

or [of] parties thereto, but such suits or actions shall be determined as though this act had not been passed.

Passed by the House February 23, 1909.

Passed by the Senate March 4, 1909.

Approved March 11, 1909.

## CHAPTER 97.

[A. S. B. 6.]

### SCHOOL CODE.

AN ACT establishing, providing for the maintenance of, and relating to, a general and uniform public school system for the State of Washington, providing penalties for the violation of the provisions of this act, and repealing all acts and parts of acts in conflict with the provisions of this act.

*Be it enacted by the Legislature of the State of Washington:*

### TITLE I.—SYSTEM OF PUBLIC INSTRUCTION.

#### [SUB.] CHAPTER 1.—THE STATE.

SECTION 1. A general and uniform system of public schools shall be maintained throughout the State of Washington, and shall embrace common schools (including high and elementary schools, schools for special help and discipline, schools or departments for special instruction), technical schools, the University of Washington, the State College of Washington, state normal schools, state training schools, schools for defective youth, and such other educational institutions as may be established by law and maintained at public expense.

SEC. 2. The administration of the public school system shall be intrusted to a Superintendent of Public Instruction, a State Board of Education, to regents or trustees for educational institutions, to county superintendents of common schools, to boards of directors and district clerks.

School  
system.

Adminis-  
tration.

[SUB.] CHAPTER 2.—OFFICERS—THEIR POWERS AND DUTIES.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

SECTION 1. A Superintendent of Public Instruction shall be elected by the qualified electors of the state, on the first Tuesday after the first Monday in November of the year in which state officers are elected, and shall hold his office for the term of four years, and until his successor is elected and qualified.

State Superintendent.

SEC. 2. The Superintendent of Public Instruction shall receive an annual salary of three thousand dollars, payable monthly, upon warrant of the State Auditor, drawn upon the State Treasurer, in the same manner as other state officers are paid.

Salary.

SEC. 3. The powers and duties of the Superintendent of Public Instruction shall be:

Powers and duties.

*First.* To have supervision over all matters pertaining to the public schools of the state.

*Second.* To report biennially to the Governor on or before the first day of November preceding the regular session of the legislature, of which report five thousand copies shall be printed and delivered to the Superintendent of Public Instruction, who shall furnish one copy to be deposited in the state library, one copy to each county superintendent of schools and one copy to each district library. Said report shall contain a statement of the general condition of the public schools of the state, with full statistical tables by counties showing the number of schools and the attendance, the state and county funds apportioned, amount received from special tax and from other sources, amount expended for salaries of teachers, the salaries paid by the several counties to the county superintendent of schools and the amount paid for incidentals and expenses; the amount paid for building and providing school houses with furniture and apparatus, the amount of bonded and other school indebtedness, with the rate of interest paid thereon, the reports of all state educational institutions, or such portions of them as he may think advisable, together with such other facts as he

Biennial report.

may deem of general interest. He shall also include in his report a statement of plans for the management and improvement of the schools.

Blanks.

*Third.* To prepare and have printed such blanks, forms, registers, courses of study, rules and regulations for the government of the common schools, questions prepared for the examination of teachers, and such other blanks and books as may be necessary for the discharge of the duties of teachers and officers charged with the administration of the laws relating to the common schools, and to distribute the same to the county superintendents.

Travel.

*Fourth.* To travel, without neglecting his other official duties as Superintendent of Public Instruction, for the purpose of attending educational meetings or conventions within this or adjoining states, of visiting schools, of consulting county superintendents or other school officers.

*Fifth.* To submit to the State Auditor a monthly statement of his expenditures for traveling expenses.

To print laws.

*Sixth.* To cause to be printed with an appendix of appropriate forms and instructions for carrying into execution the laws relating to public schools, and to distribute to each county superintendent a sufficient number of copies to supply each district officer, and to cause the same to be printed and distributed as often as any change in the laws shall make it of sufficient importance, in his opinion, to justify the same.

*Seventh.* To act as *ex-officio* president of the State Board of Education.

Annual convention of County Superintendents.

*Eighth.* To hold, annually, a convention of the county superintendents of the state at such time and place as he may deem convenient, for the discussion of questions pertaining to supervision and the administration of the school laws and such other subjects affecting the welfare and interests of the common schools as may be brought before it. Said convention shall continue in session not less than two days nor more than three days at the option of the Superintendent of Public Instruction. It shall be the duty of every county superintendent in this state to attend said convention during its entire session, and any county super-

intendent who attends the convention shall receive actual traveling expenses in attending said convention.

*Ninth.* He shall file all papers, reports and public documents transmitted to him by the school officers of the several counties of the state, each year separately. Copies of all papers filed in his office, and his official acts, may be certified by him and attested by his official seal, and when so certified shall be evidence equally and in like manner as the original paper.

To file papers.

*Tenth.* To require annually, on or before the 15th day of August, of the president, manager, or principal of every educational institution in this state, a report of such facts arranged in such form as he may prescribe, and he shall furnish blanks for such reports; and it is hereby made the duty of every president, manager or principal, to fill up and return such blanks within such time as the Superintendent of Public Instruction shall direct.

School reports.

*Eleventh.* To keep in his office a directory of all boards of regents and trustees of state educational institutions, of the faculties of said institutions, and of all teachers receiving certificates to teach in the common schools of this state.

Official school directory.

*Twelfth.* To issue certificates as provided by law.

Certificates.

*Thirteenth.* To keep in his office at the capital of the state, all books and papers pertaining to the business of his office, and to keep and preserve in his office a complete record of statistics, and all matters pertaining to the educational interests of the state, as well as a record of the meetings of the State Board of Education.

Records.

*Fourteenth.* To decide all points of law which may be submitted to him in writing by any county superintendent, or that may be submitted to him by any other person, upon appeal from the decision of any county superintendent; and he shall publish his rulings and decisions from time to time for the information of school officers and teachers; and his decision shall be final unless set aside by a court of competent jurisdiction.

To decide points of law.

*Fifteenth.* To administer oaths and affirmations in the discharge of his official duties.

Administer oaths.

*Sixteenth.* To deliver over to his successor, at the expiration of his term of office, all records, books, maps, documents and papers of whatever kind belonging to his office or which may have been received by him for the use of his office.

Manual.

*Seventeenth.* To prepare and from time to time to revise a State Manual of Washington, which shall be sold at actual cost of publication and distribution, said manual to contain a sketch of the history of the state, an outline of the constitution of the state, excerpts from the school code, the courses of study and rules for the general government of the common schools, a map of the state, and a map of the topography of the state, and such other matter as the State Superintendent or the State Board of Education from time to time shall determine.

Copies of  
papers.

*Eighteenth.* To make a certified copy of papers filed in his office and of his official acts, attested by his official seal. He shall charge for such certified copy fifteen cents per folio, and all money so received shall be immediately paid to the State Treasurer and credited to the general fund of the state.

*Nineteenth.* To perform such other duties as may be required by law.

Assistant  
Superin-  
tendent.

Deputy.

Other  
assistance.

SEC. 4. The Superintendent of Public Instruction is hereby authorized to appoint one Assistant Superintendent of Public Instruction, who shall be the holder of not less than a first grade certificate; a Deputy Superintendent of Public Instruction, who shall also act as an inspector of schools, who shall be the holder of not less than a first grade certificate; a stenographer, and also to employ such other assistance as the needs of his office shall require from time to time, and for the payment of whose services appropriations shall have been made by the legislature of this state.

[SUB.] CHAPTER 3.—STATE BOARD OF EDUCATION.

State Board  
of Education.

SECTION 1. The State Board of Education shall consist of the Superintendent of Public Instruction, the president of the University of Washington, the president of the State College of Washington, the principal of one

of the state normal schools elected by the principals of the state normal schools, and three persons holding life diplomas issued under the authority of this state and actively engaged in educational work, appointed by the Governor, one of whom shall be a superintendent of a district of the first class, one a county superintendent of schools, one a principal of a fully accredited four-year high school.

The appointed and elected members of the board shall hold their office for two years from the date of appointment and shall serve until their successors are appointed and qualified.

SEC. 2. The Superintendent of Public Instruction shall be *ex-officio* president of the board, and shall furnish all necessary record books and blanks for its use, and shall represent the board in directing the work of high school inspection.

President of board.

SEC. 3. The Deputy Superintendent of Public Instruction shall be *ex-officio* secretary of said board, but shall not be entitled to a vote in its proceedings. He shall keep a correct record of its proceedings in a good and well-bound book, which shall be kept in the office of the Superintendent of Public Instruction. He shall also, upon request, furnish to the executive head of any or all of the state institutions of higher education a certified copy of such proceedings.

Secretary of board.

SEC. 4. The State Board of Education shall hold an annual meeting at the capital of the state on the third Tuesday of June of each year, and may hold such special meetings as may be deemed necessary for the transaction of public business, such special meetings to be called by the Superintendent of Public Instruction. The persons serving as members of the State Board of Education shall be reimbursed for the actual expenses incurred in the performance of their duties, which expenses shall be paid by the State Treasurer on warrants of the State Auditor, out of funds not otherwise appropriated, upon the certificate of the Superintendent of Public Instruction: *Provided*, That members of the board who are not under salary to

Annual meeting of board.

whom special committee work is assigned shall be paid for such services five dollars per day.

Powers and  
duties.

SEC. 5. The State Board of Education shall have power, and it shall be its duty:

*First.* To approve the preparatory requirements for entrance to the University of Washington, the State College of Washington, and the State Normal Schools of Washington.

Courses of  
study for  
normal  
schools.

*Second.* To approve courses for the state normal schools, for the Department of Education of the University of Washington, and the State College of Washington, and for all normal training departments of higher institutions within the State of Washington which may be accredited and whose graduates may become entitled to receive teachers' life diplomas or professional certificates.

Accredited  
schools.

*Third.* To investigate the character of the work required to be performed as a condition of entrance to and graduation from normal schools, colleges, universities and other institutions of higher education and to prepare an accredited list of those higher institutions of learning of this and other states whose graduates may be awarded teacher's certificates by the Superintendent of Public Instruction without examination except upon the State Manual of Washington: *Provided,* That the entrance and graduation requirements of all colleges and universities whose diplomas are accredited must be equal to those of the University of Washington; and the requirements for normal schools shall be equal to the advanced course of the state normal schools of this state.

Accredited  
certificates.

*Fourth.* To prepare an accredited list of state life certificates and life diplomas issued in other states by examination, upon which certificates may be issued in this state without examination, except in Washington State Manual: *Provided,* That the requirements to obtain such certificates and diplomas must be equal to the requirements for a life certificate in this state.

Secondary  
schools.

*Fifth.* To examine and accredit secondary schools: *Provided,* That no private academy shall be placed upon

the accredited list so long as secret societies are allowed to exist among its students.

*Sixth.* When requested by any institution of higher learning situated within the state maintaining a normal training department the board shall send an inspector, qualified for such service, to examine the equipment of such department and to ascertain the extent and character of the courses provided and the preparatory requirements for admission to them, which requirements must include the completion of a high school course or its equivalent, and particularly the qualifications and experience of the instructors and supervisors who are responsible for the work of this department.

Private schools with normal departments.

The inspector shall make a detailed report, including declaration of his opinion of the adequacy of the department for the work of educating and training teachers, which report shall be placed on file in the office of the Superintendent of Public Instruction.

If any such normal training department is ascertained to be equipped and manned adequately for the education and training of teachers and to be under reliable and responsible management and upon a basis of efficiency equal to that of the normal schools maintained by the state it shall be the duty of the board to accredit such department and to grant life diplomas to graduates who present diplomas certifying that the holders have completed the courses approved by the board when the applicants have complied with the other requirements for life diplomas. It shall be the further duty of the board to inspect all accredited normal training departments each year.

*Seventh.* To prepare an outline course or courses of study for the primary, grammar and high school departments of the common schools, and to prescribe such rules for the general government of the common schools as shall secure regularity of attendance, prevent truancy, secure efficiency and promote the true interests of the common schools.

Course of study for common schools.

*Eighth.* To prepare a uniform series of questions to be used by the county superintendents in the examination of

Questions for examination.



teachers, and to determine rules and regulations for conducting the same, and to prepare questions for the examination of applicants for state elementary certificates, and life diplomas.

Answers.

*Ninth.* To prepare answers to all examination questions which are prepared by the board.

Eighth grade  
examination  
questions.

*Tenth.* To prepare uniform questions for use in the examination of the pupils of the schools of the state completing the grammar school course of study, and to prescribe uniform rules and regulations for the conducting of such examination.

Appeals.

*Eleventh.* To hear and decide appeals as provided by law.

Harmony in  
courses.

SEC. 6. The board shall arrange such courses and adopt and enforce such regulations as will place the state institutions in harmonious relations with the common schools and with each other, and unify the work of the public school system.

Seal.

SEC. 7. The State Board of Education shall adopt a seal, which shall be kept in the office of the Superintendent of Public Instruction.

## TITLE II.—HIGHER AND SPECIAL INSTITUTIONS OF EDUCATION.

### [SUB.] CHAPTER 1.—UNIVERSITY OF WASHINGTON.

University.

SECTION 1. The State University, as heretofore located and established in the city of Seattle, county of King, shall be designated and named the University of Washington.

Purpose.

SEC. 2. The aim and the purpose of the University of Washington shall be to provide for students of both sexes, on equal terms, a liberal instruction in the different branches of literature, science, art, law, medicine, military science and such other departments of instruction as may be established therein from time to time by the board of regents. Tuition in the University of Washington, except as may be provided by the board of regents with reference to the arts or to special courses of study, shall be free to

all *bona fide* residents of this state. Non-residents of this state shall be admitted to the said university on such terms as may from time to time be prescribed by the board of regents: *Provided*, That no student shall be admitted to any department of the university who is under the age of sixteen years. The said university shall, as far as practicable, begin its course of study in its literary and scientific departments at the points where the same are completed in the public high schools of this state. No student shall be admitted except upon examination satisfactory to the faculty of the university: *Provided, however*, That students shall be admitted without examination upon presentation of certificates from those public high schools and other educational institutions in this state whose courses of study shall have been approved by said faculty of the university, and accredited by the State Board of Education: *Provided*, That said faculty shall have power to specify the preparation required for admission to any department of the university.

SEC. 3. The government of the University of Washington shall be vested in a board of regents to consist of seven members, who shall be appointed by the Governor of the state, by and with the advice and consent of the Senate, and who shall hold their offices respectively for a term of six years from the second Monday in March next succeeding their appointment and until their successors shall be appointed and shall qualify: *Provided*, That regents now serving upon such board shall continue as such during the terms for which they were respectively appointed. Four members of said board shall constitute a quorum for the transaction of business. Whenever there shall be a vacancy in the said board of regents, from any cause whatever, it shall be the duty of the governor to fill such office by appointment, and the person or persons so appointed shall continue in office until the close of the legislature next thereafter, or until others are appointed and qualified in their stead. Each regent before entering upon the duties of his office must qualify by taking the usual oath of office before some officer authorized by law to administer the

Board of  
regents.

same and file a copy of said oath with the Secretary of State.

Organiza-  
tion.

SEC. 4. The board shall organize by electing from its membership a president and an executive committee, of which committee the president shall be *ex-officio* chairman. The board shall hold regular quarterly meetings, and during the interim between such meetings the executive committee may transact business for the whole board: *Provided*, That the executive committee may call special meetings of the whole board when such action is deemed necessary.

Powers of  
board.

SEC. 5. The board of regents may adopt by-laws or rules and regulations for its own government. The powers and duties of the board of regents are as follows:

*First.* The said board shall have full control of the university and its property of various kinds, and shall employ the president, members of the faculty, assistants and employes of the institution, who shall hold their positions during the pleasure of said board of regents.

Course of  
study.

*Second.* It shall be the duty of the board of regents, with the assistance of the faculty of the university, to prescribe the course of study in the various departments of the institution and to publish the annual catalogue.

Diplomas.

*Third.* The said board shall grant to every student, upon graduation, a suitable diploma or degree, such student having been recommended for such honor by the faculty. The board shall also have power, upon recommendation of the faculty, to confer the usual honorary degrees upon other persons than graduates of this university in recognition of their learning or devotion to literature, art or science; but no degree shall ever be conferred in consideration of the payment of money or other valuable thing. The said board is also empowered, upon recommendation of the faculty, to grant normal diplomas which shall entitle the holder to teach in any public school in the state for a period of five years; and to grant university life diplomas to candidates who shall give satisfactory evidence of having taught successfully for twenty-four months: *Provided*, That all candidates for the nor-

mal diploma and life diploma shall have satisfactorily completed not less than twelve semester hours in the Department of Education.

*Fourth.* The board of regents is authorized to receive such bequests and gratuities as may be granted to the said university and to invest or expend the same according to the terms of said bequests or gratuities. The said board shall adopt proper rules to govern and protect the receipt and expenditure of the proceeds of all fees, bequests or gratuities, and shall make full report of the same in the customary biennial report to the Governor, or more frequently if required by law. Gifts.

*Fifth.* The board of regents is authorized and empowered to give and execute, on behalf of the State of Washington, the bonds and other papers required by the war department for the safe keeping of the arms and equipments loaned by the United States to the University of Washington. Bonds to  
U. S.

*Sixth.* The board of regents shall transmit, on the first day of January preceding each regular session of the legislature, to the Governor a printed report of all the doings since their last report, not exceeding three hundred in number, giving full information of the receipt and expenditure of money, furnish an estimate of the needs of the institution, and give such information as will be helpful to the state authorities in providing for the said institution. Report.

*Seventh.* The members of said board of regents shall serve without compensation. Each regent, however, shall be paid his actual traveling expenses in going to and coming from any meeting of said board, and such claims for expenses shall be audited on vouchers issued by the president and secretary of said board the same as any other claims are audited. Expenses of  
board.

SEC. 6. The faculty of the University of Washington shall consist of the president and the professors, and the said faculty shall have charge of the immediate govern- Faculty.

ment of the institution under such rules as may be prescribed by the board of regents.

Religion.

SEC. 7. The University of Washington shall never be under the control of any religious or sectarian denomination or society whatever.

Legal  
advisor.

SEC. 8. The Attorney General of the state shall be the legal advisor of the president and the board of regents of the university, and he shall institute and prosecute or defend all suits in behalf of the same.

Buildings.

SEC. 9. It shall be the duty of the board of regents herein provided for, as soon after their organization as practicable, and as soon as there shall be an appropriation therefor in the hands of the state treasurer in any amount sufficient to warrant the beginning the erection of the several buildings herein provided for, or any wing or section of the same, to enter into contracts with one or more contractors for the erection and construction of such suitable buildings and improvements for the institution created by this chapter as in their judgment shall be deemed best, or the funds aforesaid shall warrant, all things considered; such contract or contracts to be let after open public notice and competition under such regulations as shall be established by said board to the person or persons who offer to execute such work on the most advantageous terms: *Provided*, That in all cases said board shall require from contractors a good and sufficient bond for the faithful performance of the work, and the full protection of the state against mechanics' and other liens: *And provided further*, That the board shall not have the power to enter into any contract for the erection of any buildings or improvements which shall bind said board to pay out any sum of money in excess of the amount provided for said purpose.

SEC. 10. The board provided for in this chapter shall have power in their discretion to employ skilled architects and superintendents to prepare plans and specifications, and to supervise the construction of any of the buildings provided for in this chapter, and to fix the compensation for such services subject to the provisions and restrictions of this act.

SEC. 11. Whenever there shall be any money in the hands of the State Treasurer to the credit of any of the specific funds set apart for that institution created by this chapter, deemed sufficient by the board to commence the erection of any of the necessary buildings or improvements, or to pay the necessary running or other expenses of said institution, the State Auditor, on the request in writing of said board, shall, and it is hereby made his duty to draw his warrant in favor of the treasurer of said board and upon the state treasury against the specific fund belonging to said institution in such sum not exceeding the amount on hand in such specific fund at such time as said board may deem necessary: *Provided*, That said board shall draw said money as it may be necessary to disburse the same.

Money in special funds.

[SUB.] CHAPTER 2.—STATE COLLEGE OF WASHINGTON.

SECTION 1. The State College, Experiment Station and School of Science of the State of Washington, as heretofore located at Pullman, Whitman county, shall be an institution of learning open to the children of all residents of this state, and to such other persons as the board of regents may determine, under such rules and regulations as may be prescribed by the board of regents; shall be non-sectarian in character, and devoted to practical instruction in agriculture, mechanical arts, and natural sciences connected therewith, as well as a thorough course of instruction in all branches of learning upon agricultural and other industrial pursuits.

State college.

No student shall be admitted except upon examination satisfactory to the faculty of the State College: *Provided, however*, That students shall be admitted without examination upon presentation of certificates from those public high schools and other educational institutions in this state whose courses of study shall have been approved by said faculty of the State College and accredited by the State Board of Education: *Provided further*, That said faculty shall have power to specify the preparation required for admission to any department of the State College.

Admission.

Visitors.

SEC. 2. The Governor of the State of Washington, the Superintendent of Public Instruction, members of the legislature, and county commissioners shall be *ex-officio* visitors of said college. But said visitors shall have no power granted to control the action of the board of regents or to negative its duties as defined by law.

Course of instruction.

SEC. 3. The course of instruction of said college shall embrace the English language, literature, mathematics, philosophy, civil and mechanical engineering, chemistry, animal and vegetable anatomy and physiology, the veterinary art, entomology, geology, political economy, rural and household economy, horticulture, moral philosophy, history, mechanics, and such other courses of instruction as shall be prescribed by the board of regents. One of the objects of said college shall be to train teachers of physical science, and thereby further the application of the principles of physical science to industrial pursuits; to collect information as to schemes of technical instruction adopted in other parts of the United States and in foreign countries, and to hold farmers' institutes at such times and places and under such regulations as the board of regents may determine: *Provided*, That no student shall be admitted to any department of the State College who is under the age of sixteen years.

Laboratories.

Military tactics.

Elementary science.

SEC. 4. The board of regents shall provide that all instruction given in the college shall, to the utmost practicable extent, be conveyed by means of practical work in the laboratory, and shall provide in connection with said college the following laboratories: One physical laboratory or more, one chemical laboratory or more, and one biological laboratory or more, and suitably furnish and equip the same. Said board of regents shall provide that all male students shall be trained in military tactics. Said board of regents shall establish a department of elementary science, and in connection therewith provide instruction in the following subjects: Elementary mathematics, including elementary trigonometry, elementary mechanics, elementary and mechanical drawing and land surveying. Said board of regents shall establish a department of said college

to be designated as the department of agriculture, and in connection therewith shall provide instruction in the following subjects—*First*: Physics, with special application of its principles to agriculture. *Second*: Chemistry, with special application of its principles to agriculture. *Third*: Morphology and physiology of plants, with special reference to the commonly grown crops and their fungus enemies. *Fourth*: Morphology and physiology of the lower forms of animal life, with special reference to insect pests. *Fifth*: Morphology and physiology of the higher forms of animal life, and in particular of the horse, cow, sheep and swine. *Sixth*: Agriculture, with special reference to the breeding and feeding of live stock, and the best mode of cultivation of farm produce. *Seventh*: Mining and metallurgy. And it shall appoint demonstrators in each of these subjects, to superintend the equipment of a laboratory and to give practical instruction in the same. Said board of regents shall establish an agricultural experiment station in connection with the department of agriculture of said college, appoint its officers and prescribe such regulations for its management as it may deem expedient. Said board of regents may establish other departments of said college, and provide courses of instruction therein, when those are, in its judgment, required for the better carrying out of the object of the college.

SEC. 5. The management of said college and experiment station, the care and preservation of all property of which the institution shall become possessed, the erection and construction of all buildings necessary for the use of said college and station, and the disbursement and expenditure of all money provided for by this chapter, shall be vested in a board of five regents, said five members of the board of regents shall be appointed in the manner provided by law; said regents and their successors in office shall have the right to cause all things to be done necessary to carry out the provisions of this chapter. The board of regents provided for in this chapter, shall be appointed by the Governor, by and with the consent of the Senate, one for a term of two years, two for a term of

Agriculture.

Board of regents.



four years, and two for a term of six years; and each regent shall, before entering upon the discharge of his respective duties as such, execute a good and sufficient bond to the State of Washington, with two or more sufficient sureties, residents of the state, in the penal sum of not less than five thousand dollars (\$5,000) each, conditioned for the faithful performance of his duties as such regent: *Provided*, That all appointments made to fill vacancies caused by death, resignation or otherwise, shall be for the unexpired term of the incumbent whose place shall have become vacant. All other appointments made subsequent to the appointment of the first board of regents provided for in this act shall be for the term of six years and until the appointment and qualification of a successor to each appointee: *Provided further*, That regents now serving upon such board shall continue as such during the term for which they were respectively appointed.

Bond.

Officers of  
board.Bond of  
treasurer.Bond of  
secretary.

SEC. 6. The board of regents shall meet and organize by the election of its president and treasurer from their own number, on the first Wednesday in April of each year. The person so elected as treasurer shall, before entering upon the discharge of his duties as such, execute a good and sufficient bond to the State of Washington with two or more sufficient sureties, residents of the state, in the penal sum of not less than forty thousand dollars (\$40,000), conditioned for the faithful performance of his duties as such treasurer, and that he will faithfully account for and pay over to the person or persons entitled thereto all moneys which shall come into his hands as such officer, which bond shall be approved by the Governor of the state, and shall be filed with the Secretary of State. The president of the college shall be secretary of the board of regents, and shall perform all the duties pertaining to that office, but shall not have the right to vote. The secretary shall in like manner as the treasurer give a bond in the penal sum of not less than five thousand dollars (\$5,000), conditioned for the faithful performance of his duties as such officer.

SEC. 7. The president of said board shall be the chief executive officer, shall preside at all meetings thereof, except that in his absence the board may appoint a president *pro tempore*, and sign all instruments required to be executed by said board. The treasurer shall be the financial officer of said board, shall keep a true account of all moneys received and expended by him. The secretary shall be the recording officer of said board, shall attest all instruments required to be signed by the president, and shall keep a true record of all the proceedings of said board, and do all other things required of him by said board.

Duties of  
Officers.

SEC. 8. The regents shall have the power, and it shall be their duty, to enact laws for the government of said State College, Experiment Station and School of Science: *Provided*, The board of regents shall maintain at least one experimental station in the western portion of the state.

Rules.

SEC. 9. The board of regents shall direct the disposition of any moneys belonging to or appropriated to the agricultural college, experiment station and school of science, established by this act, and shall make all rules and regulations necessary for the management of the same, adopt plans and specifications for necessary buildings, and superintend the construction of said buildings, and fix the salaries of professors, teachers and other employes, and tuition fees to be charged in said college.

Disburse-  
ment of  
moneys.

SEC. 10. The agricultural experiment station provided for in this act in connection with the state college shall be under the direction of said board of regents of said college for the purpose of conducting experiments in agriculture according to the terms of section one (1) of an act of congress approved March 2, 1887, and entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several states, under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto." The said college and experiment station shall be entitled to receive all the benefits and donations made and given to similar institutions of learning in other states and territories of the United

Experiment  
station.

[See ch. 314,  
p. 440, 24  
St. at L.; 1  
Fed. St. Ann.  
p. 9-12.]

[See ch. 130,  
p. 503, V. 12  
St. at L.; 2  
Fed. St. Ann.  
p. 850-853.]

States by the legislation of the congress of the United States now in force, or that may be enacted, and particularly to the benefits and donations given by the provisions of an act of congress entitled "An Act donating public lands to the several states and territories which may provide colleges for the benefit of agricultural and mechanic arts," approved July 2, 1862, and all acts supplementary thereto, including the acts entitled "An act to establish agricultural experiment stations in connection with colleges established in the several cities [states] under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," which said last entitled act was approved March 2, 1887; also, "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of congress approved July 2, 1862," which said last mentioned act was approved August 30, 1890.

Acceptance  
of Federal  
aid.

SEC. 11. The assent of the Legislature of the State of Washington is hereby given, in pursuance of the requirements of section nine (9) of said act of congress, approved March 2, 1887, to the granting of money therein made to the establishment of experiment stations in accordance with section one (1) of said last mentioned act, and assent is hereby given to carry out, within the State of Washington, every provision of said act.

Quorum of  
board.

SEC. 12. The meetings of the board of regents may be called in such manner as the board may prescribe, and the majority of said board shall constitute a quorum for the transaction of business; but a less number may adjourn from time to time. No vacancy in said board shall impair the rights of the remaining board. A full meeting of the board shall be called at least once a year.

Oath.

SEC. 13. Each member of the board of regents created by this chapter shall, before entering upon his duties, take and subscribe an oath to discharge faithfully and honestly his duties in the premises, and to perform strictly and im-

partially the same to the best of his ability; said oath shall be filed with the Secretary of State.

SEC. 14. The regents shall be allowed their actual and necessary traveling expenses in going to and returning from all the necessary sessions of the board; and also their necessary expenses while in actual attendance upon the same. Expenses.

SEC. 15. The board of regents shall, on or before the first day of November of each year, make a full and true report in detail of all their acts and doings during the previous year, their receipts and expenditures, the exact status of their institution, and other information they may deem proper and useful, or which may be called for by the Governor, which said report shall be made to the Governor, who shall transmit the same to the succeeding session of the Legislature. A copy of said report shall be furnished to the Superintendent of Public Instruction. Report.

SEC. 16. The treasurer of said board shall make disbursement of the funds in his hands on the order of the board, which order shall be countersigned by the secretary of the board, and shall state on what account the disbursement is made. Money. how paid.

SEC. 17. No employe or member of the board created by this chapter shall be interested pecuniarily, either directly or indirectly, in any contract for any building or improvement of said institution, or for the furnishing of supplies for the same.

SEC. 18. The Governor of the state shall be *ex-officio* advisory member of the board provided for in this chapter, but shall not have the right to vote, nor be eligible to office therein. Governor.

SEC. 19. The board of regents shall grant to every student, upon graduation, a suitable diploma or degree, such student having been recommended for such honor by the faculty. The board shall also have power, upon recommendation of the faculty, to confer the usual honorary degrees upon other persons than graduates of this college in recognition of their learning or devotion to literature, Diplomas.

art or science; but no degree shall ever be conferred in consideration of the payment of money or other valuable thing. The said board is also empowered, upon recommendation of the faculty, to grant normal diplomas which shall entitle the holder to teach in any public school in the state for a period of five years; and to grant life diplomas to candidates who shall give satisfactory evidence of having taught successfully for twenty-four (24) months: *Provided*, That all candidates for the normal diploma and life diploma shall have satisfactorily completed not less than twelve semester hours in the Department of Education.

Buildings.

SEC. 20. It shall be the duty of the board of regents herein provided for, as soon after their organization as practicable, and as soon as there shall be an appropriation therefor in the hands of the State Treasurer in any amount sufficient to warrant the beginning the erection of the several buildings herein provided for, or any wing or section of the same, to enter into contracts with one or more contractors for the erection and construction of such suitable buildings and improvements for the institution created by this chapter as in their judgment shall be deemed best, or the funds aforesaid shall warrant, all things considered; such contract or contracts to be let after open public notice and competition under such regulations as shall be established by said board to the person or persons who offer to execute such work on the most advantageous terms: *Provided*, That in all cases said board shall require from contractors a good and sufficient bond for the faithful performance of the work, and the full protection of the state against mechanics' and other liens: *And provided further*, That the board shall not have the power to enter into any contract for the erection of any buildings or improvements which shall bind said board to pay out any sum of money in excess of the amount provided for said purpose.

SEC. 21. The board provided for in this chapter shall have power in their discretion to employ skilled architects

and superintendents to prepare plans and specifications, and to supervise the construction of any of the buildings provided for in this chapter, and to fix the compensation for such services subject to the provisions and restrictions of this act.

SEC. 22. Whenever there shall be any money in the hands of the State Treasurer to the credit of any of the specific funds set apart for that institution created by this chapter, deemed sufficient by the board to commence the erection of any of the necessary buildings or improvements, or to pay the necessary running or other expenses of said institution, and any proper indebtedness has been incurred, the State Auditor upon receipt of properly audited vouchers, shall, and it is hereby made his duty to draw his warrants for the payment thereof upon the State Treasurer against the specific fund belonging to said institution in such sum, not exceeding the amount on hand in such specific fund at such time, provided proper appropriations have been made therefor.

[SUB.] CHAPTER 3.—STATE NORMAL SCHOOLS.

SECTION 1. The State Normal School at Cheney, the State Normal School at Bellingham, the State Normal School at Ellensburg, and such other state normal schools as may hereafter be established, shall each be under the management and control of a board of three trustees, to be known as "Board of Trustees of the State Normal School at . . . . . ." Said trustees shall be appointed by the Governor, by and with the advice and consent of the Senate.

Normal schools.

SEC. 2. All trustees of the state normal schools serving at the time of the passage of this act shall continue to hold their respective offices as such trustees for the full term for which they were appointed; and thereafter all trustees shall be appointed for six years, except in cases of appointments to fill vacancies, in which cases the appointment shall be made for the unexpired term of the trustee whose office has become vacant. In case of the establishment of any additional state normal schools, unless otherwise ex-

Board of trustees.

pressly provided by law, the Governor shall appoint one trustee for two years, one for four years and one for six years.

Officers of  
board.

SEC. 3. Each board of normal school trustees shall elect one of its members chairman, and it shall elect a secretary, who may or may not be a member of the board. Each board shall have power to adopt by-laws for its government and for the government of the school, which by-laws shall not be inconsistent with the provisions of this act, and to prescribe the duties of its officers, committees and employees. A majority of the board shall constitute a quorum for the transaction of all business.

Powers of  
boards.

SEC. 4. Each board of normal school trustees shall have power, and it shall be its duty — *First*: To elect a principal and such other teachers, assistants and employees as the necessities of the school may require for a period not exceeding four years. *Second*: For good and lawful reasons to discharge any or all such teachers and employees. *Third*: To adopt the necessary text books, and to provide books of reference for the use of students and teachers, and to provide for the proper care of the same. *Fourth*: To have charge of the erection of all buildings pertaining to the school, unless otherwise expressly provided, and to have the care and management of all buildings and other property belonging to the school. *Fifth*: To audit all accounts against the school, and to certify all bills, which may be allowed, to the State Auditor, who shall draw warrants on the State Treasurer for such amounts as he shall find to have been properly or legally allowed. *Sixth*: To purchase all supplies for the use of the school, to provide a library suited to its wants, to provide for lectures on subjects pertaining to education and the art or science of teaching, and to do such other things not forbidden by law as may become necessary for the good of the school.

Boarding  
houses

SEC. 5. Each board of normal school trustees shall have power to establish and maintain a boarding house or houses for the accommodation of students, to employ a

matron and such other assistance as may become necessary to conduct the same, to make such rules for its government and management as they may deem necessary, and to charge such rates for board and entertainment as will make such boarding house or houses self-sustaining.

SEC. 6. Each board of normal school trustees shall hold two regular or stated meetings each year, at such times as may be provided in its by-laws, and such special meetings shall be held as may be deemed necessary, whenever called by the chairman or by a majority of the board. Meetings.

SEC. 7. The principal of each state normal school shall have a general supervision of the school, shall see that all laws and rules of the board of trustees are observed by teachers and students, that the course or courses of study prescribed are faithfully pursued, shall assign students to their proper classes or grades, and unless otherwise specially provided, he shall designate the work to be performed by each teacher. He shall, at the close of each school year, make a detailed annual report to the board of trustees, containing a classified catalogue of all students that have been enrolled during the year, and such other information as he may deem advisable or as the board may require, and it shall be his duty to superintend the printing of the same. It shall also be his duty, when required by the board of trustees, to attend county institutes and other educational gatherings, and to lecture upon educational topics that are calculated to enhance the interests of popular education or of his school. The board of trustees shall audit and allow all his necessary expenses incurred in traveling. Principal.

SEC. 8. A model school or training department shall be provided for each state normal school contemplated by this act, in which all students, before graduation, shall have actual practice in teaching for not less than eighteen weeks under the supervision and observation of critic and training teachers. A manual training department for each school under its control shall also be provided, and a suitable teacher employed for each. Model  
training  
school.



**SEC. 9.** Every diploma of graduation from a state normal school, or certificate issued therefrom, shall be signed by the president of the board of trustees and by the principal of the normal school at which the holder graduated, and by the State Superintendent of Public Instruction; and all diplomas and certificates shall be stamped with the seal of the State Superintendent of Public Instruction. Every diploma and certificate shall specifically state what course of study the holder has taken, and for what length of time said diploma or certificate is valid as a certificate to teach in the schools of the state.

**SEC. 10.** No charge shall be made against any student for tuition in any of the normal schools contemplated by this act. All students shall be required to furnish satisfactory evidence of good moral character, and any student may be suspended or expelled from any state normal school contemplated by this act who is found to be immoral, or who has refused to comply with its rules and regulations for its government.

**SEC. 11.** The State Board of Education shall prescribe courses of study for the normal schools of the state as follows: (1) An elementary course of two years; (2) a secondary course of two years; (3) advanced courses of two and three years; (4) a complete course of five years; (5) an advanced course of one year for graduates from colleges and universities. Upon the satisfactory completion of any one of these courses a student shall be awarded an appropriate certificate or diploma as follows: Upon the completion of the elementary course, a certificate to be known as an elementary normal school certificate, which shall authorize the holder to teach in any elementary school for a period of two years; upon the completion of the secondary course a certificate to be known as a secondary normal school certificate, which shall authorize the holder to teach in the common schools of the state for a period of three years; upon the completion of any advanced course a diploma to be known as a normal school diploma, which shall authorize the holder to teach in the common schools of the state for a period of five

years, and upon satisfactory evidence of having taught successfully for three years such person shall receive a life diploma countersigned by the Superintendent of Public Instruction. Upon the completion of the work of the junior year any student may be given a secondary normal school certificate by vote of the faculty: *Provided*, That no one shall receive a diploma or secondary normal school certificate who has not attained the age of nineteen years, and attended the same state normal school one full school year of thirty-six weeks: *Provided further*, That no one shall receive a secondary normal school certificate or a normal school diploma who has not given evidence of ability to teach and govern a school by successful practice in the training department for a period of not less than eighteen weeks. The State Board of Education shall also prescribe uniform terms of admission to, and graduation from, the state normal schools, and shall define the qualifications for admission to each of the several courses.

SEC. 12. The board of trustees may provide out of the funds appropriated for the purpose, such text-books and supplies as are needful for successfully carrying into effect the courses of study prescribed. Each student upon admission to the school may be required to pay into the library fund of the school a sum not to exceed ten dollars, one-half of which shall be applied to the support of the general library and reading room, and the remaining half shall be kept as indemnity for loss or damage of books belonging to the school in the hands of the student, and shall be returned to him after deducting such amount as may be justly charged for all loss or damage beyond reasonable wear. Text books.

SEC. 13. No person shall be admitted to any state normal school as a student who has not attained the age of sixteen years, if a male, or fifteen years if a female until by an entrance examination or otherwise he or she shall have established the fact that he or she is qualified to enter some one of the grades or courses provided for in the course of study. Admission.

Meeting of Principals. SEC. 14. It shall be the duty of the principals of the several state normal schools contemplated by this act to meet once annually to consult with each other relative to matters concerning their school work, and to discuss methods of teaching and plans of management.

Report. SEC. 15. Each board of normal school trustees shall biennially on or before the first day of October next preceding each regular session of the state legislature of this state, make, through its secretary, a report to the Governor of the state, which report shall be included with and constitute a part of the biennial report of the Superintendent of Public Instruction. Said normal school report shall embrace a statement of the receipts and expenditures of the schools, and the purpose for which all moneys have been expended; a classified catalogue of all students enrolled in each of said schools; a directory of all graduates of each school properly classified; the course or courses of study pursued in the several schools, and such other information as may be deemed advisable.

Contracts. SEC. 16. No normal school trustee shall be awarded any contract for the erection, repair or the furnishing of any building belonging to any state normal school contemplated by this act, nor for the furnishing of supplies or materials for the same; and no such trustee shall act as agent for any publishing house proposing to furnish books for such school. Any trustee who shall violate any of the above named provisions shall, upon conviction thereof, be fined in any sum not exceeding five hundred dollars, and his office as such trustee shall be declared vacant.

[SUB.] CHAPTER 4.—WASHINGTON STATE TRAINING SCHOOL.

Reform school. SECTION 1. The reform school at Chehalis, in Lewis county, shall be known as the Washington State Training School.

Admission. SEC. 2. The said school shall be for the keeping and reformatory training of all youths between the ages of eight and eighteen years who are residents of the State of Washington and who are committed to said institution by a court of competent jurisdiction.

SEC. 3. When a boy of sane mind between the ages of eight and sixteen years or a girl of sane mind between the ages of eight and eighteen (18) years shall, in any court of record in this state, be found guilty of any crime except murder, or manslaughter, or highway robbery, or who for want of proper paternal care is growing up in mendicancy or vagrancy, or is incorrigible, or has been expelled from a public school, and complaint thereof is made and properly sustained, the court may if in its opinion the accused is a proper subject therefor, instead of entering judgment cause an order to be entered that said boy or girl be sent to the State Training School, in pursuance of the provisions of this act, and a copy of said order under seal of said court shall be sufficient warrant for carrying said boy or girl to the said school and for his or her commitment to the custody of the superintendent thereof.

Boy or girl  
convicted  
of crime.

SEC. 4. The State Board of Control shall have full charge of the management of the said State Training School. It shall have power to adopt rules and regulations for its government, and shall prescribe, in a manner consistent with the provisions of the laws of this state, the duties of the persons connected with the management of the institution.

Control of.

SEC. 5. The State Board of Control shall employ a competent person who shall be known as the Superintendent of the Washington State Training School. He shall be the executive head of the said institution, and he shall hold his office during the pleasure of the State Board of Control.

Superin-  
tendent.

SEC. 6. The Superintendent of the said State Training School shall have power to appoint all assistants and employees required for the management of the institution placed in his charge, the number of said assistants and employees to be determined and fixed by the State Board of Control. The Superintendent may at his pleasure discharge any person therein employed.

Assistants  
and  
employees.

SEC. 7. All branches taught in the first eight grades of the public schools shall be taught in the State Training

Courses of  
study.

School. The inmates shall be taught and trained in morality, temperance, frugality, and they shall also be instructed in the different trades and callings of the two sexes, as far as possible, in the scope of the institution.

[SUB.] CHAPTER 5.—STATE SCHOOL FOR THE DEAF AND THE BLIND.

School for defective youth.

SECTION 1. The State School for the Deaf and the Blind at Vancouver shall be under the direction of the State Board of Control, and the funds for its maintenance shall be appropriated by the Legislature of the State of Washington.

Term.

SEC. 2. The regular term of said school shall begin on the second Wednesday of September, and close on the second Wednesday of the following June.

Admission.

SEC. 3. The institution shall be free to residents of the State of Washington who are between the ages of six and twenty-one years, and who are deaf and blind, or either deaf or blind: *Provided*, That they are free from loathsome or contagious diseases.

Control of.

SEC. 4. The State Board of Control may admit to this school deaf or blind children from other states, but the parents or guardians of such children will be required to pay annually or quarterly in advance a sufficient amount to cover the cost of maintaining and educating such children.

Superintendent.

SEC. 5. The superintendent shall be appointed by the State Board of Control, for a term of four years, subject to removal at the discretion of the Board of Control. Said superintendent must be not less than 30 nor more than 70 years of age and must be practically acquainted with the school management and class instruction of the deaf and the blind, having had at least ten years actual experience in teaching in schools for the deaf and the blind. The superintendent shall have power to appoint all subordinates. The State Board of Control shall have power to fix the number of employes and the salary paid each and may discharge any employe at its discretion.

Census.

SEC. 6. It shall be the duty of the clerks of all school districts in the State of Washington at the time for mak-

ing the annual reports to report to the school superintendent of their respective counties the names of all deaf, mute, or blind youth residing within their respective districts who are between the age of six and twenty-one years.

SEC. 7. It shall be the duty of each county school superintendent to make a full and specific report of such deaf, mute or blind youth to the county commissioners of his county at the regular meeting of said commissioners held in August in each year. He shall also, at the same time, transmit a duplicate copy of said report to the State Board of Control and the superintendent of the School for the Deaf and the Blind.

Report of defective youth.

SEC. 8. It shall be the duty of the parents or the guardians of all such deaf or blind youth to send them each year to the said state school for the deaf and the blind. The county superintendent shall take all action necessary to enforce this section or [of] this act: *Provided*, That if satisfactory evidence shall be laid before the county superintendent that any deaf or blind youth is being properly educated at home or in some suitable institution other than the State School for the Deaf and the Blind, the county superintendent shall take no other action in such case further than to make a record of such fact, and take such steps as may be necessary to satisfy himself that such defective youth shall continue to receive a proper education.

Parents of defective children.

SEC. 9. If it appears to the satisfaction of the county commissioners that the parents of any such deaf or blind youth within their county are unable to bear the expense of sending and returning them to said state school, it shall then be the duty of the commissioners to send and return them to and from said school or to maintain them at said school during vacation at the expense of the county.

Expense.

SEC. 10. Any parent, guardian, school superintendent or county commissioner who shall, without a proper cause, fail to carry into effect the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, upon the complaint of any officer or citizen of the

Misdemeanor.

county or state, before any justice of the peace or superior court, shall be fined in any sum not less than fifty nor more than two hundred dollars, in the discretion of the court.

[SUB.] CHAPTER 6.—STATE INSTITUTION FOR FEEBLE MINDED.

SECTION 1. The State Institution for Feeble Minded now located at Medical Lake shall be under the direction of the State Board of Control, and funds for its maintenance shall be appropriated by the Legislature of the State of Washington.

Institution  
for feeble  
minded.

SEC. 2. The institution shall be free to residents of the State of Washington who are between the ages of six and twenty-one years, and who are idiotic or feeble minded: *Provided*, That they are free from loathsome or contagious diseases: *Provided, also*, That children who are idiotic, epileptic or afflicted in any particular that renders them unfitted for companionship with other children shall be segregated and provided with suitable accommodations and care in separate wards or buildings: *Provided further*, That expert medical service shall be provided for this institution.

Admission to.

Admissions  
to.

SEC. 3. The State Board of Control may admit to this institution feeble minded children from other states, but the parents or guardians of such children must be required to pay annually or quarterly in advance a sufficient amount to cover the cost of maintaining and educating such children.

Census.

SEC. 4. It shall be the duty of the clerks of all school districts in the State of Washington at the time for making the annual reports to report to the school superintendent of their respective counties the names of all feeble minded youth residing within their respective districts who are between the age of six and twenty-one years.

Report of  
feeble  
minded  
youth.

SEC. 5. It shall be the duty of each county school superintendent to make a full and specific report of such defective youth to the county commissioners of his county at the regular meeting of said commissioners held in August in each year. He shall also, at the same time, transmit

a duplicate copy of said report to the State Board of Control.

SEC. 6. It shall be the duty of the parents or the guardians of all such defective youth to send them each year to the said state institution for feeble minded. The county superintendent shall take all action necessary to enforce this section of this act: *Provided*, That if satisfactory evidence shall be laid before the county superintendent that any defective youth is being properly educated at home or in some suitable institution other than the State Institution for Feeble minded, the county superintendent shall take no other action in such case further than to make a record of such fact, and take such steps as may be necessary to satisfy himself that such defective youth shall continue to receive a proper education. Parents of.

SEC. 7. If it appears to the satisfaction of the county commissioners that the parents of any such defective youth within their county are unable to bear the expenses of sending and returning them to said state school, it shall then be the duty of the commissioners to send and return them to and from said school. Expense.

SEC. 8. Any parent, guardian, school superintendent or county commissioner who shall, without a proper cause, fail to carry into effect the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, upon the complaint of any officer or citizen of the county or state, before any justice of the peace or superior court, shall be fined in any sum not less than fifty nor more than two hundred dollars, in the discretion of the court. Misdemeanor.

### TITLE III.—GENERAL COMMON SCHOOL SYSTEM.

#### [SUB.] CHAPTER 1.—GENERAL PROVISIONS.

SECTION 1. Common schools shall include schools that are maintained at public expense in each school district and under the control of boards of directors. Every common school, not otherwise provided for by law, shall be open to the admission of all children between the ages of six and twenty-one years residing in that school district. Common schools.



Subjects  
taught.

SEC. 2. All common schools shall be taught in the English language, and instruction shall be given in the following branches, viz.: Reading, penmanship, orthography, written arithmetic, mental arithmetic, geography, English grammar, physiology and hygiene with special reference to the effects of alcoholic stimulants and narcotics on the human system, history of the United States, and such other studies as may be prescribed by the State Board of Education. Attention must be given during the entire course to the cultivation of manners, and the fundamental principles of honesty, honor, industry and economy, to the laws of health, physical exercise, ventilation and temperature of the school room, and not less than ten minutes each week must be devoted to the systematic teaching of kindness to not only our domestic animals, but to all living creatures.

School day.

SEC. 3. A school day shall consist of six hours for all pupils above the primary grades, exclusive of an intermission at noon; but any board of directors may fix as a school day for their district a less number of hours than six: *Provided*, That for pupils belonging to the primary grades the school day shall not be less than four hours, exclusive of an intermission at noon, and for pupils belonging to grades above the primary grade the minimum school day shall not be less than five hours, exclusive of an intermission at noon. In the absence of any by-law or order of the board of directors defining the school day for their district, any teacher may dismiss all pupils belonging to the primary grades after an attendance of four hours, exclusive of said intermission. The school month shall consist of twenty days, or four weeks of five days each, and the term "school year," for all matters pertaining to experience in teaching and for all matters pertaining to the granting of or renewing of certificates, shall consist of not fewer than nine school months.

Month.

Year.

SEC. 4. The school year shall begin on the first day of July and end with the last day of June.

SEC. 5. No teacher, pupil or janitor shall be permitted to attend school from any house in which smallpox, vario-

loid, scarlet fever, diphtheria or any other contagious or infectious diseases are prevalent. No teacher, pupil or janitor shall be permitted to return to school from any house where the above mentioned diseases, or any form of them, have prevailed, until three weeks shall have elapsed from the beginning of convalescence of the patient, or upon the certificate of a registered physician in good standing that there is no danger of contagion. In case of whooping cough, chicken pox and measles, certified by a physician to be not of a malignant character, this rule shall not apply to teachers, pupils or janitors who have had the diseases and have entirely recovered from them: *Provided*, That no pupil, teacher or janitor can attend school or be employed who is afflicted with pulmonary tuberculosis.

Diseases.

SEC. 6. All pupils who may attend the common schools shall comply with the regulations established in pursuance of the law for the government of the schools, shall pursue the required course of studies, and shall submit to the authority of the teachers of such schools. Continued and willful disobedience or open defiance of authority of the teacher shall constitute good cause for expulsion from school.

Admission to.

SEC. 7. All school districts in this state shall maintain school during at least six months each year.

Minimum term.

SEC. 8. Whenever the word "he" or "his" occurs in this act, referring to either the members of the city board of directors, county superintendents of common schools, city superintendents, directors, clerks, State Board of Education or other school officers, it shall be understood to mean also "she" or "her," and any woman possessing all of the qualifications of an elector except as to sex, and possessing all of the other qualifications required by law for such offices, shall be eligible to hold such offices.

Sex.

SEC. 9. All schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence.

Religion.

## [SUB.] CHAPTER 2.—DIVISION OF TERRITORY.

## ARTICLE I.—KINDS OF DISTRICTS.

County districts. SECTION 1. For purposes of supervision and administration, each county in the state shall constitute one county school district.

First class. SEC. 2. Any school district in this state containing a city of the first class or of the second class, or containing a city having the population requisite for a city of the first class or of the second class, as shown by any regular or special census, shall be a school district of the first class.

Second class. SEC. 3. Any school district in this state containing a city of the third class or of the fourth class, or containing a city having the population requisite for a city of the third or of the fourth class, as shown by any regular or special census, shall be a school district of the second class.

Third class. SEC. 4. All other school districts shall be school districts of the third class.

Consolidated districts. SEC. 5. Any school district which has been formed by the consolidation of two or more school districts shall be designated as a consolidated school district.

Joint district. SEC. 6. Any school district composed of territory in two or more counties shall be designated as a joint school district.

Union high school district. SEC. 7. Any school district established for the purpose of maintaining a high school by the union of two or more contiguous districts in the same county, shall be designated as a union high school district.

## ARTICLE II.—CORPORATE EXISTENCE AND POWERS.

Designation. SECTION 1. The term "School District," as used in this act, is declared to mean the territory under the jurisdiction of a single board designated as a Board of School Directors, and shall be organized in form and manner as hereinafter provided, and shall be known as \_\_\_\_\_ (here insert name of city in case of districts of first or second class) School District No. \_\_\_\_\_, \_\_\_\_\_ County, State of Washington: *Provided*, That all school districts now existing as shown by the records of the county superintendent are hereby recognized as legally organized dis-

tricts, subject to the classification of Article I of this chapter.

SEC. 2. A school district shall constitute a body corporate and shall possess all the usual powers of a corporation for public purposes, and in that name and style may sue and be sued, purchase, hold and sell such personal and real estate, and enter into such obligations as are authorized by law; and the title to all school buildings or other property, real or personal, owned by any such school district shall, upon the organization of a district under the provisions of this act, vest immediately in the new district, and the board of directors of such school district shall have exclusive control of the same for all purposes herein contemplated.

Powers of district.

SEC. 3. Each incorporated city in the state shall be comprised in one school district, and shall be under the control of one board of directors: *Provided*, That nothing in this section shall be so construed as to prevent the extension of such city district a reasonable distance beyond the limits of such city: *And provided further*, That nothing in this section shall be so construed as to change or disturb the boundaries of any school district organized prior to the incorporation of any city, except in cases of incorporation of cities lying partly in two or more school districts organized prior to the incorporation of such city, or the extension of the boundaries of cities beyond the limits of the school districts in which they are situated, or in cases where two or more cities unite, as provided by law: *And provided further*, That the fact of the issuance of bonds by school districts, heretofore or hereafter, shall not prevent the formation of new school districts, whether or not such bonds have been redeemed, cancelled, or paid in whole or in part and shall not prevent the transfer or uniting with another school district of a portion or the whole of a district where bonds have been or may hereafter be issued.

Incorporated cities one district.

SEC. 4. That any school district may purchase, under the provisions of law governing the sale thereof, a school house site or sites of not less than three acres nor more than

Sites.

ten acres each, of any school lands of the State of Washington.

[SUB.] CHAPTER 3.—FORMATION, ALTERATION, AND CONSOLIDATION OF DISTRICTS.

ARTICLE I.—FORMATION OF NEW DISTRICTS.

Petition.

SECTION 1. For the purpose of organizing a new district, a petition in writing shall be made to the county superintendent, signed by at least five heads of families residing within the boundaries of the proposed new district, which petition shall describe the boundaries of the proposed new district and give the names of all the children of school age residing within the boundaries of such proposed new district, at the date of presenting said petition.

Notice of hearing.

SEC. 2. The county superintendent shall give notice to the parties interested by causing notices to be posted at least twenty (20) days prior to the time appointed by him for considering said petition, in at least three of the most public places in the proposed new district, and one on the school house door of each district affected by the proposed change, and in one of the most public places of the territory affected by the proposed change. On the day fixed in the notice, he shall proceed to hear said petition, and if he deem it advisable to grant the petition he shall make an order establishing said district and describing the boundaries thereof and shall certify his action to the board of county commissioners at their next regular meeting.

School in new district.

SEC. 3. No new district formed by the subdivision of an old one shall be entitled to any share of public money belonging to the old district until a school has actually been taught one month in the new district and unless within eight months from the order of the county superintendent granting such new district a school is opened, the action making a new district shall be void, and all elections or appointments of directors or clerks made in consequence of such action, and all rights and office of parties so elected or appointed shall cease and determine, and all taxes which may have been levied in such old district shall be valid and binding upon the real and personal property of such new

district, and shall be collected and paid into the school fund of the old district.

SEC. 4. When a new district is formed from one or more old districts it shall be entitled to a just share of the school money to the credit of the one or more old districts, from which the new district is formed, at the time the petition was granted to establish the new district. And the county superintendent (or in case of an appeal, the board of county commissioners), shall divide such money and also such money as may, for the current year, afterward be apportioned to the said one or more old districts, according to the number of school children resident in the new district, as may be ascertained by a census taken for that purpose: *Provided*, That the new district shall be entitled to all school district tax levied within the boundaries of the new district, for the current year in which the new district is formed. And if such tax, or any part of it has already been collected and placed to the credit of the aforementioned one or more old districts, it shall be the duty of the county treasurer, upon the order of the county superintendent, to transfer the money received from such special tax to the credit of the new district.

Distribution  
of funds.

SEC. 5. At the hearing for the formation of a new school district, the county superintendent shall, in case the petition is granted, hear testimony offered by any person or school district interested therein, for the purpose of finding and determining the amount and value of all school property of whatever nature involved in the proposed action, the nature and amount and value of all bonded, warrant and other indebtedness of the original school district or districts out of whose territory such new district is formed, including all legal uncompleted obligations then existing, and in so doing shall consider the amount of such outstanding indebtedness incurred for current expenses, the amount incurred for permanent improvements, and the location of such improvements, and shall make an equitable adjustment of all property, debts and liabilities among the districts involved.

Hearings on  
value of  
property.

He shall make a full record of all such findings and terms

Findings.

of adjustment and the decision of said county superintendent shall be final unless appealed from in the manner provided by law, in which case the decision of the board of county commissioners shall be final.

Levy to pay indebtedness.

SEC. 6. When a new school district is formed in the manner provided by this article it shall be the duty of the county commissioners to provide by appropriate levies on the property of such new district, in the manner provided by law, for the payment of such indebtedness as may be imposed upon it by the decision of the county superintendent, or in case of appeal by the board of county commissioners.

ARTICLE II.—ALTERATIONS OF BOUNDARIES OF SCHOOL DISTRICTS.

Alteration of boundaries.

SECTION 1. For the purpose of transferring territory from one district to another or enlarging the boundaries of any school district, a petition in writing shall be presented to the county superintendent, signed by a majority of heads of families residing in the territory which it is proposed to transfer or include, or in case there be no family resident in such territory then by the board of directors in one of the districts affected by such proposed change, which petition shall describe the change which it is proposed to have made. It shall also state the reason for desiring said change, and the number of children of school age if any residing in the territory to be transferred. For such proposed transfer of territory the notices shall be posted and the hearing and appeal shall be the same as for the formation of a new district.

Hearings on.

SEC. 2. At the hearing for the alteration of any school district the county superintendent shall, in case the petition is granted, hear testimony offered by any person or school district, for the purpose of finding and determining the value and amount of any school property of whatever nature involved in the proposed action, the nature and amount and value of all bonded, warrant and other indebtedness of each school district affected by the action, including all legal uncompleted obligations then-existing, and in so doing shall consider the amount of

such outstanding indebtedness incurred for current expenses, the amount incurred for permanent improvements and the location of such improvements, and shall make an equitable adjustment of all property, debts and liabilities among the districts involved.

He shall make a full report of all such findings and terms of adjustment and the decision of said county superintendent shall be final unless appealed from in the manner provided by law, in which case the decision of the board of county commissioners shall be final.

SEC. 3. In case of the alteration of any school district, in the manner provided by this article, it shall be the duty of the board of county commissioners to provide by appropriate levies on the property of such district, in the manner provided by law, for the payment of such indebtedness as may be imposed upon it by the decision of the county superintendent, or in case of appeal, by the board of county commissioners.

Indebtedness,  
levy for.

ARTICLE III.—ALTERATION OF BOUNDARIES BY EXTENSION OF CITY LIMITS.

SECTION 1. Whenever an incorporated city shall extend its limits in the manner provided by law, so as to include all or a part of one or more school districts, the territory so included shall not be deemed annexed for school purposes until the 30th day of June next succeeding the date of annexation for municipal purposes, at which time the county superintendent shall declare the territory added to the limits of said city to be a part of the school district embracing said city: *Provided*, That when a school house is located within the territory annexed for municipal purposes, and yet remains the most accessible school for a part of the school district left outside of the territory so annexed to such incorporated city, the county superintendent may annex all or any part of such school district to the school district embracing such city.

Limits of  
city ex-  
tended.

SEC. 2. At the time of declaring any territory to be added to the limits of a school district embracing an incorporated city, as provided in section 1 of this article,



Adjustment  
of property.

the county superintendent shall make an equitable adjustment of all property, including current funds and taxes, and of all debts and liabilities between the districts involved, and shall certify his action to the board of county commissioners. Before making said adjustment, he shall give not less than ten days' written notice to the directors of each district affected by such change, fixing the time and place of the hearing before him.

Hearings.

SEC. 3. At such hearing the county superintendent shall hear testimony offered by any person or school district interested therein pertaining to the value and amount of any school property, of whatever nature, including current funds and taxes, involved in the proposed action, the assessed value of all taxable property in said districts, the nature, amount and value of all bonded, warrant and other indebtedness of each school district affected by the action, including all legal uncompleted obligations then existing; and whenever the territory so added to the school district embracing such incorporated city, shall include a part only of the school districts from which such territory shall be taken, he shall consider the amount of outstanding indebtedness, of each of said school districts, incurred for current expenses, the amount incurred for permanent improvements and the location of such improvements, for the purpose of making such equitable adjustment of all property, debts and liabilities among the districts involved. He shall make a full report of his findings and terms of adjustment, and the decision of said county superintendent shall be final unless appealed from in the manner provided by law, in which case, the decision of the board of county commissioners shall be final.

Corporate  
existence  
continued  
until indebt-  
edness paid.

SEC. 4. Whenever the territory so added to a school district, embracing an incorporated city, shall include the whole of the school district from which such territory was taken, such district shall retain its corporate existence so far as necessary for that purpose, until its indebtedness as determined by such adjustment shall have been paid in full, and the officers of the district embracing such incorporated city to which its territory shall have been added

shall have the power, and it shall be their duty, to provide, by appropriate levies upon such old district or districts, for the payment of such indebtedness: *Provided*, That when such payment of indebtedness is fully made, the clerk of the district shall enter the fact upon the records of the district, and report the same to the county superintendent of schools.

ARTICLE IV.—FORMATION OF CONSOLIDATED DISTRICTS.

SECTION 1. Upon receipt of a petition signed by five heads of families of two or more adjoining districts in the same county the county superintendent may organize and establish a consolidated school district. The posting of notices, the hearing, and the appeal shall be the same as in the change of territory from one district to another. Petition.

SEC. 2. When two or more districts are consolidated by the provisions of this act, or where two or more districts are consolidated by the uniting of two or more incorporated cities or towns, as provided by law, all the directors of the several districts so consolidated shall constitute the board of directors of the new district so formed, and shall have all the powers and authority conferred by the laws of this state upon school district directors, until the next annual school election in said district, at which time there shall be elected three directors for said district, in the manner provided by law, who shall hold their respective offices as provided for the officers of new districts. Board of directors.

SEC. 3. Whenever, by reason of detachments of territory subsequent to the formation of a consolidated district, the boundaries of such district shall become practically co-extensive with the boundaries of a district prior to the formation of such consolidated district, it shall be the duty of the county superintendent to report such fact to the Superintendent of Public Instruction at the time of making his annual report, and said district shall no longer be entitled to the bonus hereinafter provided for consolidated districts. Bonus discontinued when.

SEC. 4. When two or more districts are consolidated, only one of which contains an incorporated city, the di-

Board in city  
continues.

rectors of the district which contains such incorporated city shall become the directors for the consolidated district as soon as the consolidation is legally completed.

Number  
given to new  
district.

SEC. 5. The county superintendent of any county in which new districts are formed by the uniting of two or more districts, or by the incorporating of any city or town lying partly in two or more school districts, shall upon being notified of such action by the board of directors of such new district, proceed to designate such new district by a number not the same as that of either component district or of any existing district, and to make a record of the boundaries thereof, and he shall certify such facts to the board of county commissioners; to the county treasurer, and to the clerk of the new district formed.

Public  
property.

SEC. 6. All school districts formed by the uniting of two or more districts, as provided for in this act, shall be entitled to the public property of the school districts so united and to all current funds in excess of outstanding indebtedness other than bonded indebtedness, and the county superintendent shall transfer all such excess funds to the new district in accordance with this provision and shall certify such transfer to the county treasurer: *Provided*, That for the purpose of apportionment the consolidated district shall be considered one district: *Provided further*, That for the purpose of apportionment the consolidated district shall be credited with two thousand days' attendance in addition to actual attendance for each district, less one, so consolidated.

Corporate  
existence  
continued un-  
til debts  
paid.

SEC. 7. Each school district composing said consolidated district shall retain its corporate existence so far as necessary for that purpose until its indebtedness has been paid in full, and the county commissioners shall have the power and it shall be their duty to provide by appropriate levies upon such old district or districts for the payment of such indebtedness: *Provided*, That when such payment of indebtedness is fully made the clerk of the district shall enter the fact upon the records of the district and report the same to the county superintendent of schools.

SEC. 8. When two or more school districts shall be united by the provisions of this act, the boards of directors of the several districts shall, within thirty days thereafter, meet and organize the new board by the election of one of their number as president of the board. They shall elect a clerk for said district and the clerks of the several districts so united shall deliver to said clerk all books, papers and records belonging to their respective offices. The clerk of the new district thus formed shall immediately notify the county superintendent of the organization of the board of the new district.

ARTICLE V.—FORMATION OF JOINT SCHOOL DISTRICTS.

SECTION 1. When the public good requires it, a school district may be formed of contiguous territory lying in two or more counties, and such districts shall be known as joint school districts. They shall be designated by a separate number for each county in which any portion of their territory may lie.

Joint dis-  
tricts.

SEC. 2. For the purpose of forming such joint districts, a petition shall be presented, drawn and signed as prescribed for the formation of other school districts, and a copy of such petition shall be presented to the county superintendent of each county affected by the formation of such proposed joint district.

Petition.

SEC. 3. The superintendents of all counties affected by the formation of the proposed joint district shall confer and shall mutually agree upon the time and place of investigating said petition, and upon such agreement each shall notify the school electors of the district or districts of his county affected by the formation of the proposed joint district, by posting notices as required in the formation of other school districts, one of which notices shall be posted upon the school house door of each district affected by the formation of the proposed joint district, and one of which shall be posted in some conspicuous place in the territory which it is proposed to include in the proposed joint district, in each county; and at the time and place

Superin-  
tendents to  
confer.

mentioned in said notices the several superintendents shall meet and jointly investigate all matters pertaining to the formation of the proposed joint district.

Board of  
directors.

SEC. 4. If at the investigation provided for in the preceding section the several county superintendents shall mutually agree that said district should be formed, they shall appoint a board of directors to serve until the next regular election, and the directors appointed shall qualify within ten days. At the next regular election a board of directors shall be elected as provided in the case of other new districts.

District in  
county where  
school house  
is.

SEC. 5. Every director or clerk of the joint district shall file his certificate of election and oath of office with the county superintendent of the county in which the school house is located, and his signature with the treasurer of the same county.

Vacancies,  
how filled.

SEC. 6. Vacancies in the office of director of a joint district shall be filled by appointment by the county superintendent in whose county the officer vacating resided while serving, and a copy of such appointment, with the oath endorsed thereon, shall be filed in the office of each county superintendent.

Transfers of  
territory af-  
fecting, how  
made.

SEC. 7. After a joint school district has been formed, all transfers of territory to and from said district shall be made by mutual agreement and joint action between the county superintendents of the several counties in which the territory of said joint district shall be embraced, and all notices of such transfers shall be signed by all superintendents in whose counties the territory of the joint district shall lie.

Boundaries  
kept in both  
counties.

SEC. 8. The superintendents of the several counties affected by the formation of any joint school district shall make and keep a correct transcript of the entire boundary of such district, and shall certify the same to the county treasurer and county auditor of each county and all transfers of territory to or from such joint district shall likewise be certified to such officers, said certificates being signed by all county superintendents in whose counties any

(Tit. III, ch. 3, art. V.)

part of the territory of such joint district shall be located. A map of all joint districts formed under the provisions of this section shall be filed with the Superintendent of Public Instruction within thirty days after the formation of such districts. Said maps shall indicate the number by which the district is designated in each county, and it shall also show the location of the school house in such district, if there be one. Said map shall be certified to by all county superintendents in whose counties any part of such joint district shall be embraced.

SEC. 9. For the purpose of the apportionment of state school funds the district shall be considered as belonging to the county in which the school building is located: *Provided*, That the county treasurer in whose county the school house is not located shall transfer quarterly all moneys to the treasurer of the county where the school house is located, and the same shall be placed to the credit of said joint district.

Apportionment of funds to.

SEC. 10. At the hearing for the formation of a joint school district, the county superintendents shall, in case the petition is granted, hear testimony offered by any person or school district interested therein, for the purpose of finding and determining the amount and value of all school property of whatever nature involved in the proposed action, the nature and amount and value of all bonded, warrant and other indebtedness of the original school district or districts out of whose territory such joint district is formed, including all legal uncompleted obligations then existing, and in so doing shall consider the amount of such outstanding indebtedness incurred for current expenses, the amount incurred for permanent improvements, and the location of such improvements, and shall make an equitable adjustment of all property, debts and liabilities among the districts involved.

Hearings on joint districts.

They shall make a full record of all such findings and terms of adjustment and the decision of said county superintendents shall be final.

SEC. 11. When a joint school district is formed in the manner provided by this article, it shall be the duty of the

Levies to  
cover indebt-  
edness.

board of county commissioners to provide by appropriate levies on the property of such joint district, in the manner provided by law, for the payment of such indebtedness as may be imposed upon it by the decision of the county superintendents.

Reports.

SEC. 12. All reports from joint districts shall be made in full to the county superintendent of each county affected thereby: *Provided*, That any county superintendent may order the segregation of any items of such report so as to show separately the numbers or amounts from each county affected thereby.

ARTICLE VI.—FORMATION OF UNION HIGH SCHOOL DISTRICTS.

Petition for.

SECTION 1. Whenever the residents of two or more adjacent or contiguous school districts in the same county may wish to unite for the purpose of establishing a union high school, the clerks of the districts, by order of the boards of directors, shall, upon a written or printed petition of five or more heads of families of their respective districts, each submit in writing a statement of the proposed union of such districts together with the question of the advisability of the formation of such union school district to the county superintendent of schools, who shall within fifteen days report in writing to the said clerks his approval or disapproval, his action to be based upon an investigation made by him to determine whether or not either school district so applying already maintains or is capable itself of maintaining a high school without uniting with another district, or with other districts, or whether or not the educational and other conditions of the districts desiring to so unite are such as to insure the maintenance of a high school in fact according to the provisions of this article.

Vote on.

SEC. 2. If the county superintendent shall approve of the formation of the proposed union high school district each of said clerks shall call a meeting of the voters of such school districts at some convenient place by posting written or printed notices in like manner as is provided for calling annual school district elections. If a majority of the voters of each district shall vote to unite for the

purposes herein stated, the clerk of each district so proposing to unite shall, within ten days after the election, notify the county superintendent of the holding of and the result of the election, and the county superintendent shall, immediately after the receipt of said notices, designate such union high school district as "Union High School District No.——, —— county," and shall so notify the clerks of the several districts so uniting.

SEC. 3. The boards of directors of the several districts so voting to unite shall constitute the board of directors of such union high school district, and shall within ten days after the elections at which the districts voted to unite meet and organize by electing one of their number president of the board, and selecting their clerk for such union high school district, and the clerk and president chosen at such meeting shall hold their respective offices until the next annual school district election and until their successors are elected and qualified; and the election of president and clerk shall occur annually thereafter, on the second Saturday next succeeding the date at which the newly elected school district officers shall enter upon the discharge of their duties: *Provided*, That in union districts consisting of three or more school districts the board of directors of said union district shall be composed of the chairman of the several boards of directors of the districts comprised in such union district.

Board of directors.

SEC. 4. The clerk of the union high school district shall within ten days after the organization of the district, by the election of a president and clerk, notify the county superintendent of the organization of said district, and the county superintendent shall also, within ten days after receiving notice of the organization of the district, notify the county treasurer and county auditor of the fact of its organization, together with the numbers of the constituent districts and the names of the directors and clerk.

Notice of formation.

SEC. 5. After the formation of a union high school district the boundaries of the same may be enlarged in the manner prescribed for the formation of the said union high

Boundaries enlarged, how.



school district: *Provided*, That the board of directors of the union high school district shall not be reorganized but that the chairman of the district, or the chairmen of the districts, so united to the union high school districts shall be added to the board of directors of the union high school until the next ensuing annual school election.

Grades  
taught.

SEC. 6. The directors of such union districts shall determine what grade or grades above the grammar grade of the state common school course of study shall be pursued and maintained in such schools: *Provided*, That the course of study for all high school grades shall not be inconsistent with the laws of this state; and shall be such as the Superintendent of Public Instruction shall approve. If local conditions admit of it the directors of any union high school district may, at their discretion, admit pupils residing in such union district, belonging to a grade lower than the high school grades, but no pupil belonging to a grade lower than the seventh shall ever be admitted to any such union high school. The teacher or teachers of such union high schools shall keep such records and make such reports as are required of teachers in the districts composing such union districts, and shall make such other reports as may be required by the Superintendent of Public Instruction.

Powers of  
board.

SEC. 7. The board of directors and clerk provided for in the preceding section, shall, in all matters relating to the union high schools of such district, possess all the powers herein provided for other school district officers, including the power to recommend special levies of taxes for the purpose of furnishing transportation to and from school and other additional school facilities for the union district, or for the payment of teachers' wages, or for the purchase of fuel, supplies, globes, maps, charts, books of reference or other appliances for teaching, or for any or all of these purposes. They shall discharge all the duties and be governed by the laws herein provided for school district officers.

SEC. 8. Each union high school district shall be entitled to and shall receive apportionments from the state

annual school fund in the manner provided by law for the apportionments from the state annual fund to other school districts.

Apportionments.

SEC. 9. In case any resident taxpayer shall feel aggrieved at the formation of a union high school district, or at the refusal of the county superintendent to approve of its formation, he shall be entitled to an appeal as provided in this act.

Appeals.

SEC. 10. When five or more years have elapsed from the date upon which two or more school districts united for the purpose of forming a union high school district, any or all of the said districts may withdraw from the said union. No district, however, can be legally withdrawn until a majority of the votes cast at a special election called by the directors of the district which proposes to withdraw are in favor of withdrawal. The liabilities and assets of the union high school district shall be justly apportioned by the county superintendent between the district which has voted to withdraw and the remaining portion of the union high school district.

Dissolution.

ARTICLE VII.—MISCELLANEOUS.

SECTION 1. In case any school district shall have fewer than five children of school age or shall not have maintained at least the minimum amount of school required by law, during the past preceding school year, or in case of territory which is not now a part of any school district, or in which there are no children of school age, the county superintendent shall have power to attach such territory to some contiguous school district or school districts without being petitioned to do so: *Provided*, That if any school district so disorganized shall have any outstanding bonds, warrants or other indebtedness, the assessable property of such district shall be holden for the payment of such indebtedness.

Territory transferred without petition.

SEC. 2. In all cases involving the alteration of school district boundaries, the county auditor shall certify the action of the county superintendent or the county commissioners to the county assessor.

Assessor notified.

Size of district.

SEC. 3. In forming new districts, or transferring territory from one district to another, or changing boundaries of districts, no school district shall contain less than four sections of land, unless said district can support six months' school per year after such change of territory: *Provided*, That the county superintendent may establish a district with less than four sections on a petition signed by eighty per cent. of all the heads of families of the proposed district, by and with the consent of the Superintendent of Public Instruction.

[SUB.] CHAPTER 4.—OFFICERS—THEIR POWERS AND DUTIES.

ARTICLE I.—COUNTY SUPERINTENDENT OF SCHOOLS.

County superintendent.

SECTION 1. A county superintendent of schools shall be elected in each county of the state at each general election, whose term of office shall begin on the first Monday in September next succeeding his election and continue for two years and until his successor is elected and qualified. He shall take the oath of office and shall give an official bond in a sum to be fixed by the board of county commissioners. He may appoint a deputy, who shall qualify in the same manner as the county superintendent, and perform the duties of the office, subject, however, to revision by the county superintendent: *Provided*, That in any county having more than one hundred school districts, the county superintendent, with the approval of the board of county commissioners, may appoint such clerical assistance as may be necessary to perform the work of his office properly. The county commissioners of each county shall fill any vacancy that may occur in the office of county superintendent until the next general election.

Deputy.

Who eligible.

SEC. 2. No person shall be eligible to hold the office of county superintendent of schools who shall not at the time of his election or appointment have taught in the public schools of this state two school years of nine months each, and who shall not at the time of such election or appointment hold a first grade or higher certificate.

County auditor to put name on ballot, when.

SEC. 3. The county auditor shall not place the name of any person upon the official ballot as a candidate for the

office of county superintendent of schools unless such person shall have filed in the office of the county auditor, at least twenty days before the date at which the election is to be held, proof of having taught in the schools of the state one school year of nine months, together with a copy of the certificate required by this act.

SEC. 4. Each county superintendent shall have the power and it shall be his duty— Powers and duties.

*First.* To exercise a careful supervision over the common schools of his county, and to see that all the provisions of the common school laws are observed and followed by the teachers, supervisors and school officers.

*Second.* To visit the schools in his county, counsel with directors and teachers, and assist in every possible way to advance the educational interests of his county. Visits.

*Third.* To distribute promptly all reports, laws, forms, circulars, and instructions which he may receive for the use of the schools and the teachers, and to execute the instructions and decisions of the Superintendent of Public Instruction, as provided by law.

*Fourth.* To enforce the outline course of study adopted by the State Board of Education, or the course of study adopted by any other lawful authority, and to enforce the rules and regulations required in the examination of teachers.

*Fifth.* He shall prepare an outline course of study for the books adopted in districts of the third class when the needs of the county demand: *Provided,* That said outline course of study shall be in harmony with the course adopted by the State Board of Education of this state. Course of study.

*Sixth.* To keep on file and preserve in his office the biennial reports of the Superintendent of Public Instruction and of the county superintendent of his county.

*Seventh.* To keep in good and well-bound books, to be furnished by the county commissioners, records of his official acts. Records.

*Eighth.* To preserve carefully all reports of school officers and teachers, and at the close of his term of office

to deliver to his successor all records, books, documents and papers belonging to the office, taking a receipt for the same, which shall be filed in the office of the county auditor.

Administer  
oaths.

*Ninth.* To administer oaths and affirmations to school directors, teachers and other persons, on all official matters connected with or relating to schools, but he shall not make or collect any charge or fee for so doing.

Record of  
contract to  
teach.

*Tenth.* To keep in a suitable book an official record of all persons under contract to teach in the schools of his county showing the number of the school district, the date of the contract, the names of the contracting parties, and the date of the expiration of the teacher's certificate and the grade thereof, the salary paid, and the date of commencing school, with the length of term in weeks, which data shall be immediately reported to the county auditor.

Report.

*Eleventh.* To make an annual report to the Superintendent of Public Instruction on the first day of August of each year, for the school year ending June 30, next preceding. The report shall contain an abstract of the reports made to him by the district clerks, and such other matters as the Superintendent of Public Instruction shall direct. And it shall be the duty of the county commissioners and county auditor in every county wherein the county superintendent is about to retire from office to withhold the warrant of his salary for the month of July until they shall have received a certificate from the Superintendent of Public Instruction that the annual report of such county superintendent has been made in a satisfactory manner; and it shall be the duty of the Superintendent of Public Instruction to transmit such certificate to the auditor immediately upon receiving such satisfactory report.

Record of  
boundaries  
of districts.

*Twelfth.* To keep in his office a full and correct transcript of the boundaries of each school district in the county, including joint districts. In case the boundaries of said districts are conflicting or incorrectly described, he shall change, harmonize and describe them, and at their next regular meeting he shall certify his action to the

county commissioners of his county, and shall file with them a complete transcript of the boundaries of all school districts affected by his action, which shall be entered upon the journal of said board and become a part of their records. The county superintendent shall, on request, furnish the district clerks with descriptions of the boundaries of their respective districts.

*Thirteenth.* To appoint school district officers in districts of the second and of the third class, to fill vacancies caused by death, resignation, failure to hold election, failure to qualify before the day for taking office, and absence from the district for a period of ninety days or failure to attend four consecutive meetings of the board without a reasonable excuse; to appoint school officers for any new districts: *Provided*, That when any new district is organized, such of the school officers of the old district as reside within the limits of the new one shall be such school officers of the new one, and the vacancies in the old district shall be filled by appointment.

Appoint district officers.

*Fourteenth.* To apportion school funds as provided in Chapter 5, Title III, of this act.

Apportion funds.

*Fifteenth.* To grant such temporary certificates and to conduct such examination of teachers and make such records thereof as may be prescribed by law: *Provided*, That he shall give ten days' notice of such examination by publication in some newspaper of general circulation published in his county, or if there be no newspaper, then by posting up hand bills, or otherwise.

Grant temporary certificates.

*Sixteenth.* To hold teachers' institutes according to law, and to conduct such other meetings of the teachers of his county as may be for the best interests of the schools.

Institutes.

*Seventeenth.* To hold each year, if he deem it advisable, one or more directors' meetings, the expense of which shall be audited and paid by the county commissioners: *Provided*, That such expense shall not exceed the sum of one hundred dollars in any one year.

Directors' meetings.

*Eighteenth.* To suspend any teacher who may be teaching in his county, against whom he files charges, and in

Suspend teachers.

case if such suspension he shall immediately notify the Superintendent of Public Instruction of his action, and shall clearly and fully state his reasons for said action.

To sell registers.

*Nineteenth.* To furnish registers and clerks' record books to all districts of his county upon a requisition from the school district clerk, and he shall receive pay for such books by warrants drawn against the said school district by the county auditor. At the end of each quarter of the fiscal year he shall turn over to the treasurer of his county all moneys derived from the sale of such books, together with a detailed statement of the sources from which said funds were derived. He shall also at the same time send a copy of said statement to the Superintendent of Public Instruction.

*Twentieth.* To forthwith enforce the provisions of section 14, article 7 [5], chapter 4, of Title III of this Code, and to notify the Superintendent of Public Instruction whenever any school board of such county shall fail to comply with the provisions required.

Teachers' and officers' reports.

SEC. 5. The county superintendent shall require all reports of school district officers, teachers and others to be made promptly as required by law. He shall see that the teacher's register is kept in accordance with law and the instructions of the Superintendent of Public Instruction, and that the records of the school district clerks are properly kept. He shall require the oath of office of all school district officers to be filed in his office, and shall furnish a directory of all such officers to the county treasurer, upon blanks furnished by the Superintendent of Public Instruction, as soon as the election or appointment of such officers is determined and their oaths placed on file.

Office open.

SEC. 6. He shall keep his office open for the transaction of official business such days each week (at least one day each week) as the duties of the office may require, and shall keep posted on the door of his office a notice of said office days and hours of such days.

Office at county seat.

SEC. 7. The county commissioners shall provide the county superintendent with a suitable office at the county

seat, and all necessary blanks, books, stationery, postage, printing and other expenses of his office shall be paid by the county treasurer out of the county funds upon a sworn statement made quarterly and allowed by the county commissioners: *Provided*, That, as to the necessity for the printing and issuance of circulars of information pertaining to the schools of his county, for the use of schools, school officers and teachers, the county superintendent shall determine.

SEC. 8. For all actual and necessary travel in the performance of their official duties and in attendance on the convention of county superintendents, called by the Superintendent of Public Instruction, county superintendents shall be allowed actual traveling expenses. Expenses.

ARTICLE II.—DISTRICT OFFICERS—GENERAL PROVISIONS.

SECTION 1. Directors of school districts shall be elected at the regular annual school elections. No person shall be eligible to the office of school director who is not able to read and write the English language. Directors.

SEC. 2. Every board of directors, unless otherwise specially provided by law, shall have power and it shall be its duty: Powers and duties.

*First.* To employ, for not more than one year, and for sufficient cause to discharge teachers, and to fix, alter, allow and order paid their salaries and compensation. The directors, except in districts of the first class, shall make with each teacher employed by them a written or printed contract, which shall be in conformity with the laws of this state, and every such contract shall be made in duplicate, one copy of which shall be retained by the school district clerk, and the other shall be delivered to the teacher after having been approved and registered by the county superintendent as by law required. Employ teachers.

*Second.* To enforce the rules and regulations prescribed by the Superintendent of Public Instruction and the State Board of Education for the government of schools, pupils and teachers, and to enforce the course of study lawfully prescribed for the schools of their district.



*Third.* To rent, repair, furnish and insure school houses, to employ janitors, laborers and mechanics.

*Fourth.* To cause all school houses to be properly heated, lighted and ventilated, and to cause all school premises to be maintained in a cleanly and sanitary condition.

*Fifth.* To purchase personal property in the name of the district and to receive, lease and hold for their district any real or personal property.

Suspend or  
expel pupils.

*Sixth.* To suspend or expel pupils from school who refuse to obey the rules thereof, and they shall exclude from school all children under six years of age.

Free text  
books.

*Seventh.* To provide free text-books and supplies to be loaned to the pupils of the school, when in their judgment the best interests of their district will be subserved thereby, and to prescribe such rules and regulations as they shall deem necessary to preserve such books and supplies from unnecessary damage.

*Eighth.* To require all pupils to be furnished with such books as may have been adopted by the lawful authority of this state, as a condition to membership in the schools.

*Ninth.* To exclude from schools and school libraries all books, tracts, papers and other publications of an immoral or pernicious tendency.

Night schools.

*Tenth.* To authorize the school room to be used for summer or night schools, or for public, literary, scientific, religious, political, mechanical and agricultural meetings, under such regulations as the board of directors may adopt.

Transportation  
of  
pupils.

*Eleventh.* To provide and pay for transportation of children to and from school when in their judgment the best interests of their district will be subserved thereby, but, in case transportation is provided, the directors shall not be compelled to transport children who live within two miles of the school house.

U. S. flag.

SEC. 3. Every board of directors of the several school districts of this state shall procure a United States flag, and shall display said flag upon or near each public school

building during school hours, except in unsuitable weather, and at such other times as to said board may seem proper.

SEC. 4. Every school district shall be liable for any debts legally due, contracted under the provisions of this act, and for judgments against the district, and such district shall pay such judgment or liability out of the proper school funds to the credit of the district. Debts.

SEC. 5. Any board of directors shall have power to make arrangements with adults wishing to attend school, or with the directors of another district for the attendance of such children in the school of either district as may be best accommodated therein: *Provided*, That in case such arrangements are not made, or children from school districts not adjoining desire to attend school in their district, they may charge reasonable tuition for such attendance: *Provided further*, That all such money collected by any school district officer for the use of the district shall, within thirty days after the date of its collection, be turned over to the county treasurer and placed to the credit of the district. Tuition.

SEC. 6. Any board of directors shall have power to make such by-laws for their own government, and the government of the common schools under their charge, as they deem expedient, not inconsistent with the provisions of this act, or the instructions of the Superintendent of Public Instruction or the State Board of Education. By-laws.

SEC. 7. The board of directors of each school district shall have custody of all school property belonging to the district, and shall have power, in the name of the district, to convey by deed all the interest of their district in or to any school house or lot directed to be sold by vote of the district and all conveyances of real estate made to the district shall vest title in the district; said board, in the name of the district, shall have power to transact all business necessary for maintaining school and protecting the rights of the district. Convey property.

SEC. 8. It shall be unlawful for any director to have any pecuniary interest, either directly or indirectly, in the Director to have no interest in contracts.

purchase of school sites or in the erection of school houses, or in the warming, ventilating, furnishing, repairing or insuring of the same, or to be in any manner interested in or connected with the furnishing of supplies for the maintenance of schools, or to receive or accept any compensation or reward for services rendered as director or be employed for hire by said district or by any person having a contract with said district: *Provided*, That nothing in this section shall be construed to prevent a director elected as clerk from acting as purchasing agent for his district, or from receiving such compensation for performing the duties of school district clerk as are now or may hereafter be provided by law.

Limit of indebtedness.

SEC. 9. It shall be unlawful for any board of directors to contract indebtedness against their district in any one year in any sum or sums exceeding the aggregate of the amount due to said district during the year from state funds, the amount of school district tax levied for the year and the estimated receipts from other sources, unless said indebtedness be authorized by a vote of the electors of said district.

SEC. 10. Every school officer shall immediately deliver to his successor in office all books, papers and moneys pertaining to his office.

Oath.

SEC. 11. Every person elected or appointed to any office mentioned in this article shall, before entering upon the discharge of the duties thereof, take an oath or affirmation to support the constitution of the United States and the State of Washington, and to promote the interest of education, and to faithfully discharge the duties of his office according to the best of his ability. In case any officer has a written appointment or commission, his oath or affirmation shall be endorsed thereon and sworn to before any officer authorized to administer oaths. School officers are hereby authorized to administer all oaths or affirmations pertaining to their respective offices without charge or fee. All oaths of office as herein provided

shall, when properly made, be filed with the county superintendent of schools.

SEC. 12. Every school district director or clerk shall, on assuming the duties of his office, place his signature, certified to by some school district officer, on file in the office of the county auditor.

Signature to  
be filed.

SEC. 13. The board of directors of any school district of this state may proceed to condemn and appropriate sufficient land for a school house site not to exceed five acres in extent; such condemnation proceedings shall be in accordance with the laws of this state providing for appropriating private property for public use.

Eminent  
domain.

SEC. 14. Whenever any board of directors of school districts of the third class shall be authorized, by the electors of their district, to erect a school building, it shall be the duty of such board, before entering into any contract for the erection of any buildings, to obtain the approval of the county superintendent of the county in which the building is to be erected, of the plans and specifications for the building to be erected.

Buildings by  
contract.

#### ARTICLE III.—DIRECTORS OF DISTRICTS OF THE FIRST CLASS.

SECTION 1. The directors of school districts of the first class shall consist of five members who shall be known as the board of directors. They shall be elected by ballot by the qualified electors of the district, and shall hold their office for a term of three years and until their successors are elected and qualified.

Board of  
directors of  
first class  
districts.

When a district of the second or third class shall become a district of the first class the existing directors shall serve until the annual election preceding the expiration of the term for which they were elected and shall appoint two additional directors who shall serve until the next annual school election in said district. At such annual election three directors shall be elected, one for one year, one for two years and one for three years.

In case vacancies are to be filled, and the successor or successors are to be elected to fill an unexpired term or

Vacancies,  
how filled.

terms, the ballot shall specify the term for which each such director is to be elected.

Time of election.

SEC. 2. The regular district election in each district of the first class shall be held on the first Saturday of December in each year, and such election shall be held in the manner provided in Article one, Chapter thirteen of this title.

Must qualify, when.

SEC. 3. All persons elected as members of the board of directors of districts of the first class shall, within ten days thereafter, appear before the officer authorized to administer oaths, take and subscribe the usual oath of office and deliver the same to the county superintendent of schools; in case any person elected shall fail so to do, his election shall be void and the vacancy occasioned thereby shall be filled by the board as hereinafter provided. The term of office of persons so elected shall begin on the first Monday of the month of January following their election.

Term of office.

At the first meeting of the members of the board in the month of January of each year, they shall elect a president and vice-president from among their number who shall serve for a term of one year or until their successors are elected and qualified. In the event of the temporary absence or disability of both the president and vice-president, the board of directors may elect a president *pro tempore* who shall discharge all the duties of president during such temporary absence or disability. They shall also at their regular meeting in the month of January in each year elect a secretary at such salary as they may deem just; said secretary shall not be a member of the board of directors, and may be removed by the board at any time.

Officers of board.

Vote, how taken.

SEC. 4. The election of the officers of the board of directors, the city superintendent, the secretary, teachers, janitors and all other officers of such district shall be by *viva voce* vote upon a call of the roll of all the members, and no person shall be declared elected unless he receives a majority vote of all the members of the board.

President to preside.

SEC. 5. It shall be the duty of the president to preside at all meetings of the board, and to perform such other duties as the board may prescribe.

SEC. 6. It shall be the duty of the vice-president to perform all the duties of president in case of his absence or disability.

Vice  
president.

SEC. 7. It shall be the duty of the secretary to be present at all the meetings of the board, to keep an accurate journal of the proceedings, to take charge of its books and documents, to countersign all warrants for school moneys drawn upon the county treasurer by order of the board; he may be authorized by the board of directors to purchase needed supplies for the schools, and shall also act as superintendent of buildings, and may be charged with the special care of the school buildings and other property of the district; he shall also perform such other duties as the board may direct.

Secretary.

SEC. 8. Before entering upon the discharge of his duties, the secretary of the board shall give bonds in such sum as the board of directors may fix from time to time, but for not less than five thousand dollars (\$5,000), with good and sufficient sureties, and shall take and subscribe an oath or affirmation, before a proper officer that he will support the constitution of Washington and faithfully perform the duties of his office. He shall, from time to time, as he may be required by the board, make a complete and detailed record of his transactions as secretary, which shall be combined with his annual report, to be published in the manner determined by the board.

Bond of  
secretary.

SEC. 9. The regular meetings of the board of directors shall be held monthly or oftener at such a time as the by-laws of the board may prescribe, but special meetings may be held from time to time as circumstances may demand, at the call of the president or on petition of a majority of the members of the board, and all meetings shall be open to the public unless otherwise specially ordered.

Meetings of  
board.

SEC. 10. The board of directors shall maintain an office where all regular meetings shall be held, and all records, vouchers and other important papers belonging to the board may be preserved, and shall at all times be open for inspection of resident taxpayers.

Office.

**SEC. 11.** The moneys of such school districts shall be paid out only upon warrants signed by the president, or a majority of the board of directors and countersigned by the secretary: *Provided*, That when, in the judgment of the board of directors, the warrants issued by the district monthly shall have reached such numbers that the signing of each warrant by the president personally imposes too great a task on the president, the board of directors, after auditing all payrolls and bills as provided by section 14 of this article, may authorize the issuing of one general certificate to the county treasurer, to be signed by the president, authorizing said treasurer to pay all the warrants specified by date, number, name and amount, and the funds on which said warrants shall be drawn. And the secretary of said board shall be authorized to draw and sign said warrants.

**SEC. 12.** The board of directors shall have power to fill, by election, any vacancy which may occur in its body, but the election to fill such vacancy shall be valid only until the next regular district election, and the ballots and returns shall be designated as follows: "To fill unexpired term."

**SEC. 13.** A majority of all members of the board of directors shall constitute a quorum, but a less number in attendance at any regular meeting shall have, and a quorum at any special meeting shall have, power to compel the attendance of absent members, in such manner and under such penalties as the board may see fit to prescribe; and the absence of any member from four consecutive regular meetings of the board, unless on account of sickness or by resolution of the board, shall vacate his position in the board, which fact shall be passed upon by the board of directors and spread upon their records.

**SEC. 14.** All accounts shall be audited by a committee to be styled the "auditing committee," and no expenditure greater than \$300 shall be voted by the board except in accordance with a written contract, nor shall any money or appropriation be paid out of the school fund except on a recorded affirmative vote of a majority of all members of

(Tit. III, ch. 4, art. III.)

the board: *Provided*, That nothing herein shall be construed to prevent the board from making any repairs or improvements to the property of the district through their shop and repair department; and the accounts and the records of said board shall at all times be subject to the inspection and examination of the county superintendent of said county, whose duty it shall be, annually, to examine said records and check said accounts, and report in writing to the board of county commissioners the nature and state of said accounts, and any facts that may be required concerning said records.

SEC. 15. When, in the opinion of the board, the cost of any furniture, supplies, building, improvements or repairs will equal or exceed the sum of \$300, it shall be the duty of the board to give due notice by publication, in at least one daily newspaper published within said district, and if there be no daily, then in one or more weekly papers, in three regular consecutive issues, of the intention to receive bids therefor; and the board shall determine the specifications for such bids which shall be public: *Provided*, That the board may, without giving such notice, make improvements or repairs to the property of such district through their shop and repair department.

Bids for supplies.

SEC. 16. Every board of directors of a school district of the first class shall, in addition to the general powers enumerated in Article 4, Chapter 4, of this title, have the power:

Powers of board.

*First.* To employ for a term of not exceeding three years, a city superintendent of schools of the district, and for cause to dismiss him; and to fix his duties and compensation.

City superintendent.

*Second.* To prescribe a course of study and a program of exercises which shall not be inconsistent with the course of study prepared by the State Board of Education for the use of the common schools of this state.

Course of study.

*Third.* To make necessary by-laws for more effectively carrying out the provisions of this act, and for facilitating the work of the board, as required by law.

By-laws.

*Fourth.* To adopt and enforce such rules and regula-



Night  
schools.

tions as may be deemed essential to the well being of the schools, and to establish and maintain such grades and departments, including night, high, kindergarten, manual training and industrial schools, and schools or departments for the education and training of any class or classes of defective youth, as shall, in the judgment of the board, best promote the interests of education in that district.

Term.

*Fifth.* To employ, and, for cause, to dismiss teachers, and janitors; to determine the length of time over and above eight (8) months that school shall be maintained, such length of time to give a consecutive vacation of not less than three months between June first of any year and September 15th of the same year; to fix the time for annual opening and closing of schools, and for the daily dismissal of primary pupils before the regular time for closing schools.

*Sixth.* To employ attorneys, an architect, inspectors of construction, superintendents of buildings and janitors, and a superintendent of supplies and other employes, and to prescribe their duties and fix their compensation.

Assistant  
superin-  
tendents.

*Seventh.* To employ, and, for cause, dismiss one or more assistant city superintendents and to define their duties and fix their compensation.

*Eighth.* To employ, and, for cause dismiss, supervisors of instruction, and to define their duties and fix their compensation.

Repair shop.

*Ninth.* To maintain a shop and repair department, and to employ a foreman and the necessary help for the maintenance and conduct thereof.

Free text  
books.

*Tenth.* To provide free text-books and supplies for all children attending school, when so ordered by a vote of the electors; or, if free text-books are not voted by the electors, to provide books for children of indigent parents, on the written statement of the city superintendent that the parents of such children are not able to purchase them.

Vaccination.

*Eleventh.* To require successful vaccination as a condition of school membership and to provide free vaccination to all who are unable to pay for the same: *Provided, however,* That a pupil showing a certificate by a reputable

(Tit. III, ch. 4, art. III.)

physician that the condition of such child or pupil is such that it would be injurious to its health and possibly dangerous to its life: *And provided further*, That a child or pupil showing certificate by a reputable physician to the effect that vaccination has failed to take effect, such child or pupil shall have access to the school and vaccination shall not be a condition to school membership to such child or pupil.

*Twelfth.* To require of the officers or employees of the district to give a bond for the faithful discharge of their duties in such penal sum as may be fixed by the board with good and sufficient surety, and to cause the premium for all bonds required of all such officers or employees to be paid by the district.

Surety bonds  
to be given.

*Thirteenth.* To prohibit all secret fraternities and sororities among the students in any of the schools of the said districts.

Secret  
fraternities.

*Fourteenth.* To appoint a practicing physician, resident of the school district, who shall be known as the School District Medical Inspector, and whose duty it shall be to decide for the board of directors all questions of sanitation and health affecting the safety and welfare of the public schools of the district; he or authorized deputies shall make monthly inspections of each school in the district and report the condition of the same to the Board of Education and Board of Health.

Medical  
inspector.

SEC. 17. The board of directors shall annually in May of each year, cause to be taken an enumeration of all persons between the ages of five and twenty-one years residing in the district, said enumeration shall be made on blanks or books provided by the district and shall contain such items as the Superintendent of Public Instruction shall require, including the following: The names of all persons, male and female, between the ages of five and twenty-one years residing in the district on the first day of May last past; the date of birth of such child; the names and residences of the parents or guardians of all such children. The census shall be taken by the secretary and such enumerators as he shall select, subject to the approval of the board or its

Census.

proper committee. The enumerators shall receive such compensation as the board may deem just. Each enumerator shall verify by oath the correctness of his report. The secretary of the district shall report to the county superintendent of schools on or before the 15th day of the ensuing July, the total number of males and the total number of females enumerated, together with a complete list containing the detailed information herein required of all defective youth residing in said district.

May sell  
property.

SEC. 18. The board of directors shall have power to sell any of the property of the district which is no longer required for school purposes at public or private sale upon such terms as they may direct if the value thereof be less than two thousand dollars. The question of the sale of school property which may be found by the board of directors to be unsuitable for school purposes, and to be of greater value than two thousand dollars, shall be submitted to a vote of the electors of the district, either at a general election or at a special election called to be held for that purpose, as may be directed by the board of directors, and if a majority of the voters of the district voting thereon shall be for the sale of the property the directors may make the sale at public auction. The sale must be made for cash and good title will be conveyed by deed of the school district, executed by the president or the vice-president and the secretary of the board.

Tax levy.

SEC. 19. The board of directors shall annually, at a meeting next preceding the annual tax levy for state and county purposes, report to the board of county commissioners an estimate of the amount of funds, in addition to estimated receipts from the state and county apportionments for said district, required for the support of the schools, for the purchase of school sites, the erection and furnishing of school buildings, the payment of interest upon all bonds issued for school purposes, and the creation of a sinking fund for the payment of such indebtedness, if any, and the county commissioners are hereby authorized and required to levy and collect such additional amount of funds, the same as other taxes: *Provided*, That for the

(Tit. III, ch. 4, art. IV.)

purpose of the purchase of school sites and the erection of buildings the board of directors of a district of the first class in cities having a population of fifty thousand or less, may annually expend a sum not exceeding \$50,000; in cities having a population greater than 50,000 and less than 100,000, a sum not exceeding \$100,000; in cities having a population greater than 100,000 and less than 200,000, a sum not exceeding \$200,000, and for every additional 50,000 of population beyond 200,000 a further sum of \$50,000: *And provided further*, That when any greater expenditure shall be required for said purposes, in any one current school year, the question shall be submitted to a vote of the electors of the district at the time and place the board of directors may appoint. The board of directors shall, previous to such election, designate in one daily paper published in the district, if there be one, if not, then in such weekly papers as may be selected by the board, the place or places where such election shall be held, the locality of the site or sites required and the proposed cost of the buildings to be erected thereon.

Limits of expenditures.

SEC. 20. The tax levied for school purposes in districts of the first class shall in no one year exceed one (1) per cent of the assessed value of all the taxable property in the district: *Provided*, That when any greater expenditure shall be deemed necessary in any one current school year by the directors, the question shall be submitted to a vote of the electors of the district at the time and place appointed by the board of directors; and notice thereof shall be given as provided in section 19 hereof, which notice shall specify the amount of taxes proposed to be raised in excess of the said one (1) per cent., and if a majority of the electors voting thereon at said election shall be in favor of such additional tax, the entire amount so authorized shall be levied and collected. No levy, however, shall exceed two (2) per cent. of all the taxable property of said district.

Limit of tax levy.

## ARTICLE IV.—DIRECTORS OF DISTRICTS OF THE SECOND CLASS.

SECTION 1. Directors of school districts of the second class shall consist of three members. They shall be elected

Number of directors.

Term. by ballot by the qualified electors of the district, and shall hold their office for a term of three years and until their successors are elected and qualified. In case vacancies are to be filled and a successor or successors to be elected to fill an unexpired term or terms, the ballot shall specify the term for which each director is to be elected.

Time of election. SEC. 2. The regular district election in each district of the second class shall be held on the first Saturday in March of each year, and such election shall be held in the manner provided in Article 1, Chapter 13, of this title.

Vacancies. SEC. 3. In case the electors of any district of the second class shall neglect or fail to elect directors as hereinbefore provided, the county superintendent may declare vacant the office of any director at the expiration of his term; and in case of a vacancy in the board of directors from any cause, the county superintendent, in conjunction with the other directors if there be two, shall fill such vacancy by appointment until the fourth Monday following the next annual election.

Must qualify. SEC. 4. All persons elected as members of the board of directors of districts of the second class shall, within ten days thereafter, appear before an officer authorized to administer oaths, take and subscribe the usual oath of office and deliver the same to the county superintendent of schools, and in case any person elected shall fail so to do, his election shall be void and the office shall be deemed vacant.

Commencement of term. Clerk. SEC. 5. The term of office of directors of districts of the second class shall begin on the fourth Monday next succeeding their election, on which day the directors shall meet at the hour of two o'clock p. m., and shall at once organize by electing one of their members as chairman of the board. They shall also elect a person to act as clerk who may or may not be a member of the board of directors. The chairman and clerk shall both immediately enter upon the discharge of their duties and shall serve for a period of one year: *Provided*, That if any such clerk shall fail to discharge his duties in accordance with law, the board

(Tit. III, ch. 4, art. IV.)

of directors may, at any time, remove such clerk and elect another person to fill the unexpired term.

SEC. 6. The regular meetings of the board of directors shall occur on the first Friday of each month, and they may hold such other special or adjourned meetings as they may from time to time determine, or as may be specified in their by-laws. Special meetings may be called by the chairman or by any two members of the board.

Meetings.

SEC. 7. Every board of directors of districts of the second class, in addition to the powers and duties enumerated in Article 4, Chapter 4, of this title, shall have the power and it shall be their duty to provide and pay for such materials, supplies and libraries, as may be necessary for the schools, and to purchase such maps, charts and other apparatus as may be deemed necessary for the use of their schools.

Additional powers.

SEC. 8. The board of directors shall annually at a meeting preceding the annual tax levy for state and county purposes, report to the board of county commissioners an estimate in detail of the amount of funds which will be required by their district for all purposes for the ensuing year, and the county commissioners are hereby authorized and required to levy and collect such amount, after deducting the estimated receipts from the state and county apportionment for said districts, said estimate to be furnished by the county superintendent of schools. The levy in any one year shall not exceed one (1) per cent. of the assessed value of all the taxable property of the district: *Provided*, That when any greater expenditure in any one current school year shall be deemed necessary, the question shall be submitted to a vote of the electors of the district at the time and place and in the manner provided for calling special elections. The notice of such election shall specify the amount of taxes proposed to be raised in excess of the said one (1) per cent. and if a majority of the electors voting thereon at said election shall be in favor of such additional tax, the entire amount so authorized shall be levied and collected. No tax, however, shall exceed two (2) per cent. of all the taxable property of said

To estimate funds required.

Limit of levy.

district. In case any board of directors shall fail to make and report the said estimate to the board of county commissioners on or before the first day of September, it shall be the duty of the county school superintendent to make such estimate, which will be accepted in lieu of the directors' estimate.

School sites.

SEC. 9. The board shall build or remove school houses, purchase or sell lots or other real estate when directed by a vote of the district to do so: *Provided*, That a school house already built on a site which has been selected by a majority vote of the legal school electors of a district shall not be removed to a new site without a two-thirds vote of the school electors voting at an annual or special election; nor shall a school house site that has been selected by a majority vote of the legal school electors, but upon which no school house has been built, be changed except by a two-thirds vote of the legal school electors voting at an annual or special school election as hereinbefore provided.

Time of  
employing  
teachers.

SEC. 10. No board of directors shall employ any teacher or teachers whose term or terms of service begin after the first Monday in August, until after the directors elected at the annual school election in said year shall have entered upon the discharge of their duties.

Superin-  
tendent.

SEC. 11. In all districts of the second class the board of directors shall elect a superintendent, or a principal who shall hold a valid teacher's certificate. The said superintendent, or principal shall have supervision over the several departments of the school and the board of directors may contract with him for a term of one year, or a term of two years as may be deemed best in their judgment.

Minimum  
term.

SEC. 12. In all districts of the second class the minimum school term for each year shall be six months.

#### ARTICLE V.—DIRECTORS OF DISTRICTS OF THE THIRD CLASS.

Number of  
directors.

SECTION 1. Directors of school districts of the third class shall consist of three members. They shall be elected by ballot by the qualified electors of the district, and shall hold their office for a term of three years and until their

(Tit. III, ch. 4, art. V.)

successors are elected and qualified. At the first annual election in all new districts three directors shall be elected for one, two and three years respectively, and the ballot at such election shall specify the term for which each is to be elected. At each election after the first, one director shall be elected for a term of three years. In case vacancies are to be filled and a successor or successors to be elected to fill an unexpired term or terms, the ballots shall specify the term for which each director is to be elected.

Term of office.

SEC. 2. The regular district election in each district of the third class shall be on the first Saturday in March of each year, and such election shall be held in the manner provided in Article 1, Chapter 13, of this title.

Time of election.

SEC. 3. In case the electors of any district of the third class shall neglect or fail to elect directors as hereinbefore provided, the county superintendent may declare vacant the office of any director at the expiration of his term; and in case of a vacancy in the board of directors from any cause, the county superintendent shall fill such vacancy by appointment until the fourth Monday following the next annual election.

Vacancies.

SEC. 4. All persons elected as members of the board of directors of districts of the third class shall, within ten days thereafter, appear before an officer authorized to administer oaths, take and subscribe the usual oath of office and deliver the same to the county superintendent of schools, and in case any person elected shall fail so to do, his election shall be void and the office shall be deemed vacant.

Must qualify.

SEC. 5. The term of office of directors of districts of the third class shall begin on the fourth Monday next succeeding their election, on which day the directors shall meet at the hour of two o'clock p. m., and shall at once organize by electing one of their members as chairman and another as clerk, who shall each immediately enter upon the discharge of his duties, and shall serve for the period of one year: *Provided*, That if any such clerk shall fail to discharge his duties, in accordance with law, the board of di-

Commencement of term of office.



rectors may, at any time, remove such clerk and elect another of their number to fill the unexpired term.

Meetings.

SEC. 6. A regular meeting of each board of directors of districts of the third class shall be held on the first Saturday of February, May, August and November, and they may hold such other special or adjourned meetings as they may from time to time determine, or as may be specified in their by-laws. Special meetings may be called by the chairman or by any two members of the board.

Additional powers.

SEC. 7. Every board of directors of districts of the third class shall, in addition to the powers and duties enumerated in Article 4, Chapter 4, of this title, have power and it shall be their duty to provide and pay for such materials, supplies and libraries, as may be necessary for the schools, and to purchase such maps, charts and other apparatus as may have the written approval of the county school superintendent.

Principal.

SEC. 8. In all districts where the number of children of school age is sufficient to require the employment of more than one teacher, the board shall designate one of such teachers as principal, and such principal shall have general supervision over the several departments of such school. The school or schools in such districts shall be graded in such a manner as the directors thereof shall deem best suited to the conditions of such districts.

Superintendent.

SEC. 9. The directors of any districts wherein schools are maintained in two or more buildings shall elect a superintendent who may be a teacher in the schools of such district and such superintendent shall have general supervision over the schools in such district in accordance with the rules and regulations of the board of directors.

Report of principal.

SEC. 10. It shall be the duty of the principal or superintendent of any school maintaining two or more departments to report to the Superintendent of Public Instruction such facts relating to the grading, course of study, enrollment, attendance and other matters pertaining to such schools as he may require on blanks for that purpose.

When may employ teachers.

SEC. 11. No board of directors shall employ any teacher or teachers whose term or terms of service begin

(Tit. III, ch. 4, art. V.)

after the first Monday in August, until after the directors elected at the annual school election in said year shall have entered upon the discharge of their duties.

SEC. 12. The board of directors shall annually at a meeting preceding the annual tax levy for state and county purposes, report to the board of county commissioners an estimate in detail of the amount of funds which will be required by their district for all purposes for the ensuing year, and the county commissioners are hereby authorized and required to levy and collect such amount, after deducting the estimated receipts from the state and county apportionment for said districts. The levy in any one year shall not exceed one (1) per cent. of the assessed value of all the taxable property of the district: *Provided*, That when any greater expenditure in any one current school year shall be deemed necessary, the question shall be submitted to a vote of the electors of the district at the time and place and in the manner provided for calling special elections. The notice of such election shall specify the amount of taxes proposed to be raised in excess of the said one (1) per cent. and if a majority of the electors voting thereon at said election shall be in favor of such additional tax, the entire amount so authorized shall be levied and collected. No tax, however, shall exceed two (2) per cent. of all the taxable property of said district. In case any board of directors shall fail to make and report the said estimate to the board of county commissioners on or before the first day of September, it shall be the duty of the county school superintendent to make such estimate which will be accepted in lieu of the directors' estimate.

Estimate  
funds  
required.

Limit of  
levy.

SEC. 13. The board shall build or remove school houses, purchase or sell lots or other real estate, when directed by a vote of the district to do so: *Provided*, That a school house already built on a site which has been selected by a majority vote of the legal school electors of a district shall not be removed to a new site without a two-thirds vote of the school electors voting at an annual or special election; nor shall a school house site that has been selected by a majority vote of the legal school electors, but upon which

School sites.

no school house has been built, be changed except by a two-thirds vote of the legal school electors voting at an annual or special school election as hereinbefore provided.

Plans and specifications for school houses.

SEC. 14. Whenever any board of directors shall be authorized by the electors of their district, to erect a school building, it shall be the duty of such board, before entering into any contract for the erection of any buildings, to obtain the approval of the county superintendent, of the plans and specifications for the building to be erected, including also the heating, lighting, ventilating and safety thereof.

ARTICLE VI.—DISTRICT CLERK.

Clerk.

SECTION 1. Every school district clerk in districts of the second and the third class shall within ten days after any change in the office of chairman or clerk, notify the county superintendent of such change in the organization of the board.

Duties.

SEC. 2. The duties of the district clerk shall be as follows:

Records.

*First.* To attend all meetings of the boards of directors; but if he shall not be present the board of directors shall select one of their number to act as clerk, who shall certify the proceedings of the meeting to the clerk of the district, to be recorded by him. He shall keep his records in a book to be furnished by the board of directors, and he shall preserve copies of all reports made to the county superintendent, and safely preserve and keep all books and documents belonging to his office, and shall turn the same over to his successor.

Receipts and expenditures.

*Second.* To keep accurate and detailed accounts of all receipts and expenditures of school money. At each annual school meeting the district clerk must present his record book for public inspection, and shall make a statement of the financial condition of the district and of the action of the directors, and such record must always be open for public inspection.

Census.

*Third.* To take annually in May of each year, an exact census of all children and youth between the ages of five and twenty-one years who were *bona fide* residents of

the district on the first day of May of that year. He shall designate the name and sex of each child, and the date of its birth; the number of weeks it has attended school during the school year, and its postoffice address. Parents or guardians must be required to sign a certified statement of the correctness of this report: *Provided*, That Indian children not living under the guardianship of white persons, or who have not severed their tribal relations shall not be included in said census. He shall also list separately all defective youth between the ages of five and twenty-one and give such information concerning them as may be required.

*Fourth.* To make to the county superintendent on or before the 15th day of July his annual report verified by affidavit upon blanks to be furnished by the Superintendent of Public Instruction. It shall contain such items of information as said Superintendent of Public Instruction shall require, including the following: A full and complete report of all children enumerated; the number of schools or departments taught during the year; the number of children, male and female, enrolled in the school, and the average daily attendance; the number of teachers employed, and their compensation per month; the number of days school was taught during the past school year, and by whom; and the number of volumes, if any, in the school district library; the number of school houses in the district, and the value of them; the aggregate value of all school furniture and apparatus belonging to the district, and the clerk shall keep on file a duplicate copy of said report.

Annual  
report.

*Fifth.* To carry out all orders of the board of directors made at any regular or special meeting, and to keep an accurate account of all expenses incurred by him in his district in keeping the school house in repair, in providing for necessary janitor work, and in providing school supplies, and for other expenses incurred by him on account of the school, which accounts must be audited by the board of directors, and paid out of the district school fund.

Accounts to  
be audited.

Notices. *Sixth.* To give the required notice of all annual or special elections; also to give notice of the regular and special meetings of the board of directors as herein authorized.

Report name of teacher. *Seventh.* To report to the county superintendent at the beginning of each term of school the name of the teacher and the proposed length of the term, and to supply the teacher with the school register furnished by the county school superintendent.

Warrants. *Eighth.* To sign all warrants ordered to be issued by the board of directors and to report to the county treasurer on or before the first Monday of each calendar month all the warrants drawn by the directors of his district, giving date, number and fund on which each warrant is drawn.

Compensation. SEC. 3. The district clerk shall receive three dollars per day for the time actually and necessarily spent in taking the census and making his report, and he shall receive such other reasonable compensation for other services as the directors shall allow, said accounts to be audited and paid by the directors out of the funds of the district: *Provided,* That no account for services rendered by any district clerk shall be audited or allowed by any board of directors, or any warrant issued for the payment of any such accounts, until he shall have filed with the board of directors a certificate of the county superintendent of his county that all reports required by law have been properly made; and it shall be the duty of the county superintendent to make and transmit to the clerks of such districts as have made all the reports as required by law, on or before the last Saturday of the months of January, April, July and October of each year, the certificates required by this section.

#### ARTICLE VII.—TEACHERS.

Qualified teacher. SECTION 1. No person shall be accounted as a qualified teacher within the meaning of the school law, who is not the holder of a valid teacher's certificate or diploma issued by lawful authority of this state.

SEC. 2. Every teacher who shall be teaching at the close of the school year, or who shall teach the last term of any school year, in any school district, shall make a report to the county superintendent immediately upon the close of such school year or term for the entire time taught in said school district since the beginning of the school year. Copies of all reports made by teachers shall be furnished to the clerk of the district, to be by him filed in his office. No board of directors shall draw any order or warrant for the salary of any teacher for the last month of his or her service, until the reports herein required shall have been made, and the same approved by the county superintendent: *Provided*, That in all schools acting under the direction of the city superintendent the report of such superintendent shall be accepted by the county superintendent and the directors, in lieu of the teacher's reports, and that when there is no city superintendent, the report of the principal shall be accepted in lieu of the teacher's report.

Annual report.

SEC. 3. Every teacher shall keep a school register in the manner provided for, and no board of directors shall draw any order or warrant for the salary of any teacher for the last month of his service in the school at the end of any term or year, until they shall have received a certificate from the district clerk countersigned by the county superintendent that the said register has been properly kept, the summaries made and the statistics entered, or until, by personal examination, they shall have satisfied themselves that it has been done.

Register.

SEC. 4. Teachers shall faithfully enforce in the schools the course of study and regulations prescribed, and shall furnish promptly all information relating to the schools which may be requested by the county superintendent.

Enforce course of study.

SEC. 5. No teacher shall be employed except by written order of a majority of the directors of the district at a regular or special meeting thereof, nor unless the holder of a legal teacher's certificate in full force and effect for the full period covered by said contract.

Employed only on written order.

Holidays.

SEC. 6. No teacher shall be required to teach school on Saturdays, Labor Day, Thanksgiving Day and the day immediately following Thanksgiving Day, Christmas, New Year's, Washington's Birthday, Memorial Day, or Fourth of July: *Provided*, That no reduction from the teacher's time or salary shall be made by reason of the fact that a school day happens to be one of the days referred to in this section as a day on which school shall not be taught.

Authority of teacher.

SEC. 7. Every teacher shall have the power to hold every pupil to a strict accountability in school for any disorderly conduct on the way to and from school, or on the grounds of the school, or during the intermission or recess: to suspend from school any pupil for good cause: *Provided*, That such suspension shall be reported to the directors as soon as practicable for their decision.

Principles to be taught.

SEC. 8. It shall be the duty of all teachers to endeavor to impress on the minds of their pupils the principles of morality, truth, justice, temperance, humanity and patriotism; to teach them to avoid idleness, profanity and falsehood; to instruct them in the principles of free government, and to train them up to the true comprehension of the rights, duty and dignity of American citizenship.

## ARTICLE VIII.—COUNTY AUDITOR.

Auditor.

SECTION 1. The duties of the county auditor herein-after defined shall relate only to districts of the third class unless otherwise expressly provided.

Accounts.

SEC. 2. The county auditors of the several counties of this state shall audit all accounts of the several school districts of their respective counties, the same as other accounts are audited with the other departments of the county.

Warrants.

SEC. 3. He shall countersign and register warrants for the payment of all teachers' salaries, supplies, apparatus, and accounts against the districts upon the written order of the majority of the members of the school board of each district.

Teacher must be qualified.

SEC. 4. No warrant shall be countersigned and registered for the payment of any teacher who is not qualified

within the meaning of the law of this state, nor unless a written contract be filed with the county superintendent in accordance with the provisions of the law.

SEC. 5. No warrants for maps, charts and apparatus shall be countersigned and registered until the order shall have been approved by the county superintendent.

Superintendent to approve orders.

SEC. 6. He shall not countersign and register the warrant in payment of the last month's salary of teachers in districts of the third class until he shall receive due notice from the county superintendent that the teacher's final report has been made to the said county superintendent.

Reports must be made.

ARTICLE IX.—COUNTY TREASURER.

SECTION 1. The county treasurer of each county of this State shall be *ex-officio* treasurer of the several school districts of their respective counties, and it shall be the duty of each county treasurer:

Treasurer's duties.

*First.* To receive and hold all moneys belonging to such school districts, and to pay them out only upon warrants legally issued.

*Second.* To certify to the county superintendent of common schools and the auditor of his county, quarterly of each year at the time of the state apportionment, the amount of all school funds in his possession subject to apportionment on the last day of the preceding month, which certificate shall specify the source or sources from which said moneys were derived.

Certify funds quarterly.

*Third.* To make annually, on or before the fifteenth day of July, a report to the county superintendent and auditor of his county, which report shall show the amount of school funds on hand at the beginning of the school year last past belonging to each school district; the amount of funds placed to the credit of each school district during the school year ending June 30, last past, and the sources from which said funds were derived; the amount of warrants registered during the year, the amount of funds disbursed upon warrants of each school district during the year, and for what purpose they were paid out; the amount of funds remaining in his possession at the close of the

Annual report.



school year subject to be paid out upon warrants, and the fund to which said moneys belong; also the amount of all unpaid warrants or bonds appearing upon his register at the close of the school year.

Register of  
warrants.

*Fourth.* He shall keep a register of all school district warrants presented to him for payment, which register shall show the number of the warrant, the date of issue and the date on which it was registered, the amount, and the purpose for which it was issued, to whom issued and to whom paid, and the amount of interest, if any, accruing on said warrant before payment. Whenever any school district warrant shall be presented to the county treasurer for payment if properly signed, he shall pay the same out of the proper fund of the district upon which it was issued, if there be funds in his possession for that purpose; but if there be no funds in his possession for that purpose he shall endorse upon the back of said warrant the words, "Presented and not paid for want of funds," together with the date of said endorsement, and thereafter said warrant shall bear interest as provided by law. All warrants shall be paid in the order of their presentation to the county treasurer; and it is hereby made the duty of the county treasurer to advertise, quarterly, all warrants which he is prepared to pay, in the same way in which he is required to advertise county warrants, and after the date fixed in said notice, warrants shall cease to draw interest.

Endorsement  
on warrants.

Monthly  
report.

*Fifth.* He shall prepare and submit to the secretary of each district of the first class, and to the clerk of each district of the second class in his county a written report of the state of the finances of such district on the first day of each month, which report shall be submitted not later than the seventh day of said month.

Canceled  
warrants.

*Sixth.* After each quarterly settlement with the county commissioners the treasurer of each county shall submit a statement of all cancelled warrants of districts of the first or second class to the secretary or clerk of such district, which statement shall be verified to the county auditor. The cancelled warrants of each district shall be preserved separately and shall at all times be open to inspection by the

(Tit. III, ch. 4, art. XII [X].)

secretary or clerk or by any authorized accountant of such district.

*Seventh.* He shall remit all moneys derived from the sale of school registers, and school clerks' record books to the State Treasurer, as other moneys are required to be remitted, and the State Treasurer shall place such moneys to the credit of the general fund of the State.

## ARTICLE XII[X]—COUNTY BOARDS OF EDUCATION.

SECTION 1. There shall be in each county of this state a county board of education, which shall consist of five (5) members, including the county superintendent of common schools, who shall be *ex-officio* chairman of the board; the other members of said board shall be appointed by the county superintendent on the first Monday of September following his election and shall hold office for a term of two years: *Provided*, That in the event of a vacancy in said board from any cause the county superintendent shall fill the same for the remainder of the school year by appointment.

Who constitute.

SEC. 2. Every member of the county board of education shall be the holder of a valid teacher's certificate for this state, and the members other than the county superintendent shall receive five dollars per day for the time spent in the performance of their official duties, and they shall also receive actual necessary traveling expenses, and the same shall be paid out of the funds of the county.

Compensation.

SEC. 3. Every county board of education shall have power and it shall be its duty:

Duties of board.

*First.* To grade the manuscripts of the pupils who take the state examination for the purpose of securing eighth grade, or grammar school certificates.

*Second.* To adopt text books for use in the public schools of school districts of the second division, as defined in Chapter 7, Title 3 [III] of this act, of said county.

Text books.

*Third.* To assist the county superintendent in the preparation of manuals, courses of study, rules and regulations for the circulating libraries, and to perform such other duties as may be required by him.

**Rules.** *Fourth.* To adopt rules and regulations for the schools of the county, not inconsistent with the Code of Public Instruction or with the rules and regulations of the State Board of Education or the Superintendent of Public Instruction.

[SUB.] CHAPTER 5.—APPORTIONMENTS.

**Apportionments quarterly.** SECTION 1. The Superintendent of Public Instruction shall apportion to the several counties of the state on or before the 15th day of September, December, March and June of each year such current state school funds as have been certified by the State Auditor to be in the hands of the State and county Treasurers.

**Basis of apportionment.** SEC. 2. For the purpose of the apportionment the Superintendent of Public Instruction shall base his calculations upon the days' attendance as shown by the several county superintendents' last annual reports filed in his office.

**2,000 days' attendance.** SEC. 3. The basis of the apportionment to each county shall be on the total days of attendance in the several districts of the county: *Provided*, That each school district shall be credited with at least two thousand days' attendance.

**Attendance, where credited.** SEC. 4. If a pupil attends any public school of the state, outside of his resident district, up to the ninth grade, during the time the resident district maintains a school of the grade in which the pupil belongs, the attendance shall be credited to the district in which the pupil resides, unless mutually agreed otherwise by the directors of the two districts.

**Notice of non-residence attendance.** SEC. 5. The clerk of any district whose resident pupils are attending school in another district may notify the clerk of the district where such pupils attend, when the school of said pupils' resident district will be in session, and of the grades that will be maintained, and he must file a duplicate copy of said notice with the county superintendent. He must name the pupils in his notice, and it shall be the duty of the district clerk so notified, on or before the thirtieth day of June, to certify to the clerk of the resident district the actual number of days' attendance

at school of such pupils during the time that a school of the grade to which the pupil or pupils properly belong was in session in their resident district. And in case said clerk shall fail or refuse to furnish such information to the clerk of the resident district, then it shall be the duty of the county superintendent to grant to the district to which the attendance belongs the maximum number of days claimed by the clerk of the said district. Without the notice herein required by the clerk of the resident district, all claims to attendance will be forfeited.

SEC. 6. It shall be the duty of the principal, or head of every private school on or before the 30th day of June of each year to report to the clerk of the proper school district the actual days' attendance in said private school of resident pupils of the said school district. The report shall include such pupils only as are between six and twenty-one years of age, and whose parents or guardians actually reside in the school district where the private school is located.

Private schools to report.

SEC. 7. For purposes of apportionment of current state school funds the attendance of all pupils in high schools shall be counted as one and one-half times the actual attendance; but in order to receive the benefit of this provision no tuition can be charged any high school pupil regardless of where his residence may be in this state, if there be no high school in the pupil's resident district.

Attendance at high school counted one and a half.

SEC. 8. For purposes of apportionment of current school funds the attendance of pupils in parental schools where food and lodging are furnished the pupils shall be counted as three times the actual attendance, and in schools for defectives five times the actual attendance shall be allowed.

Attendance at parental school counted three times.

SEC. 9. In night schools authorized by the laws of this state an evening's attendance shall be counted as a half-day's attendance without maximum age limit.

Evening attendance.

SEC. 10. In addition to the regular quarterly apportionments as provided by law, the Superintendent of Public Instruction shall apportion annually to each high school

Bonus to  
high school.

the sum of one hundred (\$100) dollars for each grade above the grammar grades maintained in such school. In order to receive the bonus of one hundred dollars the district must have maintained a high school in fact during the preceding school year, and must have maintained an average daily attendance in each grade of at least four students.

Apportion-  
ment to dis-  
tricts.

SEC. 11. It shall be the duty of the county superintendent to apportion within ten days after receiving the certificate of apportionment of the Superintendent of Public Instruction, such state annual school funds as are subject to apportionment to the several districts entitled to receive the same in accordance with the instructions of the Superintendent of Public Instruction. He shall also at the same time apportion in the manner provided in Sec. 7, chapter 9, Title III, of this act, the county school funds that may be in the hands of the county treasurer of his county. He shall certify the result of the apportionments to the county treasurer, and also notify each clerk of the amount apportioned to his district.

Additional  
attendance  
allowed,  
when.

SEC. 12. When the school board of any district is obliged to close the schools by order of the board of health or health officer on account of the prevalence of infectious disease, or when it is impossible to maintain the school on account of any circumstances over which the school board has no control, the State Superintendent of Public Instruction may, at his discretion, allow such district its regular apportionment of funds for the time so lost, the amount to be determined on a basis of the average daily attendance in the district for the year in which such discontinuance occurs: *Provided*, That in no such case may any district draw money for a period of time longer than fifteen school days.

SEC. 13. Whenever any school board shall neglect or refuse to comply with the provision of section 14, article 7 [5], chapter 4, of Title III of this Code, it shall be the duty of the county superintendent to withhold the entire apportionment accruing to said district until such time as full compliance with requirements thereof has been made.

[SUB.] CHAPTER 6.—INSTITUTES.

SECTION 1. Whenever the number of school districts in any county is twenty-five or more, the county superintendent must devote at least five days to institute work, three of which must be consecutive. The county superintendent must arrange for the remaining two days to be spent in district meetings, visiting days, or in any other manner which he believes will be of greatest benefit to his teachers. Institutes.

SEC. 2. County superintendents of contiguous counties may by mutual arrangements hold a joint institute, the expenses to be shared in proportion to the departments (rooms) maintained in the counties as shown by the county superintendent's last annual report. Joint institutes.

SEC. 3. Every teacher holding a valid certificate, and employed in a public school in a county where an institute is held, must attend such institute during its whole time. Who must attend.

SEC. 4. In districts employing more than one hundred teachers, the city superintendent may, in his discretion, hold a teachers' institute of two, three, four or five days in such district, said institute when so held by the city superintendent to be in all respects governed by the provisions of this code relating to teachers' institutes held by county superintendents. District institutes.

SEC. 5. Each county superintendent shall, at the annual directors' meeting for his county, determine upon a time for holding the teachers' institute, which shall, as nearly as may then be determined, be during the week next preceding the beginning of the fall term of school: *Provided*, That should any district employ a teacher during the then current school year who had attended the institute, such teacher shall be paid and the district shall be credited with the attendance in the same manner as provided for in the next section. Directors' meetings.

SEC. 6. When the institute is held during the time when a teacher is employed in teaching, his pay shall not be diminished by reason of his attendance, when certified to by the county superintendent, and in addition to the actual attendance earned by the district, an additional attendance Compensation of teacher continued.

shall be credited to the district, determined by multiplying the average daily attendance for the term by the number of days the teacher attended the institute.

Institute  
fund.

SEC. 7. All examination fees shall be paid by the county superintendent or the city superintendent to the county treasurer, who shall place them to the credit of the proper institute fund hereby created.

Appropriations  
to  
fund.

SEC. 8. Each county superintendent or city superintendent shall, prior to the holding of the annual teachers' institute, make an estimate of the necessary expenses thereof; and the county commissioners must, thereupon, and prior to the date of holding said institute, place at the disposal of the proper superintendent out of the county current expense fund such an amount, not to exceed \$200.00, as in addition to the amount then in the hands of the county treasurer in the institute fund, will meet the superintendent's estimate.

Expenses  
of  
institute.

SEC. 9. The county or city superintendent must keep an accurate account of the actual expenses of the institute with vouchers for same and make a complete report to the county auditor, which shall be placed on file in his office as a part of the regular files.

#### [SUB.] CHAPTER 7.—TEXT BOOKS.

Districts  
classified.

SECTION 1. For the purpose of this chapter the school districts of the State of Washington shall be and they are hereby divided into and shall consist of two divisions, viz.: School districts of the first division and school districts of the second division, and the school districts of the first division shall consist of all school districts maintaining a four-year accredited high school. Every other school district of the state shall be a school district of the second division.

District  
commission.

SEC. 2. That the text books for use in the public schools of each school district of the first division shall be selected by the text book commission of such school district. The text book commission of such school district shall consist of five persons, including the city superintendent, or, if

there be none, then the principal of the high school, who shall be *ex-officio* chairman of the commission, and two members of the city board of school directors of the districts, to be designated by such board, and one of whom shall be *ex-officio* secretary of the commission, and two lawfully qualified teachers engaged in teaching in such school district, to be appointed by the board of school directors of the district. Each member of the text book commission shall take the oath to faithfully discharge the duties of his office. The term of office of the text book commission shall be one year and until their successors are appointed and qualified. Said text book commission shall have power to select text books for use in the public schools of the school district for which it is appointed, and it shall be the duty of the board of directors to require the introduction and use of all text books lawfully adopted for use in their respective districts. The text books selected by the commission shall cover such branches and studies as are required to be taught by the lawfully adopted course of study, and as are required to be taught by the laws of the State of Washington. Any text book selected for use in the schools of the district shall continue in use until displaced or replaced by order of the text book commission, and no text book selected or introduced into the schools by the text book commission shall be displaced or replaced within three years from the date of its introduction into the schools. But nothing in this act or any other law shall be so construed as to prevent the text book commission of any school district of the first division from using or introducing at any time, any supplementary or additional books which may from time to time be deemed necessary in order to maintain the highest standard of excellence in the schools of the district.

Text book  
to be used  
three years.

SEC. 3. The text book commission of each school district of the first division shall, between the first day of April and the first day of July of each year, when any text books are to be selected by such commission, publish an advertisement in a newspaper of general circulation published in the county, or if there be no such newspaper published in the county, then in any newspaper published and

Notice of in-  
tention to  
select.



having a general circulation in the state, to the effect that the commission will, on a day therein named, select text books for the use of the schools in such districts, and invite proposals for the furnishing of such books, the proposals to state an exchange and a retail price at which the proposer will furnish books for the schools of the district during the period of their use in such schools.

Course of  
study.

SEC. 4. It shall be the duty of the superintendent or principal of each school in all districts of the first division to prepare and issue, under the direction of the board of school directors of the district, a course of study for his schools, which course of study must, before going into effect, be approved by the State Superintendent of Public Instruction. Such course of study shall conform to the manual, or general outline, prescribed by the State Superintendent of Public Instruction, and all examinations and promotions under the same shall be based upon the minimum credits in each study, as prescribed by the State Superintendent of Public Instruction in his general manual or outline course of study.

Notice of  
intention to  
select text  
books.

SEC. 5. The county board of education in each county of this state shall, between the first day of April and the first day of July of each year when any text books are to be selected, publish and advertise in a newspaper of general circulation in said county to the effect that said county board of education will on a day named therein select text books for the use of all the school districts of the second division in said county, and invite proposals for the furnishing of such books, the proposals to state an exchange price, a wholesale price and a retail price at which the proposer will furnish books for the schools of all districts of the second division during the period of their use in the schools of such districts. Any text books selected for use in the schools shall remain in use until the same shall be displaced or replaced by the county board of education; but no book selected and introduced into the schools shall in any event be changed within five years from the date of introduction. The county board of education or the officers of any school district of the second division, shall have

Books to be  
used five  
years.

power to select, introduce and use 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. The Superintendent of Public Instruction shall have power and it shall be his duty to prescribe a uniform course of study for all schools of the second division: *Provided*, That any publisher or publishers of school books furnishing books under the provisions of this act to any district or districts of this state shall deposit with the Superintendent of Public Instruction a copy of any and all books so furnished.

SEC. 6. Whenever any text book adopted by lawful authority is sold within any county at a price greater than the retail price agreed upon at the time of the adoption, it shall be the duty of the company having the contract to furnish any such book, to furnish the county superintendent upon his written demand a sufficient number of copies of said book to supply the schools in the districts in which the price charged is greater than the agreed price. It shall be the duty of the county superintendent to handle said books without charge and to remit to the book company the full retail price of such books after deducting the necessary charges for all transportation.

Superintendent to sell text books.

SEC. 7. Each member of the text book commission in school districts of the first division shall receive as compensation for his services, the sum of three dollars for each day during which he is in attendance upon the meetings of the text book commission, and such compensation shall be paid from the funds of the school district.

Compensation of commissioner.

SEC. 8. In all joint districts of the second division, that is to say, in all school districts of the second division situated in more than one county, such joint school district shall, for the purpose of this act, be held and deemed to be a school district within the said county in which 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 that county.

Text books for joint districts.

## [SUB.] CHAPTER 8.—COUNTY CIRCULATING LIBRARIES.

LIBRARY. SECTION 1. The county superintendent of each county of this state may establish a circulating library for the use and benefit of the pupils of the common schools of such county.

TAX LEVY FOR. SEC. 2. At the time fixed for the levy of the county tax, the county commissioners of each county may levy a tax sufficient to carry into effect the provisions of section one of this chapter: *Provided*, That said tax shall not exceed one-tenth of one mill on each dollar of the assessed valuation of the said county. The proceeds of said tax shall, when collected, constitute a circulating school library fund for the payment of all bills created by the purchase of books and fixtures by the county superintendent.

BILLS FOR, HOW ALLOWED. SEC. 3. The county commissioners shall allow no bill or bills against said fund until it shall have been certified to be correct by the county superintendent.

SEC. 4. The county superintendent shall purchase no books or fixtures for such circulating library until there shall be to the credit of the circulating school library fund sufficient money to pay the purchase price thereof.

LIMIT ON PURCHASE. SEC. 5. No book shall be placed in a county circulating library unless it has been recommended by the State Board of Education, or the Superintendent of Public Instruction.

RULES. SEC. 6. It shall be the duty of the county superintendent to purchase the books and to enforce such rules and regulations for their distribution, use, care and preservation as he may deem necessary.

## [SUB.] CHAPTER 9.—SCHOOL REVENUES.

FUND PERMANENT. SECTION 1. The principal of the common school fund shall remain permanent and irreducible. The said fund shall be derived from the following named sources, to-wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state, when the

SOURCE OF.

purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of timber, stone, minerals or other property from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating timber, stone, minerals and other property from school and state lands, other than those granted for specific purposes, and all moneys other than rental, recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by section 13 of the act of Congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be, granted to the state for the support of common schools and such other funds as may be provided by legislative enactment.

SEC. 2. All losses to the permanent common school or any other state educational fund, which shall be occasioned Losses. by defalcation, mismanagement or fraud of the agents or officers controlling or managing the same, shall be audited by the proper authorities of the state. The amount so audited shall be a permanent funded debt against the state in favor of the particular fund sustaining such loss, upon which not less than six per cent. annual interest shall be paid.

SEC. 3. The interest accruing on said permanent school fund, together with all rentals and other revenues derived therefrom, and from lands and other property devoted to the common school fund, shall be exclusively applied to the Current fund. current use of the common schools.

In addition thereto it shall be the duty of the state board of equalization, annually, at the time of levying taxes for state purposes, to levy a tax sufficient to produce a sum Tax levy. which, when added to the amount of money derived from

interest and other income from the state permanent school fund during the preceding school year, shall equal \$10.00 for each child of school age residing in the state as shown by the last reports of the several county superintendents to the Superintendent of Public Instruction: *Provided*, That said tax shall not exceed five (5) mills on the dollar.

The funds provided by this section shall be known as the current state school fund.

SEC. 4. The tax levy authorized by section 3 of this chapter, shall be certified to the several county auditors in the same manner as other state taxes are required to be certified, and shall be collected and retained as other public funds, by the county treasurers, until paid out in the manner prescribed by law.

Amount col-  
lected to be  
certified.

The county treasurer shall certify to the state auditor the amount of money so collected. It shall be the duty of the state auditor, within thirty (30) days after the date at which the county treasurers are required to transmit state funds to the state treasurer, to certify to the Superintendent of Public Instruction the amount of all current state school funds in the hands of the state treasurer and county treasurers subject to apportionment. In the event that there shall be an excess over the amount apportioned in the hands of the county treasurer, the amount shall be transmitted forthwith to the state treasurer. In the event that there shall not be in the hands of the county treasurer sufficient to pay the amount apportioned to his county, the deficiency shall be paid by the state treasurer.

County tax. SEC. 5. The county commissioners of the several counties of the State of Washington shall annually, at the time of making the tax levy for county purposes, levy a tax on all the property subject to taxation in their county, sufficient to produce the sum of ten dollars for each child of school age therein, as is shown by the certificate of the county superintendent hereinafter mentioned: *Provided*, That such tax on said property shall in no case exceed five mills on each dollar, at the assessed valuation;

such tax to be used for the support and maintenance of the public schools in such county.

SEC. 6. It shall be the duty of the county superintendent of each county in the State of Washington, between the fifteenth day of August and the first day of September of each year, to file with the county auditor of this county a certificate showing the number of children of school age in each district in his county, as is returned to him by the several school districts therein, and said certificate shall be the basis upon which said tax levy, as mentioned in section 5 hereof, shall be made by the county commissioners of the several counties of the State of Washington.

Basis for levy.

SEC. 7. At the same time that the state school funds are apportioned to the different districts, as provided in chapter 5, title 3[III] of this act, the whole of the money derived under section 5 of this chapter shall be apportioned as follows: Two-thirds thereof shall go to the different districts of each county in proportion to the number of days of attendance in each district for the preceding school year, and one-third thereof shall go to the different districts of each county in proportion to the number of teachers employed in such district for the preceding school year: *Provided*, That where a district employed a second or additional teacher for a term less than eight months such district shall receive one-eighth of an apportionment for each teacher for each month she is actually employed.

Funds. how apportioned.

SEC. 8. In addition to the school revenues provided by sections 3 and 6 of this chapter, for the support of the common schools of this state, a tax may be levied upon all taxable property in each school district of this state, in the manner provided by law, and the funds thereby created shall be known as the "School District Fund."

District levy.

The "School District Fund," together with the apportionment from the "Current State School Fund" and the county apportionments, shall constitute the "General School Fund" of each school district.

SEC. 9. Except as otherwise provided by law, all sums of money derived from fines imposed for violation of orders

Fines to be paid into school fund.

of injunction, mandamus and other like writs, or for contempt of court, and the net proceeds of all fines collected within the several counties of the state for breach of the penal laws, and all funds arising from the sale of lost goods and estrays, and from penalties and forfeitures, shall be paid in cash by the person collecting the same, within twenty days after the collection, to the county treasurer of the county in which the same have accrued, and shall be by him transmitted to the State Treasurer, who shall place the same to the credit of the current state school fund. He shall indicate in such entry the source from which such money was derived.

[SUB.] CHAPTER 10.—BONDS.

Bonds.

SECTION 1. The board of directors of any school district, provided for in this act, or hereafter created in this state may borrow money and issue negotiable coupon bonds therefor to any amount not to exceed five (5) per cent. of the taxable property in such district, as shown by the last assessment roll for county and state purposes previous to the incurring of such indebtedness; except that in incorporated cities the assessment shall be taken from the last assessment for city purposes, for the purpose of funding outstanding indebtedness, or bonds heretofore issued, or issued under the provisions of this act, or for the purchase of school house site or sites, building one or more school houses and providing the same with all necessary furniture, apparatus or equipment, or for any or all of these purposes, when authorized by a vote of the district so to do as provided in section 2 of this chapter: *Provided*, That the bonds so issued shall bear a rate of interest not to exceed six per cent. per annum, interest payable annually or semi-annually, payable and redeemable at such time as may be designated in the bonds, but not to exceed twenty (20) years from date of issue.

Refunding  
bonds.

SEC. 2. That the question whether bonds shall be issued, as provided in section 1 of this chapter, shall be determined at an election to be held in the manner prescribed by law for holding annual school elections. Notice therefor shall

Bond  
election.

state the amount of bonds proposed to be issued, time they are to run, and purpose for which the money is to be used. The ballots must contain the words "Bonds, yes," or "Bonds, no." If a majority of the votes cast at such election are "Bonds, yes," the board of directors must issue such bonds: *Provided*, That the amount of bonds to be issued, together with any outstanding indebtedness of the district, exceeds one and one-half per cent. of the taxable property in said district, then three-fifths of the votes cast at such election must be "Bonds, yes," before the board of directors are authorized to issue said bonds. The bonds shall be in such form as the board of directors may prescribe, and shall, with the coupons, be signed by the board of directors and countersigned by the clerk of the school district: *Provided*, That in school districts of the first class said bonds with the coupons, shall be signed in the corporate name of the district by the president of the board of directors thereof and attested by the secretary of the board, except that said coupons may bear the lithograph signatures, only, of the said president and secretary; in districts of the first class the corporate seal of the said district shall be affixed to each bond by the secretary thereof.

SEC. 3. When authorized and empowered to issue bonds, as provided in sections 1 and 2 of this chapter, the board of directors shall, within thirty days after the date of election, certify the result to the county treasurer to which said school district belongs, who shall publish notice of the sale of such bonds, in at least one weekly newspaper published at the county seat, if there be one, for four consecutive issues, and publish such other notices as the board of directors may require. Said notices must give the amounts of bonds to be sold, the time to run, where payable, the option, if any, of the district to redeem, also naming the hour and day for considering bids, and asking bidders to name price and rates of interest at which they will purchase such bonds or any of them. Such bonds shall be issued in denominations of not less than one hundred nor more than one thousand dollars (\$1,000) and shall contain upon their face the date and series of issue, rate of in-

Notice of  
issue.

Denomina-  
tion.



terest, where payable, time to run, option, if any, of district to redeem, and the printed or lithographed statement that said bond is issued under the provisions of this act, and that the whole indebtedness of said district does not exceed the constitutional limit. Each bond so issued must be registered by the county treasurer in a book to be kept for that purpose, which must show the number and such data as is necessary to secure a complete record of such bond, the series and amount of such bond, the person to whom the same is issued, the number of the district issuing, together with the names of directors signing the same; and the said bond shall be endorsed by the treasurer, with his name and a full statement of the name of the person to whom sold, and when issued, together with the number and series of said bond: *Provided*, That in the case of joint school districts the bond or bonds shall be registered by the treasurer of each county in which any part of such joint school district shall lie.

Bids opened. SEC. 4. At the time named in said notice it shall be the duty of said board of directors to meet with the county treasurer at his office, and with him open said bids, and sell said bonds or any portion thereof to the person or persons making the most advantageous offer: *Provided*, The bonds shall never be sold below par, and the board of directors may reject any and all bids, and at any time within two years of the election at which authority was granted to issue and sell said bonds, the board of directors may proceed to re-advertise the sale of such bonds or any portion thereof as often as may be necessary, until the whole thereof shall be sold; and such board may also require all persons bidding for such bonds, except the State of Washington, to deposit one per centum of the par value of the bonds bid for on depositing with the treasurer their bids, and if the bidder fails to take and pay for the bonds for which he bid, in case of their sale to him, the amount so deposited shall be forfeited to the school district; otherwise to be returned to such bidder, and a resale of such bonds so refused to be taken may be made as if the bid for the same had been rejected. Upon the sale

of the bonds, the board of directors shall, within ten days, or as soon thereafter as practicable, deliver the bonds, properly executed, to the county treasurer, taking his receipt therefor. The county treasurer shall, upon payment of the price agreed upon, deliver the same to the person or persons to whom sold, and place the moneys arising from such sale to the credit of the general school fund of the district. Fees for advertising shall be deducted from the proceeds: *Provided*, That if the board of directors and the person or persons to whom the bonds are sold agree that the delivery of said bonds shall be in installments, the county treasurer shall hold said bonds, and deliver to purchasers only on written order of the board of directors to deliver at specified time the bonds designated by number and series.

Delivery of  
bonds.

SEC. 5. If bonds issued under this chapter are not sold as herein provided, the holders of unpaid warrants drawn on the county treasurer by such district for an indebtedness existing at the date of the election may exchange said warrants at the face value thereof and accrued interest thereon for coupon bonds issued under this chapter, at not less than par value and accrued interest of such bonds at the time of the exchange; such exchange to be made under such regulations as may be provided by the board of directors of such district.

Warrants  
exchanged  
for bonds.

SEC. 6. For the purposes of this chapter a joint school district shall be deemed as belonging to the county in which the school house is located, if there be a school house, and if there be no school house, then it shall be deemed as belonging to the county in which the district owns a school house site that has been lawfully selected by the electors of the district.

Joint  
districts.

SEC. 7. The county commissioners must ascertain and levy annually, in addition to the school district tax, the tax necessary to pay the interest upon such bonds as it becomes due, and at the expiration of one-half of the time for which said bonds are to run, and annually thereafter, until full payment of said bonds is made, they may, if deemed advisable, levy, in addition to the tax

Interest tax.

required to pay the interest, such amount for sinking fund to meet the payments of said bonds at maturity, to be determined by dividing the amount of bonds outstanding by the remaining number of years to run, and the fund arising from such levy shall be kept as the bond redemption fund of said district, and each of said tax levies shall be a lien upon the property of said district, and must be collected in the same manner as the taxes for other school purposes: *Provided*, That the county treasurer, when authorized to do so by the board of directors of any school district may invest any accumulated sinking fund of said district in school, county or state warrants of the State of Washington, and all profits accruing from such investment, and the funds so invested, shall revert to the sinking fund of said district, and the county treasurer shall be custodian of all warrants purchased by and with the said sinking fund, until the same are redeemed: *And provided further*, That the county treasurer, when authorized to do so by the board of directors of any school district, may purchase and redeem any of the outstanding bonds of said district, paying for said bonds out of the accumulated sinking fund of the district.

Sinking fund  
invested.

SEC. 8. In case of a joint school district, the county commissioners of each and every county in which any part of such joint district shall lie, shall levy a tax as hereinbefore provided in section 6 of this chapter, and the treasurer of each county in which the school house or school house site is not situated shall at least five days before the time at which said bonds or the interest thereon must be paid, according to the conditions of the issuance and sale thereof, transmit to the treasurer of the county in which the school house or school house site is situated (and to which the joint school district is construed to belong), all moneys in his possession derived from the tax provided for in this chapter; and the county treasurer receiving such money shall receipt in duplicate to the treasurer or treasurers remitting such funds for such money; and he shall also place the amount or amounts

Levy in  
joint dis-  
tricts.

so received to the credit of the special bond fund or funds of the joint school district to which it properly belongs.

SEC. 9. The county treasurer must pay out of any moneys belonging to the credit of the fund of the school district created by section 6 hereof, the interest upon any bonds issued under this act by such school district when the same becomes due, at such place as may be designated in the coupons attached to said bonds, or upon the presentation at his office of said coupons, which must show the amount due and the number and series of the bond to which it belongs, and all coupons so paid must be immediately reported to the school directors.

Interest paid.  
how.

SEC. 10. The school directors of any district must cause to be printed or lithographed, at the lowest rates, suitable bonds, with coupons attached, when the same become necessary, and pay therefor out of the moneys in the county treasury to the credit of the school district.

Bonds litho-  
graphed.

SEC. 11. Whenever any school district in this state shall have heretofore, under any of the acts of the territorial or state legislatures then in force, lawfully issued any bonds, and the amount of said bonds so issued and negotiated did not, at the time of their issue, exceed the sum of five per centum of the taxable property of the said school district, it shall be lawful for the said school district to issue and exchange its bonds at a rate of interest not greater than that borne by the original issue of bonds, par for par, without any further vote of the school district than that theretofore had or required by existing law at the time of their issue, and said bonds, shall in all respects, conform to and be governed by the other provisions of this act.

Re-issue of  
bonds.

SEC. 12. Whenever any bonds lawfully issued by any school district under the provisions of this act shall reach maturity and shall remain unpaid, or may be paid under any option provided in the bonds, the board of directors thereof shall have the power to fund the same by issuing coupon bonds conformable to the requirements of this act and exchange the same par for par, for the outstanding bonds as aforesaid, without any further vote of the school district: *Provided*, That such bonds shall be issued in

Re-issue  
without vote.

denominations of not less than one hundred dollars nor more than one thousand dollars, shall be redeemable within twenty years from date of issue, and shall draw a rate of interest not to exceed six per centum per annum.

Notice of  
ownership to  
be given.

SEC. 13. Every holder of any of the bonds so issued as provided in this act, shall within ten (10) days after he shall become the owner or holder thereof, notify the county treasurer of the county in which such bonds are issued of his ownership, together with his full name and post-office address, and the county treasurer of said county shall, in addition to the published notice hereinafter provided for, deposit in the postoffice, properly stamped and addressed to each owner or holder of any such bonds subject to redemption or payment, a notice in like form, stating the time and place of the redemption of such bonds and the number of the bonds to be redeemed, and in case any owners of bonds shall fail to notify the treasurer of their ownership as aforesaid, then a notice mailed to the last holder of such bonds shall be deemed sufficient, and any and all such notices so mailed as aforesaid shall be deemed to be personal notice to the holders of such bonds, and at the expiration of the time therein named shall have the force to suspend the interest upon any such bonds.

Additional  
expense.

SEC. 14. At any time after the issuance of such bonds, and in the discharge of the duties imposed upon said county treasurer, should any incidental expense, costs or charges arise, the said county treasurer shall present his claim for the same to the board of directors of the school district issuing such bonds, and the same shall be audited and paid in the same manner as other services are paid under the provisions of law.

Bonds paid,  
when.

SEC. 15. Whenever the amount of any sinking fund created under the provisions of this act shall equal the amount, principal and interest of any bond then due, or subject under the pleasure or option of said school district to be paid or redeemed, it shall be the duty of the county treasurer of the county in which the school district issuing such bonds is located, to publish a notice in the official newspaper of the county; if such a one there be,

and if not, then in a newspaper of general circulation, that the said county treasurer will within thirty (30) days from the date of such notice, redeem and pay any such bond then redeemable or payable, giving priority according to the date of issue numerically, and upon the presentation of any such bond or bonds the said treasurer shall pay the same; and in case that any holder of such bond or bonds shall fail or neglect to present the same at the time mentioned in said notice, or in the notice hereinbefore provided for, then the interest upon such bond or bonds shall cease and determine, and the treasurer of such county shall thereafter pay only the amount of such bond and the interest accrued thereon up to the day mentioned in said notice. When any bonds are so redeemed or paid, the county treasurer shall cause the same to be fully canceled, and write across the face of such bonds the words "redeemed," with the date of redemption, and shall file same with the county auditor as vouchers for the sums so paid.

Interest to  
cease.

[SUB.] CHAPTER 11.—VALIDATION OF INDEBTEDNESS AND  
ISSUE OF BONDS THEREFOR.

SECTION 1. Any school district may validate and ratify the indebtedness of such school district, incurred for strictly school purposes, when the same together with all then outstanding legal indebtedness does not exceed five per centum of the value of the taxable property in such school district. The value of taxable property in such school district shall be ascertained as provided in article eight, section six of the constitution of the State of Washington.

Validation.

SEC. 2. Whenever the board of directors of any school district shall deem it advisable to validate and ratify the indebtedness mentioned in section 1 of this chapter, they shall provide therefor by resolution, which shall be entered on the records of such school district, which resolution shall provide for the holding of an election for the purpose of submitting the question of validating and ratifying the indebtedness so incurred to the voters of such school district for approval or disapproval, and if at such election three-fifths of the voters in such school district voting at such election shall vote in favor of the validation

Election.

and ratification of such indebtedness, then such indebtedness so validated and ratified and every part thereof existing at the time of the adoption of said resolution shall thereby become and is hereby declared to be validated and ratified and a binding obligation upon such school district, when the only grounds of the previous invalidity of such indebtedness so ratified and validated is that at the time of the attempted incurring thereof, the same together with all other then existing indebtedness of such school district, exceeded one and one-half per centum of the taxable property in such school district, as provided in article eight, section six of the constitution of the State of Washington, and that such indebtedness was so attempted to be incurred without the assent of three-fifths of the voters of such school district voting at an election held for that purpose, as required by said constitution.

Notice of  
election.

SEC. 3. At the time of the adoption of the resolution provided for in section 2 of this chapter, the board of directors shall direct the clerk or secretary of the board to give public notice of the time, place or places, and purpose of such election, and specifying the amount and general character of the indebtedness proposed to be ratified. Such clerk or secretary shall thereupon cause written or printed notices to be posted in at least five places in such school district, at least twenty days before such election. Said notice shall also be published for the same length of time in a daily newspaper, printed and published in such district, and if there be no such daily newspaper, then in a weekly newspaper, published in this state and of general circulation in the county where such school district is situated, in two regular issues of such weekly newspaper next preceding the day of such election. Said notices shall contain a copy of the resolution mentioned in section 2 of this chapter, the time of holding such election and location of polling place or places, a statement of the object of the election, and the form of the ballot adopted by the board to determine the question submitted to the voters.

SEC. 4. Elections hereunder shall be by ballot, and conducted in the manner provided for conducting annual

school elections. The ballot must contain the words, "Validating and ratifying indebtedness, yes," or the words, "Validating and ratifying indebtedness, no." Ballots containing the words, "Validating and ratifying indebtedness, yes," shall be counted in favor of validating and ratifying such indebtedness, and ballots containing the words, "Validating and ratifying indebtedness, no," shall be counted against validating and ratifying such indebtedness. As soon as the polls are closed at such election, the judge at each polling place shall count the votes, ascertain the result and certify the same and make return thereof, within two days after such election, to the board of directors of such district, by depositing the same, together with the ballots cast at such election, with the clerk or secretary of such board, and within five days after such election, or as soon as all the returns of such election are deposited as herein provided, the board of directors of such district shall meet and canvass and declare the result, and shall cause to be entered a minute thereof on the records of such district. The qualifications of voters at such election shall be the same as prescribed for the election of school officers.

SEC. 5. If the indebtedness of such school district is validated and ratified, as provided in this chapter, by three-fifths of the voters voting at such election, the board of directors of such school district, without any further vote, may borrow money and issue negotiable coupon bonds therefor. Bonds so issued shall bear a rate of interest not to exceed six per cent. per annum, interest payable semi-annually, payable and redeemable at such time and place as designated in the bonds, but not exceeding twenty years from date of issue. The bonds and coupons shall be in such form as the board of directors shall prescribe, and payable at such place as may be designated therein. In all school districts of the second or third class, said bonds, with the coupons, must be signed by the board of directors and countersigned by the clerk of the school district. In school districts of the first-class said bonds, with the coupons, must be signed in the corporate name of the district, by the president of the board of directors thereof,



Proceeds of  
bonds.

and attested by the secretary of the board, except that the said coupons may bear the lithograph signatures of the said president and secretary. The seal of such district, if such district has a seal, shall be affixed to each bond by the secretary thereof. The moneys arising from the sale of coupon bonds issued under this chapter shall be placed by the treasurer of the county in a special fund to the credit of such school district existing at the time of the adoption of the resolution mentioned in section 2 of this chapter, not evidenced by negotiable bonds.

Rate of  
interest.

SEC. 6. When authorized to issue bonds, as provided in this chapter, the board of directors shall, at a meeting of such board, by resolution provide for the issuing of such bonds, prescribing their number, amount and term, and shall deliver a copy of said resolution to the county treasurer of the county in which such school district is situated or to which it belongs as provided in this act, who shall immediately advertise for sale said bonds, and the law relating to other school bonds shall govern, control and apply to bonds issued or sold under this chapter, except that bonds issued under this chapter shall not bear a greater rate of interest than six per cent. per annum, and they may be sold in such amounts or blocks as the board of directors may direct, and such board may also require all persons bidding for said bonds, except the State of Washington, to deposit one per cent. of the par value of the bonds bid for on depositing with the treasurer their bids, and if the bidder fails to take and pay for the bonds for which he bid, in case of their sale to him, the amount so deposited shall be forfeited to the school district, otherwise to be returned to such bidder, and a re-sale of such bonds so refused to be taken may be made as if the bid for the same had been rejected, and the money arising from the sale of the bonds issued under this chapter shall be applied as provided in section 5 of this chapter.

SEC. 7. If bonds issued under this chapter are not sold as herein provided, the holders of unpaid warrants drawn on the county treasurer by such district for an indebtedness existing at the time of the adoption of the resolution men-

tioned in section 2 of this chapter, may exchange said warrants at the face value thereof and accrued interest thereon for coupon bonds issued under this chapter, at not less than par value and accrued interest of such bonds at the time of the exchange; such exchange to be made under such regulations as may be provided by the board of directors of such district.

Warrants  
exchanged  
for bonds.

SEC. 8. When the board of directors shall have canvassed and declared the result of the election as prescribed in section 4 of this chapter, it shall, if the same shall have been in favor of validating and ratifying the indebtedness, immediately cause to be sent to the county treasurer of the county in which such district is situated, notice of the result of said election. The annual expense of such district shall not thereafter exceed the annual revenue thereof, and any officer of such district who shall knowingly aid in increasing the annual expenditure in excess of the annual revenue of such district, shall be deemed to be guilty of misdemeanor, and shall be punished by a fine not exceeding five hundred dollars. If the indebtedness of such school district, excluding the bonded indebtedness existing before the adoption of said resolution, is not extinguished by the exchange of warrants for bonds, or by the proceeds of the sale of bonds, as herein provided, then it shall be the duty of the board of directors, thirty days before the regular annual tax levy, to certify the amount of such indebtedness remaining unpaid to the board of county commissioners of the county in which such school district is situated, and said board of county commissioners, at the time of making the regular annual tax levy, shall annually levy a special tax on the taxable property of the district not to exceed three mills on the dollar on the valuation of such taxable property, which shall be collected as other taxes are collected, and the proceeds of such tax shall be a special fund for the payment of the indebtedness of such district, not included in bonds, existing at the time of the adoption of the resolution mentioned in section 2 of this chapter.

Limit of  
expenditures.

Tax levy for  
excess in-  
debtedness.

[SUB.] CHAPTER 12.—CERTIFICATION OF TEACHERS.

ARTICLE I.—GENERAL PROVISIONS.

SECTION 1. Nothing in this act shall be construed to invalidate the life diplomas granted under the laws of the Territory of Washington, or to invalidate any certificate or diploma heretofore granted in accordance with the laws of the State of Washington, but the same shall continue in effect in accordance with the provisions of the laws under which they were granted: *Provided*, That any third grade certificate, second grade certificate, first grade primary certificate, or first grade certificate, or any renewal, or any permanent certificate, in full force and effect at the time of the taking effect of this act shall, for the purpose of renewal, or for securing a certificate of higher grade, or for securing a permanent certificate, or for any other purpose whatsoever, be of the same force and effect, and shall entitle the holder thereof to the same rights and privileges as he would be entitled to were he the holder of a certificate of like designation authorized by this act.

Certificates issued continued in force.

SEC. 2. All certificates and diplomas, except temporary certificates, and special certificates, shall be issued or countersigned by the Superintendent of Public Instruction.

Certificates issued by whom.

SEC. 3. The fee for any teacher's certificate or any renewal thereof, or any life diploma, or other instrument issued by authority of the State of Washington, and authorizing the holder to teach in the public schools of the state shall be one dollar. The fee must accompany the application and cannot be refunded unless the application is withdrawn before it is finally considered. The county superintendent, or other officer authorized to receive such fee, shall within thirty days transmit the same to the treasurer of the county wherein such applicant is to teach or resides, to be by him placed to the credit of the institute fund of said city or county: *Provided*, That if any city collecting fees for the certification of teachers does not hold an institute separate from the county, then all such moneys shall be placed to the credit of the county institute fund.

Fee.

Disposition of fee.

SEC. 4. No person who is less than eighteen years of age shall receive a certificate to teach in the State of Washington nor take the examination for the same; nor shall any person less than nineteen years of age receive any certificate other than a temporary, a third grade, or a second grade.

Age of applicant.

SEC. 5. No teacher's certificate shall be issued to any person who shall not file with the examiners satisfactory evidence of good moral character and personal fitness.

Moral character.

SEC. 6. Any person who receives credits of ninety per cent. or over in any subject or subjects at any regular teachers' examination in this state shall not be required to take an examination again in such subject or subjects in order to receive any certificate for which the applicant may be eligible to apply, so long as he is actively engaged in educational work. The holder of any common school certificate shall be entitled to write on one or more subjects at any examination for the purpose of securing credits: and when sufficient credits have been earned the proper certificate shall be issued.

Applicant may pass in one or more subjects.

SEC. 7. Evidence of successful teaching experience shall consist of a written personal statement signed by a superintendent of schools or other person competent to judge and having personal knowledge of the applicant's work as a teacher or supervisor, which shall be sent by the writer to the superintendent concerned. The aforesaid documentary evidence of successful teaching shall be kept on file in the office of the Superintendent of Public Instruction.

Experience.

SEC. 8. The State Board of Education shall prepare a list of optional subjects for each grade above the second, from which the applicants for certificates above the second grade may select as provided for in Article IV of this chapter.

Optional subjects.

SEC. 9. Any holder of a certificate higher than a second grade who shall, after the granting of the same, complete one year's work in an accredited institution of

One year's study renews certificate.

higher education in this state, shall, when such work is certified to by the president of such institution, be entitled to a renewal upon application.

Subjects endorsed on certificate.

SEC. 10. Every certificate issued by authority of the State of Washington shall have written or printed upon its face the subjects in which the holder has been examined, with standings in each, or the subjects or work upon which credits are given.

Certificates registered in county.

SEC. 11. All certificates issued by the Superintendent of Public Instruction shall be valid and entitle the holder thereof to teach in any county of the state upon being registered by the county superintendent thereof, which fact shall be evidenced by him on the certificate in the words, "Registered for use in . . . . . county," together with the date of registry, and his official signature: *Provided*, That a copy of the original certificate or diploma duly certified by the Superintendent of Public Instruction may be used for the purpose of registry and endorsement in lieu of the original.

ARTICLE II.—EXAMINATIONS.

Examinations.

SECTION 1. An examination for the certification of teachers of the State of Washington for third, second, first grade primary and first grade certificates shall be held at the county seat of each county by the county superintendent in accordance with the rules and regulations of the State Board of Education, on the second Thursday of May and December and the Friday and Saturday next following and on the last Thursday of August and the Friday and Saturday next following; and for professional and life certificates on the above named days of May and August only: *Provided*, That any person taking any examination shall be authorized to teach until notified of the result of such examination.

Time of.

Manuscripts sent to state superintendent.

SEC. 2. The county superintendent shall within three days following the close of the examinations provided for in section 1 of this article, transmit to the State Superintendent of Public Instruction all papers written at such examination, together with such other reports as shall by

him be required. The Superintendent of Public Instruction shall keep all manuscripts on file for a period of at least sixty (60) days.

ARTICLE III.—CLASSIFICATION OF COMMON SCHOOL CERTIFICATES AND DIPLOMAS.

SECTION 1. The certificates and diplomas granted by authority of the State of Washington, and authorizing the holders to teach in the public schools of this state shall be classified as follows:

*First*—Common School Certificates and Diplomas.

Common school certificates.

- (a) Third Grade Certificates;
- (b) Second Grade Certificates;
- (c) First Grade Primary Certificates;
- (d) First Grade Certificates;
- (e) Professional Certificates;
- (f) Permanent Certificates;
  - 1. Permanent First Grade Primary Certificates;
  - 2. Permanent First Grade Certificates;
  - 3. Permanent Professional Certificates;
- (g) Life Certificates.

*Second*—City Certificates.

City certificates.

- (a) City High School Certificates;
- (b) City Grammar School Certificates;
- (c) City Primary Certificates.

*Third*—Certificates and diplomas of the Higher Institutions of Learning.

Certificates from higher institutions.

- (a) Of the Normal Schools;
- (b) Of the State College of Washington;
- (c) Of the University of Washington.

*Fourth*—Temporary Certificates.

Temporary.

*Fifth*—Special Certificates.

Special.

ARTICLE IV.—COMMON SCHOOL CERTIFICATES AND DIPLOMAS.\*

SECTION 1. The common school certificates and diplomas issued by authority of the State of Washington, the period for which each shall be valid and the qualifications required of applicants for the same shall be as follows:

*First*—Third Grade Common School Certificates.—Applicant shall pass an examination in reading, grammar,

Third grade subjects.

penmanship and punctuation, history of the United States, geography, arithmetic, physiology and hygiene, theory and art of teaching, orthography, and Washington State Manual. This certificate shall be valid for one year: *Provided*, That the holder of a third grade certificate who shall, after the granting of the same, attend any accredited institution of higher education in this state for one year, shall upon application be granted a second grade certificate.

*Second*—Second Grade Common School Certificates.—

Second grade  
subjects.

Applicants shall have credits in the same subjects as for a third grade common school certificate and shall take an examination in music: *Provided*, That this certificate may be granted once to teachers from other states who have had ten years or more of successful experience. Any such applicant must take an examination in State Manual. This certificate shall be valid for two years, but may be renewed, if, during the life of the certificate, the holder has complied with any one of the following conditions, to-wit: 1. An attendance of one semester at an accredited school of higher education or of six weeks at an accredited summer school when satisfactory work was done in three subjects and certified to by the principal of such school. 2. Upon sixteen months of successful teaching.

*Third*—First Grade Primary Certificates.—Applicant

First grade  
primary  
subjects.

must have taught at least forty-five months in the primary grades, and shall have credits in the same subjects as for a second grade certificate, and must also pass an examination in nature study, drawing, literature, and physical geography; but the State Board of Education may accept other subjects in lieu of two of the above subjects at the request of the applicant, as provided in section 9 of article 1<sup>o</sup> of this chapter. This certificate shall authorize the holder to teach in the primary grades only and shall be valid for five (5) years, and may be renewed for a like period at the expiration thereof if during the life of the certificate the holder has complied with any one of the following conditions, to-wit: 1. An attendance of one year at an accredited institution of higher learning during

the life of the certificate when satisfactory work was done in three subjects and certified to by the principal or president of such school. 2. Successful teaching for not less than twenty-four (24) months during the life of the certificate. Any renewal may be renewed in like manner.

*Fourth*—First Grade Certificates.—Applicant must have taught at least nine (9) months and shall have credits in the same subjects as for a second grade certificate, and also in physics, English literature, algebra and physical geography. The State Board of Education may accept other subjects in lieu of two of these upon request of the applicant as hereinbefore provided. Applicant must secure the same number of credits as for a first grade primary certificate. This certificate shall be valid for five (5) years and may be renewed in the same manner and under the same conditions as a first grade primary certificate.

First grade subjects.

*Fifth*—Professional Certificates.—Applicant shall meet all the requirements for a first grade certificate, but must have taught successfully twenty-four (24) months, at least eight (8) months of which must have been in the State of Washington. He shall also pass an examination in plain geometry, geology, botany, zoology, and civil government: *Provided*, That the State Board of Education may accept other subjects in lieu of any or all of these upon the request of the applicant, as hereinbefore provided. This certificate shall be valid for five (5) years and may be renewed in the same manner and under the same conditions as a first grade certificate.

Professional.

Additional subjects.

*Sixth*—Permanent Certificates.—Applicant must be the holder of a first grade primary certificate, a first grade certificate, or a professional certificate, or a renewal of any one of them, in full force and effect, and must have taught successfully not less than seventy-two (72) months, nor less than thirty-six (36) months in the State of Washington, nor less than eighteen (18) months subsequent to the granting of the certificate upon which the application is made. Upon filing satisfactory evidence of having met these requirements together with the written endorsement of the county superintendent, a permanent certificate shall

Permanent certificates.



be issued of the same grade as that held by the applicant, valid during the life of the holder unless revoked for cause.

Life  
certificates.

*Seventh*—Life Certificates.—Applicant must file with the Superintendent of Public Instruction evidence of having taught successfully for forty-five (45) months, not less than twenty-seven (27) months of which shall have been in this state. He must have the credits required for professional certificates and in addition shall pass an examination in the following, to-wit: Psychology, history of education, bookkeeping, composition, general history: *Provided*, That the Board of Education may accept other subjects in lieu thereof upon request of the applicant. This certificate shall be valid during the life of the holder unless revoked for cause.

Subjects.

#### ARTICLE V.—CITY CERTIFICATES.

Examiners.

SECTION 1. In any city of this state in which one hundred or more teachers are employed in the city schools, if the board of directors in such city shall so determine, there shall be a board of examiners consisting of the city superintendent of schools and two other members having practical experience as teachers, residents of said city, to be designated as associate examiners. The associate examiners shall be elected by the board of directors at their regular meeting in July annually, and shall hold office for one year, but no candidate for examination as a preliminary to teaching in the public schools shall be an associate examiner. The city superintendent of schools shall be chairman of the board of examiners. The board of examiners shall meet and hold examinations for the granting of teachers' certificates on such occasions only as may be authorized by the board of directors. Such board of examiners shall have power:

Rules of  
board.

1. To adopt rules and regulations, not inconsistent with the laws of this state or the rules of the State Board of Education, for its own government and for the examination of teachers and to fix standards of proficiency for the granting and renewing of certificates subject to the approval of the board of directors.

2. To prepare questions on the various subjects prescribed by law and examine by written or oral examination all candidates for the following certificates: Questions.

(a) A city high school certificate valid for one year only unless renewed and authorizing the holder to teach or serve as principal in any primary, grammar, or high school in such city. High school certificates.

(b) A city grammar school certificate valid for one year only unless renewed and authorizing the holder to teach in any primary or grammar school, or serve as principal in any primary school in such city. Grammar school certificates.

(c) A city primary certificate, valid for one year only, unless renewed, and authorizing the holder to teach in any primary school in the city. City primary certificates.

The board of examiners shall report the result of all examinations to the board of directors who, through the president and secretary thereof, shall issue to the successful candidates the certificates to which they are entitled; and the board of directors shall report a list of certificates issued to the State Superintendent of Public Instruction and to the county superintendent of the county in which the city is located. Directors to issue certificates.

3. To recommend to the board of directors renewal of the various renewable certificates, in accordance with such regulations as they may adopt, or as may be prescribed by the board of directors; whereupon said board of directors through its president and secretary, may renew such certificates from year to year.

SEC. 2. No certificate of permission to teach shall be issued to any person not eighteen years of age. No certificate shall be granted to any person whose moral character or habits are known by the board of examiners or board of directors to be bad, or who is afflicted with a serious infectious or hereditary disease. No certificate shall be granted by the board of directors or upon its authority except to successful candidates in a regular or special examination conducted by the board of examiners in accordance with the provisions of the law. Age of Applicants.

SEC. 3. City primary and city grammar certificates shall be granted only to applicants who are found upon examination to have a practical knowledge of pedagogics, school management and the general school system of the State of Washington, and to be proficient in and qualified to teach the following branches: Reading, writing, spelling, English grammar, geography, arithmetic, physiology and hygiene, United States history, and such other English branches as the board of directors may prescribe: *Provided*, That the examination of applicants for such certificates shall be specially adapted to discover their fitness to teach all branches named to pupils of primary or grammar grades respectively.

Additional subjects.

SEC. 4. City high school certificates shall be granted only to applicants who pass satisfactorily the examination required for grammar certificates and in addition thereto, sustain a satisfactory examination in civil government, physical geography, elementary physics, algebra, botany, and such other branches as the board of directors may prescribe.

Who exempt from examination.

SEC. 5. Holders of normal diplomas and holders of state diplomas or state certificates or any certificate authorized by the laws of the State of Washington shall be exempt from all further examinations during the terms of validity of such certificates as provided by law. Teachers engaged in the exclusive teaching of music, foreign languages, drawing, penmanship, kindergarten, manual training, domestic science and physical culture shall be exempt from all examinations except such as pertain to the special departments over which they preside.

Special certificates.

SEC. 6. Special certificates shall be granted only to applicants who pass satisfactorily the examination in a special or departmental subject (such as music, foreign language, drawing, penmanship, kindergarten, manual training, domestic science, physical culture, etc.), and such other subjects as are calculated to discover applicants' fitness to teach in public schools.

ARTICLE VI.—CERTIFICATES AND DIPLOMAS OF THE HIGHER INSTITUTIONS OF LEARNING.

SECTION 1. Certificates and diplomas of the normal schools, of the State College of Washington, and of the University of Washington shall be granted as provided by law. State schools.

ARTICLE VII.—TEMPORARY CERTIFICATES.

SECTION 1. Temporary certificates shall be issued by the county superintendent, or, if in a district of the first class by the city superintendent, in the county or district where the applicant expects to teach and shall be valid in such county or district only, until the end of the then current school year. Temporary certificates shall be granted to such applicants only as show evidence of fitness to teach, either by successful experience, or by being the holder of accredited papers or a valid certificate or diploma from some other state or territory, or by special written examination. Only one temporary certificate shall be issued to any one applicant within a period of three (3) years, and issuance of the same shall be immediately reported to the Superintendent of Public Instruction. Temporary certificates.

ARTICLE VIII.—SPECIAL CERTIFICATES.

SECTION 1. Special certificates shall be issued by the county superintendent, or city superintendent if in a city, to applicants who show by examination or otherwise satisfactory evidence of fitness to teach special subjects, such as music, foreign languages, art, manual training, penmanship, kindergarten, domestic science, typewriting, stenography, physical culture, etc. Special certificates shall be valid so long as the holder continues to teach in the city or county where granted, unless revoked. Special certificates, to whom issued.

ARTICLE IX.—REVOCATION OF CERTIFICATES.

SECTION 1. Any certificate to teach named in this act may be revoked by the authority authorized to grant same upon complaint of any superintendent for immorality, violation of written contract, intemperance, crime against the law of the state, or any unprofessional conduct, after the defendant has been given an opportunity to be heard. Who may revoke.

SEC. 2. In case any certificate is revoked, the holder shall not be eligible to receive another teacher's certificate for a period of twelve months after the date of revocation.

Appeals. SEC. 3. Any teacher whose certificate to teach has been revoked, as provided in the preceding sections, and feeling aggrieved at such revocation, shall have the following right of appeal:

*First.* To the Superintendent of Public Instruction whenever the certificate has been revoked by the county superintendent.

*Second.* To the State Board of Education when the certificate has been revoked by the Superintendent of Public Instruction.

*Third.* To the State Board of Education when the certificate has been revoked by the faculty of the State University, the State College or the Normal Schools.

*Fourth.* An appeal under the provisions of this act to the State Superintendent shall operate as a stay of proceedings for a period of thirty (30) days, and an appeal to the State Board of Education shall operate as a stay of proceedings till the next regular or special meeting of said board.

[SUB.] CHAPTER 13.

ARTICLE I.—GENERAL ELECTIONS.

Time of. SECTION 1. The election of school district directors shall, except as otherwise provided by law, be held on the first Saturday in March of each year, at the district school house, if there be one, or if there be none, or more than one, then at a place to be designated by the board of directors. Special school elections shall be called and conducted in the manner provided for calling and conducting annual elections.

Notice of. SEC. 2. The district clerk must give at least ten days' notice of such school election, by posting or causing to be posted, written or printed notices thereof in at least three public places in the district, one of which must be the place of holding the election. Said notice must designate the place of holding the election, day of holding the election, hours between which the polls are to be kept open,

names and offices for which persons are to be elected, and terms of office, with a statement of any other questions which the board of directors may desire to submit to the electors of said district. Notices must be signed by the district clerk "By order of the board of directors." Unless otherwise designated in the notice of election, the polls shall be open at one o'clock in the afternoon and close at eight o'clock in the afternoon, but the board of directors may, in districts of the second or the third class, previous to giving notice of election, determine on an hour before eight o'clock for closing, but they must not be closed earlier than four o'clock in the afternoon. In no case shall the polls be opened before the hour named in the notice, nor kept open after the hour fixed for closing the polls, but if there is not a sufficient number of electors present at the hour named for opening the polls to constitute a board of election, it shall be lawful to open the polls as soon thereafter as a sufficient number of electors is present.

SEC. 3. At the hour fixed for opening the polls the electors present shall select two electors to act as judges of the election and one elector to act as clerk of the election, and the three selected shall constitute the election board; and no election shall be held unless an election board is so constituted and qualified. The judges and clerk aforesaid shall, before entering upon the duties of their office, severally take and subscribe an oath or affirmation faithfully to discharge the duties as such officers of election, said oath or affirmation to be administered by any school officer or any other person authorized to administer oaths. The judges shall, before they commence receiving ballots, cause to be proclaimed aloud at the place of voting that the polls are now open.

Officers of  
Election.

SEC. 4. The voting shall be by ballot. The ballots shall be of white paper of uniform size and quality containing the names of the persons for whom the electors intend to vote, and designating the office to which such person so named is intended by him to be chosen. Whenever any person offers to vote, one of the judges shall pronounce his name in an audible voice, and

Ballots.

if there be no objections to the qualifications of such person as an elector, he shall receive the ballot in the presence of the election board and deposit the same without being opened or examined in the ballot box, and the clerk shall immediately enter the name upon the list headed "Names of voters."

Who may  
vote.

SEC. 5. Every person, male or female, over the age of twenty-one years, who shall have resided in the school district for thirty days immediately preceding any school election, and in the state one year, and is otherwise, except as to sex, qualified to vote at any general election, shall be a legal voter at any school election, and no other person shall be allowed to vote: *Provided*, That registration for purposes of school election shall not be required except in school districts of the first class. Persons offering to vote may be challenged by any legally qualified school elector of the district, and one of the judges of election shall thereupon, before receiving his vote, administer to the person challenged an oath in substance as follows: "You do swear, (or affirm) that you are a citizen of the United States, that you are twenty-one years of age, according to your information and belief, and that you have resided in this district thirty days next preceding this election, and in the state one year, and that you have not voted before on this day." If he shall refuse to take the oath, his vote will be rejected. Any person guilty of illegal voting shall be punished as provided in the general election laws of the state.

Canvass.

SEC. 6. When the polls are closed, proclamation thereof shall be made at the place of voting, and no vote shall be afterward received. As soon as the polls are closed the judges shall open the ballot box and commence counting the votes, and in no case shall the ballot box be removed from the room in which the election is held until all the votes are counted. The counting shall be in public. The ballots shall be taken out one by one, by one of the judges, who shall open them and read aloud the name of each person contained therein, and the office for which such person was voted for. The clerk shall write down each

office to be filled and the name of such person voted for such office, and shall keep the number of votes by tallies as they are read aloud by one of the judges. The counting of the votes shall continue without adjournment until all the votes are counted. No ticket shall be rejected on account of form or mistake in the initials, or spelling of names, if the judges can determine to their satisfaction the person voted for and the office intended. After the result of the election is duly canvassed and officially declared, the clerk of the election shall forward the poll sheet thereof to the county superintendent, who shall preserve the same on file in his office.

SEC. 7. Persons having the highest number of votes given for each office shall be declared duly elected, and the clerk of election shall immediately make out and deliver to each person so elected a certificate of election. The clerk of election shall also make out a certificate showing the persons elected to each office at such election, with oaths of office of persons elected attached, and mail such certificates and oaths to the superintendent of schools of the county in which the election is held. If two persons have an equal and highest number of votes for one and the same office, they shall, within ten days after the election, appear before the clerk of election of said district and publicly decide by lot which of the persons so having an equal number of votes shall be declared elected, and the clerk of election shall make out and deliver to the person thus declared elected a certificate of his election, and notify the county superintendent of the county as before provided. If the persons above named do not, within ten days after election, thus decide, the office shall be declared vacant by the clerk of election, and the county superintendent shall, when notified of the vacancy, fill the same by appointment.

Certificates  
of election.

#### ARTICLE II.—SPECIAL MEETINGS.

SECTION 1. Any board of directors may, at its discretion and shall, upon a petition of a majority of the legal voters of their district, call a special meeting of the voters of the district, to determine the length of time in excess

How called.



Subjects  
discussed.

of the minimum length of time prescribed by law that such school shall be maintained in the district during the year; to determine whether or not the district shall purchase any school house site or sites, and to determine the location thereof; or to determine whether or not the district shall build one or more school houses; or to determine whether or not the district shall maintain one or more free kindergartens; or to determine whether or not the district shall sell any real or personal property belonging to the district, borrow money or establish and maintain a school district library.

Notice of  
meeting.

SEC. 2. All such special meetings shall be held at the school house, if there be one, or if there be none, or more than one, then at such school house or place as the board of directors may determine. The voting shall be by ballot, the ballots to be of white paper of uniform size and quality. At least ten days' notice of such special meeting shall be given by the district clerk, in the manner that notice is required to be given of the annual school election, which notice shall state the object or objects for which the meeting is to be held, and no other business shall be transacted at such meeting than such as is specified in the notice. The district clerk shall be clerk of the meeting, and the chairman of the board of directors or, in his absence, the senior director present, shall be chairman of the meeting: *Provided*, That in the absence of one or all of said officers, the qualified electors present may elect a chairman or clerk, or both chairman and clerk, of said meeting as occasion may require, from among their number. The clerk of the meeting shall make a record of the proceedings of the meeting, and when the clerk of such meeting has been elected by the qualified voters present, he shall within ten days thereafter, file the record of the proceedings, duly certified, with the clerk of the district, and said records shall become a part of the records of the district, and be preserved as other records.

Officers of  
meeting.

SEC. 3. It shall be the duty of every board of directors to carry out the directions of the electors of their districts as expressed at any such meeting.

ARTICLE III.—ELECTIONS IN DISTRICTS OF THE FIRST CLASS.

SECTION 1. The regular district election in each district of the first class shall be held upon the first Saturday of December in each year. The board of directors shall cause written or printed notices to be posted, specifying the day and place of such election, and the time during which the ballot box will be kept open. Said notices shall be posted in at least one place in each ward in the district at least twenty days previous to the time of election. Said notices shall also be published three times in two daily papers published in the district, and if there be no daily or dailies, then in the weekly paper or papers in three regular issues next preceding the day of such election. If the board of directors fail to give notice at such time, as herein provided, then any five legal voters residing in the district may give such notice over their own title for such election.

SEC. 2. All elections shall be by official ballot and the polls shall be opened at one o'clock P. M. and be closed at eight o'clock P. M. The official ballot shall be printed and furnished by the board of directors, and shall contain the names of all candidates whose names have been presented by petitions filed with the secretary of the board not less than ten days before the day of election. The names of no other candidates shall appear upon said official ballots, and no other ballots shall be received or counted.

SEC. 3. It shall be the duty of the board of directors to provide at least one, and not more than two voting places in each ward. The board shall also appoint two judges and one clerk for each voting precinct. Both judges and clerk shall be qualified electors in the precinct for which they were appointed. Should any judge or clerk be absent at the time for opening the polls, the electors present shall appoint a legal voter to fill such vacancy.

SEC. 4. Only those persons, male and female, who have complied with the laws governing registration in districts of the first class, shall be permitted to vote, and no person shall be entitled to vote at said election except in the

ward in which he or she resides: *Provided*, That any elector of said district who has duly registered as a voter at any general election in said district shall be allowed to vote at the next succeeding school election held the same year without registration.

Registration  
books.

SEC. 5. The city clerk or other municipal officer in whose custody the registration books of the general election are kept shall furnish to the secretary of the board, on the morning of the day of any school election, the registration books of said city or a copy thereof, which said registration books shall be returned within two days after said election.

Canvass of  
vote.

SEC. 6. The board of directors shall, upon closing the polls, receive the returns at the time and the place it shall direct, and shall, within five (5) days from said election, meet as a canvassing board, and in the presence of any duly qualified justice of the peace in and for said county, canvass the returns and ascertain the result. The result of said election shall be certified by the board of directors to the county school superintendent, who shall preserve said certificate, entering upon his records the receipt of said certificate and the names of the person or persons elected as members of such board of directors for said district, together with the term for which elected.

ARTICLE IV—REGISTRATION OF VOTERS IN SCHOOL DISTRICTS OF THE FIRST CLASS.

SECTION 1. No person shall vote at any school election, either general or special, to be held in any school district of the first class, unless he or she shall have previously complied with the requirements as to registration, as in this act provided.

Secretary to  
register  
voters.

SEC. 2. The secretary of the board of directors in each district subject to the provisions of this act shall keep the books of registration herein provided for, and shall register therein the names of all duly qualified voters in his district, on application, in the manner and at the times here specified.

SEC. 3. The board of directors of each district subject to the provisions of this act, shall furnish the secretary of

such board, at the expense of the district, all blanks and books of registration and shall furnish, at the expense of their respective districts, all funds necessary for carrying out the provisions of this act.

Expenses.

SEC. 4. The books of registration shall be opened for the purpose of registration, at the office of the secretary of the board of the district, on each day between the hours of 9 o'clock A. M. and 4 o'clock P. M., except on legal holidays, and they shall be closed and no names shall be registered therein during the five days preceding any special or general election held in such district. The secretary of the board shall give notice of the closing of the books of registration in his district by notice published in a newspaper of general circulation, published in his district, at least ten days before the day for closing said books.

Registration closes, when.

SEC. 5. For a period of thirty days preceding the closing of registration books for any election, the books may be opened at a convenient place in the district for the registration of voters, which places must be designated by the board of directors, and during a period of ten days immediately preceding the closing of such books they shall be kept open until seven o'clock each evening, and they may be kept open until a later hour by order of the board of directors.

Places of registration.

SEC. 6. Registration shall not be required more than once in each year. All persons, male or female, who are qualified electors under the provisions of this act, shall be entitled to registration on application to the secretary of the board of directors of the district in which they reside: *Provided*, Such elector shall have been a resident of the state for one year, of the county ninety days, and of the voting precinct thirty days prior to the next general or special school election to be held in such district. No person shall vote at any such election except in the precinct where he or she has resided for the length of time above specified.

Yearly registration.

SEC. 7. There shall be provided by the board of directors in each district, and kept by the secretary of such

Precinct  
registration.

board, a separate book of registration for each school election precinct in the district. Each ward in any city within which the whole or any portion of a school district may be situate, shall be a voting precinct for all general or special school elections. The book of registration shall bear the name or number of the precinct to which it belongs. In case the whole or any portion of any such district shall lie without the limits of any incorporated city, the board of directors of such district shall subdivide such outlying territory into voting precincts, so that each precinct shall contain as near as may be five hundred inhabitants, and after the boundaries of such precincts shall have been established, said territory shall not be redistricted oftener than once in three years, and not then unless one or more of the precincts thereof shall have attained a population of more than five hundred inhabitants. In case the authorities of any city, within which the whole or any portion of any district may lie, shall cause the boundaries of the wards of such city to be changed after the opening of the books of registration for the school district, the voting precincts of such district shall conform to the lines of the wards as established when said books were opened until the next set of books shall be opened, at which time said new books and the voting precincts of such district shall conform to the boundaries of the wards as then established.

Form of  
registry.

SEC. 8. The books of registration aforesaid shall be so arranged as to admit the alphabetical classification of the names of the voters, and ruled in parallel columns with appropriate heads, as follows: Date of registration, name, age, occupation, place of residence, place of birth, time of residence in the state, county and precinct, and if of foreign birth, name and place of court and date of declaration of intention to become a citizen of the United States, or date of naturalization, and with one column for signature and one for remarks, and one column for checking the name of voter at the time of voting. Under head of place of residence shall be noted the number of lot and block, or number and street where applicant resides, or some other definite

description sufficient to locate the residence, and the voter so registering as provided in this section shall sign his or her name on the registry opposite the entries above required, in the column headed "Signature," and in case any voter shall not be capable of writing his or her name he or she shall, on the left hand margin of said column, make his or her mark by a cross or such other mark as is usual in indicating his or her signature, and some person who is personally known to said voter, and is personally known to the registering officer, and who is capable of writing his or her name, shall sign in said column immediately opposite said mark as an identifying witness thereto.

SEC. 9. No person shall be registered unless he or she appears in person before the secretary or the board of directors in the district in which such elector resides, during the hours the books are opened for registration, and answers truly the questions that may be put to him or her touching his or her qualifications to vote in such district, and shall also make and subscribe the following oath:

Register in person.

State of Washington, County of . . . . ., ss.

I, . . . . ., do solemnly swear (or affirm) that I am a legally qualified school elector, under the laws of the State of Washington, and that I have been an actual permanent resident of said state for eleven months and twenty days last past, and of the county for eighty days last past, and the . . . . . precinct twenty days last past, and that I have not lost my civil rights by reason of being convicted of any infamous crime.

Oath.

Subscribed and sworn to before me this . . . . . day of . . . . .

Said affidavit shall be filed and preserved by the secretary of the board for at least two years.

SEC. 10. The secretaries of the boards of directors are hereby empowered to administer all necessary oaths in examining applicants for registration, or any witness that may be offered in behalf of any applicant. The said secretary shall examine carefully any applicant whose right to register he may doubt, or who may be challenged, and

Who may administer oath.

if the applicant shall be entitled to vote at the next election he or she shall be registered, otherwise not.

Change of  
residence.

SEC. 11. If any elector shall, during the year for which he or she may be registered, change his or her place of residence from the precinct in which he or she is registered, he or she shall apply to the secretary of the board to have said removal noted. The secretary shall run a red ink line across the name in the precinct book in which said applicant shall be registered, and likewise note said removal in the column headed "Remarks" in said book, and thereupon the said secretary shall enter the name and register the elector in the registration book of the ward to which he or she has removed.

Challenges.

SEC. 12. Registration under the provisions of this act shall be *prima facie* evidence of the right of the elector to vote at any general or special school election held within the district during the year for which said elector is registered. If any person duly registered is challenged, it shall be the duty of the judges of election to examine the challenger and any witnesses that may be produced on oath, touching the right of such elector to vote; the judges shall then, unless they dismiss said challenge, examine the proposed elector on oath, and if it appears that said elector is entitled to vote at said election, his or her vote shall be received, otherwise rejected. Any person swearing falsely before any judge of election, on the hearing of any such challenge, shall be deemed guilty of perjury, and shall be subjected to the pains and penalties of perjury.

Registration  
books deliv-  
ered to elec-  
tion officers.

SEC. 13. On the morning of any general or special school election the secretary of the board shall deliver to the clerk of each voting precinct within his district, the original book of registration of the precinct for which such clerk was appointed. Each clerk of election shall return the book of registration entrusted to him to the secretary of the board at the time of the delivery of the ballots cast in the precinct at such election, and it shall be unlawful for any clerk or any judge of election, to cause or allow any marks or alterations to be made in said

book while the same is in their possession, other than a proper check mark when a ballot is cast, to indicate the party voting.

[SUB.] CHAPTER 14.—PENALTIES.

SECTION 1. Any member of the State Board of Education, any employe of the State of Washington, any county superintendent or any employe of his office, who shall directly or indirectly disclose any question or questions prepared for the examination of teachers or of eighth grade pupils, or any teacher or other person connected with the instruction of or the examination of eighth grade pupils, who shall, before the time appointed for the use of the questions in the examination of such pupils, disclose the questions, or make known their character, or who shall directly or indirectly assist any such eighth grade pupil to answer any question submitted, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred nor more than five hundred dollars. Said fine shall be turned over to the county treasurer of the county in which it is collected, and shall be by him transmitted to the State Treasurer, who shall place the same to the credit of the current school fund of the state.

Disclosing  
questions.

SEC. 2. If any county superintendent fails to make a full and correct report to the Superintendent of Public Instruction of all statements required by him or if he shall fail to file with the Superintendent of Public Instruction a full and correct annual report within ten days after the time prescribed by law for filing said report, he shall forfeit the sum of fifty dollars from his salary, and the board of county commissioners are hereby authorized and required to deduct therefrom the sum aforesaid upon information from the Superintendent of Public Instruction that such reports have not been made.

False report  
to state su-  
perintendent.

SEC. 3. Any officer or person collecting or receiving any fines, forfeitures or other moneys belonging to the schools of the State of Washington, or belonging to the school fund of any county or school district in this state, and refusing or failing to pay over the same, as

Refusal to  
pay over  
funds.



required by law, shall forfeit double the amount so withheld, and interest thereon at the rate of five per cent. per month during the time of so withholding the same; and it shall be a special duty of the county superintendent of schools to supervise and see that the provisions of this section are fully complied with, and report thereon to the county commissioners semi-annually or oftener. Such fines and penalties, when collected, shall be turned over to the county treasurer and by him transmitted to the State Treasurer, who shall place the same to the credit of the current school fund of the state.

Failure to  
teach  
hygiene.

SEC. 4. Upon complaint in writing being made to any county superintendent by any district clerk, or by any head of a family, that the board of directors of the district of which said clerk shall hold his office, or said head of family shall reside, have failed to make provisions for the teaching of hygiene or have failed to require it to be taught, with special reference to the effects of alcoholic drink, stimulants and narcotics upon the human system, as provided by law, in the common schools of such districts, it shall be the duty of such county superintendent to investigate at once the matter of such complaints, and if found to be true, he shall immediately notify the county treasurer of the county in which such school district is located, and after the receipt of such notice, it shall be the duty of such county treasurer to refuse to pay any warrants drawn upon him by the board of directors of such district subsequent to the date of such notice and until he shall be notified to do so by such county superintendent. Whenever it shall be made to appear to the said county superintendent, and he shall be satisfied that the board of directors of such district are complying with the provisions of law in this matter, and are causing physiology and hygiene to be taught in the public schools of such district as hereinbefore provided, he shall notify said county treasurer, and said treasurer shall thereupon honor the warrants of said board of directors.

SEC. 5. Any county superintendent of common schools who shall fail or refuse to comply with the provisions of

the preceding section shall be liable to a penalty of one hundred dollars, to be recovered in civil action in the name of the state in any court of competent jurisdiction, and the sum recovered shall go into the state current school fund; and it shall be the duty of the prosecuting attorneys of the several counties of the state to see that the provisions of this section are enforced.

Refusal of superintendent to enforce teaching of hygiene.

SEC. 6. In case the district clerk fails to make the reports as by law provided, at the proper time and in the proper manner, he shall forfeit and pay to the district the sum of twenty-five dollars for each and every such failure. He shall also be liable, if, through such neglect, the district fails to receive its just apportionment of school moneys, for the full amount so lost. Each and all of said forfeitures shall be recovered in a suit brought by the county superintendent or by any citizen of such district, in the name of and for the benefit of such district, and all moneys so collected shall be paid over to the county treasurer and shall be by him placed to the credit of the general fund of the district to which it belongs.

Failure of clerk to report.

SEC. 7. Any school officer who shall refuse or fail to deliver to his qualified successor all books, papers, records and moneys pertaining to his office, or who shall wilfully mutilate or destroy any such property, or any part thereof, or shall misapply moneys entrusted to him by virtue of his office, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine not to exceed one hundred dollars; said fine, when collected, to be turned over to the county treasurer and by him transmitted to the State Treasurer, who shall place the same to the credit of the current school fund of the state; and any director who shall aid in, or give his consent to the employment of a teacher who is not the holder of a valid certificate authorizing him or her to teach in the public schools of this state, shall be personally liable to his district for any loss which it may sustain by reason of the employment of such person not lawfully qualified to teach.

Refusal to deliver records.

Failure to  
enforce  
course of  
study.

SEC. 8. Any teacher who wilfully refuses or neglects to enforce the course of study or the rules and regulations required by the State Board of Education, or by any other lawful authority, shall not be allowed by the directors any warrant for salary due until said teacher shall have complied with said requirements.

Maltreating  
pupil.

SEC. 9. Any teacher who shall maltreat or abuse any pupil by administering any unjust punishment, or who shall inflict punishment on the head or face of a pupil, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall be fined in any sum not exceeding one hundred dollars. Said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the State Treasurer, who shall place the same to the credit of the current school fund of the state.

Failure to  
attend  
institute.

SEC. 10. In addition to other causes for the revocation of teachers' certificates as provided by law, any teacher failing to attend the annual institute held in the county in which he is employed, or the annual joint institute held by the county in which he is employed and another county or other counties, unless for good and sufficient reasons satisfactory to the Superintendent of Public Instruction, may upon complaint of the superintendent of the county in which he is employed to teach have any certificate he may hold forfeited by order of the Superintendent of Public Instruction: *Provided*, That such forfeiture shall be duly published after the said teacher shall have been given opportunity to present his reasons for such non-attendance, and after final action thereon.

Insulting  
teacher.

SEC. 11. Any parent, guardian or other person who shall insult or abuse a teacher in the presence of his school, or anywhere on the school grounds or premises, shall be deemed guilty of a misdemeanor and be liable to a fine of not less than ten dollars nor more than one hundred dollars, and said fine shall be turned over to the county treasurer, and by him remitted to the State Treasurer, who shall place the same to the credit of the current school fund of the state.

SEC. 12. Any person who shall wilfully disturb any school or school meeting shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not more than fifty dollars. Said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the State Treasurer, who shall place the same to the credit of the current school fund of the state.

Disturbing  
school.

SEC. 13. Any teacher, principal or superintendent who shall knowingly report, cause to be reported, or permit to be reported, the presence of any pupil or pupils at school, when such pupil or pupils were absent, or when school is not in session, shall forfeit his certificate or subject it to revocation and the same shall not be restored or a new one granted within one year after such forfeiture or revocation: *Provided*, That pupils who are excused from attendance at examinations for promotion, having completed their work in accordance with the rules of the board of directors, shall be accredited with attendance during said days of examination.

False report  
of attend-  
ance.

SEC. 14. Any pupil who shall cut, deface or otherwise injure any school house, furniture, fence or outbuilding thereof, or any book or books belonging to the district library, shall be liable to suspension and punishment, and the parent or guardian of such pupil shall be liable for damages, on complaint of the teacher or of any director or other person residing in the district; and when such damages shall have been collected they shall be turned over to the county treasurer and by him placed to the credit of the school district sustaining such damages.

Mutilating  
of property.

SEC. 15. Any district using text books other than those prescribed by lawful authority, or any district failing to comply with the course of study prescribed by the State Board of Education or by other lawful authority, or any district in which warrants are issued to a teacher not legally qualified to teach in the common school of the said district, shall forfeit twenty-five per cent. of their school fund for that or the subsequent year, and it is hereby made the duty of the county superintendent to deduct said amount from the apportionment to be made to any district

Failure to  
use text  
book.

failing in either or all of the above requirements, and the amounts thus deducted shall revert to the general school funds of the state, and the county treasurer shall return the same to the State Treasurer for reapportionment.

New district  
attendance.

SEC. 16. Any new district formed by the division of an old one and which new district shall have maintained at least one month's school during the preceding school year, as shown by the last annual report of the county superintendent, on file in the office of the Superintendent of Public Instruction, shall be entitled to its just share of school moneys when the time that school was maintained in the old district before division, and in the new one after division, shall be equal to at least the minimum time required by law in the old district: *Provided*, That if any school district has heretofore failed to receive apportionment of state school funds because of a failure to hold school the time required by law, and there are unpaid warrants drawn on the general funds of said district for maintenance of school prior to said failure, a special tax shall be levied by the board of county commissioners on the property of the district, the proceeds of which tax shall be applied to the payment of the indebtedness.

False  
swearing.

SEC. 17. If any person shall falsely swear or affirm in taking the oath or making the affirmation herein prescribed when being registered for voting in a school district of the first class, or shall falsely personate another and procure the person so personated to be registered, or if any person shall represent his name to the secretary or officer of registration to be different from what it actually is, and cause such name to be registered, or if any person shall cause any name to be placed upon the register list otherwise than in the manner provided in this act, he or she shall be guilty of a felony, and upon conviction be punished by confinement in the penitentiary not more than five nor less than one year.

[SUB.] CHAPTER 15.—APPEALS.

SECTION 1. Any person, or persons, either severally or collectively, aggrieved by any decision or order of any

school officer or school board may, within thirty days after the rendition of such decision or order, or of the failure to act upon the same when properly presented, appeal the same to the proper officer or board as hereinafter provided.

Appeals  
from board.

SEC. 2. Appeals from the decision or order, or from the failure to decide or order, by a board of school directors shall be taken to the county superintendent of schools in and for the county. Appeals from the decision or order, or the failure to decide or order, of a county superintendent of schools shall, when relating to the territory or boundaries, or to the adjustment of the assets or liability of school districts, be taken to the board of county commissioners wherein the territory lies, but when relating to the operation or management of schools, or the property of the school district or to the relations with teachers such appeal shall be taken to the Superintendent of Public Instruction: *Provided*, That in matters involving the construction of contracts the appeal shall be taken to the court of the proper resort.

Appeals to  
commis-  
sioner.

SEC. 3. The basis of appeal shall be an affidavit or affidavits of the party aggrieved, filed within the time for the taking of such appeal, setting forth in a clear and concise manner the errors complained of.

Basis of  
appeal.

SEC. 4. Having received the basis of appeal, as set forth in the preceding section, the officer to whom the appeal is taken shall within ten days, and the board of county commissioners shall at their next regular session, notify in writing the party from whose action the appeal is taken of the taking of such appeal and of its nature and scope. Within twenty days after such notice the said party shall file a complete transcript, properly certified to be correct, of the record and papers and proceedings relating to the decision complained of. Upon the filing of such transcript notice shall be duly given to all parties interested of the time and place where the matter of the appeal shall be heard and determined.

Transcript.

SEC. 5. At the hearing of an appeal, properly presented in accordance with this chapter, the county superin-

Hearing on appeal.      tendent or the board of county commissioners, as the case may be, shall hear testimony of all parties interested, and for the purpose may administer oaths if necessary, may summon witnesses or demand records or certified copies of the same: *Provided*, That in the case of a hearing before the board of county commissioners the board may hear the case *de novo*, and in the case of a hearing on appeal by the superintendent of public instruction no new evidence may be admitted.

Decision final.      SEC. 6. In decisions of appeal by the Superintendent of Public Instruction and by the board of county commissioners the decision or order shall be final unless set aside by a court of competent jurisdiction in an action brought therein to review such order or decision.

Notice of decision.      SEC. 7. Decisions of appeal shall be made a matter of record in full, and certified copies of the same shall be made if asked for by the parties interested within ten days of such decision. Notice of such decision of appeal shall be made in writing to parties interested within five days of their rendition.

Time to make decision.      SEC. 8. In cases of appeal resulting in the change of any school district boundaries the decision shall within five days thereafter be also certified by the proper officer to the county assessor of the county, or to the county assessors of the counties, wherein the territory may lie.

[SUB.] CHAPTER 16.—COMPULSORY SCHOOL LAW.

Application of act.      SECTION 1. All parents, guardians and other persons in this state having or who may hereafter have immediate custody of any child between eight and fifteen years of age (being between the eighth and fifteenth birthdays), or of any child between fifteen and sixteen years of age (being between the fifteenth and sixteenth birthdays) not regularly and lawfully engaged in some useful and remunerative occupation, shall cause such child to attend the public school of the district, in which the child resides, for the full time when such school may be in session or to attend a private school for the same time, unless the superintendent of the schools of the district in which the child

resides, if there be such a superintendent, and in all other cases the county superintendents of common schools, shall have excused such child from such attendance because the child is physically or mentally unable to attend school or has already attained a reasonable proficiency in the branches required by law to be taught in the first eight grades of the public schools of this state as provided by the course of study of such school, or for some other sufficient reason. Proof of absence from public schools or approved private school shall be *prima facie* evidence of a violation of this section.

SEC. 2. No child under the age of fifteen years shall be employed for any purpose by any corporation, person or association of persons in this state during the hours which the public schools of the district in which such child resides are in session, unless the said child shall present a certificate from a school superintendent as provided for in section one of this act, excusing the said child from attendance in the public schools and setting forth the reason for such excuse, the residence and age of the child, and the time for which such excuse is given. Every owner, superintendent, or overseer of any establishment, corporation, company or person employing any such child shall keep such certificate on file so long as such child is employed by him, her or it. The form of said certificate shall be furnished by the Superintendent of Public Instruction. Proof that any child under fifteen years of age is employed during any part of the period in which public schools of the district are in session, shall be deemed *prima facie* evidence of a violation of this section.

Child not to be employed unless superintendent permits.

SEC. 3. Any person violating any of the provisions of either of the two preceding sections shall be fined not more than twenty-five dollars. Attendance officers shall make complaint for violation of the provisions of this act, to a justice of the peace or to a judge of the superior court.

Penalty.

SEC. 4. To aid in the enforcement of this act, attendance officers shall be appointed and employed as follows: In incorporated city districts the board of directors shall annually appoint one or more attendance officers. Any

Attendance officers.



attendance officer may be a sheriff, constable, a city marshal, or a regularly appointed policeman. In all other districts the county superintendent shall act as attendance officer, and he shall also have authority to appoint one or more assistant attendance officers to aid him in the performance of his duties as attendance officer. The compensation of attendance officer in such city districts shall be fixed and paid by the board appointing him. The attendance officer shall be vested with police powers, the authority to make arrests and serve all legal processes contemplated by this act, and shall have authority to enter all stores, mills, shops, or other places in which children may be employed, for the purpose of making such investigations as may be necessary for the enforcement of this act.

Authority.

The attendance officer is authorized to take into custody the person of any child between eight and fifteen years of age, who may be a truant from school, and to conduct such child to his parents, for investigation and explanation, or to the school which he should properly attend. The attendance officer shall institute proceedings against any officer, parent, guardian, person, company or corporation violating any provisions of this act, and shall otherwise discharge the duties prescribed in this act, and shall perform such other services as the superintendent of schools or the board of directors may deem necessary. The attendance officer shall keep a record of his transactions, for the inspection and information of the board of directors and the city and county superintendent, and shall make a detailed report to the superintendent of the city or of the county, as often as the same may be required.

Arrests.

SEC. 5. Any attendance officer, sheriff, deputy sheriff, marshal, policeman, or any other officer authorized to make arrests in the city or district, shall arrest without a warrant a child who, under the provisions of this act is required to attend school, such child then being a truant from instruction at the school which he or she is lawfully required to attend, shall forthwith deliver a child so arrested either to the custody of a person in parental relation to the child or to the teacher from whom the child is then a truant, or,

in case of habitual or incorrigible truants, shall bring him or her before a justice of the peace. The justice of the peace shall, if he be convinced that the child so arrested is an habitual truant or that the child is guilty of wilful and continued disobedience to the school rules and regulations or laws, or that the conduct of the child is pernicious and injurious to the school, bind the child over to the superior court with a view of his commitment to the state reform school or other school for incorrigibles.

SEC. 6. It shall be the duty of the district clerk or secretary, at the beginning of each school year, to provide the teacher with a copy of the last census of school children taken in his school district: *Provided*, That if there be a principal or city superintendent in such district, the clerk or secretary shall make such census report to him, and it shall be the duty of every teacher to report to the proper truant officer, all cases of truancy or incorrigibility in his or her school, immediately after the offense or offenses shall have been committed: *Provided further*, That if there be a principal the report shall be made to him and by him transmitted to the truant officer: *And provided further*, That if there be a city superintendent, the principal shall transmit such report to said city superintendent, who shall transmit such report to the proper truant officer of his district.

Teacher to  
have copy  
of census.

SEC. 7. In cases arising under this act all justices' courts, municipal courts and superior courts in the State of Washington shall have concurrent jurisdiction.

Courts.

SEC. 8. The county attorney shall act as attorney for the complainant in all court proceedings relating to the compulsory attendance of children as required by this act.

Attorney.

SEC. 9. The county superintendent shall on or before the 15th day of August of each year, by printed circular or otherwise, call the attention of all school district officers to the provisions of this act, and to the penalties prescribed for the violation of its provisions, and he or she shall require the clerk of every school district to make a report annually hereafter, to him or her, verified by affidavit, stating whether or not the provisions of this act have been faithfully

Report on  
enforcement  
of act.

complied with in his district. Such reports shall be made upon blanks to be furnished by the Superintendent of Public Instruction and shall be transmitted to the county superintendent at the time the district clerk is required to make his annual report to the county superintendent. Any district clerk who shall knowingly or wilfully make a false report relating to the enforcement of the provisions of this act or fail to report as herein provided shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction shall be fined not less than twenty-five dollars nor more than one-hundred dollars; and any district clerk who shall refuse or neglect to make the report required in this section, shall be personally liable to his district for any loss which it may sustain because of such neglect or refusal to report.

Penalty.

SEC. 10. Any superintendent, teacher or attendance officer, who shall fail or refuse to perform the duties prescribed by this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than twenty nor more than one hundred dollars: *Provided*, That in case of a district officer, such fine shall be paid to the county treasurer and by him placed to the credit of the school district in which said officer resides, and in case of other officers such fine shall be paid to the county treasurer and by him placed to the credit of the general school fund of the county.

Disposition  
of fines.

SEC. 11. All fines except as otherwise provided in this act shall inure and be applied to the support of the public schools in the district where such offense was committed.

Officer not  
liable for  
costs.

SEC. 12. No officer performing any duty under any of the provisions of this act, or under the provisions of any rules that may be passed in pursuance hereof, shall in any wise become liable for any costs that may accrue in the performance of any duty prescribed by this act.

## [SUB.] CHAPTER 17.—GRAMMAR SCHOOL EXAMINATIONS.

When held.

SECTION 1. It shall be the duty of the Superintendent of Public Instruction at such times as he may deem it advisable, but not oftener than three times each year, to for-

ward questions prepared by the State Board of Education for use in the examination of pupils having completed the grammar school course of study, to fix the date for such examination, and to grant certificates of promotion to pupils successfully passing such examination according to the standard prescribed by the State Board of Education: *Provided*, That such certificate shall entitle the holder thereof to entrance into any high school of the state without further examination: *Provided further*, That nothing in this act shall be construed as compelling boards of directors to admit non-resident pupils without tuition charge.

SEC. 2. It shall be the duty of the county board of education to examine and grade the manuscripts of the pupils who take the examinations mentioned in section one (1) of this chapter. The county superintendent may appoint assistant examiners who shall conduct such examinations of pupils according to the rules and regulations of the State Board of Education, and within three days transmit the manuscripts to the county superintendent. Assistant examiners shall receive three dollars per day to be paid in the same manner as the regular board.

Manuscripts,  
how exam-  
ined.

SEC. 3. It shall be the duty of the county board of education to meet at the county seat at the call of the county superintendent for the purpose of examining and grading the manuscripts of pupils taking such examinations under the direction of any assistant examiner or of the county superintendent. No questions shall be used in such examination except those prepared by the State Board of Education as provided in section one (1) of this chapter: *Provided*, That the State Board of Education may prescribe a special course of reading to be done by pupils in the last year of the grammar school course, as a requisite to their receiving certificates of graduation.

Special  
course.

SEC. 4. It shall be the duty of the county superintendent to report to the Superintendent of Public Instruction, within ten days after any meeting of the county board of education, the names of all pupils successfully passing

Names sent  
to state su-  
perintendent.

any examination, as herein provided, together with their respective standings or grades in the several prescribed subjects and such other facts relating to said pupils or said examination as the Superintendent of Public Instruction may require.

[SUB.] CHAPTER 18.—HIGH SCHOOL EXTENSION EXAMINATIONS.

Course of  
reading.

Examina-  
tion.

Who  
admitted.

Questions.

Manuscript,  
how graded.

SECTION 1. The State Board of Education shall outline a course of reading and study similar to a course of study required in a full four year high school course, and shall provide for the examination and certification of those taking or completing such course. Examinations for this purpose shall be held at the same time and place of holding examinations for teachers' certificates, and in such form to fully test the students' knowledge of the subject or subjects examined in. Any one or more subjects may be taken at any such examination and a student failing in any subject may again be examined in such subject at any subsequent examination: *Provided*, Each year's work of a lower grade must be completed before a student shall be permitted to complete the work of a higher year. Such examination shall be intended only for those not taking a full course in the same subject in a regular high school, and no person shall be admitted to any such examination unless he shall have given to the county superintendent notice of his intention to take such examination and the subjects in which he desires to be examined at least thirty days before the examination, and obtain permission from such superintendent to take such examination.

SEC. 2. The questions for such examination shall be prepared by the State Board of Education, and shall be furnished to the State Superintendent of Public Instruction, who shall cause the same to be printed and distributed to the several county superintendents upon request therefor the same as the questions for teachers' examinations are printed and distributed. The manuscripts containing the answers of applicants shall be returned to the Superintendent of Public Instruction to be marked and graded by him and who shall issue certificates to those who have

the required percentage in the various branches which shall be fixed by the State Board of Education.

SEC. 3. Upon the completion of the full course as outlined by the State Board of Education a state high school certificate shall be issued to the applicant by the said board and such certificate shall entitle the holder thereof to enter the freshman class of the State University or to enter any other class in the other state educational institutions as may be specified by the State Board of Education. Certificate.

[SUB.] CHAPTER 19.—KINDERGARTENS.

SECTION 1. The board of directors of any school district shall have power to establish and maintain free kindergartens in connection with the common schools of said district for the instruction of children between the ages of four and six years, residing in said district, and shall establish such courses of training, study and discipline and such rules and regulations governing such kindergartens as said board may deem best: *Provided*, That such kindergartens have been authorized by a three-fifths vote of the electors voting at a special election called for that purpose, at which election the question of the number of such kindergartens to be established shall be submitted by the directors and determined by the electors. The vote shall be by ballot in the following form: "Shall School District No. —, ——— county, establish ——— kindergartens?" "Yes" or "No." Board may establish.

SEC. 2. Kindergartens established under this act shall be a part of the public school system and under the control and supervision of the regular officers who have charge of the public schools of the state: *Provided*, That nothing in this act shall be construed to change the law relating to the taking of the census of the school population or the apportionment of state and county funds. Vote to establish.

SEC. 3. The cost of establishing and maintaining such kindergartens shall be paid from a special school fund voted by the electors of the district for the purpose. Part of school system.

SEC. 4. Kindergarten teachers and supervisors shall have diplomas or certificates from some accredited kinder- Special fund.

Qualification  
of teachers.

garten training school, from the kindergarten department of a state normal school of this state or of a normal school whose kindergarten department is accredited by the State Board of Education.

[SUB.] CHAPTER 20.—TAKING OF PRIVATE PROPERTY FOR SCHOOL HOUSE SITES.

Eminent  
domain.

SECTION 1. Whenever any school district shall select any real estate as a site for a school house, or as additional grounds to an existing school house site, within the district, and the board of school directors of such district and the owner or owners of the site or any part thereof, or addition thereto selected, shall be unable to agree upon the compensation to be paid by such school district to the owner or owners thereof, such school district shall have the right to take and acquire title to such real estate for use as a school house site or additional site, upon first paying to the owner or owners thereof therefor the value thereof, to be ascertained in the manner hereinafter provided.

Petition  
to condemn.

SEC. 2. The board of directors of the school district shall present to the superior court of the State of Washington in and for the county wherein is situated the real estate desired to be acquired for school house site purposes, a petition, reciting that the board of directors of such school district have selected certain real estate, describing it, as a school house site, or as additional grounds to an existing site, for such school district; that the site so selected, or some part thereof, describing it, belongs to a person or persons, naming him or them, that such school district has offered to give the owner or owners thereof therefor . . . . . dollars, and that the owner of such real estate has refused to accept the same therefor; that the board of school directors of such school district and the said owner or owners of such real estate are unable to agree upon the compensation to be paid by such school district to the owner or owners of such real estate therefor, and praying that a jury be impaneled to ascertain and determine the compensation to be made in money by such school district to such owner or owners for the taking of such real estate for the use as a school house site for such school

district; or in case a jury be waived in the manner provided by law in other civil actions in courts of record, then that the compensation to be made as aforesaid, be ascertained and determined by the court, or judge thereof.

SEC. 3. A notice, stating the time and place when and where such petition shall be presented to the court, or the judge thereof, together with a copy of such petition, shall be served on each and every person named therein as owner, or otherwise interested therein, at least ten days previous to the time designated in such notice for the presentation of such petition. Such notice shall be signed by the prosecuting attorney of the county wherein the real estate sought to be taken is situated, and may be served in the same manner as summons in a civil action in such superior court is authorized by law to be served. Notice of  
petition.

SEC. 4. The court may, upon application of the petitioner or of any owner of said real estate, or any person interested therein, for reasonable cause, adjourn the proceedings from time to time, and may order new or further notice to be given to any party whose interests may be affected by such proceedings. Trial.

SEC. 5. At the time and place appointed for the hearing of such petition, or to which the same may have been adjourned, if the court shall find that all parties interested in such real estate sought to be taken have been duly served with notice and a copy of the petition as above prescribed, and shall further find that such real estate sought to be taken is required and necessary for the purposes of a school house site, or as an addition to a school house site, for such school district, the court shall make an order reciting such findings, and shall thereupon set the hearing of such petition down for trial by a jury, as other civil actions are tried, unless a jury is waived in the manner provided by law in other civil actions. Public use.

SEC. 6. The jury impaneled to hear the evidence and determine the compensation to be paid to the owner or owners of such real estate desired for such school house site purpose shall consist of twelve persons unless a less number be agreed upon, and shall be selected, impaneled and sworn Jury.



in the same manner that juries in other civil actions are selected, impaneled and sworn, provided a juror may be challenged for cause on the ground that he is a taxpayer of the district seeking the condemnation of any real estate.

Jury may  
view  
premises.

SEC. 7. A judge of the superior court shall preside at the trial and witnesses may be examined in behalf of either party to the proceedings, as in other civil actions, and upon the request of all the parties interested in such proceedings the court shall cause the jury impaneled to hear the same, to view the premises sought to be taken, and upon the request of any less number of the persons interested in the proceedings, the court may cause the jury to view the premises, pending the hearing of the case.

Consideration  
by jury.

SEC. 8. Upon the close of the evidence, and the argument of counsel, the court shall instruct the jury as to the matters submitted to them, and the law pertaining thereto, whereupon the jury shall retire and deliberate and determine upon the amount of compensation in money that shall be paid to the owner or owners of the real estate sought to be taken for such school house site purposes therefor, which shall be the amount found by the jury to be the fair and full value of such premises; and when the jury shall have determined upon their verdict, they shall return the same to the court as in other civil actions.

Ten jurors  
may agree.

SEC. 9. When ten of the jurors agree upon a verdict, the verdict so agreed upon shall be signed by the foreman, and the verdict so agreed upon shall be and stand as the verdict of the jury.

Jury waived.

SEC. 10. In case a jury is waived, the compensation that shall be paid for the premises taken shall be determined by the court and the proceedings shall be the same as in the trial of issues of fact by the court in other civil actions.

Judgment.

SEC. 11. Upon the verdict of the jury, or upon the determination by the court of the compensation to be paid for the property sought to be taken as herein provided, judgment shall be entered against such school district in favor of the owner or owners of the real estate sought to be taken, for the amount found as compensation therefor,

and upon the payment of such amount by such school district to the clerk of such court for the use of the owner or owners of, and the persons interested in the premises sought to be taken, the court shall enter a decree of appropriation of the real estate sought to be taken, thereby vesting the title to the same in such school district; and a certified copy of such decree of appropriation may be filed in the office of the county auditor of the county wherein the real estate taken is situated, and shall be recorded by such auditor like a deed of real estate, and with like effect. The money so paid to the clerk of the court shall be by him paid to the person or persons entitled thereto, upon the order of the court.

SEC. 12. All the costs of such proceedings in the superior court shall be paid by the school district initiating such proceedings. Costs.

SEC. 13. Either party may appeal from the judgment for compensation awarded for the property taken, entered in the superior court, to the supreme court of the state within sixty days after the entry of the judgment, and such appeal shall bring before the supreme court the justness of the compensation awarded for the property taken, and any error occurring on the hearing of such matter, prejudicial to the party appealing: *Provided, however,* That if the owner or owners of the land taken accepts the sum awarded by the jury or court, he or they shall be deemed thereby to have waived their right of appeal to the supreme court. Appeal.

SEC. 14. An appeal from such judgment by the owner or owners of the land sought to be taken, shall not have the effect to preclude the school district from taking possession of the premises sought, pending the appeal, provided the amount of the judgment against the school district shall have been paid in to the clerk of the court, as hereinbefore provided. Appeal to effect amount only.

SEC. 15. In all proceedings under this act the school district seeking to acquire title to real estate for a school house site, shall be denominated plaintiff, and all other persons interested therein shall be denominated defendants; Designation of parties.

and in all such proceedings the clerk of the superior court wherein any such proceeding is brought shall charge nothing for his services, except in taking an appeal from the judgment entered in the superior court.

[SUB.] CHAPTER 21.—PROHIBITING SALE OF INTOXICATING LIQUORS WITHIN PRESCRIBED LIMITS OF STATE EDUCATIONAL INSTITUTIONS.

Limits.

SECTION 1. That it shall be unlawful to sell or in any way dispose of any vinous, spiritous, malt or other intoxicating liquors, with or without a license, within two thousand (2,000) feet of any normal school, agricultural college, reform school, or state school for defective youth, now established or which may hereafter be legally established within the State of Washington: *Provided*, That nothing in this act shall be construed to affect in any way the provisions of "An Act prohibiting the sale of intoxicating liquors on or near the grounds of the University of Washington," approved March 19, 1895.

Penalty.

SEC. 2. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine of not less than two hundred (200) dollars, nor more than one thousand (1,000) dollars, or by both such fine and imprisonment.

TITLE IV.

[SUB.] CHAPTER 1.—DESIGNATION AND INTENT OF ACT AND REPEALING CLAUSE.

Act, how cited.

SECTION 1. This act shall be known and cited as the Code of Public Instruction of the State of Washington.

SEC. 2. This act is intended to be and is amendatory of, and a recodification as amended of, all laws relating to the public school system of the State of Washington.

SEC. 3. All acts and parts of acts inconsistent with or in conflict with the provisions of this act are hereby repealed.

Passed the Senate February 24, 1909.

Passed the House March 1, 1909.

Approved March 11, 1909.