

1975 Assembly Bill 442

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### CHAPTER 392, Laws of 1975

AN ACT to amend 121.54 (9); and to create 121.58 (2) (c) of the statutes, authorizing state aid for school bussing in areas of unusual hazard.

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

SECTION 1. 121.54 (9) of the statutes is amended to read:

121.54 (9) TRANSPORTATION IN AREAS OF UNUSUAL HAZARDS. (a) In school districts in which unusual hazards exist in walking to and from school for pupils who reside less than 2 miles from the school where they are enrolled, the school board ~~may~~ shall develop a plan which shall show by map and explanation the nature of the unusual hazards to pupil travel and propose a plan ~~of,~~ which may include transportation which will provide proper safeguards for the school attendance of such pupils. Copies of the plan shall be filed with the sheriff of the county in which the principal office of the school district is located. The sheriff shall review the plan and may make suggestions for revision that he deems appropriate. He shall investigate the site and plan and make a determination as to whether unusual hazards exist which cannot be corrected by local government. He shall report his findings in writing to the state superintendent and the school board concerned. ~~Any person aggrieved by the determination made by the sheriff may appeal the determination to the state superintendent who shall make a determination upon which the school board shall act.~~ Within 60, but not less than 30, days from the day on which the state superintendent receives the sheriff's report, the state superintendent shall determine whether unusual hazards to pupil travel exist and whether the plan provides proper safeguards for such pupils. If the state superintendent makes findings which support the plan and the determination that unusual hazards exist which seriously jeopardize the safety of the pupils in their travel to and from school, the school board may put the plan for transportation into effect, but no part of the costs resulting from the and state aid shall be paid under s. 121.58 (2) (c) for any transportation of pupils under this subsection may be reimbursed from state funds. Any city, village or town may reimburse, in whole or in part, a school district for costs incurred in providing transportation under this subsection for pupils who reside in the city, village or town. A school district may make a charge for transportation provided under this subsection to be paid by the parent or guardian of the child transported. Such charges shall not exceed a sum sufficient to reimburse the school district for costs incurred in such transportation. If

the school board and the parent or guardian cannot agree on the amount of the charges, the department shall determine whether the amount of the charges exceed the costs.

(b) Within 30 days after the sheriff's report is received by the state superintendent, any aggrieved person may request a hearing before the state superintendent on the determination by the sheriff and on the plan. After such hearing, the state superintendent shall proceed as provided in par. (a).

(c) The state superintendent and the department of transportation shall establish a definition of "unusual hazards" and "area of unusual hazards" for the implementation of this subsection. Such definition shall be promulgated, as a rule, by the state superintendent.

SECTION 2. 121.58 (2) (c) of the statutes is created to read:

121.58 (2) (c) A school district which provides transportation to and from a school under s. 121.54 (9) shall be paid state aid for such transportation at the rate of \$12 per school year per pupil so transported. Such state aid shall be reduced proportionately in the case of a pupil transported for less than a full year because of nonenrollment. State aid for such transportation shall not exceed the actual cost thereof.

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