

No. 815, A.]
 Corrected Copy]

[Published August 15, 1953.
 [Republished November 3, 1953.

CHAPTER 611

AN ACT to repeal 39.045 and 40.17; to amend 39.02 (16) (a), 39.05 (3), 39.10 (9), 40.03 (5) and (7), 40.10 (1), 40.12 (1) and 40.30 (8) and (15); to repeal and recreate 14.235 and to create 39.02 (24) of the statutes (all as renumbered, or as renumbered and amended, by chapter 90, laws of 1953, (Bill No. 1, S.), relating to improvement of school administration.

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

SECTION 1. 14.235 of the statutes, as renumbered by chapter 90, laws of 1953 (Bill No. 1, S.), is repealed and recreated to read:

14.235 CITIZENSHIP DAY. To redirect the attention of the citizens of Wisconsin (particularly those who are about to exercise the franchise for the first time) to the fundamentals of American government and to American traditions, any county, municipal or school board may annually provide for and appropriate funds for a program of citizenship education which stresses, through free and frank discussion of a nonpolitical, nonsectarian and nonpartisan nature, the doctrine of democracy, the duties and responsibilities of elective and appointive officers, the responsibilities of voters in a republic and the organization, functions and operation of government. This program should culminate in a ceremony of induction to citizenship on the third Sunday in May for those who have been enfranchised within the past year. Any county may determine to conduct such ceremony either on or within the octave of the day designated by congress or proclaimed by the president of the United States as Citizenship Day. The board may carry out this function in such manner as it determines. The secretary of state, superintendent of public instruction and other state officers and departments shall cooperate with the participating units of government by the dissemination of available information which will stimulate interest in the government of Wisconsin and its subdivisions.

SECTION 2. 39.02 (16) (a) of the statutes, as renumbered and amended by chapter 90, laws of 1953 (Bill No. 1, S.), is amended to read:

39.02 (16) (a) The condition of all schools under his supervision * * *.

SECTION 2m. 39.02 (24) of the statutes is created to read:

39.02 (24) ADMISSIONS TO FIRST GRADE. Prescribe procedures, conditions and standards under which admissions to first grade may be made at an age earlier than that specified in s. 40.44 (1) in exceptional cases.

SECTION 3. 39.045 of the statutes, as renumbered by chapter 90, laws of 1953 (Bill No. 1, S.), is repealed.

SECTION 4. 39.05 (3) of the statutes, as renumbered and amended by chapter 90, laws of 1953 (Bill No. 1, S.), is amended to read:

39.05 (3) DISQUALIFICATIONS. No county superintendent shall teach * * * or engage in any business, profession, occupation * * *, pursuit or other activity which will interfere with the proper discharge of his duties. Violation of this subsection shall subject the superintendent to removal from office and loss of salary during the time of such violation.

SECTION 5. 39.10 (9) of the statutes, as renumbered and amended by chapter 90, laws of 1953 (Bill No. 1, S.), is amended to read:

39.10 (9) Direct the school board to make any alterations and repairs which, in his opinion, are necessary to the health, comfort or progress of the pupils; and to abate any nuisance upon the school premises, provided the same can be done for * * * \$50.

SECTION 6. 40.03 (5) of the statutes, as renumbered and amended by chapter 90, laws of 1953 (Bill No. 1, S.), is amended to read:

40.03 (5) Any person aggrieved by an order may appeal therefrom to the circuit court of any county in which territory the proposed district lies, by serving written notice of such appeal upon the secretary of the committee or committees *and filing such notice with the clerk of the court both* within 30 days * * * after the recording of the order. *The order shall be stayed pending determination of the appeal.* If a committee refuses or neglects to issue and record an order of creation, alteration, dissolution or consolidation when petitioned to do so, then any person aggrieved may appeal by serving such notice of appeal within 90 days following the filing of the petition *and by filing within the same period with the clerk of the court a copy of the notice, a copy of the petition and a statement of the history of the proceeding and of the relief demanded.* *The court shall not remand the proceeding, but shall issue its own order.* No school district shall be denied payment of school aid solely because of any appeal from an order of a county school committee.

SECTION 7. 40.03 (7) of the statutes, as renumbered and amended by chapter 90, laws of 1953 (Bill No. 1, S.), is amended to read:

40.03 (7) In cities of the first class notice of hearing provided for in sub. (1) shall be served upon the secretary-business manager of the board of school directors, who shall cause it to be published 2 times in a daily newspaper or newspapers published in such city not less than 10 days before such hearing; no notices need be posted; in lieu of the call for the first annual district meeting provided in sub. (4), the county school committee shall make a written demand upon the county clerk to issue a call for the election of a board of school directors for any newly created school district of which such city shall by creation, alteration or consolidation become a part, at the time and in the manner as the legislature may hereinafter prescribe; any referendum election held pursuant to sub. (6) shall be called and held in such manner and at such time and upon such notice and under the auspices of the board of election commissioners created and maintained under s. 10.01, as the legislature shall hereinafter prescribe, provided, that the electors shall have 90 days after the date of issuance of any order of the committee in which to file the required petition; and the referendum shall not be held prior to 40 days after the filing of such petition or prior to 40 days from the time the committee by its own motion shall provide for such referendum, and provided that no such referendum shall be held at any time other than on a regular election date in April or November in any year * * *.

SECTION 8. 40.10 (1) of the statutes, as renumbered and amended by chapter 90, laws of 1953 (Bill No. 1, S.), is amended to read:

40.10 (1) Any common school district having an assessed valuation of * * * \$2,500,000 or more may establish a high school if at least 75 persons of school age, residents of the district, give evidence, satisfactory to the state superintendent, that they are prepared and desire to attend a high school.

SECTION 9. 40.12 (1) of the statutes, as renumbered and amended by chapter 90, laws of 1953 (Bill No. 1, S.), is amended to read:

40.12 (1) A union high school district may be established in any contiguous compact territory with an assessed valuation of * * * \$2,500,000 or more. A high school district may also be established in any township comprising only inland territory. At the time of filing the petition mentioned in subs. (2) and (3), the petitioners shall submit

to the state superintendent a legal description and map of the territory proposed to be included in the district. No election on the establishment of such district shall be held unless the state superintendent has approved such territory. A copy of such description and map, with the approval of the state superintendent indorsed thereon, shall be submitted to the clerk of each governmental subdivision affected by the establishment of such district.

SECTION 10. 40.17 of the statutes, as renumbered by chapter 90, laws of 1953, (Bill No. 1, S.), is repealed.

SECTION 11. 40.30 (8) of the statutes, as renumbered and amended by chapter 90, laws of 1953 (Bill No. 1, S.), is amended to read:

40.30 (8) The boards of common school districts, high school districts and city school districts are authorized to apply for, receive and expend moneys made available to them by any act of congress for agricultural, vocational or military training or for enlargement of educational facilities including teaching staff * * * ; *or for school lunch programs.*

SECTION 12. 40.30 (15) of the statutes as renumbered by chapter 90, laws of 1953 (Bill No. 1, S.), is amended to read:

40.30 (15) The board may purchase necessary books and stationery for keeping the records and for doing the business of the district in an orderly manner, and such equipment, books, school apparatus and heating and ventilating apparatus, as may be approved by the state superintendent or by the county superintendent for the use of schools, not exceeding * * * \$600 in any one year, from any funds not otherwise appropriated, and such school books as in their judgment may be needed by pupils whose parents are not able to furnish the same. Said limitation of * * * \$600 in any one year shall not apply to school boards in districts maintaining a high school and at least one graded school.

SECTION 13. 40.91 (4) (c) of the statutes, as renumbered by chapter 90, laws of 1953 (Bill No. 1, S.), is repealed.

Approved July 21, 1953.