

CHAPTER CXVIII.

[H. B. No. 472.]

CODE OF PUBLIC INSTRUCTION.

AN ACT to establish a general, uniform system of public schools in the State of Washington, and repealing chapter VI of title III, chapter VII of title V, all of title X except chapter XVII, chapter IV of title L, all being of volume 1 of Hill's Annotated Statutes and Codes of Washington; also repealing all amendments thereto; also repealing an act entitled "An act concerning the formation of new school districts, changing the boundaries and transferring territory from one district to another," approved March 9, 1893; also repealing an act entitled "An act to provide for the management and control of state normal schools in the State of Washington," approved March 10, 1893, and all amendments thereto; also repealing an act entitled "An act granting to school districts the right to purchase school house sites of school lands belonging to the State of Washington of not less than one acre and not more than five acres, and granting to school districts the preference right to purchase such sites, and declaring an emergency," approved February 26, 1895; also repealing an act entitled "An act relating to the indebtedness of school districts, providing means and methods for paying and funding the same, and means for validating the same or any part thereof incurred in excess of one and one-half per centum of the taxable property of the school district without the assent of three-fifths of the voters of the school district voting at an election held for for that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approval by the governor," approved March 1, 1895; also repealing an act entitled "An act to provide for the formation of joint school districts, and to prescribe the minimum number of school children required for the formation of new school districts, and declaring an emergency," approved March 13, 1895.

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

TITLE I.—DIVISIONS OF TERRITORY.

CHAPTER 1.—THE STATE.

State system
of schools.

SECTION 1. A general and uniform system of public schools shall be maintained throughout the State of Washington, and shall consist of common schools (in which all high schools shall be included), normal schools, technical schools, university of Washington, school for defective youth and such other educational institutions as may be established and maintained by public expense.

CHAPTER 2.—THE COUNTY.

SEC. 2. For purposes of supervision and administration each county in the state shall constitute one county district.

CHAPTER 3.—THE DISTRICT.

SEC. 3. The term "school district," as used in this act is declared to mean the territory under the jurisdiction of a single school board designated as "board of directors," and shall be organized in form and manner as hereinafter provided, and shall be known as district No., county: *Provided*, That all school districts now existing, as shown by the records of the county superintendents, are hereby recognized as legally organized districts.

SEC. 4. 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. 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, or if there be no school house, then in one of the most public places of said old district, and shall, on the day fixed in the notice, 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: *Provided*, That when in the formation or alteration of any school district, or in the refusal of a county superintendent to form or alter a school district as prayed for, if any person affected by such formation or alteration, or by such refusal to form or alter a school district as prayed for, shall feel aggrieved by the action of the county superintendent, he may appeal to the board of county commissioners of his county. Said appeal

School district defined.

Organization of new district.

Notice of meeting.

Appeal to county commissioners.

shall be filed with the clerk of the board of county commissioners within twenty days after the action complained of, and shall state in a clear and concise manner the matters complained of, which statement shall be verified by the affidavit of the appellant or appellants. Copies of the notice of appeal shall be filed with the county superintendent and with the clerk of each school district affected by the appeal, at the time of filing said notice with the clerk of the board of county commissioners. The county commissioners shall, at their next regular meeting, appoint a time and place when such appeal shall be heard. At such appointed time and place they shall hear and determine said appeal, and shall have power to summon witnesses, and their action shall be final.

Hearing of
appeal.

Changing
boundaries.

SEC. 5. 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, 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 residing in the territory to be transferred. The county superintendent shall file said petition in his office, and shall give notice to parties interested by causing to be posted notices at least twenty days prior to the time appointed by him for considering said petition, one of which shall be in a public place in the territory which it is proposed to be annexed or transferred, and one on the door of the school house in each district affected by the change, or if there be no school house in such district, then in some public place in such district or districts; and at the time stated in said notices he shall proceed to hear said petition, and if he deem it advisable he shall grant the same and make an order fixing the boundaries of the districts affected by his action, and shall certify his action to the board of county commissioners at their next regular meeting: *Provided*, That an appeal may be taken, as provided for in section four of this chapter.

Notice of
meetings.

Appeal.

SEC. 6. In forming new districts, or transferring terri-

tory 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. Not less than four sections.

SEC. 7. 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 one acre nor more than five acres each, of any school lands of the State of Washington. School house site.

SEC. 8. That in all cases when a school house is or may be erected upon any school lands of this state the school district to which such school house belongs shall have the preference right for six months after the filing of the final appraisal of such school lands not already appraised, to purchase school house sites to include the lands occupied by such school houses, at the appraised value thereof. Preference right to purchase.

CHAPTER 4.—JOINT AND UNION DISTRICTS.

ARTICLE I.—UNION SCHOOLS.

SEC. 9. Whenever the residents of two or more school districts may wish to unite for the purpose of establishing a union or graded school, the clerks of said 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, call a meeting of the voters of such districts at some convenient place, by posting written or printed notices in like manner as is provided for calling annual school district elections; and if a majority of the voters of each district shall vote to unite for the purpose herein stated, the boards of directors of the several districts so voting to unite shall constitute the board of directors of such union district, and shall, within ten days thereafter, meet and organize by electing one of their number president of the board, and selecting a clerk for such union 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 the election of president and clerk shall occur annually thereafter, on the second Saturday next succeeding the annual school district election. Organization. Officers.

Powers of the union board.

SEC. 10. The board of directors and clerk provided for in the preceding section shall, in all matters relating to the union or graded schools of such districts, possess all the powers, discharge all the duties and be governed by the laws herein provided for school district officers, and the clerk of such union district shall, immediately upon his election, inform the county superintendent of the organization of the district.

Course of study.

SEC. 11. The directors of such union districts shall determine what grade or grades of pupils shall attend such union schools, and shall determine the course of study that shall be pursued in such schools: *Provided*, That such course of study shall not be inconsistent with the laws of this state; and all expenses of such union schools shall be borne by the districts so uniting in proportion to the amount of funds apportioned to each district by the county superintendent, and the board of directors of each district shall issue warrants of their districts for such amounts.

Expenses.

ARTICLE II.—CONSOLIDATED DISTRICTS.

Organization.

SEC. 12. When two or more school 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 officers until the next annual school election in said district, at which time there shall be elected three directors and one clerk for said district, in the manner provided by law, who shall hold their respective offices as provided for the officers of new districts; and the county superintendent of any county in which new districts are formed by the uniting of two or more cities or towns, 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 clerk or 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 ex-

Officers and their powers.

Number of consolidated district.

isting 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 thus formed.

SEC. 13. All school districts formed by the uniting of two or more city or town districts, as provided for in this act, shall be entitled to the funds and other public property of the other school districts so united, and the county superintendent shall apportion all funds to the new district in accordance with this provision and shall certify such apportionment to the county treasurer.

Property belonging to the consolidated district.

SEC. 14. Each school district composing said consolidated district shall retain its corporate existence so far as and until its indebtedness has been paid in full, and the officers of said new district shall have the power and it shall be their duty to provide by appropriate levies upon such old district as may be necessary for the payment of 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.

Component districts retain their corporate existence.

SEC. 15. When two or more school districts shall be united by the provisions of this act, the boards of directors of the several districts so united 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 also 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 new district.

Organization of board of directors.

ARTICLE III.—JOINT DISTRICTS.

SEC. 16. 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 districts. They shall be designated by a separate number for each county in which any portion of their territory may lie.

When formed.

Organization.

SEC. 17. For the purposes of forming such joint districts, a petition shall be presented, drawn and signed as prescribed for the formation of other school districts; but such petition shall be presented in duplicate to the superintendent of each county affected by the proposed district, and the superintendent of each such county shall post notices of the hearing of the petition before him as in the case of petitions for other districts: *Provided*, That at least one notice shall be posted in each county affected, such notice being posted in a public place within the boundaries of the proposed joint district. Each county superintendent shall conduct his hearing within his own county, and the consent of the superintendents of all the counties affected shall be necessary to the formation of the district. Such consent shall be certified in writing by each superintendent to each of the others, and when all have consented they shall jointly issue a call for a special election in such joint district for the purpose of selecting officers for said district. The call for such election shall be posted as in the case of other special elections, and the officers elected shall qualify within two days after the election. Such officers shall serve only until the next regular annual election, when a full set of officers shall be elected as provided in the case of other new districts. Every director or clerk of the joint district shall file his certificate of election and oath of office with the county superintendent of each county in which any portion of his district lies, and he shall file his signature as required by law in the office of the county treasurer of each such county. Vacancies in the office of director or clerk 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.

Election of officers.

Oath of office.

Vacancies.

Reports from joint districts.

SEC. 18. 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: *And provided further*, That 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.

TITLE II.—OFFICERS, THEIR POWERS AND DUTIES.

CHAPTER 1.—ADMINISTRATIVE OFFICERS.

SEC. 19. The administration of the public school system shall be entrusted to a state superintendent of public instruction, a state board of education, a board of higher education, regents or trustees for educational institutions, county superintendents of common schools, boards of directors and district clerks. Adminis-
tration.

CHAPTER 2.—SUPERINTENDENT OF PUBLIC INSTRUCTION.

SEC. 20. 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. When elected.

SEC. 21. The superintendent of public instruction shall receive an annual salary of twenty-five hundred 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. 22. 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. Supervision.

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 three thousand copies shall be printed and delivered to the superintendent of public instruction, who shall furnish two copies 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 school Reports.

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 him for incidentals and expenses; the amount paid for building and providing school houses, furniture and apparatus; the amount of bonded or 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 may deem of general interest. He shall also include in his report a statement of plans for the management and improvement of the schools.

To prepare
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.

To travel.

Fourth: To travel in the different counties of the state where public schools are taught, without neglecting his other official duties as superintendent of public instruction, for the purpose of visiting schools, of consulting the county superintendents, and of addressing public assemblages on subjects pertaining to public schools; also to conduct such correspondence as may enable him to obtain all necessary information relating to the system of public schools in other states.

Expenses.

Fifth: To submit to the state auditor a monthly statement of his expenditures for traveling expenses: *Provided,* That said expenditures shall not exceed eight hundred dollars in any one year.

To publish
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

makes it of sufficient importance, in his opinion, to justify the same.

Seventh: To act as *ex officio* president of the state board of education. President of state board.

Eighth: To hold biennially, on or before the first day of May following the election of county superintendents, 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 the supervision and administration of the school laws, and such other subjects affecting the welfare and interests of the common schools as may be brought before it. Hold convention of county superintendents.

Ninth: Upon the receipt from the state auditor of a certificate of the state school fund subject to apportionment, to apportion within ten days said fund among the several counties of the state, in proportion to the total days' attendance: *Provided*, That each school district shall be credited with at least two thousand total days' attendance. The basis of said apportionment shall be the last annual reports of the several county superintendents on file in the office of the superintendent of public instruction at the time of making his apportionment. Apportion school fund.

Tenth: To require annually, on or before the fifteenth day of August, of the president, manager or principal of every seminary, academy or private school, and of the president, manager or principal of every state 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 made the duty of every such president, manager or principal to fill up and return such blanks within such time as the superintendent of public instruction shall direct. Reports from private schools.

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. Keep an educational directory.

Twelfth: To grade and make record of the standing of all examination papers submitted to him by county superintendents, and to issue certificates thereon as provided by law. Grade examination papers and issue certificates.

Office at the
capital.

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. 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 papers.

Decide
appeals.

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 shall publish his rulings and decisions from time to time, for the information of school officers and teachers; and his decisions shall be final unless set aside by a court of competent jurisdiction.

To deliver to
his successor.

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

Deputy and
stenographer.

SEC. 23. The superintendent of public instruction is hereby authorized to appoint a stenographer, and also a deputy superintendent of public instruction, who shall hold a life diploma. The compensation of both shall not exceed twenty-five hundred dollars per annum, and shall be paid in the manner prescribed for the payment of state officers.

CHAPTER 3.—STATE BOARD OF EDUCATION.

Appointment.

SEC. 24. The governor shall appoint, by and with the advice and consent of the state senate, four suitable persons, at least two of whom shall be selected from those actually engaged in teaching in the common schools of the state, and who hold life diplomas issued by authority of this state, who, together with the superintendent of public instruction, shall constitute the state board of education.

The persons appointed shall hold their office for two years Term of office. from the first Monday in March next following their appointment, and shall serve until their successors are appointed and qualified.

SEC. 25. The state board of education shall hold an annual Meetings. meeting at the capital of the state on the first Tuesday in 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 appointed as Expenses. members of the board of education shall be paid for their services the actual expenses incurred in the performance of their duties, which expenses shall be paid by the state treasurer, on warrant of the state auditor, out of funds not otherwise appropriated, upon the certificate of the superintendent of public instruction: *Provided*, That the expenses of the whole board shall not exceed the sum of one thousand dollars in any one year.

SEC. 26. Whenever any vacancy in the board shall occur, Vacancies. whether by death, removal, resignation or otherwise, the governor shall fill the vacancy by appointment.

SEC. 27. The state board of education shall have power — Powers and duties.

First: To adopt or to readopt, according to law, at a special meeting to be called by the superintendent of public instruction, a uniform series of text books for the use of Adopt text-books. the common schools throughout the state.

Second: To prepare a course or courses of study for the Prepare courses of study. 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.

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

Fourth: To sit as a board of examination at their annual or special meetings, and to grant state certificates and Hold examinations. life diplomas.

Prepare questions for county examinations.

Fifth. To prepare a uniform series of questions to be used by the county superintendents in the examination of teachers, and to determine rules and regulations for conducting the same.

CHAPTER 4.—BOARD OF HIGHER EDUCATION.

Consists of whom.

SEC. 28. The board of higher education shall consist of the state board of education, together with the president of the university of Washington, the president of the state agricultural college and school of science, and the principals of the state normal schools.

Adopt and harmonize courses of study.

SEC. 29. The board of higher education shall have the power, and it shall be their duty, to adopt courses of study for normal schools, and for the preparatory requirements for entrance to the university of Washington and to the agricultural college. The board shall arrange such courses and adopt and enforce such regulations as will place the state institutions into harmonious relations with the common schools and with each other, and unify the work of the public school system.

CHAPTER 5.—COUNTY SUPERINTENDENT OF COMMON SCHOOLS.

Election.

SEC. 30. A county superintendent of common schools shall be elected in each county of the state at each general election, whose term of office shall begin on the second Monday in January next succeeding his election and continue for two years and until his successor is elected and qualified. He shall take the oath or affirmation of office, and shall give an official bond in a sum to be fixed by the board of county commissioners. He may, at his own cost, appoint a deputy, who shall qualify in the same manner as the county superintendent, and perform all the duties of the office, subject, however, to revision by the county superintendent. The county commissioners of each county shall fill any vacancy that may occur in the office of county superintendent until the next general election.

May appoint a deputy.

Vacancy.

Eligibility.

SEC. 31. No person shall be eligible to hold the office of county superintendent of common schools who shall not at the time of his election or appointment have taught in the public schools of this state one school year of nine months, and who shall not at the time of such election or

appointment hold a state certificate or life diploma or a first grade common school certificate in full force and effect: *Provided*, That in all counties of the twenty-seventh class and in all counties of a class having a greater number than twenty-seven, a person shall be eligible to hold the office of county superintendent of common schools if he shall have taught in the public schools of the state for at least nine school months, and shall hold at the time of his election or appointment a certificate, except a special certificate or a temporary certificate, in full force and effect.

In small counties.

SEC. 32. 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 common 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 one of the certificates required by this act.

Official ballot.

SEC. 33. 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 teachers and school officers.

To supervise:

Second: To visit each school in his county not less than once in each year.

To visit schools.

Third: To distribute promptly all reports, laws, forms, circulars and instructions which he may receive for the use of the schools and the teachers.

To distribute reports.

Fourth: To enforce the course of study adopted by the state board of education and to enforce the rules and regulations required in the examination of teachers.

To enforce rules.

Fifth: To keep on file and preserve in his office the biennial reports of the superintendent of public instruction and of the county superintendents of his county.

To file reports.

Sixth: To keep in good and well bound books, to be furnished by the county commissioners, records of his official acts.

To keep records.

To preserve reports.

Seventh: 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.

To administer oaths.

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

To record contracts.

Ninth: 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, 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 the term in weeks. He shall, if the contract is properly drawn and the contracting teacher has a certificate in full force and effect for the entire term for which the contract is issued, countersign the same, and no contract shall be valid without such signature of the county superintendent.

To make annual report.

Tenth: 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.

To record boundaries.

Eleventh: To keep in his office a full and correct transcript of the boundaries of each school district in the county. 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.

Twelfth: To appoint directors and district clerks to fill

vacancies; to appoint directors and district clerks for any new districts: *Provided*, That when any new district is organized, such of the directors and district clerk of the old district as reside within the limits of the new one shall be directors and district clerk of the new one, and the vacancies in the old district shall be filled by appointment.

To appoint officers.

Thirteenth: To apportion, within ten days after receiving the certificate of apportionment of the superintendent of public instruction, the state annual school fund, and such other funds as are subject to apportionment, to the several school districts entitled to receive the same, in accordance with the instructions of the superintendent of public instruction. He shall certify the result of the apportionment to the county treasurer, and also notify each clerk of the amount apportioned to that district.

To apportion school funds.

Fourteenth: To grant such temporary and special certificates and to conduct such examinations of teachers and candidates for entrance to the normal schools, 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.

To grant temporary certificates and conduct examinations.

Fifteenth: 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.

To hold institutes.

SEC. 34. 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 school district clerks are properly kept. He shall require the oaths 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 to be 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.

General duties.

SEC. 35. He shall keep his office open for the transaction of official business such days each week as the duties of the

Office days.

office may require, and shall keep posted on the door of his office a notice of said office days and hours of such days.

Appeal from
decision, how
taken.

SEC. 36. Any person or board of directors aggrieved by any decision or order of the county superintendent may, within thirty days after the rendition of such a decision or making of such order, appeal therefrom to the superintendent of public instruction. The basis of the proceeding shall be an affidavit by the party aggrieved, filed with the superintendent of public instruction within the time for taking the appeal. The affidavit shall set forth the errors complained of in a plain and concise manner. The superintendent of public instruction shall, within five days after the filing of such affidavit in his office, notify the county superintendent in writing of the taking of such appeal, and the county superintendent shall, within twenty days after being thus notified, file in the office of the superintendent of public instruction a complete transcript of the record and proceedings relating to the decision complained of, which shall be certified to be correct by the county superintendent. The superintendent of public instruction shall examine the transcript of such proceedings and render a decision thereon, but no new testimony shall be admitted, and his decision shall be final unless set aside by a court of competent jurisdiction.

County com-
missioners
shall furnish
office.

SEC. 37. The county commissioners shall provide the county superintendent with a suitable office at the county seat, and all necessary blanks, books, stationery, postage and other expenses of his office shall be paid by the county treasurer out of the county fund upon a sworn statement made quarterly and allowed by the county commissioners.

Salary and
mileage.

SEC. 38. The county superintendent shall, in addition to the salary fixed by law, be allowed mileage at the rate of five cents per mile for each mile actually and necessarily traveled in the performance of his official duties and in attendance on the convention of county superintendents, called by the superintendent of public instruction, but shall not be allowed to charge or collect any fee for the performance of any other duty herein named: *Provided*, That no constructive mileage shall be charged.

CHAPTER 6.—DISTRICT DIRECTORS.

SEC. 39. Directors of school districts shall be elected at the regular annual school election. At the first annual election in all new districts three directors shall be elected, for one, two and three years, respectively. No person shall be eligible to the office of school director who is not able to read and write the English language. The ballot shall specify the term for which each is to be elected. In all districts in which elections have been previously held, one director shall be elected for the term of three years, and if any vacancies are to be filled, a sufficient number to fill them for the unexpired term or terms; and the ballot shall specify the respective term for which each director is to be elected. Directors-elect shall take office on the first Monday in July next succeeding their election, and shall hold office until their successors are elected and qualified. Any director who fails to qualify on or before the day appointed for him to take office shall forfeit all rights to his office, and the county superintendent shall fill such vacancy by appointment, to hold office until the next annual election.

Election of directors.

Assume office.

SEC. 40. Every board of directors, unless otherwise specially provided by law, shall have power, and it shall be their duty —

Powers and duties:

First: To employ, and, for sufficient cause, to discharge teachers, mechanics or laborers, and to fix, alter, allow and order paid their salaries and compensation.

To employ teachers and others.

Second: To enforce the rules and regulations prescribed by the superintendent of public instruction and the state board of education for the government of the schools, pupils and teachers, and to enforce the course of study prescribed by the state board of education.

To enforce rules.

Third: To provide and pay for materials and supplies as may be necessary for the schools, and to purchase such school furniture, charts or other apparatus as may have the written approval of the county school superintendent as to quality and price: *Provided,* That all such purchases of furniture, charts or other apparatus shall be approved at a meeting of said board, at which all members shall be present.

To provide supplies and furniture.

To care for
school houses.

Fourth: To rent, repair, furnish and insure school houses.

To act for the
district.

Fifth: To 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 shall not be removed, nor a new site for a school house be designated except when directed by two-thirds of the voters of such district at an election to be held for that purpose, which election may be a special or a general school election.

To hold
property.

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

To suspend
pupils.

Seventh: To suspend or expel pupils from school who refuse to obey the rules thereof, and may exclude from school all children under six years of age.

To provide free
text-books.

Eighth: To provide free text-books and supplies to be loaned to the pupils of the schools when directed by a vote of the district to do so; and if not so directed, to provide books for children of indigent parents, on the written report of the clerk, after investigation, that the parents of such children are unable to purchase the same.

To require
books.

Ninth: To require all pupils to be furnished with such books as may have been adopted by the state board of education, as a condition to membership in the schools.

To exclude
certain books.

Tenth: To exclude from schools and school libraries all books, tracts, papers and other publications of an immoral or pernicious tendency, or of a sectarian or partisan character.

To permit
the use of
school house.

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

To enforce
the law.

Twelfth: To require teachers to conform to the provisions of the school law.

Liabie for
debts of
district.

SEC. 41. Any board of directors shall be liable as directors in the name of the district for any judgment against the district, for any salary due any teacher, and for any debts legally due, contracted under the provisions of this

act, and they shall pay such judgment or liability out of the school funds to the credit of the district.

SEC. 42. Any board of directors shall have power to make arrangements with adults wishing to attend school or with the directors of an adjoining 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 moneys 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.

Non-resident pupils may attend school.

Tuition fees paid to treasurer.

SEC. 43. 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. A regular meeting of each board of directors shall be held on the first Saturday of February, May, August and November. They may, however, hold such other special or adjourned meetings as they may from time to time determine, or as may be specified in their by-laws.

Make by-laws.

Meetings of board.

SEC. 44. 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 or in their own names as directors 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, or to the directors thereof, shall be made to the board of directors of the district and to their successors in office; said board, in the name of the district, shall have power to transact all business necessary for maintaining schools and protecting the rights of the district; and it shall be the duty of the directors of every school district to issue and sign warrants, as such directors, for the payment of all demands

May convey property.

Sign warrants.

Execute deeds. audited and allowed against their district, and to sign, execute and acknowledge, as such directors, deeds for the conveyance of all real estate sold by them as in this section provided.

Have no pecuniary interest in contracts.

SEC. 45. It shall be unlawful for any director to have any pecuniary interest, either directly or indirectly, in any erection of school houses, or for warming, ventilating, furnishing or repairing the same, or be in any manner 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.

Limit of indebtedness each year.

SEC. 46. 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 special 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.

Appeal to county superintendent.

SEC. 47. Any person aggrieved by any decision or order of the board of directors may, within thirty days after the rendition of the decision or making of such order, appeal therefrom to the county superintendent of the proper county; the basis of such proceedings shall be an affidavit filed by the party aggrieved with the county superintendent within the time for taking appeal. The affidavit shall set forth the errors complained of in a plain, concise manner. The county superintendent shall, within five days after the filing of such affidavit in his office, notify the clerk of the proper district, in writing, of the taking of such appeal, and the latter shall, within ten days after being thus notified, file in the office of the county superintendent a complete transcript of the record and proceeding relating to the decision complained of, which shall be certified to be correct by the clerk of the district. After the filing of the transcript aforesaid in the office, he shall rotify in writing all persons interested of the time and the place where the matter of the appeal will be heard by him. At the time thus fixed for the hearing he shall hear the testimony of either party, and for that purpose may administer oaths if

Hearing of appeal.

necessary, and he shall make such decision as may be just and equitable, which shall be final unless appealed from, as provided for in this act.

CHAPTER 7.—DISTRICT CLERKS.

SEC. 48. A district clerk shall be elected in each district ^{Election.} at each annual election, to hold office for one year, beginning on the first Monday in August next succeeding his election, and until his successor is elected and qualified. In case of the death, removal or resignation of the district clerk, the county superintendent shall fill the vacancy ^{Vacancy.} by appointment. Any district clerk failing to qualify as provided for in this act, on or before the day appointed for him to take office, shall forfeit all right to his office, and the county superintendent shall fill the office by appointment, to hold until the next annual election.

SEC. 49. The duties of the district clerk shall be as follows: ^{Powers and duties:}

First: To attend all meetings of the board of directors; ^{To keep record of meetings.} 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.

Second: To keep accurate and detailed accounts of all receipts and expenditures of school money. ^{To keep account of finances of district.} 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.

Third: To take annually, in June of each year, an exact ^{To make annual report.} 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 June of that year; and he shall designate the number of weeks each child between the ages

of six and twenty-one years has attended school during the school year; the names and sex of all children subject to enumeration, together with the names of their parents or guardians: *Provided*, That Indian children not living under the guardianship of white persons, or who have not severed their tribal relations, or Mongolian children not native born, shall not be included in said census. He shall note all defective youth between the ages of five and twenty-one years; and he shall, on or before the fifteenth day of July, make to the county superintendent a full and complete report of all children enumerated, together with a complete statistical report of the affairs of his district, which report shall be verified by affidavit. Said report shall be made upon blanks to be furnished by the superintendent of public instruction, and shall contain such items of information as said superintendent 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 June last past, together with the number of weeks each has attended school during the last school year; the names and residences of the parents or guardians of all such children; the number of schools or departments taught during the year, and the branches taught; the number of children, male and female, enrolled in 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; the text-books used, and the number of volumes, if any, in the school district library; the aggregate amount paid teachers during the year; 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; the amount raised by special tax during the year for the support of schools, and for buildings, sites and furniture; the amount raised by subscription, or by other means than taxation; the amount of bonded indebtedness of the district, and the rate of interest paid; the amount of all other indebtedness, and such other items as the superintendent of public instruction may deem of importance, and as may be provided for in the

Indian and Mongolian children not to be included in census.

Report to be verified.

Must enumerate all persons between the ages of 5 and 21 years.

Number of teachers and compensation.

Amount paid teachers, etc.

Amount of bonded and other indebtedness.

blanks furnished for said report, and the clerk shall keep on file a duplicate copy of said report.

Fourth: 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. To care for buildings.

Fifth: 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. To give notice of meetings.

Sixth: 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 superintendent of public instruction. To report contracts of teachers.

Seventh: To issue and countersign all warrants ordered to be issued by the board of directors. To issue warrants.

Eighth: To report to the superior judge, before the first day of December of each year, the name and residence of every child that failed to attend school as required by law, and shall submit, at their next regular meeting, a duplicate of said report to the school board of his district. To report to the superior judge.

SEC. 50. 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 out and transmit to the clerks of such districts as have made all reports as required by law, on or before the last Satur- Compensation. Certificate that reports have been made.

day of the months of January, April, July and October of each year, the certificates required by this section.

CHAPTER 8.—TEACHERS.

Who are qualified teachers.

SEC. 51. No person shall be accounted as a qualified teacher, within the meaning of the school law, who has not first received a certificate issued by the superintendent of public instruction, or who has not a state certificate or life diploma from the state board of education, or who has not a temporary certificate or a special certificate granted by the county superintendent according to law: *Provided*, That nothing in this section shall be construed as invalidating any certificate in force at the time of its passage, but the same shall remain in force for the period for which each was issued.

Report of contract to teach.

SEC. 52. Every teacher employed in any common school shall make a report to the county superintendent at the time of the contract to teach such school, showing the number of the district in which he is to teach, the grade of his certificate, date it expires, and the proposed length of term, and at the close of any school to report to the county superintendent on the blanks prescribed by the superintendent of public instruction. 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 service until the reports herein required shall have been made and received: *Provided*, That in all schools acting under the direction of a city superintendent the report of such superintendent shall be accepted by the county superintendent and the directors in lieu of the teacher's report, and that when there is no city superintendent, the report of the principal shall be accepted in lieu of the teacher's report.

Report at close of school term or year.

City superintendent or principal may report.

SEC. 53. Every teacher shall keep a school register in the manner provided for, and no board of directors shall draw any 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 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.

Must keep register.

Final report.

SEC. 54. Teachers shall faithfully enforce in the schools the course of study and regulations prescribed.

SEC. 55. No teacher shall be employed except by written order of a majority of directors, 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.

Written record of employment.

SEC. 56. No teacher shall be required to teach school on Saturdays or any legal holiday, and no deduction 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.

Legal holidays.

SEC. 57. Every teacher shall have 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.

May suspend pupils.

SEC. 58. 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 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.

Teach morality and patriotism.

CHAPTER 9.—COUNTY TREASURER.

SEC. 59. The county treasurers of the several counties of this state shall be *ex-officio* treasurers of the several

Treasurers of school districts:

school districts of their respective counties, and it shall be the duty of each county treasurer—

To receive and pay out school funds.

First: To receive and hold all moneys belonging to such school districts, and to pay them out upon warrants or orders of the boards of directors of the districts to which they belong.

To certify funds subject to apportionment.

Second: To certify to the county superintendent of common schools of his county, July first of each year, and quarterly thereafter, the amount of all school moneys 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.

To make annual report.

Third: To make annually, on or before the fifteenth day of July, a report to the county superintendent 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 funds disbursed upon orders or 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 school year subject to be paid out upon warrants of school district officers, 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.

To register 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 is 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 draw interest at the same rate as county warrants until there shall be sufficient funds for its payment; 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 said warrants shall cease to draw interest.

Endorsement
on warrants.

Advertise call
of warrants.

CHAPTER 10.—GENERAL PROVISIONS RELATING TO OFFICERS.

SEC. 60. When any school officer is superseded, by election or otherwise, he shall immediately deliver to his successor in office all books, papers and moneys pertaining to his office.

Shall turn over
property.

SEC. 61. Every person elected or appointed to any office mentioned in this act 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 appertaining 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.

Take oath
of office.

May admin-
ister oaths.

SEC. 62. 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 county treasurer; and it shall be unlawful for any county treasurer to pay or register any school district warrant if the signatures are not on file in his office or do not correspond to the certified signatures therein filed.

Shall file
signature.

SEC. 63. Nothing in this act shall be so construed as to invalidate the authority of any school officer appointed or elected under provisions of law and holding office at the time of the passage of this act, nor of any contract in full force and effect at the time of the passage of this act.

Authority
of officers
validated.

TITLE III.—THE COMMON SCHOOL SYSTEM.

CHAPTER 1.—DISTRICT SCHOOLS.

Common
schools
defined.

SEC. 64. Common schools shall include all district grades, and high 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.

Subjects to
be taught.

SEC. 65. 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, 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. 66. The school day shall be six hours in length, exclusive of an intermission at noon, but any board of directors may fix as the school day a less number of hours than six: *Provided*, That it be not less than four hours for primary schools under their charge, and any teacher may dismiss any or all pupils under eight years of age after an attendance of four hours, exclusive of any intermission at noon. The school month shall be construed to be twenty school days, or four weeks of five days each.

School month.

School year.

SEC. 67. The school year shall begin on the first day of July and end with the last day of June.

Contagious
diseases.

SEC. 68. No teacher, pupil or janitor shall be permitted to attend school from any house in which smallpox, varioloid, 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 these diseases and have entirely recovered from them.

SEC. 69. 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.

Pupils shall comply with regulations.

SEC. 70. All school districts in this state shall maintain school during at least three months each year. All graded school districts in incorporated cities and towns shall maintain school during at least six months each year.

Minimum length of school term.

SEC. 71. All parents, guardians and other persons in this state having or who may hereafter have immediate custody of any child or children between the ages of eight and fifteen years, shall send the same to school at least three months in each year.

Compulsory attendance.

CHAPTER 2.—GRADED AND HIGH SCHOOLS.

SEC. 72. Each incorporated city or town 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 or town district a reasonable distance beyond the limits of such city or town: *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 or town, except in cases of the incorporation of cities or towns lying partly in two or more school districts organized prior to the incorporation of such city or town, or of the extension of the boundaries of cities or towns beyond the limits of

Limits of districts.

the school districts in which they are situated, or in cases where two or more cities or towns unite, as provided by law: *And provided further*, That no portion of any district which has issued bonds, shall be transferred or united to any other district until all such bonds have been redeemed and canceled.

Bonded territory cannot be transferred.

Shall employ a principal.

SEC. 73. In all such city or town districts where the number of children of school age is sufficient to require the employment of more than one teacher, the board of directors shall designate one of such teachers as principal, and such principal shall have general supervision over the several departments of his school. The school or schools in such city or town districts shall be graded in such a manner as the directors thereof shall deem best suited to the wants and conditions of such districts: *Provided*, That the course of study established for such districts shall not be inconsistent with the laws of this state.

Course of study.

Shall employ a city superintendent.

SEC. 74. The directors of such city or town districts wherein schools are maintained in two or more buildings shall elect one city or town superintendent, who may be a teacher in the schools of such district, and such city or town school superintendent shall have general supervision over the schools of his district, subject to the concurrence of the board of directors; and it shall be the duty of the principal or city school superintendent to report to the superintendent of public instruction such facts relative to the grading, course of study, enrollment, attendance and other matters pertaining to such schools as he may require, on blanks furnished for that purpose.

Report of city superintendent.

CHAPTER 3.—CITIES OF TEN THOUSAND INHABITANTS, AND OVER.

Title of city district.

SEC. 75. Whenever any incorporated city in this state shall have a population of ten thousand or more inhabitants, as shown by any regular or special census, together with any adjacent or contiguous territory that now is or may be hereafter attached to said city for school purposes, it shall constitute one school district and be known by the name "..... (name of city) school district No.," in .. county, State of Washington, and the board of directors thereof shall constitute a body corporate and

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 school district within the corporate limits of any city shall, upon the organization of a district under the provisions of this act, vest immediately in the new district, and the board of directors by this act provided, shall have exclusive control of the same for all the purposes herein contemplated.

A body corporate.

SEC. 76. The said board of directors shall consist of five members, who shall be elected by ballot by the qualified electors of the district, and shall hold their offices for a term of three years, and until their successors are elected and qualified: *Provided*, That the members of the board of directors in any city to which the provisions of this act apply, shall serve out the time for which they were elected: *Provided further*, That at the first election of members subsequent to the passage of this act, it shall be so arranged by the members-elect drawing lots, that the term of two members shall expire in one year, the term of two members shall expire in two years, and the term of one member shall expire in three years after the said first election.

Board of five members.

Terms of members.

SEC. 77. The regular district election shall be held annually in each district contemplated by this chapter on the first Saturday of November. The board of directors shall cause written or printed notices to be posted, specifying the day and the places of such election, and the time during which the ballot box shall be kept open; not less, however, than six (6) hours. Said notices shall be posted in at least one place in each ward in the district at least twenty (20) days previous to the time of election. Said notices shall also be published for the same length of time 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 (3) 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 (5) legal voters residing in the district may give such notice over their own

Annual election.

Notices posted 20 days.

names, and such election may be held after the day fixed by this act for such election. All elections shall be by ballot, and in the absence of any notice specifying the hour, the ballot box shall be open at 1 o'clock P. M. and be closed at 8 P. M.

Hours polls shall be open.

One voting place in each ward.

SEC. 78. The board of directors shall, at a regular meeting, provide one voting place in each ward of the city, and appoint judges and clerks of election, who shall observe and cause to be observed at such election all the election laws of this state applicable thereto not otherwise provided for: *Provided*, That only those persons, male and female, who have complied with the laws governing registration in cities of the class for which this chapter provides, shall be permitted to vote, and that no person shall be permitted to vote at said election except in the ward in which he or she resides. There shall be provided by the board of directors registration books for each ward, in which the secretary of the board shall register separately the names of males and females who apply for registration and are legally qualified as otherwise provided by law. Should any of the judges be absent at the opening of the polls, the electors present shall appoint a legal voter, who, upon taking oath, shall be qualified to fill the vacancy.

Registration of voters.

Officers of election.

Directors to canvass and announce returns.

SEC. 79. 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 terms for which elected.

County superintendent to record certificate.

Directors shall take oath.

SEC. 80. All persons elected as members of the board of directors shall, within ten (10) 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. 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 selected shall begin on the first Saturday of the month following their election, when the members of the board of directors shall elect a president and a vice president from among their number, who shall serve for a term of one year or until their successors are elected and qualified. They shall elect annually a secretary, at such salary as they, the board, 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.

SEC. 81. The election of the officers of the board of directors, the city superintendent, the secretary, teachers and janitors 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.

SEC. 82. 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. 83. It shall be the duty of the vice president to perform all the duties of president in case of his absence or disability.

SEC. 84. 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 shall be charged with the special care of the school buildings of the district; he shall also perform such other duties as the board may direct.

SEC. 85. 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

Shall superintend buildings.

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 purchasing agent of the board and as superintendent of buildings, which shall be combined with his annual report, to be published in the manner determined by the board.

Meetings of the board.

SEC. 86. The regular meetings of the board of directors shall be held monthly 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.

Office of the board.

SEC. 87. 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 at all times ready for inspection of resident taxpayers.

County treasurer shall be treasurer of district.

SEC. 88. The county treasurer shall be the *ex officio* treasurer of the board of directors; he shall prepare and submit to the secretary, in writing, on the first day of January, April, July and October of each year, a report of the state [of the] finances, and shall pay school moneys placed to the credit of the district only upon warrants signed by the president or by a majority of the board of directors and countersigned by the secretary.

Vacancies in the board.

SEC. 89. The board of directors shall have the 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."

Quorum.

SEC. 90. 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 may 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. Forfeiture of office.

SEC. 91. All accounts shall be audited by a committee, to be styled the "auditing committee," and no expenditure greater than two hundred dollars (\$200) 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 the board; 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 of said county the nature and state of said accounts, and any facts that may be required concerning said records. Auditing committee.

SEC. 92. Every board of directors shall have the power, and it shall be their duty — Powers and duties:

First: To employ a city superintendent of schools of the district, and for cause to dismiss him; and to fix his duties and compensation. To employ a superintendent.

Second: To enforce the rules and general regulations of the superintendent of public instruction, and the state board of education; to prescribe the course of study, the exercises, and the kind of text-books to be used in addition to the text-books prescribed by the state board of education for the use of the common schools of this state: *Provided,* That after the adoption of any text-book, it shall not be changed in less than five (5) years, unless the price thereof shall be unwarrantably advanced, or the mechanical quality lowered, or the supply stopped. To enforce rules and adopt text-books.

Third: To provide for school furniture and for everything needed in the school houses. To provide supplies.

Fourth: 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. To enact by-laws.

Fifth: To adopt and enforce such rules and regulations

To establish grades and departments.

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 as shall, in the judgment of the board, best promote the interests of education in that district.

To suspend pupils.

Sixth: To suspend and expel pupils from school who refuse to obey the rules thereof.

To employ teachers, and fix time of opening and closing of schools.

Seventh: To employ, and, for cause, to dismiss, teachers, janitors or other employés; to determine the length of time over and above eight (8) months that school shall be maintained; to fix the time for the annual opening and closing of schools, and for the daily dismissal of primary pupils before the regular time for closing schools.

To provide books.

Eighth: 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.

To require vaccination.

Ninth: 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.

To make an annual report.

Tenth: To make, as soon as possible after the close of the school year, an annual printed report to the taxpayers of the district, showing in detail the receipts and disbursements of the school funds.

Census.

SEC. 93. The board of directors shall annually cause to be taken an enumeration of all persons between the ages of five and twenty-one years residing in the district, and shall report the same, together with such information as required by the general school laws of Washington, to the county superintendent of schools, at the time and in the manner specified by law for like returns in other districts. The census shall be taken by the secretary and such enumerators as he shall select, subject to the approval of the board or its 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 in the same manner as by law required of the district clerk.

Compensation of enumerators.

Oath of.

SEC. 94. It shall be unlawful for any member of the board of directors, or any of its officers, to have any pecuniary interest, either directly or indirectly, in any contract for the erection of school houses, or for warming, ventilating, furnishing or repairing the same, or in the furnishing of supplies for the maintenance of the schools, or to receive or to accept any compensation for services performed in discharging the duties of his office.

Directors shall have no pecuniary interest in contracts.

SEC. 95. No school property of any kind shall be sold by the board of directors without the consent of the district being first obtained, except it be personal property, the value of which shall not exceed five hundred dollars (\$500).

Sale of school property.

SEC. 96. In all districts contemplated by this chapter, when, in the opinion of the board, the cost of any lot of furniture, stationery, apparatus, fuel, building or improvements, or repairs to the same, will equal or exceed the sum of two hundred dollars (\$200), it shall be the duty of the board to give due notice by publication in at least one daily newspaper published within said city, and if there be no daily, then in one or more weekly papers in three (3) regular consecutive issues, of the intention to receive bids for such lots of furniture, stationery, fuel and other supplies, or for said improvements and repairs. The board shall determine the specifications for such bids, which shall be public.

Purchase of supplies in the sum of \$200 by advertisement.

SEC. 97. 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 tax 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 said additional amount the same as other taxes: *Provided*, That in case the purchase of school sites and the erection of buildings shall require an expenditure exceeding twenty-

Board shall estimate funds required.

County commissioners shall levy tax.

Expenditure of \$25,000 requires a vote of electors.

five thousand dollars (\$25,000) for any one calendar year, the question shall be submitted to a vote of the electors of the district, at the time and places the board of directors may appoint; the board of directors shall, previous to such election, designate in at least 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 an election shall be held, the locality of the site or sites required, and the proposed cost of the buildings to be erected thereon.

Limit of tax levy.

SEC. 98. The aggregate tax for school purposes in cities of ten thousand or more inhabitants shall in no one year exceed one per cent. upon all the taxable property of the district.

CHAPTER 4.—COUNTY INSTITUTES.

Institute must be held, when.

SEC. 99. Whenever the number of school districts in any county is twenty-five or more, the county superintendent must hold a teachers' institute each year, and every teacher holding a valid certificate employed in a common school in the county must attend such institute during its whole time.

May be held.

SEC. 100. In any county where there are less than twenty-five school districts, the county superintendent may, in his discretion, hold an institute.

Length of session.

SEC. 101. Each session of the institute must continue not less than three days.

Compensation of teachers continues.

SEC. 102. When the institute is held during the time when the teachers are employed in teaching, their pay shall not be diminished by reason of their attendance when certified to by the county superintendent.

Examination fees paid into the institute fund.

SEC. 103. All examination fees shall be paid by the county superintendent to the county treasurer, who shall place it to the credit of an institute fund hereby created.

Expenses paid by county commissioners.

SEC. 104. The county superintendent must keep an accurate account of the actual expenses of the institute, with vouchers for the same, and present the bill to the county commissioners, who shall allow the same: *Provided*, That such amount shall not exceed in any year the sum of two hundred dollars in excess of the amount received as examination fees.

CHAPTER 5.—TEXT BOOKS.

ARTICLE I.—ADOPTION OF BOOKS.

SEC. 105. A general and uniform system of text-books for the use of the common schools, including graded schools, throughout the state shall be adopted or re-adopted by the state board of education in the following manner: On or before the first day of May in the year nineteen hundred the superintendent of public instruction shall advertise for at least four weeks, in such papers or 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 in which the books shall continue in use; or the price to the state in the case of state purchase and supply of free text-books. 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 awards of contracts shall be made within ten days following. No books shall be adopted without a majority vote of the whole board: *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 in 1890-91; and the state board of education shall have power to enter into contract with the publishers for the supply

Uniform system throughout the state.

State superintendent shall advertise for bids.

Proposals to furnish books.

Exchange rates.

Adoption for
five years.

Rejection of
proposals.

Readver-
tisement.

Limit of price.

Publishers
shall maintain
contract prices.

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 book 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 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 accepted 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 were 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 con-

tract wholesale price to all dealers at all points where such reduction is made in the retail price: *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.

State publication of text-books.

ARTICLE II.—FREE TEXT-BOOKS.

SEC. 106. At the annual meeting for the election of school district officers next subsequent to the passage of this act there shall be submitted to the qualified electors of each school district the question of providing free text-books and supplies for the use of all pupils attending the common schools of the district, and for levying a tax sufficient to meet the expense thereof. The vote shall be taken by ballot, and the ballot of those favoring the question shall have thereon the words, "Furnishing free text-books and supplies, Yes," and the ballot of those opposed shall have the words, "Furnishing free text-books and supplies, No."

Vote on free text-books June, 1897.

SEC. 107. The board of directors may, and upon the presentation of a petition signed by five patrons of the school, it shall be their duty to call a special election for the purpose of submitting to the qualified electors of the district the question of furnishing free text-books and supplies as provided in this article: *Provided*, That in cities of ten thousand or more inhabitants the number of said petitioners shall not be less than five hundred.

Special vote may be called upon petition of five patrons.

Of five hundred patrons.

SEC. 108. Should a majority of the votes mentioned in this act be in favor of furnishing free text-books and supplies, it shall be the duty of the board of directors to procure the same according to such vote and in sufficient quantities, and to adopt such rules and regulations as may be necessary for their use and care, as well as to furnish suitable cases and shelves for their safe keeping.

Board shall furnish free text-books when so ordered.

CHAPTER 6.—SCHOOL REVENUES.

SEC. 109. The principal of the common school fund shall remain irreducible and permanent. The said fund shall be

Source of school funds.

derived from the following sources, to wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or common schools; the proceeds of land or other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state, when the purpose of the grant is not specified or is uncertain; funds accumulated in the treasury of the state for the disbursements 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, 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 fifteen (15) 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 the common schools, and such other funds as may be provided by legislative enactment.

Exclusively for
current use.

SEC. 110. The interest accruing on said fund, together with rentals and other revenues derived from lands and other property devoted to the common school fund, shall be exclusively applied to the current use of the common schools. All schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence. All losses to the permanent common school fund which shall be occasioned by defalcation, mismanagement or fraud of the agent 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.

Schools free
from sec-
tarian control.

Loss of funds.

Annual
state tax.

SEC. 111. In addition to the provisions for the support of common schools hereinbefore provided, it shall be the duty of the state board of equalization, annually, at the time of levying tax for state purposes, to levy a tax that

shall be sufficient to produce a sum which, when added to the estimated amount of money to be derived from the interest on the state permanent school fund for the current fiscal year, shall equal six dollars for each child of school age residing in the state as shown by the last report of the several county superintendents to the superintendent of public instruction: *Provided*, That said tax shall not exceed four mills on the dollar. Said tax levy 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 transmitted to the state treasurer at the same time and in the same manner as other state taxes are required to be collected and transmitted; and it shall be the duty of the state auditor, within thirty days after the date at which county treasurers are required to transmit state funds to the state treasurer, to certify to the superintendent of public instruction the amount of all state annual school funds in the hands of the state treasurer subject to apportionment.

Limit of tax.

Certificate to the superintendent of public instruction.

SEC. 112. The board of directors, when in their judgment it is necessary, for the purpose of furnishing additional school facilities for their district, or for the payment of teachers' wages, or for the building of one or more school houses, or for the repairing of one or more school houses, or for the building of additions thereto, or for the purchase of fuel, supplies, globes, maps, charts, books of reference or other appliances or apparatus for teaching, or for any or all of these purposes, may levy a special tax on the taxable property of the district, not to exceed ten mills on the dollar: *Provided*, That no tax exceeding five mills on the dollar shall be levied until such levy shall have been ordered by a majority vote of the legal electors of the district, at a special election called for that purpose. Such election shall be called and conducted in the manner provided for calling and conducting annual school elections. At such elections the ballots shall contain the words "Tax, yes," or "Tax, no." The officers of the election shall certify the result of the election to the clerk of the district, who shall file said certificate as a part of his records. Whenever a special tax is ordered to be levied, the clerk

Five mills levy by the directors.

Voters may levy ten mills.

Clerk shall file certificate of levy by September 1st.

of the district shall, on or before the first day of September of the year in which such special tax is ordered to be levied, make to the county auditor a certified statement of the number of mills of such special tax which has been ordered to be levied in such district. The county auditor shall extend the same against all the taxable property within such district, upon the general assessment roll of the county, showing the amount and kind of property so assessed, and to certify the same to the county treasurer.

County treasurer to collect taxes.

The county treasurer shall proceed to collect the tax in the same manner and at the same time and with the same power and authority to enforce payment of the same, as in the case of county and state taxes. The county treasurer shall place any tax so collected to the credit of the district to which it belongs.

Fines, penalties and forfeitures.

SEC. 113. Except as otherwise provided by law, all sums of money derived from fines imposed for violations of orders of injunction, *mandamus* and other like writs, or for contempt of court, and the clear 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 over 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 general school fund. He shall indicate in such entry the source from which such money was derived.

Warrants paid, how.

SEC. 114. All school warrants shall be paid in the order of their presentation to the county treasurer, and shall draw interest from and after such presentation and registry: *Provided*, That no compound interest shall be paid directly or indirectly on any of said warrants.

School in new district.

SEC. 115. 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 districts, and shall be collected and paid into the school fund of the old district.

New district void.

SEC. 116. When a new district is formed by the division of an old one, it shall be entitled to a just share of the school moneys to the credit of the old district after payment of all outstanding debts at the time when the petition was granted establishing such new district, and the county superintendent shall divide such remaining moneys, and such as may for the current year afterward be apportioned to the old district, according to the number of school children resident in each district, for which purpose he shall order a census to be taken: *Provided*, That the new district shall be entitled to such proportion of any special tax levied and collected for the year in which the new district is created as the amount of such tax paid by that portion of the old district which is embraced in the new bears to such old district.

Division of funds.

Proportion of special tax.

CHAPTER 7.—BONDS.

SEC. 117. The board of directors of any school district in this state may borrow money and issue negotiable coupon bonds therefor to an 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: *Provided*, 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 and apparatus, or for any or all of these purposes, when authorized by vote of the district so to do, as provided in section 118 of this act: *Provided further*, That the bonds so issued shall bear a rate of in-

Limit of bonded indebtedness.

Rate of interest.

terest not to exceed ten (10) 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 the date of issue.

Bond election.

SEC. 118. The question whether bonds shall be issued, as provided in section 117 of this act, shall be determined at an election to be held in the manner prescribed by law for holding special school elections. Notices therefor shall state 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 if the amount of bonds to be issued, together with any outstanding indebtedness of the district, not to be redeemed with the proceeds of said issue of bonds, 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 bond 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.

Notice of.

Form of ballots.

Three-fifths vote.

Directors shall certify to county treasurer.

Advertisement of sale.

Form of bonds.

SEC. 119. When authorized and empowered to issue bonds as provided in sections 117 and 118 of this act, the board of directors shall, within thirty days after the date of the election, certify the result to the county treasurer, who shall immediately 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. 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

of issue, the series of issue, rate of interest, where payable, time to run, option, if any, of districts 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, series, and amount of each bond, the person to whom the same is issued, name 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 and when issued, together with the number and series of said bond.

Bonds registered by county treasurer.

SEC. 120. At the time named in said notice it shall be the duty of the said board of directors to meet with the county treasurer at his office, and with him open said bids and sell such bonds 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 within six months proceed to re-advertise the sale of such bonds. Upon the sale of bonds the board of directors shall, within ten (10) 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 special school fund of the said district. Fees for advertising shall be deducted from the proceeds.

Sale of bonds.

May reject bids and readvertise.

County treasurer to deliver bonds and receive proceeds.

Fees for advertising.

SEC. 121. The county commissioners must ascertain and levy annually 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 required to pay the interest, such amount for sinking fund to meet the payment of said bonds at maturity, to be de-

Bond interest levy.

Sinking fund levy.

Redemption
fund.

terminated 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 in said district, and must be collected in the same manner as taxes for other school purposes.

Bond interest
paid from
special levy.

SEC. 122. The county treasurer must pay out of any moneys belonging to the credit of the bond interest fund of the school district the interest upon any bonds issued under this act by such school district when the same becomes due, and at such place designated in such coupon, or upon the presentation at his office of the same, 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.

Lithographed
bonds and
coupons.

SEC. 123. 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 any moneys in the county treasury to the credit of the school district.

Refunding
of bonds.

SEC. 124. Whenever any school district in this state shall have heretofore, under any of the acts of the territorial or state legislature now in force, issued any bonds for the purchase of any school house site, or the building of any school house, or the furnishing of the same, and the amount of the said bonds so issued and negotiated shall not exceed the sum of five (5) 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 heretofore 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: *Provided*, That in cities of ten thousand population or more, whenever any bonds issued under the provisions of this act shall reach maturity and shall remain unpaid, 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 ex-

In cities of
10,000 or more
inhabitants.

changing the same, par for par, for the outstanding bonds as aforesaid, without any further vote of the school district:

Provided further, That such bonds shall be issued in 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 (6) per centum per annum. Denominations of bonds.

SEC. 125. 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 postoffice address, and the county treasurer of said county shall, in addition to the published notice herein 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. Holders of bonds to notify county treasurer. Notice of bond redemption.

SEC. 126. That 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. Incidental costs.

SEC. 127. 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 Notice of bond redemption.

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.

Cancellation
of bonds.

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 deliver the same to the board of directors of such school district, taking the directors' receipt therefor.

CHAPTER 8.—VALIDATION OF DEBTS.

Electors may
validate in-
debtedness
of district.

SEC. 128. Any school district may validate and ratify the indebtedness of such school district, incurred for strictly school purposes, when the same 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.

Resolution
of board to
validate.

SEC. 129. Whenever the board of directors of any school district shall deem it advisable to validate and ratify the indebtedness mentioned in section 128 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

Three-fifths
vote.

election shall vote in favor of the validation 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 ground 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.

SEC. 130. At the time of the adoption of the resolution provided for in section 129 of this chapter the board of directors of such district shall determine the number and the location of the places at which polls shall be open to receive the votes of the voters in such district. Unless otherwise provided, the polls shall be open at one o'clock in the afternoon and close at four o'clock in the afternoon of the same day, but the board may determine on a longer time during which the polls may be kept open, not before one o'clock in the afternoon and not later than eight o'clock in the afternoon of the same day. Such board shall appoint two voters in such district where the election is to be held to act as judges of such election, and also one and not more than two persons to act as clerks at each voting place. Such clerks shall keep a list of the voters voting at such election, and tally the result under direction of the judges. The judges shall observe and cause to be observed at such election, as far as the same shall apply, the election laws of the state governing the election of school directors. Should any of the judges so appointed be absent at the opening of the polls, the voters of such district present shall appoint a voter to act in place of such absent judge. If the clerk or clerks of such election be absent at the

Location
of polls.

Time of
election.

Judges and
clerks of
election.

Oaths administered by whom.

opening of the polls the judges conducting such election shall appoint one and not exceeding two persons to act as clerks of such election. The judges and clerks of such election shall each take and subscribe an oath to faithfully perform the duties imposed upon them by law in conducting such election, and each of said judges shall have power to administer all oaths required by this section, each to the other, and to the clerks, and to all persons offering to vote, when challenges are interposed. The clerks or secretaries of such school district, or any officer authorized by law to administer oaths, may administer the oath required to be taken by such judges and clerks. If there is not sufficient number of voters present at the hour named for the opening of the polls to fill vacancies, occasioned by the absence of judges or clerks, it shall be lawful to open the polls as soon thereafter as a sufficient number of electors are present. Elections hereunder shall be by ballot. 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 judges 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.

Form of ballots.

Certifying result of election.

Qualifications of voters.

Clerk to give notice of election.

SEC. 131. At the time of the adoption of the resolution provided in section 129 of this chapter, the board of di-

rectors shall direct the clerk or secretary of the board to give public notice of the time, places and purposes of such election. 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 notices 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 129 of this chapter, the time of holding such election and location of polling 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.

Publication
of notice.

Notice to con-
tain, what.

SEC. 132. If the indebtedness of such school district is validated and ratified, as provided in section 129 of 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 to an amount not to exceed the unpaid indebtedness of such school district existing at the time of the adoption of the resolution mentioned in section 129 of this chapter, deducting from the amount of such unpaid indebtedness the amount of all indebtedness evidenced by negotiable coupon bonds then outstanding against and payable by such district. 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, except in cities of ten thousand or more inhabitants, 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 in cities of ten thousand or more inhabitants said

Board may
issue bonds.

Rate of
interest.

In cities of
10,000 or more
inhabitants.

bonds, with the coupons, must 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.

Seal of district. The seal of said 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, and out of such fund shall be paid the indebtedness of such school district existing at the time of the adoption of the resolution mentioned in section 129 of this chapter, not evidenced by negotiable coupon bonds.

Indebtedness, how paid.

Amount of bonds to be issued.

SEC. 133. When authorized and empowered to issue bonds, as provided in section 132 of this chapter, the board of directors of such district shall, at a meeting of such board, determined by resolution the amount of bonds to be issued, not exceeding, however, the unpaid indebtedness of such district after deducting the bonded indebtedness existing at the time of the adoption of the resolution mentioned in section 129 of this chapter, and shall deliver a copy of said resolution to the county treasurer of the county in which such school district is situated, who shall immediately advertise for sale said bonds, and the law relating to other 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 resale 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 132 of this chapter.

County treasurer shall advertise sale.

Interest not to exceed 6 per cent.

One per cent. deposit.

SEC. 134. 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 mentioned in section 129 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. 135. When the board of directors shall have canvassed and declared the result of the election as prescribed in section 130 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 the election, and all moneys then or thereafter in the hands of such treasurer belonging to such district, arising from the annual tax levy or from fines or other sources for the support and maintenance of common schools in such district, shall be applied only to the payment of interest on the bonded indebtedness and to the current expenses of such school district incurred after the adoption of the resolution mentioned in section 129 of this chapter, and shall not be used for, or applied to the payment of any indebtedness of such district existing before the adoption of said resolution, except interest on the bonded indebtedness. 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 a 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

County treasurer notified
of result
of election.

Money thereafter
applied
to current
expenses.

Limit of annual
expense.

County commissioners shall levy for remaining indebtedness three mills.

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 129 of this chapter.

CHAPTER 9.—CERTIFICATION OF TEACHERS.

ARTICLE I.—CLASSIFICATION OF CERTIFICATES.

Validating certificates and contracts.

SEC. 136. Nothing in this act shall be construed to invalidate the life diplomas or the state or territorial certificates granted under the laws of the Territory of Washington or of the State of Washington, but the same shall continue in effect the same as life diplomas and state certificates granted under the provisions of this act, and all county certificates heretofore granted by any county board of examiners shall continue in full force and effect until the expiration thereof; and any contract made in good faith by any teacher, school officer, or other person, under the provisions of the territorial or state school laws, is hereby recognized as a valid contract, the same as if made under the provisions of this act.

SEC. 137. The teachers' certificates issued by authority of the State of Washington, and entitling the holder thereof to teach in the schools of the state shall consist of—

Life diplomas.

First: Life diplomas, valid during the life of the holder, and state certificates, valid for five years from the date of issue; said life diplomas and state certificates shall be issued by the superintendent of public instruction on the authority of the state board of education: *Provided,* That state certificates may, upon application and without examination, be renewed, or a life diploma be authorized in lieu thereof by the state board of education.

State certificates.

Second: First grade common school certificates, valid

for a period of five years from date of issue; second grade common school certificates, valid for two years from date of issue; third grade common school certificates, valid for one year from date of issue. Said first grade certificates, second grade certificates and third grade certificates shall be issued by the superintendent of public instruction, as provided by law. First, second and third grade certificates.

Third: Temporary certificates may be issued, as provided by law, by any county superintendent, entitling the holder thereof to teach in any common school of the county wherein the same is issued until the next regular examination of teachers; whereat, if the applicant take the examination for certification, the county superintendent may extend the same until it shall have been determined whether a certificate is to be issued to the applicant in accordance therewith. Temporary certificates.

Fourth: Special certificates may be issued without examination by the county superintendent to teachers of music, languages other than English, drawing and painting, manual training and penmanship, upon the application of any board of directors, which certificate shall entitle the holder thereof to teach the subject therein named in any school of the district under the control of said board of directors, until revoked for cause: *Provided,* That the county superintendent, before issuing the same, shall receive satisfactory evidence of the applicant's fitness to teach the subject named in the certificate. Special certificates.

ARTICLE II.—DIPLOMAS AND STATE CERTIFICATES.

SEC. 138. 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 pass a satisfactory examination in all the branches required for first grade common school certificates, also plane geometry, geology, botany, zoölogy, civil government, psychology, history of education, bookkeeping, composition and general history; or file with the board a certified copy of a diploma from some state normal school, or normal department of university of Washington, or of a state or territorial certificate from State certificates.

a state or territory, the requirements to obtain which shall not have been less than those required by this act. 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. 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. Said fees shall be paid into the state treasury.

Life diplomas.

Fees for certificates.

State certificates without examination.

SEC. 139. The state board shall also have power to grant state certificates without examination to all applicants who are graduates of a regular four year collegiate course of the university of Washington, the agricultural college and school of science, or of other reputable institutions of learning whose requirements of graduation are equal to the requirements of the university of Washington: *Provided*, That the applicant shall file with the board a certified copy of his diploma and a copy of the course of study for the year in which he graduated: *Provided further*, That the applicant shall pass a satisfactory examination before the state board of education in theory and practice of teaching, psychology and history of education, and shall file with the board satisfactory evidence of having taught successfully for twenty seven months, at least nine of which shall have been in the public schools of this state.

ARTICLE III.—COMMON SCHOOL CERTIFICATES.

County examinations.

SEC. 140. There shall be held at the county seat of each county on the second Thursday of the months of February, May, August and November of each year an examination of applicants for teachers' certificates, which examination shall be conducted by the county superintendent according to the rules and regulations of the state board of education: *Provided*, That in case of the sickness or disability of the superintendent he may appoint a suitable teacher or teachers to assist or to conduct the same, subject to the same laws, rules and regulations as himself,

Assistants.

and the county superintendent shall in reporting the examination to the superintendent of public instruction, as hereinafter provided, forward such appointment in writing.

SEC. 141. All applicants at the examination mentioned in the preceding section shall be at least seventeen years of age, and shall be examined, according to the rules and regulations of the state board of education, in reading, penmanship, orthography, written and mental arithmetic, geography, English grammar, physiology and hygiene, history and constitution of the United States, school law and constitution of the State of Washington, and the theory and art of teaching; but no person shall receive a first grade certificate who does not pass a satisfactory examination in the additional branches of physics, English literature and algebra, and who does not present satisfactory written evidence of having taught successfully one school year of nine months.

Requirements for certificates.

SEC. 142. Each applicant before taking the examination for a certificate, or upon application for a renewal, shall pay to the county superintendent the sum of one dollar, and shall receive a receipt therefor. The fees so received by the superintendent shall in no case be returned to the applicant, but shall be paid to the county treasurer to the credit of the institute fund.

Examination fee paid into institute fund.

SEC. 143. The county superintendent shall, within three days of the close of said examination, forward to the superintendent of public instruction, in accordance with his directions, all the papers written at said examination and relating thereto, including a complete list of all applicants thereat, with their postoffice addresses, and also a receipt from the county treasurer for the fees collected at the examination as herein provided.

Papers forwarded to state superintendent.

SEC. 144. The holder of a first grade certificate who shall present to the superintendent of public instruction evidence of having taught successfully twenty-four school months during the time said certificate has been in force may have his certificate renewed without further examination, which renewal shall be endorsed thereon by the superintendent of public instruction, upon its presentation,

First grade certificate may be renewed.

for a like term of five years: *Provided*, That such renewed certificate shall lapse upon the failure of its holder to teach for a period of two consecutive school years.

Applicants
may pass
in part of
subjects.

SEC. 145. All applicants for certificates who shall attain the required percentage in eight of the designated subjects, but not in all, shall be credited for those subjects in which they shall have passed, and, upon passing the required percentages in the remaining subjects at the next subsequent examination, shall receive a certificate in accordance with the result of both examinations: *Provided*, That this shall not be construed as applying to those passing for a third grade certificate.

SEC. 146. Any teacher to whom a certificate has been granted by any county board of examiners in this state, or by lawful examiners in any other state or territory, the requirements to obtain which shall not have been less than the requirements to obtain a certificate in this state, or any teacher holding a diploma or certificate of graduation from any state or territorial normal school, or from the normal department of the university of the State of Washington, may present the same, or a certified copy thereof, to the county superintendent of any county in this state where said teacher desires to teach, and it shall be the duty of said county superintendent, upon such evidence of fitness to teach, to grant to said person a temporary certificate: *Provided*, That the provisions of this clause shall apply only to such teachers as were not residents of the county at the time of the last preceding examination, or were not able, by reason of sickness or other unavoidable cause, to attend said examination: *And provided further*, That the county superintendent may require of such a person a written statement of such facts, verified by affidavit.

County super-
intendents
may grant
temporary
certificates.

ARTICLE IV.—GENERAL PROVISIONS.

SEC. 147. 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

Registration
of certificates.

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.

SEC. 148. Any certificate named in this act may be re- Revocation.
voked by the authority entitled to grant the same upon the determination of sufficient cause, after the holder thereof shall have been given an opportunity of being heard.

CHAPTER 10.—ELECTIONS AND MEETINGS.

ARTICLE I.—GENERAL ELECTIONS.

SEC. 149. The election of district directors and clerks Annual election.
shall, except as otherwise provided by law, be held on the second Saturday in June of each year, at the district school house, if there be one, or if there be none, or if more than one, then at a place to be designated by the board of directors. Special school elections shall be called and con- Special elections.
ducted in the manner provided for calling and conducting annual elections.

SEC. 150. The district clerk must give at least ten days' Clerk must give ten days' notice.
notice of such school election, by posting or by 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 of 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 Polls must be open, when.
designated in the notice of election, the polls shall be open at one o'clock in the afternoon and close at four o'clock in the afternoon; but the board of directors may, previous to giving notice of election, determine on an hour before one o'clock, but not earlier than nine o'clock in the forenoon, for opening the polls, and for closing an hour after four o'clock, but not later than eight o'clock in the afternoon.

In no case shall the polls be open 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: *Provided*, That in cities and incorporated towns the polls shall open not later than one o'clock in the afternoon and close not earlier than eight o'clock in the afternoon.

In cities of
10,000 or more
inhabitants.

Election
board.

SEC. 151. 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 the election, said oath or affirmation to be administered by any school officer or 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.

Election
officers must
take oath.

Form of ballot.

SEC. 152. The voting shall be by ballot. The ballots shall be a paper ticket 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 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."

Votes
received.

Qualifications
of voters.

SEC. 153. 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 in cities and towns and voting precincts in which the registration of voters is by law provided for, there shall be made a separate registry of female voters entitled to vote at school elections, and in such districts the law applying to elections shall be, so far as registration is concerned, in force and effect. 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, or have declared your intention to become such; 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 shall be rejected. Any person guilty of illegal voting shall be punished as provided in the general election laws of the state.

Registration
of voters.

Challenges.

SEC. 154. When the polls are closed, proclamation thereof shall be made at the place of voting, and no vote shall afterward be 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 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

Closing polls.

Canvass of
returns.Imperfect
ballots.

Clerks forward
poll sheets to
county super-
intendent.

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 election shall forward the poll sheet thereof to the county superintendent, who shall preserve the same on file in his office.

Certificates
of election.

SEC. 155. 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 certificate and oaths to the county 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.

Tie votes.

ARTICLE II.—SPECIAL MEETINGS.

Special
meetings.

SEC. 156. Any board of directors may, in its discretion, and shall, upon a petition of the 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 of the minimum length of term prescribed by law that school shall be maintained in the district during the school 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 sell any real or personal property

belonging to the district, borrow money, or establish and maintain a school district library.

SEC. 157. 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. 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 record shall become a part of the records of the district, and be preserved as other records.

SEC. 158. 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.

CHAPTER 11.—PENALTIES.

SEC. 159. Any member of the state board of education, or any employé of the state, who shall, directly or indirectly, disclose any questions prepared for examinations, 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.

SEC. 160. If any county superintendent fails to make a full and correct report to the superintendent of public instruction of all statements required by him, 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 the information from the superintendent of public instruction that such reports have not been made.

For failure to pay over money.

SEC. 161. Any officer or person collecting or receiving any such fines, forfeitures or other moneys, and refusing or failing to pay over the same, as 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.

For failure of directors to enforce teaching of hygiene.

SEC. 162. Upon complaint in writing being made to any county superintendent by any district clerk, or by any head of 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 provision for the teaching of hygiene, with special reference to the effects of alcoholic drink, stimulants and narcotics upon the human system, as provided in this act, in the common schools of such district, 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 said section of this act, 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. 163. 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 a civil action in the name of the state in any court of competent jurisdiction, and the sum recovered shall go into the state 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.

For failure of county superintendent to enforce teaching of hygiene.

SEC. 164. In case the district clerk fails to make the reports herein 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 and for the benefit of such district.

For failure of clerk to make report.

SEC. 165. 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 willfully mutilate or destroy any such property, or any part thereof, or who 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.

For failure to deliver property.

SEC. 166. Any teacher who willfully refuses or neglects to enforce the course of study or the rules and regulations required by the state board of education, shall not be allowed by the directors any warrant for salary due until said teacher shall have complied with said requirements.

For failure to enforce course of study.

SEC. 167. Any teacher who shall maltreat or abuse any pupil by administering any undue 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.

For abuse of pupils.

SEC. 168. Any teacher failing to attend once in each year an institute in some county of this state, unless on account of sickness, or for other good and sufficient rea-

For non-attendance at institute.

sons satisfactory to the superintendent of public instruction, may have any certificate he may hold forfeited by order of the superintendent of public instruction: *Provided*, That said forfeiture shall be duly published after the said teacher shall have been given opportunity to present his reasons for such non-attendance, and after action thereon.

For abusing
a teacher.

SEC. 169. Any parent, guardian or other person, who shall insult or abuse a teacher in the presence of the 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.

For disturb-
ing school.

SEC. 170. Any person who shall willfully disturb any school or school meeting shall be deemed guilty of a misdemeanor, and upon conviction be fined in any sum not more than fifty dollars.

For non-
attendance
at school.

SEC. 171. Any person summoned before a superior judge to answer why he has not kept the children under his care in school as provided in the law relating to school attendance, and failing to show satisfactory cause for his refusal or neglect to comply with such law, shall be guilty of a misdemeanor, and fined in a sum of not less than ten nor more than twenty-five dollars for each offense, and the said fine when collected shall be placed to the credit of the school district wherein the person so fined resides.

For defacing
property.

SEC. 172. Any pupil who shall cut, deface or otherwise injure any school house, furniture, fence or outbuilding thereof, or any 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, and upon proof of the same.

For violat-
ing vivisec-
tion law.

SEC. 173. Any person violating the provisions of this act relating to vivisection and dissection in schools shall, upon conviction thereof, be deemed guilty of a misdemeanor and be fined in any sum of not less than fifty nor more than one hundred dollars.

For failure to
use text-
books or
follow course
of study.

SEC. 174. Any district using text-books other than those prescribed by the state board of education, or any district failing to comply with the course of study prescribed by

the state board of education, 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 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.

SEC. 175. No school district shall be entitled to receive any apportionment of school moneys which shall not have maintained school for the time required by law during the preceding school year: *Provided*, That any new district formed from the division of an old one 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 time required by law in the old district.

CHAPTER 12.—GENERAL PROVISIONS.

SEC. 176. 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.

SEC. 177. The superior judge shall, upon complaint of the school clerk or upon his own motion, have power to remove any child if an orphan who fails to attend school as required by law, and place it in the care of some other person who will be likely to send such child to school; or if the child be under the care of parents, then the superior judge shall have power to summon such child before him and, if he shall, upon inquiry, find that the child has not already attained a reasonable proficiency in the common school

For failure to maintain school.

Pronouns "he" and "his."

Women may hold office.

Judge shall enforce compulsory law.

branches for the first eight years as outlined in the course of study for common schools for the State of Washington, he shall issue an order commanding such parents to place such child in school, if school be then in session, or immediately when school shall resume if it be not in session; or appear before him and show cause for their neglect or refusal so to do.

Vivisection
forbidden.

SEC. 178. No teacher or other person employed in any school in the State of Washington, except a medical or dental school or the medical or dental department of any school, shall practice vivisection upon any vertebrate animal in the presence of any pupil in said school, or any child or minor there present; nor in such presence shall exhibit any vertebrate animal upon which vivisection has been practiced.

Dissection
permitted,
when.

SEC. 179. Dissection of dead animals, or any portion thereof, in the schools of the State of Washington shall, in no instance, be for the purpose of exhibition, but in every case shall be confined to the class room and the presence of those pupils engaged in the study to be illustrated by such dissection.

Display
of United
States flag.

SEC. 180. That the board of directors in 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 the said board may seem proper; and the necessary funds to defray the expenses to be incurred for such flags and appliances shall be assessed and collected in the same manner as moneys are now raised by law for public school purposes.

Free kinder-
gartens.

SEC. 181. The board of directors of any school district contemplated by this act 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 seven years, residing in said district, and shall establish such courses of training, study and discipline, and such rules and regulations governing such preparatory or kindergarten schools as said board may deem best: *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 school funds among the several counties and districts in this state: *Provided further*, That the cost of establishing and maintaining such kindergartens shall be paid from the special school fund voted by the electors of said districts for this purpose; and the said kindergartens shall be a part of the public school system, and governed, as far as practicable, in the same manner and by the same officers as is now, or hereafter may be, provided by law for the government of the other public schools of this state: *Provided further*, That teachers of kindergarten schools shall have a diploma from some reputable kindergarten training school, or pass such examination on kindergarten work as the kindergarten department of the state normal schools may direct.

Expenses paid
by special tax.

Diplomas of
teachers in.

TITLE IV—HIGHER AND SPECIAL INSTITUTIONS.

CHAPTER 1.—UNIVERSITY OF WASHINGTON.

ARTICLE I.—ADMINISTRATION.

SEC. 182. 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.

Establish-
ment.

SEC. 183. 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. 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 the state. No student shall be admitted except upon examination satisfactory to the faculty of the university: *Provided, however*, That students

Aim and
purpose.

Tuition.

Admission
of 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, such certificates to show the completion of a course of study on the part of applicants, which said faculty shall deem equivalent to the course of study necessary for admission under examination.

Board of regents.

SEC. 184. 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,

Term of office.

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

Quorum.

members of said board shall constitute a quorum for the transaction of business, and it shall be the duty of the governor to appoint at least four members of said board from the citizens of the city of Seattle or county of King, in order that a quorum of said board may always be near the said university. 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.

Four members from King county.

Vacancy.

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 same and file a copy of said oath with the secretary of state.

Regents must take oath.

Organization of board.

SEC. 185. The board shall organize by the election from its number a president and an executive committee, of which committee the president shall be *ex officio* chairman.

Meetings.

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.

SEC. 186. 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: Powers and duties:

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 employés of the institution, who shall hold their positions during the pleasure of said board of regents. To have full control.

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. To prescribe courses of study.

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. Any diploma granted by the normal department of the university shall entitle the holder to teach in any public school in this state during life, under regulations consistent with other provisions of law relating to life diplomas. To grant diplomas.

Fourth: The board of regents is authorized to receive such bequests or 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. To receive and control funds.

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 equip- To execute bonds to War Department.

ments loaned by the United States to the university of Washington.

To make a biennial report.

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, 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.

To receive no compensation except actual expenses.

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 vouchered and audited.

Faculty.

SEC. 187. 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 government of the institution, under such rules as may be prescribed by the board of regents.

Non-sectarian.

SEC. 188. The university of Washington shall never be under the control of any religious or sectarian denomination or society whatever.

Attorney general legal adviser.

SEC. 189. 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.

CHAPTER 2.—AGRICULTURAL COLLEGE.

Establishment.

SEC. 190. The state agricultural 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, mechanic arts, and natural

Purpose and aim.

sciences connected therewith, as well as a thorough course of instruction in all branches of learning upon agricultural and other industrial pursuits.

SEC. 191. 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.

SEC. 192. 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, 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.

SEC. 193. 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 said college to be designated the 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

Departments
of instruction.

regents shall establish a department of said college to be designated the department of agriculture, and in connection therewith 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 experimental 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.

Experiment
station.

Management
of institution
in board of
five regents.

SEC. 194. The management of said college and experiment station, the care and preservation of all property of which such 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 of causing 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 four

Appointment
and term
of office.

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 at least three of the members of the board of regents so appointed shall be residents of Eastern Washington and one shall be a resident of Western Washington: *Provided further*, That regents now serving upon such board shall continue as such during the term for which they were respectively appointed.

Bonds of regents.

Three regents from Eastern Washington.

SEC. 195. The board of regents of the agricultural college, experiment station and school of science 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

Organization of board.

Treasurer.

Bond, \$40,000.

President of college to be secretary of board.

Bond, \$5,000.

penal sum of not less than five thousand dollars (\$5,000), conditioned for the faithful performance of his duties as such officer.

Duties of president of the board.

SEC. 196. 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 generally do all other things required of him by said board.

Treasurer.

Secretary.

Regents enact by-laws.

SEC. 197. The regents shall have the power, and it shall be their duty, to enact laws for the government of said agricultural 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.

Regents have general control.

SEC. 198. 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 employés, and tuition fees to be charged in said college.

Experiment station established by congress.

SEC. 199. The agricultural experiment station provided for in this act in connection with said agricultural 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 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 agriculture 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 under the provision 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.

SEC. 200. 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. Assent to congressional requirements.

SEC. 201. 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. All meetings of the said board may be held in the office of the college building. 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. Meetings of board of regents.

SEC. 202. Each member of the board of regents created by this chapter shall, before entering upon his duties, take Regents must subscribe to oath.

and subscribe an oath to discharge faithfully and honestly his duties in the premises, and to perform strictly and impartially the same to the best of his ability; said oath shall be filed with the secretary of state.

Expenses
of regents.

SEC. 203. The regents shall be allowed their actual and necessary traveling expenses in going to and returning from all the necessary sessions of their board; and also their necessary expenses while in actual attendance upon the same.

Biennial
report.

SEC. 204. 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.

Disbursement
of funds.

SEC. 205. The treasurer of said board shall make disbursements 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.

No employé
shall have
pecuniary
interest in any
contracts.

SEC. 206. No employé 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.

Governor
ex officio mem-
ber of board.

SEC. 207. 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.

The board may
grant degrees.

SEC. 208. The board of regents are hereby empowered to grant the usual academic and honorary degrees, and to issue diplomas therefor, upon the recommendations made by the faculty.

Supervise the
construction
of all improve-
ments.

SEC. 209. 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 of 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.

Contractors
to give bonds.

SEC. 210. 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.

To employ
architects.

SEC. 211. 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 the 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

State auditor
to issue war-
rants on
proper funds.

draw said money as it may be necessary to disburse the same.

CHAPTER 3.—NORMAL SCHOOLS.

Establishment.

SEC. 212. The state normal school at Cheney, the state normal school at New Whatcom, 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 the "Board of trustees of the state normal school at" At least two members of each board of normal school trustees shall be residents of the county in which the school of which they are trustees is situated, said trustees to be appointed by the governor, by and with the advice and consent of the senate.

Corporate title.

Appointment of trustees.

SEC. 213. 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 trustees whose office has become vacant. In case of the establishment of any additional state normal schools, unless otherwise expressly provided by law, the governor shall appoint one trustee for two years, one for four years and one for six years.

Term of office.

Trustees to elect officers.

SEC. 214. Each board of normal school trustees shall elect one of its members chairman, and it shall elect a clerk, 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 employes. A majority of the board shall constitute a quorum for the transaction of all business.

To enact by-laws.

Quorum.

Powers and duties:

SEC. 215. Each board of trustees shall have power, and it shall be its duty —

To elect principal.

First: To elect a principal for such period as it may determine, and to elect such other teachers and assistants as the necessities of the school may require.

Second: To provide a librarian for the school who shall have charge of all books, maps, charts and apparatus thereof, under such regulations as may be provided by law or by the by-laws of the board of trustees; also to choose a janitor and such other employés as may become necessary, and for good and lawful reasons to discharge any or all such teachers and employés.

To provide a
librarian.

Third: To adopt and provide 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.

To provide
text-books.

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.

To have charge
of erection
of buildings.

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.

To audit all
accounts.

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.

To provide
supplies.

SEC. 216. 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.

Boarding
houses.

SEC. 217. 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 may be held as shall be deemed necessary, such special meetings to be called by the chairman or by a majority of the board; all meetings of the boards shall be held in the city or town wherein their respective schools are located.

Meetings.

SEC. 218. The principal of each state normal school

Duties of principal.

shall have a general supervision of the school, shall see that all laws and all rules of the boards of trustees are observed and obeyed 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.

Attend institutes.

Expenses allowed.

Model school.

SEC. 219. 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 twenty 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.

Manual training school.

Diplomas and certificates issued, how.

SEC. 220. Every diploma of graduation from a state normal school or certificate issued therefrom shall be signed by the president of the board of trustees, by the principal and the heads of departments of the normal school at which the holder graduated, and by the president of the state board of education; and all diplomas or certificates shall be stamped with the seal of the state board of education. 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 this state.

Tuition free to residents.

SEC. 221. No charge shall be made against any student for tuition, in any of the normal schools contemplated by

this act: *Provided*, That said student is a *bona fide* resident of this state; but such student shall be required, upon entrance into any of said schools, to certify upon honor that it is his intention to pursue the vocation of teaching. Students from other states or territories may be granted Tuition \$100 to non-residents. scholarships which shall entitle them to complete any course of study prescribed by the board of higher education in any state normal school of this state, upon the payment of one hundred dollars each, which sum shall be placed to the credit of the normal school which such student shall attend, and shall be expended in the purchase of books or apparatus for the benefit of such school. 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 refuses to comply with the rules and regulations for its government.

SEC. 222. The board of higher education shall prescribe Courses of study. the following courses of study, which shall be uniform for all state normal schools of this state: An elementary course of two years; an advanced course of four years. Students completing the elementary course shall receive a certificate which shall entitle them to teach in the common schools of the state for a period of five years. Students completing the advanced course shall, after satisfactory evidence shall have been furnished of their having successfully taught for two years, receive a diploma, which shall mature into a life diploma issued by the state board of education. The board For colleges and accredited high schools. of higher education shall also prescribe two courses for professional training for graduates of colleges and accredited high schools, namely, one course of one year and another of two years. Students completing the one year course shall receive the same diploma as is granted for the regular advanced course. Those completing the two years' course shall receive a diploma which shall entitle the holder to teach in the common schools of the state for life: *Provided*, That no one shall receive a diploma or certificate in any School year, 40 weeks. course who has not been in attendance one full school year of forty weeks, and who has not, by at least twenty weeks' of practice teaching in the training school, given evidence

Certificates
may be
revoked
for cause.

of fitness for teaching: *Provided further*, That any of the foregoing certificates and diplomas may be revoked by the state board of education for good and sufficient reasons of immorality or incompetency. The board of higher education shall also provide a uniform system of rules and regulations for admission to and graduation from the normal schools.

Free text-
books.

SEC. 223. No student shall be required to pay for the use of any book or books belonging to the library of any school contemplated by this act, but the board of trustees may require the deposit of a sum not exceeding ten dollars by each student, as indemnity for the loss of any book or books, or for damage done to any book or books by such student, and such sum as may be required to be deposited, less 25 per cent. of the cost price, or such part thereof as shall not be due the school for loss of or damage to any book or books, shall be returned to such student upon his retirement from the school. All sums retained for loss of or damage to books belonging to the library shall be expended in the purchase of other books for the use of the school.

Deposit
fee \$10.

Library fund.

Requirements
for admission.

SEC. 224. 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 of fifteen years if a female, nor 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 of study provided for in the course of study.

Annual
meeting of
principals.

SEC. 225. 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.

Biennial
report.

SEC. 226. 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.

Report contains what.

SEC. 227. 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.

Trustees shall have no pecuniary interest in any contract.

CHAPTER 4.—SCHOOL FOR DEFECTIVE YOUTH.

SEC. 228. The school for the education of the deaf, blind and feeble minded youth of the State of Washington, as heretofore located and maintained at Vancouver, Clarke county, shall continue to be known as the "Washington School for Defective Youth."

Establishment.

SEC. 229. Said school shall be free to all resident youth in the State of Washington, who are too deaf, blind or feeble minded to be taught by ordinary methods in other public schools: *Provided*, They are free from vicious habits and from loathsome or contagious diseases.

Free to resident youth.

SEC. 230. Said school shall be under the management of a board of trustees, consisting of five persons of good repute and learning, being citizens of the state, nominated by the governor, and confirmed by the senate.

Management in board of regents.

SEC. 231. After organization, as hereinafter provided, said board of trustees and their successors shall have the management of real and personal property, funds, financial business, and all general and public interests of the school, with power to receive, hold, manage, dispose of, and convey any and all real and personal property made over to them by purchase, gift, devise or bequest, and the pro-

To have general control.

ceeds and interest thereof, for the use and benefit of the school.

Appointment
of trustees.

SEC. 232. Vacancies in the board of trustees, occurring biennially by the expiration of the term or terms of a member or members, shall be filled by nomination by the governor, at least five days before the adjournment of the legislature, of a trustee or trustees to be confirmed by the senate, to serve for six years from the first day of July following the date of his or their confirmation, and until his or their successor or successors shall be appointed and confirmed.

Term of office.

Vacancies.

SEC. 233. Vacancies in the board of trustees, caused by the death, resignation, departure from the State of Washington, or removal for cause of a member of the board, shall be filled for the unexpired balance of the term, by the appointment of a trustee by the governor, which appointment shall, at the session of the legislature held next thereafter, be submitted to the senate for confirmation.

Constitution
of board.

SEC. 234. All appointments shall be such that the board shall always contain at least one practical educator, one physician and one lawyer.

Official
notice of
appointment.

SEC. 235. Official notice of appointment shall be given to each trustee, by the secretary of state, within ten days from the date of the confirmation of said trustees by the senate.

Regular
meeting.

SEC. 236. The regular annual meeting of the board of trustees shall be held at the school on the last Wednesday of May in each year; at which meeting a president, a vice president and a treasurer shall be elected by ballot from the board, and an auditor not of the board, each to serve one year from the first day of July following, and one member of the executive committee, to serve three years from the first day of July following; and any other business proper to come before said meeting may be transacted: *Provided*, That at the regular meeting to be held on the last Wednesday of May, 1897, the trustees shall elect a director of the school not of their own number, who shall hold his office until removed for cause as provided in this act.

SEC. 237. The treasurer of the board of trustees shall,

within thirty days from the date of his election, file with the secretary of the State of Washington a duly executed and approved bond, in the sum of five thousand dollars (\$5,000), for the faithful performance of his duties as treasurer during his term of office.

Treasurer's
bond.

SEC. 238. The board of trustees shall, at the time of the first meeting above provided for, adopt suitable by-laws for its own government in the transaction of business.

Adopt
by-laws.

SEC. 239. Special meetings of the board of trustees may be held at any time, on request of the executive committee, and shall be held on the written request of any three trustees. The official notification of each special meeting shall state the business to be transacted at said meeting, and no business other than that so stated shall be brought before said meeting.

Special
meetings.

SEC. 240. Three members of the board of trustees shall constitute a quorum for the transaction of business.

Quorum.

SEC. 241. Official notice of each meeting of the board of trustees shall be issued by the secretary to each trustee, at least fifteen days before the date of such meeting.

Notice of
meetings.

SEC. 242. The executive committee shall meet at the school on the last Wednesdays of August, November, February and May, in each school year, and at other times as often as may be necessary for the proper performance of their duties.

Executive
committee
meetings.

SEC. 243. The executive committee, upon their visits to the school shall inspect the real and personal property of the school; shall purchase all supplies in the manner authorized for the purchase of supplies for the hospital for the insane; shall examine the accounts, bills and vouchers, and shall draw orders on the treasurer of the board for the payment of bills approved; and at suitable times shall submit the accounts to the inspection of the auditor.

Duties of the
executive
committee.

SEC. 244. No trustee shall, during his term of office, have any direct or indirect personal interest in any contract, agreement or indebtedness on account of the school in any way.

Trustees to
have no pecuniary
interest in
any contract.

SEC. 245. The financial and official year of the school shall begin on the first day of July, and end on the thirtieth day of June, following.

Official year.

Term of school.

SEC. 246. The regular term of school shall begin on the last Wednesday of August in each year, and end on the last Wednesday of May following.

Biennial report.

SEC. 247. At each regular session of the legislature of the State of Washington, the board of trustees shall present to the governor, for transmission to the legislature, a full report of the operations of the school during the previous two school years, showing the amount, condition and value of all real and personal property of the school, receipts and expenditures of money, number of persons employed, and amount of salary paid to each, and the number of pupils in attendance.

Director.

SEC. 248. The director of the school shall be a competent expert educator of defective youth; a hearing man of sound learning and morals, not under thirty nor over seventy years of age; practically acquainted with the school management and class instruction for the deaf, blind and feeble minded. He shall reside in the school and be furnished quarters, heat, light and food.

Duties of the director.

SEC. 249. The director shall be responsible for the care of the premises and property of the school, selection and control of employes, regulation of the household, discipline of the school, arrangement and execution of a proper course of study, training of the pupils in morals and manners, and the general oversight of all internal affairs of the school, and shall lay before the regular annual meeting of the board of trustees, on the last Wednesday of May in each year, a full report of the operation of the school during the previous school year.

Removal of director.

SEC. 250. The director may be removed at any time by a three-fifths vote of the full board of trustees for misconduct, incapacity, mismanagement, inefficiency or immorality.

Non-resident pupils.

SEC. 251. Defective youth not residing in the state shall be admitted on such terms and conditions as may be prescribed by the board of trustees.

Duty of district school clerk.

SEC. 252. 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 deaf, mute,

blind or feeble minded youth residing within their respective districts who are between the age of six and twenty-one years.

SEC. 253. 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 director of the Washington school for defective youth.

County superintendent to report.

SEC. 254. 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 school for defective youth. 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 Washington school for defective youth, 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 said defective youth shall continue to receive a proper education.

Compulsory attendance.

SEC. 255. 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 expense of sending them to said state school, it shall then be the duty of the commissioners to send them to such school at the expense of the county.

Expenses of indigent pupils.

SEC. 256. 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.

Penalty.

TITLE V.—REPEALING AND EMERGENCY CLAUSES.

Repealing
existing
school laws.

SEC. 257. This act shall be known and cited as the Code of Public Instruction of the State of Washington, and shall be construed as repealing chapter VI of title III, chapter VII of title V, all of title X, except chapter XVII thereof; chapter IV of title L, all being of volume I of Hill's Annotated Statutes and Codes of Washington; and also repealing all amendments thereto; also repealing an act entitled "An act concerning the formation of new school districts, changing the boundaries and transferring territory from one district to another," approved March 9, 1893; also, repealing an act entitled "An act to provide for the management and control of state normal schools in the State of Washington," approved March 10, 1893, and all amendments thereto; also, repealing an act entitled "An act granting to school districts the right to purchase school house sites of school lands belonging to the State of Washington of not less than one acre and not more than five acres, and granting to school districts the preference right to purchase such sites and declaring an emergency," approved February 26, 1895; also, repealing an act entitled "An act relating to the indebtedness of school districts, providing means and methods for paying and funding the same, and means for validating the same or any part thereof incurred in excess of one and one-half per centum of the taxable property of the school district, without the assent of three-fifths of the voters of the school districts voting at an election held for that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approval by the governor," approved March 1, 1895; also, repealing an act entitled "An act to provide for the formation of joint school districts, and to prescribe the minimum number of school children required for the formation of new school districts, and declaring an emergency," approved March 13, 1895; also, repealing an act entitled "An act to authorize counties, cities, towns and school districts to provide temporary funds for current expenses in anticipation of revenue," approved March 20, 1895.

Emergency.

SEC. 258. Whereas, this act is amendatory of all existing school laws, and is for the purpose of harmonizing ex-

isting inconsistencies and unifying the school laws of this state: therefore, an emergency is declared to exist, and this act shall take effect and be in force from and after its signature by the governor of the state.

Passed the House February 27, 1897.

Passed the Senate March 11, 1897.

Approved by the Governor March 19, 1897.