

CHAPTER CL.

[S. B. No. 100.]

RELATING TO STATE BOARD OF EDUCATION.

AN ACT to amend section 773, volume 1 of Hill's Code of Washington, relating to the powers of the state board of education, and declaring an emergency.

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

SECTION 1. That section 773 of volume one of Hill's Annotated Statutes and Codes of Washington be amended to read as follows: Sec. 773. The said board shall have power —

First: To adopt or readopt, at a special meeting which the superintendent of public instruction is hereby directed to call, to be held on or before the tenth day of May, eighteen hundred and ninety-five, a uniform series of text books for the use of the common schools, including graded common schools, throughout the state: *Provided*, They can secure an exchange of books at any time in use for those of the same grade, or an exchange of those of a lower grade for those of the next higher grade, without a greater average cost to the people than one-fifth of the contract retail price of the books in use at the time of the adoption; and enter into contract with the publishers for the supply of the same, to take effect on the first day of September following, and the books so adopted shall not be changed within five years thereafter, unless the publishers of such adopted books shall fail to comply with the terms of the contracts. The adoption herein provided for shall occur every five years, at the time of the year and in the manner herein provided, unless otherwise ordered by the legislature: *Provided*, That whenever any book or set of books compiled and published by or under authority of the state shall be ready for distribution, the contract, as provided by this section, shall, as far as that book or set of books is concerned, be abrogated, and this proviso shall be construed to be sufficient notice to contractors. Before making any adoption, the superintendent of public instruction shall advertise for at least four weeks, in such papers or

Text books,
how adopted.

Exchanges.

Adoption to
occur every
five years.Proposals ad-
vertised for.

periodicals of general circulation as he may determine, that the board of education will receive sealed proposals for the supply of text books to the people of the state. Said advertisement shall state the day and hour upon which said proposals shall cease to be received. It shall also name all the kinds of books for the supply of which proposals are invited, and shall prescribe that the proposals so advertised for shall state the price at which the books offered shall be exchanged for the books in use at the time of making such proposals, the wholesale price which shall be maintained in the state, and also the uniform retail price which shall be maintained in every incorporated town and city in the state during the time the books shall continue in use. Said proposals shall be marked "Sealed proposals to furnish text books for the State of Washington," and shall be addressed to the superintendent of public instruction, and shall not be opened before the hour advertised, nor in the presence of less than three members of the board. Immediately upon the opening of the bids they shall be read in open board, and adoption of books and award of contracts shall be made within ten days following. No books shall be adopted without a majority vote of the whole board: *Provided*, That the board shall have power to reject any and all proposals or parts of proposals, and, in case of such rejection, they shall at once notify the principal office or any agent of any bidder that such rejection has been ordered, and that proposals will again be received for furnishing such books as may not have been adopted, according to the terms of the former advertisement, and such notice shall state the day and hour upon which such new proposals shall cease to be received, and such date shall not be less than ten days nor more than fifteen days after the day on which the former proposals were rejected. On the day named in such notice the board shall meet, and, at the hour named, shall open, read and consider the proposals in the manner hereinbefore provided, and they may continue to reject proposals and invite new bids in the manner herein provided for such subsequent proposals until satisfactory proposals shall have been received: *Provided*, That no proposal shall be ac-

Advertisement to contain, what.

Proposals, how submitted.

Awards, how made.

cepted in which the retail price offered is greater than sixty-six and two-thirds per centum of the retail price of books, similar in grade, quality of material, illustrations and general workmanship, which are now furnished under the contracts of eighteen hundred ninety and eighteen hundred ninety-one. The publishers awarded the contracts by the board shall guarantee all the terms of the proposal on which it is made, by a bond with two or more sufficient sureties for faithful performance, which sureties shall be residents of this state, the said bond to cover such period as the books may remain in use, and to be approved by the board and the attorney general. Said publishers shall also guarantee in the same bond that in case they reduce the retail price in this state of any book furnished by them, they will also make a proportionate reduction of the contract wholesale price to all dealers at all points where such reduction is made in the retail price.

Proposals accepted, when.

Publishers to guarantee, what.

Bonds required.

Second: To prepare a 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 school as shall secure regularity of attendance, prevent truancy, secure efficiency, and promote the true interests of the common schools.

Course of study.

Third: To use a common seal and elect one of their own members secretary; he shall keep a correct record of all the proceedings of the board, and shall file a certified copy of the same in the office of the superintendent of public instruction.

Secretary.

Fourth: To sit as a board of examination at their annual or special meetings, and grant state certificates and life diplomas. State certificates shall be granted to such applicants only as shall file with the board satisfactory evidence of having taught successfully twenty-seven months, at least nine of which shall have been in the public schools of this state. The applicant must either pass a satisfactory examination in all the branches required for first grade county certificates, also plain geometry, geology, botany, zoölogy, civil government, psychology, bookkeeping, composition and general history, or file with the board a certified copy of a diploma from some state normal school, or of a state

State certificates, to whom issued.

Examinations.

or territorial certificate from some state or territory, the requirements to obtain which shall not have been less than those required by this act. State certificates shall be valid for five years and may be renewed without examination, and they shall entitle the holder to teach in any common school in this state. They may be revoked at any time for cause deemed sufficient by the board. Life diplomas shall be granted to such applicants only as shall file with the board satisfactory evidence that they have taught successfully for ninety months, not less than fifteen of which shall have been in the public schools of this state. In other respects the requirements shall be the same as those for state certificates; but life diplomas shall be valid during the life of the holder, unless revoked for cause deemed sufficient by the board, and shall entitle the holder to teach in any common school in the state.

The board shall also have power to grant certificates, without examination, good for three years, to all applicants who are graduates from the classical, scientific, philosophical or literary courses of the university of the State of Washington, or of any other university, college or institution of learning whose requirements for entrance and graduation are equal to those of the university of Washington, and which is legally authorized to grant diplomas: *Provided*, The applicant shall file with the board a certified copy of his diploma. Such certificate may be renewed once, and at the expiration of the certificate or renewal the applicant may be granted a life diploma: *Provided*, He shall pass a satisfactory examination before the state board in theory and practice of teaching and history of education, and shall furnish satisfactory evidence of having taught successfully for a period of ninety months, at least fifteen of which shall have been in the public schools of this state. The board shall also have the power to issue a special primary certificate to any applicant who may have obtained a first grade county certificate in this state, upon examination: *Provided*, Such applicant shall file with the board his manuscripts written at such county examination, and provided the board, upon canvassing such manuscript shall consider the applicant qualified in the branches thus

State certificates.

Certificates, revocation of.

Life diplomas, when issued.

Board, general powers of.

Certificates renewed, when.

Evidence of terms taught required.

Primary certificates.

represented, to receive a special primary certificate: *Provided*, That in addition to such county examination the applicant shall pass an examination before the state board in methods of primary teaching, school management and history of education. Such special certificate shall be valid for five years, and at the expiration thereof the applicant may be granted a life diploma upon filing satisfactory evidence of having taught successfully in primary schools for a period of thirty-six months, not less than nine of which shall have been in the public schools of this state. Special primary certificates shall entitle the holders thereof to teach only such departments of the public schools of this state as shall be composed exclusively of pupils in the first, second, third and fourth years of school, as shown by the state course of study or an equivalent course: *Provided*, That before any state certificate or life diploma, issued or to be issued in this state, shall be valid for use in any county thereof, it shall be presented to the superintendent of common schools of said county for registry, and he shall indorse thereon the words "Registered for use in county," together with the date of registry and his official signature: *Provided further*, 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 indorsement in lieu of the original. He shall keep a record of all certificates and diplomas so registered; and any contract hereafter made with the teacher by any board of directors or board of education, based upon a state certificate or life diploma not registered as herein required, shall be void. The fee for state certificates shall be three dollars, and for life diplomas, five dollars. Said fees must be deposited with the application, and cannot be refunded to the applicant unless the application be withdrawn before it has been considered by the board.

Certificates,
registration of.

Diplomas and
certificates
void, when.

Fifth: To prepare a uniform series of questions to be used by county boards of examiners in the examination of teachers. Any member of said board who shall directly or indirectly disclose any question thus prepared, shall be deemed guilty of a misdemeanor, and on conviction thereof

Examination
questions.

shall be fined in any sum not less than one hundred nor more than five hundred dollars.

SEC. 2. Whereas, there is no sufficient provision now in existence for the adoption of text books; and whereas, contracts with publishers should be made at the earliest possible date in order to allow sufficient time for dealers to secure a supply of books before the expiration of the present contracts, an emergency exists, and this act shall take effect and be in force immediately.

Passed the senate March 7, 1895.

Passed the house March 14, 1895.

Approved March 21, 1895.

CHAPTER CLI.

[S. B. No. 192.]

AMENDING THE ACT RELATIVE TO ASSIGNMENTS.

AN ACT to amend section fifteen of an act entitled "An act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors," approved March 6, 1890.

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

SECTION 1. That section fifteen of an act entitled "An act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors," approved March 6, 1890, be and the same is amended to read as follows: Whenever it shall appear to the satisfaction of the court or judge thereof when the assignment is pending upon the final reports of the assignee chosen by the creditors or otherwise that the assignor has been guilty of no fraud in making an assignment or concealment or diversion of the property or any part thereof, in order to keep the same beyond the reach of creditors, and has acted justly and fairly in all respects; that the estate has been made to realize the fullest amount possible and that the expenses of the assignment have been paid.