

No. 644, A.]

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CHAPTER 573

AN ACT to create 40.65 (3) (d) of the statutes, relating to payment of elementary tuition to out-of-state school districts.

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

SECTION 1. 40.65 (3) (d) of the statutes is created to read:

40.65 (3) (d) In school districts authorized to operate and maintain elementary schools the board may, in all operating districts, but in suspended districts only until July 1, 1957, upon its own order provide for

the enrollment of pupils in elementary schools located in states other than Wisconsin and pay for the tuition that accrues because of such enrollment and for the transportation costs necessitated by such enrollment of pupils who reside 2 miles or over from such out-of-state schools, from school district operation and maintenance funds until the following compact has been approved for the operation of interstate school districts between such state and Wisconsin, but in suspended districts not later than July 1, 1957. The cost of such tuition shall be treated as a part of the cost of instruction of such districts and they shall be credited with the enrollment and average daily attendance of such tuition pupils for aids purposes as though they had been enrolled in the schools of the districts of their residence. The districts shall be entitled to receipt of aids for the transportation of such pupils on the same basis as though they had been transported to the schools of the districts of their residences.

SECTION 2. COMPACT AGREEMENT. The chief executive is hereby authorized to execute a compact on behalf of this state with states bordering Wisconsin legally joining therein for the operation of school districts bordering such boundaries in the following form:

INTERSTATE COMPACT ON PUBLIC SCHOOL ADMINISTRATION.

The contracting party states agree:

ARTICLE I — PURPOSE

The purpose of this compact is to create a pattern of organizations through which all the people of an educational community which crosses state lines may participate in the government of such unit.

ARTICLE II — ORGANIZATION

The state superintendent of public instruction or similarly titled officer of the respective party states designated in the enabling acts approving this compact may by agreement provide for the establishment and operation of interstate public school districts for the operation of elementary and secondary schools.

ARTICLE III — SCOPE OF THE AGREEMENTS

Such agreements may cover:

- (a) The establishment of an interstate school district.
- (b) The allocation of costs of operation and capital expenditure between the portions of the district in each state.
- (c) The scope of the educational program.
- (d) The procedures whereby the electors in each state may participate in the formation of school policy.
- (e) The allocation of state school aids.
- (f) The determination of the state's laws under which the contracts for the purchase of materials, supplies and personal services will be made so as to prevent all conflict as to the applicable statutes. Arrangements shall be made for the employment of persons by one state only and for the pro rata reimbursement of that state for services rendered to citizens of another state, but no such agreement shall require that all employees be hired by a particular state.
- (g) All other matters as are reasonably necessary to carry out the purposes set forth in Article I.

ARTICLE IV — EFFECTIVE DATE

This compact shall become operative between any state and another state when, following the adoption of the compact by the legislatures of both such states, the appropriate officers of 2 states execute an agreement.

ARTICLE V — RENUNCIATION

This compact shall continue in fact and remain binding upon each executing party state until 6 months after any such state has given written notice of renunciation by the same authority which executed the agreement.

ARTICLE VI — SEVERABILITY

The provisions of this compact are severable.

SECTION 3. ADMINISTRATION OF COMPACT. The governor shall designate the state superintendent of public instruction or his counterpart to be compact administrator, and such designee shall administer the compact, and shall, acting jointly with like officers of other party states, make rules to enforce the terms of the compact.

SECTION 4. FINANCES. The compact administrator shall arrange for all payments necessary to discharge any financial obligations imposed upon this state or any subdivision thereof by this compact.

SECTION 5. COMPACT BINDING. The departments and officers of this state and its subdivisions shall enforce this compact and do all things appropriate to effect its purpose and intent which may be within their respective jurisdictions.

SECTION 6. CLOSED SCHOOL DISTRICT LAW NOT APPLICABLE. Pending the approval of this compact, the provisions of s. 40.08 of the statutes relating to the abolition of nonoperating school districts shall not apply to any school district which provides for the education of all its pupils at an out-of-state school.

Approved August 4, 1955.
