

CHAPTER 142.

(H. B. No. 226)

AMENDING CODE OF PUBLIC INSTRUCTIONS TO ESTABLISH A UNIFORM SYSTEM OF PUBLIC SCHOOLS.

AN ACT to amend sections 77, 78, 92, 95, 97, 119 and 120 of an act entitled, "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 I 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 that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approved 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; said act of which this act is amendatory, being known and cited as the Code of Public Instruction of the State of Washington, and being Chapter CXVIII of the Session Laws of 1897, approved March 19, 1897.

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

SECTION 1. That Section seventy-seven of the Code of Public Instruction of the State of Washington be amended to read as follows: Section 77. The regular district election in

District elections—when held.

each district contemplated by this chapter shall be held upon the first Saturday of December (formerly November) in each year, beginning with the year 1903. The board of directors shall cause written or printed notices to be posted, specifying the day and place of such election, and the time during which the ballot box will be kept open; not less, however, than six hours. Said notices shall be posted in at least one place in each ward in the district at least twenty days previous to the time of election. Said notices shall also be published three times in two daily papers published in the district, and if there be no daily or dailies, then in the weekly paper or papers in three regular issues next preceding the day of such election. If the board of directors fail to give notice at such time, as herein provided, then any five legal voters residing in the district may give such notice over their own names, and such election may be held after the day fixed by this title for such election. All elections shall be by official ballot and in the absence of any notice specifying the hour, the ballot box shall be opened at one o'clock P. M. and be closed at eight o'clock P. M. The official ballot shall be printed and furnished by the board of directors, and shall contain the names of all candidates whose names have been presented by petitions filed with the secretary of the board not less than ten days before the day of election. The names of no other candidates shall appear upon said official ballots, and no other ballots shall be received or counted.

SEC. 2. That Section seventy-eight of said Code of Public Instruction be amended to read as follows: Section 78. The board of directors shall, at a regular meeting, provide not more than two voting places 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 the 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 section 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. In cities of ten thousand or more inhabitants books of registration shall be open for the purpose of registration at not more than two convenient places in the district to be designated by the board of directors, on each day between the hours of nine o'clock A. M., and four o'clock P. M., of each day, ex-

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Ballots.
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Eligibility to
vote.
Registration.

cept legal holidays, and they shall be closed, and no names shall be registered therein, during the five days preceding any general or special election held in such district. The secretary of the board shall give notice of the closing of the books of registration in his district by a notice published in a newspaper of general circulation, published in his district, at least ten days before the day for first closing of said books: *Provided however*, That any elector of said district who has duly registered as a voter at any general election in said district, shall be allowed to vote at the next succeeding school election held in the same year without registration: *Provided further*, That the city clerk or other municipal officer in whose custody the registration books of the general election are kept, shall furnish to the secretary of the board, on the morning of the day of any school election, the registration books of said city or a copy thereof, which said registration books shall be returned within two days after said election. 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.

Vacancy in
judgeship.

Duties and
powers of
boards.

City superin-
tendent.

Rules.

Furniture.

By-laws.

SEC. 3. That Section ninety-two of said Code of Public Instruction be amended to read as follows. Section 92. Every board of directors shall have the power, and it shall be their duty—

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

Second: To enforce the rules and general regulations of the Superintendent of Public Instruction and to prescribe a course of study and a program of exercises which shall be in harmony with the course of study prepared by the State Board of Education for the use of the common schools of this State.

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

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.

Fifth: To adopt and enforce such rules and regulations as may be deemed essential to the well being of the schools, and to establish and maintain such grades and departments, including night, high, kindergarten, manual training and

industrial schools, and schools or departments for the education and training of any class or classes of defective youth, as shall, in the judgment of the board, best promote the interests of education in that district.

Sixth: To suspend and expel pupils from school who ^{Suspension of pupils.} refuse to obey the rules thereof.

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

Eighth: To provide free text-books and supplies for all ^{Text books.} 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.

Ninth: To require successful vaccination as a condition ^{Vaccination.} of school membership and to provide free vaccination to all who are unable to pay for the same.

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

SEC. 4. That Section ninety-five of said Code of Public Instruction be amended to read as follows: Section 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 property no longer required for the uses of the district, the value of which shall not exceed two thousand dollars.

SEC. 5. That Section ninety-seven of said Code of Public Instruction be amended to read as follows: Section 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 ^{Estimated funds.} 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 for the purpose of the purchase of school sites and the erec-

Amount to be expended. tion of buildings, the board of directors may expend in cities having a population of more than ten and less than fifty thousand, a sum not exceeding fifty thousand dollars; in cities having a population of not less than fifty thousand nor more than one hundred thousand, a sum not exceeding one hundred thousand dollars; and, in cities having a population exceeding one hundred thousand, a sum not exceeding one hundred and fifty thousand dollars: *And, provided further*, That when any greater expenditure shall be required for said purposes in any one current school year, the question shall be submitted to a vote of the electors of the district at the time and place the board of directors may appoint. The board of directors shall, previous to such election, designate in 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: *Provided*, That the board of directors of any school dis-

May condemn land—when. trict of this State may proceed to condemn and appropriate sufficient land for a school house site, not to exceed one acre in extent; such condemnation proceedings shall be in accordance with the laws of this State providing for appropriating private property for public use.

SEC. 6. That Section one hundred nineteen of said Code of Public Instruction be amended to read as follows: Section 119. When authorized and empowered to issue bonds, as provided in sections one hundred seventeen and one hundred eighteen 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

*Result of
election certi-
fied to county
treasurer.*

which they will purchase such bonds or any of them. Such bonds shall be issued in denominations of not less than ^{Bonds.} 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 district to redeem, and the printed or lithographed statement that said bond is issued under the provisions of this act, and that the whole indebtedness of said district does not exceed the constitutional limit. Each bond so issued must be registered by the county treasurer in a book to be kept for that purpose, which must show the number, and such data, as is necessary to secure a complete record of such bond, 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.

SEC. 7. That Section one hundred twenty of said Code of Public Instruction be amended to read as follows: Section 120. At the time named in said notice, it shall be the duty of said board of directors to meet with the county treasurer at his office, and with him open said bids and sell said bonds or ^{Bids—sale of bonds.} any portion thereof to the person or persons making the most advantageous offer: *Provided*, The bonds shall never be sold below par, and the board of directors may reject any and all bids, and within eighteen months proceed to re-advertise the sale of such bonds as often as may be necessary, until the whole thereof shall be sold; and such board may also require all persons bidding for said bonds, except the State of Washington, to deposit one per centum of the par value of the bonds bid for on depositing with the treasurer their bids, and if the bidder fails to take and pay for the bonds for which he bid, in case of their sale to him, the amount so deposited shall be forfeited to the school district; otherwise, to be returned to such bidder, and a resale of such bonds so refused to be taken may be made as if the bid for the same had been rejected. Upon the sale of bonds the board of directors shall, within ten (10) days, or as soon thereafter as practicable, deliver the ^{Delivery of bonds.} 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 placing 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.

Passed the House February 20, 1905.

Passed the Senate March 3, 1905.

Approved by the Governor March 9, 1905.

CHAPTER 143.

(H. B. No. 244)

ADMISSION IN EVIDENCE OF TAX DEEDS.

AN ACT relative to the admission in evidence of tax deeds.

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

SECTION 1. Whenever it shall be necessary in any action in any court of law or equity, wherein the title to any real estate is in controversy, to prove the conveyance to any county of such real estate in pursuance of a foreclosure of a tax certificate and sale thereunder, a copy of the tax deed issued to the county containing a description of such real estate, exclusive of the description of all other real estate therein described, certified by the county auditor of the county wherein the real estate is situated, to be such, shall be admitted in evidence by the court, and shall be proof of the conveyance of the real estate in controversy to such county, to the same extent as would a certified copy of the entire record of such tax deed.

Passed the House March 3, 1905.

Passed the Senate March 9, 1905.

Approved by the Governor March 9, 1905.