

## CHAPTER XLI.

[H. B. No. 9.]

AMENDING CERTAIN SECTIONS OF BALLINGER'S CODE  
RELATIVE TO THE CODE OF PUBLIC INSTRUCTION.

AN ACT to amend sections 2311 and 2419 of Ballinger's Annotated Codes and Statutes of Washington, and to amend sections 2293 and 2310 of Ballinger's Annotated Codes and Statutes of Washington as amended by an act approved March 15, 1899, entitled "An act to amend an act entitled and cited as the Code of Public Instruction of the State of Washington, amending sections 6, 10, 11, 22, 30, 33, 39, 42, 48, 49, 54, 56, 78, 97, 99, 101, 102, 105, 111, 121, 141, 142, 144, 153, 175, 177, 222, 223, 255, all being of said act; also declaring an emergency," and declaring an emergency.

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

SECTION 1. That Section 2293, of Ballinger's Annotated Codes and Statutes of Washington, as amended Amendment. by an act approved March 15, 1899, entitled "An act to amend an act entitled and cited as the Code of Public Instruction of the State of Washington amending sections 6, 10, 11, 22, 30, 33, 39, 42, 48, 49, 54, 56, 78, 97, 99, 101, 102, 105, 111, 121, 141, 142, 144, 153, 175, 177, 222, 223, 255, all being of said act; also declaring an emergency," be amended to read as follows: Sec. 2293. The powers and duties of the superintendent of public instruction shall be:

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

*Second.* To report biennially to the Governor on or before the first day of November preceding the regular session of the Legislature, of which report 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 state Biennial report to Governor. ment 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 funds apportioned, amount received from special tax, and from other sources, amount ex- What report shall contain.

pended 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.

Statement of plans.

*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.

Printing of necessary 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 various counties of this state.

*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 one year.

Monthly statement to State Auditor.

Proviso.

*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

Forms to be printed.

as any change in the laws make it of sufficient importance, in his opinion, to justify the same.

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

*Eighth.* To hold biennially on or before the first day of October 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. Biennial convention.

*Ninth.* Upon 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 his office at the time of making his apportionment: *Provided further*, If a pupil attends any school of the state outside his resident district during the time the resident district maintains 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 shall notify the clerk of the district where such pupils attend when the school of said pupils' resident district will be in session and the grades maintained; and without such notice all claim to attendance will be forfeited. Apportionment of school funds. Proviso. Basis. Proviso.

*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 Annual report from state institutions.

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.

Directory of boards.

*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.

Grading of standing.

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

Office records.

*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 paper.

Filings.

Certified copies of papers or official acts.

Decisions on points of law.

*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.

Delivery to 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.

SEC. 2. That section 2310 of Ballinger's Annotated Codes and Statutes of Washington, as amended by an act approved March 15th, 1899, entitled "An act to amend an act entitled and cited as the Code of Public Instruction of the State of Washington, amending sections 6, 10, 11, 22, 30, 33, 39, 42, 48, 49, 54, 56, 78, 97, 99, 101, 102, 105, 111, 121, 141, 142, 144, 153, 175, 177, 222, 223, 255, all being of said act; also declaring an emergency," be amended to read as follows: Section 2310. 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 terms for which each director is to be elected. Directors elect shall take office on the first Monday in June next succeeding their election and shall hold office until their successors are elected and qualified. In case of vacancy in the board of directors from any cause the county superintendent shall fill such vacancy by appointment until the next annual election.

Amendment.

Directors,  
when elected.

Eligibility.

Term of office  
of directors.

Assume office.

SEC. 3. That section 2311 of Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows: Sec. 2311. Every board of directors unless otherwise specially provided by law, shall have power and it shall be their duty:

Amendment.

*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: *Provided however,* That no board of directors shall, before the first Monday in June hire any teacher or teachers whose term of teaching does not commence prior to the first Monday in August.

Employment  
of teachers.

Proviso.

- Enforcement of rules.** *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 prescribed by the State Board of Education.
- Materials.** *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 such purchases of furniture, charts or other apparatus shall be approved at a meeting of said board at which all members shall be present.
- Proviso.**
- School houses.** *Fourth.* To rent, repair, furnish and insure school houses.
- Building of and removal.** *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 a two-thirds vote of the electors of such district at an election to be held for that purpose which election may be a special or general school election.
- Proviso.**
- Personal.** *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.
- Suspension and expulsion of 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.
- 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.
- Text books required.** *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.

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

*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. Use of school room for other purposes.

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

SEC. 4. That section 2419 of Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows: Section 2419. The election of district directors and clerks shall, except as otherwise provided by law, be held on the second Saturday in May 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 conducted in the manner provided for calling and conducting annual elections. Amendment.

SEC. 5. An emergency exists and this act shall take effect immediately. Elections, when held.

Passed the House February 5, 1901.

Passed the Senate February 20, 1901.

Approved by the Governor March 1, 1901.

## CHAPTER XLII.

[H. B. No. 101.]

### RELATING TO THE PRACTICE OF MEDICINE AND SURGERY.

AN ACT to amend an act entitled "An act to regulate the practice of medicine and surgery in State of Washington, and to license physicians and surgeons; to punish all people violating the provisions of this act, and to repeal all laws in conflict therewith, and declaring an emergency," approved April 10, 1890.

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

SECTION 1. That section 3 of the above entitled act be amended to read as follows: Section 3. Hereafter Amendment.