

(Introductory paragraph) *Annually, beginning * * * July 1, * * * 1927, * * * sixty-one thousand * * * dollars * * * for the execution of his functions other than the administration of sections 85.04 to 85.17, inclusive. Of this there is allotted:*

SECTION 2. A new subsection (5) is added to section 20.04 of the statutes to read: (20.04) (5) On July 1, 1927, four thousand dollars, and on July 1, 1928, four thousand dollars for the printing and distribution of election notices.

SECTION 3. This act shall take effect July 1, 1927.

Approved August 2, 1927.

No. 444, S.]

[Published August 3, 1927.

CHAPTER 488.

AN ACT to repeal subsections (3) and (4) of section 20.32, subsections (2) and (3) of section 41.01 and section 41.035, and to amend subsection (3) of section 20.21, the opening paragraph of, and subsection (1) of section 20.32, subsection (1) of section 41.01 and subsections (1) and (4) of section 41.02 and to create subsections (2), (3), (4), (5) and (6) of section 41.01 of the statutes, relating to auxiliary and special schools, providing a penalty and making an appropriation.

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

SECTION 1. Subsections (3) and (4) of section 20.32, subsections (2) and (3) of section 41.01 and section 41.035 of the statutes are repealed.

SECTION 2. Subsection (3) of section 20.21, the opening paragraph of, and subsection (1) of section 20.32, subsection (1) of section 41.01 and subsections (1) and (4) of section 41.02 of the statutes are amended to read: (20.21) (3) *Annually, beginning July 1, 1921, not to exceed * * * twenty thousand dollars to carry out the provisions of subsection * * * (4) of section * * * 41.01.*

(20.32) (Opening paragraph) *There is appropriated from the general fund, annually, beginning July 1, 1927, as state aid for schools and classes established and maintained pursuant to section 41.01, not to exceed one hundred forty-five thousand dollars*

* * * for day schools or classes for the instruction of deaf * * * children or * * * children with defective speech, or for the instruction of blind * * * children, * * * not to exceed one hundred thousand dollars for schools or classes for otherwise physically disabled children and not to exceed fifty thousand dollars for special classes for the instruction of exceptional children, to be distributed as follows:

(1) If upon the receipt of the report * * * provided for in subsection (3) of section 41.01, the state superintendent shall be satisfied that * * * the school or class has been maintained during the preceding year in accordance with the provisions of the statutes, he shall certify to the secretary of state in favor of each of the several school district boards or boards of education maintaining such day schools or classes a sum equal to the amount expended by each said board during the preceding year for salaries of qualified teachers employed in such day school and classes, board and transportation of pupils residing within the state * * * and attending such day school and classes, special books and special equipment prepared or designed for * * * instruction in such schools and classes, and such other expenses as shall be approved by the state superintendent, in excess of seventy dollars per child, provided the amount apportioned to any * * * board * * * shall not be in excess of the following * * * :

(a) For each pupil residing in the district and attending * * * such day school * * * or * * * class for exceptional children one hundred dollars, for the deaf or blind two hundred fifty dollars, for children physically disabled three hundred dollars.

(b) For each pupil residing outside the district but within the state, who attends * * * such day school or class for * * * at least nine months, four hundred dollars, for children physically disabled, four hundred fifty dollars.

(c) In the case of physically disabled children, who would be as well served by the regular schools, but who are unable to attend because of their physical condition, transportation may be provided and the state shall reimburse the district for such transportation to an amount not to exceed one hundred fifty dollars per child.

* * * (d) For each such pupil * * * attending * * * any such school or class for * * * less than nine months, such

proportion of *the state aid*, * * * as the number of days' attendance is of nine months. In determining the number of days' attendance with which any pupil shall be credited no deduction shall be made on account of illness for a period of one month or less. In case of absence for a period of more than one month deduction shall be only for the time in excess of one month.

* * * (e) In case the aggregate claims arising under paragraphs (a), (b), * * * (c) and (d) of this subsection shall exceed the appropriations available, the state superintendent shall deduct from each claim an equal proportion so as to reduce the aggregate to an amount not in excess of the appropriation, and shall certify such reduced amounts to the secretary of state.

(41.01) (1) Upon application by the district board of any school district * * * or the board of education of any city, the state superintendent may authorize such school district board or board of education to establish and maintain * * * one or more day schools for the instruction of deaf * * * children or * * * children with defective speech, or for the instruction of blind * * * children or children otherwise physically disabled or to establish a special class for the instruction of exceptional children of school age.

(41.02) (1) Any parent or guardian having under his control a deaf or blind child, or a child otherwise physically disabled, between the ages of six and eighteen years who is incapacitated for attending a common school, shall cause such child to attend some public, private, parochial, or state school established for the instruction and education of the deaf or blind children, or of children otherwise physically disabled for a period of at least eight months during each school year, provided this shall not apply to any child over sixteen years of age who shall have completed the eighth grade or who shall be regularly employed in a gainful occupation.

(4) It shall be the duty of the district attorney upon proper complaint, made by a city, district or county superintendent of schools, or by the inspector of * * * any day school * * * for the deaf or blind, or of children otherwise physically disabled, to prosecute any parent or guardian failing to comply with this section. The case shall be tried before the county judge, and the cost of prosecution shall be added to the fine.

SECTION 3. Five new subsections are added to section 41.01 of the statutes to be numbered and to read: (41.01) (2) The

courses, qualifications of teachers and plan of organizing and maintaining such schools and classes shall comply with such requirements as may be outlined by the state superintendent of public instruction.

(3) The board of education maintaining such schools and classes, shall, through its secretary or other executive officer, report annually to the state superintendent, or oftener, if he so directs, such facts relative to such schools and classes as he may require. Such report shall include, among other things, the number of pupils instructed in each school or class and classes, their residence, and the period of time each shall have been instructed therein during the school year. The treasurer of each of said several boards shall render to the state superintendent annually an itemized statement on oath of all receipts and disbursements on account of such classes during the preceding school year.

(4) The state superintendent of public instruction shall appoint within his department persons of suitable training and experience who shall have general supervision of the classes for the instruction of deaf, blind, speech defective and other physically disabled children and of exceptional children of school age, who shall give special attention to examining, testing and classifying pupils applying for admission to such special classes and perform such other duties as the state superintendent may direct. Such supervisors shall be exempt from the provisions of sections 16.01 to 16.30, of the statutes.

(5) The board of any school or class shall admit, whenever the facilities for seating or instruction warrant, any child of school age who desires to enter such school or class, and who resides outside of any such city or village. If such nonresident pupil is a resident of a school district which does not maintain a similar school or class, tuition not to exceed two dollars per week shall be chargeable to the town, city or village, of which such pupil is a resident. If such child is a resident of a district which does maintain such a school or class, said tuition shall be a charge against the parent or guardian of such pupil. Provided, such tuition shall be subtracted from the state aid allotted to any district receiving same.

(6) On or before the first day of July in each year, the clerk or secretary of the board maintaining such class or classes shall make a sworn statement to the clerk of the town, city, or village from which any child may have been admitted to such school or

class setting forth the residence, name, age and date of entrance to such school or class, and the number of months' attendance during the preceding school year of each child admitted from such city, town, or village. Such statement shall further show the amount of tuition, which, under the provisions of this section the district is entitled to receive from each child reported as having been a member of the school or class from such city, town or village and the aggregate sum for tuition for all such children. Said statement shall be filed as a claim against the town, city or village where such child resides and shall be allowed as other claims are allowed.

SECTION 4. This act shall take effect upon passage and publication.

Approved August 2, 1927.

No. 606, S.]

[Published August 4, 1927.]

CHAPTER 489.

AN ACT to repeal subsection (8) of section 20.34 of the statutes, and to amend subsections (1), (2), and (3) of section 20.34 of the statutes, relating to appropriations for Stout institute. *The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Subsection (8) of section 20.34 of the statutes is repealed.

SECTION 2. Subsections (1), (2), and (3) of section 20.34 of the statutes are amended to read: (20.34) (1) Annually, beginning July 1, * * * 1927, one hundred * * * *eighty-five* thousand dollars, for operation.

(2) On * * * July 1, * * * 1927, * * * *seventeen* thousand * * * dollars, and on July 1, * * * 1928, * * * *sixteen* thousand * * * *three hundred* dollars, for property repairs and maintenance.

(3) On * * * July 1, * * * 1927, * * * *thirteen* thousand * * * *five hundred* * * * dollars, and on July 1, * * * 1928, * * * *thirteen* thousand five hundred dollars, for permanent property and improvements, except the purchase of land. * * * Any amounts appropriated by this subsection, *and any balance on June 30, 1927, not needed for the original*