

No. 965, A.]

[Published July 13, 1907.]

CHAPTER 560.

AN ACT to create sections 1494p—1 and 1494p—2 of the statutes, and to provide for the examination of lands in Door county for a state park and making an appropriation therefor.

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

SECTION 1. There are added to the statutes two new sections to read:

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Approved July 10, 1907.

(In effect from and after date of publication.)

No. 658, A.]

[Published July 13, 1907.]

CHAPTER 561.

AN ACT to create sections 553m—1 to 553m—25, inclusive, of the statutes, providing for county uniformity in school text books and for a county board of education in each county.

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

SECTION 1. There are added to the statutes twenty-five new sections to read:

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SECTION 2. All acts or parts of acts conflicting with any of the provisions of this act are hereby repealed.

Approved July 10, 1907.

(In effect from and after date of publication.)

provided, that he shall not place upon said list more than * * * *eight schools*. On the first day of July in each year, the secretary of each county school board maintaining a school on the approved list, shall report to the state superintendent, setting forth the facts relating to the cost of maintaining the school, the character of the work done, the number and names of teachers employed and such other matters as may be required by the county board or the state superintendent. Upon the receipt of such report, if it shall appear that the school has been maintained in a satisfactory manner for a period of not less than eight months, during the year closing on the thirtieth day of the preceding June, the said superintendent shall make a certificate to that effect and file it with the secretary of state. Upon receiving such certificate, the secretary of state shall draw his warrant, payable to the treasurer of the county maintaining such school, for a sum equal to two-thirds the amount actually expended for maintaining such school during the year; provided, that the total amounts so apportioned shall not exceed four thousand dollars to any one school in any one year; when more than one county has contributed to the support of the school, the secretary of state shall draw his warrant payable to the treasurer of each county for such portion of the state aid as the amount contributed by his county is part of the total amount contributed by all the counties for the support of the school for the preceding year. The secretary of state shall annually include and apportion in the state tax such sum as shall have been so paid.

(Ch. 540, 1907. Numbered "Sec. 5531" by Sec. 16, Ch. 676, 1907.)

County boards of education: five members. SECTION 553m—1. Whenever at any annual county school board convention provided for in chapter 105, laws of 1905, the question of adopting county or district uniform school text books shall be voted upon, the vote shall be taken by school districts and each school district shall be entitled to one vote. If a majority of all the districts in the county or superintendent district is in favor of adopting county or district uniform school text books, it shall be the duty of said school board convention to immediately proceed to the election of a county board of education for such county or superintendent district, which board shall be composed of five persons, except as hereinafter provided. And said school board convention shall, at a regular annual meeting every four years thereafter elect five persons who shall consti-

tute said county board of education. School officers residing in school districts not affected by the provisions of this act shall not be entitled to vote on the question of uniformity of text books nor be entitled to participate in the election of the members of the county board of education.

(Ch. 561, 1907.)

Three members. SECTION 553m—2. Whenever it shall be impracticable in any county to elect said board because of a limited number of persons in such county, possessing the qualifications in this act provided, the county school board convention shall elect three persons who shall constitute said board of education.

(Ch. 561, 1907.)

Terms of office. SECTION 553m—3. The members of the county board of education so elected shall hold their offices for four years and until their successors are elected and qualified.

(Ch. 561, 1907.)

Vacancies. SECTION 553m—4. The county school board convention shall fill all vacancies occurring in said board of education, excepting vacancies occurring between the annual meetings of said school board convention which shall be temporarily filled by said county board of education.

(Ch. 561, 1907.)

Members experienced teachers. SECTION 553m—5. 1. No person shall be appointed to said county board of education who is not a legally qualified teacher and has not had at least five years' experience in teaching or in the supervision of public schools.

Members not to be financially interested in books. 2. Nor shall any person be appointed to or serve upon said board who is a dealer in text books or is an agent of, or directly or indirectly interested in, any person, firm or corporation engaged in the publishing or furnishing of school text books, or who shall be directly or indirectly interested in any book or series of books as the author, associate author, or in any manner whatsoever; and if any person shall become so interested during his term of office as member of said board of education,

his office shall ipso facto become vacant, and be filled as provided for other vacancies.

Penalty. 3. Any such person who shall violate any of the provisions of this section while holding the office of member of said county board of education shall be deemed guilty of a misdemeanor and upon conviction thereof be fined not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail of said county not less than sixty days nor more than one year, or by both such fine and imprisonment.

(Ch. 561, 1907.)

Oath of members. SECTION 553m—6. Each member of said county board of education shall, before entering upon the duties of his office, take and subscribe to the constitutional oath of office and to faithfully, impartially and honestly perform and discharge the duties of his office; and shall in addition thereto swear that he is not directly or indirectly interested in or related to any publishing house, person, firm or corporation, engaged in publishing or furnishing of school text books, or any of their agents, and that he is not interested directly or indirectly in any book or series of books as the author, associate author, or otherwise; which oath shall be filed with the county clerk of each county.

(Ch. 561, 1907.)

Officers; quorum. SECTION 553m—7. The members of said board of education shall within ten days after their appointment meet at the county seat and organize by electing one of their number president, and one secretary, and a majority of the board shall constitute a quorum for the transaction of business, except that in the selection or adoption of text books it shall require a majority vote of all the members of the board to adopt or change any text book.

(Ch. 561, 1907.)

Rules. SECTION 553m—8. The president and secretary so elected shall act as president and secretary at the meetings of the said board, and said board shall adopt such rules and regulations as may be necessary to the transaction of its business, not contrary to the provisions of this act.

(Ch. 561, 1907.)

Signature of contracts; public minutes. SECTION 553m—9. It shall be the duty of the president and secretary and they are hereby authorized to sign all contracts on behalf of said board, and it shall be the duty of the secretary to keep a full and complete record of all proceedings of said board of education in a book kept for that purpose, which book shall be deemed a public record and be kept in the office of the county superintendent of schools.

(Ch. 561, 1907.)

Meetings, annual and other. SECTION 553m—10. Said county board of education shall hold an annual meeting at the county seat on the first Saturday in May, for the purpose of organization and the transacting of any business that may lawfully come before it, and they shall meet at such other times as may be deemed necessary by the majority of the board, and it shall be the duty of the president of said board to call a meeting at any time, upon the written request of three members or a majority of the board.

(Ch. 561, 1907.)

Uniform text-books adopted quadrennially. SECTION 553m—11. Every county board of education shall, between the first day of January and the first day of July, next following the date of their appointment, and every fourth year after the first adoption of text books, meet at the county seat and select and adopt a uniform series of text books for their respective counties.

(Ch. 561, 1907.)

Text-books: what schools to use; contents. SECTION 553m—12. The books so selected shall be used in all school districts of the county, except in districts and cities maintaining a free high school and in state graded schools of the first class, and shall include all branches provided by law to be taught in the district schools of Wisconsin; and none of said text books shall contain matter of a partisan or sectarian character.

(Ch. 561, 1907.)

Text-books: how often changed. SECTION 553m—13. Text books so selected and adopted by county boards of education for use in the schools of any county shall be introduced

the following September and used by each and every district in the county, coming within the provisions of this act, and shall remain in use until the same shall be displaced or replaced by said county board of education; but no book selected, adopted and introduced into said schools shall in any manner be changed within five years from the date of adoption.

(Ch. 561, 1907.)

Books now in use; change. SECTION 553m—14. In school districts that are now furnishing free text books it shall be optional with the board of any such district as to whether or not a change of the text books now in use shall be made; but whenever a change is made in such text books or new text books shall be introduced, only such text books shall be selected as are prescribed and adopted under the provisions of this act.

(Ch. 561, 1907.)

Graded school text-books. SECTION 553m—15. Nothing in this act shall prevent state graded schools when they may deem it advisable, by a unanimous vote of the school board of any graded school from adopting, in lieu of the uniform series of text books provided for by the county board of education, the uniform series of books regularly adopted for use in the grades of the nearest city school system.

(Ch. 561, 1907.)

Selection of books; points considered. SECTION 553m—16. The text books selected and adopted by said board of education shall be selected after a careful examination and consideration of all lists or sets of books presented, and shall be the best books in the opinion of the board, taking into consideration quality of material used, illustrations, binding, price, and all other things that go to make up a desirable text book; merit, however, shall be the main point to be considered in their selection. A majority vote of all the members of said board of education shall be required to adopt, change or re-adopt any and all text books.

(Ch. 561, 1907.)

Books supplementary. SECTION 553m—17. Nothing contained in this act shall be so construed as to prevent school districts coming within the provisions of this act, or the county

board of education, from selecting, introducing and using additional and supplementary books at any time when they deem it necessary in order to establish and maintain the highest standard of excellence in their schools.

(Ch. 561, 1907.)

Good faith in use. SECTION 553m—18. Such supplementary books shall not be used to the exclusion of the books prescribed and adopted under the provisions of this act and that full use be made in good faith of the books adopted under this act.

(Ch. 561, 1907.)

Notices to book dealers. SECTION 553m—19. Each and every county board of education shall at least thirty days before meeting to adopt text books send notice to text book publishers and advertise in a newspaper of general circulation of the county a notice to the effect that said board will on a day named therein, meet at the county seat and select and adopt a uniform series of text books for the use of all the public district schools of said county, except in districts and cities maintaining a free high school and state graded schools of the first class, and shall invite proposals for the furnishing of such books, giving a list of text books to be selected, the publishers to state an exchange price, wholesale price and retail price to pupils or school districts during the period of their use in said county and such further information as said board of education may require. Said notice shall also state the time when proposals and samples of books must be submitted to them, and such further facts as the said board may deem necessary.

(Ch. 561, 1907.)

Sample books; price lists. SECTION 553m—20. 1. Any person, firm or corporation desiring to furnish books under the provisions of this act in any county shall, at or before the time for filing his bid or proposition hereunder, deposit in the office of the county superintendent of schools samples of all text books included in his bid, together with lists giving the lowest exchange price, wholesale price and retail price to pupils or school districts for the same.

Collection of texts and lists. 2. Said samples and lists shall remain in the said superintendent's office, and shall be

delivered by him to his successor in office, and shall be kept by him in such safe and convenient manner as to be open at all times to the inspection of such school officers, school patrons and school teachers as may desire to examine the same and compare them with others for the purpose of use in the public schools.

(Ch. 561, 1907.)

Book dealer's bond and surety. SECTION 553m—21. Said board of education shall require any person or persons, firm or corporation with whom they contract for furnishing any books to give a good and sufficient bond, in such sum and with such conditions and sureties as may be necessary and reasonable, for the faithful performance of any such contract. Bonds of surety companies, duly authorized under the laws of Wisconsin, shall be accepted.

(Ch. 561, 1907.)

Book depositories. SECTION 553m—22. 1. Said board of education shall arrange for such depositories as it may deem necessary for the purpose of furnishing to school boards or local dealers the books adopted and to be used.

2. Such depositories shall furnish a good and sufficient bond to protect publishers against any possible loss that may be sustained. Depositories shall receive books displaced by the uniform adoption and return same to publishers at agreed allowance. Depositories shall accept books on uniform list at reasonable price from people who are moving out of the county; such books to be resold to pupils in the county at a slight advance on cost.

(Ch. 561, 1907.)

District in more than one county. SECTION 553m—23. In all joint school districts coming within the meaning of this act, situated in more than one county in the state, such joint school district shall, for the purpose of this act, be held and deemed to be a school district within the one of said counties where the school house is located, and for all purposes of this act it shall be under the control and jurisdiction of the county board of education of such county in which the school house is located.

(Ch. 561, 1907.)

Schools exempt from chapter 561, 1907. SECTION 553m—24. It is expressly provided that this act shall not

apply to districts and cities maintaining a free high school, or state graded schools of the first class, or to districts maintaining independent high schools, or to grades above the eighth grade in graded schools, nor to private or parochial schools; but nothing in this act shall be construed to prevent any of such schools from adopting and buying the books adopted by the county board of education at the prices and terms fixed by them if they shall elect to do so.

(Ch. 561, 1907.)

Expenses of board members. SECTION 553m—25. The members of the said county board of education shall be reimbursed their actual and necessary expenses in the performance of their duties; the same to be paid out of any funds of the county not otherwise appropriated.

(Ch. 561, 1907.)

County schools of agriculture and domestic economy; villages empowered to contribute. SECTION 553n. Any village in which or adjacent to which a county school of agriculture and domestic economy has been located under the provisions of chapter 288 of the laws of 1901, as amended by chapter 143 of the laws of 1903, may contribute for the organization, erection, construction and equipment of such school not to exceed one-fifth of the entire cost thereof.

(Ch. 11, 1907.)

Issue of school bonds; notice of election therefor. SECTION 553o. Any such village may issue bonds for such purpose in the manner provided by section 943 of the statutes of 1898, and the several acts amendatory thereof and supplementary thereto. The notice of election in the case of bonds for such county school of agriculture and domestic economy need not be published in a newspaper in such village more than one week prior to the election, nor need such notice be posted, when posting is required, more than seven days prior to the election.

(Ch. 11, 1907.)

School fund apportionment, conditioned on eight months' session. SECTION 558. The town clerk shall apportion all school money received from the state and also all raised by the town, among the several districts and parts of districts