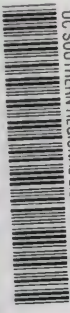


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CODE OF PUBLIC INSTRUCTION

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District No. ...., County of .....

State of Washington.

School officers, on retiring from office, are required by law to deliver this volume, with all other books and documents of an official character, to the clerk of the district.

ISSUED BY

HENRY B. DEWEY.

*Superintendent of Public Instruction.*

1909

OLYMPIA, WASH.:

E. L. BOARDMAN, PUBLIC PRINTER

1909



STATE OF WASHINGTON (State)  
Law, - "rules," etc.

# CODE OF PUBLIC INSTRUCTION

TOGETHER WITH

## Official Rulings and Blank Forms

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COMPILED AND ISSUED BY

**HENRY B. DEWEY**

Superintendent of Public Instruction

**1909**

OLYMPIA, WASH.:  
E. L. BOARDMAN, PUBLIC PRINTER.  
1909.

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1903

DEPARTMENT OF EDUCATION, STATE OF WASHINGTON.

HENRY B. DEWEY.....Superintendent of Public Instruction  
J. M. LAYHUE.....Assistant Superintendent  
F. F. NALDER.....Deputy Superintendent  
MABELLE ARNOLD.....Chief Clerk  
GYNETH KNIGHT.....Stenographer

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## INTRODUCTION.

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*To the School District Officers:*

The legislature at the session of 1907 provided for the appointment of a commission to revise and recodify the Code of Public Instruction, to suggest amendments and to prepare a bill to be submitted to the eleventh biennial session. The commission appointed by the governor consisted of Hon. E. C. Hughes of Seattle; County Superintendent N. D. Showalter of Colfax; W. E. Wilson, principal of the Ellensburg State Normal School; the attorney general and the Superintendent of Public Instruction *ex officio*.

The former Code of Public Instruction, which is superseded by the code printed herewith, was very largely the territorial code of 1881, recodified in 1890 and again in 1897. Many of its provisions fitted territorial conditions, but were not suited to a rapidly growing state. Since the recodification in 1897 many amendments have been made at successive sessions of the legislature, some of which were inconsistent with other provisions of the code. In other cases the same section had been amended two or three times, until it was difficult or impossible to determine with any degree of certainty what was the law. Sections of the code dealing with the same topic were not grouped together, making it impossible for school district officers to ascertain easily and definitely their duties.

The report of the code commission was submitted to the eleventh session of the legislature in the form of a bill, and forms the basis of the code as enacted, although some important changes were made by the legislature.

Among the more important provisions of the revised code to which I would call your special attention are the following:

Systematic arrangement of related provisions of the code.

Classification of districts.

Consolidation of the State Board of Education and the Board of Higher Education.

Minimum length of term increased to six months for all districts.

Provisions regarding division of assets and adjustment of debts and liabilities between districts in case of formation of new districts or of transference of territory.

Appointment of director in the event of a vacancy in districts of the second class by county superintendent in conjunction with the two remaining directors.

Appointment of school physician in districts of the first class.

In districts of the second and third classes the clerk enters upon the discharge of his duties immediately upon his election.

Washington's birthday added to the list of legal holidays.

The county auditor is required to countersign and register warrants for the payment of teachers' salaries, supplies, etc., upon the written order of a majority of the members of the board of a district of the third class: *Provided*, That no warrant for maps, charts and apparatus shall be countersigned or registered until the order shall have been approved by the county superintendent.

Consolidation of the county board of education and the board of eighth grade examiners.

A county tax of \$10.00 per child of school age must be levied by the county commissioners. This will very largely do away with the necessity for special district taxation.

Additional apportionments are authorized for those high school districts charging no tuition; also a small bonus for each high school grade maintained.

Directors are now required to submit an itemized estimate of expenses for the current year to the board of county commissioners. The commissioners are required to make a levy in accordance with the estimate.

Teachers' institutes must be held as nearly as practicable during the week prior to the opening of schools in the fall.



Only districts maintaining four-year accredited high schools are allowed independent adoption of textbooks.

The law regarding certification of teachers differs very materially from both the present law and the recommendations of the code commission.

The compulsory school law was amended by making it applicable to all children between fifteen and sixteen years of age not regularly and lawfully engaged in some remunerative occupation.

The ballot used in school elections must be white and of uniform size and quality.

The attention of the directors of districts of the first and second classes is called to the provisions of House bill No. 300, Session Laws of 1909. This law is published in this volume on page 114.

In many districts in this state a schoolhouse site is desired upon land owned by the state. Honorable E. W. Ross, commissioner of public lands, makes the following statement in reference to the method of acquiring title to this land:

“School districts can acquire common school lands for school house sites by purchasing from the state at public auction only. No school or granted lands can be disposed of otherwise than at public auction, after appraisalment by the board of state land commissioners. Any school district desiring to acquire any state lands for a school house site may apply to the commissioner of public lands for a blank form of application, which will contain, printed thereon, instructions for the guidance of the applicant. Do not erect a school house or other school district improvement upon any state land without first purchasing the same as here outlined. Any other course will lead to complications, embarrassing especially to the board of directors of the school district.”

*Henry B. Dewey*

*Superintendent of Public Instruction.*

OLYMPIA, March 22, 1909.

## COUNTY SUPERINTENDENTS.

(Term commencing September 6, 1909).

Adams .....	J. H. Perkins.....	Ritzville.
Asotin .....	Mary Brannan .....	Asotin.
Benton .....	Annie Goff .....	Prosser.
Chehalis .....	N. D. McKillip.....	Montesano.
Chelan .....	E. C. Bowersox.....	Wenatchee.
Clallam .....	Annette Trumbull .....	Port Angeles.
Clarke .....	Oscar McBride .....	Vancouver.
Columbia .....	W. K. Kintner.....	Dayton.
Cowlitz .....	Mrs. Carrie B. Roberts.....	Kalama.
Douglas .....	T. C. Hartley.....	Waterville.
Ferry .....	Mrs. Helena R. Smithson....	Republic.
Franklin .....	Mrs. E. C. Nagel.....	Pasco.
Garfield .....	Elizabeth McCoy .....	Pomeroy.
Grant .....	C. E. Smith.....	Ephrata.
Island .....	Alicenia B. Engle.....	Coupeville.
Jefferson .....	R. E. Harris.....	Port Townsend.
King .....	A. S. Burrows.....	Seattle.
Kitsap .....	Thos. E. Hulse.....	Port Orchard.
Kittitas .....	Mrs. Geneva Barkley.....	Ellensburg.
Klickitat .....	Samuel J. Reither.....	Goldendale.
Lewis .....	W. D. Bay.....	Chehalis.
Lincoln .....	Geo. E. Craig.....	Davenport.
Mason .....	Mrs. Mary M. Knight.....	Shelton.
Okanogan .....	E. B. Grinnell.....	Conconully.
Pacific .....	Lottie Bode .....	South Bend.
Pierce .....	Miles Edgerton .....	Tacoma.
San Juan .....	F. F. Joubert .....	Friday Harbor.
Skagit .....	Thomas Roush .....	Mt. Vernon.
Skamania .....	Mrs. Lillie Miller.....	Stevenson.
Snohomish .....	Eva V. Bailey.....	Everett.
Spokane .....	E. G. McFarland.....	Spokane.
Stevens .....	Daisy Leona Hard.....	Colville.
Thurston .....	W. G. Parker.....	Olympia.
Wahkiakum .....	Elvira C. Marsh.....	Cathlamet.
Walla Walla .....	Mrs. Josephine Preston....	Walla Walla.
Whatcom .....	Mary P. Carpenter.....	Bellingham.
Whitman .....	J. O. Mattoon.....	Colfax.
Yakima .....	S. S. Busch.....	North Yakima.

## TABLE OF CONTENTS.

	<i>Page</i>
<b>TITLE I.—SYSTEM OF PUBLIC INSTRUCTION.</b>	
Chapter 1.—The State .....	9
Chapter 2.—Officers—Superintendent of Public Instruction.....	9
Chapter 3.—State Board of Education.....	12
<b>TITLE II.—HIGHER AND SPECIAL INSTITUTIONS OF EDUCATION.</b>	
Chapter 1.—University of Washington.....	14
Chapter 2.—State College of Washington.....	17
Chapter 3.—State Normal Schools.....	23
Chapter 4.—Washington State Training School.....	27
Chapter 5.—State School for the Deaf and the Blind.....	28
Chapter 6.—State Institution for Feeble Minded.....	29
<b>TITLE III.—GENERAL COMMON SCHOOL SYSTEM.</b>	
Chapter 1.—General Provisions .....	31
Chapter 2.—Division of Territory.....	32
Article 1. Kinds of Districts.....	32
Article 2. Corporate Existence and Powers.....	33
Chapter 3.—Formation, Alteration, and Consolidation of Districts...	34
Article 1. Formation of New Districts.....	34
Article 2. Alterations of Boundaries of School Districts.....	36
Article 3. Alteration of Boundaries by Extension of City Limits	36
Article 4. Formation of Consolidated Districts.....	38
Article 5. Formation of Joint Districts.....	39
Article 6. Formation of Union High School Districts.....	41
Article 7. Miscellaneous .....	44
Chapter 4.—Officers—Their Powers and Duties.....	44
Article 1. County Superintendent of Schools.....	44
Article 2. District Officers—General Provisions.....	48
Article 3. Directors of Districts of the First Class.....	51
Article 4. Directors of Districts of the Second Class.....	57
Article 5. Directors of Districts of the Third Class.....	59
Article 6. District Clerk .....	61
Article 7. Teachers .....	63
Article 8. County Auditor .....	64
Article 9. County Treasurer .....	65
Article 10. County Boards of Education.....	66
Chapter 5.—Apportionments .....	67
Chapter 6.—Institutes .....	69
Chapter 7.—Text Books .....	71
Chapter 8.—County Circulating Libraries.....	73
Chapter 9.—School Revenues .....	74
Chapter 10.—Bonds .....	76
Chapter 11.—Validation of Indebtedness and Issue of Bonds Therefor	81

TITLE III.—GENERAL COMMON SCHOOL SYSTEM.—Continued.	<i>.Page</i>
Chapter 12.—Certification of Teachers.....	84
Article 1. General Provisions .....	84
Article 2. Examinations .....	86
Article 3. Classification of Common School Certificates and Diplomas .....	86
Article 4. Common School Certificates and Diplomas.....	87
Article 5. City Certificates .....	88
Article 6. Certificates and Diplomas of Higher Institutions of Learning .....	90
Article 7. Temporary Certificates .....	90
Article 8. Special Certificates .....	91
Article 9. Revocation of Certificates.....	91
Chapter 13.—Elections .....	91
Article 1. General Elections .....	91
Article 2. Special Meetings .....	94
Article 3. Elections in Districts of the First Class.....	94
Article 4. Registration of Voters in School Districts of the First Class .....	96
Chapter 14.—Penalties .....	99
Chapter 15.—Appeals .....	103
Chapter 16.—Compulsory School Law.....	104
Chapter 17.—Grammar School Examinations.....	107
Chapter 18.—High School Extension Examinations.....	108
Chapter 19.—Kindergartens .....	109
Chapter 20.—Taking of Private Property for School House Sites.....	110
Chapter 21.—Prohibiting the Sale of Intoxicating Liquors Within Prescribed Limits of State Educational Institutions	113
TITLE IV.—INTENT OF ACT, AND REPEALING CLAUSE.....	113
Publication of Estimates of School Expenses.....	114
Fire Drills .....	115
Prohibiting Child Labor.....	115
Investment of Permanent School Funds.....	116
Legal Rate of Interest on School Warrants.....	117

# CODE OF PUBLIC INSTRUCTION.

(Chapter 97, Session Laws of 1909.)

AN ACT establishing, providing for the maintenance of, and relating to, a general and uniform public school system for the State of Washington, providing penalties for the violation of the provisions of this act, and repealing all acts and parts of acts in conflict with the provisions of this act.

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

## TITLE I.—SYSTEM OF PUBLIC INSTRUCTION.

### CHAPTER 1.—THE STATE.

#### 1. State System of Schools.

SECTION 1. A general and uniform system of public schools shall be maintained throughout the State of Washington, and shall embrace common schools (including high and elementary schools, schools for special help and discipline, schools or departments for special instruction), technical schools, the University of Washington, the State College of Washington, state normal schools, state training schools, schools for defective youth, and such other educational institutions as may be established by law and maintained at public expense.

#### 2. Administrative Officers.

SEC. 2. The administration of the public school system shall be intrusted to a Superintendent of Public Instruction, a State Board of Education, to regents or trustees for educational institutions, to county superintendents of common schools, to boards of directors and district clerks.

### CHAPTER 2.—SUPERINTENDENT OF PUBLIC INSTRUCTION.

#### 3. Election and Term of Office.

SECTION 1. 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.

#### 4. Salary.

SEC. 2. The Superintendent of Public Instruction shall receive an annual salary of three thousand dollars, payable monthly, upon warrant of the State Auditor, drawn upon the State Treasurer, in the same manner as other state officers are paid.

#### 5. Powers and Duties.

SEC. 3. 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 the 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 five thousand copies shall be printed and delivered to the Superintendent of Public Instruction, who shall furnish one copy 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 for incidentals and expenses; the amount paid for building and providing school houses with furniture and apparatus, the amount of bonded and 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.

*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.

*Fourth.* To travel, without neglecting his other official duties as Superintendent of Public Instruction, for the purpose of attending educational meetings or conventions within this or adjoining states, of visiting schools, of consulting county superintendents or other school officers.

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

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

*Eighth.* To hold, 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 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 the convention shall receive actual traveling expenses in attending said convention.

*Ninth.* 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.

*Tenth.* To require annually, on or before the 15th day of August, of the president, manager, or principal of every 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.

*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.

*Twelfth.* To issue certificates as provided by law.

*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.

*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.

*Fifteenth.* To administer oaths and affirmations in the discharge of his official duties.

*Sixteenth.* 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.

*Seventeenth.* To prepare and from time to time to revise a State Manual of Washington, which shall be sold at actual cost of publication and distribution, said manual to contain a sketch of the history of the state, an outline of the constitution of the state, excerpts from the school code, the courses of study and rules for the general government of the common schools, a map of the state, and a map of the topography of the state, and such other matter as the State Superintendent or the State Board of Education from time to time shall determine.

*Eighteenth.* To make a certified copy of papers filed in his office and of his official acts, attested by his official seal. He shall charge for such certified copy fifteen cents per folio, and all money so received shall be immediately paid to the State Treasurer and credited to the general fund of the state.

*Nineteenth.* To perform such other duties as may be required by law.

## 6. Assistants and Deputy.

SEC. 4. The Superintendent of Public Instruction is hereby authorized to appoint one Assistant Superintendent of Public Instruction, who shall be

the holder of not less than a first grade certificate; a Deputy Superintendent of Public Instruction, who shall also act as an inspector of schools, who shall be the holder of not less than a first grade certificate; a stenographer, and also to employ such other assistance as the needs of his office shall require from time to time, and for the payment of whose services appropriations shall have been made by the legislature of this state.

### CHAPTER 3.—STATE BOARD OF EDUCATION.

#### 7. Personnel of the Board—How Appointed—Term of Office.

SECTION 1. The State Board of Education shall consist of the Superintendent of Public Instruction, the president of the University of Washington, the president of the State College of Washington, the principal of one of the state normal schools elected by the principals of the state normal schools, and three persons holding life diplomas issued under the authority of this state and actively engaged in educational work, appointed by the Governor, one of whom shall be a superintendent of a district of the first class, one a county superintendent of schools, one a principal of a fully accredited four-year high school.

The appointed and elected members of the board shall hold their office for two years from the date of appointment and shall serve until their successors are appointed and qualified.

#### 8. President of the Board.

SEC. 2. 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, and shall represent the board in directing the work of high school inspection.

#### 9. Secretary of the Board.

SEC. 3. The Deputy Superintendent of Public Instruction 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 of the state institutions of higher education a certified copy of such proceedings.

#### 10. Annual Meeting—Expenses of the Board.

SEC. 4. The State Board of Education shall hold an annual meeting at the capital of the state on the third Tuesday of 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 serving as members of the State Board of Education shall be reimbursed for the actual expenses incurred in the performance of their duties, which expenses shall be paid by the State Treasurer on warrants of the State Auditor, out of funds not otherwise appropriated, upon the certificate of the Superintendent of Public Instruction: *Provided*, That members of the board who are not under salary to whom special committee work is assigned shall be paid for such services five dollars per day.



## 11. Powers and Duties of the Board.

SEC. 5. The State Board of Education shall have power, and it shall be its duty:

*First.* To approve the preparatory requirements for entrance to the University of Washington, the State College of Washington, and the State Normal Schools of Washington.

*Second.* To approve courses for the state normal schools, for the Department of Education of the University of Washington, and the State College of Washington, and for all normal training departments of higher institutions within the State of Washington which may be accredited and whose graduates may become entitled to receive teachers' life diplomas or professional certificates.

*Third.* To investigate the character of the work required to be performed as a condition of entrance to and graduation from normal schools, colleges, universities and other institutions of higher education and to prepare an accredited list of those higher institutions of learning of this and other states whose graduates may be awarded teacher's certificates by the Superintendent of Public Instruction without examination except upon the State Manual of Washington: *Provided*, That the entrance and graduation requirements of all colleges and universities whose diplomas are accredited must be equal to those of the University of Washington; and the requirements for normal schools shall be equal to the advanced course of the state normal schools of this state.

*Fourth.* To prepare an accredited list of state life certificates and life diplomas issued in other states by examination, upon which certificates may be issued in this state without examination, except in Washington State Manual: *Provided*, That the requirements to obtain such certificates and diplomas must be equal to the requirements for a life certificate in this state.

*Fifth.* To examine and accredit secondary schools: *Provided*, That no private academy shall be placed upon the accredited list so long as secret societies are allowed to exist among its students.

*Sixth.* When requested by any institution of higher learning situated within the state maintaining a normal training department the board shall send an inspector, qualified for such service, to examine the equipment of such department and to ascertain the extent and character of the courses provided and the preparatory requirements for admission to them, which requirements must include the completion of a high school course or its equivalent, and particularly the qualifications and experience of the instructors and supervisors who are responsible for the work of this department.

The inspector shall make a detailed report, including declaration of his opinion of the adequacy of the department for the work of educating and training teachers, which report shall be placed on file in the office of the Superintendent of Public Instruction.

If any such normal training department is ascertained to be equipped and manned adequately for the education and training of teachers and to be under reliable and responsible management and upon a basis of efficiency equal to that of the normal schools maintained by the state it shall be the duty of the board to accredit such department and to grant life diplomas to

graduates who present diplomas certifying that the holders have completed the courses approved by the board when the applicants have complied with the other requirements for life diplomas. It shall be the further duty of the board to inspect all accredited normal training departments each year.

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

*Eighth.* 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 elementary certificates and life diplomas.

*Ninth.* To prepare answers to all examination questions which are prepared by the board.

*Tenth.* To prepare uniform questions for use in the examination of the pupils of the schools of the state completing the grammar school course of study, and to prescribe uniform rules and regulations for the conducting of such examination.

*Eleventh.* To hear and decide appeals as provided by law.

## 12. Shall Unify Public School System.

SEC. 6. The board shall arrange such courses and adopt and enforce such regulations as will place the state institutions in harmonious relations with the common schools and with each other, and unify the work of the public school system.

## 13. Seal of the Board.

SEC. 7. The State Board of Education shall adopt a seal, which shall be kept in the office of the Superintendent of Public Instruction.

## TITLE II.—HIGHER AND SPECIAL INSTITUTIONS OF EDUCATION. CHAPTER 1.—UNIVERSITY OF WASHINGTON.

### 14. Establishment of.

SECTION 1. 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.

### 15. Aim and Purpose.

SEC. 2. 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: *Provided*, That no student shall be admitted to any

department of the university who is under the age of sixteen years. 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 this state. No student shall be admitted except upon examination satisfactory to the faculty of the university: *Provided, however,* That 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, and accredited by the State Board of Education: *Provided,* That said faculty shall have power to specify the preparation required for admission to any department of the university.

#### 16. Board of Regents—Term of Office.

SEC. 3. 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, 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 members of said board shall constitute a quorum for the transaction of business. 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. 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.

#### 17. Organization of Board—Meetings.

SEC. 4. The board shall organize by electing from its membership a president and an executive committee, of which committee the president shall be *ex-officio* chairman. 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.

#### 18. Powers and Duties of Regents.

SEC. 5. 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:

*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 employes of the institution, who shall hold their positions during the pleasure of said board of regents.

*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.

*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. The said board is also empowered, upon recommendation of the faculty, to grant normal diplomas, which shall entitle the holder to teach in any public school in the state for a period of five years; and to grant university life diplomas to candidates who shall give satisfactory evidence of having taught successfully for twenty-four months: *Provided,* That all candidates for the normal diploma and life diploma shall have satisfactorily completed not less than twelve semester hours in the Department of Education.

*Fourth.* The board of regents is authorized to receive such bequests and 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.

*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 equipments loaned by the United States to the University of Washington.

*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, not exceeding three hundred in number, 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.

*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 audited.

## 19. Faculty.

SEC. 6. 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.

## 20. Non-Sectarian.

SEC. 7. The University of Washington shall never be under the control of any religious or sectarian denomination or society whatever.

**21. Attorney General Legal Advisor.**

SEC. 8. 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.

**22. Erection of Buildings.**

SEC. 9. 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 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.

**23. Mechanics and Employees.**

SEC. 10. 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.

**24. To begin Building When Funds Are Available.**

SEC. 11. 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 that 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 draw said money as it may be necessary to disburse the same.

**CHAPTER 2.—STATE COLLEGE OF WASHINGTON.****25. Establishment and Purpose.**

SECTION 1. The State 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, mechanical arts, and natural sciences connected therewith, as well as a thorough course of instruction in all branches of learning upon agricultural and other industrial pursuits.

No student shall be admitted except upon examination satisfactory to the faculty of the State College: *Provided, however,* That 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 State College and accredited by the State Board of Education: *Provided further,* That said faculty shall have power to specify the preparation required for admission to any department of the State College.

#### 26. Ex-Officio Visitors.

SEC. 2. 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.

#### 27. Course of Instruction.

SEC. 3. 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, the 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: *Provided,* That no student shall be admitted to any department of the State College who is under the age of sixteen years.

#### 28. Departments of Instruction.

SEC. 4. 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 elementary science, and in connection therewith provide instruction in the following subjects: Elementary mathematics, including elementary trigonometry, elementary mechanics, element-

ary and mechanical drawing and land surveying. Said board of regents shall establish a department of said college to be designated as the department of agriculture, and in connection therewith shall 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 livestock, 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 experiment 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.

#### 29. Regents—Appointment and Term of Office—Bonds.

SEC. 5. The management of said college and experiment station, the care and preservation of all property of which the 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 to cause 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 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 regents now serving upon such board shall continue as such during the term for which they were respectively appointed.

#### 30. Organization of Board—Treasurer—Bonds.

SEC. 6. The board of regents 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 penal sum of not less than five thousand dollars (\$5,000), conditioned for the faithful performance of his duties as such officer.

### 31. Duties of President, Treasurer and Secretary.

SEC. 7. 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 do all other things required of him by said board.

### 32. Regents Enact By-Laws.

SEC. 8. The regents shall have the power, and it shall be their duty, to enact laws for the government of said State 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.

### 33. Regents Have General Control of Funds.

SEC. 9. 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 employes, and tuition fees to be charged in said college.

### 34. Experiment Station Established by Congress.

SEC. 10. The agricultural experiment station provided for in this act in connection with the State 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 agricultural and mechanic arts," approved July 2, 1862, and all acts supplementary thereto, including the act entitled "An act to establish agricultural experiment stations in connection with colleges established in the several cities under the provisions 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.

### **35. Assent to Congressional Requirements.**

SEC. 11. 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.

### **36. Meetings of the Board of Regents.**

SEC. 12. 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. 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.

### **37. Regents Must Subscribe to Oath.**

SEC. 13. Each member of the board of regents created by this chapter shall, before entering upon his duties, take 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.

### **38. Expenses of Regents.**

SEC. 14. The regents shall be allowed their actual and necessary traveling expenses in going to and returning from all the necessary sessions of the board; and also their necessary expenses while in actual attendance upon the same.

### **39. Shall Make Annual Report to Governor.**

SEC. 15. 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.

#### 40. Disbursement of Funds.

SEC. 16. The treasurer of said board shall make disbursement 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.

#### 41. No Pecuniary Interest.

SEC. 17. No employe 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.

#### 42. Governor Ex-Officio Member.

SEC. 18. 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.

#### 43. Board Shall Grant Diplomas and Degrees.

SEC. 19. The board of regents 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 college 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. The said board is also empowered, upon recommendation of the faculty, to grant normal diplomas which shall entitle the holder to teach in any public school in the state for a period of five years; and to grant life diplomas to candidates who shall give satisfactory evidence of having taught successfully for twenty-four (24) months: *Provided*, That all candidates for the normal diploma and life diploma shall have satisfactorily completed not less than twelve semester hours in the Department of Education.

#### 44. Erection of Buildings.

SEC. 20. 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 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.

#### 45. To Employ Architects.

SEC. 21. 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.

#### 46. State Auditor to Issue Warrants.

SEC. 22. 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 that 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, and any proper indebtedness has been incurred, the State Auditor upon receipt of properly audited vouchers shall, and it is hereby made his duty to draw his warrants for the payment thereof upon the State Treasurer against the specific fund belonging to said institution in such sum, not exceeding the amount on hand in such specific fund at such time, provided proper appropriations have been made therefor.

### CHAPTER 3.—STATE NORMAL SCHOOLS.

#### 47. Establishment and Corporate Title.

SECTION 1. The State Normal School at Cheney, the State Normal School at Bellingham, 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 "Board of Trustees of the State Normal School at ....." Said trustees shall be appointed by the Governor, by and with the advice and consent of the Senate.

#### 48. Trustees—Appointment—Term of Office.

SEC. 2. 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 trustee 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.

#### 49. Officers—By-Laws—Quorum.

SEC. 3. Each board of normal school trustees shall elect one of its members chairman, and it shall elect a secretary, 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.

#### 50. Trustees—Their Powers and Duties.

SEC. 4. Each board of normal school trustees shall have power, and it shall be its duty: *First.* To elect a principal and such other teachers, assistants and employes as the necessities of the school may require for a period not exceeding four years. *Second.* For good and lawful reasons to discharge any or all such teachers and employes. *Third.* To adopt 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. *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. *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. *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.

#### 51. Boarding Houses.

SEC. 5. 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.

#### 52. Meetings of Board.

SEC. 6. 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 shall be held as may be deemed necessary, whenever called by the chairman or by a majority of the board.

#### 53. Duties of the Principal.

SEC. 7. The principal of each state normal school shall have a general supervision of the school, shall see that all laws and rules of the board of trustees are observed 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 or 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.

#### 54. Model School—Manual Training.

SEC. 8. 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 eighteen 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.

#### 55. Diplomas and Certificates.

SEC. 9. Every diploma of graduation from a state normal school, or certificate issued therefrom, shall be signed by the president of the board of trustees and by the principal of the normal school at which the holder graduated, and by the State Superintendent of Public Instruction; and all diplomas and certificates shall be stamped with the seal of the State Superintendent of Public Instruction. 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 the state.

#### 56. Tuition Free.

SEC. 10. No charge shall be made against any student for tuition in any of the normal schools contemplated by this act. 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 has refused to comply with its rules and regulations for its government.

#### 57. Courses of Study.

SEC. 11. The State Board of Education shall prescribe courses of study for the normal schools of the state as follows: (1) An elementary course of two years; (2) a secondary course of two years; (3) advanced courses of two and three years; (4) a complete course of five years; (5) an advanced course of one year for graduates from colleges and universities. Upon the satisfactory completion of any one of these courses a student shall be awarded an appropriate certificate or diploma as follows: Upon the completion of the elementary course, a certificate to be known as an elementary normal school certificate, which shall authorize the holder to teach in any elementary school for a period of two years; upon the completion of the secondary course a certificate to be known as a secondary normal school certificate, which shall authorize the holder to teach in the common schools of the state for a period of three years; upon the completion of any advanced course a diploma to be known as a normal school diploma, which shall authorize the holder to teach in the common schools of the state for a period of five years, and upon satisfactory evidence of having taught successfully for three years such person shall receive a life diploma counter-

signed by the Superintendent of Public Instruction. Upon the completion of the work of the junior year any student may be given a secondary normal school certificate by vote of the faculty: *Provided*, That no one shall receive a diploma or secondary normal school certificate who has not attained the age of nineteen years, and attended the same state normal school one full school year of thirty-six weeks: *Provided further*, That no one shall receive a secondary normal school certificate or a normal school diploma who has not given evidence of ability to teach and govern a school by successful practice in the training department for a period of not less than eighteen weeks. The State Board of Education shall also prescribe uniform terms of admission to, and graduation from, the state normal schools, and shall define the qualifications for admission to each of the several courses.

#### 58. Text Books.

SEC. 12. The board of trustees may provide out of the funds appropriated for the purpose, such text-books and supplies as are needful for successfully carrying into effect the courses of study prescribed. Each student upon admission to the school may be required to pay into the library fund of the school a sum not to exceed ten dollars, one-half of which shall be applied to the support of the general library and reading room, and the remaining half shall be kept as indemnity for loss or damage of books belonging to the school in the hands of the student, and shall be returned to him after deducting such amount as may be justly charged for all loss or damage beyond reasonable wear.

#### 59. Requirements for Admission.

SEC. 13. 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 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 provided for in the course of study.

#### 60. Annual Meeting of Principals.

SEC. 14. 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.

#### 61. Biennial Report of Trustees.

SEC. 15. 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 reports 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.

**62. Trustees to Have No Pecuniary Interest in Contract.**

SEC. 16. 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.

**CHAPTER 4.—WASHINGTON STATE TRAINING SCHOOL.****63. Name of School.**

SECTION 1. The reform school at Chehalis, in Lewis county, shall be known as the Washington State Training School.

**64. Purposes of School.**

SEC. 2. The said school shall be for the keeping and reformatory training of all youths between the ages of eight and eighteen years who are residents of the State of Washington and who are committed to said institution by a court of competent jurisdiction.

**65. Causes for Commitment.**

SEC. 3. When a boy of sane mind between the ages of eight and sixteen years or a girl of sane mind between the ages of eight and eighteen (18) years shall, in any court of record in this state, be found guilty of any crime except murder, or manslaughter, or highway robbery, or who for want of proper paternal care is growing up in mendicancy or vagrancy, or is incorrigible, or has been expelled from a public school, and complaint thereof is made and properly sustained, the court may if in its opinion the accused is a proper subject therefor, instead of entering judgment cause an order to be entered that said boy or girl be sent to the State Training School, in pursuance of the provisions of this act, and a copy of said order under seal of said court shall be sufficient warrant for carrying said boy or girl to the said school and for his or her commitment to the custody of the superintendent thereof.

**66. To Be Managed by Board of Control.**

SEC. 4. The State Board of Control shall have full charge of the management of the said State Training School. It shall have power to adopt rules and regulations for its government, and shall prescribe, in a manner consistent with the provisions of the laws of this state, the duties of the persons connected with the management of the institution.

**67. The Superintendent.**

SEC. 5. The State Board of Control shall employ a competent person who shall be known as the Superintendent of the Washington State Training School. He shall be the executive head of the said institution, and he shall hold his office during the pleasure of the State Board of Control.

**68. Superintendent May Appoint Assistants.**

SEC. 6. The Superintendent of the said State Training School shall have power to appoint all assistants and employees required for the management of the institution placed in his charge, the number of said assistants and employees to be determined and fixed by the State Board of Control. The Superintendent may at his pleasure discharge any person therein employed.

**69. Branches to Be Taught.**

SEC. 7. All branches taught in the first eight grades of the public schools shall be taught in the State Training School. The inmates shall be taught and trained in morality, temperance, frugality, and they shall also be instructed in the different trades and callings of the two sexes, as far as possible, in the scope of the institution.

**CHAPTER 5.—STATE SCHOOL FOR THE DEAF AND THE BLIND.****70. To Be Managed by Board of Control.**

SECTION 1. The State School for the Deaf and the Blind at Vancouver shall be under the direction of the State Board of Control, and the funds for its maintenance shall be appropriated by the legislature of the State of Washington.

**71. The Annual Term.**

SEC. 2. The regular term of said school shall begin on the second Wednesday of September, and close on the second Wednesday of the following June.

**72. Tuition to Be Free.**

SEC. 3. The institution shall be free to residents of the State of Washington who are between the ages of six and twenty-one years, and who are deaf and blind, or either deaf or blind: *Provided*, That they are free from loathsome or contagious diseases.

**73. May Admit Persons from Other States.**

SEC. 4. The State Board of Control may admit to this school deaf or blind children from other states, but the parents or guardians of such children will be required to pay annually or quarterly in advance a sufficient amount to cover the cost of maintaining and educating such children.

**74. Qualifications of Superintendent.**

SEC. 5. The superintendent shall be appointed by the State Board of Control, for a term of four years, subject to removal at the discretion of the Board of Control. Said superintendent must be not less than 30 nor more than 70 years of age and must be practically acquainted with the school management and class instruction of the deaf and the blind, having had at least ten years actual experience in teaching in schools for the deaf and the blind. The superintendent shall have power to appoint all subordinates. The State Board of Control shall have power to fix the number of employes and the salary paid each and may discharge any employe at its discretion.

**75. School Clerks Must Report.**

SEC. 6. 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, or blind youth residing within their respective districts who are between the age of six and twenty-one years.

#### 76. Report of County Superintendent.

SEC. 7. It shall be the duty of each county school superintendent to make a full and specific report of such deaf, mute or blind 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 State Board of Control and the Superintendent of the School for the Deaf and the Blind.

#### 77. County Superintendents to Enforce Attendance.

SEC. 8. It shall be the duty of the parents or the guardians of all such deaf or blind youth to send them each year to the said State School for the Deaf and the Blind. The county superintendent shall take all action necessary to enforce this section or [of] this act: *Provided*, That if satisfactory evidence shall be laid before the county superintendent that any deaf or blind youth is being properly educated at home or in some suitable institution other than the State School for the Deaf and the Blind, 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 such defective youth shall continue to receive a proper education.

#### 78. In Certain Cases County to Bear Expense of Transportation.

SEC. 9. If it appears to the satisfaction of the county commissioners that the parents of any such deaf or blind youth within their county are unable to bear the expense of sending and returning them to said state school, it shall then be the duty of the commissioners to send and return them to and from said school or to maintain them at said school during vacation at the expense of the county.

#### 79. Penalty for Neglect of Duty.

SEC. 10. 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.

### CHAPTER 6.—STATE INSTITUTION FOR FEEBLE MINDED.

#### 80. To Be Managed by Board of Control.

SECTION 1. The State Institution for Feeble Minded now located at Medical Lake shall be under the direction of the State Board of Control, and funds for its maintenance shall be appropriated by the Legislature of the State of Washington.

#### 81. Tuition to Be Free.

SEC. 2. The institution shall be free to residents of the State of Washington who are between the ages of six and twenty-one years, and who are

idiotic or feeble minded: *Provided*, That they are free from loathsome or contagious diseases: *Provided, also*, That children who are idiotic, epileptic or afflicted in any particular that renders them unfitted for companionship with other children shall be segregated and provided with suitable accommodations and care in separate wards or buildings: *Provided further*, That expert medical service shall be provided for this institution.

#### 82. May Admit Children From Other States.

SEC. 3. The State Board of Control may admit to this institution feeble minded children from other states, but the parents or guardians of such children must be required to pay annually or quarterly in advance a sufficient amount to cover the cost of maintaining and educating such children.

#### 83. Reports of School Clerks.

SEC. 4. 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 feeble minded youth residing within their respective districts who are between the age of six and twenty-one years.

#### 84. Reports of County Superintendents.

SEC. 5. 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 State Board of Control.

#### 85. County Superintendents to Enforce Attendance.

SEC. 6. 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 institution for feeble minded. 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 State Institution for Feeble Minded, 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 such defective youth shall continue to receive a proper education.

#### 86. In Certain Cases to Bear Expense of Transportation.

SEC. 7. 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 expenses of sending and returning them to said state school, it shall then be the duty of the commissioners to send and return them to and from said school.

#### 87. Penalty for Neglect of Duty.

SEC. 8. 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.

### TITLE III.—GENERAL COMMON SCHOOL SYSTEM.

#### CHAPTER 1.—GENERAL PROVISIONS.

##### 88. Common Schools Defined.

SECTION 1. Common schools shall include 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.

##### 89. Subjects to Be Taught.

SEC. 2. 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, and the fundamental principles of honesty, honor, industry and economy, 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.

##### 90. School Day—Number of Hours—School Month.

SEC. 3. A school day shall consist of six hours for all pupils above the primary grades, exclusive of an intermission at noon; but any board of directors may fix as a school day for their district a less number of hours than six: *Provided*, That for pupils belonging to the primary grades the school day shall not be less than four hours, exclusive of an intermission at noon, and for pupils belonging to grades above the primary grade the minimum school day shall not be less than five hours, exclusive of an intermission at noon. In the absence of any by-law or order of the board of directors defining the school day for their district, any teacher may dismiss all pupils belonging to the primary grades after an attendance of four hours, exclusive of said intermission. The school month shall consist of twenty days, or four weeks of five days each, and the term "school year," for all matters pertaining to experience in teaching and for all matters pertaining to the granting of or renewing of certificates, shall consist of not fewer than nine school months.

##### 91. School Year.

SEC. 4. The school year shall begin on the first day of July and end with the last day of June.

##### 92. Contagious Diseases.

SEC. 5. 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 the diseases and have entirely recovered from them: *Provided*, That no pupil, teacher or janitor can attend school or be employed who is afflicted with pulmonary tuberculosis.

### 93. Pupils Shall Comply With Regulations.

SEC. 6. 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 wilful disobedience or open defiance of authority of the teacher shall constitute good cause for expulsion from school.

### 94. Minimum Length of Term.

SEC. 7. All school districts in this state shall maintain school during at least six months each year.

### 95. Women May Hold Offices.

SEC. 8. 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.

### 96. To Be Free from Sectarian Influence.

SEC. 9. All schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence.

## CHAPTER 2.—DIVISION OF TERRITORY.

### ARTICLE I.—KINDS OF DISTRICTS.

### 97. County School District Defined.

SECTION 1. For purposes of supervision and administration, each county in the state shall constitute one county school district.

### 98. School Districts of the First Class Defined.

SEC. 2. Any school district in this state containing a city of the first class or of the second class, or containing a city having the population requisite for a city of the first class or of the second class, as shown by any regular or special census, shall be a school district of the first class.

### 99. School Districts of the Second Class Defined.

SEC. 3. Any school district in this state containing a city of the third class or of the fourth class, or containing a city having the population

requisite for a city of the third or of the fourth class, as shown by any regular or special census, shall be a school district of the second class.

#### 100. Districts of the Third Class Defined.

SEC. 4. All other school districts shall be school districts of the third class.

#### 101. Consolidated Districts Defined.

SEC. 5. Any school district which has been formed by the consolidation of two or more school districts shall be designated as a consolidated school district.

#### 102. Joint Districts Defined.

SEC. 6. Any school district composed of territory in two or more counties shall be designated as a joint school district.

#### 103. Union High School Districts Defined.

SEC. 7. Any school district established for the purpose of maintaining a high school by the union of two or more contiguous districts in the same county shall be designated as a union high school district.

### ARTICLE II.—CORPORATE EXISTENCE AND POWERS.

#### 104. How Designated.

SECTION 1. The term "School District," as used in this act, is declared to mean the territory under the jurisdiction of a single board designated as a Board of School Directors, and shall be organized in form and manner as hereinafter provided, and shall be known as \_\_\_\_\_ (here insert name of city in case of districts of first or second class) School District No. —, \_\_\_\_\_ County, State of Washington: *Provided*, That all school districts now existing as shown by the records of the county superintendent are hereby recognized as legally organized districts, subject to the classification of article 1 of this chapter.

#### 105. Shall Constitute Body Corporate.

SEC. 2. A school district shall constitute a body corporate and shall 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 such school district shall, upon the organization of a district under the provisions of this act, vest immediately in the new district, and the board of directors of such school district shall have exclusive control of the same for all purposes herein contemplated.

#### 106. Each City Must Be Within One School District.

SEC. 3. Each incorporated city 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 district a reasonable distance beyond the limits of such city: *And provided further*, That nothing in this section shall be so construed as to change or disturb the boundaries of any school district or

ganized prior to the incorporation of any city, except in cases of incorporation of cities lying partly in two or more school districts organized prior to the incorporation of such city, or the extension of the boundaries of cities beyond the limits of the school districts in which they are situated, or in cases where two or more cities unite, as provided by law: *And provided further*, That the fact of the issuance of bonds by school districts, heretofore or hereafter, shall not prevent the formation of new school districts, whether or not such bonds have been redeemed, canceled, or paid in whole or in part and shall not prevent the transfer or uniting with another school district of a portion or the whole of a district where bonds have been or may hereafter be issued.

#### 107. May Purchase School Lands for Site.

SEC. 4. 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 three acres nor more than ten acres each, of any school lands of the State of Washington.

### CHAPTER 3.—FORMATION, ALTERATION, AND CONSOLIDATION OF DISTRICTS.

#### ARTICLE I.—FORMATION OF NEW DISTRICTS.

#### 108. Petition to Be Signed by Five Heads of Families.

SECTION 1. 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.

#### 109. Notices and Hearing.

SEC. 2. 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, and in one of the most public places of the territory affected by the proposed change. On the day fixed in the notice, he shall 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.

#### 110. School Must Be Taught at Least One Month.

SEC. 3. 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 district, and shall be collected and paid into the school fund of the old district.

#### 111. New District Entitled to Certain Funds.

SEC. 4. When a new district is formed from one or more old districts it shall be entitled to a just share of the school money to the credit of the one or more old districts, from which the new district is formed, at the time the petition was granted to establish the new district. And the county superintendent (or in case of an appeal, the board of county commissioners), shall divide such money and also such money as may, for the current year, afterward be apportioned to the said one or more old districts, according to the number of school children resident in the new district, as may be ascertained by a census taken for that purpose: *Provided*, That the new district shall be entitled to all school district tax levied within the boundaries of the new district, for the current year in which the new district is formed. And if such tax, or any part of it, has already been collected and placed to the credit of the aforementioned one or more old districts, it shall be the duty of the county treasurer, upon the order of the county superintendent, to transfer the money received from such special tax to the credit of the new district.

#### 112. Value of Property—County Superintendent May Hear Testimony.

SEC. 5. At the hearing for the formation of a new school district, the county superintendent shall, in case the petition is granted, hear testimony offered by any person or school district interested therein, for the purpose of finding and determining the amount and value of all school property of whatever nature involved in the proposed action, the nature and amount and value of all bonded, warrant and other indebtedness of the original school district or districts out of whose territory such new district is formed, including all legal uncompleted obligations then existing, and in so doing shall consider the amount of such outstanding indebtedness incurred for current expenses, the amount incurred for permanent improvements, and the location of such improvements, and shall make an equitable adjustment of all property, debts and liabilities among the districts involved.

He shall make a full record of all such findings and terms of adjustment and the decision of said county superintendent shall be final unless appealed from in the manner provided by law, in which case the decision of the board of county commissioners shall be final.

#### 113. Commissioners to Make Appropriate Levies.

SEC. 6. When a new school district is formed in the manner provided by this article it shall be the duty of the county commissioners to provide by appropriate levies on the property of such new district, in the manner provided by law, for the payment of such indebtedness as may be imposed upon it by the decision of the county superintendent, or in case of appeal by the board of county commissioners.

## ARTICLE II.—ALTERATIONS OF BOUNDARIES OF SCHOOL DISTRICTS.

## 114. What Must Be Included in Petition.

SECTION 1. 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, or in case there be no family resident in such territory then by the board of directors in one of the districts affected by such proposed change, 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, if any, residing in the territory to be transferred. For such proposed transfer of territory the notices shall be posted and the hearing and appeal shall be the same as for the formation of a new district.

## 115. Value of Property—County Superintendent May Hear Testimony.

SEC. 2. At the hearing for the alteration of any school district the county superintendent shall, in case the petition is granted, hear testimony offered by any person or school district, for the purpose of finding and determining the value and amount of any school property of whatever nature involved in the proposed action, the nature and amount and value of all bonded, warrant and other indebtedness of each school district affected by the action, including all legal uncompleted obligations then existing, and in so doing shall consider the amount of such outstanding indebtedness incurred for current expenses, the amount incurred for permanent improvements and the location of such improvements, and shall make an equitable adjustment of all property, debts and liabilities among the districts involved.

He shall make a full report of all such findings and terms of adjustment and the decision of said county superintendent shall be final unless appealed from in the manner provided by law, in which case the decision of the board of county commissioners shall be final.

## 116. Commissioners Must Make Certain Levies.

SEC. 3. In case of the alteration of any school district, in the manner provided by this article, it shall be the duty of the board of county commissioners to provide by appropriate levies on the property of such district, in the manner provided by law, for the payment of such indebtedness as may be imposed upon it by the decision of the county superintendent, or in case of appeal, by the board of county commissioners.

## ARTICLE III.—ALTERATION OF BOUNDARIES BY EXTENSION OF CITY LIMITS.

## 117. When Annexation Is Completed.

SECTION 1. Whenever an incorporated city shall extend its limits in the manner provided by law, so as to include all or a part of one or more school districts, the territory so included shall not be deemed 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 to be a part of the school



district embracing said city: *Provided*, 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 school district left outside of the territory so annexed to such incorporated city, the county superintendent may annex all or any part of such school district to the school district embracing such city.

#### 118. County Superintendent to Adjust Property.

SEC. 2. At the time of declaring any territory to be added to the limits of a school district embracing an incorporated city, as provided in section 1 of this article, the county superintendent shall make an equitable adjustment of all property, including current funds and taxes, and of all debts and liabilities between the districts involved, and shall certify his action to the board of county commissioners. Before making said adjustment, he shall give not less than ten days' written notice to the directors of each district affected by such change, fixing the time and place of the hearing before him.

#### 119. County Superintendent to Hear Testimony and Adjust Liabilities.

SEC. 3. At such hearing the county superintendent shall hear testimony offered by any person or school district interested therein pertaining to the value and amount of any school property, of whatever nature, including current funds and taxes, involved in the proposed action, the assessed value of all taxable property in said districts, the nature, amount and value of all bonded, warrant and other indebtedness of each school district affected by the action, including all legal uncompleted obligations then existing; and whenever the territory so added to the school district embracing such incorporated city shall include a part only of the school districts from which such territory shall be taken, he shall consider the amount of outstanding indebtedness, of each of said school districts, incurred for current expenses, the amount incurred for permanent improvements and the location of such improvements, for the purpose of making such equitable adjustment of all property, debts and liabilities among the districts involved. He shall make a full report of his findings and terms of adjustment, and the decision of said county superintendent shall be final unless appealed from in the manner provided by law, in which case, the decision of the board of county commissioners shall be final.

#### 120. District to Retain Corporate Existence Until Liabilities Are Paid.

SEC. 4. Whenever the territory so added to a school district, embracing an incorporated city, shall include the whole of the school district from which such territory was taken, such district shall retain its corporate existence so far as necessary for that purpose, until its indebtedness as determined by such adjustment shall have been paid in full, and the officers of the district embracing such incorporated city to which its territory shall have been added shall have the power, and it shall be their duty, to provide, by appropriate levies upon such old district or districts, for the payment of such 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.

## ARTICLE IV.—FORMATION OF CONSOLIDATED DISTRICTS.

**121. County Superintendent May Establish District.**

SECTION 1. Upon receipt of a petition signed by five heads of families of two or more adjoining districts in the same county the county superintendent may organize and establish a consolidated school district. The posting of notices, the hearing, and the appeal shall be the same as in the change of territory from one district to another.

**122. All Boards to Constitute New Board Until Election.**

SEC. 2. When two or more 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 directors, until the next annual school election in said district, at which time there shall be elected three directors for said district, in the manner provided by law, who shall hold their respective offices as provided for the officers of new districts.

**123. When District Shall Not Be Entitled to Bonus.**

SEC. 3. Whenever, by reason of detachments of territory subsequent to the formation of a consolidated district, the boundaries of such district shall become practically co-extensive with the boundaries of a district prior to the formation of such consolidated district, it shall be the duty of the county superintendent to report such fact to the Superintendent of Public Instruction at the time of making his annual report, and said district shall no longer be entitled to the bonus hereinafter provided for consolidated districts.

**124. Directors of City District to Constitute Board.**

SEC. 4. When two or more districts are consolidated, only one of which contains an incorporated city, the directors of the district which contains such incorporated city shall become the directors for the consolidated district as soon as the consolidation is legally completed.

**125. County Superintendent to Number and Describe District.**

SEC. 5. The county superintendent of any county in which new districts are formed by the uniting of two or more districts, 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 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 existing 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 formed.

**126. New District Entitled to Property.**

SEC. 6. All school districts formed by the uniting of two or more districts, as provided for in this act, shall be entitled to the public property of the school districts so united and to all current funds in excess of outstanding

indebtedness other than bonded indebtedness, and the county superintendent shall transfer all such excess funds to the new district in accordance with this provision and shall certify such transfer to the county treasurer: *Provided*, That for the purpose of apportionment the consolidated district shall be considered one district: *Provided further*, That for the purpose of apportionment the consolidated district shall be credited with two thousand days' attendance in addition to actual attendance for each district, less one, so consolidated.

#### 127. District to Retain Corporate Existence Until Liabilities Are Paid.

SEC. 7. Each school district composing said consolidated district shall retain its corporate existence so far as necessary for that purpose until its indebtedness has been paid in full, and the county commissioners shall have the power and it shall be their duty to provide by appropriate levies upon such old district or districts for the payment of such 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.

#### 128. Organization of Board and Election of Clerk.

SEC. 8. When two or more school districts shall be united by the provisions of this act, the boards of directors of the several districts 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 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 board of the new district.

### ARTICLE V.—FORMATION OF JOINT SCHOOL DISTRICTS.

#### 129. Joint District May Be Organized.

SECTION 1. 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 school districts. They shall be designated by a separate number for each county in which any portion of their territory may lie.

#### 130. Petition Shall Be Presented.

SEC. 2. For the purpose of forming such joint districts, a petition shall be presented, drawn and signed as prescribed for the formation of other school districts, and a copy of such petition shall be presented to the county superintendent of each county affected by the formation of such proposed joint district.

#### 131. Superintendents Shall Post Notices.

SEC. 3. The superintendents of all counties affected by the formation of the proposed joint district shall confer and shall mutually agree upon the time and place of investigating said petition, and upon such agreement each shall notify the school electors of the district or districts of his county

affected by the formation of the proposed joint district, by posting notices as required in the formation of other school districts, one of which notices shall be posted upon the school house door of each district affected by the formation of the proposed joint district, and one of which shall be posted in some conspicuous place in the territory which it is proposed to include in the proposed joint district, in each county; and at the time and place mentioned in said notices the several superintendents shall meet and jointly investigate all matters pertaining to the formation of the proposed joint district.

#### **132. Superintendents Shall Appoint Directors.**

SEC. 4. If at the investigation provided for in the preceding section the several county superintendents shall mutually agree that said district should be formed, they shall appoint a board of directors to serve until the next regular election, and the directors appointed shall qualify within ten days. At the next regular election a board of directors shall be elected as provided in the case of other new districts.

#### **133. Shall File Certificate and Oath.**

SEC. 5. Every director or clerk of the joint district shall file his certificate of election and oath of office with the county superintendent of the county in which the school house is located, and his signature with the treasurer of the same county.

#### **134. How Vacancies Are to Be Filled.**

SEC. 6. Vacancies in the office of director 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.

#### **135. Transfers by Mutual Consent of Superintendents.**

SEC. 7. After a joint school district has been formed, all transfers of territory to and from said district shall be made by mutual agreement and joint action between the county superintendents of the several counties in which the territory of said joint district shall be embraced, and all notices of such transfers shall be signed by all superintendents in whose counties the territory of the joint district shall lie.

#### **136. Superintendents to Keep Transcripts.**

SEC. 8. The superintendents of the several counties affected by the formation of any joint school district shall make and keep a correct transcript of the entire boundary of such district, and shall certify the same to the county treasurer and county auditor of each county, and all transfers of territory to or from such joint district shall likewise be certified to such officers, said certificates being signed by all county superintendents in whose counties any part of the territory of such joint district shall be located. A map of all joint districts formed under the provisions of this section shall be filed with the Superintendent of Public Instruction within thirty days after the formation of such districts. Said maps shall indicate the number by which the district is designated in each county, and it shall also show the location of

the school house in such district, if there be one. Said map shall be certified to by all county superintendents in whose counties any part of such joint district shall be embraced.

#### 137. Provisions for Apportionments.

SEC. 9. 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: *Provided*, That the county treasurer in whose county the school house is not located shall transfer quarterly all moneys to the treasurer of the county where the school house is located, and the same shall be placed to the credit of said joint district.

#### 138. Superintendents to Hear Testimony and Adjust Property.

SEC. 10. At the hearing for the formation of a joint school district, the county superintendents shall, in case the petition is granted, hear testimony offered by any person or school district interested therein, for the purpose of finding and determining the amount and value of all school property of whatever nature involved in the proposed action, the nature and amount and value of all bonded, warrant and other indebtedness of the original school district or districts out of whose territory such joint district is formed, including all legal uncompleted obligations then existing, and in so doing shall consider the amount of such outstanding indebtedness incurred for current expenses, the amount incurred for permanent improvements, and the location of such improvements, and shall make an equitable adjustment of all property, debts and liabilities among the districts involved.

They shall make a full record of all such findings and terms of adjustment, and the decision of said county superintendent shall be final.

#### 139. Commissioners to Make Levies to Pay Indebtedness.

SEC. 11. When a joint school district is formed in the manner provided by this article, it shall be the duty of the board of county commissioners to provide by appropriate levies on the property of such joint district, in the manner provided by law, for the payment of such indebtedness as may be imposed upon it by the decision of the county superintendents.

#### 140. Reports to Be Made to Each Superintendent.

SEC. 12. 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.

### ARTICLE VI.—FORMATION OF UNION HIGH SCHOOL DISTRICTS.

#### 141. Initial Procedure of Formation.

SECTION 1. Whenever the residents of two or more adjacent or contiguous school districts in the same county may wish to unite for the purpose of establishing a union high school, the clerks of the 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, each submit in writing a statement of the proposed union of such districts, together with the question of the advisability of the formation of such union school district to the county

superintendent of schools, who shall within fifteen days report in writing to the said clerks his approval or disapproval, his action to be based upon an investigation made by him to determine whether or not either school district so applying already maintains or is capable itself of maintaining a high school without uniting with another district, or with other districts, or whether or not the educational and other conditions of the districts desiring to so unite are such as to insure the maintenance of a high school in fact according to the provisions of this article.

#### 142. The Elections.

SEC. 2. If the county superintendent shall approve of the formation of the proposed union high school district each of said clerks shall call a meeting of the voters of such school districts at some convenient place by posting written or printed notices in like manner as is provided for calling annual school district elections. If a majority of the voters of each district shall vote to unite for the purposes herein stated, the clerk of each district so proposing to unite shall, within ten days after the election, notify the county superintendent of the holding of and the result of the election, and the county superintendent shall, immediately after the receipt of said notices, designate such union high school district as "Union High School District No. ...., ..... County," and shall so notify the clerks of the several districts so uniting.

#### 143. Organization of the Board of Directors.

SEC. 3. The boards of directors of the several districts so voting to unite shall constitute the board of directors of such union high school district, and shall within ten days after the elections at which the districts voted to unite meet and organize by electing one of their number president of the board, and selecting their clerk for such union high school 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 qualified; and the election of president and clerk shall occur annually thereafter, on the second Saturday next succeeding the date at which the newly elected school district officers shall enter upon the discharge of their duties: *Provided*, That in union districts consisting of three or more school districts the board of directors of said union district shall be composed of the chairman of the several boards of directors of the districts comprised in such union district.

#### 144. Notices of Organization.

SEC. 4. The clerk of the union high school district shall within ten days after the organization of the district, by the election of a president and clerk, notify the county superintendent of the organization of said district, and the county superintendent shall also, within ten days after receiving notice of the organization of the district, notify the county treasurer and county auditor of the fact of its organization, together with the numbers of the constituent districts and the names of the directors and clerk.

#### 145. District May Be Enlarged.

SEC. 5. After the formation of a union high school district the boundaries of the same may be enlarged in the manner prescribed for the formation of

the said union high school district: *Provided*, That the board of directors of the union high school district shall not be reorganized, but that the chairman of the district, or the chairmen of the districts, so united to the union high school districts shall be added to the board of directors of the union high school until the next ensuing annual school election.

#### 146. Course of Study.

SEC. 6. The directors of such union districts shall determine what grade or grades above the grammar grade of the state common school course of study shall be pursued and maintained in such schools: *Provided*, That the course of study for all high school grades shall not be inconsistent with the laws of this state, and shall be such as the Superintendent of Public Instruction shall approve. If local conditions admit of it, the directors of any union high school district may, at their discretion, admit pupils residing in such union district, belonging to a grade lower than the high school grades, but no pupil belonging to a grade lower than the seventh shall ever be admitted to any such union high school. The teacher or teachers of such union high schools shall keep such records and make such reports as are required of teachers in the districts composing such union districts, and shall make such other reports as may be required by the Superintendent of Public Instruction.

#### 147. Powers of Directors and Clerks.

SEC. 7. The board of directors and clerk provided for in the preceding section shall, in all matters relating to the union high schools of such district, possess all the powers herein provided for other school district officers, including the power to recommend special levies of taxes for the purpose of furnishing transportation to and from school and other additional school facilities for the union district, or for the payment of teachers' wages, or for the purchase of fuel, supplies, globes, maps, charts, books of reference or other appliances for teaching, or for any or all of these purposes. They shall discharge all the duties and be governed by the laws herein provided for school district officers.

#### 148. Apportionments to District.

SEC. 8. Each union high school district shall be entitled to and shall receive apportionments from the state annual school fund in the manner provided by law for the apportionments from the state annual fund to other school districts.

#### 149. Taxpayers May Appeal.

SEC. 9. In case any resident taxpayer shall feel aggrieved at the formation of a union high school district, or at the refusal of the county superintendent to approve of its formation, he shall be entitled to an appeal as provided in this act.

#### 150. When a District May Withdraw.

SEC. 10. When five or more years have elapsed from the date upon which two or more school districts united for the purpose of forming a union high school district, any or all of the said districts may withdraw from the said union. No district, however, can be legally withdrawn until a majority of the votes cast at a special election called by the directors of the district

which proposes to withdraw are in favor of withdrawal. The liabilities and assets of the union high school district shall be justly apportioned by the county superintendent between the district which has voted to withdraw and the remaining portion of the union high school district.

ARTICLE VII.—MISCELLANEOUS.

151. **When County Superintendent May Discontinue District.**

SECTION 1. In case any school district shall have fewer than five children of school age or shall not have maintained at least the minimum amount of school required by law, during the past preceding school year, or in case of territory which is not now a part of any school district, or in which there are no children of school age, the county superintendent shall have power to attach such territory to some contiguous school district or school districts without being petitioned to do so: *Provided*, That if any school district so disorganized shall have any outstanding bonds, warrants or other indebtedness, the assessable property of such district shall be holden for the payment of such indebtedness.

152. **County Auditor Shall Certify to County Assessor.**

SEC. 2. In all cases involving the alteration of school district boundaries, the county auditor shall certify the action of the county superintendent or the county commissioners to the county assessor.

153. **No District to Be Less Than Four Sections.**

SEC. 3. In forming new districts, or transferring territory 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: *Provided*, That the county superintendent may establish a district with less than four sections on a petition signed by eighty per cent. of all the heads of families of the proposed district, by and with the consent of the Superintendent of Public Instruction.

CHAPTER 4.—OFFICERS—THEIR POWERS AND DUTIES.

ARTICLE I.—COUNTY SUPERINTENDENT OF SCHOOLS.

154. **Election and Oath of Office.**

SECTION 1. A county superintendent of schools shall be elected in each county of the state at each general election, whose term of office shall begin on the first Monday in September next succeeding his election and continue for two years and until his successor is elected and qualified. He shall take the oath of office and shall give an official bond in a sum to be fixed by the board of county commissioners. He may appoint a deputy, who shall qualify in the same manner as the county superintendent, and perform the duties of the office, subject, however, to revision by the county superintendent: *Provided*, That in any county having more than one hundred school districts, the county superintendent, with the approval of the board of county commissioners, may appoint such clerical assistance as may be necessary to perform the work of his office properly. The county commissioners of each county shall fill any vacancy that may occur in the office of county superintendent until the next general election.



**155. Eligibility.**

SEC. 2. No person shall be eligible to hold the office of county superintendent of schools who shall not at the time of his election or appointment have taught in the public schools of this state two school years of nine months each, and who shall not at the time of such election or appointment hold a first grade or higher certificate.

**156. Shall File Evidence With County Auditor.**

SEC. 3. 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 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 the certificate required by this act.

**157. Powers and Duties.**

SEC. 4. Each county superintendent shall have the power and it shall be his duty—

*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 the teachers, supervisors and school officers.

*Second.* To visit the schools in his county, counsel with directors and teachers, and assist in every possible way to advance the educational interests of his county.

*Third.* To distribute promptly all reports, laws, forms, circulars, and instructions which he may receive for the use of the schools and the teachers, and to execute the instructions and decisions of the Superintendent of Public Instruction, as provided by law.

*Fourth.* To enforce the outline course of study adopted by the State Board of Education, or the course of study adopted by any other lawful authority, and to enforce the rules and regulations required in the examination of teachers

*Fifth.* He shall prepare an outline course of study for the books adopted in districts of the third class when the needs of the county demand: *Provided,* That said outline course of study shall be in harmony with the course adopted by the State Board of Education of this state.

*Sixth.* To keep on file and preserve in his office the biennial reports of the Superintendent of Public Instruction and of the county superintendent of his county.

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

*Eighth.* 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.

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

*Tenth.* 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, and 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 term in weeks, which data shall be immediately reported to the county auditor.

*Eleventh.* 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. And it shall be the duty of the county commissioners and county auditor in every county wherein the county superintendent is about to retire from office to withhold the warrant of his salary for the month of July until they shall have received a certificate from the Superintendent of Public Instruction that the annual report of such county superintendent has been made in a satisfactory manner; and it shall be the duty of the Superintendent of Public Instruction to transmit such certificate to the auditor immediately upon receiving such satisfactory report.

*Twelfth.* To keep in his office a full and correct transcript of the boundaries of each school district in the county, including joint districts. 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.

*Thirteenth.* To appoint school district officers in districts of the second and of the third class, to fill vacancies caused by death, resignation, failure to hold election, failure to qualify before the day for taking office, and absence from the district for a period of ninety days or failure to attend four consecutive meetings of the board without a reasonable excuse; to appoint school officers for any new districts: *Provided*, That when any new district is organized, such of the school officers of the old district as reside within the limits of the new one shall be such school officers of the new one, and the vacancies in the old district shall be filled by appointment.

*Fourteenth.* To apportion school funds as provided in Chapter 5, Title III, of this act.

*Fifteenth.* To grant such temporary certificates and to conduct such examination of teachers 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.

*Sixteenth.* 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.

*Seventeenth.* To hold each year, if he deem it advisable, one or more directors' meetings, the expense of which shall be audited and paid by the county commissioners: *Provided.* That such expense shall not exceed the sum of one hundred dollars in any one year.

*Eighteenth.* To suspend any teacher who may be teaching in his county, against whom he files charges, and in case of such suspension he shall immediately notify the Superintendent of Public Instruction of his action, and shall clearly and fully state his reasons for said action.

*Nineteenth.* To furnish registers and clerks' record books to all districts of his county upon a requisition from the school district clerk, and he shall receive pay for such books by warrants drawn against the said school district by the county auditor. At the end of each quarter of the fiscal year he shall turn over to the treasurer of his county all moneys derived from the sale of such books, together with a detailed statement of the sources from which said funds were derived. He shall also at the same time send a copy of said statement to the Superintendent of Public Instruction.

*Twentieth.* To forthwith enforce the provisions of section 14, article 7[5], chapter 4, of title III of this Code, and to notify the Superintendent of Public Instruction whenever any school board of such county shall fail to comply with the provisions required.

#### 158. He Shall Require Reports.

SEC. 5. 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 the school district clerks are properly kept. He shall require the oath 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 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.

#### 159. Office Days.

SEC. 6. He shall keep his office open for the transaction of official business such days each week (at least one day each week) as the duties of the office may require, and shall keep posted on the door of his office a notice of said office days and hours of such days.

#### 160. Commissioners Shall Furnish Office and Supplies.

SEC. 7. The county commissioners shall provide the county superintendent with a suitable office at the county seat, and all necessary blanks, books, stationery, postage, printing and other expenses of his office shall be paid by the county treasurer out of the county funds upon a sworn statement made quarterly and allowed by the county commissioners: *Provided.* That, as to the necessity for the printing and issuance of circulars of information pertaining to the schools of his county, for the use of schools, school officers and teachers, the county superintendent shall determine.

#### 161. Shall Receive Actual Traveling Expenses.

SEC. 8. For all actual and necessary travel in the performance of their official duties and in attendance on the convention of county superintendents,

called by the Superintendent of Public Instruction, county superintendents shall be allowed actual traveling expenses.

ARTICLE II.—DISTRICT OFFICERS—GENERAL PROVISIONS.

162. Election and Eligibility.

SECTION 1. Directors of school districts shall be elected at the regular annual school elections. No person shall be eligible to the office of school director who is not able to read and write the English language.

163. Powers and Duties of Directors.

SEC. 2. Every board of directors, unless otherwise specially provided by law, shall have power and it shall be its duty:

*First.* To employ, for not more than one year, and for sufficient cause to discharge teachers, and to fix, alter, allow and order paid their salaries and compensation. The directors, except in districts of the first class, shall make with each teacher employed by them a written or printed contract, which shall be in conformity with the laws of this state, and 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.

*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.

*Third.* To rent, repair, furnish and insure school houses, to employ janitors, laborers and mechanics.

*Fourth.* To cause all school houses to be properly heated, lighted and ventilated, and to cause all school premises to be maintained in a cleanly and sanitary condition.

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

*Sixth.* 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.

*Seventh.* To provide free text-books and supplies to be loaned to the pupils of the school, when in their judgment the best interests 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.

*Eighth.* To require all pupils to be furnished with such books as may have been adopted by the lawful authority of this state, as a condition to membership in the schools.

*Ninth.* To exclude from schools and school libraries all books, tracts, papers and other publications of an immoral or pernicious tendency.

*Tenth.* To authorize the school room to be used for summer or night schools, or for public, literary, scientific, religious, political, mechanical and

agricultural meetings, under such regulations as the board of directors may adopt.

*Eleventh.* 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, but, in case transportation is provided, the directors shall not be compelled to transport children who live within two miles of the school house.

#### 164. Every School to Have Flag.

SEC. 3. Every board of directors of 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 said board may seem proper.

#### 165. School Districts to Be Liable for Debts.

SEC. 4. Every school district shall be liable for any debts legally due, contracted under the provisions of this act, and for judgments against the district, and such district shall pay such judgment or liability out of the proper school funds to the credit of the district.

#### 166. When Districts May Charge Tuition.

SEC. 5. Any board of directors shall have power to make arrangements with adults wishing to attend school, or with the directors of another 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 such money 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.

#### 167. Directors May Make By-Laws.

SEC. 6. 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.

#### 168. Directors Shall Have Custody of Property.

SEC. 7. 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, 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 shall vest title in the district; said board, in the name of the district, shall have power to transact all business necessary for maintaining school and protecting the rights of the district.

**169. Directors Shall Have No Pecuniary Interests.**

SEC. 8. It shall be unlawful for any director to have any pecuniary interest, either directly or indirectly, in the purchase of school sites or in the erection of school houses, or in the warming, ventilating, furnishing, repairing or insuring of the same, or to be in any manner interested in or 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 or be employed for hire by said district or by any person having a contract with said district: *Provided*, That nothing in this section shall be construed to prevent a director elected as clerk from acting as purchasing agent for his district, or from receiving such compensation for performing the duties of school district clerk as are now or may hereafter be provided by law.

**170. Directors Shall Not Contract Indebtedness in Excess of Income.**

SEC. 9. 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 school district 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.

**171. Shall Deliver Records to His Successor.**

SEC. 10. Every school officer shall immediately deliver to his successor in office all books, papers and moneys pertaining to his office.

**172. Shall Take an Oath of Office.**

SEC. 11. Every person elected or appointed to any office mentioned in this article 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 pertaining 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.

**173. Shall Place Signature With County Auditor.**

SEC. 12. 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 the county auditor.

**174. Boards May Condemn Land.**

SEC. 13. The board of directors of any school district of this state may proceed to condemn and appropriate sufficient land for a school house site not to exceed five acres in extent; such condemnation proceedings shall be in accordance with the laws of this state providing for appropriating private property for public use.

**175. County Superintendent Shall Approve Plans.**

SEC. 14. Whenever any board of directors of school districts of the third class shall be authorized, by the electors of their district, to erect a school building, it shall be the duty of such board, before entering into any contract for the erection of any buildings, to obtain the approval of the county superintendent of the county in which the building is to be erected, of the plans and specifications for the building to be erected.

**ARTICLE III.—DIRECTORS OF DISTRICTS OF THE FIRST CLASS.****176. The Board of Directors.**

SECTION 1. The directors of school districts of the first class shall consist of five members, who shall be known as the board of directors. They shall be elected by ballot by the qualified electors of the district, and shall hold their office for a term of three years and until their successors are elected and qualified.

When a district of the second or third class shall become a district of the first class the existing directors shall serve until the annual election preceding the expiration of the term for which they were elected and shall appoint two additional directors, who shall serve until the next annual school election in said district. At such annual election three directors shall be elected, one for one year, one for two years and one for three years.

In case vacancies are to be filled, and the successor or successors are to be elected to fill an unexpired term or terms, the ballot shall specify the term for which each such director is to be elected.

**177. Election First Saturday in December.**

SEC. 2. The regular district election in each district of the first class shall be held on the first Saturday of December in each year, and such election shall be held in the manner provided in article 1, chapter 13 of this title.

**178. Oath of Office and Organization of Board.**

SEC. 3. All persons elected as members of the board of directors of districts of the first class shall, within ten days thereafter, appear before the 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 elected shall begin on the first Monday of the month of January following their election. At the first meeting of the members of the board in the month of January of each year, they shall elect a president and vice-president from among their number, who shall serve for a term of one year or until their successors are elected and qualified. In the event of the temporary absence or disability of both the president and vice-president, the board of directors may elect a president *pro tempore*, who shall discharge all the duties of president during such temporary absence or disability. They shall also at their regular meeting in the month of January in each year elect a secretary at such salary as they 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.

**179. Election of Officers by Roll Call.**

SEC. 4. The election of the officers of the board of directors, the city superintendent, the secretary, teachers, janitors and all other officers of such district 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.

**180. President Must Preside at Meetings.**

SEC. 5. 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.

**181. Duties of Vice President.**

SEC. 6. It shall be the duty of the vice-president to perform all the duties of president in case of his absence or disability.

**182. Duties of the Secretary.**

SEC. 7. 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 may be charged with the special care of the school buildings and other property of the district; he shall also perform such other duties as the board may direct.

**183. Bond of the Secretary.**

SEC. 8. 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 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 secretary, which shall be combined with his annual report, to be published in the manner determined by the board.

**184. Regular and Special Meetings of the Board.**

SEC. 9. The regular meetings of the board of directors shall be held monthly or oftener 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.

**185. The Board Must Maintain an Office.**

SEC. 10. 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 shall at all times be open for inspection of resident taxpayers.



**186. How Moneys Shall Be Paid Out.**

SEC. 11. The moneys of such school districts shall be paid out 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 14 of this article, 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.

**187. The Board to Fill Vacancies.**

SEC. 12. The board of directors shall have 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."

**188. The Board May Compel Attendance of Its Members.**

SEC. 13. 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 shall 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.

**189. Auditing Committee.**

SEC. 14. All accounts shall be audited by a committee to be styled the "auditing committee," and no expenditure greater than \$300 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: *Provided*, That nothing herein shall be construed to prevent the board from making any repairs or improvements to the property of the district through their shop and repair department; 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 the nature and state of said accounts, and any facts that may be required concerning said records.

**190. The Board Shall Advertise for Bids.**

SEC. 15. When, in the opinion of the board, the cost of any furniture, supplies, building, improvements or repairs will equal or exceed the sum of \$300, it shall be the duty of the board to give due notice by publication, in at least

one daily newspaper published within said district, and if there be no daily, then in one or more weekly papers, in three regular consecutive issues, of the intention to receive bids therefor; and the board shall determine the specifications for such bids, which shall be public: *Provided*, That the board may, without giving such notice, make improvements or repairs to the property of such district through their shop and repair department.

#### 191. Powers of the Board.

SEC. 16. Every board of directors of a school district of the first class shall, in addition to the general powers enumerated in article 4[2], chapter 4, of this title, have the power:

*First.* To employ for a term of not exceeding three years a city superintendent of schools of the district, and for cause to dismiss him; and to fix his duties and compensation.

*Second.* To prescribe a course of study and a program of exercises, which shall not be inconsistent with the course of study prepared by the State Board of Education for the use of the common schools of this state.

*Third.* 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.

*Fourth.* 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.

*Fifth.* To employ, and, for cause, to dismiss teachers and janitors; to determine the length of time over and above eight (8) months that school shall be maintained, such length of time to give a consecutive vacation of not less than three months between June 1st of any year and September 15th of the same year; 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.

*Sixth.* To employ attorneys, an architect, inspectors of construction, superintendents of buildings and janitors, and a superintendent of supplies and other employes, and to prescribe their duties and fix their compensation.

*Seventh.* To employ, and, for cause, dismiss one or more assistant city superintendents and to define their duties and fix their compensation.

*Eighth.* To employ, and, for cause, dismiss supervisors of instruction, and to define their duties and fix their compensation.

*Ninth.* To maintain a shop and repair department, and to employ a foreman and the necessary help for the maintenance and conduct thereof.

*Tenth.* 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.

*Eleventh.* 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: *Provided, however,* That a pupil showing a certificate by a reputable physician that the condition of such child or pupil is such that it would be injurious to its health and possibly dangerous to its life: *And provided further,* That a child or pupil showing certificate by a reputable physician to the effect that vaccination has failed to take effect, such child or pupil shall have access to the school and vaccination shall not be a condition to school membership to such child or pupil.

*Twelfth.* To require of the officers or employes of the district to give a bond for the faithful discharge of their duties in such penal sum as may be fixed by the board with good and sufficient surety, and to cause the premium for all bonds required of all such officers or employes to be paid by the district.

*Thirteenth.* To prohibit all secret fraternities and sororities among the students in any of the schools of the said districts.

*Fourteenth.* To appoint a practicing physician, resident of the school district, who shall be known as the School District Medical Inspector, and whose duty it shall be to decide for the board of directors all questions of sanitation and health affecting the safety and welfare of the public schools of the district; he or authorized deputies shall make monthly inspections of each school in the district and report the condition of the same to the Board of Education and Board of Health.

#### 192. Shall Take School Census.

SEC. 17. The board of directors shall annually in May of each year cause to be taken an enumeration of all persons between the ages of five and twenty-one years residing in the district; said enumeration shall be made on blanks or books provided by the district and shall contain such items as the Superintendent of Public Instruction 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 May last past; the date of birth of such child; the names and residences of the parents or guardians of all such children. 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. The secretary of the district shall report to the county superintendent of schools on or before the 15th day of the ensuing July the total number of males and the total number of females enumerated, together with a complete list containing the detailed information herein required of all defective youth residing in said district.

#### 193. When Board May Sell Property.

SEC. 18. The board of directors shall have power to sell any of the property of the district which is no longer required for school purposes at public or private sale upon such terms as they may direct if the value thereof be less than two thousand dollars. The question of the sale of school property which may be found by the board of directors to be unsuitable for school purposes, and to be of greater value than two thousand dollars, shall be submitted

to a vote of the electors of the district, either at a general election or at a special election called to be held for that purpose, as may be directed by the board of directors, and if a majority of the voters of the district voting thereon shall be for the sale of the property the directors may make the sale at public auction. The sale must be made for cash and good title will be conveyed by deed of the school district, executed by the president or the vice-president and the secretary of the board.

#### 194. Shall Direct Commissioners to Levy Taxes.

(See, also, Sections 435 to 438).

SEC. 19. 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 and county apportionments for said district, 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 such additional amount of funds, the same as other taxes: *Provided*, That for the purpose of the purchase of school sites and the erection of buildings the board of directors of a district of the first class in cities having a population of fifty thousand or less, may annually expend a sum not exceeding \$50,000; in cities having a population greater than 50,000 and less than 100,000, a sum not exceeding \$100,000; in cities having a population greater than 100,000 and less than 200,000, a sum not exceeding \$200,000, and for every additional 50,000 of population beyond 200,000 a further sum of \$50,000: *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 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 election shall be held, the locality of the site or sites required and the proposed cost of the buildings to be erected thereon.

#### 195. Maximum Tax Levy.

SEC. 20. The tax levied for school purposes in districts of the first class shall in no one year exceed one (1) per cent. of the assessed value of all the taxable property in the district: *Provided*, That when any greater expenditure shall be deemed necessary in any one current school year by the directors, the question shall be submitted to a vote of the electors of the district at the time and place appointed by the board of directors; and notice thereof shall be given as provided in section 19 hereof, which notice shall specify the amount of taxes proposed to be raised in excess of the said one (1) per cent., and if a majority of the electors voting thereon at said election shall be in favor of such additional tax, the entire amount so authorized shall be levied and collected. No levy, however, shall exceed two (2) per cent. of all the taxable property of said district.

## ARTICLE IV.—DIRECTORS OF DISTRICTS OF THE SECOND CLASS.

**196. Election of Directors.**

SECTION 1. Directors of school districts of the second class shall consist of three members. They shall be elected by ballot by the qualified electors of the district, and shall hold their office for a term of three years and until their successors are elected and qualified. In case vacancies are to be filled and a successor or successors to be elected to fill an unexpired term or terms, the ballot shall specify the term for which each director is to be elected.

**197. Election the First Saturday in March.**

SEC. 2. The regular district election in each district of the second class shall be held on the first Saturday in March of each year, and such election shall be held in the manner provided in article 1, chapter 13, of this title.

**198. How Vacancies Are Filled.**

SEC. 3. In case the electors of any district of the second class shall neglect or fail to elect directors as hereinbefore provided, the county superintendent may declare vacant the office of any director at the expiration of his term; and in case of a vacancy in the board of directors from any cause, the county superintendent, in conjunction with the other directors if there be two, shall fill such vacancy by appointment until the fourth Monday following the next annual election.

**199. Shall Take Oath of Office.**

SEC. 4. All persons elected as members of the board of directors of districts of the second class shall, within ten 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, and in case any person elected shall fail so to do, his election shall be void and the office shall be deemed vacant.

**200. When the Board Must Organize.**

SEC. 5. The term of office of directors of districts of the second class shall begin on the fourth Monday next succeeding their election, on which day the directors shall meet at the hour of two o'clock p. m., and shall at once organize by electing one of their members as chairman of the board. They shall also elect a person to act as clerk, who may or may not be a member of the board of directors. The chairman and clerk shall both immediately enter upon the discharge of their duties and shall serve for a period of one year: *Provided*, That if any such clerk shall fail to discharge his duties in accordance with law, the board of directors may, at any time, remove such clerk and elect another person to fill the unexpired term.

**201. Regular and Special Meetings of the Board.**

SEC. 6. The regular meetings of the board of directors shall occur on the first Friday of each month, and they may hold such other special or adjourned meetings as they may from time to time determine, or as may be specified in their by-laws. Special meetings may be called by the chairman or by any two members of the board.

**202. Shall Buy Books, Apparatus, etc.**

SEC. 7. Every board of directors of districts of the second class, in addition to the powers and duties enumerated in article 4[2], chapter 4, of this title, shall have the power and it shall be their duty 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 be deemed necessary for the use of their schools.

**203. Shall Direct Commissioners to Levy Taxes.**

(See, also, Sections 435 to 438).

SEC. 8. The board of directors shall annually at a meeting preceding the annual tax levy for state and county purposes, report to the board of county commissioners an estimate in detail of the amount of funds which will be required by their district for all purposes for the ensuing year, and the county commissioners are hereby authorized and required to levy and collect such amount, after deducting the estimated receipts from the state and county apportionment for said districts, said estimate to be furnished by the county superintendent of schools. The levy in any one year shall not exceed one (1) per cent. of the assessed value of all the taxable property of the district: *Provided*, That when any greater expenditure in any one current school year shall be deemed necessary, the question shall be submitted to a vote of the electors of the district at the time and place and in the manner provided for calling special elections. The notice of such election shall specify the amount of taxes proposed to be raised in excess of the said one (1) per cent., and if a majority of the electors voting thereon at said election shall be in favor of such additional tax, the entire amount so authorized shall be levied and collected. No tax, however, shall exceed two (2) per cent. of all the taxable property of said district. In case any board of directors shall fail to make and report the said estimate to the board of county commissioners on or before the first day of September, it shall be the duty of the county school superintendent to make such estimate, which will be accepted in lieu of the directors' estimate.

**204. Shall Select Sites and Build Houses When Directed by the People.**

SEC. 9. The board shall 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.

**205. Shall Elect Teachers, When.**

SEC. 10. 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.

**206. Shall Elect Superintendent or Principal.**

SEC. 11. In all districts of the second class the board of directors shall elect a superintendent, or a principal, who shall hold a valid teacher's certificate. The said superintendent, or principal, shall have supervision over the several departments of the school, and the board of directors may contract with him for a term of one year, or a term of two years, as may be deemed best in their judgment.

**207. Minimum Term Six Months.**

SEC. 12. In all districts of the second class the minimum school term for each year shall be six months.

**ARTICLE V.—DIRECTORS OF DISTRICTS OF THE THIRD CLASS.****208. Election of Directors.**

SECTION 1. Directors of school districts of the third class shall consist of three members. They shall be elected by ballot by the qualified electors of the district, and shall hold their office for a term of three years and until their successors are elected and qualified. At the first annual election in all new districts three directors shall be elected for one, two and three years respectively, and the ballot at such election shall specify the term for which each is to be elected. At each election after the first, one director shall be elected for a term of three years. In case vacancies are to be filled and a successor or successors to be elected to fill an unexpired term or terms, the ballots shall specify the term for which each director is to be elected.

**209. Election on First Saturday in March.**

SEC. 2. The regular district election in each district of the third class shall be on the first Saturday in March of each year, and such election shall be held in the manner provided in article 1, chapter 13, of this title.

**210. County Superintendent Shall Fill Vacancies.**

SEC. 3. In case the electors of any district of the third class shall neglect or fail to elect directors as hereinbefore provided, the county superintendent may declare vacant the office of any director at the expiration of his term; and in case of a vacancy in the board of directors from any cause, the county superintendent shall fill such vacancy by appointment until the fourth Monday following the next annual election.

**211. Shall Take Oath of Office.**

SEC. 4. All persons elected as members of the board of directors of districts of the third class shall, within ten 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, and in case any person elected shall fail so to do, his election shall be void and the office shall be deemed vacant.

**212. Organization of Board.**

SEC. 5. The term of office of directors of districts of the third class shall begin on the fourth Monday next succeeding their election, on which day the directors shall meet at the hour of two o'clock p. m., and shall at once organ-

ize by electing one of their members as chairman and another as clerk, who shall each immediately enter upon the discharge of his duties, and shall serve for the period of one year: *Provided*, That if any such clerk shall fail to discharge his duties in accordance with law, the board of directors may, at any time, remove such clerk and elect another of their number to fill the unexpired term.

**213. Regular and Special Meetings of Board.**

SEC. 6. A regular meeting of each board of directors of districts of the third class shall be held on the first Saturday of February, May, August and November, and they may hold such other special or adjourned meetings as they may from time to time determine, or as may be specified in their by-laws. Special meetings may be called by the chairman or by any two members of the board.

**214. Shall Purchase Books, Apparatus, etc.**

SEC. 7. Every board of directors of districts of the third class shall, in addition to the power and duties enumerated in article 4[2], chapter 4, of this title, have power and it shall be their duty 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.

**215. When a Principal Shall Be Elected.**

SEC. 8. In all districts where the number of children of school age is sufficient to require the employment of more than one teacher, the board shall designate one of such teachers as principal, and such principal shall have general supervision over the several departments of such school. The school or schools in such districts shall be graded in such a manner as the directors thereof shall deem best suited to the conditions of such districts.

**216. When a Superintendent Shall Be Elected.**

SEC. 9. The directors of any districts wherein schools are maintained in two or more buildings shall elect a superintendent, who may be a teacher in the schools of such district, and such superintendent shall have general supervision over the schools in such district in accordance with the rules and regulations of the board of directors.

**217. Superintendent or Principal Shall Make Report.**

SEC. 10. It shall be the duty of the principal or superintendent of any school maintaining two or more departments to report to the Superintendent of Public Instruction such facts relating to the grading, course of study, enrollment, attendance and other matters pertaining to such schools as he may require on blanks for that purpose.

**218. Shall Elect Teachers, When.**

SEC. 11. 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.



**219. Shall Direct Commissioners to Levy Taxes.**

SEC. 12. The board of directors shall annually at a meeting preceding the annual tax levy for state and county purposes, report to the board of county commissioners an estimate in detail of the amount of funds which will be required by their district for all purposes for the ensuing year, and the county commissioners are hereby authorized and required to levy and collect such amount, after deducting the estimated receipts from the state and county apportionment for said districts. The levy in any one year shall not exceed one (1) per cent. of the assessed value of all the taxable property of the district: *Provided*, That when any greater expenditure in any one current school year shall be deemed necessary, the question shall be submitted to a vote of the electors of the district at the time and place and in the manner provided for calling special elections. The notice of such election shall specify the amount of taxes proposed to be raised in excess of the said one (1) per cent., and if a majority of the electors voting thereon at said election shall be in favor of such additional tax, the entire amount so authorized shall be levied and collected. No tax, however, shall exceed two (2) per cent. of all the taxable property of said district. In case any board of directors shall fail to make and report the said estimate to the board of county commissioners on or before the first day of September, it shall be the duty of the county school superintendent to make such estimate, which will be accepted in lieu of the directors' estimate.

**220. Shall Select Sites and Build Houses When Directed by the People.**

SEC. 13. The board shall 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.

**221. County Superintendent Shall Approve Plans.**

SEC. 14. Whenever any board of directors shall be authorized by the electors of their district to erect a school building, it shall be the duty of such board, before entering into any contract for the erection of any buildings, to obtain the approval of the county superintendent, of the plans and specifications for the building to be erected, including also the heating, lighting, ventilating and safety thereof.

## ARTICLE VI.—DISTRICT CLERK.

**222. Clerk to Notify County Superintendent of Organization of Board.**

SECTION 1. Every school district clerk in districts of the second and the third class shall within ten days after any change in the office of chairman or clerk, notify the county superintendent of such change in the organization of the board.

## 223. Duties of the District Clerk.

SEC. 2. The duties of the district clerk shall be as follows:

*First.* To attend all meetings of the boards of directors; 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. 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 May of each year an exact 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 May of that year. He shall designate the name and sex of each child, and the date of its birth; the number of weeks it has attended school during the school year, and its post-office address. Parents or guardians must be required to sign a certified statement of the correctness of this report: *Provided*, That Indian children not living under the guardianship of white persons, or who have not severed their tribal relations, shall not be included in said census. He shall also list separately all defective youth between the ages of five and twenty-one and give such information concerning them as may be required.

*Fourth.* To make to the county superintendent on or before the 15th day of July his annual report, verified by affidavit, upon blanks to be furnished by the Superintendent of Public Instruction. It shall contain such items of information as said Superintendent of Public Instruction shall require, including the following: A full and complete report of all children enumerated; the number of schools or departments taught during the year; the number of children, male and female, enrolled in the 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; and the number of volumes, if any, in the school district library; 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, and the clerk shall keep on file a duplicate copy of said report.

*Fifth.* To carry out all orders of the board of directors made at any regular or special meeting, and 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.

*Sixth.* 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.

*Seventh.* 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 county school superintendent.

*Eighth.* To sign all warrants ordered to be issued by the board of directors, and to report to the county treasurer on or before the first Monday of each calendar month all the warrants drawn by the directors of his district, giving date, number and fund on which each warrant is drawn.

#### 224. Compensation of the Clerk.

SEC. 3. 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 and transmit to the clerks of such districts as have made all the reports as required by law, on or before the last Saturday of the months of January, April, July and October of each year, the certificates required by this section.

### ARTICLE VII.—TEACHERS.

#### 225. Teachers Shall Hold Valid Certificates.

SECTION 1. No person shall be accounted as a qualified teacher within the meaning of the school law who is not the holder of a valid teacher's certificate or diploma issued by lawful authority of this state.

#### 226. Teachers Must Report to County Superintendent.

SEC. 2. 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 or her service until the reports herein required shall have been made, and the same approved by the county superintendent: *Provided*, That in all schools acting under the direction of the city superintendent the report of such superintendent shall be accepted by the county superintendent and the directors in lieu of the teacher's reports, and that when there is no city superintendent, the report of the principal shall be accepted in lieu of the teacher's report.

#### 227. Shall Keep Register.

SEC. 3. Every teacher shall keep a school register in the manner provided for, and no board of directors shall draw any order or 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, countersigned by the county superintendent, 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.

**228. Shall Enforce Course of Study and Prescribed Regulations.**

SEC. 4. Teachers shall faithfully enforce in the schools the course of study and regulations prescribed, and shall furnish promptly all information relating to the school which may be requested by the county superintendent.

**229. Shall Be Employed by Written Order of the Board.**

SEC. 5. No teacher shall be employed except by written order of a majority of the directors of the district 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.

**230. Shall Not Be Required to Teach on Holidays.**

SEC. 6. No teacher shall be required to teach school on Saturdays, Labor Day, Thanksgiving Day and the day immediately following Thanksgiving Day, Christmas, New Years, Washington's Birthday, Memorial Day, or the Fourth of July: *Provided*, That no reduction 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.

**231. May Suspend Pupils.**

SEC. 7. Every teacher shall have the 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.

**232. Must Teach Morality and Patriotism.**

SEC. 8. 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, humanity 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.

ARTICLE VIII.—COUNTY AUDITOR.

**233. Districts of the Third Class Only.**

SECTION 1. The duties of the county auditor hereinafter defined shall relate only to districts of the third class unless otherwise expressly provided.

**234. Shall Audit Accounts of School Districts.**

SEC. 2. The county auditors of the several counties of this state shall audit all accounts of the several school districts of their respective counties,

the same as other accounts are audited with the other departments of the county.

**235. Shall Countersign and Register Warrants.**

SEC. 3. He shall countersign and register warrants for the payment of all teachers' salaries, supplies, apparatus, and accounts against the districts upon the written order of the majority of the members of the school board of each district.

**236. Shall Not Register Warrant, When.**

SEC. 4. No warrant shall be countersigned and registered for the payment of any teacher who is not qualified within the meaning of the law of this state, nor unless a written contract be filed with the county superintendent in accordance with the provisions of the law.

**237. When County Superintendent Must Approve Order.**

SEC. 5. No warrants for maps, charts and apparatus shall be countersigned and registered until the order shall have been approved by the county superintendent.

**238. Warrant for Last Month's Salary.**

SEC. 6. He shall not countersign and register the warrant in payment of the last month's salary of teachers in districts of the third class until he shall receive due notice from the county superintendent that the teacher's final report has been made to the said county superintendent.

ARTICLE IX.—COUNTY TREASURER.

**239. Duties of County Treasurer.**

SECTION 1. The county treasurer of each county of this state shall be *ex-officio* treasurer of the several school districts of their respective counties, and it shall be the duty of each county treasurer:

*First.* To receive and hold all moneys belonging to such school districts, and to pay them out only upon warrants legally issued.

*Second.* To certify to the county superintendent of common schools and the auditor of his county, quarterly of each year at the time of the state apportionment, the amount of all school funds 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.

*Third.* To make annually, on or before the fifteenth day of July, a report to the county superintendent and auditor 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 warrants registered during the year, the amount of funds disbursed upon 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, 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.

*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 was 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 bear interest as provided by law. All warrants shall be paid in the order of their presentation to the county treasurer; 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 warrants shall cease to draw interest.

*Fifth.* He shall prepare and submit to the secretary of each district of the first class, and to the clerk of each district of the second class in his county a written report of the state of the finances of such district on the first day of each month, which report shall be submitted not later than the seventh day of said month.

*Sixth.* After each quarterly settlement with the county commissioners the treasurer of each county shall submit a statement of all canceled warrants of districts of the first or second class to the secretary or clerk of such district, which statement shall be verified to the county auditor. The canceled warrants of each district shall be preserved separately and shall at all times be open to inspection by the secretary or clerk or by any authorized accountant of such district.

*Seventh.* He shall remit all moneys derived from the sale of school registers and school clerks' record books to the State Treasurer, as other moneys are required to be remitted, and the State Treasurer shall place such moneys to the credit of the general fund of the state.

#### ARTICLE X.—COUNTY BOARDS OF EDUCATION.

##### 240. Appointment and Term of Office.

SECTION 1. There shall be in each county of this state a county board of education, which shall consist of five (5) members, including the county superintendent of common schools, who shall be *ex-officio* chairman of the board; the other members of said board shall be appointed by the county superintendent on the first Monday of September following his election and shall hold office for a term of two years: *Provided*, That in the event of a vacancy in said board from any cause the county superintendent shall fill the same for the remainder of the school year by appointment.

**241. Qualification and Compensation of Members.**

SEC. 2. Every member of the county board of education shall be the holder of a valid teacher's certificate for this state, and the members other than the county superintendent shall receive five dollars per day for the time spent in the performance of their official duties, and they shall also receive actual necessary traveling expenses, and the same shall be paid out of the funds of the county.

**242. Powers and Duties.**

SEC. 3. Every county board of education shall have power and it shall be its duty:

*First.* To grade the manuscripts of the pupils who take the state examination for the purpose of securing eighth grade or grammar school certificates.

*Second.* To adopt text-books for use in the public schools of school districts of the second division, as defined in chapter 7, Title III. of this act, of said county.

*Third.* To assist the county superintendent in the preparation of manuals, courses of study, rules and regulations for the circulating libraries, and to perform such other duties as may be required by him.

*Fourth.* To adopt rules and regulations for the schools of the county, not inconsistent with the Code of Public Instruction or with the rules and regulations of the State Board of Education or the Superintendent of Public Instruction.

**CHAPTER 5.—APPORTIONMENTS.****243. To Apportion Funds Quarterly.**

SECTION 1. The Superintendent of Public Instruction shall apportion to the several counties of the state on or before the 15th day of September, December, March and June of each year such current state school funds as have been certified by the State Auditor to be in the hands of the state and county treasurers.

**244. County Superintendents' Reports Basis of Apportionment.**

SEC. 2. For the purpose of the apportionment the Superintendent of Public Instruction shall base his calculations upon the days' attendance as shown by the several county superintendents' last annual reports filed in his office.

**245. Total Days' Attendance the Basis of Apportionment.**

SEC. 3. The basis of the apportionment to each county shall be on the total days of attendance in the several districts of the county: *Provided.* That each school district shall be credited with at least two thousand days' attendance.

**246. Attendance of Non-Resident Pupils.**

SEC. 4. If a pupil attends any public school of the state, outside of 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 agreed otherwise by the directors of the two districts.

**247. Clerk May Claim Attendance for District.**

SEC. 5. The clerk of any district whose resident pupils are attending school in another district may notify the clerk of the district where such pupils attend, when the school of said pupils' resident district will be in session, and of the grades that will be maintained, and he must file a duplicate copy of said notice with the county superintendent. He must name the pupils in his notice, and it shall be the duty of the district clerk so notified, on or before the thirtieth day of June, to certify to the clerk of the resident district the actual number of days' attendance at school of such pupils during the time that a school of the grade to which the pupil or pupils properly belong was in session in their resident district. And in case said clerk shall fail or refuse to furnish such information to the clerk of the resident district, then it shall be the duty of the county superintendent to grant to the district to which the attendance belongs the maximum number of days claimed by the clerk of the said district. Without the notice herein required by the clerk of the resident district, all claims to attendance will be forfeited.

**248. Private Schools Shall Report Attendance.**

SEC. 6. It shall be the duty of the principal or head of every private school on or before the 30th day of June of each year to report to the clerk of the proper school district the actual days' attendance in said private school of resident pupils of the said school district. The report shall include such pupils only as are between six and twenty-one years of age, and whose parents or guardians actually reside in the school district where the private school is located.

**249. Attendance in High Schools.**

SEC. 7. For purposes of apportionment of current state school funds, the attendance of all pupils in high school shall be counted as one and one-half times the actual attendance; but in order to receive the benefit of this provision no tuition can be charged any high school pupil, regardless of where his residence may be in this state, if there be no high school in the pupil's resident district.

**250. Attendance in Parental Schools.**

SEC. 8. For purposes of apportionment of current school funds the attendance of pupils in parental schools where food and lodging are furnished the pupils shall be counted as three times the actual attendance, and in schools for defectives five times the actual attendance shall be allowed.

**251. Attendance in Night Schools.**

SEC. 9. In night schools authorized by the laws of this state an evening's attendance shall be counted as a half day's attendance without maximum age limit.

**252. Bonus to High School Grades.**

SEC. 10. In addition to the regular quarterly apportionments as provided by law, the Superintendent of Public Instruction shall apportion annually



to each high school the sum of one hundred (\$100) dollars for each grade above the grammar grades maintained in such school. In order to receive the bonus of one hundred dollars the district must have maintained a high school in fact during the preceding school year, and must have maintained an average daily attendance in each grade of at least four students.

**253. County Superintendent Shall Apportion Funds.**

SEC. 11. It shall be the duty of the county superintendent to apportion within ten days after receiving the certificate of apportionment of the Superintendent of Public Instruction, such state annual school funds as are subject to apportionment to the several districts entitled to receive the same in accordance with the instructions of the Superintendent of Public Instruction. He shall also at the same time apportion in the manner provided in Sec. 7, chapter 9, title 3, of this act, the county school funds that may be in the hands of the county treasurer of his county. He shall certify the result of the apportionments to the county treasurer, and also notify each clerk of the amount apportioned to his district.

**254. When Attendance May Be Credited for Time Lost.**

SEC. 12. When the school board of any district is obliged to close the schools by order of the board of health or health officer on account of the prevalence of infectious disease, or when it is impossible to maintain the school on account of any circumstances over which the school board has no control, the State Superintendent of Public Instruction may, at his discretion, allow such district its regular apportionment of funds for the time so lost, the amount to be determined on a basis of the average daily attendance in the district for the year in which such discontinuance occurs: *Provided*. That in no such case may any district draw money for a period of time longer than fifteen school days.

**255. County Superintendent Shall Withhold Apportionment, When.**

SEC. 13. Whenever any school board shall neglect or refuse to comply with the provision of section 14, article 7[5], chapter 4, of title 3 of this Code, it shall be the duty of the county superintendent to withhold the entire apportionment accruing to said district until such time as full compliance with requirements thereof has been made.

**CHAPTER 6.—INSTITUTES.**

**256. Institutes Must Be Held in Certain Counties.**

SECTION 1. Whenever the number of school districts in any county is twenty-five or more, the county superintendent must devote at least five days to institute work, three of which must be consecutive. The county superintendent must arrange for the remaining two days to be spent in district meetings, visiting days, or in any other manner which he believes will be of greatest benefit to his teachers.

**257. Joint Institutes May Be Held.**

SEC. 2. County superintendents of contiguous counties may by mutual arrangements hold a joint institute, the expenses to be shared in proportion to the departments (rooms) maintained in the counties as shown by the county superintendent's last annual report.

**258. Teachers Must Attend Institutes.**

SEC. 3. Every teacher holding a valid certificate, and employed in a public school in a county where an institute is held, must attend such institute during its whole time.

**259. Superintendents of Certain Cities May Hold Institutes.**

SEC. 4. In districts employing more than one hundred teachers, the city superintendent may, in his discretion, hold a teachers' institute of two, three, four or five days in such district, said institute when so held by the city superintendent to be in all respects governed by the provisions of this Code relating to teachers' institutes held by county superintendents.

**260. Time of Holding Institute—Teachers to Receive Pay.**

SEC. 5. Each county superintendent shall, at the annual directors' meeting for his county, determine upon a time for holding the teachers' institute, which shall, as nearly as may then be determined, be during the week next preceding the beginning of the fall term of school: *Provided*, That should any district employ a teacher during the then current school year who had attended the institute, such teacher shall be paid and the district shall be credited with the attendance in the same manner as provided for in the next section.

**261. Pay of Teachers Shall Not Be Diminished.**

SEC. 6. When the institute is held during the time when a teacher is employed in teaching, his pay shall not be diminished by reason of his attendance, when certified to by the county superintendent, and in addition to the actual attendance earned by the district, an additional attendance shall be credited to the district, determined by multiplying the average daily attendance for the term by the number of days the teacher attended the institute.

**262. Examination Fees.**

SEC. 7. All examination fees shall be paid by the county superintendent or the city superintendent to the county treasurer, who shall place them to the credit of the proper institute fund hereby created.

**263. Superintendent Shall Make an Estimate of Expenses.**

SEC. 8. Each county superintendent or city superintendent shall, prior to the holding of the annual teachers' institute, make an estimate of the necessary expenses thereof; and the county commissioners must, thereupon, and prior to the date of holding said institute, place at the disposal of the proper superintendent out of the county current expense fund such an amount, not to exceed \$200.00, as, in addition to the amount then in the hands of the county treasurer in the institute fund, will meet the superintendent's estimate.

**264. Superintendent to Keep Vouchers and Make Report.**

SEC. 9. The county or city superintendent must keep an accurate account of the actual expenses of the institute, with vouchers for same, and make a complete report to the county auditor, which shall be placed on file in his office as a part of the regular files.

## CHAPTER 7.—TEXT BOOKS.

## 265. Classes of Districts.

SECTION 1. For the purpose of this chapter, the school districts of the State of Washington shall be, and they are hereby divided into and shall consist of two divisions, viz.: School districts of the first division and school districts of the second division, and the school districts of the first division shall consist of all school districts maintaining a four-year accredited high school. Every other school district of the state shall be a school district of the second division.

## 266. Text Book Commission.

SEC. 2. That the text books for use in the public schools of each school district of the first division shall be selected by the text book commission of such school district. The text book commission of such school district shall consist of five persons, including the city superintendent, or, if there be none, then the principal of the high school, who shall be *ex-officio* chairman of the commission, and two members of the city board of school directors of the district, to be designated by such board, and one of whom shall be *ex-officio* secretary of the commission, and two lawfully qualified teachers engaged in teaching in such school district, to be appointed by the board of school directors of the district. Each member of the text book commission shall take the oath to faithfully discharge the duties of his office. The term of office of the text book commission shall be one year and until their successors are appointed and qualified. Said text book commission shall have power to select text books for use in the public schools of the school district for which it is appointed, and it shall be the duty of the board of directors to require the introduction and use of all text books lawfully adopted for use in their respective districts. The text books selected by the commission shall cover such branches and studies as are required to be taught by the lawfully adopted course of study, and as are required to be taught by the laws of the State of Washington. Any text book selected for use in the schools of the district shall continue in use until displaced or replaced by order of the text book commission, and no text book selected or introduced into the schools by the text book commission shall be displaced or replaced within three years from the date of its introduction into the schools. But nothing in this act or any other law shall be so construed as to prevent the text book commission of any school district of the first division from using or introducing at any time any supplementary or additional books which may from time to time be deemed necessary in order to maintain the highest standard of excellence in the schools of the district.

## 267. Meetings of Commission and Selection of Books.

SEC. 3. The text book commission of each school district of the first division shall, between the first day of April and the first day of July of each year, when any text books are to be selected by such commission, publish an advertisement in a newspaper of general circulation published in the county, or if there be no such newspaper published in the county, then in any newspaper published and having a general circulation in the state, to the effect that the commission will, on a day therein named, select text books for the use of the schools in such districts, and invite proposals for the furnishing

of such books, the proposals to state an exchange and a retail price at which the proposer will furnish books for the schools of the district during the period of their use in such schools.

**268. Superintendent or Principal to Issue Course of Study.**

SEC. 4. It shall be the duty of the superintendent or principal of each school in all districts of the first division to prepare and issue, under the direction of the board of school directors of the district, a course of study for his schools, which course of study must, before going into effect, be approved by the State Superintendent of Public Instruction. Such course of study shall conform to the manual, or general outline, prescribed by the State Superintendent of Public Instruction, and all examinations and promotions under the same shall be based upon the minimum credits in each study, as prescribed by the State Superintendent of Public Instruction in his general manual or outline course of study.

**269. County Board of Education to Advertise for Books.**

SEC. 5. The county board of education in each county of this state shall, between the first day of April and the first day of July of each year when any text books are to be selected, publish and advertise in a newspaper of general circulation in said county to the effect that said county board of education will on a day named therein select text books for the use of all the school districts of the second division in said county, and invite proposals for the furnishing of such books, the proposals to state an exchange price, a wholesale price and a retail price at which the proposer will furnish books for the schools of all districts of the second division during the period of their use in the schools of such districts. Any text books selected for use in the schools shall remain in use until the same shall be displaced or replaced by the county board of education; but no book selected and introduced into the schools shall in any event be changed within five years from the date of introduction. The county board of education or the officers of any school district of the second division shall have power to select, introduce and use additional and supplementary books at any time, when they deem it necessary, in order to establish and maintain the highest standard of excellence in their schools. The Superintendent of Public Instruction shall have power and it shall be his duty to prescribe a uniform course of study for all schools of the second division: *Provided*, That any publisher or publishers of school books furnishing books under the provisions of this act to any district or districts of this state shall deposit with the Superintendent of Public Instruction a copy of any and all books so furnished.

**270. County Superintendent May Handle Text Books, When.**

SEC. 6. Whenever any text book adopted by lawful authority is sold within any county at a price greater than the retail price agreed upon at the time of the adoption, it shall be the duty of the company having the contract to furnish any such book, to furnish the county superintendent upon his written demand a sufficient number of copies of said book to supply the schools in the districts in which the price charged is greater than the agreed price. It shall be the duty of the county superintendent to handle said books without charge and to remit to the book company the full retail price of such books after deducting the necessary charges for all transportation.

**271. Compensation of Text Book Commissioners.**

SEC. 7. Each member of the text book commission, in school districts of the first division, shall receive as compensation for his services the sum of three dollars for each day during which he is in attendance upon the meetings of the text book commission, and such compensation shall be paid from the funds of the school district.

**272. Joint District in County Where School House Is Located.**

SEC. 8. In all joint districts of the second division, that is to say, in all school districts of the second division situated in more than one county, such joint school district shall, for the purpose of this act, be held and deemed to be a school district within the said county in which the school house is located, and for all purposes of this act it shall be under the control and jurisdiction of the county board of education of that county.

**CHAPTER 8.—COUNTY CIRCULATING LIBRARIES.****273. County Superintendent May Establish Library.**

SECTION 1. The county superintendent of each county of this state may establish a circulating library for the use and benefit of the pupils of the common schools of such county.

**274. County Commissioners May Levy Taxes.**

SEC. 2. At the time fixed for the levy of the county tax, the county commissioners of each county may levy a tax sufficient to carry into effect the provisions of section one of this chapter: *Provided*, That said tax shall not exceed one-tenth of one mill on each dollar of the assessed valuation of the said county. The proceeds of said tax shall, when collected, constitute a circulating school library fund for the payment of all bills created by the purchase of books and fixtures by the county superintendent.

**275. County Superintendent Shall Certify Bills.**

SEC. 3. The county commissioners shall allow no bill or bills against said fund until it shall have been certified to be correct by the county superintendent.

**276. County Superintendent Shall Not Contract Indebtedness.**

SEC. 4. The county superintendent shall purchase no books or fixtures for such circulating library until there shall be to the credit of the circulating school library fund sufficient money to pay the purchase price thereof.

**277. Books to Be Recommended, by Whom.**

SEC. 5. No book shall be placed in a county circulating library unless it has been recommended by the State Board of Education, or the Superintendent of Public Instruction.

**278. County Superintendent to Purchase Books and Enforce Regulations.**

SEC. 6. It shall be the duty of the county superintendent to purchase the books and to enforce such rules and regulations for their distribution, use, care and preservation as he may deem necessary.

## CHAPTER 9.—SCHOOL REVENUES.

## 279. Source of School Funds.

SECTION 1. The principal of the common school fund shall remain permanent and irreducible. The said fund shall be derived from the following named sources, to-wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and 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 disbursement 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; all moneys received from persons appropriating timber, stone, minerals and 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 13 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 common schools, and such other funds as may be provided by legislative enactment.

## 280. Loss a Permanent Debt to the State.

SEC. 2. All losses to the permanent common school or any other state educational fund, which shall be occasioned by defalcation, mismanagement or fraud of the agents 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.

## 281. Current School Funds.

SEC. 3. The interest accruing on said permanent school fund, together with all rentals and other revenues derived therefrom, and from lands and other property devoted to the common school fund, shall be exclusively applied to the current use of the common schools.

In addition thereto it shall be the duty of the state board of equalization, annually, at the time of levying taxes for state purposes, to levy a tax sufficient to produce a sum which, when added to the amount of money derived from interest and other income from the state permanent school fund during the preceding school year, shall equal \$10.00 for each child of school-age residing in the state as shown by the last reports of the several county superintendents to the Superintendent of Public Instruction: *Provided*, That said tax shall not exceed five (5) mills on the dollar.

The funds provided by this section shall be known as the current state school fund.

**282. Tax Levy Must Be Certified.**

SEC. 4. The tax levy authorized by section 3 of this chapter 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 retained as other public funds, by the county treasurers, until paid out in the manner prescribed by law.

The county treasurer shall certify to the State Auditor the amount of money so collected. It shall be the duty of the State Auditor, within thirty (30) days after the date at which the county treasurers are required to transmit state funds to the State Treasurer, to certify to the Superintendent of Public Instruction the amount of all current state school funds in the hands of the State Treasurer and county treasurers subject to apportionment. In the event that there shall be an excess over the amount apportioned in the hands of the county treasurer, the amount shall be transmitted forthwith to the State Treasurer. In the event that there shall not be in the hands of the county treasurer sufficient to pay the amount apportioned to his county, the deficiency shall be paid by the State Treasurer.

**283. County Tax Must Be Levied.**

SEC. 5. The county commissioners of the several counties of the State of Washington shall annually, at the time of making the tax levy for county purposes, levy a tax on all the property subject to taxation in their county, sufficient to produce the sum of ten dollars for each child of school age therein, as is shown by the certificate of the county superintendent hereinafter mentioned: *Provided*, That such tax on said property shall in no case exceed five mills on each dollar, at the assessed valuation; such tax to be used for the support and maintenance of the public schools in such county.

**284. County Superintendent to Certify School Census.**

SEC. 6. It shall be the duty of the county superintendent of each county in the State of Washington, between the fifteenth day of August and the first day of September of each year, to file with the county auditor of his county a certificate showing the number of children of school age in each district in his county, as is returned to him by the several school districts therein, and said certificate shall be the basis upon which said tax levy, as mentioned in section 5 hereof, shall be made by the county commissioners of the several counties of the State of Washington.

**285. How County Funds Must Be Apportioned.**

SEC. 7. At the same time that the state school funds are apportioned to the different districts, as provided in chapter 5, Title III. of this act, the whole of the money derived under section 5 of this chapter shall be apportioned as follows: Two-thirds thereof shall go to the different districts or each county in proportion to the number of days of attendance in each district for the preceding school year, and one-third thereof shall go to the different districts of each county in proportion to the number of teachers employed in such district for the preceding school year: *Provided*, That where a district employed a second or additional teacher for a term less than eight months such district shall receive one-eighth of an apportionment for each teacher for each month she is actually employed.

**286. District Taxes May Be Levied.**

SEC. 8. In addition to the school revenues provided by sections 3 and 6[5] of this chapter, for the support of the common schools of this state, a tax may be levied upon all taxable property in each school district of this state, in the manner provided by law, and the funds thereby created shall be known as the "School District Fund."

The "School District Fund," together with the apportionment from the "Current State School Fund" and the county apportionments, shall constitute the "General School Fund" of each school district.

**287. Certain Moneys to Be Placed to the Credit of the Current School Fund.**

SEC. 9. Except as otherwise provided by law, all sums of money derived from fines imposed for violation of orders of injunction, mandamus and other like writs, or for contempt of court, and the net 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 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 current state school fund. He shall indicate in such entry the source from which such money was derived.

## CHAPTER 10.—BONDS.

**288. Directors May Borrow Money Upon Bonds.**

SECTION 1. The board of directors of any school district, provided for in this act, or hereafter created 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 previous to the incurring of such indebtedness; except 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, apparatus or equipment, or for any or all of these purposes, when authorized by a vote of the district so to do as provided in section 2 of this chapter: *Provided*. 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.

**289. Bond Elections.**

SEC. 2. That the question whether bonds shall be issued, as provided in section 1 of this chapter, shall be determined at an election to be held in the manner prescribed by law for holding annual school elections. Notice therefor shall state the 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, 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 bonds 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: *Provided*, That in school districts of the first class said bonds, with the coupons, shall 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, except that said coupons may bear the lithograph signatures, only, of the said president and secretary; in districts of the first class the corporate seal of the said district shall be affixed to each bond by the secretary thereof.

#### 290. Bonds Shall Be Advertised.

SEC. 3. When authorized and empowered to issue bonds, as provided in sections 1 and 2 of this chapter, the board of directors shall, within thirty days after the date of election, certify the result to the county treasurer to which said school district belongs, who shall 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 or any of them. 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 and 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, the series and amount of such bond, the person to whom the same is issued, the number 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 sold, and when issued, together with the number and series of said bond: *Provided*, That in the case of joint school districts the bond or bonds shall be registered by the treasurer of each county in which any part of such joint school district shall lie.

#### 291. Sale of Bonds.

SEC. 4. 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 readvertise the sale of such bonds or any portion thereof 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 place the moneys arising from such sale to the credit of the general school fund of the 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.

#### 292. May Exchange Warrants for Bonds.

SEC. 5. 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 date of the election 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.

#### 293. Joint School Districts.

SEC. 6. For the purposes of this chapter a joint school district shall be deemed as belonging to the county in which the school house is located, if there be a school house, and if there be no school house, then it shall be deemed as belonging to the county in which the district owns a school house site that has been lawfully selected by the electors of the district.

#### 294. County Commissioners Must Levy Taxes for Interest.

SEC. 7. The county commissioners must ascertain and levy annually, in addition to the school district tax, 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 payments 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 of 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.

**295. Commissioners to Levy for Joint Districts.**

SEC. 8. In case of a joint school district, the county commissioners of each and every county in which any part of such joint district shall lie, shall levy a tax as hereinbefore provided in section 6 of this chapter, and the treasurer of each county in which the school house or school house site is not situated shall at least five days before the time at which said bonds or the interest thereon must be paid, according to the conditions of the issuance and sale thereof, transmit to the treasurer of the county in which the school house or school house site is situated (and to which the joint school district is construed to belong), all moneys in his possession derived from the tax provided for in this chapter; and the county treasurer receiving such money shall receipt in duplicate to the treasurer or treasurers remitting such funds for such money; and he shall also place the amount or amounts so received to the credit of the special bond fund or funds of the joint school district to which it properly belongs.

**296. Treasurer Must Pay Interest.**

SEC. 9. The county treasurer must pay out of any moneys belonging to the credit of the fund of the school district created by section 6 hereof the interest upon any bonds issued under this act by such school district when the same becomes due, at such place as may be designated in the coupons attached to said bonds, or upon the presentation at his office of said coupons, 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.

**297. School Directors Must Have Bonds Printed or Lithographed.**

SEC. 10. 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 the moneys in the county treasury to the credit of the school district.

**298. School Districts May Refund Bonds.**

SEC. 11. Whenever any school district in this state shall have heretofore, under any of the acts of the territorial or state legislatures then in force, lawfully issued any bonds, and the amount of said bonds so issued and negotiated did not, at the time of their issue, exceed the sum of five 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 theretofore 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.

#### 299. School Boards May Exchange Bonds for Matured Bonds.

SEC. 12. Whenever any bonds lawfully issued by any school district under the provisions of this act shall reach maturity and shall remain unpaid, or may be paid under any option provided in the bonds, 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 exchange the same par for par, for the outstanding bonds as aforesaid, without any further vote of the school district: *Provided*, 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 per centum per annum.

#### 300. Holder of Bonds to Notify County Treasurer.

SEC. 13. 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 hereinafter 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.

#### 301. County Treasurer Shall Be Paid for Incidental Expenses.

SEC. 14. 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.

#### 302. County Treasurer to Publish Notice of Redemption of Bonds.

SEC. 15. 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 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. 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 file same with the county auditor as vouchers for the sums so paid.

#### CHAPTER 11.—VALIDATION OF INDEBTEDNESS AND ISSUE OF BONDS THEREFOR.

##### 303. Electors May Validate Indebtedness.

SECTION 1. Any school district may validate and ratify the indebtedness of such school district, incurred for strictly school purposes, when the same together with all then outstanding legal indebtedness 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.

##### 304. Resolution of Board—Three-fifths Vote.

SEC. 2. Whenever the board of directors of any school district shall deem it advisable to validate and ratify the indebtedness mentioned in section 1 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 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 grounds 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.

**305. Posting and Publishing Notices.**

SEC. 3. At the time of the adoption of the resolution provided for in section 2 of this chapter, the board of directors shall direct the clerk or secretary of the board to give public notice of the time, place or places, and purpose of such election, and specifying the amount and general character of the indebtedness proposed to be ratified. 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 notice 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 2 of this chapter, the time of holding such election and location of polling place or 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.

**306. The Election.**

SEC. 4. Elections hereunder shall be by ballot, and conducted in the manner provided for conducting annual school elections. 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 judge 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.

**307. Board of Directors May Issue Bonds.**

SEC. 5. If the indebtedness of such school district is validated and ratified, as provided in 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. 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 of the second or third class, 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 of the first-class said 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, except that the said coupons may bear the lithograph signatures of the said president and secretary. The seal of such 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 existing at the time of the adoption of the resolution mentioned in section 2 of this chapter, not evidenced by negotiable bonds.

### **308. Board Shall Deliver Resolution to County Treasurer.**

SEC. 6. When authorized to issue bonds, as provided in this chapter, the board of directors shall, at a meeting of such board, by resolution provide for the issuing of such bonds, prescribing their number, amount and term, and shall deliver a copy of said resolution to the county treasurer of the county in which such school district is situated or to which it belongs as provided in this act, who shall immediately advertise for sale said bonds, and the law relating to other school 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 re-sale 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 5 of this chapter.

### **309. Boards May Exchange Bonds for Warrants.**

SEC. 7. 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 2 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.

### **310. If Bonds Are Not Issued, Special Levy May Be Made.**

SEC. 8. When the board of directors shall have canvassed and declared the result of the election as prescribed in section 4 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 said election. 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 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 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 2 of this chapter.

## CHAPTER 12.—CERTIFICATION OF TEACHERS.

### ARTICLE I.—GENERAL PROVISIONS.

#### 311. Certificates Not Invalidated.

SECTION 1. Nothing in this act shall be construed to invalidate the life diplomas granted under the laws of the Territory of Washington, or to invalidate any certificate or diploma heretofore granted in accordance with the laws of the State of Washington, but the same shall continue in effect in accordance with the provisions of the laws under which they were granted: *Provided*, That any third grade certificate, second grade certificate, first grade primary certificate, or first grade certificate, or any renewal, or any permanent certificate, in full force and effect at the time of the taking effect of this act shall, for the purpose of renewal, or for securing a certificate of higher grade, or for securing a permanent certificate, or for any other purpose whatsoever, be of the same force and effect, and shall entitle the holder thereof to the same rights and privileges as he would be entitled to were he the holder of a certificate of like designation authorized by this act.

#### 312. Certificates to Be Issued by Superintendent of Public Instruction.

SEC. 2. All certificates and diplomas, except temporary certificates, and special certificates, shall be issued or countersigned by the Superintendent of Public Instruction.

#### 313. The Fee for Any Certificate to Be One Dollar.

SEC. 3. The fee for any teacher's certificate or any renewal thereof, or any life diploma, or other instrument issued by authority of the State of Washington, and authorizing the holder to teach in the public schools of the state shall be one dollar. The fee must accompany the application and cannot be refunded unless the application is withdrawn before it is finally considered. The county superintendent, or other officer authorized to receive such fee, shall within thirty days transmit the same to the treasurer of the county wherein such applicant is to teach or resides, to be by him placed to the credit of the institute fund of said city or county: *Provided*, That if any



city collecting fees for the certification of teachers does not hold an institute separate from the county, then all such moneys shall be placed to the credit of the county institute fund.

**314. Applicants Must Be at Least Eighteen Years of Age.**

SEC. 4. No person who is less than eighteen years of age shall receive a certificate to teach in the State of Washington nor take the examination for the same; nor shall any person less than nineteen years of age receive any certificate other than a temporary, a third grade, or a second grade.

**315. Evidence of Moral Character Must Be Filed.**

SEC. 5. No teacher's certificate shall be issued to any person who shall not file with the examiners satisfactory evidence of good moral character and personal fitness.

**316. Credits of Ninety Per Cent. or Over.**

SEC. 6. Any person who receives credits of ninety per cent. or over in any subject or subjects at any regular teachers' examination in this state shall not be required to take an examination again in such subject or subjects in order to receive any certificate for which the applicant may be eligible to apply, so long as he is actively engaged in educational work. The holder of any common school certificate shall be entitled to write on one or more subjects at any examination for the purpose of securing credits; and when sufficient credits have been earned the proper certificate shall be issued.

**317. Evidence of Successful Experience Shall Consist of.**

SEC. 7. Evidence of successful teaching experience shall consist of a written personal statement signed by a superintendent of schools or other person competent to judge and having personal knowledge of the applicant's work as a teacher or supervisor, which shall be sent by the writer to the superintendent concerned. The aforesaid documentary evidence of successful teaching shall be kept on file in the office of the Superintendent of Public Instruction.

**318. Optional Subjects.**

SEC. 8. The State Board of Education shall prepare a list of optional subjects for each grade above the second, from which the applicants for certificates above the second grade may select as provided for in Article IV of this chapter.

**319. Certificates May Be Renewed.**

SEC. 9. Any holder of a certificate higher than a second grade who shall, after the granting of the same, complete one year's work in an accredited institution of higher education in this state, shall, when such work is certified to by the president of such institution, be entitled to a renewal upon application.

**320. Certificate Must Contain Subjects.**

SEC. 10. Every certificate issued by authority of the State of Washington shall have written or printed upon its face the subjects in which the holder

has been examined, with standings in each, or the subjects or work upon which credits are given.

### 321. Certificates Entitle Holder to Teach in Any County When Registered.

SEC. 11. 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 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.

## ARTICLE II.—EXAMINATIONS.

### 322. Examination—Where and When Held.

SECTION 1. An examination for the certification of teachers of the State of Washington for third, second, first grade primary and first grade certificates shall be held at the county seat of each county by the county superintendent in accordance with the rules and regulations of the State Board of Education, on the second Thursday of May and December and the Friday and Saturday next following and on the last Thursday of August and the Friday and Saturday next following; and for professional and life certificates on the above named days of May and August only: *Provided*, That any person taking any examination shall be authorized to teach until notified of the result of such examination.

### 323. County Superintendents Shall Transmit Manuscripts.

SEC. 2. The county superintendent shall within three days following the close of the examinations provided for in section 1 of this article, transmit to the State Superintendent of Public Instruction all papers written at such examination, together with such other reports as shall by him be required. The Superintendent of Public Instruction shall keep all manuscripts on file for a period of at least sixty (60) days.

## ARTICLE III.—CLASSIFICATION OF COMMON SCHOOL CERTIFICATES AND DIPLOMAS.

### 324. Classification of Certificates.

SECTION 1. The certificates and diplomas granted by authority of the State of Washington, and authorizing the holders to teach in the public schools of this state shall be classified as follows:

*First*—Common School Certificates and Diplomas.

- (a) Third Grade Certificates;
- (b) Second Grade Certificates;
- (c) First Grade Primary Certificates;
- (d) First Grade Certificates;
- (e) Professional Certificates;
- (f) Permanent Certificates;
  1. Permanent First Grade Primary Certificates;
  2. Permanent First Grade Certificates;
  3. Permanent Professional Certificates;

(g) Life Certificates.

*Second*—City Certificates.

- (a) City High School Certificates;
- (b) City Grammar School Certificates;
- (c) City Primary Certificates.

*Third*—Certificates and diplomas of the Higher Institutions of Learning.

- (a) Of the Normal Schools;
- (b) Of the State College of Washington;
- (c) Of the University of Washington.

*Fourth*—Temporary Certificates.

*Fifth*—Special Certificates.

ARTICLE IV.—COMMON SCHOOL CERTIFICATES AND DIPLOMAS.

325. Certificates and Diplomas Described.

SECTION 1. The common school certificates and diplomas issued by authority of the State of Washington, the period for which each shall be valid and the qualifications required of applicants for the same shall be as follows:

*First*—Third Grade Common School Certificates.—Applicant shall pass an examination in reading, grammar, penmanship and punctuation, history of the United States, geography, arithmetic, physiology and hygiene, theory and art of teaching, orthography, and Washington State Manual. This certificate shall be valid for one year: *Provided*, That the holder of a third grade certificate who shall, after the granting of the same, attend any accredited institution of higher education in this state for one year, shall upon application be granted a second grade certificate.

*Second*—Second Grade Common School Certificates.—Applicants shall have credits in the same subjects as for a third grade common school certificate and shall take an examination in music: *Provided*, That this certificate may be granted once to teachers from other states who have had ten years or more of successful experience. Any such applicant must take an examination in State Manual. This certificate shall be valid for two years, but may be renewed, if, during the life of the certificate, the holder has complied with any one of the following conditions, to-wit: 1. An attendance of one semester at an accredited school of higher education or of six weeks at an accredited summer school when satisfactory work was done in three subjects and certified to by the principal of such school. 2. Upon sixteen months of successful teaching.

*Third*—First Grade Primary Certificates.—Applicant must have taught at least forty-five months in the primary grades, and shall have credits in the same subjects as for a second grade certificate, and must also pass an examination in nature study, drawing, literature, and physical geography; but the State Board of Education may accept other subjects in lieu of two of the above subjects at the request of the applicant, as provided in section 9[8] of article 1 of this chapter. This certificate shall authorize the holder to teach in the primary grades only and shall be valid for five (5) years, and may be renewed for a like period at the expiration thereof if during the life of the certificate the holder has complied with any one of the following conditions, to-wit: 1. An attendance of one year at an accredited institution of higher

learning during the life of the certificate when satisfactory work was done in three subjects and certified to by the principal or president of such school.

2. Successful teaching for not less than twenty-four (24) months during the life of the certificate. Any renewal may be renewed in like manner.

*Fourth*—First Grade Certificates.—Applicant must have taught at least nine (9) months and shall have credits in the same subjects as for a second grade certificate, and also in physics, English literature, algebra and physical geography. The State Board of Education may accept other subjects in lieu of two of these upon request of the applicant, as hereinbefore provided. Applicant must secure the same number of credits as for a first grade primary certificate. This certificate shall be valid for five (5) years and may be renewed in the same manner and under the same conditions as a first grade primary certificate.

*Fifth*—Professional Certificates.—Applicant shall meet all the requirements for a first grade certificate, but must have taught successfully twenty-four (24) months, at least eight (8) months of which must have been in the State of Washington. He shall also pass an examination in plane geometry, geology, botany, zoology, and civil government: *Provided*, That the State Board of Education may accept other subjects in lieu of any or all of these upon the request of the applicant, as hereinbefore provided. This certificate shall be valid for five (5) years and may be renewed in the same manner and under the same conditions as a first grade certificate.

*Sixth*—Permanent Certificates.—Applicant must be the holder of a first grade primary certificate, a first grade certificate, or a professional certificate, or a renewal of any one of them, in full force and effect, and must have taught successfully not less than seventy-two (72) months, nor less than thirty-six (36) months in the State of Washington, nor less than eighteen (18) months subsequent to the granting of the certificate upon which the application is made. Upon filing satisfactory evidence of having met these requirements, together with the written endorsement of the county superintendent, a permanent certificate shall be issued of the same grade as that held by the applicant, valid during the life of the holder unless revoked for cause.

*Seventh*—Life Certificates.—Applicant must file with the Superintendent of Public Instruction evidence of having taught successfully for forty-five (45) months, not less than twenty-seven (27) months of which shall have been in this state. He must have the credits required for professional certificates and in addition shall pass an examination in the following, to-wit: Psychology, history of education, bookkeeping, composition, general history: *Provided*, That the Board of Education may accept other subjects in lieu thereof upon request of the applicant. This certificate shall be valid during the life of the holder unless revoked for cause.

#### ARTICLE V.—CITY CERTIFICATES.

##### 326. Board of Examiners—Powers and Duties.

SECTION 1. In any city of this state in which one hundred or more teachers are employed in the city schools, if the board of directors in such city shall so determine, there shall be a board of examiners, consisting of the

city superintendent of schools and two other members having practical experience as teachers, residents of said city, to be designated as associate examiners. The associate examiners shall be elected by the board of directors at their regular meeting in July annually, and shall hold office for one year, but no candidate for examination as a preliminary to teaching in the public schools shall be an associate examiner. The city superintendent of schools shall be chairman of the board of examiners. The board of examiners shall meet and hold examinations for the granting of teachers' certificates on such occasions only as may be authorized by the board of directors. Such board of examiners shall have power:

1. To adopt rules and regulations, not inconsistent with the laws of this state or the rules of the State Board of Education, for its own government and for the examination of teachers and to fix standards of proficiency for the granting and renewing of certificates, subject to the approval of the board of directors.

2. To prepare questions on the various subjects prescribed by law and examine by written or oral examination all candidates for the following certificates:

(a) A city high school certificate, valid for one year only, unless renewed, and authorizing the holder to teach or serve as principal in any primary, grammar, or high school in such city.

(b) A city grammar school certificate, valid for one year only, unless renewed, and authorizing the holder to teach in any primary or grammar school, or serve as principal in any primary school in such city.

(c) A city primary certificate, valid for one year only, unless renewed, and authorizing the holder to teach in any primary school in the city.

The board of examiners shall report the result of all examinations to the board of directors, who, through the president and secretary thereof, shall issue to the successful candidates the certificates to which they are entitled; and the board of directors shall report a list of certificates issued to the State Superintendent of Public Instruction and to the county superintendent of the county in which the city is located.

3. To recommend to the board of directors renewal of the various renewable certificates, in accordance with such regulations as they may adopt, or as may be prescribed by the board of directors; whereupon said board of directors, through its president and secretary, may renew such certificates from year to year.

### 327. Qualifications of Applicants.

SEC. 2. No certificate of permission to teach shall be issued to any person not eighteen years of age. No certificate shall be granted to any person whose moral character or habits are known by the board of examiners or board of directors to be bad, or who is afflicted with a serious infectious or hereditary disease. No certificate shall be granted by the board of directors or upon its authority except to successful candidates in a regular or special examination conducted by the board of examiners in accordance with the provisions of the law.

### 328. Primary and Grammar Certificates.

SEC. 3. City primary and city grammar certificates shall be granted only to applicants who are found upon examination to have a practical knowledge

of pedagogics, school management and the general school system of the State of Washington, and to be proficient in and qualified to teach the following branches: Reading, writing, spelling, English grammar, geography, arithmetic, physiology and hygiene, United States history, and such other English branches as the board of directors may prescribe: *Provided*, That the examination of applicants for such certificates shall be specially adapted to discover their fitness to teach all branches named to pupils of primary or grammar grades respectively.

### 329. High School Certificates.

SEC. 4. City high school certificates shall be granted only to applicants who pass satisfactorily the examination required for grammar certificates and in addition thereto sustain a satisfactory examination in civil government, physical geography, elementary physics, algebra, botany, and such other branches as the board of directors may prescribe.

### 330. Exemptions from Examinations.

SEC. 5. Holders of normal diplomas and holders of state diplomas or state certificates or any certificate authorized by the laws of the State of Washington shall be exempt from all further examinations during the terms of validity of such certificates as provided by law. Teachers engaged in the exclusive teaching of music, foreign languages, drawing, penmanship, kindergarten, manual training, domestic science and physical culture shall be exempt from all examinations except such as pertain to the special departments over which they preside.

### 331. Special Certificates.

SEC. 6. Special certificates shall be granted only to applicants who pass satisfactorily the examination in a special or departmental subject (such as music, foreign language, drawing, penmanship, kindergarten, manual training, domestic science, physical culture, etc.), and such other subjects as are calculated to discover applicants' fitness to teach in public schools.

## ARTICLE VI.—CERTIFICATES AND DIPLOMAS OF THE HIGHER INSTITUTIONS OF LEARNING.

### 332. Papers to Be Issued According to Law.

SECTION 1. Certificates and diplomas of the normal schools, of the State College of Washington, and of the University of Washington shall be granted as provided by law.

## ARTICLE VII.—TEMPORARY CERTIFICATES.

### 333. Shall Be Granted, to Whom.

SECTION 1. Temporary certificates shall be issued by the county superintendent, or, if in a district of the first class by the city superintendent, in the county or district where the applicant expects to teach and shall be valid in such county or district only until the end of the then current school year. Temporary certificates shall be granted to such applicants only as show evidence of fitness to teach, either by successful experience, or by being the holder of accredited papers or a valid certificate or diploma from some other state or territory, or by special written examination. Only one temporary

certificate shall be issued to any one applicant within a period of three (3) years, and issuance of the same shall be immediately reported to the Superintendent of Public Instruction.

ARTICLE VIII.—SPECIAL CERTIFICATES.

334. Shall Be Granted, to Whom.

SECTION 1. Special certificates shall be issued by the county superintendent, or city superintendent if in a city, to applicants who show by examination or otherwise satisfactory evidence of fitness to teach special subjects, such as music, foreign languages, art, manual training, penmanship, kindergarten, domestic science, typewriting, stenography, physical culture, etc. Special certificates shall be valid so long as the holder continues to teach in the city or county where granted, unless revoked.

ARTICLE IX.—REVOCATION OF CERTIFICATES.

335. May Be Revoked by Authority Which Issued It.

SECTION 1. Any certificate to teach named in this act may be revoked by the authority authorized to grant same upon complaint of any superintendent for immorality, violation of written contract, intemperance, crime against the law of the state, or any unprofessional conduct, after the defendant has been given an opportunity to be heard.

336. Penalty for Revocation.

SEC. 2. In case any certificate is revoked, the holder shall not be eligible to receive another teacher's certificate for a period of twelve months after the date of revocation.

337. Right of Appeal.

SEC. 3. Any teacher whose certificate to teach has been revoked, as provided in the preceding sections, and feeling aggrieved at such revocation, shall have the following right of appeal:

*First.* To the Superintendent of Public Instruction whenever the certificate has been revoked by the county superintendent.

*Second.* To the State Board of Education when the certificate has been revoked by the Superintendent of Public Instruction.

*Third.* To the State Board of Education when the certificate has been revoked by the faculty of the State University, the State College or the normal schools.

*Fourth.* An appeal under the provisions of this act to the State Superintendent shall operate as a stay of proceedings for a period of thirty (30) days, and an appeal to the State Board of Education shall operate as a stay of proceedings till the next regular or special meeting of said board.

CHAPTER 13.

ARTICLE I.—GENERAL ELECTIONS.

338. General Elections—When Held.

SECTION 1. The election of school district directors shall, except as otherwise provided by law, be held on the first Saturday in March of each year, at

the district school house, if there be one, or if there be none, or 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.

### 339. Notices of Election.

SEC. 2. The district clerk must give at least ten days' notice of such school election, by posting or 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 and 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 designated in the notice of election, the polls shall be open at one o'clock in the afternoon and close at eight o'clock in the afternoon, but the board of directors may, in districts of the second or the third class, previous to giving notice of election, determine on an hour before eight o'clock for closing, but they must not be closed earlier than four o'clock in the afternoon. In no case shall the polls be opened 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.

### 340. Organization of Election Board.

SEC. 3. 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 election, said oath or affirmation to be administered by any school officer or any 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.

### 341. Must Vote by Ballot.

SEC. 4. The voting shall be by ballot. The ballots shall be of white paper of uniform size and quality, 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."



**342. Qualifications of Voters.**

SEC. 5. 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 registration for purposes of school election shall not be required except in school districts of the first class. 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, 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 will be rejected. Any person guilty of illegal voting shall be punished as provided in the general election laws of the state.

**343. Closing of Polls—Counting of Ballots.**

SEC. 6. When the polls are closed, proclamation thereof shall be made at the place of voting, and no vote shall be afterward 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 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 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 the election shall forward the poll sheet thereof to the county superintendent, who shall preserve the same on file in his office.

**344. Persons Having Highest Number of Votes Elected.**

SEC. 7. 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 certificates and oaths to the 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.

#### ARTICLE II.—SPECIAL MEETINGS

##### 345. Board May Call Special Meeting of Electors.

SECTION 1. Any board of directors may, at its discretion and shall, upon a petition of a 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 time prescribed by law that such school shall be maintained in the district during the 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 maintain one or more free kindergartens; 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.

##### 346. The Meeting, How, When and Where Held.

SEC. 2. 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. The voting shall be by ballot, the ballots to be of white paper of uniform size and quality. 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 records shall become a part of the records of the district, and be preserved as other records.

##### 347. Board Must Obey Directions.

SEC. 3. 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.

#### ARTICLE III.—ELECTIONS IN DISTRICTS OF THE FIRST CLASS.

##### 348. Notices of Election.

SECTION 1. The regular district election in each district of the first class shall be held upon the first Saturday of December in each year. 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. 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 title for such election.

#### 349. All Elections to Be by Ballot.

SEC. 2. All elections shall be by official ballot and the polls 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.

#### 350. Not More Than Two Voting Places in Each Ward.

SEC. 3. It shall be the duty of the board of directors to provide at least one and not more than two voting places in each ward. The board shall also appoint two judges and one clerk for each voting precinct. Both judges and clerk shall be qualified electors in the precinct for which they were appointed. Should any judge or clerk be absent at the time for opening the polls, the electors present shall appoint a legal voter to fill such vacancy.

#### 351. Qualification of Voters.

SEC. 4. Only those persons, male and female, who have complied with the laws governing registration in districts of the first class, shall be permitted to vote, and no person shall be entitled to vote at said election except in the ward in which he or she resides: *Provided*, 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 the same year without registration.

#### 352. City Clerk Must Furnish Registration Books.

SEC. 5. 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.

#### 353. Board of Directors Shall Canvass Returns.

SEC. 6. 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 term for which elected.

ARTICLE IV.—REGISTRATION OF VOTERS IN SCHOOL DISTRICTS OF THE FIRST CLASS.

**354. All Persons Must Register.**

SECTION 1. No person shall vote at any school election, either general or special, to be held in any school district of the first class, unless he or she shall have previously complied with the requirements as to registration, as in this act provided.

**355. Secretary Must Register Voters.**

SEC. 2. The secretary of the board of directors in each district subject to the provisions of this act shall keep the books of registration herein provided for, and shall register therein the names of all duly qualified voters in his district, on application, in the manner and at the times here specified.

**356. School Board Must Furnish Books and Blanks.**

SEC. 3. The board of directors of each district subject to the provisions of this act shall furnish the secretary of such board, at the expense of the district, all blanks and books of registration and shall furnish, at the expense of their respective districts, all funds necessary for carrying out the provisions of this act.

**357. When and Where Books Shall Be Opened.**

SEC. 4. The books of registration shall be opened for the purpose of registration, at the office of the secretary of the board of the district, on each day between the hours of 9 o'clock a. m. and 4 o'clock p. m., except on legal holidays, and they shall be closed and no names shall be registered therein during the five days preceding any special or general 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 notice published in a newspaper of general circulation, published in his district, at least ten days before the day for closing said books.

**358. Books May Be Opened at Convenient Places.**

SEC. 5. For a period of thirty days preceding the closing of registration books for any election, the books may be opened at a convenient place in the district for the registration of voters, which places must be designated by the board of directors, and during a period of ten days immediately preceding the closing of such books they shall be kept open until seven o'clock each evening, and they may be kept open until a later hour by order of the board of directors.

**359. Registration Required Once Each Year.**

SEC. 6. Registration shall not be required more than once in each year. All persons, male or female, who are qualified electors under the provisions of this act, shall be entitled to registration on application to the secretary of the board of directors of the district in which they reside: *Provided*, Such elector shall have been a resident of the state for one year, of the county ninety days, and of the voting precinct thirty days prior to the next general or special school election to be held in such district. No person shall vote at

any such election except in the precinct where he or she has resided for the length of time above specified.

#### 360. Separate Book for Each Precinct.

SEC. 7. There shall be provided by the board of directors in each district, and kept by the secretary of such board, a separate book of registration for each school election precinct in the district. Each ward in any city within which the whole or any portion of a school district may be situate shall be a voting precinct for all general or special school elections. The book of registration shall bear the name or number of the precinct to which it belongs. In case the whole or any portion of any such district shall lie without the limits of any incorporated city, the board of directors of such district shall subdivide such outlying territory into voting precincts, so that each precinct shall contain as near as may be five hundred inhabitants, and after the boundaries of such precincts shall have been established, said territory shall not be redistricted oftener than once in three years, and not then unless one or more of the precincts thereof shall have attained a population of more than five hundred inhabitants. In case the authorities of any city, within which the whole or any portion of any district may lie, shall cause the boundaries of the wards of such city to be changed after the opening of the books of registration for the school district, the voting precincts of such district shall conform to the lines of the wards as established when said books were opened until the next set of books shall be opened, at which time said new books and the voting precincts of such district shall conform to the boundaries of the wards as then established.

#### 361. What the Book Shall Contain.

SEC. 8. The books of registration aforesaid shall be so arranged as to admit the alphabetical classification of the names of the voters, and ruled in parallel columns with appropriate heads, as follows: Date of registration, name, age, occupation, place of residence, place of birth, time of residence in the state, county and precinct, and if of foreign birth, name and place of court and date of declaration of intention to become a citizen of the United States, or date of naturalization, and with one column for signature and one for remarks, and one column for checking the name of voter at the time of voting. Under head of place of residence shall be noted the number of lot and block, or number and street where applicant resides, or some other definite description sufficient to locate the residence, and the voter so registering as provided in this section shall sign his or her name on the registry opposite the entries above required, in the column headed "Signature," and in case any voter shall not be capable of writing his or her name he or she shall, on the left hand margin of said column, make his or her mark by a cross or such other mark as is usual in indicating his or her signature, and some person who is personally known to said voter, and is personally known to the registering officer, and who is capable of writing his or her name, shall sign in said column immediately opposite said mark as an identifying witness thereto.

#### 362. Must Appear in Person to Register.

SEC. 9. No person shall be registered unless he or she appears in person before the secretary or the board of directors in the district in which such

elector resides, during the hours the books are opened for registration, and answers truly the questions that may be put to him or her touching his or her qualifications to vote in such district, and shall also make and subscribe the following oath:

State of Washington, County of....., ss.

I, ....., do solemnly swear (or affirm) that I am a legally qualified school elector, under the laws of the State of Washington, and that I have been an actual permanent resident of said state for eleven months and twenty days last past, and of the county for eighty days last past, and the ..... precinct twenty days last past, and that I have not lost my civil rights by reason of being convicted of any infamous crime.

Subscribed and sworn to before me this.....day of .....

Said affidavit shall be filed and preserved by the secretary of the board for at least two years.

### 363. Secretary to Administer Oaths.

SEC. 10. The secretaries of the boards of directors are hereby empowered to administer all necessary oaths in examining applicants for registration, or any witness that may be offered in behalf of any applicant. The said secretary shall examine carefully any applicant whose right to register he may doubt, or who may be challenged, and if the applicant shall be entitled to vote at the next election he or she shall be registered, otherwise not.

### 364. May Transfer Registration.

SEC. 11. If any elector shall, during the year for which he or she may be registered, change his or her place of residence from the precinct in which he or she is registered, he or she shall apply to the secretary of the board to have said removal noted. The secretary shall run a red ink line across the name in the precinct book in which said applicant shall be registered, and likewise note said removal in the column headed "Remarks" in said book, and thereupon the said secretary shall enter the name and register the elector in the registration book of the ward to which he or she has removed.

### 365. Voters May Be Challenged.

SEC. 12. Registration under the provisions of this act shall be *prima facie* evidence of the right of the elector to vote at any general or special school election held within the district during the year for which said elector is registered. If any person duly registered is challenged, it shall be the duty of the judges of election to examine the challenger and any witnesses that may be produced on oath, touching the right of such elector to vote; the judges shall then, unless they dismiss said challenge, examine the proposed elector on oath, and if it appears that said elector is entitled to vote at said election, his or her vote shall be received, otherwise rejected. Any person swearing falsely before any judge of election, on the hearing of any such challenge, shall be deemed guilty of perjury, and shall be subjected to the pains and penalties of perjury.

### 366. Secretary to Deliver Books to Election Clerks.

SEC. 13. On the morning of any general or special school election the secretary of the board shall deliver to the clerk of each voting precinct within

his district the original book of registration of the precinct for which such clerk was appointed. Each clerk of election shall return the book of registration entrusted to him to the secretary of the board at the time of the delivery of the ballots cast in the precinct at such election, and it shall be unlawful for any clerk or any judge of election to cause or allow any marks or alterations to be made in said book while the same is in their possession, other than a proper check mark when a ballot is cast, to indicate the party voting.

#### CHAPTER 14.—PENALTIES.

##### 367. For Disclosing Questions.

SECTION 1. Any member of the State Board of Education, any employe of the State of Washington, any county superintendent or any employe of his office, who shall directly or indirectly disclose any question or questions prepared for the examination of teachers or of eighth grade pupils, or any teacher or other person connected with the instruction of or the examination of eighth grade pupils, who shall, before the time appointed for the use of the questions in the examination of such pupils, disclose the questions, or make known their character, or who shall directly or indirectly assist any such eighth grade pupil to answer any question submitted, 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. Said fine shall be turned over to the county treasurer of the county in which it is collected, and shall be by him transmitted to the State Treasurer, who shall place the same to the credit of the current school fund of the state.

##### 368. For Failure of County Superintendent to Report to Superintendent of Public Instruction.

SEC. 2. If any county superintendent fails to make a full and correct report to the Superintendent of Public Instruction of all statements required by him, or if he shall fail to file with the Superintendent of Public Instruction a full and correct annual report within ten days after the time prescribed by law for filing said report, 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 information from the Superintendent of Public Instruction that such reports have not been made.

##### 369. For Failure to Pay Over Fines.

SEC. 3. Any officer or person collecting or receiving any fines, forfeitures or other moneys belonging to the schools of the State of Washington, or belonging to the school fund of any county or school district in this state, 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. Such fines and penalties, when collected, shall 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.

**370. For Failure to Provide for Teaching Hygiene.**

SEC. 4. Upon complaint in writing being made to any county superintendent by any district clerk, or by any head of a 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 provisions for the teaching of hygiene or have failed to require it to be taught, with special reference to the effects of alcoholic drink, stimulants and narcotics upon the human system, as provided by law, in the common schools of such districts, 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 law in this matter, 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.

**371. For Failure of County Superintendent to Enforce Teaching of Hygiene:**

SEC. 5. 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 civil action in the name of the state in any court of competent jurisdiction, and the sum recovered shall go into the state current 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.

**372. For Clerk's Failure to Make Report.**

SEC. 6. In case the district clerk fails to make the reports as by law 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 of and for the benefit of such district, and all moneys so collected shall be paid over to the county treasurer and shall be by him placed to the credit of the general fund of the district to which it belongs.

**373. For Failure to Deliver Books to Successor.**

SEC. 7. 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 col-



lected, 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.

**374. For Failure to Enforce Course of Study.**

SEC. 8. Any teacher who wilfully refuses or neglects to enforce the course of study or the rules and regulations required by the State Board of Education, or by any other lawful authority, shall not be allowed by the directors any warrant for salary due until said teacher shall have complied with said requirements.

**375. For Maltreatment of a Pupil.**

SEC. 9. Any teacher who shall maltreat or abuse any pupil by administering any unjust 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. Said fine, when collected, shall 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.

**376. For Failure to Attend an Institute.**

SEC. 10. In addition to other causes for the revocation of teachers' certificates as provided by law, any teacher failing to attend the annual institute held in the county in which he is employed, or the annual joint institute held by the county in which he is employed and another county or other counties, unless for good and sufficient reasons satisfactory to the Superintendent of Public Instruction, may upon complaint of the superintendent of the county in which he is employed to teach have any certificate he may hold forfeited by order of the Superintendent of Public Instruction: *Provided*, That such forfeiture shall be duly published after the said teacher shall have been given opportunity to present his reasons for such non-attendance, and after final action thereon.

**377. For Abusing a Teacher.**

SEC. 11. Any parent, guardian or other person who shall insult or abuse a teacher in the presence of his 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, and said fine shall be turned over to the county treasurer, and by him remitted to the State Treasurer, who shall place the same to the credit of the current school fund of the state.

**378. For Disturbing a School Meeting.**

SEC. 12. Any person who shall wilfully disturb any school or school meeting shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not more than fifty dollars. Said fine, when collected, shall 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.

**379. For False Report of the Presence of Pupils.**

SEC. 13. Any teacher, principal or superintendent who shall knowingly report, cause to be reported, or permit to be reported, the presence of any pupil or pupils at school, when such pupil or pupils were absent, or when school is not in session, shall forfeit his certificate or subject it to revocation and the same shall not be restored or a new one granted within one year after such forfeiture or revocation: *Provided*, 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.

**380. For Injuring School Property.**

SEC. 14. Any pupil who shall cut, deface or otherwise injure any school house, furniture, fence or outbuilding thereof, or any book or 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 or other person residing in the district; and when such damages shall have been collected they shall be turned over to the county treasurer and by him placed to the credit of the school district sustaining such damages.

**381. For Failure to Use Adopted Text Books.**

SEC. 15. Any district using text books other than those prescribed by lawful authority, or any district failing to comply with the course of study prescribed by the State Board of Education or by other lawful authority, 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.

**382. For Failure of New District to Have One Month of School.**

SEC. 16. Any new district formed by the division of an old one and which new district shall have maintained at least one month's school during the preceding school year, as shown by the last annual report of the county superintendent, on file in the office of the Superintendent of Public Instruction, 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 minimum time required by law in the old district: *Provided*, That if any school district has heretofore failed to receive apportionment of state school funds because of a failure to hold school the time required by law, and there are unpaid warrants drawn on the general funds of said district for maintenance of school prior to said failure, a special tax shall be levied by the board of county commissioners on the

property of the district, the proceeds of which tax shall be applied to the payment of the indebtedness.

### 383. For False Swearing.

SEC. 17. If any person shall falsely swear or affirm in taking the oath or making the affirmation herein prescribed when being registered for voting in a school district of the first class, or shall falsely personate another and procure the person so personated to be registered, or if any person shall represent his name to the secretary or officer of registration to be different from what it actually is, and cause such name to be registered, or if any person shall cause any name to be placed upon the register list otherwise than in the manner provided in this act, he or she shall be guilty of a felony, and upon conviction be punished by confinement in the penitentiary not more than five nor less than one year.

## CHAPTER 15.—APPEALS.

### 384. May Appeal Within Thirty Days.

SECTION 1. Any person, or persons, either severally or collectively, aggrieved by any decision or order of any school officer or school board may, within thirty days after the rendition of such decision or order, or of the failure to act upon the same when properly presented, appeal the same to the proper officer or board as hereinafter provided.

### 385. Appeals—To Whom Taken.

SEC. 2. Appeals from the decision or order, or from the failure to decide or order, by a board of school directors shall be taken to the county superintendent of schools in and for the county. Appeals from the decision or order, or the failure to decide or order, of a county superintendent of schools shall, when relating to the territory or boundaries, or to the adjustment of the assets or liability of school districts, be taken to the board of county commissioners wherein the territory lies, but when relating to the operation or management of schools, or the property of the school district or to the relations with teachers such appeal shall be taken to the Superintendent of Public Instruction: *Provided*, That in matters involving the construction of contracts the appeal shall be taken to the court of the proper resort.

### 386. The Basis of Appeal.

SEC. 3. The basis of appeal shall be an affidavit or affidavits of the party aggrieved, filed within the time for the taking of such appeal, setting forth in a clear and concise manner the errors complained of.

### 387. Interested Parties to Be Notified.

SEC. 4. Having received the basis of appeal, as set forth in the preceding section, the officer to whom the appeal is taken shall within ten days, and the board of county commissioners shall at their next regular session, notify in writing the party from whose action the appeal is taken of the taking of such appeal and of its nature and scope. Within twenty days after such notice the said party shall file a complete transcript, properly certified to be correct, of the record and papers and proceedings relating to the decision com-

plained of. Upon the filing of such transcript notice shall be duly given to all parties interested of the time and place where the matter of the appeal shall be heard and determined.

### 388. Hearing of the Appeal.

SEC. 5. At the hearing of an appeal, properly presented in accordance with this chapter, the county superintendent or the board of county commissioners, as the case may be, shall hear testimony of all parties interested, and for the purpose may administer oaths if necessary, may summon witnesses or demand records or certified copies of the same: *Provided*, That in the case of a hearing before the board of county commissioners the board may hear the case *de novo*, and in the case of a hearing on appeal by the Superintendent of Public Instruction no new evidence may be admitted.

### 389. Decisions to Be Final.

SEC. 6. In decisions of appeal by the Superintendent of Public Instruction and by the board of county commissioners the decision or order shall be final unless set aside by a court of competent jurisdiction in an action brought therein to review such order or decision.

### 390. Record of Appeals.

SEC. 7. Decisions of appeal shall be made a matter of record in full, and certified copies of the same shall be made if asked for by the parties interested within ten days of such decision. Notice of such decision of appeal shall be made in writing to parties interested within five days of their rendition.

### 391. Certain Decisions to Be Reported to County Assessor.

SEC. 8. In cases of appeal resulting in the change of any school district boundaries the decision shall within five days thereafter be also certified by the proper officer to the county assessor of the county, or to the county assessors of the counties, wherein the territory may lie.

## CHAPTER 16.—COMPULSORY SCHOOL LAW.

### 392. Age—Attendance—Excuses.

SECTION 1. All parents, guardians and other persons in this state having or who may hereafter have immediate custody of any child between eight and fifteen years of age (being between the eighth and fifteenth birthdays), or of any child between fifteen and sixteen years of age (being between the fifteenth and sixteenth birthdays) not regularly and lawfully engaged in some useful and remunerative occupation, shall cause such child to attend the public school of the district, in which the child resides, for the full time when such school may be in session or to attend a private school for the same time, unless the superintendent of the schools of the district in which the child resides, if there be such a superintendent, and in all other cases the county superintendents of common schools, shall have excused such child from such attendance because the child is physically or mentally unable to attend school or has already attained a reasonable proficiency in the branches required by law to be taught in the first eight grades of the public schools of this state

as provided by the course of study of such school, or for some other sufficient reason. Proof of absence from public schools or approved private school shall be *prima facie* evidence of a violation of this section.

### 393. Employment of Children Under Fifteen Years of Age Forbidden.

SEC. 2. No child under the age of fifteen years shall be employed for any purpose by any corporation, person or association of persons in this state during the hours which the public schools of the district in which such child resides are in session, unless the said child shall present a certificate from a school superintendent as provided for in section one of this act, excusing the said child from attendance in the public schools and setting forth the reason for such excuse, the residence and age of the child, and the time for which such excuse is given. Every owner, superintendent, or overseer of any establishment, corporation, company or person employing any such child shall keep such certificate on file so long as such child is employed by him, her or it. The form of said certificate shall be furnished by the Superintendent of Public Instruction. Proof that any child under fifteen years of age is employed during any part of the period in which public schools of the district are in session shall be deemed *prima facie* evidence of a violation of this section.

### 394. Penalty.

SEC. 3. Any person violating any of the provisions of either of the two preceding sections shall be fined not more than twenty-five dollars. Attendance officers shall make complaint for violation of the provisions of this act to a justice of the peace or to a judge of the superior court.

### 395. Attendance Officers—Their Duties.

SEC. 4. To aid in the enforcement of this act, attendance officers shall be appointed and employed as follows: In incorporated city districts the board of directors shall annually appoint one or more attendance officers. Any attendance officer may be a sheriff, constable, a city marshal, or a regularly appointed policeman. In all other districts the county superintendent shall act as attendance officer, and he shall also have authority to appoint one or more assistant attendance officers to aid him in the performance of his duties as attendance officer. The compensation of attendance officer in such city districts shall be fixed and paid by the board appointing him. The attendance officer shall be vested with police powers, the authority to make arrests and serve all legal processes contemplated by this act, and shall have authority to enter all stores, mills, shops, or other places in which children may be employed, for the purpose of making such investigations as may be necessary for the enforcement of this act. The attendance officer is authorized to take into custody the person of any child between eight and fifteen years of age, who may be a truant from school, and to conduct such child to his parents, for investigation and explanation, or to the school which he should properly attend. The attendance officer shall institute proceedings against any officer, parent, guardian, person, company or corporation violating any provisions of this act, and shall otherwise discharge the duties prescribed in this act, and shall perform such other services as the superintendent of schools or the board of directors may deem necessary. The attendance officer

shall keep a record of his transactions, for the inspection and information of the board of directors and the city and county superintendent, and shall make a detailed report to the superintendent of the city or of the county, as often as the same may be required.

#### 396. May Arrest Without Warrant.

SEC. 5. Any attendance officer, sheriff, deputy sheriff, marshal, policeman, or any other officer authorized to make arrests in the city or district, shall arrest without a warrant a child who, under the provisions of this act, is required to attend school, such child then being a truant from instruction at the school which he or she is lawfully required to attend, shall forthwith deliver a child so arrested either to the custody of a person in parental relation to the child or to the teacher from whom the child is then a truant, or, in case of habitual or incorrigible truants, shall bring him or her before a justice of the peace. The justice of the peace shall, if he be convinced that the child so arrested is an habitual truant or that the child is guilty of wilful and continued disobedience to the school rules and regulations or laws, or that the conduct of the child is pernicious and injurious to the school, bind the child over to the superior court with a view of his commitment to the state reform school or other school for incorrigibles.

#### 397. Census Report.

SEC. 6. It shall be the duty of the district clerk or secretary, at the beginning of each school year, to provide the teacher with a copy of the last census of school children taken in his school district: *Provided*, That if there be a principal or city superintendent in such district, the clerk or secretary shall make such census report to him, and it shall be the duty of every teacher to report to the proper truant officer all cases of truancy or incorrigibility in his or her school, immediately after the offense or offenses shall have been committed: *Provided further*, That if there be a principal, the report shall be made to him and by him transmitted to the truant officer: *And provided further*, That if there be a city superintendent, the principal shall transmit such report to said city superintendent, who shall transmit such report to the proper truant officer of his district.

#### 398. Concurrent Jurisdiction.

SEC. 7. In cases arising under this act all justices' courts, municipal courts and superior courts in the State of Washington shall have concurrent jurisdiction.

#### 399. The County Attorney Shall Prosecute.

SEC. 8. The county attorney shall act as attorney for the complainant in all court proceedings relating to the compulsory attendance of children as required by this act.

#### 400. Notice by County Superintendent.

SEC. 9. The county superintendent shall on or before the 15th day of August of each year, by printed circular or otherwise, call the attention of all school district officers to the provisions of this act, and to the penalties prescribed for the violation of its provisions, and he or she shall require the clerk of every school district to make a report annually hereafter, to

him or her, verified by affidavit, stating whether or not the provisions of this act have been faithfully complied with in his district. Such reports shall be made upon blanks to be furnished by the Superintendent of Public Instruction and shall be transmitted to the county superintendent at the time the district clerk is required to make his annual report to the county superintendent. Any district clerk who shall knowingly or wilfully make a false report relating to the enforcement of the provisions of this act or fail to report as herein provided shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction shall be fined not less than twenty-five dollars nor more than one-hundred dollars; and any district clerk who shall refuse or neglect to make the report required in this section shall be personally liable to his district for any loss which it may sustain because of such neglect or refusal to report.

#### 401. Penalty.

SEC. 10. Any superintendent, teacher or attendance officer, who shall fail or refuse to perform the duties prescribed by this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than twenty nor more than one hundred dollars: *Provided*, That in case of a district officer, such fine shall be paid to the county treasurer and by him placed to the credit of the school district in which said officer resides, and in case of other officers such fine shall be paid to the county treasurer and by him placed to the credit of the general school fund of the county.

#### 402. Fines Applied to Support of Schools.

SEC. 11. All fines except as otherwise provided in this act shall inure and be applied to the support of the public schools in the district where such offense was committed.

#### 403. Officers Not Liable for Costs.

SEC. 12. No officer performing any duty under any of the provisions of this act, or under the provisions of any rules that may be passed in pursuance hereof, shall in any wise become liable for any costs that may accrue in the performance of any duty prescribed by this act.

### CHAPTER 17.—GRAMMAR SCHOOL EXAMINATIONS.

#### 404. Duties of Superintendent of Public Instruction.

SECTION 1. It shall be the duty of the Superintendent of Public Instruction at such times as he may deem it advisable, but not oftener than three times each year, to forward questions prepared by the State Board of Education for use in the examination of pupils having completed the grammar school course of study, to fix the date for such examination, and to grant certificates of promotion to pupils successfully passing such examination according to the standard prescribed by the State Board of Education: *Provided*, That such certificate shall entitle the holder thereof to entrance into any high school of the state without further examination: *Provided further*, That nothing in this act shall be construed as compelling boards of directors to admit non-resident pupils without tuition charge.

**405. County Superintendent May Appoint Assistant Examiners.**

SEC. 2. It shall be the duty of the county board of education to examine and grade the manuscripts of the pupils who take the examinations mentioned in section one (1) of this chapter. The county superintendent may appoint assistant examiners, who shall conduct such examinations of pupils according to the rules and regulations of the State Board of Education, and within three days transmit the manuscripts to the county superintendent. Assistant examiners shall receive three dollars per day, to be paid in the same manner as the regular board.

**406. County Board of Education to Grade Manuscripts.**

SEC. 3. It shall be the duty of the county board of education to meet at the county seat at the call of the county superintendent for the purpose of examining and grading the manuscripts of pupils taking such examinations under the direction of any assistant examiner or of the county superintendent. No questions shall be used in such examination except those prepared by the State Board of Education as provided in section one (1) of this chapter: *Provided*, That the State Board of Education may prescribe a special course of reading to be done by pupils in the last year of the grammar school course, as a requisite to their receiving certificates of graduation.

**407. County Superintendent to Report.**

SEC. 4. It shall be the duty of the county superintendent to report to the Superintendent of Public Instruction, within ten days after any meeting of the county board of education, the names of all pupils successfully passing any examination, as herein provided, together with their respective standings or grades in the several prescribed subjects and such other facts relating to said pupils or said examination as the Superintendent of Public Instruction may require.

**CHAPTER 18.—HIGH SCHOOL EXTENSION EXAMINATIONS.****408. State Board to Outline Course.**

SECTION 1. The State Board of Education shall outline a course of reading and study similar to a course of study required in a full four-year high school course, and shall provide for the examination and certification of those taking or completing such course. Examinations for this purpose shall be held at the same time and place of holding examinations for teachers' certificates, and in such form to fully test the students' knowledge of the subject or subjects examined in. Any one or more subjects may be taken at any such examination and a student failing in any subject may again be examined in such subject at any subsequent examination: *Provided*, Each year's work of a lower grade must be completed before a student shall be permitted to complete the work of a higher year. Such examination shall be intended only for those not taking a full course in the same subject in a regular high school, and no person shall be admitted to any such examination unless he shall have given to the county superintendent notice of his intention to take such examination and the subjects in which he desires to be examined at least thirty days before the examination, and obtain permission from such superintendent to take such examination.



**409. Questions and Examination.**

SEC. 2. The questions for such examination shall be prepared by the State Board of Education, and shall be furnished to the State Superintendent of Public Instruction, who shall cause the same to be printed and distributed to the several county superintendents upon request therefor the same as the questions for teachers' examinations are printed and distributed. The manuscripts containing the answers of applicants shall be returned to the Superintendent of Public Instruction, to be marked and graded by him, and who shall issue certificates to those who have the required percentage in the various branches which shall be fixed by the State Board of Education.

**410. Certificates to Be Issued.**

SEC. 3. Upon the completion of the full course as outlined by the State Board of Education, a state high school certificate shall be issued to the applicant by the said board and such certificate shall entitle the holder thereof to enter the freshman class of the State University or to enter any other class in the other state educational institutions as may be specified by the State Board of Education.

**CHAPTER 19.—KINDERGARTENS.****411. How Established.**

SECTION 1. The board of directors of any school district 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 six years, residing in said district, and shall establish such courses of training, study and discipline and such rules and regulations governing such kindergartens as said board may deem best: *Provided*, That such kindergartens have been authorized by a three-fifths vote of the electors voting at a special election called for that purpose, at which election the question of the number of such kindergartens to be established shall be submitted by the directors and determined by the electors. The vote shall be by ballot in the following form: "Shall School District No. —, — county, establish ——— kindergartens?" "Yes" or "No."

**412. Shall Be Part of Public School System.**

SEC. 2. Kindergartens established under this act shall be a part of the public school system and under the control and supervision of the regular officers who have charge of the public schools of the state: *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 funds.

**413. To Be Paid from Special Fund.**

SEC. 3. The cost of establishing and maintaining such kindergartens shall be paid from a special school fund voted by the electors of the district for the purpose.

**414. Teachers to Hold Diplomas or Certificates.**

SEC. 4. Kindergarten teachers and supervisors shall have diplomas or certificates from some accredited kindergarten training school, from the kin-

dergarten department of a state normal school of this state or of a normal school whose kindergarten department is accredited by the State Board of Education.

CHAPTER 20.—TAKING OF PRIVATE PROPERTY FOR SCHOOL HOUSE SITES.

415. School Districts May Take and Acquire Title.

SECTION 1. Whenever any school district shall select any real estate as a site for a school house, or as additional grounds to an existing school house site, within the district, and the board of school directors of such district and the owner or owners of the site or any part thereof, or addition thereto selected, shall be unable to agree upon the compensation to be paid by such school district to the owner or owners thereof, such school district shall have the right to take and acquire title to such real estate for use as a school house site or additional site, upon first paying to the owner or owners thereof therefor the value thereof, to be ascertained in the manner hereinafter provided.

416. Petition to Superior Court.

SEC. 2. The board of directors of the school district shall present to the superior court of the State of Washington in and for the county wherein is situated the real estate desired to be acquired for school house site purposes, a petition, reciting that the board of directors of such school district have selected certain real estate, describing it, as a school house site, or as additional grounds to an existing site, for such school district; that the site so selected, or some part thereof, describing it, belongs to a person or persons, naming him or them; that such school district has offered to give the owner or owners thereof therefor . . . . . dollars, and that the owner of such real estate has refused to accept the same therefor; that the board of school directors of such school district and the said owner or owners of such real estate are unable to agree upon the compensation to be paid by such school district to the owner or owners of such real estate therefor, and praying that a jury be impaneled to ascertain and determine the compensation to be made in money by such school district to such owner or owners for the taking of such real estate for the use as a school house site for such school district; or in case a jury be waived in the manner provided by law in other civil actions in courts of record, then that the compensation to be made as aforesaid be ascertained and determined by the court, or judge thereof.

417. Notice of Petition.

SEC. 3. A notice, stating the time and place, when and where such petition shall be presented to the court, or the judge thereof, together with a copy of such petition, shall be served on each and every person named therein as owner, or otherwise interested therein, at least ten days previous to the time designated in such notice for the presentation of such petition. Such notice shall be signed by the prosecuting attorney of the county wherein the real estate sought to be taken is situated, and may be served in the same manner as summons in a civil action in such superior court is authorized by law to be served.

**418. Adjournment of Proceedings.**

SEC. 4. The court may, upon application of the petitioner or of any owner of said real estate, or any person interested therein, for reasonable cause, adjourn the proceedings from time to time, and may order new or further notice to be given to any party whose interests may be affected by such proceedings.

**419. Findings of Court.**

SEC. 5. At the time and place appointed for the hearing of such petition, or to which the same may have been adjourned, if the court shall find that all parties interested in such real estate sought to be taken have been duly served with notice and a copy of the petition as above prescribed, and shall further find that such real estate sought to be taken is required and necessary for the purposes of a school house site, or as an addition to a school house site, for such school district, the court shall make an order reciting such findings, and shall thereupon set the hearing of such petition down for trial by a jury, as other civil actions are tried, unless a jury is waived in the manner provided by law in other civil actions.

**420. Jury—Number of Persons.**

SEC. 6. The jury impaneled to hear the evidence and determine the compensation to be paid to the owner or owners of such real estate desired for such school house site purpose shall consist of twelve persons, unless a less number be agreed upon, and shall be selected, impaneled and sworn in the same manner that juries in other civil actions are selected, impaneled and sworn: *Provided*, A juror may be challenged for cause on the ground that he is a taxpayer of the district seeking the condemnation of any real estate.

**421. Superior Court Judge to Preside.**

SEC. 7. A judge of the superior court shall preside at the trial and witnesses may be examined in behalf of either party to the proceedings, as in other civil actions, and upon the request of all the parties interested in such proceedings the court shall cause the jury impaneled to hear the same, to view the premises sought to be taken, and upon the request of any less number of the persons interested in the proceedings, the court may cause the jury to view the premises, pending the hearing of the case.

**422. Court to Instruct Jury.**

SEC. 8. Upon the close of the evidence, and the argument of counsel, the court shall instruct the jury as to the matters submitted to them, and the law pertaining thereto, whereupon the jury shall retire and deliberate and determine upon the amount of compensation in money that shall be paid to the owner or owners of the real estate sought to be taken for such school house site purposes therefor, which shall be the amount found by the jury to be the fair and full value of such premises; and when the jury shall have determined upon their verdict, they shall return the same to the court as in other civil actions.

**423. The Verdict.**

SEC. 9. When ten of the jurors agree upon a verdict, the verdict so agreed upon shall be signed by the foreman, and the verdict so agreed upon shall be and stand as the verdict of the jury.

**424. Compensation, When Jury Is Waived.**

SEC. 10. In case a jury is waived, the compensation that shall be paid for the premises taken shall be determined by the court and the proceedings shall be the same as in the trial of issues of fact by the court in other civil actions.

**425. Entry of Judgment, etc.**

SEC. 11. Upon the verdict of the jury, or upon the determination by the court of the compensation to be paid for the property sought to be taken as herein provided, judgment shall be entered against such school district in favor of the owner or owners of the real estate sought to be taken, for the amount found as compensation therefor, and upon the payment of such amount by such school district to the clerk of such court for the use of the owner or owners of, and the persons interested in the premises sought to be taken, the court shall enter a decree of appropriation of the real estate sought to be taken, thereby vesting the title to the same in such school district; and a certified copy of such decree of appropriation may be filed in the office of the county auditor of the county wherein the real estate taken is situated, and shall be recorded by such auditor like a deed of real estate, and with like effect. The money so paid to the clerk of the court shall be by him paid to the person or persons entitled thereto, upon the order of the court.

**426. Costs.**

SEC. 12. All the costs of such proceedings in the superior court shall be paid by the school district initiating such proceedings.

**427. Appeal.**

SEC. 13. Either party may appeal from the judgment for compensation awarded for the property taken, entered in the superior court, to the supreme court of the state within sixty days after the entry of the judgment, and such appeal shall bring before the supreme court the justness of the compensation awarded for the property taken, and any error occurring on the hearing of such matter, prejudicial to the party appealing: *Provided, however,* That if the owner or owners of the land taken accepts the sum awarded by the jury or court, he or they shall be deemed thereby to have waived their right of appeal to the supreme court.

**428. Possession of Premises.**

SEC. 14. An appeal from such judgment by the owner or owners of the land sought to be taken, shall not have the effect to preclude the school district from taking possession of the premises sought, pending the appeal, provided the amount of the judgment against the school district shall have been paid in to the clerk of the court, as hereinbefore provided.

**429. Plaintiff and Defendants.**

SEC. 15. In all proceedings under this act the school district seeking to acquire title to real estate for a school house site, shall be denominated plaintiff, and all other persons interested therein shall be denominated defendants; and in all such proceedings the clerk of the superior court wherein any such proceeding is brought shall charge nothing for his services, except in taking an appeal from the judgment entered in the superior court.

CHAPTER 21.—PROHIBITING SALE OF INTOXICATING LIQUORS WITH-  
IN PRESCRIBED LIMITS OF STATE EDUCATIONAL INSTITUTIONS.

## 430. Two Thousand Feet from Institution.

SECTION 1. That it shall be unlawful to sell or in any way dispose of any vinous, spiritous, malt or other intoxicating liquors, with or without a license, within two thousand (2,000) feet of any normal school, agricultural college, reform school, or state school for defective youth, now established or which may hereafter be legally established within the State of Washington: *Provided*, That nothing in this act shall be construed to affect in any way the provisions of "An act prohibiting the sale of intoxicating liquors on or near the grounds of the University of Washington," approved March 19, 1895.

## 431. Penalty.

SEC. 2. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine of not less than two hundred (200) dollars, nor more than one thousand (1,000) dollars, or by both such fine and imprisonment.

## TITLE IV.

CHAPTER 1.—DESIGNATION AND INTENT OF ACT AND REPEALING  
CLAUSE.

## 432. Official Title.

SECTION 1. This act shall be known and cited as the Code of Public Instruction of the State of Washington.

## 433. Intention of Act.

SEC. 2. This act is intended to be and is amendatory of, and a recodification as amended of, all laws relating to the public school system of the State of Washington.

## 434. Repealing Clause.

SEC. 3. All acts and parts of acts inconsistent with or in conflict with the provisions of this act are hereby repealed.

Passed the Senate February 24, 1909.

Passed the House March 1, 1909.

Approved March 11, 1909.

## PUBLICATION OF ESTIMATES OF SCHOOL EXPENSES.

\*(Chapter 138, Session Laws of 1909.)

## 435 Detailed Estimate of Expenditures.

SECTION 1. It shall be the duty of county commissioners, city and town councils, and school directors of school districts lying wholly, or in part, within the limits of any incorporated city or town, on or before the first Monday in September of each year, to make estimates of the amount required to meet the public expense for the ensuing year, and to be raised by taxation in such county, city, town, road, school, or other taxing district. Such estimates shall be fully itemized, showing under separate heads the amount required for each department, public office, public official, for each public improvement, for the maintenance of each public building, structure, or institution, the salary of each public officer or employe, the maintenance of public highways, roads, streets, bridges, the construction, operation and maintenance of each public utility, and shall contain a full and complete disclosure and statement of the contemplated expenditures for the ensuing year, showing the amount proposed to be expended from each separate fund, and the total amount of public expense. Said statement shall also contain an estimate of the receipts for the ensuing year from sources other than direct taxation, and the amount, or amounts, proposed to be raised by taxation upon the real and personal property of such county, city, town, road, school, or other taxing district.

## 436.—Publication of Estimate.

SEC. 2. The estimates required in section one (1) of this act, together with a notice that such board of county commissioners, city or town council, or board of school directors, will meet on the first Monday in October for the purpose of making tax levies, as stated in said estimates, and naming the time and place of holding such meeting, shall be published for at least two (2) consecutive weeks following the adoption of such estimates as follows: Estimates of expenditures, required to be disbursed by county commissioners, shall be published in the official newspaper of the county, if there be one; if not, then in a newspaper of general circulation in such county. All other estimates shall be published in a newspaper of general circulation in such county, town, school, or other taxing district.

## 437. Public Hearing.

SEC. 3. It shall be the duty of county commissioners, city and town councils, and of school directors of school districts, lying wholly, or in part, within the limits of any incorporated city or town, to meet on the first Monday in October, and at the time and place designated in said notice, when and where any taxpayer who may appear shall be heard in favor or against any proposed tax levies. When such hearing shall have been concluded, such

\* This chapter applies only to school districts of the first or the second class.

county commissioners, city or town councils, and school directors shall proceed to make, determine, and decide the amount of taxes to be levied upon the current assessment rolls. All taxes shall be levied or voted in specific sums, and shall not exceed the amount specified in such published estimates.

**438. Penalty.**

SEC. 4. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than one hundred dollars, nor more than five hundred dollars.

**FIRE DRILLS.**

(Chapter 106, Session Laws of 1909.)

**439. Fire Drills Twice Each Month.**

SECTION 1. It shall be the duty of the principal or other person in charge of every public or private school or educational institution within the state, to instruct and train the pupils by means of drills, so that they may in a sudden emergency be able to leave the school building in the shortest possible time and without confusion or panic. Such drills or rapid dismissals shall be held at least twice in each month.

**440. Penalty.**

SEC. 2. Neglect by any principal or other person in charge of any public or private school or educational institution to comply with the provisions of this act shall be a misdemeanor, punishable at the discretion of the court by a fine not exceeding fifty (\$50.00) dollars. Such fine to be paid to the county treasurer for the benefit of said school district.

**441. Publication of this Act.**

SEC. 3. It shall be the duty of the board of directors or other body having control of the schools in any town or city to cause a copy of this act to be printed in the manual or handbook prepared for the guidance of teachers, where such manual or handbook is in use or may hereafter come into use. It shall be the duty of the Superintendent of Public Instruction to cause a copy of this act to be published in the Washington State Manual.

**442. Colleges and Universities Excepted.**

SEC. 4. The provisions of this act shall not apply to colleges or universities.

**PROHIBITING CHILD LABOR.**

(Chapter 128, Session Laws of 1907.)

**443. Child Labor Forbidden.**

SEC. 1. That no person under the age of nineteen years shall be employed as a public messenger by any person, telegraph company, telephone company, or messenger company in any city of the first class in this state,

nor shall any child of either sex under the age of fourteen years be hired out to labor in any factory, mill, workshop or store at any time: *Provided*, That any superior court judge may issue a permit for the employment of any child between the ages of twelve and fourteen years at any occupation, not in his judgment dangerous or injurious to the health or morals of such child, upon evidence satisfactory to him that the labor of such child is necessary for its support or for the assistance of any parent: *And provided further*, That the judge of the juvenile court may issue permits for the employment of any male child over fourteen years of age, as messenger by telegraph, telephone and messenger companies subject to such limitations and conditions as may be imposed by said court. All permits herein provided for shall be issued for a definite time and shall be revocable at the discretion of the judge by whom issued.

#### 444. Penalty.

SEC. 2. Any employer, or any overseer, superintendent, or agent of such person, telegraph company, telephone company or messenger company who shall violate any of the provisions of this act shall, upon conviction thereof, be fined for each offense not less than ten dollars nor more than five hundred dollars, or be imprisoned in the county jail not to exceed six months, or by both such fine and imprisonment.

### INVESTMENT OF PERMANENT SCHOOL FUNDS.

(Chapter 12, Session Laws 1907.)

#### 445. State Board of Finance.

SEC. 1. There is hereby created a board which shall be known and designated as the "State Board of Finance." Said board shall be composed of the Governor, State Treasurer, and State Auditor: *Provided, however*, That the Governor may designate and appoint some state officer as his representative.

#### 446. Records, When Kept.

SEC. 2. Said board shall keep a full and complete record of all their proceedings in appropriate books of record, and a clerk in the office of the State Auditor shall act as the secretary of the said board; their office shall be in the office of the State Auditor, and all records and correspondence relating to the said board shall be kept in the office of the State Auditor, and shall be subject to public inspection.

#### 447. Rules and Regulations.

SEC. 3. Said State Board of Finance shall make appropriate rules and regulations for the carrying out of the provisions of this act, not inconsistent with law and the State Treasurer shall act as chairman of said State Board of Finance.

#### 448. Investment of Permanent Funds.

SEC. 4. Whenever there shall be in the permanent school funds of the state, or in the permanent funds of the normal school, state university,



scientific school, agricultural college, or the charitable, educational, penal and reformatory institutions, one thousand dollars or more available for investment, said State Board of Finance shall invest the same in national, state, county, municipal or school district bonds, bearing not less than three and three-fourths per cent. interest per annum, paying therefor not more than the par value thereof: *Provided*, The word bonds in this section shall not be interpreted to mean or include any special, or assessment district bonds or bonds other than those found to be within the limit of indebtedness prescribed by law, or regularly created and issued as general indebtedness bonds: *Provided further*, That school district bonds regularly created and issued shall be given preference in said investments. Upon such investment being made, the State Auditor shall draw his warrant on said fund for the amount so invested, and the bonds so purchased shall be deposited with the State Treasurer, whose duty it shall be to collect all interest payments falling due thereon, and the principal at maturity.

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#### LEGAL RATE OF INTEREST ON SCHOOL WARRANTS.

(Chapter 80, Session Laws of 1899.)

##### 449. Interest on School Warrants.

SEC. 4. All county, city, town and school warrants, and all warrants or other evidences of indebtedness, drawn upon or payable from any public funds, shall bear interest at a rate not greater than eight per centum per annum, unless a less rate be specified therein.

##### 450. Issuing Officer to Regulate Rate.

SEC. 5. It shall be the duty of every public officer issuing public warrants to make monthly investigation to ascertain the market value of the current warrants issued by him, and he shall, so far as practicable, fix the rate of interest (not in any event, however, exceeding the maximum rate hereinbefore established therefor) on the warrants issued by him during the ensuing month, so that the par value shall be the market value thereof.

## SYNOPSIS OF OFFICIAL OPINIONS AND RULINGS ON QUESTIONS OF SCHOOL LAW, IN FORCE UNDER THE CODE OF PUBLIC INSTRUCTION.

BY ATTORNEY GENERAL.

1. Any person who is actually the head of a family; that is, who is under legal obligation to provide for the support and education of persons dependent upon him, and who is in fact providing for their education and support, is the head of a family for the purpose of signing petitions relating to school matters, whether he is a legal voter or not. Any person who is not the head of a family within the definition given above is not qualified to sign such petition, though he be a legal voter.—Jones.

2. When a petition is presented to a county superintendent praying for the organization of a new school district, he may, after he has heard all the evidence presented by the parties interested, exercise his judgment, within reasonable limits, in the organization of such new district and the fixing of its boundaries, and in so doing he may correct any mistakes that may have been made in the description given in the petition, and in a proper case modify the boundaries described herein.—Jones.

3. Children of school age residing upon military reservations lying within any school district constitute a legitimate portion of the school population of the district and should be enumerated as other children are.—Jones.

4. If a teacher is a near relative of a member of the school district board, he is not by reason of such relationship alone rendered ineligible to election as a teacher in a school under the management of such board of directors.—Jones.

5. When cities, in extending their limits, take in other districts or parts of districts, and in so doing take in a part or all of the school district officers of such included school districts, the officers so taken into the city district do not become a part of the board of directors of the city districts so extending their limits.—Jones.

6. The stated reading of the Bible in the public schools of this state is a religious exercise within the meaning of the constitution, and as such is thereby prohibited in section 11, article 1 of that document.—Jones.

7. County superintendents shall furnish to the Superintendent of Public Instruction all information specifically required by law, and such other information as the Superintendent of Public Instruction may desire in the administration of his office, such information to be of such a character as the county superintendent possesses or as he can reasonably obtain. For a persistent refusal to furnish such information, he may be removed from his office. In turn, school district clerks shall furnish to the county superintendent all information required by law, and for a persistent refusal to do so, they may be removed from office.—Winston.

8. A union high school district cannot be formed by the union of school districts lying in different counties.—Stratton.

9. In case a school is closed by order of the board of directors, because of the prevalence of a contagious disease in the district, the teacher is entitled to his wages during the time the school is so closed, and he cannot

be required to make up the time lost by the closing of the school, unless it is so stipulated in his contract with the directors.—Stratton.

10. In case of the formation of a new school district by the division of an old district or districts, the basis of the division of the funds of the old district or districts should be the ratio of the number of school children in each district at the time of the formation of the new district.—Stratton.

11. A board of school directors has authority to make a by-law refusing to admit children of six years of age to the public schools at any other time than the commencement of a term. The opinion holds such a by-law is not inconsistent with the section of the Code of Public Instruction which admits to attendance all children between ages of six and twenty-one years residing in the school district.—Stratton.

12. The annual reports of county school superintendents is the only proper basis of apportionment of public moneys by the State Superintendent of Public Instruction.—Ross.

13. The county superintendent is the lawful auditor of all claims or bills incurred in holding teachers' institutes. However, the expenditure for this purpose is limited to \$200 in excess of the receipts for examination fees. The county commissioners have the right to refuse to order paid any manifestly improper or unlawful charge.—Ross.

14. A county superintendent has not power and the right to divide in the event of the formation of a new school district, any sinking fund or special fund accumulated in the treasury of the old (divided) district for the payment of bonds that are not yet due.—Ross.

15. The school teacher, not the board of directors, is the proper authority to determine to what grade or course a pupil properly belongs.—Ross.

16. A board of directors in a school district employing not more than one teacher cannot be required to institute a high school or have high school studies taught in their district.—Stratton.

17. A school district desiring to maintain a kindergarten school service must maintain such school at their own expense without diverting any portion of the state or county funds from the usual channel.—Ross.

18. A school superintendent cannot hold the office of school clerk without vacating the office of superintendent. A school clerk cannot fill the office of school teacher, and a teacher is ineligible to the office of clerk of the district in which he is employed.

19. Boards of school directors have the power to authorize the school room to be used for summer or night schools, literary, scientific, religious, political, mechanical or agricultural societies, but are not empowered to authorize the use of a school room for dancing purposes.—Stratton.

20. A county superintendent may act as his own agent in purchasing necessary blanks, books, stationery, postage, printing and other expenses of his office.—Stratton.

21. The county superintendent is the proper person to determine the necessity for issuing any circular of information pertaining to the schools of his county.—Ross.

22. Private schools which make a specialty of instructing in any branch other than those similar in character to the common school course prescribed by the state course of study are not entitled to receive the benefit of attendance credited to the district in which the pupils reside. Such schools as com-

mercial, music and art schools do not entitle a school district to the benefit of attendance in the apportionment of the state school funds.—Ross.

23. Bonds shall not bear a higher rate of interest than six per cent., and a district cannot directly or indirectly pay more.—Stratton.

24. A director cannot lawfully be employed to perform the duties of janitor in his own district.—Stratton.

25. Neither state nor county school funds can lawfully be applied to the building of school houses or to permanent improvements thereon.—Stratton.

26. County superintendents have power to institute proceedings to stop the payment of warrants issued without authority of law.—Stratton.

27. There is no limit to the time school warrants may be held after they have been "called" by the county treasurer. In other words, they must be paid on presentation, at any time after the date of payment announced in the county treasurer's notice.—Stratton.

28. The petition for the formation of a consolidated school district need not be signed by five heads of families in each and every district which it is proposed to include in the consolidated district, but only by five heads of families residing in the several districts which it is proposed to include in the consolidated district.—Stratton.

29. School district electors must control the location of schools, school houses, length of term to be taught (over and above the minimum term required by law), in their respective districts, and directors are not authorized to change the location of the school without the sanction of the legal electors of the district.—Ross.

30. Directors have the authority to pay for the transportation of pupils to and from school, no matter where the school of the district is held.—Ross.

31. School directors may lawfully insure school property in a fire insurance company or association organized under the act of 1903.—Stratton.

32. If territory is detached from a school district having a bonded indebtedness, the detached territory is not liable for the payment of any part of the bonded indebtedness of the district from which it was detached.—Stratton.

33. School district warrants must be paid in the order of their presentation to the county treasurer.—Stratton.

34. It is optional with a school board to allow a pupil of the eighth grade, for example, to review his book in that grade, if such review is not inconsistent with the rules of the State Board of Education or rules of the Superintendent of Public Instruction.—Stratton.

35. The power to accept the resignation of a school officer lies in the officer who is authorized to appoint his successor.—Stratton.

36. If two school districts, each having a school house, are consolidated, and it is proposed to establish a school house site for the consolidated district, only a majority vote is required.—Falknor.

37. A consolidated school district cannot be formed of districts lying in two or more counties.—Booth.

38. In case a union high school district exists (for instance, districts Nos. 1 and 2) and an additional district is consolidated with district No. 1, it becomes a part of the union high school district.—Atkinson.

39. A board of school directors may subscribe for a school journal which publishes a department of state news that is of value to boards of directors, and pay for the same out of public funds.—Atkinson.

40. Any certificate may be revoked for cause by the authority issuing it. The Superintendent of Public Instruction has the power to revoke any class of certificates or diplomas for non-attendance at a teachers' institute.—Atkinson.

41. Two cities are adjacent. Each is embraced in a school district. Can the school district unite and form a consolidated district without the consolidation of the cities? Answer: No.—Falknor.

42. A school board cannot lawfully purchase text-books and sell them to the pupils of the district. It can perform only such acts as the law authorizes.—Falknor.

43. If a teacher is compelled to sell his school warrants at a discount the school board issuing the warrants cannot lawfully remunerate him for such loss.—Atkinson.

44. If a county superintendent, at the time of his election, is the holder of such a certificate as is required by law as a condition of eligibility to that office, fails to have it renewed or fails to obtain a new one at the time of the expiration of the old one; or, if his certificate should be revoked, it does not disqualify him from holding his office during the period for which he was elected.—Atkinson.

45. The law requiring the taking of the school census annually is mandatory. The Code of Public Instruction is presumed to be *the* law until proven to be in conflict with the statutes.—Atkinson.

46. In the formation of a consolidated school district the component districts maintain their existence for the purposes of appeal until the time for taking an appeal has expired.—Falknor.

47. A teacher has no right to punish a child for any act committed after the child has reached home, after dismissal.—Atkinson.

48. Directors have no power to buy a site for a new building without the consent of the legal electors of the district.—Atkinson.

49. A school board can not contract indebtedness in excess of the income of the district for the current year.—Knickerbocker.

50. A school district cannot claim the attendance of pupils above the eighth grade, if such pupils attend school in some other district.—Knickerbocker.

51. School funds cannot be apportioned to any school district that has not maintained school the minimum time required by law during the preceding school year.—Falknor.

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#### DECISIONS BY STATE SUPERINTENDENT.

1. The powers and duties of a county superintendent of common schools, under the law, are mainly executive and supervisory. He has, in addition, limited judiciary power in cases of hearing petitions and appeals; but in the exercise of this power he should not lay aside his executive and supervisory functions and assume the attitude of a judge in a case at law, leaving to the parties interested the entire burden of conducting the investigation. He should, on the contrary, exercise his other official powers to the extent necessary to enable him to investigate thoroughly the matter before him, elicit all necessary testimony, and thus have at hand the data upon which he will be able to render the just and equitable decision required of him by law.—Bryan.

2. When the officers of a new school district have been appointed, and have qualified according to law, the new district is fully organized and possesses all the powers of any other school district, though by a failure to have the required amount of school within one year it may forfeit its organization and cease to exist as a corporation.—Bryan.

3. The terms of office of all the first officers of a new school district expire at the time of the first annual election succeeding its organization, whether those officers were appointed by the county superintendent or hold their positions by virtue of a previous election in the old district or districts from which the new district was taken. They are only temporary officers in either case.—Bryan.

4. In case a school district should fail to elect officers at the time and in the manner prescribed by law, the officers whose terms of office expire at the time such election should have taken place do not of right hold over, or continue in office until the next or some subsequent annual election. This opinion is based upon the fact that school district officers, by failing to order the annual election to be held, at which all school district officers must be elected, might continue themselves in office perpetually, by giving no opportunity for the electors to express their will as to whom they desire as the officers of their district. In such cases the county superintendent should, upon a petition, declare such offices vacant, and should appoint other officers to fill the vacancies, in accordance with the wishes of the electors of the district. If, however, no protest is made by the people of the district, the old officers may be allowed to continue in office, and their acts will be perfectly legal. They are at least officers *de facto*.—Bryan.

5. A board of directors cannot dismiss a teacher simply because the teacher is unpopular, or does not give general satisfaction. They must first establish the fact that he is incompetent, or that he has violated the law or the terms of his contract. Neither can boards of directors make contracts that are not in accordance with law.—Bryan.

6. The spirit of the code is that school houses shall be used for public school purposes, and all incidental uses must be under such restrictions as to result in no injury to the school or to the school property. A school house can be used for no other purpose than those specified in paragraph 163, sub. 10.—Bryan.

7. Boards of directors and other school officers possess such powers as are specifically delegated to them by law, and such other implied powers as are necessary in order to transact all business specifically prescribed by law. In other words, their powers are ministerial, not plenary.—Bryan.

8. It is the duty of boards of directors to make all necessary rules and regulations for the systematic transaction of their official business, and to transact all business as a *board*, at board meetings.—Bryan.

9. A board of directors cannot legally employ a minor child of one of the directors to perform services for the district unless such child has been first emancipated by its parent. Unless the child has been emancipated, the parent may lawfully claim its wages, and thus the director would be placed in the attitude of auditor of his own accounts against the district.—Bryan.

10. All persons between the ages of five and twenty-one years, whether married or single, residing in any school district on the first day of May, should be enumerated by the school district clerk. The simple fact that a

person is married does not debar him or her from the privileges of the common school in this state, under existing law.—Bryan.

11. The notice to be given by the school district clerk, of all meetings of the board of directors, is not a notice to the public, but simply a notice to the members of the board. A failure to give the required notice does not, of itself, invalidate the meeting, provided all members of the board actually attend the meeting and participate in its transactions.—Bryan.

12. A teacher does not forfeit his certificate by non-attendance at a teachers' institute, but simply renders it forfeitable in case he has not a valid excuse for non-attendance. In other words, a forfeiture does not and cannot exist until a declaration of the forfeiture has been made by the proper authority.—Bryan.

13. A contract to teach does not, either directly or by implication, include the doing of janitor work by the teacher; and unless a contract to teach specifically states that the teacher is to perform that service, the directors must provide some person other than the teacher to perform duties of janitor for the school.—Bryan.

14. Teachers, principals and city superintendents, in keeping registers and making reports, should record and report only the actual attendance of pupils. School districts are entitled to accredited, or constructive attendance, when the school is closed for the purpose of allowing a teacher to attend a teachers' institute. In this instance the accredited attendance should be added by the county superintendent before making his annual report, and should be determined by multiplying the average daily attendance, as reported by the teacher, by the number of days the teacher was actually in attendance at the institute. The teacher who marks pupils present on days when the school was not for any reason in session, is guilty of falsifying his records, and is liable to prosecution for so doing, and subjects his certificate to revocation.—Bryan.

## RULES AND REGULATIONS, BY STATE BOARD OF EDUCATION. TEACHERS.

1. The teachers in the public schools of this state shall follow the prescribed course of study and enforce the rules and regulations of the board of education; shall keep records, use blanks and render reports according to instructions.

2. Teachers shall be held responsible for the care of all school property entrusted to them; shall frequently inspect the same and promptly report to the district clerk any damage it may have received.

3. Each teacher shall prepare a program of daily exercises, a copy of which shall be posted in a conspicuous place in the school room.

4. Teachers shall exercise watchful care over the conduct and habits of the pupils while under their jurisdiction.

5. Teachers shall maintain strict order and discipline in their schools at all times. Any neglect of this requirement shall be considered good cause for dismissal. Corporal punishment may be resorted to when it becomes necessary to the preservation of proper discipline. No cruel punishment shall be inflicted; and no teacher shall administer punishment on or about the head of any pupil.

6. In any case of misconduct or insubordination, when the teacher deems it necessary for the good of the school, he may suspend a pupil, and shall immediately notify the directors of the district thereof for further action, and shall send a copy of said notice to the parents or guardians of the child.

7. Every public school teacher shall give vigilant attention to the temperature and ventilation of the school room and shall see that the doors and windows are open at each intermission, for the purpose of changing the atmosphere of the room.

8. Teachers shall have the right, and it shall be their duty, to direct and control within reasonable limits the studies of their pupils: *Provided*, That all pupils shall receive instruction in the branches included in the prescribed course of study.

9. The use of tobacco in any form or place by a teacher is discountenanced, and the use of alcoholic stimulants in any form or place as a beverage is prohibited. The use of tobacco or any other narcotic on the school premises by a teacher shall work a forfeiture of his certificate.

10. At the close of every term of school the teacher shall thoroughly examine his pupils in the studies of the term, using written questions and requiring written answers whenever practicable, and the standing of each pupil in the work of the term shall be noted accurately upon the school register.

11. Teachers shall require excuses from the parents or guardians of pupils, either in person or by written note, in all cases of absence, tardiness or dismissal before the close of school, and no excuse shall be deemed valid except that of sickness. Excuses for absence shall be placed in the hands of



the attendance officer, and it shall be the duty of said attendance officer to thoroughly investigate each case and enforce the provisions of the law relating thereto.

12. An attendance of less than one hour at any half-day's session shall not be counted by the teacher in making his or her annual report.

13. In all public schools in this state the teachers shall require of their pupils regular exercises in composition and declamation. In the preparation of programs for rhetorical, teachers shall use every effort to secure selections of a high literary character and to make the work truly educational.

#### PUPILS.

1. Every pupil shall be punctual and regular in attendance, obedient to all rules of the school, diligent in study, respectful and obedient to teachers and kind and obliging to schoolmates.

2. Wilful disobedience, habitual truancy, vulgarity or profanity, the use of tobacco on or about the school premises, stealing, the carrying of deadly weapons, the carrying or using of dangerous playthings, shall constitute good cause for suspension or expulsion from school.

3. As soon as dismissed, pupils shall leave the school premises and go directly to their homes. Loitering on the way to and from school is positively forbidden.

4. Pupils shall give attention to personal neatness and cleanliness, and any who repeatedly fail in this respect may be sent home to be prepared properly for school.

5. Pupils shall not be detained more than forty minutes after the regular hour for dismissal.

FORMS FOR USE OF SCHOOL OFFICERS AND TEACHERS.

FORM No. 1.

County Superintendent's Annual Report to State Superintendent of Public Instruction.

[Not printed with laws.]

FORM No. 2.

Petition to County Superintendent, Praying for Formation of a New School District.

To the Superintendent of Schools, ..... County, Washington:

We, the undersigned, being heads of families and lawful petitioners for the purpose herein set forth, do hereby petition you to form a school district in the county of ....., State of Washington, with the following boundaries, viz.: [Here describe boundaries.] Our reasons for asking for the formation of the above described district are as follows, viz.: [Here give reasons.] Following is a correct list of the names of children of school age residing within the limits of the proposed district, viz.: [Here insert the names of children of school age.]

Signed.	Signed.
.....	.....
.....	.....
.....	.....

Dated this ..... day of ....., 19....

Remarks.—This petition must be signed by at least five heads of families, who are *bona fide* members of the proposed district.

FORM No. 3.

Petition to County Superintendent, Praying for Alteration of Boundaries of School District.

To the Superintendent of Schools, ..... County, Washington:

We, the undersigned, being heads of families and lawful petitioners for the purpose herein set forth, do hereby petition you to change the boundaries of School Districts Nos....., of ..... county, Washington, as follows, viz.: [Here describe change desired.] Our reasons for desiring said change of boundaries are as follows, viz.: [Here give reasons.] Following is a correct list of the names of children

of school age residing in the territory which it is desired to have transferred: [Here give list of names.]

Signed.	Signed.
.....	.....
.....	.....
.....	.....

Dated this ..... day of ....., 19....

FORM NO. 4.

Notice of Meeting to Investigate a Petition for the Formation of a School District.

Notice is hereby given that a meeting will be held at ..... on the ..... day of ....., 19...., at the hour of .... o'clock .... m., for the purpose of investigating a petition which was filed in my office on the ..... day of ....., 19...., praying for the formation of a school district, with the following boundaries, viz.:

.....

And all parties are hereby notified that a full and fair investigation will be made at the time and place above stated of all matters pertaining to the formation of the above described school district, and, if it shall be deemed advisable, the petition will be granted and the school district formed as prayed for.

Dated this ..... day of ....., 19....

(Signed) .....  
Supt. of Schools, ..... County, Washington.

The above notice is posted by ....., this ..... day of ....., 19....

Remarks.—Twenty days' notice must be given.

FORM NO. 5.

Notice of Meeting to Investigate a Petition for the Alteration of School District Boundaries.

Notice is hereby given that a meeting will be held at ..... on the ..... day of ....., 19...., at the hour of .... o'clock .... m., for the purpose of investigating a petition which was filed in my office on the ..... day of ....., 19...., praying for changes in the boundaries of School Districts Nos. .... and ..... in the county of ....., State of Washington, as follows, viz.:

.....

And all parties are hereby notified that a full and fair investigation will be made at the time and place above stated of all matters pertaining to said change of boundaries, and that, if it shall be deemed advisable, the petition will be granted and the changes made as above described.

(Signed) .....  
Supt. of Schools, ..... County, Washington.

The above notice is posted by ....., this ..... day of ....., 19....

Remarks.—Twenty days' notice must be given.

## FORM No. 6.

Certificate of Formation of School District.

[Not printed with laws.]

## FORM No. 7.

Certificate of Alteration of School District Boundaries.

[Not printed with laws.]

## FORM No. 10.

Report of Teachers' Institute ..... County, Washington.

[Not printed with laws.]

## FORM No. 11.

Certificate of County Treasurer to County Superintendent Showing the Amount of Funds on Hand to be Apportioned.

[Not printed with laws.]

## FORM No. 12.

Certificate of County Superintendent to County Treasurer, Showing Amount of Funds Apportioned to Each School District.

[Not printed with laws.]

## FORM No. 13.

Form for Notifying District Clerk of the Amount of Funds Apportioned to District by County Superintendent.

[Not printed with laws.]

## FORM No. 14.

Annual Report of County Treasurer to County Superintendent, Showing Financial Status of Each School District for Preceding Year Ending June 30.

[Not printed with laws.]

## FORM No. 15.

Appointment of Director to Fill Vacancy.

By virtue of authority in me vested by law, I hereby appoint .....  
 to the office of director of School District No. ...., of ..... county, State  
 of Washington, to fill a vacancy caused by [here state cause of vacancy]; said.....  
 ..... to continue in office until the fourth Monday following the next annual  
 school election, and until his successor is selected and qualified according to law.

Dated this ..... day of ....., 19....

(Signed) .....  
 Supt. of Schools, ..... County, Washington.

OATH OF OFFICE.

State of Washington, County of ..... ss.

I, ....., do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Washington; that I will endeavor to promote the interests of education, and will faithfully discharge the duties of ..... of School District No. ...., in the county of ..... in said state. So help God.

(Signed) .....

(Postoffice) .....

Subscribed and sworn to before me this ..... day of ..... 19....

(Signed) .....

[Here state official character of officer administering oath.]

FORM NO. 16.

Report of Defective Youth.

To the Board of Commissioners of ..... County, Washington:

I herewith transmit to you a report of all defective youth residing in your county, as reported to me by the clerks of the several school districts of the county.

Dated this ..... day of ....., 19....

(Signed) .....

Supt. of Schools, ..... County, Washington.

Name of youth.	Character of ailment.	Name of parent or guardian.	Postoffice address of parent or guardian.
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

Remarks.—This report should be made to the county commissioners at their August meeting, and a copy of it should be sent by the county superintendent to the superintendent of the School for the Deaf and the Blind at Vancouver, Wash., and another copy to the State Board of Control at Olympia, Wash.

FORM NO. 17.

Graded School Report.

[Form not printed with laws.]

FORM NO. 18.

Union High School Report.

[Form not printed with laws.]

FORM NO. 19

Annual Report of School District Clerk to County Superintendent.

[Not printed with laws.]

FORM No. 20.

Petition for Formation of Consolidated District.

To the Superintendent of Common Schools, ..... County, Washington:

We, the undersigned, being heads of families in the districts whose numbers are set opposite our respective names, do hereby petition you to issue an order combining School Districts Nos..... and ..... in ..... County, Washington, and thus form a consolidated district as provided for in the Code of Public Instruction of this state.

Name.	No. of District.	Name.	No. of District.
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

Dated this ..... day of ..... 19....

FORM No. 21.

Estimate of School District Tax Levy.

To the Board of Commissioners, ..... County, Washington:

I, ....., clerk of School District No....., of said county, do hereby certify that at a meeting of the board of directors, duly held in said school district, on the ..... day of ..... 19...., it was estimated that the following amount of money will be required for school purposes in said district during the present school year:

Items.	Amount.
Buildings and repairs.....	.....
Salaries of teachers.....	.....
Salaries of janitors .....	.....
Salary and expenses of district clerk.....	.....
School furniture and apparatus .....	.....
School supplies .....	.....
Fuel .....	.....
Incidental expenses.....	.....
.....	.....
.....	.....
Total amount to be raised .....	.....

You are hereby authorized to levy a sufficient tax on the property of School District No. .... to produce this amount after deducting the amount to be received by the said school district from state and county funds.

Dated this ..... day of ....., 19....  
....., Clerk.

School District No. .... County, Washington.

Note.—This notice must be filed with the clerk of the board of county commissioners on or before the first day of September.

It is the duty of the county commissioners to make sufficient levies for bond interest and sinking funds, in addition to the above estimates.

FORM NO. 22.

School District Warrant.

[Not printed with laws.]

FORM NO. 23.

Notice of Annual Election.

Notice is hereby given that the annual election of School District No. .... of ..... county, State of Washington, will be held at ..... in said school district, on Saturday, the ..... day of March, 19.... for the purpose of electing school district officers, as follows, viz.:

One school district director for a term of three years.

.....  
.....  
and for the transaction of such other business as may lawfully come before the meeting.

The polls will be open from ..... o'clock .... m. to ..... o'clock .... m.

By order of the board of directors.

Dated this ..... day of ....., 19....  
..... Clerk.

Remarks.—Three of these notices must be posted at least ten days prior to the day of election, one of which must be at the place of holding the election. All elections should be held at the school house, if there be one.

FORM NO. 25.

Notice of School District Bond Election.

Notice is hereby given that a special election will be held at ..... in School District No. .... of ..... county, State of Washington, on the ..... day of ....., 19.... for the purpose of determining whether or not the directors of said school district shall borrow money and issue bonds of the district in the sum of ..... dollars, for the purpose of .....

Said bonds, if issued, shall bear a rate of interest not to exceed ..... per centum per annum, payable ..... annually; the bonds to be payable and redeemable in ..... years after date; \*Provided, That said school district reserves the right to pay or redeem said bonds, or any of them, at any time after ..... years from the date thereof.

The election will be by ballot. Those in favor of the issuing of bonds as above specified, will vote, "Bonds, yes"; those opposed, "Bonds, no."

The polls will be open from ..... o'clock .... m., to ..... o'clock .... m.

By order of the board of directors.

Dated this ..... day of ....., 19....  
(Signed) ..... Clerk.

Remarks.—All elections must be held at the school house, if there be one. At least

three notices must be posted at least ten days, one of which must be at the place of holding election.

Preserve one copy of this notice as a part of the records.

\*If the directors do not desire the option of paying the bonds, or any part of them, before the maximum limit stated in the notices, this clause should be erased.

### FORM NO. 26.

#### Notice of Special School District Meeting.

Notice is hereby given that a special meeting of the legal school electors of School District No. .... of ..... county, Washington, will be held at ..... in said district, on the ..... day of ....., 19...., beginning at the hour of ..... o'clock .... m., of said day, for the purpose of determining .....

By order of the board of directors.

Dated this ..... day of ....., 19....

(Signed) ....., Clerk.

Remarks.—At least three notices should be posted at least ten days. No business can be transacted except such as is specified in the notice. The meeting contemplated is not an election in the strict sense of that term, but is a meeting at which the voters may assemble to discuss and determine matters pertaining to the welfare of their district.

### FORM NO. 27.

#### Notice of Meeting to Form Consolidated School District.

Notice is hereby given that a meeting will be held at ..... on the ..... day of ....., 19...., at the hour of ..... o'clock .... m., for the purpose of investigating a petition which was filed in my office on the ..... day of ..... 19...., praying for the consolidation of School Districts Nos. .... and ....., thus forming a consolidated school district.

And all parties are hereby notified that a full and fair investigation will be made at the time and place above stated of all matters pertaining to the formation of the above described school district, and if it shall be deemed advisable, the petition will be granted and the school district formed as prayed for.

Dated this ..... day of ....., 19....

(Signed) .....

Supt. of Schools, ..... County, Washington.

The above notice is posted by ..... this ..... day of ....., 19....

Remarks.—Twenty days' notice must be given and three notices should be posted in each district.

### FORM NO. 28.

#### Certificate of Election and Oath of Office.

To the Superintendent of Schools, ..... County, Washington:

I hereby certify that at the annual election of School District No. .... county, State of Washington, held on the ..... day of ....., 19...., M. .... was duly elected to the office of director of said district for a term of ..... years, beginning on the fourth Monday next succeeding said election. I further certify that his postoffice address is ....., State of Washington.

(Signed) .....

Clerk of Annual School Election.

#### OATH OF OFFICE.

State of Washington, County of ....., ss.

I, ....., do hereby solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Washington;



that I will endeavor to promote the interests of education, and will faithfully discharge the duties of ..... of School District No. ...., in the county of ..... in said state. So help me God.

(Signed) .....

Subscribed and sworn to before me this ..... day of ....., 19....

[Here state official character of officer who administers oath.]

Remarks.—This notice should be given to the person elected, who must qualify on or before the day designated for him to take office, and send the oath and certificate above to the county superintendent. He must also file with the county auditor his signature, certified to by some school officer. The county superintendent should not recognize any one as director or clerk whose oath is not on file in his office.

\*Directors take office on the fourth Monday next succeeding their election, and clerks at the time they are selected by the school boards.

FORM No. 29.

School District Election Poll Book.

Poll book of an election held in School District No. .... of ..... county, State of Washington, on the ..... day of ....., 19...., and ..... being chosen judges of said election, and ..... clerk, all being duly sworn, as required by law, before entering upon the duties of their respective offices.

Number and names of electors voting.

1 .....	4 .....
2 .....	5 .....
3 .....	6 .....

Tally list.

Tally list.

.....	.....
.....	.....
.....	.....

We hereby certify that the whole number of electors voting at this election amounts to .....; that the whole number of ballots cast at this election amounts to .....; that ..... received ..... votes for director; that ..... received ..... votes for director, etc., etc.

Attest:

Judges.

Clerk of Election.

Remarks.—Election boards will vary the tally list and certificate to suit the nature of the election. If it be for the election of officers at an annual election, the name of each person voted for must be entered on the tally list, and a tally of the votes cast for him must be placed opposite his name. If the election be for voting a special tax or for voting bonds, the number of votes for and against the proposition must be entered on the tally list. The certificate must simply contain a summary of the vote as shown by the tally list. Election boards are chosen by the electors. The school

district officers, or any part of them, may be chosen as an election board. The poll book and other papers should be delivered to the county superintendent.

OATH OF JUDGES OF ELECTION.

State of Washington, County of ..... ss.

We, ..... and ..... do solemnly swear that we will, as judges of an election to be held in and for School District No. .... of ..... county, on this ..... day of ..... 19...., duly attend said election during its continuance; that we will not receive any vote or ballot from any person other than such as we firmly believe to be duly qualified voters at said election, according to law; that we will make a true and perfect return of said election, and will in all things faithfully and impartially discharge our duties as judges of said election to the best of our judgment and ability; and that we are not directly or indirectly interested in any bet or wager on the result of said election. So help us God.

.....  
.....

Judges.

Subscribed and sworn to this ..... day of ..... 19....

[Here state official character of officer administering oath.]

OATH OF CLERK OF ELECTION.

State of Washington, County of ..... ss.

I, ..... do solemnly swear that I will, as clerk of an election to be held in and for School District No. .... county of ..... State of Washington, on this ..... day of ..... 19...., duly attend said election during its continuance; that I will record on the poll book of said election the name of each person voting thereat, and faithfully and impartially discharge the duties of clerk of said election, and that I am not directly or indirectly interested in any bet or wager on the result of said election. So help me God.

.....  
.....

Clerk of Election.

Subscribed and sworn to before me this ..... day of ..... 19....

.....  
.....

[Here state official character of officer administering the oath. A director may administer it.]

FORM NO. 30.

Certificate of Bond Election.

State of Washington, County of ..... ss.

To the Treasurer of ..... County, Washington:

We, the undersigned, directors of School District No. .... of ..... county, State of Washington, do hereby certify that at an election held in said school district on the ..... day of ..... 19...., it was voted that the bonds of said district shall be issued by the directors thereof in the sum of ..... dollars, payable ..... years after date, with interest at the rate of ..... per cent. per annum, payable ..... annually; \*and we further certify that the board of said directors of said district reserves the right to redeem said bonds as follows, viz.: .....

.....  
.....

Witness our hands this ..... day of ..... 19....

.....  
.....

Attest:

Directors

..... Clerk.

\*The people determine, at the election, the maximum time the bonds are to run. If the directors reserve the right to pay the bonds or any portion of them prior to that date, they shall specify such intention in their certificate to the county treasurer, to guide him in his advertisement; if the directors do not reserve such right, this clause may be omitted from their certificate to treasurer.

FORM NO. 31.

Report of County Superintendent to County Treasurer of School District Officers Elected or Qualified.

[Not printed with laws.]

FORM NO. 32.

Report of County Superintendent to County Treasurer of the Appointment of a School District Officer.

[Not printed with laws.]

FORM NO. 33.

Teacher's Register.

[Not printed with laws.]

FORM NO. 34.

Teacher's Contract.

To ....., Superintendent of Schools:

The following contract has been made in accordance with the action of the board of directors as found in the minutes of the meeting of ..... day of ..... 19.... :

TEACHER'S CONTRACT.

It is hereby agreed, by and between the directors of School District No..... county of ....., State of Washington, and ....., the holder of a teacher's certificate now in force in said county, that said teacher is to teach, govern and conduct the public school of said district to the best of h... ability, follow the course of study lawfully adopted, keep a register of the daily attendance of each pupil attending said school, make all reports required by law or by lawful authority, and endeavor to preserve in good condition the school house, grounds, furniture, apparatus and such other property of the district as may come under the immediate supervision of said teacher, for a term of ..... school months, commencing on the ..... day of ....., 19...., for the sum of ..... dollars per month, to be paid at the end of each school month, out of the funds of said school district, upon a warrant drawn by the directors of said school district and payable by the county treasurer: Provided, That if said teacher shall be legally dismissed from school, or shall have h... certificate lawfully annulled by expiration or otherwise, then said teacher shall not be entitled to compensation from and after such dismissal or annulment: Provided further, That the wages of said teacher for the last month of the school term shall not be paid unless said teacher shall have made the reports hereinbefore mentioned.

And the directors of said school district hereby agree to keep the school house in good repair, to provide a school register, fuel and other necessary supplies for the comfort of the school.

In witness whereof, we have hereunto subscribed our names this ..... day of ....., 19....

.....  
.....  
Directors.  
.....  
Teacher.

Attest: ....., Clerk.

Recorded on ..... page of Record of Contracts.

.....  
Superintendent Schools.

Note.—This contract must be made in duplicate, and mailed to the county su-

perintendent of common schools, who shall, if it be legal, countersign the same and mail one copy to the district clerk and one to the teacher.

FORM No. 35.

Teacher's Annual or Term Report to County Superintendent or District Clerk.  
[Not printed with laws.]

FORM No. 36.

Common School (Eighth Grade) Diplomas.  
[Not printed with laws.]

FORM No. 37.

Teacher's Temporary Certificate.  
[Not printed with laws.]

FORM No. 38.

Teacher's Special Certificate.  
[Not printed with laws.]

FORM No. 39.

County Superintendent's Certificate That All Reports Have Been Made.

Office of Superintendent of Schools, ..... County, Washington,  
....., 19.....

To the Board of Directors of School District No....., ..... County, Washington:

I hereby certify that ....., clerk of School District No....., has made all reports due from said district, to the county superintendent, for the quarter last past, including the following:

.....  
.....

County Superintendent.

Remarks.—This certificate is required to be made out and forwarded on or before the last Saturday of January, April, July and October of each year, to all clerks who have made all reports required by law, and the board of directors is forbidden to audit any account or issue any warrant for services performed by any clerk until this certificate is filed with them.

FORM No. 40.

Notice of Appeal to State Board of Education.

To the Secretary of the State Board of Education:

You are hereby notified that the undersigned, feeling aggrieved by the action of the Superintendent of Public Instruction, does hereby appeal from the decision of said Superintendent and respectfully ask that you take such action in the matter as

will redress the grievance hereinafter set forth. The action complained of is: [Here state fully and clearly the action complained of.]  
 State of Washington, County of ....., ss.

I, ....., do solemnly swear that the above and foregoing statement is true. So help me God.

(Signed) .....

Subscribed and sworn to before me this ..... day of ....., 19....

[Here state official character of officer administering oath.]

Remarks.—All appeals must be taken within thirty days after the act, order or decision complained of.

**FORM No. 41.**

**Notice of Appeal to Superintendent of Public Instruction.**

To the Superintendent of Public Instruction of Washington:

You are hereby notified that the undersigned, feeling aggrieved by the action of the county superintendent of ..... county, State of Washington, does hereby appeal from the decision of said ....., and respectfully ask that you take such action in the matter as will redress the grievance hereinafter set forth. The action complained of is as follows, viz: [Here state fully and clearly the action complained of.]

State of Washington, County of ....., ss.

I, ....., do solemnly swear that the above and foregoing statement is true. So help me God.

(Signed) .....

Subscribed and sworn to before me this ..... day of ....., 19....

[Here state official character of officer administering oath.]

Remarks.—All appeals must be taken within thirty days after the act, order or decision complained of.

**FORM No. 42.**

**Appeal to County Superintendent.**

To the Superintendent of Schools, ..... County, Washington:

You are hereby notified that the undersigned, feeling aggrieved by the action of the board of directors of School District No. ...., of ..... county, State of Washington, does hereby appeal from the decision of said board, and respectfully ask that you take such action as will redress the grievance hereinafter set forth. The action complained of is as follows, viz.: [Here state clearly and fully the action complained of.]

State of Washington, County of ....., ss.

I, ....., do solemnly swear that the above and foregoing statement is true. So help me God.

(Signed) .....

Subscribed and sworn to before me this ..... day of ....., 19....

[Here state official character of officer administering oath.]

Remarks.—All appeals must be taken within thirty days after the act, order or decision complained of.

**FORM No. 43.**

**Report of Fines Collected by Clerks of Courts and Justices of the Peace.**

To the Superintendent of Schools, ..... County, Washington:

You are hereby notified that the sum of \$..... has been collected by me during the quarter beginning on the first day of ....., 19.... as fines for breach of

penal laws of the State of Washington, and that said money has been turned over to the county treasurer to be placed to the credit of the proper school fund.

Dated this ..... day of ....., 19....

Remarks.—Clerks of courts and justices of the peace are required to make this report quarterly.

### FORM NO. 44.

#### School District Officer's Signature.

Auditor of ..... County, Washington:

Sir: My signature, herewith transmitted for filing in your office, is in the form in which it will hereafter appear when attached to warrants drawn by the officers of this school district during my term of office. Said term is for ..... year..., beginning on the ..... day of ....., 19....

(Signed) .....

\*Director-Clerk of School District No. ...., ..... County, Washington.

I hereby certify that the within signature of M... ..... is genuine, and that he is a ..... of School District No. ....

(Signed) .....

\*Director-Clerk of School District No. ...., ..... County, Washington.

\*Erase "Director" or "Clerk," as the case may require.

### FORM NO. 45.

#### Application to Raise Grade of Certificate.

[Not printed with laws.]

### FORM NO. 46.

Application for Common School Certificate, Based on State Certificate, (B).

[Not printed with laws.]

### FORM NO. 47.

Application for Common School Certificate, Based on Normal School Diploma, etc., (C).

[Not printed with laws.]

### FORM NO. 48.

Map of School District.

[Not printed with laws.]

### FORM NO. 49.

Report of Teachers' Examination.

[Not printed with laws.]

### FORM NO. 50.

Code of Public Instruction.

## FORM NO. 51.

Biennial Report of Superintendent of Public Instruction

## FORM NO. 52.

Requisition Blank.

[Not printed with laws.]

## FORM NO. 53.

Certificate of Formation of Consolidated District.

[Not printed with laws.]

## FORM NO. 54.

Notice of District Clerk Claiming Attendance.

To the Clerk of School District No. .... County, Washington:

You are hereby notified that the public school of this district opened on the ..... day of ..... 19.... that it will close on the ..... day of ..... 19...., and that all branches will be taught up to and including those of the 8th grade; that this district will claim the attendance of such resident pupils of this district, up to and including those pursuing 8th grade studies, as may attend your school during the time this school is in session. The names of the pupils who reside in this school district and are now attending your school are as follows: .....

At the close of your school, or on or before June 30th, 19.... you will please certify to the clerk of this district the whole number of days' attendance that pupils of this district have attended your school during the time this school has been in session.

(Signed) .....  
Clerk of School District No. ....  
..... County, Washington.

Note.—At the time this notice is served on the district clerk a copy of it must be filed with the county superintendent.

## FORM NO. 55.

Certificate of Attendance.

To the Clerk of School District No. .... County, Washington:

You are hereby notified that the following named pupils have attended our school between the ..... day of ..... 19...., and the ..... day of ..... 19....; that they are entitled to attendance in your school during such time, and that the total attendance during such time was ..... days.

(Signed) .....

Note.—Accredited attendance cannot be allowed from a business college, art school, or any other school whose course of study does not parallel the course of study in the common school up to and including the 8th grade.

FORM No. 56.

Notice of Money Received by County Superintendent for Teachers' Registers and Clerk's Record Books.

[Not printed with laws.]

FORM No. 57.

Certificate of Election of Clerk and Chairman.

To the Superintendent of Schools, ..... County, Washington:

You are hereby notified that at a meeting of the board of directors of School District No. .... of said county, held on the ..... day of ....., 19...., M...., whose P. O. address is ....., was duly elected chairman of the board, for a period of one year, and that M....., whose P. O. address is....., was elected clerk of the board for a period of one year.

(Signed) ..... Clerk of School District No. ....

Note.—The new board should meet and organize by the election of a chairman and clerk, on the fourth Monday next succeeding the annual school election at two o'clock p. m., and this report should be made within ten days thereafter.

FORM No. 58A.

Excuse of Child From Attendance at School.

To Whom It May Concern:

All parties are hereby notified that ....., whose age is ..... years, and whose residence is ....., of ..... county, State of Washington, is hereby excused from attendance at school for a period of ..... months from and after this date, for the following reason, viz.: .....

Dated at ....., Washington, this ..... day of ..... 19....

(Signed) ..... Superintendent.

FORM No. 58B.

Excuse of Child From Attendance at School.

To Whom It May Concern:

All parties are hereby notified that ....., whose age is ..... years, and whose residence is ....., of ..... county, State of Washington, is hereby excused from attendance at school for a period of ..... months from and after this date, for the following reasons, viz.: .....

and that any person or corporation, except telephone, telegraph and messenger companies in any city of the first class, is at liberty to employ the above named child during the period for which he is excused from attendance at school, as above indicated, provided this permit has been countersigned by a Judge of the Superior Court.

Dated at ....., Washington, this ..... day of ..... 19....

(Signed) ..... Superintendent.

Countersigned: ..... Judge of Superior Court.



FORM No. 67.

Affidavit of Clerk—Compulsory School Law.

State of Washington, County of ....., ss.

I, Clerk of School District No. .... County, do solemnly swear that the provisions of the Compulsory School Law have ..... been faithfully complied with in this district. So help me God.

.....  
Clerk School District No. .... County.

Subscribed and sworn to before me this ..... day of ....., 19....

.....  
School Director for District No. .... County.



# INDEX

	<i>Par.</i>	<i>Page</i>
<b>APPEALS—</b>		
Affidavit shall be basis of appeal.....	386	103
Decisions to be final.....	389	104
Decisions to be made record in full.....	390	104
Decisions shall be certified to county assessor.....	391	104
From order of school officer or board.....	384	103
The hearing .....	388	104
To state board of education, when.....	337	91
To state superintendent, when.....	337	91
Transcript and notices.....	387	103
Where taken .....	385	103
<b>APPORTIONMENT OF FUNDS—</b>		
Apportionment by superintendent of public instruction.....	243	67
Apportionment by county superintendent.....	253	69
Apportionment based on days' attendance.....	244	67
Apportionment withheld, when .....	255	69
Apportionment on total days' attendance.....	245	67
Attendance, 2,000 days' .....	245	67
Attendance, to pupil's home district.....	246	67
Attendance, clerk may demand.....	247	68
Attendance, shall be reported.....	248	68
Attendance in high schools.....	249	68
Attendance in parental schools.....	250	68
Attendance in schools for defectives.....	250	68
Attendance at night school.....	251	68
Attendance, credited when.....	254	69
Consolidated districts to receive bonus.....	126	38
High school grades to receive bonus.....	252	68
Tuition, high schools.....	249	68
<b>AUDITOR, STATE—</b>		
Member of state board of finance.....	445	116
Must certify funds to be apportioned.....	282	75
<b>AUDITOR, COUNTY—</b>		
Duties restricted to districts of third class.....	233	64
Shall draw warrants for registers, etc. (19).....	157	47
Shall certify alteration of boundaries.....	152	44
Shall place name on ticket, when.....	156	45
Shall audit accounts of districts.....	234	64
Shall countersign and register warrants.....	235	65
Shall register warrants of qualified teachers.....	236	65
Signatures, shall keep on file.....	173	50
Warrants for maps, charts, etc.....	237	65
Warrant for last month of teacher's salary.....	238	65
<b>COMMISSIONERS, COUNTY—</b>		
May levy tax to establish circulating library.....	274	73
Must levy tax to pay interest on bonds.....	294	78
May levy tax for sinking fund.....	294	78
Shall levy county school tax.....	283	75
Shall provide county superintendent with office and supplies.....	160	47
Shall levy taxes to pay indebtedness.....	113	35
Shall deliver estimated funds to superintendent.....	263	70
Shall pay traveling expenses, when.....	78	29
Shall pay expenses if parents are unable.....	86	30
Shall fill vacancies.....	154	44

## BOARD OF EDUCATION, COUNTY—

	<i>Par.</i>	<i>Page</i>
Board to consist of five members.....	240	66
County superintendent <i>ex-officio</i> chairman.....	240	66
Certificates, members must hold.....	241	67
Compensation of members.....	241	67
Duties of board.....	242	67
May adopt supplementary books.....	269	72
Shall grade manuscripts of eighth grade pupils.....	242	67
Shall assist county superintendent.....	242	67
Shall advertise for bids.....	269	72
Shall select books.....	269	72

## BOARD OF EDUCATION, STATE—

Appointment and tenure of office.....	7	12
Annual meeting.....	10	12
Certified copies of proceedings.....	9	12
Duties of.....	9	12
First. Shall approve entrance requirements.....	11	13
Second. Shall approve certain courses.....	11	13
Third. Shall prepare accredited list of higher institutions.....	11	13
Fourth. Shall prepare accredited list of state certificates and life diplomas.....	11	13
Fifth. Shall examine and accredit secondary schools.....	11	13
Sixth. Shall accredit normal departments.....	11	13
Seventh. Shall prepare courses of study.....	11	14
Seventh. Shall make rules and regulations.....	11	14
Eighth. Shall prepare questions for examination of teachers.....	11	14
Ninth. Shall prepare answers to questions.....	11	14
Tenth. Shall prepare questions for grammar school examinations.....	11	14
Eleventh. Shall hear and decide appeals.....	11	14
<i>Ex-officio</i> president.....	8	12
Expenses of board.....	10	12
High school extension.....	408	108
High school extension certificates.....	410	109
High school extension questions.....	409	109
Secretary.....	9	12
Shall harmonize public school system.....	12	14
Shall adopt seal.....	13	14
Shall prepare list of optional subjects.....	318	85

## BONDS—

Bids to be opened, by whom.....	291	77
Bidders, except state of Washington, to deposit forfeit.....	291	77
Bonds to be printed or lithographed.....	297	79
Bonds may be refunded, how.....	298	79
Bonds may be refunded, when.....	299	80
Bonds are to be paid, how.....	302	80
Districts may issue for certain purposes.....	288	76
Expenses, incidental, how paid.....	301	80
Interest, rate not to exceed 6 per cent.....	288	76
Interest, commissioners must levy.....	294	78
Interest to be paid by county treasurer.....	296	79
Issue must be authorized by vote of people.....	289	76
Joint district to belong where school house is located.....	293	78
Joint districts, both counties must levy.....	295	79
Notice of sale to be published.....	290	77
Owners to notify county treasurer of ownership.....	300	80
Owners to be notified of redemption.....	300	80
Registered by county treasurer.....	290	77
Sinking fund.....	294	78
Sinking funds may be invested.....	294	78
Unpaid bonds not a bar to subdivision.....	106	33
Warrants may be exchanged for bonds.....	292	78

BOOKS—(See Text Books, also Circulating Libraries).

CENSUS, SCHOOL DISTRICT—		<i>Par.</i>	<i>Page</i>
How taken in districts of the first class.....	192		55
Shall not include certain Indian children.....	223		62
Shall include, what.....	223		62
When and by whom taken.....	223		62
CERTIFICATION OF TEACHERS—			
Appeal, right of.....	337		91
Applicants must be 18 years of age.....	314		85
Applicants must give evidence of good character.....	315		85
Causes for revocation.....	335		91
Certificates and diplomas formerly issued not invalidated.....	311		84
Certificates to be issued, by whom.....	312		84
Certificates must be registered.....	321		86
Certificates may be revoked.....	335		91
Classification of certificates and diplomas.....	324		86
First. Third grade certificates.....	325		87
Second. Second grade certificates.....	325		87
Third. First grade primary certificates.....	325		87
Fourth. First grade certificates.....	325		88
Fifth. Professional certificates.....	325		88
Sixth. Permanent first grade primary certificates.....	325		88
Sixth. Permanent first grade certificates.....	325		88
Sixth. Permanent professional certificates.....	325		88
Seventh. Life certificates.....	325		88
Evidence of successful experience.....	317		85
Fee for any certificate or diploma.....	313		84
Fee shall be transmitted to whom.....	313		84
Holders of certificates may write at any examination.....	316		85
Holder of a revoked certificate ineligible to receive another for twelve months.....	336		91
Qualifications of applicants for temporary certificates.....	333		90
Renewals of certificates, how granted.....	319		85
Standings of 90 per cent. or over.....	316		85
Standings must be placed on certificate.....	320		85
State board to prepare list of optional subjects.....	318		85
Special certificates may be issued.....	334		91
Subjects for which special certificates may be issued.....	334		91
Temporary certificates may be issued.....	333		90
Time for which special certificates may be valid.....	334		91
CERTIFICATION IN DISTRICTS EMPLOYING 100 TEACHERS—			
Additional branches for high school certificates.....	329		90
Applicants for special certificates to pass examination.....	331		90
Board of examiners.....	326		88
Branches for examination.....	328		89
Certain teachers exempt from city examination.....	330		90
Date of examination.....	326		88
Powers of board.....	326		88
First. Shall adopt rules and regulations.....	326		88
Second. Shall prepare questions and conduct examinations.....	326		89
Second. Kinds of certificates.....	326		89
Third. To recommend renewal of certificates.....	326		89
Qualifications of applicants.....	327		89
Teachers of certain subjects to be granted special certificates.....	330		90
CHILD LABOR—			
Child labor forbidden.....	443		115
Permits may be issued.....	443		115
Penalty.....	444		116
Regulations governing.....	393		105

CIRCULATING LIBRARIES—		<i>Par.</i>	<i>Page</i>
Books shall be recommended by whom.....	277		73
County superintendent may establish.....	273		73
County commissioners may levy tax.....	274		73
County superintendent to certify bills.....	275		73
County superintendent to purchase books and enforce rules.....	278		73
Funds must be in treasury before books are bought.....	276		73
CLERKS—SCHOOL DISTRICT—			
Duties of district clerk.....	223		62
First. To attend meetings and keep records.....	223		62
Second. To keep accounts and present records for inspection.....	223		62
Third. To take school census in May.....	223		62
Fourth. To report to county superintendent.....	223		62
Fifth. To carry out orders of board.....	223		62
Fifth. To keep record of expenses.....	223		62
Sixth. To give notice of meetings and elections.....	223		62
Seventh. To report name of teacher to county superintendent.....	223		63
Eighth. To sign warrants.....	223		63
Eighth. To report warrants drawn to county treasurer.....	223		63
Compensation of clerk.....	224		63
Must have certificate that reports have been made.....	224		63
Shall report changes in organization of board.....	222		61
Penalty for false report.....	400		106
COMPULSORY ATTENDANCE—			
Age of pupils.....	392		104
Attendance demanded.....	392		104
Attendance officers to be appointed.....	395		105
Attendance officer may enter stores, mills and shops.....	395		105
Clerk to furnish teacher copy of school census.....	397		106
Concurrent jurisdiction.....	398		106
County attorney to prosecute cases.....	399		106
County superintendent shall print circulars.....	400		106
Fines.....	402		107
May arrest without warrant.....	396		106
Must attend full time school is in session.....	392		104
Officers not liable for costs.....	403		107
Pupils shall not be employed during school hours.....	393		105
Pupils may be excused.....	393		105
Penalty.....	394		105
Penalty for failure to enforce law.....	401		107
CONTAGIOUS DISEASES—			
Other contagious or infectious diseases.....	92		31
Pulmonary tuberculosis.....	92		31
Smallpox, varioloid, scarlet fever, diphtheria.....	92		31
Teachers, pupils and janitors excluded, when.....	92		31
Whooping cough, chicken pox, measles.....	92		31
CONTRACTS—			
Directors to have no pecuniary interest in.....	169		50
Certain teachers to have contracts.....	163		48
Regulations regarding.....	163		48
CONVENTION, COUNTY SUPERINTENDENTS—			
County superintendents must attend.....	5		9
To be held annually.....	5		9
To receive actual traveling expenses.....	161		47
COUNTY AUDITOR—(See Auditor, County).			
COUNTY BOARD OF EDUCATION—(See Boards of Education).			
COUNTY CIRCULATING LIBRARIES—(See Circulating Libraries).			

## COUNTY SUPERINTENDENTS—

	<i>Par.</i>	<i>Page</i>
Auditor to place name on ticket, when.....	156	45
Clerical assistance in certain counties.....	154	44
Eligibility .....	155	45
Election and tenure.....	154	44
May appoint deputy.....	154	44
Powers and duties.....	157	45
First. Shall supervise schools.....	157	45
Second. Shall visit schools.....	157	45
Third. Shall distribute blanks, circulars, etc.....	157	45
Fourth. Shall enforce course of study.....	157	45
Fifth. Shall prepare outline course of study.....	157	45
Sixth. Shall keep on file biennial report.....	157	45
Seventh. Shall keep record of official acts.....	157	45
Eighth. Shall preserve reports of school officers.....	157	45
Ninth. Shall administer oaths.....	157	45
Tenth. Shall keep record of contracts to teach.....	157	46
Eleventh. Shall make annual report.....	157	46
Twelfth. Shall keep transcripts and harmonize boundaries.....	157	46
Thirteenth. Shall appoint officers to fill vacancies.....	157	46
Fourteenth. Shall apportion school funds.....	157	46
Fifteenth. Shall grant temporary certificates and conduct examinations .....	157	46
Sixteenth. Shall give notice of examination of teachers.....	157	46
Seventeenth. Shall hold teachers' institutes.....	157	46
Eighteenth. Shall hold directors' meetings annually.....	157	47
Nineteenth. Shall suspend a teacher against whom charges are filed.....	157	47
Nineteenth. Shall furnish registers and clerk's books to districts..	157	47
Shall deduct 25 per cent. of apportionment, when.....	381	102
Shall require reports to be made promptly.....	158	47
Shall require oaths of office to be filed.....	158	47
Shall post notice of office days.....	159	47
Shall print circulars of information.....	160	47
Shall receive actual traveling expenses.....	161	47
Shall require evidence of moral character.....	315	85
Shall approve orders for apparatus.....	237	65
Shall file school census with county auditor, when.....	284	75
Shall apportion funds within ten days.....	253	69
Shall apportion county funds.....	285	75
Shall withhold funds, when.....	255	69
Shall attend county superintendents' convention.....	5	9
Shall notify county auditor, when.....	238	65
Shall inform district officers.....	400	106
Shall approve plans for buildings.....	175	51
Shall examine records of districts of first class.....	189	53

## COUNTY TREASURER—

To be <i>ex-officio</i> treasurer of school districts.....	239	65
Duties .....	239	65
First. Shall hold moneys belonging to districts.....	239	65
Second. Shall report quarterly to whom, what.....	239	65
Third. Shall report annually to whom, what.....	239	65
Fourth. Shall keep register of warrants.....	239	66
Fourth. Shall pay warrants in order of presentation.....	239	66
Fourth. Shall advertise warrants quarterly.....	239	66
Fifth. Shall report monthly to secretaries and clerks.....	239	66
Sixth. Shall submit statements of cancelled warrants.....	239	66
Seventh. Shall remit certain funds to state treasurer.....	239	66
Shall transmit funds to state treasurer.....	282	75
Shall advertise school bonds for sale.....	290	77
Shall canvass bids for bonds.....	291	77
Shall deliver bonds to purchaser.....	291	77
Shall pay interest on bonds.....	296	79
Shall cancel bonds.....	302	80

COURSE OF STUDY—		<i>Par.</i>	<i>Page</i>
Teachers shall enforce.....	228	64	
State board shall prepare.....	11	13	
DECISIONS BY SUPERINTENDENT OF PUBLIC INSTRUCTION—			
Census to include married persons, when.....	10	122	
Certificates, revocation of must be declared.....	12	123	
Contract to teach does not include janitor work.....	13	123	
Contracts must be in accordance with the law.....	5	122	
Child not to be employed by board, unless.....	9	122	
County superintendent has limited judiciary powers.....	1	121	
Directors, terms of office in new district.....	3	122	
Directors, terms of, appointed.....	4	122	
Directors do not hold over.....	4	122	
Directors cannot dismiss teacher because unpopular.....	5	122	
Directors must make contract in accordance with law.....	5	122	
Directors to make rules.....	8	122	
Directors to transact business as a board.....	8	122	
District is fully organized, when.....	2	122	
Janitor work not required of teacher.....	13	123	
Law, spirit of, in regard to school house.....	6	122	
Minor not to be employed.....	9	122	
Notice of clerk is not a notice to public.....	11	123	
Notice, failure to give, does not invalidate proceedings.....	11	123	
Officers of new district, term of.....	3	122	
Officers, appointed, term of.....	4	122	
Officers do not hold over.....	4	122	
Officers have implied powers.....	7	122	
Revocation of certificate must be declared.....	12	123	
School house is for school purposes.....	6	122	
Teacher cannot be dismissed because unpopular.....	5	122	
Teacher not supposed to do janitor work.....	13	123	
Teachers must make true reports.....	14	123	
DISTRICT OFFICERS—			
Election and eligibility.....	162	48	
Powers and duties.....	163	48	
First. To employ and, for cause, discharge teachers.....	163	48	
First. To make contracts with teachers.....	163	48	
Second. To enforce rules, regulations, course of study.....	163	48	
Third. To manage school property and employ laborers.....	163	48	
Fourth. To cause school houses to be kept in good condition.....	163	48	
Fifth. To purchase personal property and lease real estate.....	163	48	
Sixth. To expel pupils and exclude children under six years of age.....	163	48	
Seventh. To provide free text-books.....	163	48	
Eighth. To require pupils to be furnished with supplies.....	163	48	
Ninth. To exclude certain books from libraries.....	163	48	
Tenth. To authorize the use of school rooms for certain purposes.....	163	48	
Eleventh. To provide transportation for pupils.....	163	49	
Adults may be permitted to attend.....	166	49	
Apportionment, shall lose 25 per cent., when.....	381	102	
By-laws may be made.....	167	49	
Custody of property of district.....	168	49	
Compensation, clerk may receive.....	169	50	
Course of study shall be enforced.....	374	101	
Certificates required for full time of contract.....	229	64	
Debts, districts liable.....	165	49	
Flag, shall furnish.....	164	49	
Indebtedness.....	170	50	
May administer oaths.....	172	50	
May condemn land.....	174	50	
Oath of office shall be taken.....	172	50	
Pecuniary interest.....	169	50	
Records shall be delivered to successor.....	171	50	



## DISTRICT OFFICERS—CONTINUED.

	<i>Par.</i>	<i>Page</i>
Signatures shall be filed.....	173	50
Salary of teacher may be withheld.....	227	63
Tuition may be charged certain pupils.....	166	49
Tuition, shall not charge when.....	249	68
Written order, employ teacher by.....	229	64

## DIRECTORS—DISTRICTS OF FIRST CLASS—

Five members, how elected.....	176	51
Annual election.....	177	51
Attendance may be forced.....	188	53
Accounts shall be audited.....	189	53
Ballots.....	176	51
Bond shall be given by secretary.....	183	52
Board may issue one general certificate.....	186	53
Board shall fill vacancies.....	187	53
Contracts necessary, when.....	189	53
Census shall be taken.....	192	55
Duties of president.....	180	52
Duties of vice-president.....	181	52
Duties of secretary.....	182	52
Election of officers, how.....	179	52
Estimate of expenses shall be made.....	435	114
Funds needed shall be estimated.....	194	56
Meetings, regular and special.....	184	52
Money to be paid out upon warrants.....	186	53
Notices for bids shall be published.....	190	53
Notices to taxpayers shall be published.....	436	114
Organization of board.....	178	51
Office shall be maintained.....	185	52
Property may be sold.....	193	55
Penalty.....	438	115
Records shall be examined.....	189	53
Shall take oath of office.....	178	51
Secretary shall be elected.....	178	51
Tenure of office.....	176	51
Term begins, when.....	178	51
Tax levy not to exceed 2 per cent. annually.....	194	56
Taxpayers shall be heard.....	437	114
Taxes, amount shall be decided.....	437	114
Powers of board.....	191	54
First. To employ a superintendent.....	191	54
Second. To prescribe a course of study.....	191	54
Third. To make by-laws.....	191	54
Fourth. To adopt and enforce rules and regulations.....	191	54
Fifth. To employ teachers, janitors.....	191	54
Sixth. To employ attorneys.....	191	54
Seventh. To employ assistant superintendents.....	191	54
Eighth. To employ supervisors.....	191	54
Ninth. To maintain a shop and repair department.....	191	54
Tenth. To provide free text books, when.....	191	54
Tenth. To provide books for children of indigent parents.....	191	54
Eleventh. To require successful vaccination.....	191	55
Twelfth. To require officers and employes to give bond.....	191	55
Thirteenth. To prohibit secret fraternities in schools.....	191	55
Fourteenth. To appoint a medical inspector.....	191	55

## DIRECTORS—DISTRICTS OF THE SECOND CLASS—

Act shall be printed.....	441	115
Board to consist of three members.....	196	57
Clerk may or may not be member of board.....	200	57
Election and tenure.....	196	57
Election, date of.....	197	57
Election of clerk.....	200	57

DIRECTORS—DISTRICTS OF THE SECOND CLASS—CONTINUED.		<i>Par.</i>	<i>Page</i>
Estimates shall be made.....	435	114	
Meetings, regular and special.....	201	57	
Minimum term shall be six months.....	207	59	
Notices shall be published.....	436	114	
Oath of office.....	199	57	
Organization of board, when.....	200	57	
Penalty.....	438	115	
Special powers and duties of board.....	202	58	
Shall estimate amount of funds needed annually.....	203	58	
Shall build schoolhouses, etc.....	204	58	
School site, may be changed, how.....	204	58	
Superintendent or principal shall be elected.....	206	59	
Taxes, amount shall be decided.....	437	114	
Taxpayers shall be heard.....	437	114	
Term of clerk to begin, when.....	200	57	
Teachers to be employed, when.....	205	58	
Term begins, when.....	200	57	
Vacancies, how filled.....	198	57	
<b>DIRECTORS—DISTRICTS OF THE THIRD CLASS—</b>			
Board to consist of three members.....	208	59	
Duties of principal or superintendent.....	217	60	
Election and tenure.....	208	59	
Election, when held.....	209	59	
Estimates shall be made.....	219	61	
Meetings, regular and special.....	213	60	
Oath of office.....	211	59	
Organization of board, when.....	212	59	
Plans must be approved.....	221	61	
Principal may be elected, when.....	215	60	
School sites may be changed, how.....	220	61	
Shall build school houses, etc.....	220	61	
Special duties of board.....	214	60	
Superintendent may be elected, when.....	216	60	
Teachers may be employed, when.....	218	60	
Term begins, when.....	212	59	
Term of clerk begins, when.....	212	59	
Vacancies, how filled.....	210	59	
<b>ELECTIONS—GENERAL—</b>			
Ballots.....	341	92	
Challenges.....	342	93	
Counting the ballots.....	343	93	
Clerk shall forward poll sheet.....	343	93	
Certificate of election.....	344	93	
County superintendents.....	154	44	
Directors in districts of first class.....	177	51	
Directors in districts of second class.....	197	57	
Directors in districts of third class.....	209	59	
Notice of time and place.....	339	92	
Oaths of election officers.....	340	92	
Polls open and close, when.....	339	92	
Qualifications of electors.....	342	93	
Superintendent of public instruction.....	3	9	
Tie vote, how settled.....	344	93	
<b>ELECTIONS—IN DISTRICTS OF FIRST CLASS—</b>			
Board of directors to receive returns.....	353	95	
Board of directors to certify result.....	353	95	
Notices.....	348	94	
Opening and closing of polls.....	349	95	
Places of holding elections.....	350	95	
Registration books.....	352	95	
Registered persons shall vote.....	351	95	
When held.....	348	94	

<b>ELECTORS—</b>			
Qualifications of.....	342	93	
<b>ELIGIBILITY—</b>			
Assistant state superintendent.....	6	11	
Deputy state superintendent.....	6	11	
County superintendent .....	155	45	
Directors .....	162	48	
Members of county board of education.....	241	67	
Superintendent school for deaf and blind.....	74	28	
Teachers .....	225	63	
Teachers of kindergarten schools.....	414	109	
<b>EXAMINATIONS—TEACHERS—</b>			
Applicants may teach until when.....	322	86	
Manuscripts to be forwarded.....	323	86	
Manuscripts to be kept on file.....	323	86	
When held .....	322	86	
<b>EXAMINATIONS—GRAMMAR SCHOOL—</b>			
Assistant examiners.....	405	108	
Dates to be fixed.....	404	107	
Certificates to be granted.....	404	107	
Manuscripts to be examined.....	405	108	
Names to be reported.....	407	108	
Questions to be prepared (10).....	11	14	
Questions to be used.....	406	108	
Reading, special course.....	406	108	
<b>EXAMINATIONS—HIGH SCHOOL EXTENSION—</b>			
Course to be outlined.....	408	108	
Certificates to be granted.....	410	109	
Examinations, where and when held.....	408	108	
Manuscripts to be graded.....	409	109	
Questions to be prepared.....	409	109	
Questions to be distributed.....	409	109	
<b>GRAMMAR SCHOOL EXAMINATION—(See Examinations).</b>			
<b>INSTITUTES—COUNTY—</b>			
Date to be determined.....	260	70	
District credited with attendance.....	261	70	
Examination fees .....	262	70	
Expenses to be estimated.....	263	70	
Institute to be held, when.....	260	70	
Joint institutes .....	257	69	
Must be held.....	256	69	
Teachers must attend.....	258	70	
Teachers to be paid for attendance.....	260	70	
Three days must be consecutive.....	256	69	
Two days may be used otherwise.....	256	69	
Vouchers shall be filed.....	264	70	
When school is in session.....	261	70	
<b>INSTITUTES—CITY—</b>			
Districts employing more than 100 teachers.....	259	70	
Regulations same as county.....	259	70	
<b>INTOXICATING LIQUORS—</b>			
Prohibiting sale of, where.....	430	113	
Penalty for sale of.....	431	113	
<b>INTEREST, LEGAL RATE—</b>			
Bonds not to exceed, what.....	288	76	
Issuing officer to regulate.....	450	117	
warrant rates not to exceed, what.....	449	117	

	<i>Par.</i>	<i>Page</i>
<b>KINDERGARTENS—</b>		
May be established and maintained.....	411	109
Must be authorized by three-fifths vote.....	411	109
Must be maintained by special funds.....	413	109
Part of public school system.....	412	109
Qualifications of teachers.....	414	109
<b>MEETINGS—(See Special Meetings).</b>		
<b>NORMAL SCHOOLS—(See State Normal Schools).</b>		
<b>OPINIONS OF ATTORNEY GENERAL—</b>		
Action may be maintained, when.....	7	118
Apportionment, basis of.....	12	119
Apportionment, cannot be made, when.....	51	121
Attendance in private school, apportionment for, when.....	22	119
Attendance above the eighth grade.....	50	121
Appeals by school district.....	46	121
Bonds, interest on must not be greater than 6 per cent.....	23	120
Census to include children on military reservations.....	3	118
Certificates may be revoked.....	40	121
Children under six may be refused admittance to school.....	11	119
Census must be taken annually.....	45	121
Cities extending limits—status of school officers of districts taken in....	5	118
Consolidated districts—not in two counties.....	37	120
Consolidation of school districts.....	41	121
County superintendent to use his discretion in forming new districts....	2	118
County superintendent is auditor of institute expenses.....	13	119
County superintendent not to divide special funds of old district.....	14	119
County superintendent cannot be clerk.....	18	119
County superintendent his own purchasing agent.....	20	119
County superintendent may issue circular.....	21	119
County superintendent may stop payment of warrants, when.....	26	120
Dancing, school house not to be used for.....	19	119
Director cannot serve as janitor.....	24	120
Directors may subscribe for state school journal.....	39	120
Directors may refuse to admit children under six.....	12	119
Directors have not power to buy site.....	48	121
Electors to determine, what.....	29	120
Eighth grade graduates may review.....	34	120
Funds, basis of division.....	10	119
Head of family defined.....	1	118
High school, directors not required to establish, when.....	16	119
Insurance of school property.....	31	120
Kindergarten, to be supported by special funds.....	17	119
Lapse of certificate does not forfeit election of county superintendent...	44	121
Officers may be removed for neglect of duty.....	7	118
Petition for consolidated district.....	28	120
Power to accept resignations.....	35	120
Punishment, teacher has no right, when.....	47	121
Religious instruction, reading Bible is.....	6	118
State fund cannot be used for permanent improvements.....	25	120
Site in consolidated district.....	36	120
School board cannot sell books.....	42	121
School board, indebtedness.....	49	121
School house not to be used for dancing.....	19	119
Territory not liable for bonded indebtedness, when.....	32	120
Teacher entitled to wages during quarantine.....	9	118
Teacher cannot be clerk.....	18	119
Teacher to determine grades of pupils.....	15	119
Teacher's wages not to stop on account of contagious diseases.....	9	118
Teacher not disqualified because related to member of board.....	4	118
Transportation of pupils.....	30	120
Union high school districts.....	38	120

OPINIONS OF ATTORNEY GENERAL—CONTINUED.		<i>Par.</i>	<i>Page</i>
Union high school cannot be formed by districts in different counties...	8	118	
Warrants must be paid on presentation after call.....	27	120	
Warrants paid in order of presentation.....	33	120	
Warrants sold at discount.....	43	121	
OFFICIAL RULINGS—			
Of attorney general.....		118	
Of superintendent of public instruction.....		121	
PENALTIES—			
For disclosing examination questions.....	367	99	
For failure of county superintendent to make report.....	368	99	
For failure to turn over fines, etc.....	369	99	
For failure to teach hygiene.....	370	100	
For failure of county superintendent to enforce teaching of hygiene....	371	100	
For failure to make clerk's report.....	372	100	
For failure to deliver property.....	373	100	
For failure of teacher to enforce course of study.....	374	101	
For maltreating pupils.....	375	101	
For non-attendance at institute.....	376	101	
For abusing teachers.....	377	101	
For disturbing school.....	378	101	
For false report.....	379	102	
For defacing property.....	380	102	
For failure to use adopted texts.....	381	102	
For false swearing.....	383	103	
For failure to secure approval of plans.....	255	69	
For employing child labor.....	444	116	
For neglect of duty.....	438	115	
For failure to comply with course of study.....	381	102	
For paying a teacher not legally qualified.....	381	102	
For failure to perform certain duties.....	79	29	
For neglect of certain duties.....	87	30	
PERMANENT SCHOOL FUNDS, INVESTMENT—			
Investment of permanent funds.....	448	116	
Records .....	446	116	
Rules and regulations.....	447	116	
School bonds given preference.....	448	116	
State board of finance.....	445	116	
PRIVATE PROPERTY FOR PUBLIC USE—			
Appeal may be taken.....	427	112	
Appeal shall not prevent district from taking possession.....	428	112	
Court shall determine time of trial.....	419	111	
Court may determine compensation.....	424	112	
Court may adjourn proceedings.....	418	111	
Costs to be paid by school district.....	426	112	
District may acquire title.....	415	110	
Directors shall present petition.....	416	110	
Judgments shall be entered against school districts.....	425	112	
Jury shall consist of twelve persons.....	420	111	
Jury shall determine compensation.....	422	111	
Notices shall be served.....	417	110	
School district shall be plaintiff, others defendants.....	429	112	
Ten jurors may render verdict.....	423	111	
Witnesses may be examined.....	421	111	
PRIVATE SCHOOLS—			
Attendance .....	248	68	
Normal departments (6) .....	11	13	
REGISTRATION—DISTRICTS OF FIRST CLASS—			
Board to furnish books to secretary.....	356	96	
Books to be opened, when.....	357	96	

REGISTRATION—DISTRICTS OF FIRST CLASS—CONTINUED.		Par.	Page
Books may be opened in convenient places.....	358	96	
Challenged voter to be examined.....	365	98	
Clerks to return books to secretary.....	366	98	
Description of registration books.....	361	97	
May change record of registration—how.....	364	98	
Oath to be administered.....	362	97	
Qualifications for registration.....	359	96	
Registration only once a year.....	359	96	
Registration books and precincts.....	360	97	
Registration <i>prima facie</i> evidence.....	365	98	
Secretary of board to register voters.....	355	96	
Secretary to administer oaths.....	363	98	
Secretary to deliver registration books.....	366	98	
Voters shall register.....	354	96	
REVOCATION OF CERTIFICATES—			
By whom .....	335	91	
If revoked, ineligible for twelve months.....	336	91	
May appeal, to whom.....	337	91	
RULES—			
Relating to teachers.....		124	
Relating to pupils.....		125	
SCHOOLS, COMMON—			
Administration entrusted to.....	2	9	
Common school defined.....	88	31	
English language .....	89	31	
Instruction in what branches.....	89	31	
Kindness to animals to be taught.....	89	31	
Minimum school term.....	94	32	
Manners, honesty, etc.....	89	31	
Non-sectarian .....	96	32	
Open to whom.....	88	31	
Pupils and teachers excluded, when.....	92	31	
Pupils must comply with regulations.....	93	32	
Pupils may be expelled.....	93	32	
School day and school month.....	90	31	
School year .....	91	31	
The words "he" and "she".....	95	32	
Uniform system shall be maintained.....	1	9	
SCHOOL DISTRICTS—			
Adjustment of property.....	115	36	
Body corporate .....	105	33	
Bonds shall not prevent formation of district.....	106	33	
Corporate existence retained until when.....	120	37	
County auditor to certify alterations.....	152	44	
District, county .....	97	32	
District of first class.....	98	32	
District of second class.....	99	32	
District of third class.....	100	33	
District to contain four sections.....	153	44	
Disorganized territory to be held for indebtedness.....	151	44	
Duty of commissioners to make tax levy.....	113	35	
How designated .....	104	33	
Hearing and decision of county superintendent.....	109	34	
Incorporated cities .....	106	33	
Levy to be made by county commissioners.....	116	36	
New districts, how formed.....	108	34	
New district must open school within eight months.....	110	34	
New districts entitled to just share of funds.....	111	35	
One month of school required for share of funds.....	110	34	
Petition .....	108	34	

SCHOOL DISTRICTS—CONTINUED.		<i>Par.</i>	<i>Page</i>
Property to be adjusted, new district.....	112	35	
Property to be adjusted, city limits extended.....	118	37	
Sites may be purchased on school lands.....	107	34	
Superintendent to hear evidence.....	119	37	
Territory may be transferred, procedure.....	114	36	
Territory may be transferred without petition.....	151	44	
Testimony may be heard.....	112	35	
When a city extends its limits.....	117	37	
SCHOOL DISTRICTS, CONSOLIDATED—			
Bonus, entitled to.....	126	38	
City directors to constitute board.....	124	38	
Defined.....	101	33	
Directors of consolidated district.....	122	38	
Funds and property of old districts.....	126	38	
New number for.....	125	38	
Old districts to retain corporate existence, when.....	127	39	
Organization of board.....	128	39	
Petition and procedure.....	121	38	
When district is no longer entitled to bonus.....	123	38	
SCHOOL DISTRICTS, JOINT—			
Apportionment.....	137	41	
Defined.....	102	33	
Designated by number.....	129	39	
Directors for joint districts.....	132	40	
Directors to file oaths of office.....	133	40	
Funds to be transferred quarterly.....	137	41	
Map to be filed.....	136	40	
Notices and hearing.....	131	39	
Petition.....	130	39	
Reports made to whom.....	140	41	
Taxes for indebtedness.....	139	41	
Testimony to be heard—property adjusted.....	138	41	
Transfers of territory to be made, how.....	135	40	
Transcripts of boundaries.....	136	40	
Vacancies to be filled, how.....	134	40	
SCHOOL DISTRICTS, UNION HIGH—			
Appeal, right of taxpayer.....	149	43	
Apportionments.....	148	43	
Board not to be re-organized, when.....	145	42	
Boundaries may be enlarged.....	145	42	
Clerk to report organization.....	144	42	
Course of study.....	146	43	
Defined.....	103	33	
Directors of, shall consist of whom.....	143	42	
Districts may withdraw after five years.....	150	43	
How designated.....	142	42	
Meeting of voters.....	142	42	
Powers and duties of board.....	147	43	
Procedure.....	141	41	
Records to be kept by teachers.....	146	43	
SCHOOL REVENUES—			
Annual state tax not to exceed five mills.....	281	74	
County treasurer to certify to state auditor.....	282	75	
County commissioners to levy county school tax.....	283	75	
County superintendent to file certificate.....	284	75	
County funds shall be apportioned, how.....	285	75	
Fines a part of school revenue.....	287	76	
Interest on permanent fund.....	281	74	
Losses to permanent fund.....	280	74	
School district taxes.....	286	76	

SCHOOL REVENUES—CONTINUED.		<i>Par.</i>	<i>Page</i>
School district fund, how constituted.....		286	76
State auditor to certify to superintendent of public instruction.....		282	75
State fund, permanent, how made.....		279	74
Tax levy to be certified to county auditors.....		282	75
SECRETARY—			
Of state board of education.....		9	12
Of districts of the first class.....		178	51
Of text-book commission.....		266	71
SPECIAL MEETINGS—			
Business of meeting.....		346	94
For what purpose.....		345	94
How called.....		345	94
Sentiment of meeting must be carried out.....		347	94
Ten days' notice.....		346	94
Where held.....		346	94
STATE—			
Deposit not required when bidding on bonds.....		291	77
Liable for loss to permanent school fund.....		280	74
Uniform system of schools to be maintained.....		1	9
STATE BOARD OF EDUCATION—(See Board of Education, State).			
STATE COLLEGE—			
Agricultural experiment station.....		34	20
Annual report.....		39	21
Board of regents, appointment of.....		29	19
Board shall grant diplomas and degrees.....		43	22
Board may grant normal diplomas.....		43	22
Board may grant life diplomas.....		43	22
Board may employ architects.....		45	23
Bonds of regents.....		29	19
By-laws.....		32	20
Courses of study.....		27	18
Congressional requirements assented to.....		35	21
Construction of buildings.....		44	22
Department of agriculture to be maintained.....		28	18
Disbursements.....		40	22
Duties of officers.....		31	20
Establishment.....		25	17
<i>Ex-officio</i> visitors.....		26	18
General control.....		33	20
Governor <i>ex-officio</i> member of board.....		42	22
Laboratory work demanded.....		28	18
Meetings of board of regents.....		36	21
Military tactics.....		28	18
No interest in contracts.....		41	22
Oath of office.....		37	21
Open to residents of this state.....		25	17
Organization of board.....		30	19
President of board of regents.....		31	20
Regents' expenses.....		38	21
Secretary of board.....		30	19
State auditor to issue warrants.....		46	23
Students must be at least 16 years of age.....		27	18
Tenure of office.....		29	19
Terms of admission of students.....		25	17
Treasurer of board.....		30	19
STATE INSTITUTION FOR FEEBLE-MINDED—			
Board may admit from other states.....		82	30
Children of different afflictions to be separated.....		81	29



	<i>Par.</i>	<i>Page</i>
<b>STATE INSTITUTION FOR FEEBLE-MINDED—CONTINUED.</b>		
Commissioners may pay traveling expenses.....	86	30
Duty of school district clerks to report.....	83	30
Duty of county superintendent to report.....	84	30
Duty of parents and guardians.....	85	30
Defective children may be educated at home.....	85	30
Expert medical services must be provided.....	81	29
Free to residents of this state.....	81	29
Penalty for failure to perform duty.....	87	30
Under direction of state board of control.....	80	29
<b>STATE NORMAL SCHOOLS—</b>		
Biennial report.....	61	26
Boarding houses.....	51	24
Conduct and expulsion of students.....	56	25
Courses of study.....	57	25
Diplomas and certificates.....	55	25
Establishment.....	47	23
Library fee may be charged.....	58	26
Manual training.....	54	25
Meetings of trustees.....	52	24
Model school.....	54	25
No tuition to be charged.....	56	25
Principal's duties.....	53	24
Principals' meetings.....	60	26
Requirements for admission.....	59	26
Trustees, appointment.....	48	23
Trustees, no interest in contract.....	62	27
Trustees, officers.....	49	23
Trustees, by-laws.....	49	23
Trustees, regular and special meetings.....	52	24
Trustees, powers and duties.....	50	24
First. To elect a principal.....	50	24
First. To elect assistants and employes.....	50	24
Second. To discharge, for cause, any employee.....	50	24
Third. To adopt text-books.....	50	24
Fourth. To have management of property.....	50	24
Fifth. To audit accounts.....	50	24
Sixth. To purchase supplies, etc.....	50	24
<b>STATE SCHOOL FOR THE DEAF AND THE BLIND—</b>		
Board may admit others.....	73	28
Commissioners may pay traveling expenses.....	78	29
Duty of school clerks to report.....	75	28
Duty of county superintendents to report.....	76	29
Duty of parents and guardians.....	77	29
Deaf or blind pupils may be educated at home.....	77	29
Institution free to residents of this state.....	72	28
Penalty for failure to perform duty.....	79	29
Superintendent, qualifications.....	74	28
Superintendent to appoint subordinates.....	74	28
Term begins and ends, when.....	71	28
Under direction of state board of control.....	70	28
<b>STATE TRAINING SCHOOL—</b>		
Board to employ superintendent.....	67	27
Branches to be taught in school.....	69	28
Causes for commitment.....	65	27
Name.....	63	27
Purpose of school.....	64	27
State board of control to have charge.....	66	27
Superintendent to employ or discharge assistants.....	68	28
<b>SUPERINTENDENTS, COUNTY—(See County Superintendent).</b>		

SUPERINTENDENT OF PUBLIC INSTRUCTION—		Par.	Page
Election and tenure.....	3	9	
Salary .....	4	9	
Duties .....	5	9	
First. To have supervision .....	5	9	
Second. Shall report biennially, to whom, what.....	5	10	
Second. Shall distribute reports.....	5	10	
Third. Shall prepare, print, distribute blanks, forms, etc.....	5	10	
Fourth. Shall travel.....	5	10	
Fifth. Shall submit statement of expenses.....	5	10	
Sixth. Shall have printed laws and forms.....	5	10	
Seventh. <i>Ex-officio</i> president state board of education.....	5	10	
Eighth. Shall hold annual conventions of county superintendents..	5	10	
Ninth. Shall keep on file papers, records, etc.....	5	10	
Tenth. Shall require reports from educational institutions.....	5	11	
Eleventh. Shall keep directory of boards of regents, etc.....	5	11	
Twelfth. Shall issue certificates.....	5	11	
Thirteenth. Shall keep records in office.....	5	11	
Fourteenth. Shall decide points of law.....	5	11	
Fourteenth. Shall publish his decisions.....	5	11	
Fifteenth. Shall administer oaths.....	5	11	
Sixteenth. Shall deliver records to successor.....	5	11	
Seventeenth. Shall prepare State Manual.....	5	11	
Eighteenth. Shall make certified copies.....	5	11	
Nineteenth. Shall perform other lawful duties.....	5	11	
Assistant superintendent shall be appointed.....	6	11	
Deputy superintendent shall be appointed.....	6	11	
Stenographer and other help.....	6	11	
Shall apportion school funds.....	243	67	
Shall prepare outline course of study.....	269	72	
Shall keep on file evidence.....	317	85	
State board of education, <i>ex-officio</i> chairman.....	8	12	
TAXES—			
State tax .....	281	74	
County tax .....	283	75	
School district tax.....	286	76	
TEACHERS—			
Attendance of pupils excused from examination may be counted.....	379	102	
Copy of report must be filed.....	226	63	
Course of study must be enforced.....	228	64	
Course of study, penalty for non-enforcement.....	374	101	
Employed only on written order of board.....	229	64	
Fire drills shall be conducted.....	439	115	
Legal certificate, must hold.....	229	64	
May suspend pupils.....	231	64	
Must attend institute.....	258	70	
Not required to teach, when.....	230	64	
Non-attendance at institute, penalty.....	376	101	
Order shall be maintained.....	231	64	
Principal or city superintendent may report in lieu of.....	226	63	
Primary pupils may be dismissed, when.....	90	31	
Penalty for making false report.....	379	102	
Penalty for abusing teacher.....	377	101	
Penalty for neglect of fire drill.....	440	115	
Register must be kept.....	227	63	
Reports must be made, when.....	226	63	
Shall teach morality, patriotism, etc.....	232	64	
Shall not maltreat pupils.....	375	101	
Shall be excluded from school, when.....	92	31	
Shall not receive salary for last month, when.....	227	63	
Who are qualified teachers.....	225	63	

TEXT BOOKS—

	<i>Par.</i>	<i>Page</i>
Commission to consist of whom.....	266	71
Commission shall select books.....	266	71
Commission may select supplementary books.....	266	71
Compensation of members.....	271	73
Districts to consist of two divisions.....	265	71
Districts of first division.....	265	71
Selected books to be used.....	266	71
Shall not be displaced within three years.....	266	71
Shall advertise for bids.....	267	71
Superintendent or principal shall prepare course of study.....	268	72
Adoption of books for joint district.....	272	73
County board shall advertise for bids.....	269	72
County board shall select books.....	269	72
County superintendent may handle books, when.....	270	72
May adopt supplementary books.....	269	72
Uniform course of study.....	269	72
Publishers shall file copies of books.....	269	72

TREASURER, COUNTY—(See County Treasurer).

TREASURER, STATE—

Fines paid to, when.....	287	76
Funds transmitted to.....	282	75

UNIVERSITY OF WASHINGTON—

Aim and purpose.....	15	14
Attorney general legal advisor.....	21	17
Board of regents, to consist of.....	16	15
Board may employ architects.....	23	17
Establishment.....	14	14
Erection of buildings.....	22	17
Faculty of university.....	19	16
Meetings, regular and special.....	17	15
Non-sectarian control.....	20	16
Organization of board of regents.....	17	15
Powers and duties of board of regents.....	18	15
First. Shall have control of university.....	18	15
Second. To prescribe courses of study.....	18	16
Third. To grant diplomas and degrees.....	18	16
Third. To grant normal and life diplomas.....	18	16
Fourth. To receive bequests for university.....	18	16
Fifth. To give bonds to U. S. for supplies loaned.....	18	16
Sixth. To report biennially to the governor.....	18	16
Seventh. To receive actual traveling expenses.....	18	16
State auditor shall draw warrants.....	24	17
Students must be at least 16 years of age.....	15	14
Subjects taught.....	15	14
Tenure, and oath of office.....	16	15
Terms of admission of students.....	15	14
Tuition free to residents of this state.....	15	14

VACANCIES—

County superintendent, now filled.....	154	44
Directors, districts of first class.....	187	53
Directors, districts of second class.....	198	57
Directors, districts of third class.....	210	59

VALIDATION OF INDEBTEDNESS—

Annual expense of district shall not exceed annual revenues.....	310	83
Board to canvass election returns.....	306	82
Board of directors to deliver copy of resolutions to county treasurer....	308	83
County commissioners may levy taxes to pay indebtedness.....	310	83
Directors shall provide for by resolution.....	304	81

---

VALIDATION OF INDEBTEDNESS—CONTINUED.		<i>Par.</i>	<i>Page</i>
Election, how held.....	306	82	
Holder of warrants may exchange for bonds.....	309	83	
Notices to contain what.....	305	82	
Proceeds to be placed in special fund.....	307	82	
Rate of interest shall not exceed 6 per cent.....	307	82	
School districts may validate, when.....	303	81	
Three-fifths vote necessary.....	304	81	



# OFFICIAL SCHOOL CALENDAR

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July 1—Fiscal Year Begins.

July 4—Independence Day (Legal Holiday).

July 15—On or Before July 15, Clerks Transmit Annual Report to County Superintendent.

August 1—County Superintendents Transmit Annual Report to Superintendent of Public Instruction.

August, First Saturday—Regular meeting of the Board of Directors  
(*Make Estimate of Expenses for Current School Year*).

August, Last Thursday, Friday and Saturday—Teachers' Examination.

September 1—On or before September 1, Clerk Must Report to Board of County Commissioners Detailed Estimate of Expenditures During Current Year.

September—At Opening of School, Clerk Must Furnish Teacher with Copy of Last School Census.

September, First Monday—Labor Day (Legal Holiday).

November, First Saturday—Regular Meeting of Board of Directors.

November, Last Thursday—Thanksgiving Day and Day Following Are Legal Holidays for Schools.

December, Second Thursday, Friday and Saturday—Teachers' Examination.

December 25—Christmas (Legal Holiday).

January 1—New Year's Day (Legal Holiday).

February, First Saturday—Regular Meeting of Board of Directors.

February 22—Washington's Birthday (Legal Holiday).

February—Ten Days Before First Saturday in March Notices of Annual School Election Must Be Posted by Clerk.

March, First Saturday—*Annual School Election*.

March—Fourth Monday After Annual School Election, Directors Take Office and Organize at Two o'Clock P. M. by Election of Chairman and Clerk.

May 1—*Enumeration of Children of School Age*.

May, First Saturday—Regular Meeting of Board of Directors.

May, Second Thursday, Friday and Saturday—Teachers' Examination.

May 30—Memorial Day.

June, Third Tuesday—Annual Meeting of State Board of Education.

June 30—End of Fiscal Year.

Each Month, First Friday—Regular Meeting of Directors of Districts of the Second Class.

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