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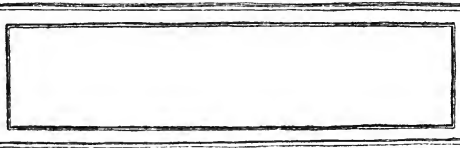
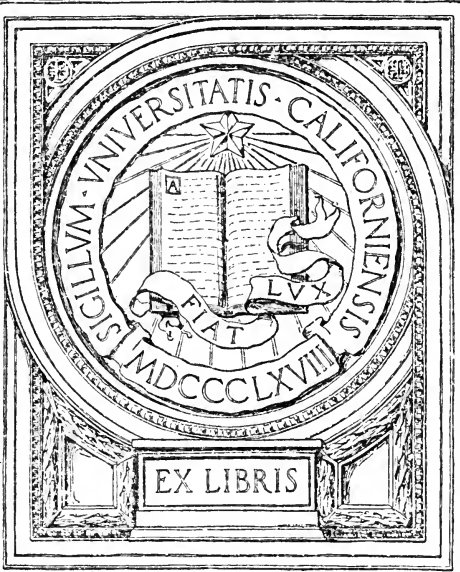
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GEORGIA SCHOOL LAWS AND DECISIONS



PUBLISHED BY THE
DEPARTMENT OF EDUCATION

M. L. BRITTAIN,
STATE SUPERINTENDENT OF SCHOOLS

1914

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TO VIND
ABANDON

PREFACE.

By reason of recent legislation many contradictions occur in the Georgia school laws. For instance, prior to 1910, a County Superintendent was required to have certain qualifications and was elected by the County Board of Education; later this legislation was modified in part and later still the election and qualifications of this official were further changed. This is also true with regard to other parts of our school system. If the General Assembly will authorize the codification or systematic and logical arrangement of these laws, it will be a pleasure for the State Department of Education in conjunction with the Attorney-General to do this work without expense or cost of any kind, and in the interest of the public, I ask for the passage of an act to this effect. The publication of a complete compilation of Georgia School Laws and Decisions without such a re-arrangement merely confuses even the lawyers, to say nothing of the officials and parents. For this reason it has been thought wise to publish extracts of our more important and most necessary educational legislation until the right is granted to arrange the laws changed, omit those practically repealed, and to print a complete and thorough school code.

Very truly,

M. L. BRITTAIN,
State Superintendent of Schools.

STATE BOARD OF EDUCATION.

Members Ex-Officio.

The GOVERNOR, President.

The STATE SUPERINTENDENT OF SCHOOLS,
Secretary and Executive Agent.

Members By Appointment.

Hon. WALTER E. STEED, Butler, Georgia.
Term ending September 5, 1917.

Prof. A. H. MOON, Baxley, Georgia.
Term ending September 5, 1917.

Dr. G. R. GLENN, Dahlonaga, Georgia.
Term ending September 5, 1915.

Dr. T. J. WOOFTER, Athens, Georgia.
Term ending September 5, 1915.

I.

STATE BOARD OF EDUCATION.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia and it is hereby enacted by the authority of the same, That there shall be a State Board of Education composed of six members, as follows: The Governor, the State Superintendent of Schools, and four other persons, who shall be appointed by the Governor of the State, two for two years and two for four years, their terms of office thereafter to be for four years each, or until their successors are appointed and qualified. At least three of said appointees shall be men of practical experience in teaching schools and of high standing in educational work, having at least three years practical experience as a teacher in the schools of Georgia, and being thoroughly conversant with the operation of rural schools. Should a vacancy occur at any time in said Board it shall be filled by the Governor; *provided*, That the nomination of the Governor for membership on the State Board of Education shall be subject to confirmation by the Senate; and *provided further*, That an appointment made when the Senate is not in session shall be effective until the Legislature convenes and acts on the appointment. No person who is now or has been connected with or employed by a school book publishing concern shall be eligible to membership on said State Board of Education, and if any person shall become so connected or employed after becoming a member of said Board his place on said Board shall become vacant.

Acts of
1911,
page 95.

SEC. 2. The said Board of Education shall take oaths of office and enter upon the discharge of their duties immediately after their appointment. They shall meet in the office of the State Superintendent of Schools. The Governor shall preside over their body as Chairman of the Board when it is practicable for him to be present; but when he can not be present, they shall select their Chairman and proceed with their business whenever a majority of the Board is present. The Board shall meet at least quarterly in regular session and at any other time when an emergency arises, and they shall be called together by the Governor of the State or State School Superintendent. The four appointees shall receive as compensation for their services \$250.00 per annum each, which shall be paid out of the State Treasury on the warrant of the Governor and be allowed their actual traveling ex-

Acts of
1911,
page 96.

penses in going and returning to their homes, upon submitting a sworn itemized statement, accompanied by proper vouchers and net otherwise. The total expenses for the four appointees shall not exceed \$100.

Acts of
1911,
page 96.

SEC. 3. The State Board of Education shall provide rules and regulations for the supervision of all schools in the State. They shall provide the course of study for all common and high schools of the State receiving State aid. They shall select and make out a list of text-books to be taught in said schools, which can be changed only every five years; unless the peculiar conditions of any county or community demand certain changes, in which case, the County Board, together, with the County Superintendent, shall make application to the State Board suggesting such changes and give their reasons therefor, whereupon if the said Board sees proper, their request shall be granted. Provided, This clause shall in no way effect the present State adoption of books. This Board of Education shall be the final court of appeal to hear and decide all matters which have been appealed from the State Superintendent of Schools. They shall determine the necessary office force of the State Superintendent of Schools, and shall fix the compensation of the same. Not however, to exceed \$1,800.00 per annum more than at present paid.

Acts of
1911,
page 97.

SEC. 4. Each county in the State shall constitute a school district and the public school funds shall be apportioned among the several districts by the State Board of Education as now provided by law. They shall also provide for normal instruction of teachers in each of the districts, either by institutes or otherwise. They shall have power to compel the attendance of teachers upon such normals and institutes, to provide penalties for non-attendance, to provide for the examination of the teachers of said State, and to grant licenses to those that are qualified who desire a State or special license.

Acts of
1887,
page 69.

SEC. 5. That the State Board of Education shall constitute an advisory body, with whom the State School Commissioner shall have the right to consult when he is in doubt as to his official duty and also a body in the nature of a court to which appeals shall be made from the decisions of the State School Commissioner upon any question touching the construction or administration of the school laws and the decision of the State Board, when rendered, shall be final and conclusive upon the matter in issue. Appeals to the State Board must be made through the County Commissioner in writing, and must distinctly set forth the question at law, as well as the facts, in the case upon which the appeal is taken. Upon any question involving the construc-

tion or administration of the school laws, the concurrence of a majority of the whole Board shall be necessary in order to give validity to the decision.

Additional Duties of State Board of Education.

As State Schoolbook Commission, State Board is required to select text-books for the common schools of the State.

SEC. 6. Be it further enacted, That no member of the State Board of Education or any appointees of said Board or any other person or persons that has the authority of selecting or in any way aiding in the selection of school books for the schools of Georgia shall not for themselves or any member of their respective families receive any gifts, compensation or remuneration of any kind from any schoolbook publishing house, corporations, individuals, or the agents or representatives of either, nor shall any person, publishing house or corporation engaged in publishing or the sale of school books offer to any of said board or their families or appointees any gift, compensation or remuneration, directly or indirectly. Any person violating the provisions of this section shall be guilty and punishable for a misdemeanor. Should any of the aforementioned publishing houses, corporations or persons engaged in publishing or selling school books offer to any of the aforementioned officers, their families or appointees any such compensation, remuneration or reward of any kind, it shall be their duty to report the same to the grand juries of their respective counties, and on failure or refusal to do so, they or either of them so failing or refusing shall be guilty and punishable for a misdemeanor, and such officers on conviction thereof shall be removed from office.

Acts of
1911.
page 107.

II.

STATE SUPERINTENDENT OF SCHOOLS.

Election—charged with administration of school law and superintendence of common school affairs.

Acts of
1887,
page 35.

SECTION 1. There shall be a State School Commissioner elected by the people at the same time and manner as the Governor and State-house officers are elected, whose term of office shall be two years and until his successor is elected and qualified. His office shall be at the seat of government and he shall be paid a salary not to exceed two thousand dollars (\$2,000) per annum. The General Assembly may substitute for the State School Commissioner such officer or officers as may be deemed necessary to perfect the system of public education.

Acts of
1894,
page 34.

Acts of
1887,
page 69.

SEC. 2. He shall be charged with the administration of the school laws, and a general superintendence of the business relating to the common schools of the State. He shall prescribe suitable forms for the reports required of subordinate school officers and blanks for their guidance in transacting their official business and shall, from time to time, prepare and transmit to them such instruction as he may deem necessary for the faithful and efficient execution of the school laws, and by whatsoever is thus communicated to them shall they be bound to govern themselves in the discharge of their official duty; *provided nevertheless*, there shall always be an appeal from the State School Commissioner to the State Board of Education as hereinbefore enacted.

Some specific duties—Contents of Annual Report.

Acts of
1887,
page 69.

SEC. 3. That it shall be the duty of the State School Commissioner to visit, as often as possible, the several counties of the State for the purpose of examining into the administration of the school law in said counties, of counseling with school officers, of delivering popular addresses, of inspecting school operations, and of doing such other acts as he may deem subservient to the interest of popular education.

Acts of
1887,
page 70.

SEC. 4. The State School Commissioner shall see that the proper actions provided by law are brought against all officers and agents of the system, who are liable to the same, for misappropriation of the school fund or other cause.

SEC. 5. That the State School Commissioner shall make an annual report to the General Assembly, in which he shall present a statement of the condition and amount of all funds and property appropriated to the purpose of public education; a statement of the number of common and public schools of the various grades in the State; the number of scholars attending such schools, their sex, color, and the branches taught; a statement of the average cost per scholar of instruction under the common school system in each county; a statement of the plans for the management, extension and improvement of the common schools; a statement of the number of children of school age in the State, with as much accuracy as the same can be ascertained; also, a statement of the number of private schools and colleges of the different kinds in the State; the number of pupils in such schools or colleges; their sex, the branches taught, the average cost of tuition per scholar in said schools and colleges.

Acts of
1892,
page 85.

Salary and expenses of office.

SEC. 6. That the State School Commissioner shall be entitled to receive for his services the sum of two thousand dollars annually in quarterly installments. All his necessary traveling expenses incurred in the performance of his official duties and all postage and other expenses absolutely necessary arising in his office, shall be paid by the State. He shall also be entitled to employ one clerk to aid him in his official duties. His clerk shall receive an annual salary not exceeding twelve hundred dollars, to be paid quarterly. The salaries and other expenses named in this section shall be paid out of the State school fund on executive warrant. It shall also be the duty of said Commissioner to keep an itemized account of all expenses connected with his department, which accounts shall be audited by the State Board of Education.

Acts of
1887,
page 71.

Title changed—election.

SEC. 7. Be it further enacted, That in the place of the State School Commissioner the office of State Superintendent of Schools is substituted; *provided*, That the person now holding the office of State School Commissioner shall serve as State Superintendent of Schools during the remainder of the term for which he was elected, and exercise all of the duties now exercised by such official, in addition to powers herein granted. The term of office shall be for two years and until his successor is elected and qualified. He shall be elected as the present State School Commissioner is elected and exercises the same powers, except as hereinafter may be changed or altered.

Acts of
1911,
page 97.

Oath—Bond—Duties.

SEC. 8. Be it further enacted, That upon entering the discharge of his official duties, the State Superintendent of Schools shall give bond in the penal sum of Ten Thousand (\$10,000), Dollars to the State of Georgia, with some approved surety company which shall be acceptable to the Secretary of State, conditioned that he will truly account for and apply all money or other property which may come into his hands in his official capacity for the use and benefit of the purpose for which it is intended, and that he will faithfully perform the duties enjoined upon him by law. He shall take and subscribe an oath to diligently and faithfully discharge the duties of his office. The bond with certified endorsement thereon, shall be filed with the Secretary of State, the premium charged for said bond shall be paid out of the treasury of the State.

Acts of
1911,
page 98.

SEC. 9. In addition to the powers hereinbefore given, the said State Superintendent of Schools shall be the Secretary and Executive Agent of the State Board of Education, for which services he shall receive One Thousand (\$1,000) Dollars.

Acts of
1911,
page 98.

SEC. 10. Be it further enacted That to render a person eligible to hold the office of State Superintendent of Schools he shall be a man of good moral character, of high educational standing, have had at least three years' practical experience as a teacher, or in lieu thereof shall have a diploma from a reputable college or normal school, or shall have had five years' experience in the actual supervision of schools, and be at least thirty years of age.

Acts of
1911,
page 98.

SEC. 11. The State Superintendent of Schools shall carry out and enforce all the rules and regulations of the State Board of Education and the laws governing the schools of the State receiving State aid, he shall from time to time make such recommendations to the State Board as may affect the welfare and efficiency of the public schools throughout the State; he shall have authority to suspend a County Superintendent of Schools for incompetency, willful neglect of duty, misconduct, immorality or the commission of crime involving moral turpitude; *providing, of course,* That all of his acts in this matter shall be subject to the approval of the State Board of Education and the party so suspended may appeal his case to the State Board, whose decision shall be final. The State Superintendent of Schools shall have power, with the consent and approval of the State Board of Education to appoint three State School Supervisors, whose professional qualifications shall be the same as State Superintendent's who shall act under the direction of the State Superintendent of Schools and fill

Acts of
1911,
page 99.

the place of the experts provided for in the Acts of 1891, which were amended in 1892 and 1893. The salaries paid these Supervisors shall be fixed by the State Board of Education and shall not exceed Two Thousand Dollars each per annum, together with necessary traveling expenses; *provided*, The same shall not exceed \$2,000 dollars. The Supervisors shall keep itemized statements of their expenses, which shall be sworn to monthly and approved by the State Superintendent of Schools and be paid out of the State Treasury. It shall be especially the duty of these Supervisors to act as instructors of institutes to give State normal instruction and training as the State Superintendent may direct in each county; to grade the papers of applicants for professional certificates or State licenses and to aid generally in supervising, systematizing and improving the schools of the State under the direction of the State Superintendent of Schools.

SEC. 12. The State Superintendent of Schools with the advice and approval of the State Board of Education, shall appoint one person who shall be a competent and experienced bookkeeper and accountant at a salary of Two Thousand Dollars per annum, together with his actual traveling expenses, whose duty it shall be to thoroughly audit and check the books and accounts of County Superintendents and the Treasurers of local school systems, of municipal systems, of the State University and all its branches, including the District Agricultural Schools, the State College of Agriculture, Technological Schools and all other schools receiving State aid and make regular annual reports to the State School Superintendent showing the amount received, for what purposes received, and for what purposes expended. All such funds held by officials must be kept in banks separate from their individual bank accounts. He shall be allowed his traveling expenses from itemized statements sworn to, as the Supervisors are allowed theirs in the foregoing section, provided the total expenses shall not be more than \$1,000 per annum.

Acts of
1911,
page 100.

SEC. 13. It shall be the duty of the State Superintendent of Schools, in addition to the powers already granted, that in the event of a misapplication of any of the funds apportioned to any of the institutions of learning or schools receiving State aid he shall at once proceed to recover the same by the institution of proper procedure in the courts of competent jurisdiction after demand is made upon the party misapplying the funds to settle same. Should it become necessary to procure additional legal services other than that of the Attorney-General, the Governor is authorized to procure special or local counsel and arrange to pay for the recovery of said funds, such fee out of the funds collected as is usual and customary in the locality where the suit is instituted.

Acts of
1911,
page 100.

III.

COUNTY BOARD OF EDUCATION.

Each county a school district.

Acts of
1887,
page 71.

SECTION 1. That hereafter each and every county in the State shall compose one school district, and shall be confided to the control and management of a County Board of Education.

Selection, qualification and term of office of members of County Board of Education.

Acts of
1898,
page 62.

SEC. 2. That the grand jury of each county (except those counties which are under a local system) in this State shall, from time to time, select from the citizens of their respective counties five freeholders, who shall constitute the County Board of Education. Said members shall be elected for the term of four years, and shall hold their offices until their successors shall be elected and qualified; *provided, however*, that no publisher of school-books, nor any agent for such publisher, nor any person who shall be pecuniarily interested in the sale of school-books, shall be eligible for election as member of any Board of Education or as County School Commissioner of any county in this State; *provided further*, that whenever there is in a portion of any county a local school system having a Board of Education of its own, and receiving its *pro rata* of the public school fund directly from the State School Commissioner, and having no dealings whatever with the County Board of Education, then the members of the County Board of Education of such county shall be selected from that portion of the county not embraced within the territory covered by such local system.

Acts of
1897,
page 23.

Compensation.

Acts of
1895,
page 87.

SEC. 3. That the members of the Board of Education in each county shall be paid a *per diem* not to exceed two dollars for each day's actual service out of the school fund appropriated to the county; and their accounts for service shall be submitted for approval to the Ordinary or County School Commissioner; and they shall not receive any other compensation, such as exemption from road and jury duty.

Certification of election—removal from office—vacancies.

SEC. 4. That whenever members of a County Board are elected or appointed in pursuance of the provisions of the above section, it shall be the duty of the Clerk of the Superior Court to forward to the State School Commissioner a certified statement of the facts, under the seal of the court signed officially by him, as evidence upon which to issue commissions, and the corresponding evidence of the election of a County Commissioner shall be the certified statement of the Secretary *pro tem.* of the meeting of the Board at which the election was held. Any member or members of the County Board of Education shall be removed by the judges of the Superior Court of the County, on the address of two-thirds of the Grand Jury, for inefficiency, incapacity, general neglect of duty, or malfeasance or corruption in office; that the judges of the Superior Courts of this State shall have the power to fill vacancies by appointment in the County Boards of Education for the counties composing their respective judicial circuits, until the next session of the grand juries in and for said counties, when said vacancies shall be filled by said grand juries.

Acts of
1887,
page 72.

Officers—sessions.

SEC. 5. That the Board of Education shall elect one of their number President, who shall serve as such during the term for which he was chosen a member of the Board. The County School Commissioner shall be *ex-officio* Secretary of the Board. A majority of the Board shall constitute a quorum for the transaction of business. It shall be the duty of said Secretary to be present at the meetings of the Board, and to record in a book, to be provided for the purpose, all their official proceedings, which shall be a public record open to the inspection of any person interested therein, and all such proceedings, when so recorded, shall be signed by the President and countersigned by the Secretary.

Acts of
1887,
page 72.

NOTE.—It is important that the minutes of the meetings of the County Boards of Education shall be kept in full. Expenditures authorized should be itemized.

SEC. 6. That it shall be the duty of the County Board of Education to hold regular sessions on the first Tuesday of the month succeeding their election, and each three months thereafter, at the court house of the county for the transaction of business pertaining to the public schools, with power to adjourn from time to time, and in the

Acts of
1887,
page 72.

case of the absence of the President or Secretary, they may appoint one of their own number to serve temporarily.

NOTE.—In the majority of the counties of the State it is found necessary in order to keep up with the business properly for the County Board of Education to meet monthly and it is suggested that the date selected be well known for the greater convenience of the teachers and public.

School Sub-Districts—employment of teachers—written contracts with teachers—teachers' reports—appointment and duties of trustees.

SEC. 7. That the County Board shall lay off their counties into sub-school districts, in each of which sub-school district they shall establish one common school each for the white and colored races where the population of the two races, is sufficient, which schools shall be as near the center of the sub-school district as can conveniently be arranged, reference being had to any schoolhouse already erected, and population of said sub-district, and to the location of white and colored schools with regard to contiguity; *provided, however*, that in such sub-school districts where more than one school is demanded, then they may establish one or more additional schools in such sub-school district; and *provided*, also, that whenever it becomes proper to lay off new sub-school districts, or alter the boundaries of those already laid off, the said Board shall have full power to make such changes as the public necessities may require.

Acts of
1889,
page 124.

SEC. 8. The said County Boards are also empowered to employ teachers in the manner hereinafter pointed out, to serve in the schools under their jurisdiction, and the contracts for said service shall be in writing, signed in duplicate by the teacher on his own behalf and by the County School Commissioner on behalf of the Board.

Acts of
1889,
page 124.

NOTE.—A large number of the misunderstandings between commissioners and teachers come from failure to make contracts in writing.

SEC. 9. It shall be the duty of the teachers to make and file with the County Commissioners at the expiration of each term of school, a full and complete report of the whole number of scholars admitted to the school during said term, distinguishing between males and females and colored and white together with the names thereof, and the entire and the average attendance, the branches taught, the number of pupils engaged in the study of each of the said branches, and such other statistics as he or she may be required to report by the County Commissioner, or by the State School Commissioner, and until such report shall have been prepared, sworn to and filed by said teacher as aforesaid, it shall

Acts of
1887,
page 77.

not be lawful for said County Commissioner to audit the account of said teacher for his or her services.

Acts of
1889,
page 122.

SEC. 10. That the County Boards of Education, whenever, in their opinion the good of the schools in their respective counties demand it may, at their discretion, appoint three intelligent, upright citizens of each subdistrict of their respective counties to act as school trustees for their sub-districts, naming one of the appointees to serve for one year, and one for two, and one for three years; and as vacancies occur by the expiration of the terms of incumbents, the Board shall fill those vacancies with appointees whose term of service shall be three years; and should vacancies occur by death, resignation, or otherwise, the Boards of Education shall fill these vacancies for the unexpired term; and whenever School Trustees are chosen as herein provided, the fact shall be recorded in the minutes of the County Boards, and the appointees shall receive certificates of their appointment from the County School Commissioner, and these certificates shall be their sufficient warrant for entering upon and performing the duties of their office. That it shall be the duty of the School Trustees herein provided for to supervise the school operations of their sub-districts, to visit the schools, and to make such recommendations to the County Boards, in relation to the school interests of their sub-districts, as may seem to them best, and especially in the matter of choosing teachers for their sub-districts. It shall be their right to recommend applicants, and it shall be the duty of the County Boards to choose as teachers the persons so recommended; *provided*, they shall be persons duly qualified and eligible according to the provisions of existing law; and furthermore, it shall be the duty of the School Trustees, in recommending persons as teachers, to recommend those persons who, in their opinion, are the choice of the communities to be served; and it shall, furthermore, be the duty of the School Trustees to make a written report, once a year, to the County Boards in relation to the matters committed to their supervision, or oftener if required by the County Boards of Education.

Note—Duties of Trustees.

“You are, therefore, hereby authorized and required to perform all the duties incumbent on you as a Trustee aforesaid, according to law and the trust reposed in you. This commission is to continue in force during active and efficient service and for the term pointed out by the laws of the State, which say that this certificate shall be your sufficient warrant for entering upon and performing the duties of your office. These duties are as follows: To visit your school; to inspect the school work in your district, giving special attention to the oral and written examinations of pupils; to make general recommendations to the County Board of Education for the advancement of the school interests in your districts; to aid, by recommendation of desirable applicants, the County

Board of Education in choosing teachers for your schools; to see that the school house is in good repair and equipped for good work, and that the school grounds are properly improved and supplied with shade, fuel, water and other necessities; to make a written report, once a year, to the County Board, in relation to the matters committed to your supervision, or oftener if required by the County Board of Education.

“As you have opportunity impress upon patrons and pupils the importance of regular attendance, of hearty home co-operation and establishing and using school libraries.”—Extract from Trustees Commission.

School property—races taught separately—building of schoolhouses —defining and regulating public school term.

SEC. 11. That the County Board of Education shall have power to purchase, lease, or rent school sites; to build, repair, or rent school-houses; to purchase maps, globes and school furniture, and to make all other arrangements of this kind necessary to the efficient operation of the schools under their care; and the said Boards shall also be, and are hereby, invested with the title, care, and custody of all school-houses, sites, school libraries, apparatus, or other property belonging to sub-districts as now defined, or as may hereafter be defined, in their several counties, with all power to control the same, in such manner as they think will best subserve the interests of common schools; and when, in the opinion of the Board, any school-house site has become unnecessary or inconvenient, they may sell and convey the same in the name of the County Board of Education, such conveyance to be executed by the President or Secretary of said Board according to the order of the Board. They shall have power to receive any gift, grant, donation, or devise made for the use of common schools within their respective counties; and all conveyances of real estate which may be made to said Board shall vest the property in said Board of Education and their successors in office. It shall also be the duty of said Board of Education to make arrangements for the instruction of the children of the white and colored races in separate schools. They shall, as far as practicable, provide the same facilities for both races in respect of attainments and abilities of teachers and length of term-time; but the children of the white and colored races shall not be taught together in any common or public school of this State; and in respect to the building of the schoolhouses mentioned in this Section, the said Board of Education may provide for the same, either by labor on the part of the citizens of subdistricts to be served, or by a tax on their property, as may be hereinafter provided.

SEC. 12. The several County Boards of Education of this State shall have full power and authority to define and regulate the length of the public school terms of their respective counties.

Acts of
1887,
page 73.

Acts of
1898,
page 71.

Judicial tribunal—appeals.

SEC. 13. That the County Board of Education shall constitute a tribunal for hearing and determining any matter of local controversy in reference to the construction of administration of the school law, with power to summon witnesses and take testimony if necessary; and when they have made a decision, said decision shall be binding upon the parties to the controversy; *provided*, that either of the parties shall have the right to appeal to the State School Commissioner, and said appeal shall be made through the County Commissioner in writing, and shall distinctly set forth the question in dispute, the decision of the County Board and the testimony, as agreed upon by the parties to the controversy, or if they fail to agree, upon the testimony as reported by the Commissioner.

Acts of
1887,
page 74.

Vaccination.

SEC. 14. That the County Board of Education in the counties of this State, and the Boards of Public Education for the cities of this State be, and they are hereby, authorized and empowered to make such regulations as in their judgment shall seem requisite to insure the vaccination of the pupils in their respective schools, and may require all scholars or pupils to be vaccinated as a prerequisite to admission to their respective schools.

Acts of
1880-81,
page 98.

Selection—qualification—duties.

SEC. 15. Be it further enacted, That the County Board of Education shall consist of (5) members as now provided by law and selected by the grand jury as now provided by law, except that the grand jury in selecting such members shall not select one of their own number then in session, nor shall they select any two of those selected from the same militia district or locality, nor shall they select any person who resides within the limits of a local school system operated independent of the County Board of Education, but shall apportion members of the Board as far as practicable over the county; they shall select men of good moral character, who shall have at least a fair knowledge of the elementary branches of an English education and be favorable to the common school system.

Acts of
1911,
page 103.

SEC. 16. Be it further enacted, That the County Board of Education shall have and exercise all the powers that are now exercised by the County Board of Education except as may be herein changed; *provided*, That the County Superintendent of Schools and County Board of Education shall make rules to govern the county schools of

Acts of
1911,
page 103.

their respective counties; upon being called together by some one of their number after their selection, they shall organize by selecting a chairman. The County Superintendent shall act as Secretary of the Board, and keep the minutes of their meetings and make a permanent record of the same and do any other clerical work that they may direct him to do. Said board may suspend the County Superintendent same as State Superintendent, and may suspend teachers same as County Superintendent. In each case there may be an appeal to State Board.

Acts of
1911,
page 104.

SEC. 17. Be it further enacted, That after the passage of this Act, the Board of Education of any county shall have the right if, in their opinion, the welfare of the schools of the county and the best interests of the pupils require, to consolidate two or more schools located in the same or different districts into one school, to be located by said Board at a place convenient to the pupils attending the same, said school-house to be located as near the center of the district or districts involved as practicable. Whenever two or more schools are consolidated as hereinafter provided, the County Superintendent shall call an election of trustees for said consolidated schools from the district or districts concerned; said election shall be held in accordance with the provisions of existing law, and the result determined and declared by the Board of Education. The County Board of Education shall have the further power, when the best interests of schools demand, to separate or divide any school district into two or more school districts and to provide for the election of a Board of Trustees for each of said districts, and to do all other things for the government and control of said districts as is herein provided for the organization and control of school districts. *Provided*, That such County Boards of Education shall have authority to establish two schools in any school district in this State if they deem it best to do so.

Acts of
1911,
page 105.

SEC. 18. Be it further enacted, That whenever in the opinion of the County Board of Education, the best interests of the school demand, the Board of Education shall have the right to consolidate two or more districts or parts of districts or to add any part of one district to any other district or two change the line or lines of any district at any time, when in their judgment, the best interest of the schools require such change, into one school district with the purpose of the election of the Board of Trustees and of the location of the school at some central place as hereinbefore provided; but should as many as ten of the patrons of the said school or schools object to the consolidation, it shall be the duty of the County Superintendent to call an election to be held in said district or districts affected, giving thirty

(30) days notice of same by publishing the same once a week for four weeks in the paper in which County advertisements are published, and also by posting notice at three or more public places in the district, or districts to be affected thereby, at which election should a majority of the qualified voters vote for consolidation the schools shall be consolidated; otherwise, not. The result of such election shall be determined and declared by the Board of Education and the same shall be held as other elections are held.

Acts of
1911,
page 105.

SEC. 19. Be it further enacted, That whenever the County Board of Education deems it for the best interest of a school, it shall have the right to provide means for the transportation of the pupils to and from said school; *provided*, That no school is established in three miles of the pupils to be transported; *provided, further* That this shall only apply to school or schools where two or more districts have been combined or consolidated and such other schools that are now furnishing transportation. No school trustee, teacher or superintendent of county schools shall be interested financially in the transportation of pupils.

TO ENABLE COUNTY BOARDS OF EDUCATION TO BORROW MONEY.

SECTION 1. Be it enacted by the General Assembly of Georgia and it is hereby enacted by the authority of the same, That from and after the passage of this Act, the County Boards of Education of the several counties of this State shall have the power and authority whenever they deem it necessary to borrow a sufficient amount of money, and no more, to pay the salaries of the teachers in the public schools of their counties; *provided, however*, That no Board of Education shall have the right to borrow money to pay the salaries of the public school teachers of said county, for any time except the current school year in which it is so borrowed. *Provided*, That no Board of Education shall have authority under this Act to borrow a sum of money greater in the aggregate than the sum to which the county may be entitled from the public school fund.

Acts of
1910,
page 77.

SEC. 2. Be it further enacted that in order for any Board of Education to borrow money for the purpose hereinbefore stated there shall be passed by said Board a resolution authorizing said money to be borrowed in which resolution it shall be stated the amount of money to be borrowed, the length of time the same is to be used, the rate of

Acts of
1910,
page 77.

interest to be paid and for what purpose borrowed and from whom the same is to be borrowed, which resolution shall be by the County School Commissioner recorded on the minutes of the meetings of said Board of Education.

Acts of
1910,
page 77.

SEC. 3. Be it further enacted That no money shall be borrowed for any longer time than is necessary and the same shall be paid back out of any funds coming into the hands of the County School Commissioner that can be legally applied to the payment of the same.

Acts of
1910,
page 78.

SEC. 4. Be it further enacted, That said Board of Education so borrowing money shall borrow the same at as low a rate of interest as possible and they are authorized to pay the interest on said money out of the public school fund for said county.

Acts of
1710,
page 78.

SEC. 5. Be it further enacted, That at the spring term of the Superior Court of each county in this State where money has been borrowed by the Board of Education under the provisions of this Act the County School Commissioner, shall include in his report to the grand jury the amount of money so borrowed during the preceding year, from whom borrowed, the rate of interest paid, the date or dates the same was borrowed and when paid back.

Acts of
1910,
page 78.

SEC. 6. Be it further enacted, That after the resolution aforesaid has been passed by any Board of Education the President of the Board of Education together with the County School Commissioner shall have the right to execute a note or notes in the name of the Board of Education of said county for any money that is authorized to be borrowed, under the resolution passed by said Board of Education.

Acts of
1910,
page 78.

SEC. 7. Be it further enacted, That when any money shall be borrowed under the provisions of this Act the same shall be paid over to the County School Commissioner and become a part of the public school fund of said county and the same shall be by the County School Commissioner paid out to the teachers of said county and the County School Commissioner shall be responsible for any money borrowed under authority of this Act and paid into his hands in the same way and to the same extent that he is responsible for any other public school funds coming into his hands.

IV.

COUNTY SUPERINTENDENT OF SCHOOLS.

Election—qualification—duties.

SECTION 1. Be it further enacted, That the office of County Superintendent of Education shall be substituted for the office of County School Commissioner; *provided*, That the persons now holding the office of County School Commissioner shall continue to serve as County Superintendent of Schools during the remainder of the term for which they were elected respectively. In the regular election for State-house officers prior to the expiration of the present term of office of the county School Commissioner, there shall be elected by the qualified voters of each county in this State a County Superintendent of Schools, whose terms of office shall be for four years; and every four years thereafter there shall be an election for the purpose of filling such office. The duties of the County Superintendent of Schools shall be the same as those of the County School Commissioner, except as hereinafter changed. It shall be his duty to enforce all regulations, rules, and instructions of the State Superintendent of Schools and of the County Board of Education according to the laws of the State and the rules and regulations made by the said State Board of Education that are not in conflict with the State laws; and he shall, together with the State Supervisors hereinbefore provided for, superintend the county normals and institutes for the teachers of his county, and shall visit every school, both white and colored, within his school district which receives State aid, at least once every sixty (60) days and familiarize himself with the studies taught in said schools, see what advancement is being made by the pupils, advise with the teachers and otherwise aid and assist in the advancement of education.

Acts of
1911,
page 101.

Note.—The County Superintendent of Schools must give bond with good security (surety company preferred) payable to the County Board of Education, the amount to be decided by the County Board of Education. (See Acts of 1887, page 74.) This bond should be filed with the Ordinary and recorded by him.

SEC. 2. He shall superintend examinations of all teachers of his county as provided by law. He shall hereafter suspend any teacher under his supervision for a non-performance of duty, incompetency, immorality or inefficiency, and for other good and sufficient cause, from which decision the teacher may appeal to the County Board of Educa-

Acts of
1911,
page 102.

tion, and either being dissatisfied with their decision, they can appeal to the State Superintendent or from there to the State Board of Education, the decision of which shall be final.

Acts of
1911,
page 102.

SEC. 3. Before any person shall be qualified or eligible to the office of County Superintendent of Schools, he shall have had at least three years' practical experience in teaching, one year of which shall have been in the schools of Georgia, hold a first grade license, or in lieu thereof shall have a diploma from a reputable college or normal school, or shall have had five years' experience in the actual supervision of schools or stand an approved examination before the State Board as to his qualifications, and be a resident of the county in which he offers for election, be a person of good moral character, never convicted of any crime involving moral turpitude. The County Superintendent shall perform all the clerical duties which are now required of the County School Commissioner.

Acts of
1911,
page 103.

SEC. 4. Be it further enacted, that each County School Superintendent within the State of Georgia shall receive a minimum salary of \$450.00 per annum, and an annual allowance of \$150.00 for the purpose of defraying the expenses of visiting the schools within his county at least every sixty (60) days, or a total of \$600.00, which salary shall be paid out of the school funds of Georgia monthly; and in addition thereto, the county Board of Education shall allow such additional compensation for the services to be rendered as may be in their judgment proper and just.

Oath—

Acts of
1887,
page 75.

SEC. 5. Before entering upon the discharge of his official duties the said Commissioner shall take and subscribe to the same oath required of the other officers of this State.

Removal from office—successor.

Acts of
1887,
page 75.

SEC. 6. The County School Commissioner may be removed from office before the expiration of his term by a majority vote of the Board of Education for inefficiency, incapacity, neglect of duty, or malfeasance or corruption in office; *provided*, that any Commissioner so removed shall have the right of appeal from the action of the County Board to the State School Commissioner, and from the State School Commissioner to the State Board of Education.

Duties—compensation—office—compensation in special cases.

SEC. 7. That the County Commissioner shall constitute the medium of communication between the State School Commissioner and the

subordinate school officers; that he shall visit each school in his county at least once during the school term, or twice if practicable, and oftener if ordered by the Board, and without notice to the teachers, for the purpose of inspecting its management and the mode of instruction, and of giving such advice and making such suggestions as shall tend to elevate it in character and efficiency. He shall be the agent of the County Board in procuring such school furniture, apparatus, and educational requisites as they may order to be purchased, and shall see that none but the prescribed text-books are used by the pupils; that it shall be his duty to audit all accounts of teachers and others before an application is made to the County Board for an order for payment, and that the said County Commissioner shall procure a book, in which he shall keep a record of his official acts, which, together with all the books, papers and property appertaining to his office, he shall turn over, on his resignation, or at the expiration of his official term, to his successor.

Acts of
1887,
page 77.

Seal upon licenses.

SEC. 8. It shall be the duty of every County School Commissioner in this State to place upon all teachers' licenses issued by them the seal of the Board of Education of the county for which they are commissioner.

Acts of
1897,
page 92.

SEC. 9. That it shall be the duty of the county authorities of the different counties of this State to furnish the County School Commissioners thereof an office in the court-house thereof; *provided*, there is sufficient room in said court-house after furnishing the county officers of such county with offices as now provided by law.

Acts of
1893,
page 63.

School officers authorized to administer oaths.

SEC. 10. That County School Commissioners and members of the County Boards of Education shall be empowered and authorized to administer such oaths as may be necessary in transacting school business or in conducting investigations before the County Board when sitting as judicial tribunals for determining controversies arising under school laws.

Acts of
1887,
page 81.

Report to grand jury—duty of grand jury in matter of report.

SEC. 11. That it shall be the duty of the County School Commissioner of each of the counties of this State to make a report of the school operations of the preceeding year to the grand jury, at the spring term of the court, and to place his books before them for ex-

Acts of
1887,
page 81.

amination; and in making up the general presentments it shall be the duty of the jury to take proper notice of the matters thus brought to their attention.

FILL UNEXPIRED TERMS OF COUNTY SCHOOL COMMISSIONER.

SEC. 12. Be it enacted by the General Assembly of the State of Georgia and it is hereby enacted by authority of the same, that Section 4 of said Act be amended by striking from Section 4 all the words thereof after the word "term" in the seventh line and substituting the words "and in such case the provisions of Section 2 hereof shall not apply, so that said Section as amended will read as follows: Section 4. Be it further enacted by the authority aforesaid, That in case of a vacancy caused by death, resignation, removal from office or from any cause whatsoever in the office of County School Commissioner in any county of this State, the County Board of Education shall elect a County School Commissioner for the unexpired term, and in such case the provisions of Section 2 hereof shall not apply."

Acts of
1910,
page 76.

AN ACT.

To fix and make uniform the term of office of County Superintendent of Schools and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia and it is hereby enacted by authority of the same, that the term of office of County Superintendent of Schools in each and every county of the State of Georgia shall begin with the first day of January 1913, and terminate with the first day of January, 1917, and that the said County Superintendent of Schools shall be elected for a term of four years as now provided by law at the same time and places as State and county officers.

Acts of
1912,
page 180.

SEC. 2. Be it further enacted that the term of office of all County Superintendents of Schools beginning during the year 1912, shall continue until the first day of January, 1917, or until their successors are elected and qualified as is now provided by law.

Acts of
1912,
page 180.

V.

FINANCIAL.

Itemized Statements of claims against school fund—prompt disbursement.

SECTION 1. That the County School Commissioner of each county shall, under the approval of the County Board of Education, transmit to the State School Commissioner an itemized statement of the various sums due and unpaid by the county Board of Education on said several dates mentioned in Section 2, whether the same be for teachers salaries, for pay of the County School Commissioner, or for any other item of expense properly chargeable under the law to the County Board of Education, and when said itemized statements have been approved by the State School Commissioner and presented to the Governor, the Governor shall issue his warrants upon the Treasurer for all the funds standing to the credit of each of the several counties upon the books of the Treasurer, or for such part thereof as may be needed to liquidate the indebtedness to the County Board of Education of such county, as shown by each itemized statement aforesaid. And the State Treasurer shall, upon the presentation of the warrants aforesaid, draw his checks for the amount of said warrants in favor of the County School Commissioners of the several counties, and the State School Commissioner shall immediately transmit said checks to the several County School Commissioners, who shall promptly disburse the money so received in payment of the sums set out in the itemized statement aforesaid; and if the money is not sufficient to pay said sums in full, then it shall be prorated among the various items; *provided*, that the expenses of administration for each month shall first be paid in full, and the County Boards of Education are hereby authorized to make their contracts in such manner that the amounts payable to teachers for services rendered shall become due and payable monthly.

Amended
Acts of
1894,
page 60.

School year begins January 1st—operation of schools.

SEC. 2. That beginning with January 1st, 1895, and continuing thereafter, the school year shall be coincident with the calendar year, to-wit: from January 1st to December 31st thereafter, and the State School Commissioner, State Treasurer, and Comptroller-General shall, on or before the first Tuesday in December each year beginning in

Amended
Acts of
1894,
page 61.

1894, or as soon thereafter as practicable, make an estimate of the entire common school fund for the State for the next succeeding school year, and shall at once communicate in writing to the County School Commissioner of each county the amount of money that will be payable to his county; and on the first Tuesday in January in each year, or as soon thereafter as practicable, each County Board of Education shall meet and make the necessary arrangements for placing the schools in operation for the next school year, and shall have full authority in their discretion either to fix salaries for the payment of teachers, or to pay them according to the enrollment or attendance; *provided*, that nothing in this Act shall be construed to affect the right of the respective counties of the State to select the time of operating their schools, which shall be left entirely to the County Boards of Education, nor shall it affect or change the time of operating their schools under any special or local laws in any county in this State; provided further, it shall not affect the monthly payment of teachers as by this Act directed.

Acts of
1898,
page 71.

Payments to local school systems.

SEC. 3. That in those counties having local school laws where the schools are sustained by local taxation for a period of five months or more, the State School Commissioner shall, on the first day of each month, or as soon thereafter as practicable, notify the Governor of the amount of funds standing to the credit of each of such counties on the books of the Treasurer on said dates, and thereupon the Governor shall issue his warrants for said sums and the Treasurer shall draw his checks for said sums without requiring the itemized statements as provided in Section 33; and the State School Commissioner shall immediately transmit said checks to the officer under the local school system authorized to receive its funds, and the State School Commissioner shall in like manner, pay over to the proper officer under the school board of any town or city having a school system sustained by local taxation for a period of five months or more, and to which he is now authorized by law to make direct apportionments, such proportion of the entire county fund as shown on the books of the Treasurer as the school population of the town or city bears to the population of the county, as shown by the last school census; *provided*, that all children of school age resident in said county, and attending the public schools of such town or city, shall be counted in the school population of such town or city and be entitled to have their share of such county fund paid over to the proper officers of the school board of such town or city.

Acts of
1894,
page 62.

Relief of forfeiture of school fund—unused balances.

SEC. 4. That whenever a County Board of Education, or Board of Education of any city, shall hereafter fail in any year to make arrangements to put schools in operation, said county or city, as the case may be, shall forfeit all right to participation in the school fund of that year, unless the failure to arrange for schools was from Providential cause, or other good and sufficient reason, the sufficiency of the reason to be judged of by the State Board of Education. That in all cases where any of the counties of this State have heretofore or may hereafter leave unused in the State Treasury any part of the public school fund to which they are entitled under the law, such fund shall be kept separate and applied to the use and benefit of the respective counties entitled to the same

Acts of
1887,
page 79.

Acts of
1903,
page 65.

Failure to put schools in operation.

SEC. 5. That any county or city, which has failed to put schools in operation in any past year, and has never received its *pro rata* part of the State School Fund for that year, shall still be entitled to receive through the properly constituted authorities of the county or city that *pro rata*; *provided*, that the County School Commission of such county shall receive no compensation from the school fund of said county for such year, except for services rendered in taking the enumeration of the school population.

Acts of
1887,
page 79.

SEC. 6. Such unused funds may be used by the respective boards of education of the counties entitled to the same for school purposes in their respective counties, and may be drawn on for such purpose as is now provided by law.

NOTE.—If any public officer of any county in this State shall buy up at a discount, or in any manner speculate in what are known as “county orders” or in “jury scrip,” or any order or scrip which is to be paid out of any public fund of this State or of any county in this State, he shall be punished as for a misdemeanor and shall be removed from office. (Code 1895, Vol. III, Sec. 277.)

VI.

COUNTY INSTITUTES.

**Subjects—held by County School Commissioners—prepared by
State School Commissioner—special examinations.**

SECTION 1. An Act authorizing the State School Commissioner to organize and establish in each county in Georgia a Teachers' County Institute for the assembling and instruction of the common school teachers of each county in the State, said institute to hold an annual session of one week's duration in each county of Georgia in the period of June, July and August, or in such other month as the State School Commissioner may deem best and expedient; *provided, however,* that the State School Commissioner may, in his discretion, combine the annual session of said institutes or any number of them, so that the same may be held in any county designated by him; to prepare a program of exercises, with a syllabus of each subject named in said program, for each day's session of said institute; to require County School Commissioners to operate at their regular *per diem*, said institute sessions under such general rules and regulations as he may deem best; to require all persons, white and colored, teaching in Georgia, or having licenses entitling them to teach in the State, provided that those not teaching have not permanently retired from teaching; to attend all sessions of said institutes held in the county of their residence, and perform all duties required of them as members of said institutes, unless providentially prevented; to secure a prompt attendance of the teachers upon the exercises of said institutes by causing the County School Commissioners and County Boards of Education to collect such fines from absentees as may be deemed just and reasonable by said Commissioners and Boards; *provided,* that no teacher shall be fined till he or she has stated the cause of his or her absence in writing, to said Commissioners and Boards, and they have duly considered the same; *provided further,* that all money thus collected shall be used in purchasing teachers' libraries for the counties in which said fines may be collected; to provide separate institutes for the white and the colored; to pay from the educational fund of each county an amount not to exceed twenty-five dollars per annum for the purpose of securing the services of an expert in conducting the week's session of the institute of said county, which expert shall be chosen by the County School

Acts of
1890,
page 120.

Amended
Acts of
1892,
page 86.

Amended
Acts of
1893,
page 61.

Commissioner and the County Board of Education, which expert shall assist in conducting the exercises of each annual week's session of said institute in the county where he is thus employed; to cause all sessions of said institutes to be held at county seats, or such other places as may be selected by the County School Commissioner, and allow all persons so desiring to attend the sessions of said institutes; *provided*, that all visitors shall be subject to the rules and regulations of said institutes while attending the exercises of the same; and to prescribe from time to time such other rules and regulations as he and the County School Commissioners may deem best for successfully operating said institute.

SUPERVISORS.

The State Superintendent of Schools shall have power, with the consent and approval of the State Board of Education to appoint three State School Supervisors, whose professional qualifications shall be the same as State Superintendent's who shall act under the direction of the State Superintendent of Schools and fill the place of the experts provided for in the Acts of 1891, which were amended in 1892 and 1893. The salaries paid these Supervisors shall be fixed by the State Board of Education and shall not exceed Two Thousand Dollars each per annum, together with necessary traveling expenses; *provided*, The same shall not exceed \$2,000 dollars. The Supervisors shall keep itemized statements of their expenses, which shall be sworn to monthly and approved by the State Superintendent of Schools and be paid out of the State Treasury. It shall be especially the duty of these Supervisors to act as instructors of institutes to give State normal instruction and training as the State Superintendent may direct in each county; to grade the papers of applicants for professional certificates or State licenses and to aid generally in supervising, systematizing and improving the schools of the State under the direction of the State Superintendent of Schools.

Acts of
1911,
page 99.

VII.

EXAMINATION OF APPLICANTS FOR LICENSE TO TEACH.

Grading of papers—licenses—graduates of colleges not exempt from examination.

SECTION 1. That the County Commissioners shall examine all applicants for licenses to teach in their respective counties, giving previous public notice of the day upon which the examinations are to take place and said Commissioners shall be allowed to invite such persons as they may think proper to assist in these examinations. Applicants for license to teach in the common schools shall be examined upon orthography, reading, writing, English grammar, geography, arithmetic, and the science and practice of teaching in common schools. No license shall be granted any person to teach in the public schools, receiving money from the State, after the first Monday in January, 1903, who has not passed a satisfactory examination in physiology and hygiene (physiology, which shall include with other hygiene, the nature and effect of alcoholic drinks with other narcotics upon the human system). Said examinations shall be held throughout the State on a day or days to be fixed by the State School Commissioner, and on questions prepared and sent out by him to the County School Commissioners. The State School Commissioner shall also prepare and supply the County School Commissioners with printed instructions as to the grading of applicants on and by a uniform grade, and shall fix the lowest standard for each class of licenses.

No applicant for teachers licenses shall be examined on any other day than the one designated as above described except in cases where the County Board of Education shall order a special examination; no special examination shall be ordered by said Board except for good and sufficient reasons and to meet some special emergency. In such cases the questions shall be prepared by the County School Commissioner, or by some competent person under his authority, and their contents shall not be made known to the applicant or applicants until the examination actually commences; said examination shall be conducted under the same rules and regulations as are provided by law for other examinations, but the licenses granted shall be valid only until the next examination ordered by the State School Commissioner, and it shall not be lawful for the County School Commissioner of

Amended
Acts of
1890-91,
page 118.

Acts of
1901,
page 54.

any county, other than that in which said special examination is held, to endorse a license granted thereunder. The County Board of Education shall have power, if they deem best, to employ teachers at a salary.

SEC. 2. It shall be the duty of the County School Commissioners after thorough examination of the papers submitted by applicants for licenses as teachers, upon the examination conducted as prescribed in the preceding Section, to grade the applicants according to the instructions furnished them by the State School Commissioner, submitting his report and recommendations thereon in writing to the County Board of Education, who shall grant to the applicants licenses of the first, second or third grade, to be determined by the qualifications exhibited and the standard attained; *provided*, they shall attain at least the lowest grade-mark fixed by the State School Commissioners for each grade; and *provided, further*, That each applicant submits with his or her examination paper satisfactory evidence in writing of good moral character. A license of the first grade shall continue in force for three years, a license of the second grade for two years, and a license for the third grade for one year, which said licenses shall entitle teachers holding them to be employed for and during the period of their licenses in any of the common schools of the county where issued. Licenses, to be good in another county than the one in and for which they are issued, must be endorsed by the County School Commissioner of the county in which the applicant desires to teach.

Acts of
1887,
page 76.

SEC. 3. All students or graduates of any school, college or other institution of learning shall be required to stand an examination as now prescribed by the general common school laws of this State before the County School Commissioner of each county in this State in which they desire to teach, and get a license from the County School Commissioner before being permitted to teach in the common or public schools of such county; *provided*, that nothing herein contained shall be construed to invalidate any license to teach in the schools in this State now held by any person.

Acts of
1899,
page 51.

And all laws and parts of laws authorizing and entitling any student or graduate of any school, college or other institution of learning, to teach in the common or public schools of this State on the certificate or diploma from any school, college or other institution of learning or the officers thereof, be, and the same are hereby repealed.

Revoking of Licenses—appeal—forgery in License a felony.

SEC. 4. That the County Commissioner shall have power, and it shall be his duty, to revoke licenses granted by him, or his predecessors,

Acts of
1887,
page 76.

for incompetency, immorality, cruelty to pupils, or neglect of his duties, and the revocation of the licenses of any teacher shall terminate the connection of said teacher with any school which he may have been employed to teach; but any teacher so dismissed shall have the right to appeal to the County Board of Education whose decision shall be final.

Acts of
1900,
page 69.

SEC. 5. Whoever, with intent to defraud the State or any county, town or city, or any person, shall falsely and fraudulently make, forge, alter or counterfeit, or cause to procure to be falsely and fraudulently made, forged, altered or counterfeited, or willingly aid or assist in falsely and fraudulently making, forging, altering or counterfeiting any certificate or license issued by any County School Commissioner of this State (or the executive officer of any local school board to a teacher, shall be deemed guilty of a felony, and upon conviction therefor, shall be punished as prescribed by Section 233 of the Penal Code.

Acts of
1911,
page 106.

SEC. 6. Be it further enacted, That it is not the intention of this Act to repeal or interfere with the laws which have been enacted establishing local tax district schools, municipal schools, or other schools already established by law, except that no person shall be allowed to teach in any school in the State of Georgia receiving State aid without first standing an examination and procuring a license as provided by the State Board of Education and State Superintendent; *provided*, They are hereby authorized and directed to prescribe and require a different examination of teachers who are engaged in teaching primary grades only from that required of teachers of higher grades; *provided, nevertheless*, That the State Board of Education may, when the authorities in charge of any local municipal schools are maintaining a sufficiently high standard of examinations for its teachers, delegates to the authorities of these systems the right to license teachers to teach in their respective systems, upon examinations to be provided by the local authorities, reserving, however, to the State Board of Education the right to revoke this delegation of authority as to any local system whenever it appears that the authorities of that system have relaxed the standard or failed to give examination. Nothing herein contained shall be construed as affecting the right of the authorities of local municipal systems to prescribe the courses of study therein, or select text-books, in those schools where they are now allowed to do so by law.

VIII.

MISCELLANEOUS.

County line schools.

SECTION 1. That admission to all common schools of this State be gratuitous to all children between the ages of six and eighteen years residing in the sub-districts in which the schools are located; *provided*, that colored and white children shall not attend the same school; and no teacher receiving or teaching white and colored pupils in the same school shall be allowed any compensation at all out of the common school fund. In special cases to meet the obvious demand of convenience children residing in one sub-district may by express permission of the County Board, attend the common school of another sub-district and when a common school is located near a county line, children from an adjoining county shall be permitted to attend the school; *provided*, such children reside nearer such school or said school is more accessible to the residences of such children than any public school in the county of their residence. And in such cases, the teacher shall make out two accounts for his services, one against each County Board, in amount proportional to the number of children in the school from the respective counties.

Acts of
1903,
page 33.

NOTE.—A small incidental fee is a reasonable charge against all pupils who are able to pay the same. This fee should be applied only to current incidental expenses; keeping the house in order, providing crayon, fuel, etc. In a few schools of this State whose patrons are indifferent the teachers have had to meet the current incidental expenses. Every good school building should be under the constant care of a janitor, and patrons should make due provision for the equipment and care of the school building.

NOTE 2.—Teachers of county line schools should report to each county the number of pupils and the amount of salary received from the other county. County Boards through the County School Commissioner of each county should pay salaries of teachers according to contract direct to teachers of county line schools.

Arbor Day.

SEC. 2. The first Friday in December in each year shall be set apart and consecrated as a day for tree-planting, and shall be known throughout the State as "Arbor Day," that it shall be the duty of the State School Commissioner to take the matter of the observance of

Acts of
1890-91,
page 219.

"Arbor Day," by the public, under his general supervision, and through the County School Commissioners to cause the public schools of the State to observe "Arbor Day," as the superintendents and teachers may think best, in order to show the pupils the value and beauty of forestry by practical tree-planting on school, church, and other public lots, lawns, as well as on public highways.

Physiology and Hygiene to be taught in public schools.

Acts of
1901,
page 54.

SEC. 3. The nature of alcoholic drinks and narcotics, and special instruction as to their effects upon the human system in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in common or public schools in the State of Georgia, and shall be studied and taught as thoroughly and in the same manner as other like required branches are in said schools.

Acts of
1901,
page 54.

SEC. 4. It shall be the duty of county and city superintendents of schools receiving aid from the State to report to the State School Commissioner any failures or neglect on the part of the Boards of Education to make provision for instruction of all pupils in any or all the schools under their jurisdiction, in physiology and hygiene (physiology, which shall include with other hygiene the nature and effects of alcoholic drinks and other narcotics upon the human system), and the Board of Education of each county of this State shall adopt proper rules to carry the provisions of this law into effect.

Agriculture and Civil Government to be taught in the common schools.

Acts of
1903,
page 64.

SEC. 5. The elementary principles of agriculture and the elements of civil government shall be included in the branches of study taught in the common or public schools in the State of Georgia, and shall be studied and taught as thoroughly and in the same manner as other like required branches are studied in said schools.

SEC. 6. It shall be the duty of the county commissioners of all schools receiving aid from the State to report to the State School Commissioner any failure or neglect on the part of their respective boards of education to make provisions for instruction of all pupils in any and all of the schools under their jurisdiction in said branches, and the board of education of each county of this State shall adopt proper rules to carry the provisions of this law into effect.

Georgia Day.

SEC. 7. The twelfth day of February in each year shall be observed in the public schools of this State, under the name of "Georgia Day," as the anniversary of the landing of the first colonies in Georgia under Oglethorpe; and it shall be the duty of the State School Commissioner, annually to cause the teachers of the schools under their supervision to conduct on that day exercises in which the pupils shall take part, consisting of written compositions, readings, recitations, addresses, or other exercises, relating to this State and its history to the lives of distinguished Georgians. When said day falls on Sunday, it shall be observed on the following Monday.

Acts of
1900,
page 190.

Isolation and Quarantine in infectious diseases (Extracts from Rules and Regulations of State Board of Health).

SEC. 18. No parent or householder shall permit infected persons (or persons exposed to infection), clothing, bedding, furniture, school-books, library-books, or other articles likely to convey infection to be removed from the house until properly disinfected, under the supervision of the local board of health or its proper officer, or where no board exists, by the attending physician, in the manner recommended by the State Board of Health.

SEC. 19. The isolation of patients and duration of quarantine in infectious diseases shall be as follows:

DIPHTHERIA OR MEMBRANOUS CROUP: For the Patient: Isolation for twenty-one (21) days from persons and domestic animals, and disinfection of premises. For persons associated with or in the house with the patient: Adults: Quarantine until after death or recovery of the patient and disinfection of premises. Children: Quarantine for seven (7) days after disinfection of premises. Domestic pets, particularly cats, are frequent carriers of this infection. That the use of antitoxine lessens the mortality, but does not attenuate the virus, so that the same length of quarantine should be enforced whether antitoxins are or are not used.

SCARLET FEVER (Scarletina, Scarlet Rash, Roseola): Isolation of patient and quarantine of children associated with, or in the house with the patient, for ten (10) days after complete desquamation or scaling of patient and disinfection of premises.

SMALLPOX: For the patient: Isolation until after all crusts or scales have fallen off, and the disinfection of patient's body and the premises. For exposed persons: Quarantine for sixteen (16) days from date of last exposure.

CHOLERA: For the patient: Isolation until after complete recovery and disinfection of the premises. For exposed persons: Quarantine for five days (5) days from date of last exposure.

YELLOW FEVER: Isolation in screened room (protected fire-place) until after complete recovery and disinfection of premises.

TYPHUS FEVER: For the patient: Isolation until after complete recovery and disinfection of the premises. For exposed persons: Quarantine for twenty-one (21) days from date of last exposure.

Days to be observed by appropriate exercises.

January 1—New Year's Day.

January 19—Lee's Birthday.

February 12—Georgia Day.

February 22—Washington's Birthday.

April 26—Memorial Day.

June 3—Davis' Birthday.

July 4—Independence Day.

September, First Monday—Labor Day.

November, Last Thursday—Thanksgiving Day.

December, First Friday—Arbor Day.

December 25—Christmas Day.

IX.

UNIFORM TEXT-BOOK LAW.

School-Book Commission.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That the State Board of Education, consisting of the Governor, Secretary of State, Comptroller-General, Attorney General and State School Commissioner, be, and are, hereby made the School-book Commission of the State of Georgia. The members of the said School-book Commission shall serve without compensation; the Governor shall be President and the State School Commissioner shall be the executive officer of said School-book Commission. Before transacting any business relating to the duties of this Commission, they shall each take an oath before some person authorized to administer same, to faithfully discharge all the duties imposed upon them as members of the said School-book Commission, and that they have no interest, direct or indirect, in any contract that may be made under this Act, and will receive no personal benefit therefrom.

Acts of
1903,
page 53.

Uniform series of text-books.

SEC. 2. Be it also enacted by the authority aforesaid, That from and after the first day of January, 1904, or such date thereafter, not more than sixty days, as shall be deemed necessary and practicable by the School-book Commission to allow to the contractors to furnish to the schools of the State the books included in the contracts made by such Commission with such contractors, a uniform series of text-books, shall be used in all the common schools of this State, to be adopted in the manner and for the time hereinafter provided, which uniform series of books shall be in use in all the common schools of this State, and shall include the following elements of an English education only, to wit: Orthography, reading, writing, arithmetic, geography, English language lessons, English grammar, history of Georgia, containing the Constitution of the State of Georgia, history of the United States, containing the Constitution of the United States, physiology and hygiene, the elementary principles of agriculture and civil government, and such other branches of study in addition to the above-mentioned as may be from time to time provided for by statute, and not conflicting with the

Acts of
1903,
page 54.

Constitution of this State, *provided*, that none of said text-books so adopted shall contain any thing of a partisan or sectarian character; *and provided*, that no county, city or town that levies a local tax for the purpose of maintaining a system of graded schools which local tax together with the State fund, is sufficient to maintain said system of graded schools, for as long a period as eight months in each year, shall be included in the provisions of this Act: but if the duly constituted authorities in charge of any local system in this State should desire to use any of the books selected by said School-book Commission, the said local system shall have the privilege of buying said books at the same price and on the same terms at which they are furnished to the common schools of the State.

Sub-commission.

SEC. 3. Be it further enacted by the authority aforesaid, That it shall be the duty of the said School-book Commission to elect a sub-commission of five, to be selected from among the teachers of the State who are actively engaged in school work, either as normal school teachers, common school teachers, graded school teachers, county school commissioners or city superintendents, *provided*, that no more than one of the members of said sub-commission shall be taken from one congressional district. Sample copies of all books sent to the said School-book Commission as specimen copies upon which bids are to be based shall be referred to the sub-commission for examination, and said sub-commission shall examine and report upon the merits and demerits of the books irrespective of prices, taking into consideration the subject-matter of the books, their printing, their material and mechanical qualities and their general suitability and desirability for the purpose for which they are desired and intended. It shall further be the duty of each member of said sub-commission to make an individual report to the said School-book Commission at such time as said Commission shall direct, arranging each book in its class, and reporting them in the order of their merit, pointing out the merits and demerits of each book, and indicating what books he recommends for adoption first, what book is his second choice, and what his third choice, and so on, pursuing this plan with the books submitted upon each branch of study; and if any member of said sub-commission shall consider different books upon the same subject or of the same class or division of approximately equal merit, all things being considered, he shall so report, and if he thinks that any of the books offered are of such character as to make them inferior and not worthy of adoption, he shall, in his report, designate such books, and in said report each member of said sub-

commission shall make such recommendation and suggestions to the said School-book Commission as he shall deem advisable and proper to make. Said individual reports of the different members of the sub-commission shall be kept secret and sealed and shall be delivered to the Secretary of State, and said report not be opened until the said School-book Commission shall meet in executive session to open and consider the bids or proposals of publishers and others desiring to have books adopted by said commission. Each member of said sub-commission, before entering upon the duties of said sub-commission, shall take and prescribe an oath to act honestly, conscientiously and faithfully, and that he is not directly or indirectly in any manner interested in any of the proposed contracts, nor in any book or publishing concern of any kind or character, and that he will examine all books submitted carefully and faithfully, and make true reports thereon, as herein directed and prescribed; said oath shall be filed in the office of the Secretary of State. Said School-book Commission shall hear and consider said reports of the members of the sub-commission in its selection and adoption of the uniform series of text-books, and shall also themselves consider the merits of the books, taking into consideration the subject-matter, the printing, binding and material and mechanical qualities and their general suitability and desirability for the purposes intended and the price of said books; and they shall give due consideration and great weight to the reports and recommendations of the sub-commission; *provided*, that no text-book, the subject-matter of which is of inferior quality, shall be adopted by the said School-book Commission. Said School-book Commission shall select and adopt such books as will, in their best judgment, accomplish the ends desired. When the said School-book Commission shall have finished with the reports of said sub-commission, the individual reports of the members of said sub-commission shall be filed and preserved in the office of the State School Commissioner, and shall be open at all times for public inspection.

Bids—Filed with State Superintendent of Schools, Etc.

SEC. 4. Be it further enacted, That the said School-book Commission shall meet in the office of the State Commissioner not later than September 1, 1903, and advertise in such manner and form as they may deem best, that, at a time to be fixed by said commission to be named in the advertisement, and not to be later than November 1, 1903, said School-book Commission will receive at the office of the State School Commissioner, in the city of Atlanta, sealed bids or proposals from the publishers of school-books for furnishing books to the public common schools of the State of Georgia through agencies estab-

Acts of
1903,
page 56.

lished by said publishers in the several counties and places in counties in the State, as may be provided for in such regulations as said School-book Commission may adopt and prescribe. The bids or proposals shall be for furnishing the books specified for a period of five years, and no longer. Said bids or proposals shall state specifically and clearly the retail price at which each book will be furnished, and also the exchange price for the introduction of such books. Each bid or proposal shall be accompanied by specimen copies of each and all books to be furnished in said bid; and it shall be required that each bidder shall deposit with the Treasurer of the State of Georgia a sum of money such as the said School-book Commission may require, of not less than five-hundred dollars, and not more than twenty-five hundred dollars, according to the number of books each bidder may propose to supply, and such deposit shall be forfeited absolutely to the State if the bidder shall fail or refuse to make and execute such contract or bond as is hereinafter required within such time as the said School-book Commission may require, which time shall not be later than January 1, 1904, and shall also be stated in said advertisement. All bids shall be sealed and deposited with the Secretary of State, to be by him delivered to the said Schoolbook Commission when they are in executive session for the purpose of considering the same, when they shall be opened in the presence of said School-book Commission; *provided*, that the School-book Commission shall have authority, upon the acceptance of any bid and the execution of any contract to furnish school-books under the provisions of this Act, to allow such time, after January 1, 1904, as may be deemed by said Commission reasonable and necessary (not more than sixty days), to the contractor making such bid or contract, within which to furnish to all the schools of this State coming under the provisions of this Act, with all the books contracted to be furnished.

Adoption—contracts—forfeitures and recoveries on Bonds.

SEC. 5. Be it further enacted by the authority aforesaid, That it shall be the duty of said School-book Commission to meet at the time and place noted in said advertisement and take out the specimen copies submitted and upon which bids are based, and refer and submit them to the sub-commission as provided for and directed in Section 3 of this Act, with instruction to the said sub-commission to report to them at a specified time with their reports, classifications and recommendations as provided in Section 3. When the said reports are submitted it shall be the duty of the said School-book Commission to open and examine all sealed proposals submitted and received in pursuance of the notice provided in Section 4 of this Act. It shall then be the duty of said

School-book Commission to examine and consider carefully all such bids or proposals, together with the reports and recommendations of the members of the sub-commission, and determine, in the manner provided in Section 3 of this Act, what book or books upon the branches herein above mentioned, or that hereafter may be added by said School-book Commission, or may be hereinafter provided for in this Act, shall be selected and adopted, taking into consideration the size, quality as to subject-matter, material, printing, binding, and the mechanical execution and price and the general suitability for the purposes desired and intended. And after such adoption shall have been made, the said School-book Commission shall, by registered mail, notify the publishers or proposers to whom contracts have been awarded, and it shall then be the duty of the Attorney-General of the State to prepare the said contract or contracts in accordance with the terms and provisions of this Act, and the said contract shall be executed by the Governor and attested by the Secretary of State with the seal of the State attached upon the part of the State of Georgia, and the said contract shall be executed in triplicate, one copy to be kept by the contractor, one copy by the School-book Commission, and copied in full upon the minute-book of the commission, and one copy to be filed in the office of the Secretary of State. At the time of the execution of the contract aforesaid, the contractor shall enter into a bond in the full sum of not less than one thousand dollars nor more than twenty thousand dollars, payable to the State of Georgia, the amount of said bond within said limits to be fixed by said School-book Commission, conditioned upon the faithful, honest and exact performance of said contracts, and shall further provide for the payment of reasonable attorney's fees in case of recovery on any suit upon the same, with three or more good and solvent sureties, actual citizens and residents of the State of Georgia, or any guarantee company authorized to do business in the State of Georgia may become the surety on the said bond; and it shall be the duty of the Attorney-General to prepare and approve said bond; *provided, however,* that said bond shall not be executed in a single recovery, but may be sued upon from time to time, until the full amount thereof shall be recovered; and the said School-book Commission, may, at any time, by giving thirty days' notice, require additional security or additional bond within the limits prescribed. And when any persons, firm or corporation shall have been awarded a contract and submitted therewith the bond as required hereunder, the said School-book Commission through its secretary, shall so inform the Treasurer of the State, and it shall then be the duty of the Treasurer of the State to return to such contractor the cash deposit made by him; and the said School-book Commission, through its secretary, shall inform the Treas-

urer of the State of the names of the unsuccessful bidders or proposers, and the Treasurer of the State shall, upon receipt of this notice, return to the unsuccessful bidders or proposers the amount deposited in cash by the unsuccessful bidders or proposers at the time of the submission of their bids. But should any person or persons, firm, company or corporation fail or refuse to execute the contract and submit therewith his bond as required by this Act within thirty days of the awarding of the contract to him and the mailing of the registered letter containing the notice (and it is hereby provided that the mailing of the registered letter shall be sufficient evidence that the notice was given and received), the said cash deposit shall be deemed and declared forfeited to the State of Georgia and it shall be the duty of the Treasurer to place said cash deposit in the treasury of the State to the credit of the school fund; and *provided, further*, that any recovery had on any bond given by any contractor shall inure to benefit of the school fund of the State, and when collected shall be placed in the treasury to the credit of the school fund and be prorated among the several counties of the State.

Standard of books—prices—exchange price.

SEC. 6. Be it further enacted by the authority aforesaid, That the books furnished under any contract shall be equal in all respects to the specimen or sample copies furnished with the bids; and it shall be the duty of the Secretary of State to preserve in his office, as the standards of quality and excellence to be maintained in such books during the continuance of such contract, the specimen or sample copies of all books which have been the basis of any contract, together with the original bid or proposal. It shall be the duty of all contractors to print plainly on the back of each book the contract price as well as the exchange price at which it is agreed to be furnished, but the books submitted as sample or specimen copies with the original bids shall not have the price printed on them before they are submitted to the sub-commission. And the said School-book Commission shall not in any case contract with any person, publisher or publishers for the use of any book or books which are to be or shall be sold to patrons for use in any public school in this State at a price above or in excess of the price at which such book or books are furnished by said persons, publisher or publishers under contract to any State, county or school district in the United States under like conditions prevailing in that State and in this Act; and it shall be stipulated in each contract that the contractor is not now furnishing, under contract, any State, county or school district in the United States where like conditions prevail

as are prevailing in this State and under this Act, the same book or books as are embraced in said contract at a price lower or less than the prices stipulated in the said contract; and that in case said contractors shall hereafter during the term of said contract, contract to furnish, or furnish, to any State, county or school district such book or books at a lower price than that named in the contract, such lower price shall become the price of such book or books under the contract entered into with the said School-book Commission. And the said School-book Commission is hereby authorized and directed at any time they find that any books are being sold at a lower price, under contract, to any State, county or school district aforesaid to sue upon the bond of said contractor and recover the difference between the contract price and the lower price at which they find the books are being sold. And in case any contractor shall fail to execute specifically the terms and provisions of his contract, said School-book Commission is hereby authorized, empowered and directed to bring suit and all damages, the suit to be in the name of the State of Georgia and the recovery for the benefit of the public school fund. But nothing in this Act shall be construed so as to prevent said School-book Commission, and any other contractor agreeing thereto, from in any manner changing or altering any contract, provided four members of the State School-book Commission shall agree to the change and think it advisable and for the best interest of the public schools of the State. In all other matters a majority of said School-book Commission shall control.

SEC. 7. Be it further enacted by the authority aforesaid, That it shall be always a part of the terms and conditions of any contract made in pursuance of this Act, the State of Georgia shall not be liable to any contractor in any manner, for any sum whatever; but all such contractors shall receive their pay or consideration in compensation solely and exclusively derived from the proceeds of the sale of books, as provided for in this Act; *provided further*, that the said School-book Commission shall stipulate in the contract for the supplying of any book or books, as herein provided, that the contractor or contractors shall take up the school-books now in use in this State and receive the same in exchange for new books at a price not less than fifty per cent. of the contract price; but the exchange period shall not extend beyond the limit of one year from time of the expiration of contracts existing in counties in which said change shall be required under this Act. And each person or publisher making any bid for the supplying of any books hereunder shall state in such bid or proposal the exchange price at which such book or books shall be furnished.

Acts of
1908,
page 60.

Bids may be rejected.

Acts of
1903,
page 60.

SEC. 8. Be it further enacted by the authority aforesaid, That the said School-book Commission shall have and reserve the right to reject any and all bids or proposals if said commission be of the opinion that any or all bids should, for any reason, be rejected; and in case they fail from among the bids or proposals submitted to select any book or books upon any of the branches of study herein provided for in this Act, they may re-advertise for sealed bids or proposals under same terms and conditions as before, and proceed in their investigation in all respects as they did in the first instance and as required by the terms and provisions of this Act.

Proclamation by the Governor.

Acts of
1903,
page 61.

SEC. 9. Be it further enacted by the authority aforesaid, That as soon as said Commission shall have entered into a contract or contracts for the furnishing or supplying of books for use in the public schools of this State, it shall be the duty of the Governor to issue his proclamation announcing such fact to the people of the State.

Depositories.

Acts of
1903,
page 61.

SEC. 10. Be it further enacted by the authority aforesaid, That the party or parties with whom the contract or contracts shall be made shall establish and maintain in some city in this State a depository where a stock of their books sufficient to supply all the immediate demands shall be kept. They shall also establish and maintain not less than one nor more than three agencies in every county in the State as the State School-book Commission shall deem advisable and demand, for distribution of the books to the patrons; but the contractor shall also be permitted to make arrangements with merchants or others for the handling and distribution of the books. Any party not living conveniently near an agency or county depository may order any books desired from the central depository direct, and it shall be the duty of the contractor to deliver any books so ordered to the person so ordering to his postoffice address, freight, express, postage or other charges prepaid, at the retail contract price; *provided*, that the price of the book or books so ordered shall be paid in advance. All books shall be sold to the consumer at the retail contract prices, and on the cover of each book shall be printed the following: "The price printed hereon is fixed by a State contract, and any deviation therefrom shall be reported to your County School Commissioner or to the State School Commissioner at Atlanta"; and it is expressly provided that should

any party contracting to furnish books as provided for in this Act fail to furnish them, or otherwise breach his contract, in addition to the right of the State to sue on the bond herein above required, the County Board of Education may sue in the name of the State of Georgia in any court having jurisdiction and recover on the bond of the contractor the full value of the books so failed to be furnished for the use and benefit of the school fund of the county; *provided*, that the right of action given to the County Board of Education shall be limited to breaches of the contract committed in that county.

Powers of Commission.

SEC. 11. Be it further enacted by the authority aforesaid, That the said School-book Commission may from time to time make any necessary regulations not contrary to the provisions of this Act, to secure the prompt distribution of the books herein provided for and the prompt and faithful execution of all contracts; and it is expressly now provided that said commission shall maintain its organization during the five years of the continuance of the contract, and after the expiration of the same to renew such of them as they deem advisable, or re-advertise for new bids or proposals as required by this Act in the first instance, and enter into such other contracts as they may deem for the best interest of the patrons of the public schools of the State; *provided*, that any contract entered into or renewed shall be for the term of five years.

Acts of
1903,
page 62.

Notice by State School Commissioner.

SEC. 12. Be it further enacted by the authority aforesaid, That as soon as practicable after the adoption provided for in this Act, the State School Commissioner shall issue a circular letter to each county commissioner and city superintendent in the State, and to such others as he may desire to send it, which letter shall contain the list of books adopted, the prices, location of agencies, method of distribution and such other information as he may deem necessary.

Acts of
1903,
page 62.

Books adopted to be used to exclusion of others—Supplementary readers.

SEC. 13. Be it further enacted by the authority aforesaid, That the books adopted under the provisions of this Act shall be used to the exclusion of all others on the same subject in all the public common schools of the State; *provided*, that supplementary readers may be used in any of the common schools of the State, but even supplementary

Acts of
1903,
page 62.

readers shall not be used until after the regular readers prescribed have been completed, and in no case shall supplementary readers be used to the exclusion of the regular readers adopted under this Act.

Acts of
1903,
page 62.

SEC. 14. Be it further enacted by the authority aforesaid, That any person or persons violating the preceding Section of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars.

Penalties for violation of law.

Acts of
1903,
page 62.

SEC. 15. Be it further enacted by the authority aforesaid, That if any county school commissioner fails or refuses to enforce the provisions of this Act, said county shall receive no part of the public school fund of the State of Georgia until the provisions of this Act have been complied with. Any teacher of a public common school in this State violating the provisions of this Act shall not receive any salary so long as he or she shall fail to carry out the provisions of this Act. Any teacher who shall use or permit to be used in his or her school any text-book upon the branches embraced in this Act, where the commission has adopted a book upon that branch, other than the one so adopted (except it be supplementary readers as provided in Section 13) shall be guilty of a misdemeanor and shall be punished as provided in Section 14 of this Act.

Acts of
1903,
page 63.

SEC. 16. Be it further enacted by the authority aforesaid, That if any local agent, dealer, clerk or other person handling or selling the books adopted under this Act shall demand or receive for any copy of any of the books herein provided for, more than the contract price in cases where the purchase is for cash, he shall be guilty of a misdemeanor, and upon conviction shall for each offense be punished by a fine not less than fifty nor more than two hundred dollars.

Appropriation for expenses of adoption.

Acts of
1903,
page 63.

SEC. 17. Be it further enacted by the authority aforesaid, That the sum of one thousand dollars, or so much thereof as may be necessary, to be paid out of the public school fund, be, and is, hereby appropriated for the purpose of paying the cost and expense of carrying into effect the provisions of this Act.

Per diem and expenses of members of sub-commission.

SEC. 18. Be it further enacted by the authority aforesaid, That said School-book Commission shall serve without compensation, and

the members of the sub-commission of five shall be paid a per diem of four dollars per day during the time they are actually engaged not to exceed thirty days, and in addition shall be repaid all money actually expended by them in the payment of necessary expenses, to be paid out of the public school fund, and they shall make out and swear to an itemized statement of such expenses.

Acts of
1903,
page 63.

Terms of contract.

SEC. 19. Be it further enacted by the authority aforesaid, That the adoptions made under the provisions of this Act shall continue for five years from the first day of January, 1904, and any adoption of books made after this time shall terminate with all other adoptions on the first day of January, 1904, and that all contracts for school books made by county boards of education now existing and extending beyond the first of January, 1904, shall not be affected by this Act, but no new contracts shall be made after the passage of this Act by any county board of education, or by the board of education of any city or town in this State, except the boards of education in Georgia having under their control a system of graded schools in part supported by local taxation and maintained for at least eight months in each year.

Acts of
1903,
page 63.

X.

LOCAL TAX DISTRICT SCHOOLS AND LOCAL TAX
BY COUNTIES.

(AMENDED AUGUST 22, 1907.)

County Boards to lay off school districts.

SECTION 1. Be, it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same, That within thirty days after the passage of this Act, or as soon thereafter as practicable, it shall be the duty of the County Board of Education of each county in Georgia to lay off the county into school districts, the lines of which shall be clearly and positively defined by boundaries such as creeks, public roads, land lots, district lines or county lines. The school district thus marked out shall contain an area of not less than sixteen square miles, and, when practicable, shall be so shaped as to have the school building as near the center as possible, and no territory shall be included whose occupants reside further than three miles from the school house without written petition of two-thirds of the qualified voters therein; *provided*, that the Board of Education may have the right to establish districts with areas less than sixteen square miles where there are natural causes or local conditions that make it necessary to do so. The natural causes which will permit the creation of smaller districts are mountains, streams over which there are no bridges, and dangerous roads. Local conditions which will permit the creation of small districts must be determined by the Board of Education.

In counties having incorporated towns, now levying a local tax for educational purposes, and operating a public school system under their own charter or special Act of the Legislature, the County Board of Education with the consent of the municipal authorities, may create a school district larger than the incorporated limits of the town by adding adjacent territory not already included in the incorporate limits, and the district thus marked out shall become a school district upon the vote of the people as hereinafter provided, but such school district, including incorporated towns having a population of four thousand or more, shall be and remain under the exclusive supervision and direction

Acts of
1906,
page 66.

Amended
Acts of
1907,
page 106.

of the school boards of the previously chartered schools in said class of incorporated towns and not under supervision of the County Board of Education; and the school boards of such chartered schools in incorporated towns shall be trustees of said school district under this Act; *provided further*, that if there be located in such district a chartered school controlled by a board of stockholders or by board of directors elected by them, the management and control of said chartered school shall remain in them and they shall have all the rights and privileges of this Act to collect local taxes as hereinafter provided in this Act, and to receive the share of the State public school fund. A map of the county thus laid off, plainly outlining the boundaries of the school district with full description thereof, shall be filed with the Ordinary within forty days after the passage of this Act, or as soon thereafter as practicable, and the boundaries of said school districts shall not be altered any oftener than once a year. The County Board of Education in laying off the county shall disregard any school districts embracing territory not included in incorporated towns heretofore created by special Act of the Legislature. The failure on the part of any board of education to perform the duties required by this Act, shall be immediately inquired into by the first grand jury sitting after such neglect of duty, and if said grand jury shall find that any member or members of said board have failed to perform their duty it shall report the same to the judge of the superior court, who shall cause a rule *nisi* to issue against such member or members, and they shall be heard by the judge in their own behalf; if the said member or members can not give a good and sufficient reason why they have not performed their duties as required by this Act, they shall be discharged, and the said judge shall fill the vacancies until the next grand jury shall meet.

Election of Trustees.

SEC. 2. Be it further enacted, That within ninety days after the Board of Education has laid off the county as required in Section 1, the said Board of Education shall order the citizens of the several school districts to hold an election for the purpose of electing three trustees for each district in the county. Said election shall be held at a time and place, and in a manner prescribed by the County Board of Education. The said trustees shall be intelligent citizens of good moral character who are known to be earnest supporters of public education, and they shall serve one for three years, one for two years and one for one year as the County Board of Education may determine. In districts containing incorporated towns there may be five trustees, one of whom shall be elected for one year, two for two years, and two for

Acts of
1906,
page 67.

Amended
Acts of
1907,
page 101.

three years. The notice of their election shall be filed by the election managers with the County School Commissioner, who shall submit the same to the County Board of Education for their approval. After the said local board of trustees have been approved and properly commissioned by the County Board of Education it shall meet immediately and organize by electing one of its members president, and one secretary and treasurer. If the County Board of Education should consider any member or members unqualified for the work, they shall refuse to confirm the election of such member or members and require the citizens of a district at a time and place and in a manner prescribed by the County Board of Education to elect others. At the expiration of the term of office of the members thus elected the citizens of a district shall meet at a time and place, and in a manner prescribed by the County Board of Education, and elect their successors, who must be approved by the County Board of Education as hereinbefore provided, and the election shall be for a term of three years. If any member should refuse to act, or should be guilty of any conduct unbecoming the dignity of a school trustee, the County Board of Education shall have the right, upon a written complaint of a majority of the voters of the district, to remove said member and have his successor elected as hereinbefore provided. But no trustee shall be removed from office without sufficient proof, and he shall be served with a copy of such complaint at least ten days prior to the day set for the hearing, when such trustee shall be afforded an opportunity to be heard in his defense.

County elections how ordered—who shall vote—limit to rate of taxation.

SEC. 3. Be it further enacted, That whenever the citizens of any county wish to supplement the public school fund received from the State by levying a tax upon the property of the county, it shall be the duty of the Ordinary to order an election, not earlier than twenty days, nor later than sixty days, after receiving a petition of one-fourth of the qualified voters of the county; and notice of the same shall be published in at least three weekly issues of the county newspaper in which legal advertisements of the county are published. Said elections shall be held as ordinary county elections are held. Those favoring the levying of the local tax shall vote for "Local tax for public schools"; those opposed shall vote "Against local tax for public schools." The returns of said election shall be made to the Ordinary of the county, who shall declare the results, and two-thirds of those voting shall be necessary to carry said election for local taxation for public schools.

An election for the same purpose shall not be held oftener than every twelve months. No person shall be allowed to vote in said election except those regularly qualified to vote in State and county elections. If the election is carried for local taxation, the Ordinary or Board of County Commissioners, whichever levies the county tax shall levy a local tax as recommended by the county Board of Education upon all the property of the county, not to exceed one-half of one per cent., and the same shall be collected by the county tax collector and paid by him to the County Board of Education. The county tax collector shall keep the funds thus collected separate and distinct from all county and State funds and he shall receive a commission of two and one-half per cent. for collecting the same. *Provided*, That if there be an incorporated town in a county holding an election as provided in this Section now operating a public school system, it shall not be included in the election without consent of the municipal authorities, but if the municipal authorities should so wish, they may abolish their system by a special Act of the Legislature and avail themselves of the provisions of this bill.

Levy and collection of district tax.

SEC. 4. Be it further enacted, That whenever the citizens of any school district wish to supplement the funds received from the State public school fund by levying a tax for educational purposes, they shall present a petition from one-fourth of the qualified voters of the district to the Ordinary who shall order the election not earlier than twenty days nor later than sixty days, after the petition is received; *provided*, that notice of same shall be posted in at least three conspicuous places in the district ten days prior to the election. The election shall be held at a time and place prescribed by the proper authorities, and under rules governing ordinary elections. Those favoring local taxation for public schools shall vote "For local taxation for public schools"; those opposed shall vote "Against local taxation for public schools." The returns of said election shall be made to the Ordinary of the county, who shall declare the results and two-thirds of those voting shall be necessary to carry the election for local taxation for public schools. No person shall vote in said election except the regularly qualified voters residing in the district six months prior to the election. An election for the same purpose shall not be held oftener than every twelve months.

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1906,
page 69.

Amended
Acts of
1907,
page 101.

Tax returns in local-tax districts.

SEC. 5. Be it further enacted. That in those districts which levy a local tax for educational purposes the board of trustees shall make

all rules and regulations to govern the schools of the districts, and build and equip schoolhouses under the approval of the County Board of Education. They shall have the right to fix the rate of tuition for non-resident pupils and to fix the salaries of the teachers. They shall receive from the County Board of Education the share of public school funds apportioned to the district by the County Board of Education. They shall determine the amount necessary to be raised by local tax on all the property of the district. The Secretary of the Board of Trustees of said district, with the aid of the County School Commissioner of said county, shall ascertain from the tax returns made to the tax receiver and from the returns made to the Comptroller-General, the total value of all of the property in said district subject to taxation for county purposes, and a regular digest of all such property in said school district, shall be made by said secretary in a book furnished by the Board of Trustees and kept for that purpose. At or before the time of fixing the rate of taxation for said county, the secretary of each local Board of Trustees, with the aid of the County School Commissioner, shall levy such rate on the property thus found as will raise the total amount to be collected; *provided*, that such rate shall not exceed one-half of one per cent. The County School Commissioner of each county, at or before the time for fixing the rate of said county by the Ordinary thereof, or the County Board of Commissioners, as the case may be, shall certify to the said Ordinary, or said Board of Commissioners, as the case may be and to the Comptroller-General of the State the rate of taxation fixed for each school district in the county, and said taxing authority of said county shall levy such special tax at the same time and in the same manner as is now prescribed for levying taxes for county purposes.

A copy of the special tax digest of said local tax district shall be furnished by the secretary of the local board of trustees to the tax collector of the county, and it shall be his duty to compute and collect said taxes, keeping the same separate by school districts from the county and State funds, and turn same over to the secretary of such local school districts, as well as tax received for said district from railroads and other corporations that make their returns to the Comptroller-General, taking the receipt for the same upon order from the County School Commissioner; and said tax-collector shall receive as compensation therefor two and one-half per cent. of the amount collected.

In any case in which it is impossible to determine from tax returns made to the tax receiver of the county the value of the property of any citizen situated in any school district and subject to taxation in said district, the secretary of the Board of Trustees shall issue a sum-

mons to said taxpayer requiring him to make returns within five days to said secretary of his property situated in said district and subject to taxation for school purposes. Should said return be unsatisfactory to said secretary, he shall reject the same and submit said returns to arbitration as is now provided by law for such cases when returns are rejected by tax receivers.

All property, both real and personal, including franchises belonging to railroads, telegraph and telephone companies, and to all other corporations which are now required to make their returns to the Comptroller-General of this State, which is in the taxable limit of any school district shall be, and the same is, hereby made subject to taxation by said school districts as fully and completely as is the property of the other corporations within such taxable limits.

It is hereby made the duty of every such corporation in this State, in addition to the facts now required to be shown in their returns to the Comptroller-General to also show in said returns the value of such corporation's property in each of said school districts through which it runs. And for the purpose of enabling such corporation to show in said returns the value of its property in such school districts, it is hereby made the duty of the County Superintendent of Schools of each county to furnish on or before January 1, 1907, to each such corporation, information as to the boundaries of each school district in which such corporation may have property, such as will enable such corporation to determine the amount of its property in such district, and he shall also furnish similar information whenever the boundaries of any school district may be changed.

The rolling-stock, franchises and other personal property of said corporations shall be distributed to said school districts on the same basis that rolling-stock, franchises and other personal property are distributed to counties and municipalities under the law; that is, as the value of the property located in the particular district is to the whole located property, real and personal of said corporation such shall be the amount of rolling-stock, franchises, and other personal property to be distributed for taxing purposes to each school district.

All of the other provisions of the Act of October 16, 1889, entitled "An Act to provide a system of taxation of railroad property in each of the counties of the State through which said railroad runs, and to provide a mode of assessing and collecting the same, and for other purposes," in so far as they can be applied are hereby made applicable to the assessment and collection of taxes of all such companies and corporations which are now required by law to make their returns to the Comptroller-General, by and for school districts in this State upon

the property and franchises of such companies located in such school districts and upon the rolling-stock, franchises and other personal property distributed under the provisions of this Act.

Secretary and Treasurer of Board of Trustees—statements and reports.

SEC. 6. Be it further enacted That the board of trustees may have the right to pay the secretary and treasurer a commission on the amount of local tax collected not to exceed two and one-half per cent., but there shall be no commission allowed on the amount received from the State. They shall furnish quarterly to the County Board of Education a statement showing all receipts, disbursements, and cash on hand. They shall also furnish statement showing school population, enrollment, average attendance, course of study and other data the County Board of Education may require whenever called upon to do so.

General school laws to be observed.

SEC. 7. Be it further enacted, That while it is the purpose and spirit of this Act to encourage individual action and local self-help upon the part of the school districts it is expressly understood that the general school laws of this State as administered by the County Board of Education shall be observed.

SEC. 8. Be it further enacted That all elections held under the provisions of this Act shall be governed as to registration and qualification of voters as the general law governing special elections provides.

Provisions for voting out the local tax.

SECTION 1. Be it enacted by the General Assembly of Georgia, That the above recited Act be amended by adding a Section appropriately numbered, to-wit: "An election for repealing the local tax law provided for in this Act when same has been established for over three years shall be called as in first instance. And if abolished by vote under similar regulations as in first instance, no new election for recreating same shall be called within one year. If not abolished by vote, no election for the same purpose shall be called within one year.

XI.

**EXTRACTS FROM DECISIONS AND INSTRUCTIONS OF STATE
SCHOOL COMMISSIONERS.**

Note 1. Resignation should be tendered to Governor.

When a member of a Board, or a County School Commissioner desires to resign, he should tender his resignation to the Governor, and not to the Board or Grand Jury.

—*G. J. Orr, Instructions March, 1876.*

Note 2. Requisites of certificates of election.

The certificate of the election of members of the County Board must have the following requisites:

1. It must be officially signed by the Clerk of the Superior Court and must be under his seal of office.
2. It must give the names of the members of the Board chosen, and must state whom they succeeded.
3. It must state how the latter vacated their offices.
4. It must state the term of court at which the action was taken.

When a vacancy is filled by the Judge of the Superior Court, the above rules will apply to the certificates then given, except, where, from the nature of the case they are inapplicable.

—*G. J. Orr, Instructions March, 1876.*

Note 3. The Bible in the public schools.

The Bible can not be excluded from the public schools of the State.

The proviso interdicting the exclusion of the Bible from the public schools is the law in places where local school laws are in operation as well as elsewhere.

—*G. J. Orr Instructions April 1878.*

Note 4. Disturbing schools.

Persons who wilfully interrupt or disturb any public school, private school or Sunday-school are guilty of a misdemeanor, and, on conviction, are punishable as provided in Section 4310 of the Code of 1873.

(*See Code Vol. III. Sec. 427.*)

—*G. J. Orr Instructions 1882.*

Note 5. Pupil going from one district school to another.

The proper rule is that a pupil can go from one public school to another only by consent of the Board, or County School Commissioner, for a good and sufficient cause, the Board of Commissioners being the judge.

—*J. S. Hook Instructions January 10, 1888.*

Note 6. Original jurisdiction in revoking teacher's license.

"Original jurisdiction in the revoking of a teacher's license rests with the County School Commissioner. Appeals on such action of the County School Commissioner come only before the County Board of Education."

—*S. D. Bradwell, 1895.*

Note 7. Final choice of teachers and power to make contracts is with county board.

"The law does not compel County Boards of Education to confirm the choice of local trustees in selecting teachers even when such teachers are regularly and legally appointed. The final choice of teachers, and the power to make contracts with teachers are vested, under the law wholly in the County Board of Education."

—*G. R. Glenn November 13, 1899.*

Note 8. Teacher's contract is an entire contract.

"The appeal states that after teaching seventy-seven and one-half days, the said teacher resigned the said school, to accept another position, but his resignation was not accepted by the County Board; that previous to his resignation he had received payment for fifty-eight days; that he had taught nineteen and one-half days, for which he had received no pay; that the County Board of Education refused to pay for teaching the nineteen and one-half days because the contract is considered by said Board as an entire contract, and it was not fulfilled.

"In this case, the Board of Education, under the circumstances, would not abuse the discretion given it by law, if claims to said teacher were approved and paid, but in refusing to pay the said claim for teaching nineteen and one-half days, the Board has not violated the law of contracts. This contract is in the nature of an entire contract."

—*W. B. Merritt, April 7, 1904.*

Note 9. Plan for operating schools for five or more consecutive months.

Generally it is more satisfactory to have the schools taught during consecutive months of the fall, winter and spring. Some counties have for one year operated their schools for three months in the spring, during November and December the school term of that year was completed; beginning in January, a session of three or four months of the next year immediately followed. This plan has given good results in attendance and in the progress of pupils. A very great benefit has come to schools of these counties from the fact that this arrangement enables County Boards to pay teachers with very little delay. It is much easier to secure teachers if they are assured that they will be paid promptly and that they will not be compelled to have their salaries discounted. I ask the careful consideration of your Board to this plan, which is working so satisfactorily in many counties.

The months in which the schools may be taught during the school year, or calendar year, may be selected by the County Boards of Education as they think best, but it will not be lawful for a County Board of Education to approve for payment out of the funds appropriated for one year any teaching that was done during any days except those included in the calendar year for which appropriations have been made. To illustrate: the contracts with teachers for the school year of 1905, and the claims of teachers based upon this contract, should be in consideration of teaching that is done only during the school year of 1905.—*W. B. Merritt, Circular Letter August 17 1904.*

Note 10. The Right of the County Board of Education to apportion State School Funds.

The question presented is whether or not the County Board of Education has the right to apportion the State School Fund as in its judgment may appear just and wise, or whether the Board is compelled to make this distribution on a strict per capita basis to the various districts after deducting administrative expenses. The law is silent upon this point. It is specific in requiring the distribution of the State School Funds to the various counties and independent or town systems upon the per capita basis according to the children of school age. The very silence of the law with regard to school districts under the general authority of the County Board of Education, in my opinion, is proof that the Legislature did not intend to force the apportionment as in the cases mentioned where it is specific. The exact wording. "They (the Trustees) shall receive from the County Board of Education the share of the public school fund apportioned to the district by the County

Board of Education," indicates that the right of apportionment is left to the County Board, it being understood, of course, that the funds shall be distributed upon an equitable and fair basis. It sometimes happens that a certain school by reasons of various circumstances may require less money for maintenance than another. The qualification of the teacher, the grade of license, and various other considerations may properly affect the amount of money which the Board of Education may deem wise to apportion to any particular school.

In my opinion, therefore, the County Board of Education has the right to apportion public school funds, and while this Board should be guided in the distribution of the State Funds by the general per capita basis of the State less the administrative expenses, this body may fix the apportionment for any school or district as the circumstances may require and as may be for the best interests of the district and county as a whole.

—*M. L. Brittain, April 26, 1911.*

Note 11. Districts should be divided only when the best interests of the schools demand.

Recent school legislation gives the County Board of Education the right to separate or divide school districts under certain circumstances. While this is true, the General Assembly provides a restrictive clause which declares that this may be done only "when the best interests of the schools demand." It is a fact generally recognized by competent educational authorities that centralized and consolidated schools serve the people better and are more effective. This being true, the State expects school officials to be leaders in guiding public sentiment in the right direction and boards of education should not take advantage of the law mentioned to multiply districts and schools. Previous legislation indicates that, in the opinion of the General Assembly, school districts should contain an area of at least 16 square miles.

—*M. L. Brittain, October 17, 1911.*

XII.

EXTRACTS FROM DECISIONS OF STATE BOARD OF EDUCATION.

Note 1. Common school subjects required.

"Where a pupil studies five common school subjects, including arithmetic; grammar and history, and shall have passed an examination satisfactory to the County Board of Education upon the other common school subjects, that pupil shall be counted as a common school pupil. At the same time the following of the graded course of study for the common schools is urged."

March 29, 1905.

Note 2. A change of district lines makes a new district.

In confirming an opinion rendered by the State School Commission *in re*: the appeal of J. W. Brooks et al. vs. the Carroll County Board of Education to the effect that Boards of Education have the right to change the lines of a district at any time after the expiration of one year from the time of their establishment, the State Board of Education added the following:

"The State Board of Education is also of the opinion that when the board of education of a county changes the district line, a new district is thus created and the question of a local tax should be resubmitted to the voters of the district, if the local tax is desired."

March 10, 1910.

XIII.

EXTRACTS FROM OFFICIAL OPINIONS OF ATTORNEY-GENERAL.

Note 1. Limit of time in using school fund.

"The appropriation which the State makes yearly is, in a sense, a contribution by the people of the State to assist in the education of the children thereof, and a limitation of time and age is placed on each beneficiary. I recognize that it is the policy of the law-makers to clothe the several Boards of Education in this State with almost supreme power in the administration of the public school fund and to lodge with the Board such discretion is wise, but I am persuaded that for a Board to exercise the discretion to the extent of using money appropriated one year for another, would run counter to the legislative scheme and would be an abuse of discretion."

—*Extract from letter of Attorney-General John C. Hart, July 1, 1903.*

Note 2. School population basis for apportionment of school funds to local school systems.

I therefore advise, irrespective of any directions to the contrary in the Act creating the local school systems that you adopt the rule of apportionment between the local system and the county, using as a basis, "the proportion which the school population of the local system bears to the school population in the county." To illustrate where the state has set apart \$2,000 to a county as its pro rata part of the public school fund, and the county has in it school population of 2,000 people, and within the county is a local system having a school population of 500, the pro rata of money in that case due to the local system is the proportion which 500 bears to 2,000.

—*Extract from letter of Attorney-General John C. Hart, August 26, 1903.*

Note 3. Relief of surety on county school commissioner's bond.

The application of the surety desiring to be relieved on the County School Commissioner's bond should be addressed to the Governor, stating the reasons why he should be relieved and should be sworn to. If the Governor deems the reasons for the relief of the surety sufficient

he may order the surety relieved upon the condition that the principal re-executes a valid bond satisfactory to the County Board of Education.
—*Extract from letter of Attorney-General John C. Hart, September 14, 1905.*

Note 4. School officials can not discount claims of teachers.

“In reply to your inquiry this day submitted, viz., whether a county school commissioner or members of the Boards of Education of this State may buy up at a discount, or in any manner speculative, in what are known as county orders or “scrip,” or contracts which are to be paid out of the public funds of this State; I beg leave to say I think such officers are public officers in the sense that it is made a misdemeanor for them to purchase such order, scrip or contract, as provided by Section 277 of the Penal Code.”

—*Extract from letter of Attorney-General John C. Hart, Nov. 1905.*

Note 5. Managers of local tax elections to be paid out of school fund for that district.

“I am not advised of any law in express terms authorizing the payment of managers for holding elections by county boards of education. The law provides for holding the elections. It is hardly conceivable that managers should hold elections without compensation. I have advised that when an election is held for local taxation that it would be proper under the general powers conferred upon boards of education to advance the cause of education to provide for the payment of managers of a local election out of the funds apportioned to that district. Unless the power which I have referred to is not sufficiently broad to authorize the payment of managers, then, as stated, I know of no other source from which they could be paid.

“I think therefore that it is proper for the managers to be paid out of the funds apportioned to that district holding the election.”

—*Extract from a letter of Attorney-General Hart, June, 1908.*

Note 6. Elections for local tax by counties or by districts can not be repeated oftener than every twelve months, but a district election may be held sooner when the county election failed.

“The McMichael Act by Section 3 thereof providing for an election at the instance of the county for the purpose of supplementing the public school fund by levying a tax upon the property of the county provides ‘an election for the same purpose shall not be held oftener than twelve months.’ That is to say if the county voting as such fails

to adopt county taxation that no election should be held for that purpose until after the expiration of twelve months. The McMichael Act by Section 4, providing for a local tax that is to say a district tax, to supplement the funds received from the State for educational purposes, provides 'an election for the same purpose shall not be held oftener than every twelve months'. That is to say, if the district votes against the adoption of a local tax no other election can be held by it as a district until the expiration of twelve months.

"There is, however, in the Act no inhibition where a county as such votes for local tax and fails that that a district within the county may not vote thereon within twelve months. The policy as expressed in the McMichael Act is to advance the cause of education by providing for taxation either by county or by district and the Act should be construed in the light of its clearly defined purpose. I am therefore of the opinion that notwithstanding a county having voted against county taxation that a district desiring to vote thereon need not wait twelve months before submitting the question of a local tax to the voters of the local district."

—*Extract from a letter of Attorney-General Hart, September, 1908.*

Note 7. Person may not hold but one county office at one time but may hold two public offices.

"Replying to your letter requesting my opinion whether a judge of a city court may also at the same time be a member of the county board of education, I beg to advise:

"He would be eligible. The Section of the Code 224, Vol. I, inhibits a person holding at one time more than one county office, but there is no express provision of law inhibiting the holding of two public offices at one time, assuming that the duties are not incompatible. It does not occur to me that there could possibly be any conflict in discharging the duties of the two offices."

—*Extract from opinion of Attorney-General Hart, March 16, 1910.*

Note 8. Election Expenses.

Under the Acts of the General Assembly Approved December 17th, 1896 (Acts 1896, p 40) the expenses of an election held in a county to determine whether there shall be local taxation for the support of public schools, as provided for under the McMichael Act, should be paid by the county and should not be taken from the common school fund of such county.

Attorney-General H. A. Hall, January 4, 1911.

XIV.

EXTRACTS FROM DECISIONS OF SUPREME COURT.

Note 1. Discretion in continuing or discontinuing schools.

The County Board of Education of Richmond County has the discretionary power, under the law, of establishing or discontinuing high schools at such points in the county as the interest and convenience of the people may require.

Under the facts of this case, there was no abuse of such discretion by the County Board in discontinuing the high school established for the colored race, although it left in operation a similar school for white females and contributed to the support of the high school for white boys and girls, which, however, it had not established. (Georgia Report, Vol. 103, page 641).

Note 2. The municipality marks the limits of the school district.

In an opinion rendered by the Supreme Court, through Justice Lumpkin, on January 14, 1913, it was decided that the provisions of the Constitution authorize the legislature to grant authority to municipal corporations to establish and maintain public schools in their respective limits by local taxation.

In other words, in accordance with a previous decision, rendered by Justice Candler, there is no authority for incorporating a school district and marking off a town inside of it, the town to exercise all the municipal functions and the school district none. Further that it is illegal to establish the form of a municipal corporation in a rural district with practically no other powers than the management of schools.

Note 3. Two-thirds to repeal local tax.

In an opinion of the Supreme Court rendered August 13, 1913, appealed from Dade County, through Justice Atkinson, it was decided that it did not require a two-thirds majority vote to retain local tax in a school district when the effort was made to repeal this tax after it had been in force three years. In other words, in effect, the decision is that it requires two-thirds to disestablish the tax, just as it required that majority to place it upon the district in the first instance.

Note 4. The county school board apportiones the funds. (See note 10, page 55).

In an opinion of the Supreme Court, through Justice Evans, on November 15, 1913, it was decided that local tax districts (McMichael) are not taken from the supervision of a County Board of Education in their control over the distribution and apportionment of the public school fund for the counties, and further that the Boards have full authority in their discretion either to fix salaries for the payment of teachers or to pay them according to enrollment or attendance.

XV.

MISCELLANEOUS ACTS.

PERSONS' CONSTITUTIONAL AMENDMENT TO ALLOW TAX FOR HIGH SCHOOLS.

Acts of
1910,
page 45.

SECTION 1. Be it enacted by the General Assembly of Georgia and it is hereby enacted by authority of the same, That Paragraph 2 of Section 6, Article 7 of the Constitution of this State be, and the same is hereby amended by striking from said Paragraph 2, Section 6, Article 7, the following words "in instructing children in the elementary branches of an English education only." So that when said Paragraph is amended it will read as follows: "The General Assembly shall not have power to delegate to any county the right to levy a tax for any purpose, except for educational purposes, to build and repair the public buildings and bridges; to maintain and support prisoners; to pay jurors and coroners, and for litigation, quarantine, roads and expenses of court; to support paupers and pay debts heretofore existing."

Acts of
1910,
page 45.

SEC. 2. Be it further enacted, that whenever the above proposed amendment to the Constitution shall be agreed to by two-thirds of the members elected to each of the two Houses of the General Assembly and the same has been entered on their Journals with the ayes and nays taken thereon the Governor shall cause said amendment to be published in at least two newspapers in each Congressional District in this State for the period of two months next preceding the time of holding the next general election.

Acts of
1910,
page 46.

SEC. 3. Be it further enacted, That the above proposed amendment shall be submitted for ratification or rejection to the electors of this State at the next general election to be held after publication, as provided in the second Section of this Act in the several election districts of this State, at which election every person shall be qualified to vote who is entitled to vote for members of the General Assembly. All persons voting at said election in favor of adopting the proposed amendment to the Constitution shall have written or printed on their ballots the words: "For amendments of Paragraph 2, Section 6, Article 7, permitting counties to levy taxes for educational purposes," and all persons opposed to the adoption of said amendment shall have written or printed on their ballots the words "Opposed to amendment of Para-

graph 2, Section 6, Article 7, permitting counties to levy taxes for educational purposes.”

SEC. 4. Be it enacted, That the Governor be and he is hereby authorized and directed to provide for the submission of the amendment proposed in this Act to a vote of the people, as required by the Constitution of this State in Paragraph 1 of Section 1 of Article 13, and if ratified the Governor shall, when he ascertains such ratification from the Secretary of State to whom the returns shall be referred, in the manner as in cases of elections of members of the General Assembly, to count and ascertain the results, issue his proclamation for one insertion in one of the daily papers in this State, announcing such results and declaring the amendment ratified.

Acts of
1910,
page 46.

TO ALLOW LOCAL TAX DISTRICTS LAID OFF ACROSS COUNTY LINES.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, That the Act approved August 21, 1906, entitled, “An Act to amend an Act entitled, ‘An Act to provide for the creation and operation of local tax district schools, and for levying and collection of local tax by districts of counties for educational purposes, for the laying off of counties in school districts, and for other purposes,’” approved August 23, 1905, so as to provide for amending the caption, to provide a proper enforcement of the bill and for the laying off of counties into districts of reasonable size, for the election of district trustees, whether local tax is levied and collected or not, to provide a correct method of assessing and collecting the taxes in local districts, and for other purposes,” be and the same is hereby amended by adding after the word “so” near the middle of the 17th line of Section 1, of said Act as amended as it appears in the published Acts of 1906 on page 66 of said published Acts, the following words, to-wit: “By concurrent consent and action, Boards of Education of two or more adjoining counties may lay off and define school districts without regard to county lines; *provided*, That the Board of Education of the county in which the school-house is located shall have supervision of same; and *provided*, That the Ordinary of the county in which the school-house is located shall order the election; and *provided*, That the tax collector of each county from which territory has been cut, shall collect the school tax levied by the trustees of the school districts thus formed in the territory cut from his

Acts of
1910.
page 33.

county, and shall pay the same when collected to the authorized officer of said board," so that said Section of said Act shall, when amended, read as follows: "Section 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same, That within thirty days after the passage of this Act, or as soon thereafter as practicable, it shall be the duty of the County Board of Education of each county in Georgia, to lay off the county into school districts, the lines of which shall be clearly and positively defined by boundaries, such as creeks, public roads, land lines, district lines or county lines. The school districts thus marked out shall contain an area of not less than sixteen square miles, and where practicable shall be so shaped as to have the school buildings as near the center as possible, and no territory shall be included whose occupants reside further than three miles from the school-house without written petition of two-thirds of the qualified voters therein; *provided*, That the board of education may have the right to establish districts with areas less than sixteen square miles where there are natural causes or local conditions that make it necessary to do so. By concurrent consent and action, boards of education of two or more adjoining counties may lay off and define school districts without regard to county lines; *provided*, That the Board of Education of the county in which the school-house is located shall have supervision of same; and *provided*, That the Ordinary of the county in which the school-house is located shall order the election; and *provided*, That the tax collector of each county from which territory has been cut, shall collect the school tax levied by the trustees of the school district thus formed in the territory cut from his county and shall pay the same when collected to the authorized officer of said board. The natural causes which will permit the creation of smaller districts are mountains, streams over which there are no bridges and dangerous roads. Local conditions which will permit the creation of small districts must be determined by the Board of Education. "In counties having incorporated towns, now levying a local tax for educational purposes and operating a public school system under their town charter or special Act of the Legislature, the county Board of Education, with the consent of the municipal authorities, may create a school district larger than the incorporated limits of the town by adding adjacent territory not already included in the incorporated limits, and the district thus marked out shall become a school district upon the vote of the people as hereinafter provided but such school district, including incorporated towns, having a population of four thousand or more, shall be and remain under the exclusive supervision and direction of the school boards of the previously chartered schools in said class of incorporated towns and not under supervision of County Board of Education, and

the school boards of such charatered schools in incorporated towns shall be trustees of said school district under this Act; *provided, further*, That there be located in such school districts a chartered school controlled by a board of stockholders or by directors elected by them, the management and control of said chartered school shall remain in them, and they shall have all the rights and privileges of this Act to collect local taxes as hereinafter provided in this Act, and to receive their share of the State public school fund. A map of the county thus laid off, plainly outlining the boundaries of the school district with full description thereof, shall be filed with the Ordinary within forty days after the passage of this Act or as soon thereafter as practicable, and the boundaries of said school districts shall not be altered any oftener than two years. The County Board of Education, in laying off the county, shall disregard any school districts embracing territory not included in incorporated towns heretofore created by special Act of the Legislature. The failure of any County Board of Education to comply with the requirements of this Section within six months after the passage of this bill shall operate to annul their commissions, and vacancies thus created shall be filled as the law requires such vacancies to be filled."

AN ACT.

To provide for issuing bonds for the purpose of building school houses in school districts in which a local tax is now or may hereafter be levied for school purposes.

SECTION 1. Be it enacted by the General Assembly of Georgia and it is hereby enacted by the authority of the same, That when one-fourth of the registered qualified voters of a school district in which a local tax is now, or may hereafter be levied for school purposes, shall be filed with the Board of Trustees of such a district, a petition asking for an election for the purposes of determining whether or not bonds shall be issued for the purpose of building and equipping a school house or houses for said district, the required number of petitioners to be determined by said Board of Trustees, it shall be the duty of said Board of Trustees to fix the amount, denomination, rate of interest, and dates when due, and call such election in terms of law now provided for a county issue of bonds, except as herin otherwise provided. The said Board of Trustees, in case the election is for a bond issue, shall follow the law as required of county authorities as embodied in Section 440, *et sequitur*, of the Code of 1910, Volume 1, in the issue thereof.

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1912,
page 176.

Said Board of Trustees may order such election to be held on the school site or other suitable place in the district, of which they shall give notice by posting same at three public places in said district, not less than ten days previous to said election. None but registered qualified voters shall be permitted to vote in said election. The ordinary shall furnish a certified list of registered voters in such school district to the managers of the election thirty days before such election is held. The ballots cast shall have written or printed thereon "For School House" or "Against School House." The ballots cast and the voting list shall be lodged with the said Board of Trustees who shall declare the result. Said Board of Trustees, or a majority of them, shall be the election managers, and if for any reason they fail to act, any three freeholders of the district may qualify and act.

SEC. 2. Should bonds be issued and sold, the proceeds shall be turned over to the Board of Trustees in trust for the purpose of erecting a school building or buildings which said Board may deem suitable. Said Board of Trustees is authorized to remove, sell or otherwise dispose of old buildings or buildings and grounds and select a new site and erect a new building thereon, and add to the proceeds from the sale of bonds any other proceeds which may come from disposition of building or buildings and site, or from donations or otherwise, all to be held in trust to be used for the purpose aforesaid, and no compensation shall be paid to said Board of Trustees nor to any member thereof for service.

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1912,
page 177.

AN ACT.

To require the Treasurer or Secretary and Treasurer of any board of trustees of a public school receiving money raised by local taxation for public schools or otherwise, to give bond, to keep an accurate set of books, to submit his books to the county superintendent of schools, to be audited by the State Auditor and to further provide the duties of such Treasurer, or Secretary and Treasurer and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, that from and after the passage of this Act, it shall be the duty of the treasurer or the secretary and treasurer of any Board of Trustees of a public school receiving money raised by Local Taxation for public schools, to make a good and sufficient bond for the faithful perfor-

Acts of
1912,
page 184.

mance of his duties, payable to the County Board of Education in a sum not less than double the amount of money likely to be received by him during his term of office, the amount and sufficiency of said bond to be judged by the County Board of Education, which amount may be increased in the discretion of the County Board of Education.

SEC. 2. Be it further enacted by the authority aforesaid, That in the event the Treasurer or Secretary and Treasurer as aforesaid, shall fail to make the bond required in the first section of this Act, then and in that event, any money raised by Local Taxation for public schools or otherwise, which under the laws should have been paid over to the Treasurer, or the Secretary and Treasurer, shall be paid over to the County Board of Education to be by them paid out on the orders of the Board of Trustees of such school district in the manner other moneys are paid out by them.

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1912,
page 184.

SEC. 3. Be it further enacted, That the Treasurer or Secretary and Treasurer as aforesaid shall not pay out any money as held in his hands, except upon the order of the Board of Trustees, signed by the president or chairman, of which he is Treasurer or Secretary and Treasurer. He shall further in all cases take a receipt for all moneys expended or paid out, which shall be attached to the order for same, which when properly done, shall constitute a proper voucher for the money thus paid out.

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1912,
page 185.

SEC. 4. Be it further enacted by the authority aforesaid, That the Treasurer or the Secretary and Treasurer as aforesaid, shall keep an accurate account of all money received and paid out by him in a substantially bound book, which together with all vouchers, shall be submitted once each year to the County Superintendent of Schools to be audited by the State Auditor when he shall audit the County Superintendent's books, but the County Board of Education may direct that any other competent person audit these books.

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1912,
page 185.

SEC. 5. Be it further enacted by the authority aforesaid, That the provisions of this Act shall apply only to those school districts which have adopted or may adopt Local Taxation for public schools under the district plan as provided under Section 1535, Volume 1 of the Code of 1911. *Provided further*, that the provisions of this bill shall not apply to any Secretary or Treasurer who receives no compensation. This Act shall not apply to any municipal system of schools in this State.

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1912,
page 185.

XVI.

REGULATIONS OF THE STATE BOARD OF EDUCATION WITH REGARD TO THE CERTIFICATES OF TEACHERS.

I. LICENSE BY EXAMINATION ONLY.

1. Primary.

The Primary license is intended for those teachers doing the work of the first four classes. There are three grades—1, 2, 3,—for those averaging above 90 per cent, 75 per cent. and 50 per cent. respectively. A license of 1st grade shall be valid for three years, of 2d grade for two years, and of third grade for one year. The Primary examination is based on the following subjects: Reading, Writing, Spelling, Arithmetic (to percentage), Language Lessons and Composition, Elementary Geography and the new Manual of Methods.

2. General Elementary.

In addition to the questions for the teachers engaged in primary work, applicants for the General Elementary licenses are required to take an examination upon the following subjects: Arithmetic, Grammar, History (U. S.) and Civics, Geography, Physiology and Agriculture. The grades, the respective averages for the same and the periods of validity shall be the same as for the Primary license.

Those teachers who attain first grade either Primary or General Elementary, may renew their licenses on condition of three year's successful experience in teaching and the completion of the reading course. (See "Conditions Governing Renewals.")

Note.—The reading course for 1914 consists of Allen's Civics and Health, Colgrove's, The Teacher and the School, and the Manual of Methods.

3. High School and Supervisory.

In addition to the above, provision is made for licenses to teach in a high school through a satisfactory examination passed on any three of the following groups, the three selected to include the subjects the holder of the license is permitted to teach:

- (1) Arithmetic; Algebra, through quadratics; Plane Geometry.

(2) English Grammar; Composition and Rhetoric; English and American Literature.

(3) Agriculture; Physics; Biology (Elementary Physiology, Botany, Zoology.)

(4) Latin, French, German, Spanish, Greek. Take any two.

(5) Ancient History; Modern History; English History.

In addition to these three groups elected from the above the examination must include school management and methods of teaching high school subjects.

The examination for these certificates will be held at the same times and places as those for General Elementary license, the questions to be prepared and sent to the county or local superintendents who will conduct the examinations and issue licenses as in the case of General Elementary licenses.

An average of 90 per cent on all subjects shall entitle the candidate to a license of first grade valid for three years; an average of 75 per cent., to a license of second grade valid for two years; and an average of 50 per cent., to a license of third grade valid for one year. A license of first grade may be renewed for periods of three years upon satisfactory evidence of three years of teaching and upon the completion of the prescribed reading course. (See Conditions Governing Renewals.)

Note.—The question on school management and methods for 1914 will be based upon the Manual of Methods, Allen's Civics and Health, and Hollister's High School Administration.

Special Examinations.

At any time Boards of Education have the right to authorize superintendents to give special examinations in cases of emergency through which teachers can obtain a temporary license good until the next regular State test.

II. PROFESSIONAL LICENSE.

In addition to the above, the following State Professional Certificates are provided, the same to be granted on examination directed by the State Board of Education.

4. Professional Elementary Certificates.

(a) A graduate of an approved Normal School of the State of Georgia, the prescribed curriculum of which is the equivalent of at least 14 high school units and the course completed by the graduate to

include psychology, general and educational, the equivalent of 3 hours a week throughout a scholastic year; methods, management and school hygiene, the equivalent of 3 hours a week throughout the year; history of education, the equivalent of 3 hours a week for one-half the year; and observation and teaching, the equivalent of 3 hours a week for one-half the year; and who qualifies through examination as directed by the State Board of Education, shall be eligible for a Professional Elementary Certificate.

Examinations for these certificates may be conducted at the said Normal School as ordered by the State Board of Education, and to be supervised in whole or in part by a State Supervisor of Schools or other examiner as designated by the State Superintendent of Schools for each of said Normal Schools, and a certificate granted thereon shall be valid for 3 years in elementary schools and capable of renewal thereafter for an indefinite period of active participation in teaching or supervision, subject to regulations of said Board as to attendance upon summer schools, normal schools, or colleges, or other regulations for the professional growth of the holder. (See also Normal School Secondary Certificates "A".)

The general plan for granting these certificates will be as follows:

At suitable times as directed by the State Superintendent, the designated supervisor shall attend the session of the Normal School when examinations are in progress, examine the questions prepared for these examinations, add to the same at his pleasure, scrutinize the grading of any or all the papers of applicants, investigate their records in the school, and recommend the worthy ones to the State Department of Education for the certificates in question.

Provided, that any graduate of a Normal School now holding a diploma covering above conditions and holding also a first grade General Elementary license, may have this license renewed for three years as a professional Elementary Certificate, and thereafter indefinitely as above described and in accordance with the regulations for such renewals.

(b) A graduate of the University Summer School of the State shall be eligible for a Professional Elementary Certificate, the same to be granted after a plan similar to that provided above for such a certificate. This will be valid for three years in elementary schools coming under the direction of said Board, and renewable as provided for Professional Elementary Certificates.

5. Professional Secondary Certificates.

(1) College Secondary Certificates.

(a) A graduate having received a bachelor's degree from an approved college of this State and whose course taken include three

courses in education preparatory to teaching, supervision, and administration, these courses to be the equivalent of at least 3 hours a week each through a year shall be eligible for a Professional Secondary Certificate, the same to be granted after a plan similar to that followed for Professional Elementary Certificates, and to be valid for three years in any public school or system coming under the direction of said Board, and renewable thereafter for an indefinite period of active participation in teaching or supervision, subject to regulations of said Board for the professional growth of the holder.

(b) A graduate of a college as before described except that his courses taken did not include three courses in education preparatory to teaching, supervision and administration, may upon passing an acceptable examination upon the reading course prescribed for the renewal of Secondary Certificates, be granted a Temporary Professional Certificate valid for one year and renewable for periods of one year. This may be converted into a Professional Secondary Certificate on completion of three such professional courses in Summer School, Normal School, or College.

Note.—Renewal examination for 1914 will be based upon the Manual of Methods, Allen's Civics and Health, and Hollister's High School Administration.

(c) A graduate having received a bachelor's degree from an approved college without this State may obtain a Professional Secondary Certificate by submitting to the proper authorities a satisfactory examination upon the history and geography of the State of Georgia, provided the record shows completion of required courses in education; otherwise he may obtain a Temporary Professional Certificate by passing a satisfactory examination upon the history and geography of the State of Georgia and the reading course of renewal of Secondary Certificates.

(2) *Normal Secondary Certificates.*

(a) If the courses completed by the graduate of an approved Normal School include, in addition to those prescribed under "A" of Professional Elementary Certificates, two full courses of college grade of 3 hours a week throughout the year for two years in each of two subjects, the certificate granted shall be valid also for three years in high school grades of schools coming under the direction of said Board and renewable thereafter for three year periods.

(b) If the courses completed by the graduate of the University Summer school include four subjects of college grade, or acceptable courses not previously included in the high school courses of the graduate, the certificates granted shall be valid also for three years in High School

grades of schools coming under the direction of said Board and renewable for three year periods.

6. For Teachers Now in Service.

(a) A teacher now engaged in the work who has received a Bachelor's degree from an approved college, and who presents satisfactory evidence of successful teaching for three years in this state, and further satisfactory evidence of progress through attendance for at least one session upon summer school, normal school, or college, may obtain a professional Secondary Certificate upon the same basis as provided for newel of such certificates.

Note.—Renewal examinations for 1914 will be based upon the Manual for Georgia Teachers, Allen's Civics and Health, and Hollister's High School Administration.

(b) A teacher now engaged in the work who is a graduate of an approved institution of lower grade than a 14 unit college, and who furnishes satisfactory evidence of successful teaching for three years and of progress through attendance upon at least one session of summer school, normal school, or college, may be granted a Professional Secondary Certificate upon the basis of the renewal of such a certificate, this certificate to be valid for three years and renewable for periods of three years.

7. Special Subject Certificates.

These certificates may be granted for three year periods to those candidates who desire to teach a special subject only, technical in character, and who have made special preparation for the work. The certificate will entitle the holder to teach or to supervise the special subject. The applicant should have scholarship the equivalent of that for graduation from an approved high school, and should have had training in the specialty and in science and art of teaching. The following subjects are classed as special: Domestic: Science and Art, Vocal Music, Manual Training, Physical Education, Drawing, Kindergarten, Commercial Branches, and Stenography.

8. Certificate from Other States.

A teacher holding a certificate granted in another State, this certificate the equivalent of a certificate granted in the State of Georgia, may be granted the equivalent certificate, provided the teacher presents satisfactory evidence of moral character and pass a satisfactory examination upon the history and geography of the State of Georgia.

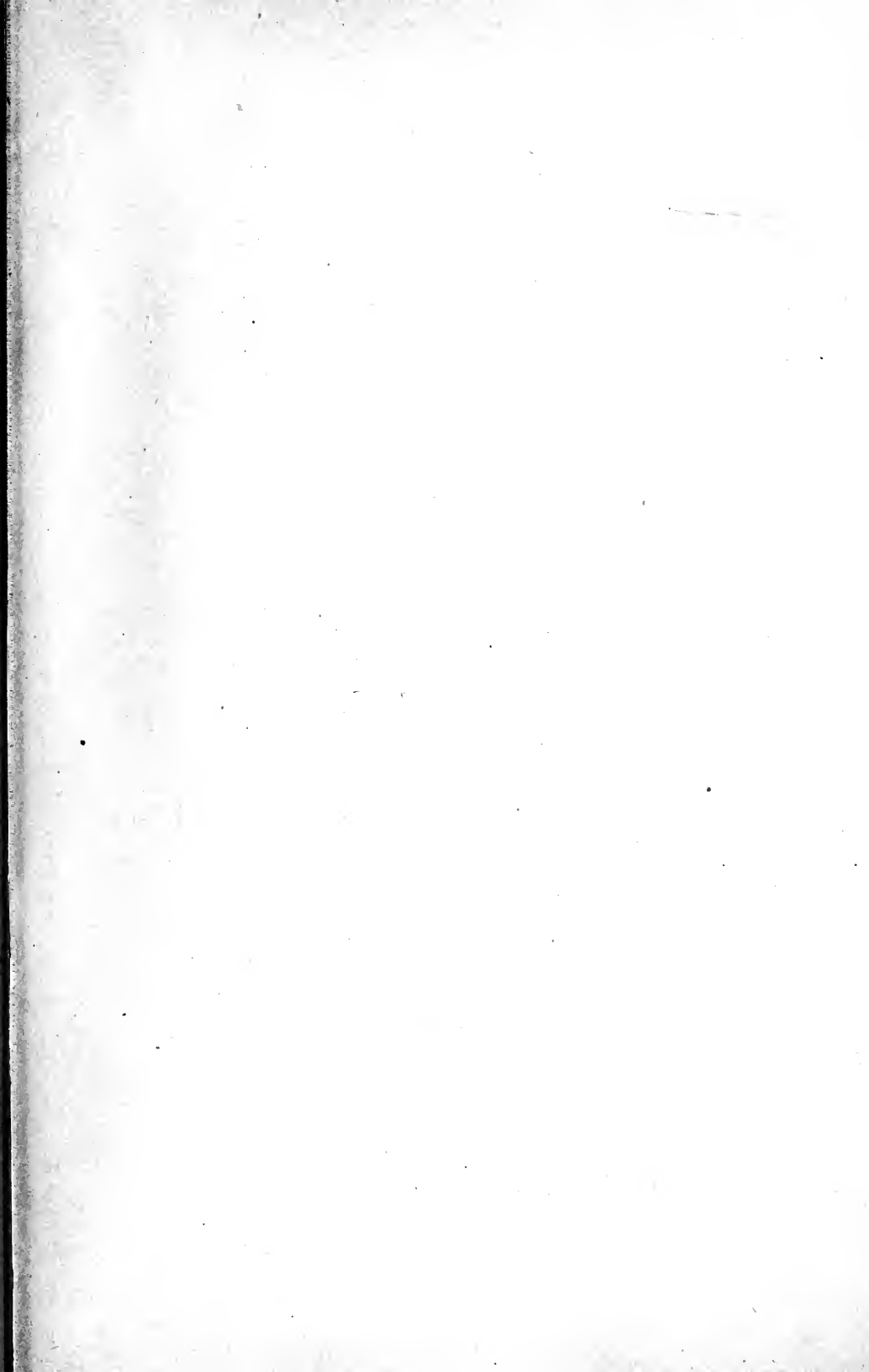
Conditions Governing Renewals.

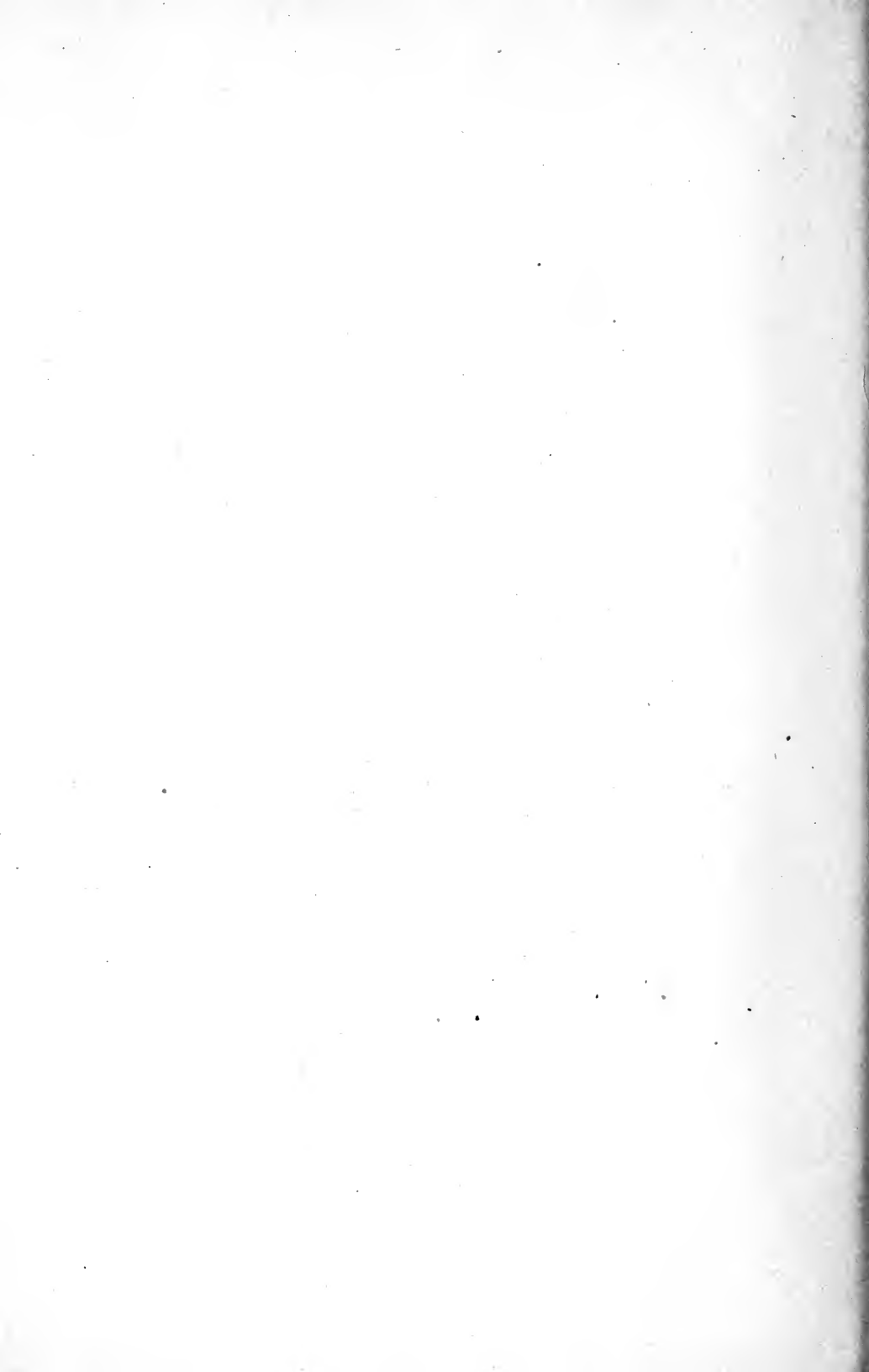
A progressive course of reading and study shall be prescribed each year by the State Board of Education as a basis of renewal of certificates of each type or group renewable. Renewals may be obtained through an average of 75 per cent attained in the examination on the proper courses of reading and study, or through courses completed in summer school, normal school, or college, and approved by the said Board as the equivalent of reading courses by way of professional growth. As a general rule every holder of a renewable certificate should attend at least one session of some summer school, normal school, or college, within the lifetime of the certificate.

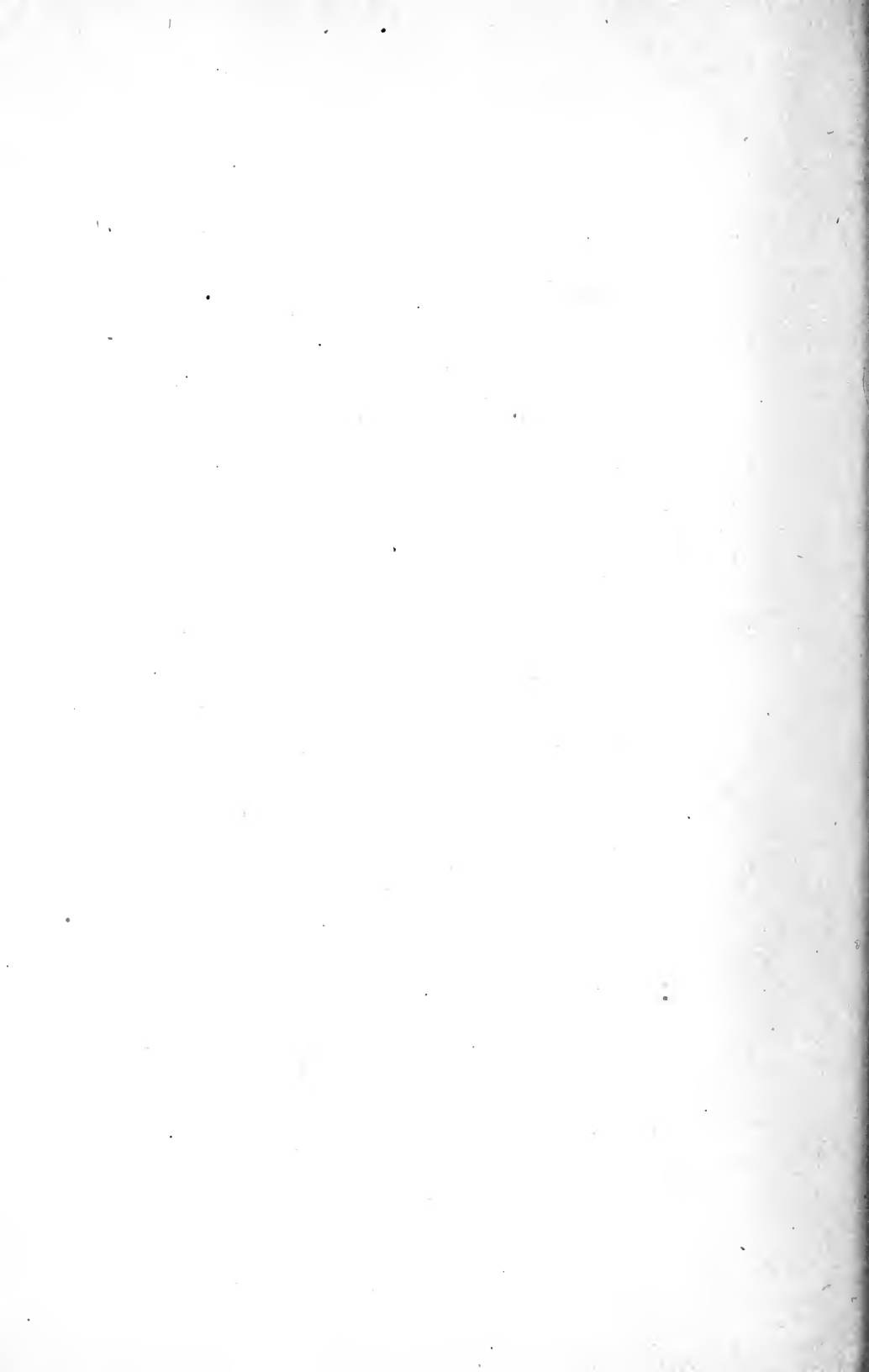
Where Valid.

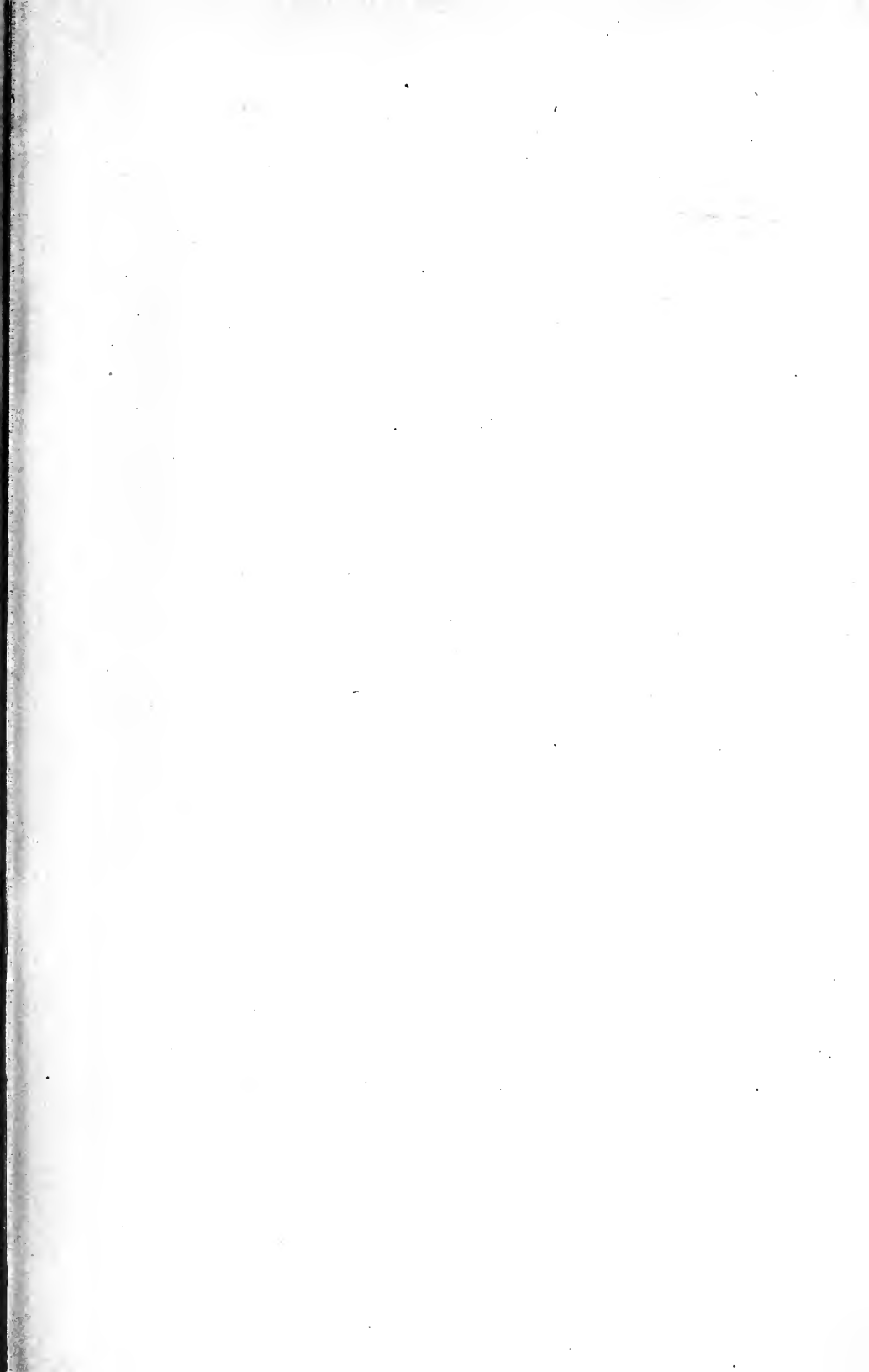
A professional certificate issued by the State Department of Education in accordance with foregoing provisions shall be valid in any county in the State of Georgia in schools coming under direction of the State Board of Education.

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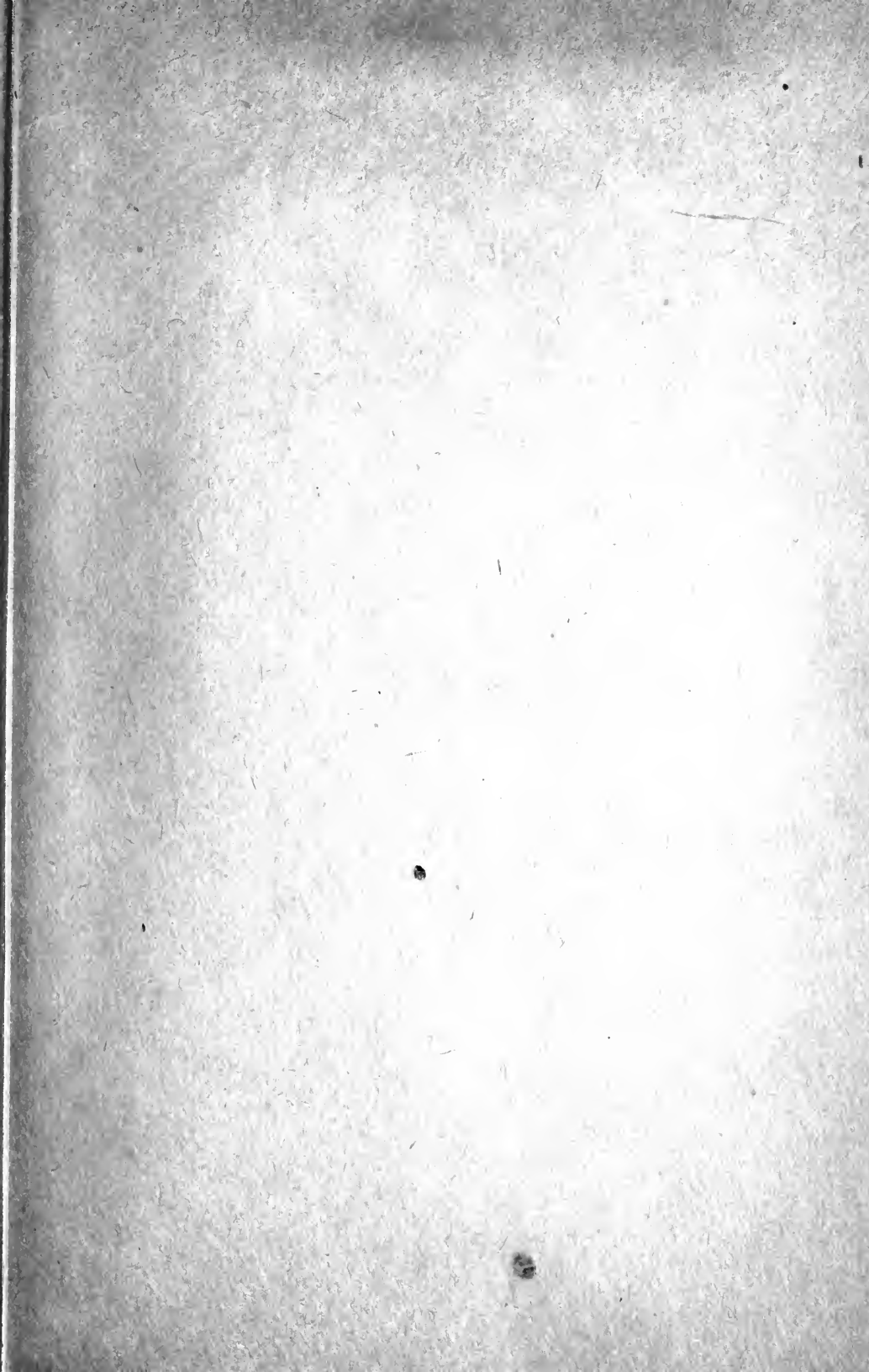












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