

## CHAPTER 240.

[H. B. 262.]

## AMENDING ACT RELATING TO THE PUBLIC SCHOOL SYSTEM.

AN ACT relating to the public school system of the state of Washington and amending sections 22, 24, 27, 28, 40, 51, 71, 75, 88, 117, 120, 121, 137, 139, 141, 144, 145 and 165 of chapter CXVIII of the Session Laws of 1897.

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

SECTION 1. That section twenty-two (22) of chapter 118 of the Session Laws of 1897 be amended to read as follows:

SEC. 22. The powers and duties of the Superintendent of Public Instruction shall be:

Powers and  
duties of  
Superin-  
tendent of  
Public In-  
struction.

Supervision,

First.—To have supervision over all matters pertaining to the public schools of the State.

reports.

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 four 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 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 re-

port a statement of plans for the management and improvement of the schools.

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 prepare blanks.

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. To visit schools.

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

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

Seventh.—To act as *ex-officio* president of the State Board of Education and of the State Board of Higher Education. President of State boards.

Eighth.—To hold, on or before the first day of October, annually, a convention of the county superintendents of the State at such time and place as he may deem convenient, for the discussion of questions pertaining to supervision and the administration of the school laws and such other subjects affecting the welfare and interests of the common schools as may be brought before it. Said convention shall To hold convention of county superintendents.

continue in session not less than two days nor more than three days at the option of the Superintendent of Public Instruction. It shall be the duty of every county superintendent in this State to attend said convention during its entire session, and any county superintendent who attends less than the full time the convention shall be in session shall receive mileage as allowed by law, only in the ratio that the time he actually attends shall bear to the whole time the convention shall be in session. No mileage shall be paid to any county superintendent for attendance at such convention except upon a certificate of the Superintendent of Public Instruction, stating the full time the convention was in session and the actual time said county superintendent was in attendance.

To apportion school fund.

Ninth.—It shall be the duty of the State Auditor, on or before the first day of September, and quarterly thereafter, to certify to the Superintendent of Public Instruction the amount of current school fund in the hands of the State Treasurer subject to apportionment, and it shall be the duty of the Superintendent of Public Instruction to apportion such school fund among the several counties of the State, on or before the 15th day of September, December, March and June of each year, in proportion to the total days' attendance: *Provided*, That each school district shall be credited with at least two thousand days' attendance. The basis of said apportionment shall be the last annual reports of the several county superintendents on file in his office at the time of making the apportionment: *Provided further*, If a pupil attends any public school of the State, outside of his resident district, or any private school within his resident district, up to the ninth grade, during the time the resident district maintains a school of the grade in which the pupil belongs the attendance shall be credited to the district in which the pupil resides, unless mutually arranged otherwise by the directors; and the clerk of any district whose resident pupils are attending school in another district, or attending a private school within their resident district, shall notify the clerk of the district where such pupils attend or the principal, president or

Basis of apportionment.

manager of any private school within his district when the school of said pupil's resident district will be in session, and of the grades that will be maintained; and it shall be the duty of the district clerks so notified, and of the principals, presidents or managers of private schools so notified, on or before the thirtieth day of June each year, to certify to the clerk of the resident district referred to in this subdivision, the actual number of days' attendance at their respective schools of such pupils as are mentioned in this subdivision, during the time that a school of the grade to which the pupil or pupils properly belong, and without the notice herein required by the clerk of the resident district all claims to attendance will be forfeited: *Provided further*, That attendance at night schools authorized by this act shall be construed as one-half day's attendance: *And provided further*, That pupils who are excused from attendance at examinations for promotion, having completed their work in accordance with the rules of the board of directors, shall be accredited with attendance during said days of examination.

Tenth.—To require annually, on or before the 15th 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 hereby made the duty of every president, manager or principal, to fill up and return such blanks within such time as the Superintendent of Public Instruction shall direct.

Reports  
from  
educational  
institutions.

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 common schools of this State.

Keep an  
educational  
directory.

Twelfth.—To issue common school certificates as provided by law.

Issue cer-  
tificates.

Thirteenth.—To keep in his office at the capitol 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 edu-

Records.

cational interests of the State, as well as a record of the meetings of the State Board of Education and the State Board of Higher 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 paper.

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

To deliver  
to his  
successor.

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

SEC. 2. That section twenty-four of chapter 118 of the Session Laws of 1897 be amended to read as follows:

State  
Board of  
Education—  
appoint-  
ment.

SEC. 24. The Governor shall appoint, by and with the advice and consent of the State Senate four suitable persons holding life diplomas issued by authority of this State, who, together with the Superintendent of Public Instruction, shall constitute the State Board of Education: *Provided*, That at least two members of said Board shall be selected from those actually engaged in teaching in the common schools of the State. The persons appointed members of the State Board of Education shall hold their office for two years from the first Monday in March next following their appointment, and shall serve until their successors are appointed and qualified. The deputy superintendent and inspector of schools shall be *ex-officio* secretary of said Board, but shall not be entitled to a vote in its proceedings. He shall keep a correct record of all

Term of  
office.

Secretary.

its proceedings, in a good and well-bound book, which shall be kept in the office of the Superintendent of Public Instruction.

SEC. 3. That section twenty-seven (27) of chapter 118, of the Session Laws of 1897 be amended to read as follows:

SEC. 27. The State Board of Education shall have Power of Board. power, and it shall be its duty:

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

Second.—To use a common seal, which shall be designed Seal. by the Board and kept in the office of the Superintendent of Public Instruction.

Third.—To grant State certificatets and life diplomas To grant State certificates and life diplomas. in accordance with the provisions of this act.

Fourth.—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, and to prepare questions for the examination of applicants for State certificates and life diplomas. To prepare questions for examination of teachers.

Fifth.—To thoroughly investigate and ascertain the character, thoroughness and comprehensiveness of the work required to be performed as a condition of entrance to and graduation from the various courses of all schools of the character contemplated in sections one hundred and thirty-eight (138), one hundred and thirty-nine (139), and one hundred and forty-one (141), of the act of which this act is amendatory, before granting or authorizing to be granted without examination to the holder of a diploma of any institution of learning situated outside of this State, and to make a list of such institutions of learning as they shall find to be entitled to recognition according to the letter and spirit of the aforesaid sections mentioned in this subdivision. It shall also carefully investigate and ascertain the character, thoroughness and comprehensiveness To make investigations.

of the examinations required to be taken in other states in order to obtain state certificates or life diplomas of the character contemplated in section one hundred and thirty-eight (138) of the act of which this act is amendatory; and said Board shall make a list of the certificates and diplomas that are found to be equal in all respects to the state certificates and life diplomas authorized to be issued in this State. Such list shall be entitled "List of Accredited Certificates and Diplomas," and no certificate or diploma shall be granted in this State without examination, except to the holder of a certificate or diploma mentioned in the accredited lists mentioned in this subdivision.

SEC. 4. That section twenty-eight (28) of chapter 118 of the Session laws of 1897 be amended to read as follows:

Board of  
Higher  
Education—  
personnel.

Sec. 28. The State 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 College, and the principals of the State Normal Schools. The Deputy Superintendent of Public Instruction and inspector of schools shall be *ex-officio* secretary of said Board, but shall not be entitled to a vote in its proceedings. He shall keep a correct record of its proceedings in a good and well-bound book, which shall be kept in the office of the Superintendent of Public Instruction. He shall also, upon request, furnish to the executive head of any or all schools mentioned in this section, a certified copy of such proceedings. He shall also act as inspector of all high schools, academies and colleges that shall desire to be accredited by the State College and the State Normal Schools of this State, and shall, at its next meeting make a written report to the Board, containing such facts and recommendations concerning the schools inspected, as his observations may justify. The Superintendent of Public Instruction shall be *ex-officio* president of the Board, and shall furnish all necessary record books and blanks for its use. Said State Board of Higher Education shall hold an annual meeting at the capitol of the State, at the time of the annual meeting of the State Board of Education, the exact date of such meeting of the

Secretary—  
duties.

Meetings.

State Board of Higher Education to be fixed by the Superintendent of Public Instruction, and it shall hold such special meetings, to be called by the Superintendent of Public Instruction, as the business of the Board may require.

SEC. 5. That section forty (40) of chapter 118, of the Session Laws of 1897, of Public Instruction be amended to read as follows:

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

Powers and duties of directors.

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. The directors shall make with each teacher employed by them a written or printed contract, which shall be in conformity with the laws of this State. Every such contract shall be made in duplicate, one copy of which shall be retained by the school district clerk and the other shall be delivered to the teacher after having been approved and registered by the county superintendent as by law required: *Provided*, That no board of directors shall employ any teacher or teachers whose term or terms of service begin after the first Monday in August, until after the directors elected at the annual school election in said year shall have entered upon the discharge of their duties: *Provided further*, That this subsection shall not apply to school districts having a population of ten thousand (10,000) or more inhabitants.

Employment of teachers, etc.

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

To enforce rules.

Third.—To provide and pay for such materials, supplies and libraries, as may be necessary for the schools, and to purchase such maps, charts and other apparatus as may have the written approval of the county school superintendent.

To provide supplies and furniture.

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

To care for school-houses.

To act for 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 on a site which has been selected by a majority vote of the legal school electors of a district shall not be removed to a new site without a two-thirds vote of the school electors voting at an annual or special election; nor shall a school house site that has been selected by a majority vote of the legal school electors, but upon which no school house has been built, be changed except by a two-thirds vote of the legal school electors voting at an annual or special school election as hereinbefore provided.

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 or expel pupils.

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

To provide text books.

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

To require books.

Ninth.—To require all pupils to be furnished with such books as may have been adopted by lawful authority of this State, 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 sectarian or partisan character.

To permit use of school house.

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

To provide transportation for pupils.

Twelfth.—To provide and pay for transportation of children to and from school when in their judgment the best interests of their district will be subserved thereby.

SEC. 6. That section fifty-one (51) of chapter 118 of the Session Laws of 1897 be amended to read as follows:

SEC 51. No person shall be accounted as a qualified teacher, within the meaning of the school law, who is not the holder of 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, a temporary certificate granted by a city superintendent of schools in a district containing a city of ten thousand or more inhabitants, or who has not a temporary certificate or a special certificate granted by a county superintendent, according to law.

Who are  
qualified  
teachers.

SEC. 7. That section seventy-one (71) be amended to read as follows:

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 during the entire time that the public school in the district in which he, she or they reside, unless such child or children shall be excused from attendance at school by some person lawfully qualified to grant such excuses.

Compulsory  
attendance.

SEC. 7 $\frac{1}{2}$ . That section 117 of chapter 118 of the Session Laws of 1897 be amended to read as follows:

SEC. 117. The board of directors of any school district, or of any union high school district, in this State may borrow money and issue negotiable coupon bonds therefor to any amount not to exceed five (5) per cent. of the taxable property in such district, as shown by the last assessment roll for county and State purposes: *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 a vote of the district so to do, as provided in section 118 of this act: *Provided further*,

Limit of  
bonded in-  
debtedness.

Rate of  
interest.

That the bonds so issued shall bear a rate of interest not to exceed six per cent. per annum, interest payable annually or semi-annually, payable and redeemable at such time as may be designated in the bonds, but not to exceed twenty (20) years from date of issue: *Provided further*, When the indebtedness of such district exceeds five per cent. of its taxable property, warrants issued for those necessary expenses made mandatory in the constitution and provided for by the Legislature of the State, which expenses are hereby declared to include teachers, janitors, and officers' salaries, expenses of construction, maintenance and rent of school buildings, including sites, may be funded under the provisions of this act.

Necessary  
expenses.

SEC. 8. That section 88 of chapter 118 of the Session Laws of 1897, be amended to read as follows:

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 all school moneys placed to the credit of the district, only upon warrants signed by the president or a majority of the board of directors, and countersigned by the secretary: *Provided*, That when, in the judgment of the board of directors, the warrants issued by the district monthly shall have reached such numbers that the signing of each warrant by the president personally imposes too great a task on the president, the board of directors, after auditing all payrolls and bills as provided by section 91, may authorize the issuing of one general certificate to the county treasurer, to be signed by the president, authorizing said treasurer to pay all the warrants specified by date, number, name and amount, and the funds on which said warrants shall be drawn. And the secretary of said board shall be authorized to draw and sign said warrants.

SEC. 9. That section 120 of the chapter 118 of the Session Laws of 1897 be amended to read as follows:

Sale of  
bonds.

SEC. 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 any portion thereof to the person or persons making the most advantageous offer: *Provided*. The bonds shall never be sold below par, and the board of directors may reject any and all bids, and at any time within two years of the election at which authority was granted to issue and sell said bonds, the board of directors may proceed to re-advertise the sale of such bonds as often as may be necessary, until the whole thereof shall be sold; and such board may also require all persons bidding for such bonds, except the State of Washington, to deposit one per centum of the par value of the bonds bid for on depositing with the Treasurer their bids, and if the bidder fails to take and pay for the bonds for which he bid, in case of their sale to him, the amount so deposited shall be forfeited to the school district; otherwise to be returned to such bidder, and a re-sale of such bonds so refused to be taken may be made as if the bid for the same had been rejected. Upon the sale of the bonds, the board of directors shall, within ten days, or as soon thereafter as practicable, deliver the bonds, properly executed, to the county treasurer, taking his receipt therefor. The county treasurer shall, upon payment of the price agreed upon, deliver the same to the person or persons to whom sold, and placing the moneys arising from such sale to the credit of the special school fund of said district. Fees for advertising shall be deducted from the proceeds: *Provided*, That if the board of directors and the person or persons to whom the bonds are sold agree that the delivery of said bonds shall be in installments, the county treasurer shall hold said bonds, and deliver to purchasers only on written order of the board of directors to deliver at specified time the bonds designated by number and series.

May reject bids and readvertise.

Delivery of bonds.

SEC. 10. That section 121 of chapter 118 of the Session Laws of 1897 be amended to read as follows:

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,

Bond interest levy.

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

SEC. 11. That section one hundred and thirty-seven (137) of chapter 118 of the Session Laws of 1897 be amended to read as follows:

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.

First, second and third grade 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.

Third.—Temporary certificates may be issued, as provided by law, by any city superintendent of schools in a district containing a city of ten thousand or more inhabitants, or by any county superintendent, entitling the holder thereof to teach in the common schools of the county wherein the same is issued until the close of the school year in which such temporary certificate was issued.

Temporary  
Certificates.

Fourth.—Special certificates may be issued without examination by the county superintendent, to teachers of music, languages other than the English, drawing and painting, manual training and penmanship, upon 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.

SEC. 12. That section one hundred and thirty-nine of the chapter 118 of the Session Laws of 1897 be amended to read as follows:

SEC. 139. The State Board of Education 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, of the State College, or 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, and he shall also file with the Board satisfactory evidence of having taught successfully

State cer-  
tificates  
without  
examina-  
tion.

for twenty-seven months, at least nine of which shall have been in the public schools of this State: *Provided further*, That the name of the institution by which it was granted shall appear upon the accredited list provided for in the fifth subdivision of section 27 of the Code of Public Instruction of this State: *And provided further*, The State Board shall also have power to grant State certificates without examination to applicants holding diplomas from any institution of learning situated within this State based on a four-year course of high school work and an additional two-year course of advanced work equal to the work of a course of two years in the State Normal Schools of this State, in theory and practice of teaching, psychology and history of education: *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 and shall pass a satisfactory examination before the State Board of Education in theory and practice of teaching, psychology and history of education: *Provided, further*, That the State Board of Education shall be the judge of the standard of such institutions and shall have power to accredit the same in addition to schools otherwise accredited: *And provided further*, That holders of certificates based on the six-year course last described who thereafter furnish the State Board satisfactory evidence of having taught successfully twenty-seven months, of which at least nine months shall have been in the public schools of this State, shall receive a life diploma issued by the State Board of Education: *Provided further*, That any of the foregoing certificates or diplomas may be revoked by the State Board for incompetency, immorality or unprofessional conduct.

SEC. 13. That section one hundred and forty-one (141) of the chapter 118 of the Session Laws of 1897 be amended to read as follows:

Require-  
ments for  
certificates.

SEC. 141. All applicants at the examination mentioned in the preceding section shall be at least eighteen 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 the 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, algebra and physical geography, and who does not present satisfactory written evidence of having taught successfully one school year of nine months: *Provided*, That the State Board of Education may adopt two subjects in lieu of algebra and physics for teachers who have taught exclusively in primary schools for not less than fifty months, and the certificates granted to such primary teachers shall be known as first grade primary certificates, and shall entitle the holder to teach only in the primary grades of the public schools of this State. The State Superintendent shall also have power to grant common school certificates without examination to all applicants who are the holders of diplomas or State certificates that have been accredited by the State Board of Education, as provided for in the fifth subdivision of section twenty-seven (27) of the Code of Public Instruction: *Provided*, That such applicant shall be required to take an examination in school law and constitution of this State and obtain such credits therein as may be prescribed by the State Board of Education.

SEC. 14. That section one hundred and forty-four (144) of the chapter 118 of the Session Laws of 1897 be amended to read as follows:

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, upon its presentation, for a like term of five years, and such renewal and succeeding renewals shall be for like terms of five years: *Provided*, That such renewed certificate shall lapse upon the failure of its holder to teach

First grade  
certificate  
may be  
renewed.

for a period of two consecutive school years: *Provided, further,* That a teacher holding a second grade certificate, who has taught in primary grades of public schools for not less than thirty-six months immediately preceding the expiration of said certificate, at least eighteen of which must have been in the public schools of this State, and who has taken at least one subject of the teachers' reading circle work each year, under the regulations prescribed by the State Board of Education, may have said certificate renewed for two years as a primary teacher only, but such certificate shall be entitled to but a single renewal.

SEC. 15. That section one hundred and forty-five (145) of chapter 118 of the Session Laws of 1897 be amended to read as follows:

Applicants  
may pass  
in part of  
subjects.

SEC. 145. Any applicant for a certificate who shall attain the minimum percentage in eight of the designated subjects, but not in all, shall be credited for those subjects in which he or she shall have passed, and upon passing with 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 any person who shall earn a second grade certificate on the results of two consecutive examinations, as herein provided, with an average of not less than ninety per cent., and shall not fall below the minimum credits required for a first grade certificate, in any branch or subject, may take the examination in the additional branches required for a first grade certificate, at the next succeeding examination; and if his or her percentages in such additional subjects are not inferior to those required for a first grade certificate, as fixed by the State Board of Education, such certificate shall be granted to such applicant by the Superintendent of Public Instruction. And any person who shall obtain credits of ninety per cent. or over at any examination for common school certificates in any subject or subjects in which applicants are required to be examined for second grade or third grade certificates, upon making application for a first grade certificate at or before the time of the expira-

tion of his or her certificate shall be exempt from examination in those subjects in which he or she has already obtained credits of ninety per cent. or over, and shall be accorded such credits of ninety per cent. or over as he or she has already earned as hereinbefore indicated.

SEC. 16. That section one hundred and sixty-five (165) of chapter 118 of the Session Laws of 1897 be amended to read as follows:

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

Penalty for failure to deliver property.

SEC. 17. That section seventy-five of chapter CVIII of the Session Laws of 1897 be amended to read as follows:

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 corporation for public purposes, and in that name and style may sue and be sued, purchase, hold and sell such

Cities of 10,000 inhabitants.

Title of city districts.

Powers.

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:

Annexation  
of territory.

*Provided*, That whenever additional territory is annexed to said city, including all or a part of one or more school districts, such territory shall not be considered annexed for school purposes until the 30th day of June, next succeeding the date of annexation for municipal purposes, at which time the county superintendent shall declare the territory added to the limits of said city as a part of the school district constituting said city and shall in the same manner as provided for in the change of territory from one district to another district, make an equitable adjustment of all property, funds and debts and liabilities between such city district and the old district or districts: *Provided, further*, That when a school house is located within the territory annexed for municipal purposes, and yet remains the most accessible school for a part of the old district left outside the newly established city boundary line, the county superintendent may annex all or part of the former district to which said school house belongs, to the district constituting the city.

Repeal.

SEC. 18. All acts and parts of acts which are in conflict with the provisions of this act are hereby repealed.

Passed the House March 14th, 1907.

Passed the Senate March 13th, 1907.

Approved by the Governor March 18th, 1907.