

No. 48, A.]

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CHAPTER 572

AN ACT to amend 38.23; and to create 40.99 of the statutes, relating to the authority of school districts to conduct summer school or permit residents to attend such schools and the establishment of a system of state aids for such summer schools.

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

SECTION 1. 38.23 of the statutes is amended to read:

38.23 Sections 40.01 (1), (2), 40.19, 40.30 (17) and (19), 40.435, 40.44, 40.47, 40.48 (2) to (4), 40.50, 40.53 (2), (5) to (7), 40.55, 40.56 (5), 40.57, 40.63, 40.65 (1), (2), 40.655, 40.657, 40.68, 40.77, 40.78 (1), (2), (4) to (8), 40.819, 40.905, 40.93, 40.99, 41.01 to 41.03, 41.175, 43.50, 59.07 (21) (a) and 66.03 (3) (c) are applicable to boards of school directors and to schools in cities of the first class. The board shall exercise the powers and perform the functions and shall be entitled to all school aids insofar as the same are relevant to cities of the first class. The school board and the schools in cities of the first class shall be governed in all matters by the general laws of the state, except as they are altered or modified by express amendments.

SECTION 2. 40.99 of the statutes is created to read:

40.99 SUMMER CLASSES. (1) AUTHORITY. Any board established under this chapter or ch. 38 may elect to operate summer classes or to permit pupils to attend such summer classes operated by another district

on a tuition basis if the district of operation will accept them. The provisions of ss. 40.77 (1) (a) and 40.78 shall not apply to summer classes under this section.

(2) **TRANSPORTATION.** The board of the district of residence may elect to provide or contract for transportation for any or all pupils attending summer classes. If the board elects to transport less than all pupils, there shall be reasonable uniformity in the minimum and maximum distance pupils will be transported. The cost of such transportation shall be borne by the district of residence. School bus routes established to provide such transportation need not be approved by the county school committee or the state superintendent.

(3) **TRANSPORTATION AIDS.** State aids for transportation shall be granted on the basis of \$4 for each pupil transported at least 2 miles but not more than 5 miles from his home to the school and \$6 if the pupil is transported more than 5 miles by the nearest traveled route to the school attended if the pupil is transported 30 days or more. The aid shall be proportionate for less than 30 days attended. The district of residence shall be reimbursed by the state upon order of the state superintendent if the report of such transportation is received not later than September 15 of the year in which such transportation was provided and if the summer school meets the requirements of sub. (5).

(4) **TUITION CHARGES.** (a) *Elementary grades.* For the purpose of determining tuition charges for elementary summer classes, the average daily membership shall be determined by dividing the total number of membership days for all pupils during summer school by the number of days summer school is actually taught. A full school day shall be the equivalent of a full school day during the regular session, and if the summer classes are operated on a fractional day basis, each day shall be counted as that fraction of a full school day. The cost of operating a summer school shall be determined under s. 40.65 (3) and shall be added to the total cost of operation for the school year in which the summer classes end. In determining the tuition charges, the pupils in average daily membership during the summer session shall be added to the average daily membership for the regular school year and the charges made to the several districts of residence on that basis.

(b) *High school grades.* For the purpose of determining tuition charges for high school summer classes, the average daily membership shall be determined by dividing the total number of classroom or laboratory periods for which credit is given, in which each pupil is enrolled, by 720. The fractional average daily membership thus obtained shall be added to the total average daily membership during the regular school year and the product thereof used to determine the tuition charge per pupil in full membership. The tuition charge for summer school shall bear the same relationship to the tuition charge for the regular term as the length of the summer school bears to the length of the regular session.

(5) **STATE AIDS FOR SUMMER SCHOOL.** (a) *Qualifications to receive aids.* Aids shall be granted to each district operating summer classes which:

1. Offer a course of study on no less than a half-day basis beginning not earlier than June 1 and terminating prior to September 1; and
2. Offer classroom and laboratory work in subjects providing credit toward graduation; and
3. Employ only teachers with valid certificates to teach under s. 40.43.

(b) *Credit requirement.* State aids shall be paid to school districts offering summer school classes which provide credit toward graduation and are accepted by the department of public instruction.

(c) *Aid formula.* 1. Aids for summer classes shall be incorporated into the aids for regular classes under ss. 40.68 to 40.71.

2. For the purpose of computing aids the total number of accredited classroom or laboratory periods in which each pupil is enrolled as deter-

mined by multiplying the total number of periods in each day in which such pupil is enrolled by the total number of days in which enrolled, shall be divided by 720 and the resulting fraction shall represent the proportion of a pupil in average daily membership for which the district shall be credited for state aid purposes.

3. Districts shall be eligible for the same level of aids for which they are eligible in the regular session during the year in which the summer classes end.

4. In districts eligible only for minimum basic or integrated aids (flat aids) the aggregate average daily membership for resident elementary pupils and all high school pupils obtained by adding the fractional average daily membership obtained as described in subd. 2 for all pupils enrolled in summer classes shall be added to the total average daily membership during the remainder of the school year during which the summer classes ended.

5. In districts eligible for basic or integrated equalization aids, the total fractional resident average daily membership for summer classes ending during the school year shall be added to the total average daily membership for the regular school term in determining the equalized valuation supporting each pupil, and the aids for the entire school year shall be paid on that basis. Nonresident high school pupils in equalization districts are eligible for flat aid only.

6. In school districts which have been newly altered, created, re-established or recreated, computation of aids for the first year shall be based on the average daily membership and the teacher-pupil ratio of the district for the third week in September and the summer session just ended.

SECTION 3. The provisions of Section 40.99 shall first apply to the summer schools conducted during the summer of 1961.

Approved October 5, 1961.
