m, inclusive, then such school district shall forfeit its right to collect tuition from the district where such nonresident children reside for such school year or part of a school year that the school in such school district shall not have been maintained as a first-class rural school.

(5) The school board of each district taking advantage of this section shall make annually, on or before the first day of August, a special report, under oath to the state superintendent of public instruction, showing that the above conditions have been complied with, and this report shall give the names and ages of the persons transported, the number of days each such person was transported, and attended school, the rate of tuition paid, the amount of tuition paid for each person, and such other information as the state superintendent may require.

(6) It shall be the duty of the county superintendent of schools in any county where a district takes advantage of the provisions of this section and provides transportation and tuition at a rural school, as provided in paragraphs (1) to (4), inclusive, to report annually to the state superintendent, upon the blanks furnished by him, such information as he may require for the purpose of ascertaining if the rural school in such district during the year for which aid is claimed was maintained as a first-class rural school, according to the provisions of sections 560f to 560m, inclusive.

(7) In case of a disagreement concerning the standard of work done in any rural school, the decision of the state superintendent shall be final, and he shall have power, either in person or through inspectors of schools, to investigate the quality of work done and equipment offered in any of the schools accepting nonresident pupils under the provision of this section.

(8) If upon receipt of the report, as provided in paragraphs (5) and (6) of this section, the state superintendent shall be satisfied that the district has complied with all the requirements of this section, he shall certify such fact to the secretary of state, who thereupon shall draw a warrant in favor of the treas-

urer 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 section shall not be eligible to receive special state aid for transportation, as provided in section 430—6.

Section 430—8. In sections 430—1 to 430—7, inclusive, the word "distance" shall be interpreted to mean distance as measured by the nearest traveled highway.

Section 430—9. Each district complying with the provisions of subsection 3 of section 430—1 or section 430—7, shall receive the same apportionment of state and other taxes as provided by law, as would have been received had school been maintained in the district.

SECTION 3. Subsection (3) of section 20.25 and paragraph (c) of subsection (2) of section 20.26 of the statutes, are amended to read: (20.25) (3) Annually, such sums as may be necessary, for transportation and tuition of pupils, as provided in sections * * * 430—1 to 430—9, inclusive, of the statutes.

(20.26) (2) (c) The amount of state aid for each graded school shall be computed upon the following basis: for a graded school of the first class, three hundred dollars; for a graded school of the second class, two hundred dollars; for a graded school of either class in which special instruction in agriculture or other industrial subjects, as may be prescribed by the state superintendent, shall have been offered and presented in an efficient manner by a competent teacher and approved by the state superintendent, an additional one hundred dollars. * * *

SECTION 4. This act shall take effect on and after July 1, 1917.

Approved June 15, 1917.

No. 279, A.]

[Published June 18, 1917.

CHAPTER 442

AN ACT to create section 424a of the statutes for the purpose of validating orders relating to the creation and consolidation of school districts and the alteration of school district boundaries.

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

SECTION 1. There is added to the statutes a new section to read: Section 424a. 1. All orders heretofore made by any town board or boards or board of village trustees or city council