

CHAPTER 298

AN ACT to create 39.105 (4) and 41.01 (1m) of the statutes, relating to the establishment of a county handicapped children's education board, in counties other than those containing a city of the first class.

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

SECTION 1. 39.105 (4) of the statutes is created to read:

39.105 (4) In counties other than those containing a city of the first class the county superintendent shall organize and contract, subject to the approval of the county handicapped children's education board, for the transportation of all handicapped children who are included under the definition in s. 41.01 (4) for all school districts within his jurisdiction when the county board of supervisors approves. When such authority has been given to the county superintendent of schools it will supersede the responsibility placed upon school boards by s. 40.53 (2). The county superintendent shall, with approval of the county handicapped children's education board promulgate a plan for the transportation of handicapped children which plan, upon approval by the state superintendent of public instruction, shall govern the transportation of such children included in s. 41.01 (4). The county board of supervisors may direct that the superintendent proceed under sub. (3) or provide that the jurisdictional area of the county superintendent of schools shall bear the cost of transportation of all handicapped children resident of the jurisdictional area of the county superintendent transported to special schools or instructional centers, and the county superintendent shall make application for state reimbursement as provided in ss. 40.56 (3) and 41.03 and shall receive the same in the name of the county. The county treasurer shall deposit all state transportation aids to the account of the county superintendent for transportation of handicapped children.

SECTION 2. 41.01 (1m) of the statutes is created to read:

41.01 (1m) HANDICAPPED CHILDREN'S EDUCATION BOARD. (a) *Creation.* In counties other than those containing a city of the first class, if the county board of counties other than those containing a city of the first class determines to establish or has already established one or more instructional centers or special schools for handicapped children for all school districts under the jurisdiction of the county superintendent, or provides other services for handicapped children, it shall create a board to be known as the "Handicapped Children's Education Board". The handicapped children's education board shall consist of 3 or 5 residents of the county, as determined by the county board of supervisors, elected by the county board of supervisors or appointed by the chairman of said county board, as the rules of the board may direct. The members of such board shall be citizens selected from the county at large, but may include members of the county board. The members of the board shall receive such compensation and shall hold office for such term as fixed by the county board of supervisors, but such compensation shall not be more than that of the members of the county board of supervisors.

(b) *Organization.* The board shall annually select one member as president. The county superintendent shall be secretary but not a member of the board. The county treasurer shall be treasurer but not a member of the board.

(c) *Duties.* The board or committee designated by the county board as being in charge of such schools or centers or other services for handicapped children shall have charge and control of all matters pertaining to the organization, equipment, operation and maintenance of such schools or other services for handicapped children, and is empowered to do all things necessary to accomplish such objectives including but not restricted because of enumeration the authority to erect buildings subject to county board approval and employ teachers and other personnel.

(d) The budget of the committee or board is subject to review and approval of the county board.

Approved July 3, 1957.

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