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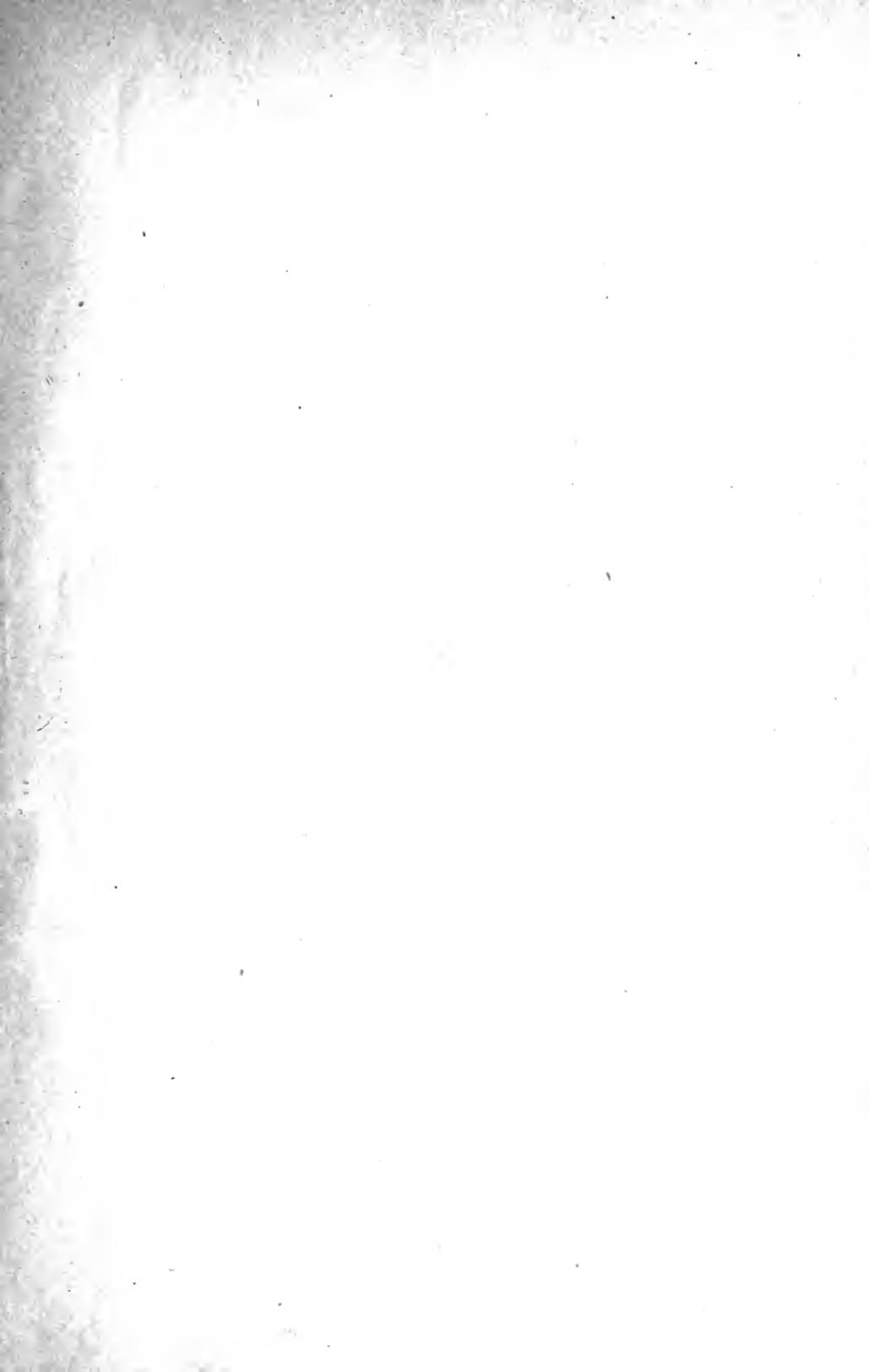
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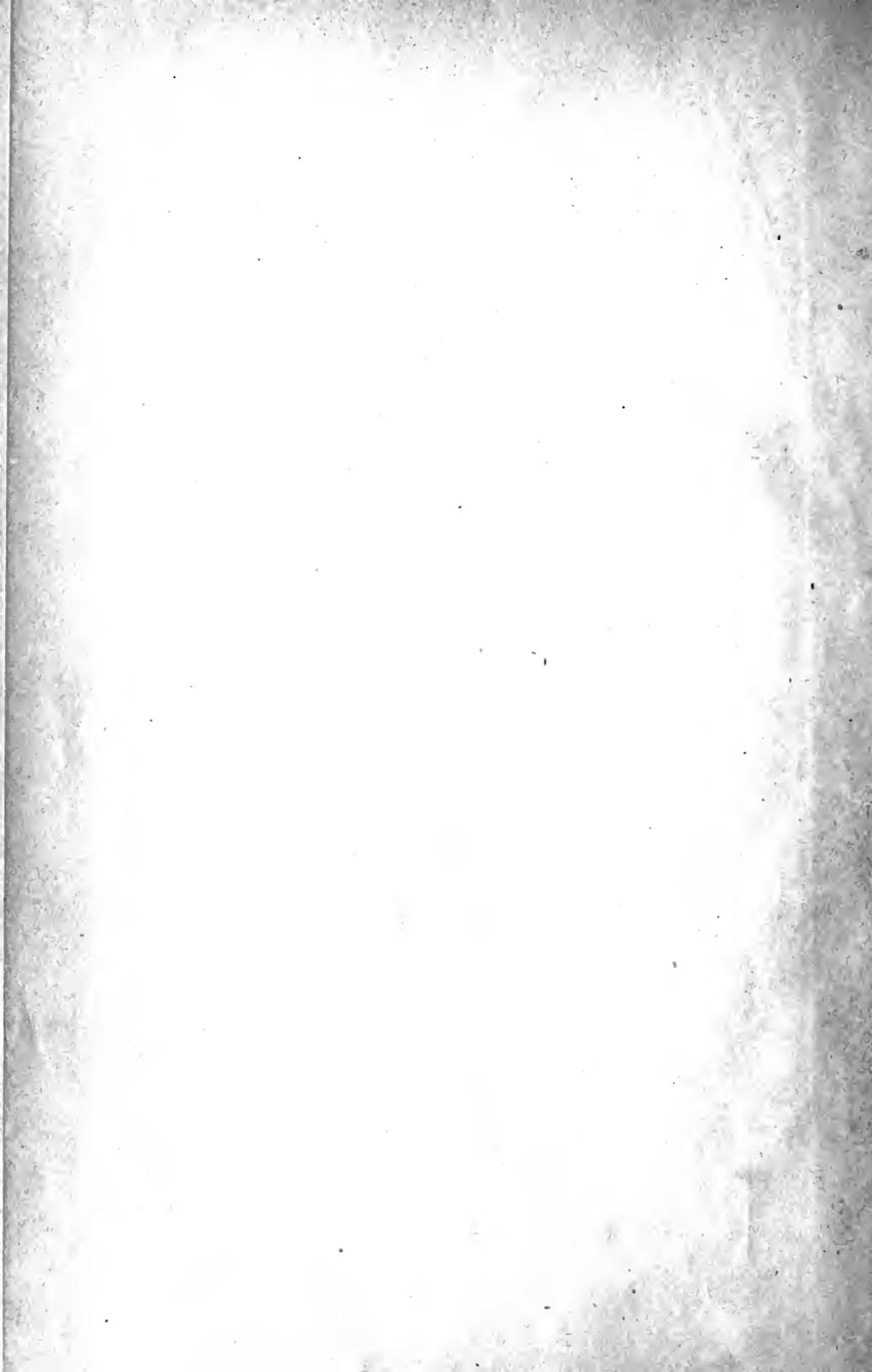
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NEW JERSEY  
SCHOOL LAWS,

Revision of 1902,

WITH

Notes, Blanks and Forms

FOR THE

USE AND GOVERNMENT OF SCHOOL OFFICERS.

PREPARED BY THE  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION.

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To be Preserved and Delivered by each Officer to his Successor



TRENTON, N. J. :  
THE JOHN L. MURPHY PUBLISHING CO., PRINTERS.

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## EXTRACTS

From the State Constitution Respecting Public Schools.

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### SECTION VII.

6. The fund for the support of free schools, and all money, stock and other property which may hereafter be appropriated for that purpose, or received into the treasury under the provision of any law heretofore passed to augment the said fund, shall be securely invested and remain a perpetual fund; and the income thereof, except so much as it may be judged expedient to apply to an increase of the capital, shall be annually appropriated to the support of public free schools, for the equal benefit of all the people of the state; and it shall not be competent for the legislature to borrow, appropriate or use the said fund, or any part thereof, for any other purpose, under any pretence whatever; the legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children in this state between the ages of five and eighteen years.

11. The legislature shall not pass private, local or special laws providing for the management and support of free public schools.





# School Law.

An Act to establish a system of public instruction.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

## ARTICLE I.

### STATE BOARD OF EDUCATION.

1. The general supervision and control of public instruction shall be vested in a state board of education, which shall consist of two members from each congressional district, who shall not be members of the same political party, and who shall not reside in the same county except where a congressional district shall lie wholly within one county. Said members shall be appointed by the governor, by and with the advice and consent of the senate, each for the term of five years; and in the place of any member whose term shall expire a successor shall be appointed in like manner for the term of five years, so that there shall be always two members from each congressional district. In case of a vacancy a successor for the unexpired term shall be appointed. A suitable room in the state house, at Trenton, shall be provided for the use of said board.

State board of education.

Appointment.

Term.

Vacancy.

2. The State Board of Education shall have the control and management of the State Normal School, the New Jersey School for the Deaf, the Farnum Preparatory School and the Manual Training and Industrial School for Colored Youth.

Control of certain state schools.

3. The State Board of Education shall have power: Powers of.

- Make rules. I. To frame and modify by-laws for its own government; to elect its president and other officers, and to prescribe and enforce rules and regulations necessary to carry into effect the school laws of this state;
- Appoint county superintendents. II. To appoint County Superintendents of Schools, and for cause to remove them;
- Rules for institutes. III. To prescribe rules and regulations for holding teachers' institutes;
- Authorize payment of expenses of state superintendent. IV. To authorize the payment by the State Treasurer, upon the warrant of the State Comptroller, of the necessary incidental expenses incurred by the State Superintendent of Public Instruction and the Assistant State Superintendent of Public Instruction in the performance of their official duties;
- Decide appeals. V. To decide appeals from the decisions of the State Superintendent of Public Instruction;
- Rules for teachers' certificates. VI. To make and enforce rules and regulations for the examination of teachers, and the granting of certificates or licenses to teach.
- Expenses. 4. The members of the State Board of Education shall receive no compensation for their services, but the State Treasurer shall, upon the warrant of the State Comptroller, pay their necessary expenses.
- Annual report. 5. The State Board of Education shall report annually to the Legislature in regard to all matters committed to its care.

## ARTICLE II.

### STATE SUPERINTENDENT OF PUBLIC INSTRUCTION.

- Appointment of state superintendent. 6. The State Superintendent of Public Instruction shall be appointed by the Governor, by and with the advice and consent of the Senate, for the term of five years and until his successor shall be appointed and confirmed. He shall receive a salary of five thousand dollars a year, payable in equal monthly installments. A suitable office, to be known as the Department of Public Instruction, shall be provided for him in the State House at Trenton.
- Term.
- Salary.
- Location of office.

7. The State Superintendent of Public Instruction may appoint an Assistant State Superintendent of Public Instruction. He shall file a certificate of such appointment in the office of the Secretary of State, and, with the approval of the Governor, fix his salary, which salary shall be paid in the same manner as the salary of the State Superintendent shall be paid. Said Assistant Superintendent shall perform all the duties of the State Superintendent of Public Instruction during his absence.

Assistant state  
superintendent.

8. The State Superintendent of Public Instruction may employ such clerks as he may deem necessary, and, with the approval of the Governor, fix their compensation, which compensation shall be payable monthly on the certificate of the State Superintendent of Public Instruction; *provided*, that the salary of the Assistant Superintendent and the compensation of said clerks shall not exceed in the aggregate the sum annually appropriated therefor by the Legislature.

Clerks.

Proviso.

9. The State Superintendent of Public Instruction shall be the Secretary of the State Board of Education, and a member, *ex officio*, of all boards of examiners. He shall enforce all rules and regulations prescribed by the State Board of Education. He shall have supervision of all the schools of the state receiving any part of the state appropriation. He shall, from time to time, instruct county and city superintendents as to their duties and as to the best manner of conducting schools, constructing school-houses and furnishing the same.

Secretary of  
state board of  
education, and  
member of  
boards of ex-  
aminers.

Supervision of  
schools.

10. The State Superintendent of Public Instruction shall decide, subject to appeal to the State Board of Education and without cost to the parties, all controversies and disputes that shall arise under the school laws, or under the rules and regulations of the State Board of Education. The facts involved in any controversy or dispute shall, if he shall so require, be made known to him by written statements by the parties thereto, verified by oath or affirmation, and accompanied by certified copies of all documents necessary to a full understanding of the question in dispute, and his deci-

Decide disputes  
arising under  
school law.

sion shall be binding until, upon appeal, a decision shall be given by the State Board of Education. (a)

Keep record of decisions.

11. The State Superintendent of Public Instruction shall keep a record of all his official acts and shall preserve copies of all decisions made by him, and shall adopt and provide an official seal. Copies of all acts, orders and decisions made by him, and of all papers deposited or filed in the Department of Public Instruction may be authenticated under said seal, and, when so authenticated, shall be evidence equally with and in like manner as the originals.

Official seal.

Appoint county superintendent to fill vacancy.

12. Whenever there shall be a vacancy in the office of County Superintendent of Schools, the State Superintendent of Public Instruction shall appoint, subject to the approval of the President of the State Board of Education, a suitable person to fill such vacancy, and the person so appointed shall hold office until his successor shall be appointed by the State Board of Education.

Withhold salary of county superintendent.

13. In case a County Superintendent of Schools shall neglect or refuse to perform any duty imposed upon him by this act or by the rules and regulations of the State Board of Education, the State Superintendent of Public Instruction shall, subject to appeal to the State Board of Education, withhold from such County Superintendent of Schools the order for his salary until he shall have fully complied with the provisions of this act and with the rules and regulations of the State Board of Education relating to his duties.

Withhold money from school district.

14. In case a board of education, or any officer thereof, or the legal voters of any school district, or any board or officer of the municipality in which any such school district shall be situate shall neglect or refuse to perform

(a) 1. The state superintendent having been given authority to hear and determine certain matters, his determination thereupon has the conclusive quality of a judgment pronounced in a legally-created court of limited jurisdiction acting within the bounds of its authority. *Thompson v. Board of Education*, 28 Vr. 628.

2. There is no distinction in point of conclusiveness between the decisions of special tribunals and the judgments of courts of record. The difference is solely in the presumption of jurisdiction. *Ibid.*

3. The court may, in the exercise of its discretion, refuse to interfere by *mandamus* in a controversy cognizable by the special tribunals created by the School law of this state, where an appeal to such tribunals has not been made. *Jefferson v. Atlantic City*, 35 Vr. 59.

any duty imposed upon such board, officer or legal voters by this act or by the rules and regulations of the State Board of Education, the custodian of the school moneys of such school district shall, upon notice from the County Superintendent of Schools, approved by the State Superintendent of Public Instruction, withhold all moneys received by him from the County Collector and then remaining in his hands to the credit of such district, until he shall receive notice from said County Superintendent of Schools that said board, officer or legal voters have fully complied with the provisions of this act and with the rules and regulations of the State Board of Education.

15. In case a teacher shall neglect or refuse to perform any duty imposed upon him or her by this act or by the rules and regulations of the State Board of Education, the State Superintendent of Public Instruction shall direct the custodian of the school moneys of the school district in which such teacher shall be employed, to withhold from such teacher all salary due to him or her until he receives notice from said State Superintendent of Public Instruction that such teacher has fully complied with the provisions of this act and the rules and regulations of the State Board of Education relating to his or her duties.

Withhold salary from teacher.

16. Whenever it shall be proved to the satisfaction of the State Superintendent of Public Instruction that any member of a board of education, or any officer thereof has been guilty of a willful violation or neglect of duty under this act or under the rules and regulations of the State Board of Education, said State Superintendent of Public Instruction may, by an order under his hand and seal, which order shall be recorded in his office, and a duplicate thereof transmitted to said board of education, suspend such member or officer from his office; *provided*, that notice of his proposed action shall be served upon said member or officer either personally or by letter directed to him at his last known post-office address, at least two weeks prior to the making of said order; *provided further*, that said State Superintendent of Public Instruction shall forthwith report such suspen-

Suspend school officer.

Proviso.

Proviso.

sion to the State Board of Education, and said board shall, after due investigation, reinstate or remove such member or officer.

Apportion  
school  
moneys.

17. The State Superintendent of Public Instruction shall equitably apportion to the several counties the amount appropriated for the support of public schools from the State School Fund on the basis of the aggregate number of days attendance of all pupils attending the public schools during the year preceding that for which said apportionment shall be made, and shall furnish to the State Comptroller and to the several County Superintendents of Schools and County Collectors an abstract of such apportionment, and of the apportionment of the moneys due to the several counties from the State school tax and from the reserve fund, and shall draw his orders on the State Comptroller and in favor of the County Collector of each county for the amount to which such county shall be entitled.

Reports from  
private schools.

18. The superintendent or manager of each educational institution receiving support or aid from the state, and the president, manager, or principal of each seminary, academy or private school shall report to the State Superintendent of Public Instruction annually, on or before the first day of August, such statistics relating to such institution, seminary, academy or school as said State Superintendent of Public Instruction may require, and in the manner and form prescribed by him; *provided*, that no report concerning the expenses or finances of such institution, seminary, academy or private school shall be required; *and provided further*, that no report of any seminary, academy or private school shall be published or made public by the State Superintendent of Public Instruction.

Proviso.

Proviso.

Furnish blanks  
to school  
officers.

19. The State Superintendent of Public Instruction shall prepare and cause to be printed forms for making all reports and conducting all proceedings under the school laws of this state. He shall cause all school laws to be printed in pamphlet form, and shall annex thereto forms for making reports and conducting school business, and shall distribute the same.

Annual report.

20. The State Superintendent of Public Instruction

shall present to the State Board of Education annually at its meeting in December, a report of the condition of the public schools and of all the educational institutions receiving support or aid from the state. Such report shall contain full statistical tables of all items connected with the cause of education that may be of interest to school officers or the people of the state, together with such suggestions and recommendations for the improvement of the schools and the advancement of public instruction as he shall deem expedient.

21. The State Superintendent of Public Instruction and the Assistant State Superintendent shall, without charge, administer oaths and take affidavits concerning any matter relating to the schools. Take affidavits.

22. The State Superintendent of Public Instruction shall, at the expiration of his term of office, deliver to his successor his official seal, together with all the property, books, documents, maps, records, reports and other papers belonging to his office. Deliver property to successor.

### ARTICLE III.

#### COUNTY SUPERINTENDENTS.

23. The State Board of Education shall appoint for each county a suitable person to be the County Superintendent of Schools of that county, who shall hold office for the term of three years from the date of his appointment and until his successor shall have been appointed as aforesaid, unless sooner removed for cause by said board. No person shall be appointed as County Superintendent of Schools unless he shall hold a state teacher's certificate. Appointment of county superintendents.

Term of office.

Shall hold state certificate.

24. The yearly salary of a County Superintendent of Schools shall be a sum which shall be equal to eight dollars for each teacher employed in the public schools in his county as ascertained from the last published report of the State Superintendent of Public Instruction; but such salary shall in no case be less than thirteen hundred dollars nor more than two thousand dollars. Salary.

Such salary shall be paid in equal monthly installments out of the income of the State School Fund, and the State Comptroller shall, on the order of the State Superintendent of Public Instruction, draw his warrant for such salary on the Treasurer of the State School Fund in favor of such County Superintendent of Schools.

Expenses.

25. A County Superintendent of Schools shall receive, in addition to his salary, the actual expenses incurred by him in the performance of his official duties, which expenses shall be paid by the collector of the county on the order of the State Superintendent of Public Instruction; *provided*, that no such order shall be drawn in favor of any County Superintendent of Schools until he shall have furnished to the State Board of Education an itemized statement, certified under oath or affirmation, of the expenses he has incurred, unless he shall have, during the period in which such expenses have been incurred, faithfully performed all the duties imposed upon him by this act and by the rules and regulations of the State Board of Education; *and provided further*, that in no case shall the expenses aforesaid exceed three hundred and fifty dollars annually. Payment of such expenses shall be made quarter-yearly.

Proviso.

Proviso.

Powers of county superintendents.

26. A County Superintendent of Schools shall have power:

Take affidavits.

I. To administer, without charge, oaths or affirmations to teachers and school officers;

Issue orders for school moneys.

II. To issue orders on the County Collector in favor of the custodian of the school moneys of the several school districts in said county for that portion of the state school tax, the state appropriation, and the interest of the surplus revenue to which each of said school districts shall be entitled;

Supervise schools.

III. To exercise general supervision over the public schools of the county under his charge in accordance with the rules and regulations prescribed from time to time by the State Board of Education; to visit and examine all the schools under his care; to inquire into the management, methods of instruction and discipline in such schools; to note the condition of the school-houses, sites, buildings and appurtenances; to examine the courses of

study, text-books and school libraries; to advise with and counsel boards of education in relation to their duties, particularly in respect to the construction, heating, ventilating and lighting of school-houses, and to recommend to boards of education and teachers proper studies, methods, discipline and management for the schools;

IV. To appoint members of the board of education for a new township, incorporated town or borough school district and for any such district which shall fail to elect such members at the regular time. Such appointees shall serve only until the next regular election in the district for members of the board of education.

Appoint members of boards of education in certain cases.

27. Each County Superintendent of Schools shall render annually, on or before the first of September, to the State Superintendent of Public Instruction, in the manner and form prescribed by him, a report of such matters relating to the schools under his supervision as shall be required by said State Superintendent of Public Instruction.

Annual report.

28. The superintendents, district clerks and the custodians of schools moneys of the several school districts shall annually, on or before the first day of August, report to the County Superintendent of Schools in the manner and form prescribed by the State Superintendent of Public Instruction.

Reports of school officers.

29. Whenever a superintendent of schools shall be appointed in any city school district, the supervision of the schools of such district shall devolve upon the superintendent of schools thereof and not upon the County Superintendent of Schools.

City superintendents.

## ARTICLE IV.

### BOARDS OF EXAMINERS.

30. There shall be a State Board of Examiners, consisting of the State Superintendent of Public Instruction, the Principal of the State Normal School and one person to be appointed by the State Board of Education.

State board of examiners, how constituted.

Said last-named person shall hold office for one year from date of his appointment as aforesaid. The member of said State Board of Examiners appointed by the State Board of Education shall hold a first-grade state certificate, or shall be a graduate of a college or university.

Compensation.

He shall receive for his services, in addition to traveling expenses, such compensation as may be fixed by the State Board of Education, not to exceed ten dollars for each meeting of said Board of Examiners. Said board shall hold examinations of teachers, grant State certificates and revoke the same under rules and regulations prescribed by the State Board of Education. A certificate thus granted shall entitle the holder, without further examination, to teach in any part of the state so long as said certificate shall remain valid by the terms thereof.

County boards  
of examiners,  
how consti-  
tuted.

31. There may be in each county a County Board of Examiners consisting of the County Superintendent of Schools, who shall be its chairman, and a number of teachers not to exceed three to be appointed by him, who shall hold office for one year from the date of their respective appointments. No person shall be appointed as a county examiner unless he or she shall hold either a state or a first-grade county certificate. The County Superintendent of Schools shall fill vacancies that shall occur from absence or other cause. Said County Board of Examiners shall conduct examinations and grant certificates of different grades at such times and under such rules and regulations as the State Board of Education may prescribe. It shall meet at such places as may be designated by the chairman. Each member of said Board of Examiners, except the County Superintendent of Schools, shall receive for his or her services, in addition to

Meetings.

Compensation.

traveling expenses, such compensation as may be fixed by the State Board of Education not to exceed ten dollars for each regular examination, which compensation shall be paid by the County Collector on the order of the

Proviso.

County Superintendent of Schools; *provided*, that whenever said board shall hold a special examination no compensation therefor shall be paid by the County Collector, but in such case said board may charge each applicant for examination a fee not to exceed two dollars.

32. In each city school district there may be a Board of Examiners consisting of the Superintendent of Schools of such district, if there be one, and such persons as the board of education of the school district shall appoint. No person shall be appointed as such examiner unless he or she shall hold either a state certificate or the highest grade certificate issued in said district, or shall be a graduate of a college or university. Said Board of Examiners shall, under such rules and regulations as the State Board of Education shall prescribe, grant certificates which shall be valid for all schools of such school district. No teacher shall be employed in any of the schools of such district unless he or she shall possess such certificate or a state or county certificate; *provided*, that nothing herein contained shall be construed to prevent the Board of Education of such school district from prescribing and requiring other and further qualifications to teach than shall have been prescribed by the rules and regulations of the State Board of Education as aforesaid; *provided further*, that if any such school district shall maintain a Normal School or a training school for teachers, which school shall have been approved as to its course of study by the State Board of Education, then the diplomas or certificates issued to pupils of any such school upon graduation therefrom may be accepted by the board of education of said school district as certificates to teach valid for the schools of such school district.

City boards of examiners.

Proviso.

Proviso.

## ARTICLE V.

### SCHOOL DISTRICTS.

33. Each township, city and incorporated town shall be a separate school district, but each incorporated village and each borough hereafter created, shall remain and be a part of the school district in which said incorporated village or borough shall be situate at the time of its incorporation; and each borough heretofore incorporated which shall not have assumed the functions of a separate school district by the election of a board of

School districts, how constituted.

education, or which shall not have actually acted as a separate school district, shall be and remain, and shall be deemed to have been and remained, a part of the school district in which it was situate at the time of its incorporation as a borough, any law to the contrary notwithstanding; *provided*, that whenever it shall appear to the State Superintendent of Public Instruction that the best interest of any borough require that it be a separate school district he shall make an order creating such borough a separate school district. Such order shall not take effect until approved by the State Board of Education; *provided further*, that nothing in this section shall be construed as abolishing any school district which shall have assumed the functions of and acted as a separate school district by the election of a board of education prior to the introduction of this act, or changing the boundaries of any school district possessing complete official autonomy prior to the introduction of this act, but such district shall be and remain a separate school district until consolidated with an adjoining school district as hereinafter provided.

**New districts.** 34. Whenever a new school district shall be created the children residing in said new district shall continue to attend the schools in which they shall be enrolled until the end of the then current school year. In case there shall be a school-house in such new district in which school shall be then maintained the board of education of the school district from which such new district shall have been set off shall have charge and control of such school until the end of the then current school year, and shall pay the salaries of the teachers, janitors and other persons employed in such school until the end of said year. In case there shall be any balance at the end of said school year in the hands of the custodian of the school moneys of the school district to the credit of the school district from which said new district shall have been set off, said custodian shall certify to the County Superintendent of Schools the amount of such balance, and what portion of such balance was received from state appropriation, state school tax and interest of the surplus revenue, and what portion was received from district

school tax. Said County Superintendent of Schools, upon receipt of such notice, shall divide between said districts that portion of the balance arising from the state appropriation, state school tax and interest of the surplus revenue on the basis of the aggregate number of days attendance of pupils in the public schools as ascertained from the last published report of the State Superintendent of Public Instruction, and shall divide between said districts that portion of said balance arising from district school tax on the basis of the respective ratables of said districts, and shall issue an order in favor of the custodian of the school moneys of such new district for that portion of said balance found to be due said district from the district from which it shall have been set off.

Balance of  
school moneys,  
how divided.

35. Whenever a township, incorporated town or borough school district shall desire to consolidate with an adjoining township, incorporated town or borough school district, the board of education of said district shall petition the County Superintendent of Schools of the county in which said district shall be situate, to appoint a time when meetings of the legal voters of the districts proposed to be consolidated shall be held, and said County Superintendent of Schools shall, upon receiving said petition, appoint a day for said meetings, and shall notify the board of education of each of said districts of his action. Each board of education receiving such notification shall cause its district clerk to post notices calling a special meeting of the legal voters of the district for the purpose of voting on the question of the consolidation of said districts. Said meeting shall be called in the same manner as other special meetings, and shall be held on the day designated therefor by the County Superintendent of Schools, at such hour and place as may be determined by the board of education. The election shall be by ballot, and the chairman shall appoint two tellers who shall receive and count the ballots in the presence of the chairman of the meeting. The secretary of the meeting shall keep a poll list and shall record therein the name of each person voting at such meeting, and shall also keep a tally sheet of the votes as counted by the

Consolidation  
of school dis-  
tricts.

Public meet-  
ing.

Election.

tellers. The tally sheet shall be signed by the chairman and tellers, and said tally sheet, poll list and ballots shall be placed in a sealed package by the secretary, indorsed with the name of the district, the name of the county in which said district shall be situate, and the date on which said election shall have been held, and said package, together with a statement of the result of said election, signed by the chairman and secretary, shall be within five days after the date of said election forwarded by said secretary to the County Superintendent of Schools, and the same shall be preserved by him for one year. If the County Superintendent of Schools shall ascertain from said statements that the number of votes cast in each of said districts in favor of consolidation exceeds the number of votes cast against the same, he shall immediately notify each of the boards of education of the result of said election, and thereafter said districts shall constitute but one district.

Board of education in consolidated district.

36. The board of education of each district consolidated in the manner provided in the preceding section shall, upon receipt of the notice from the County Superintendent of Schools of such consolidation, select by lot four of its number to serve as members of the board of education of the consolidated district, and the eight members so selected shall select the ninth member of said board from among the remaining members of the board of education of that district which shall employ the greater number of teachers; *provided*, that if the board of education of one of the districts so consolidated shall consist of but three members, all of said members shall be members of the board of education of the consolidated district, and four members of said board shall be chosen as hereinabove provided from the board of education of the other district so consolidated; *and provided further*, that if each of said boards of education shall consist of three members only, said boards shall constitute the board of education of the consolidated district, and the board constituted as hereinbefore provided shall serve until the next annual meeting for the election of members of boards of education, and the terms of office of the remaining members of the board of education of each of said dis-

Proviso.

Proviso.

districts so consolidated shall thereupon cease and determine. At said annual meeting a board of education shall be elected as provided for the election of members of boards of education in new districts.

37. The board of education of such consolidated district shall be a body corporate and shall have all the powers and duties and be subject to the same restrictions as a board of education in a township school district, and shall be known as and called "the board of education of the \_\_\_\_\_ of \_\_\_\_\_ (here insert the name of the municipality in which was situate that district consolidated as aforesaid which had the larger amount of taxable property as ascertained from the last published report of the State Comptroller), in the county of \_\_\_\_\_."

Board of education a body corporate.

38. In case any township, city, incorporated town or borough shall hereafter become a separate school district, or in case two school districts shall consolidate as hereinbefore provided and form one school district, the board of education of such district, in its corporate capacity, shall become vested with the title to all school property real and personal in such district, and if, for the erection, repair or purchase of any such property, there shall be an indebtedness for which the board of education of the school district to which said property originally belonged shall be liable, the said indebtedness shall be assumed by and become the obligation of the board of education of the school district which shall have become vested with the title to such property, and upon payment of said indebtedness by the school district originally liable therefor, an action may be maintained therefor by the board of education so paying the said indebtedness against the board of education of the school district which shall have become vested with the property for which the said indebtedness was originally incurred. (a)

Title to property in consolidated district.

---

(a) When a new borough is formed and set off from a township, and becomes a separate school district, and there is within the limits of the borough a school-house belonging to the board of education of the township, and for the erection of which there is an indebtedness for which said board is liable, the said board is not thereby discharged from its legal liability to pay such indebtedness, but on being compelled by suit and judgment at law to pay the same, is entitled to collect the sum so paid from the board of education of the borough. *McCully v. Ridgefield*, 34 Vr. 13.

Assumption of indebtedness.

39. In case any borough, township, incorporated town or other municipality or any part thereof shall have been annexed to another municipality and there shall be within the limits of such borough, township, incorporated town or other municipality, or such part thereof as shall have been annexed to another municipality as aforesaid, any school-house or property formerly belonging to the board of education of such borough, township, incorporated town or other municipality, and for the erection, purchase, furnishing or repair of which there shall be an indebtedness for which the board of education of such borough, township, incorporated town or other municipality shall be liable, the said indebtedness shall be assumed by and become the obligation of the board of education of the municipality to which such borough, township, incorporated town or other municipality shall have been annexed.

Repayment of indebtedness.

40. Whenever the board of education of any township, incorporated town, borough or other municipality shall pay any portion of an indebtedness existing at the time of the formation of a new township, incorporated town, borough or other municipality, or at the time of the annexation of such township, incorporated town, borough or other municipality, or part thereof, to another municipality as aforesaid, which indebtedness shall have been assumed by and shall have become the obligation of the board of education of such new township, incorporated town, borough or other municipality, said last-mentioned board shall repay to the board of education of said first-mentioned township, incorporated town, borough or other municipality the amount of said payment, with interest.

Length of school term.

41. The state appropriation and the state school tax shall not be apportioned in any year to any district which shall not have maintained a public school for at least nine months during the preceding school year; *provided*, that the State Superintendent of Public Instruction may, for good cause shown, remit said penalty; *and provided further*, that said appropriation and said state school tax shall be apportioned to a new district, or to a district in which the school shall have been discontinued

Proviso.

Proviso.

on account of the repairing of an old, or the erection of a new school building.

## ARTICLE VI.

## BOARDS OF EDUCATION IN CITY SCHOOL DISTRICTS.

42. In each city, the mayor or other chief executive officer of such city shall, during the month of December, next after the acceptance of the provisions of this section, as is hereinafter provided, appoint nine persons to be members of the board of education of such city school district, who shall severally possess the qualifications for said membership prescribed in this article. Three of such persons shall be appointed to serve for one year, three for two years and three for three years, and annually thereafter, during the month of December, the said mayor or other chief executive officer of such city shall appoint three members of said board of education to serve for the term of three years, to take the place of those members whose terms shall expire in such year. Any vacancy in such board of education shall be forthwith reported by the secretary of said board to the mayor or other chief executive officer, who shall, within thirty days thereafter, appoint a person to fill such vacancy for the unexpired term. To every such appointee, as aforesaid, said mayor or other chief executive officer shall issue and deliver a certificate of appointment. The term of office of a member of the board of education, except a member appointed to fill an unexpired term, shall begin on the first day of January next succeeding his appointment.

Board of education appointed by the mayor.

Term.

Vacancy, how filled.

43. In each city, there shall be elected at the first municipal election held in such city next after the acceptance of this section as hereinafter provided, nine persons to be members of the board of education of such city school district, who shall severally possess the qualifications for said membership prescribed in this article. Three of such persons shall be elected to serve for one year, three for two years and three for three years, and thereafter, at the regular municipal election in such

Board of education elected.

Term.

Vacancy.

city in each year, there shall be elected three members of said board of education to serve for the term of three years, to take the place of those members whose terms shall expire in such year. Should any vacancy occur in such board of education, the remaining members of said board shall, within thirty days thereafter, appoint a person to fill such vacancy to serve only until the next succeeding municipal election in said city, at which election a member shall be elected to serve for the unexpired term. The term of office of a member of the board of education, except a member elected to fill an unexpired term, shall begin on the first day of January next succeeding his election.

Qualification for membership.

44. A member of a board of education created under the provisions of this article shall be at least twenty-five years of age, a citizen and resident of the school district, and shall have been such citizen and resident for at least three years immediately preceding his or her becoming a member of such board and shall be able to read and write. He shall not be interested directly or indirectly in any contract with or claim against said board.

Take oath of office.

45. A member of such board of education shall, before entering upon the duties of his office, take and subscribe an oath before any officer authorized by law to administer oaths, that he possesses the qualifications to be a member of said board prescribed therefor by this article, and that he will faithfully discharge the duties of his said office. Said oath shall be filed with the city clerk of the city.

Removal for non-attendance at meetings.

46. A member of such board of education who shall fail to attend three consecutive regular meetings of said board without good cause, may be removed by said board; the vacancy thus created shall be filled in the same manner as other vacancies in the board of education shall be filled.

No compensation.

47. A member of such board of education shall receive no compensation for his services.

Board of education incorporated.

48. A board of education created under the provisions of this article shall be a body corporate, and shall be known as and called "the board of education of the city

of \_\_\_\_\_ in the county of \_\_\_\_\_," and shall adopt an official seal.

49. Such board shall, on the day the term of office of the members first appointed or elected as provided in section forty-two or forty-three, shall begin, and annually thereafter at the first regular meeting of said board on or after the first day of January, organize by electing one of its members as president and another as vice-president, which officers shall serve for one year and until their respective successors shall be elected.

Organization of board of education.

50. Such board shall, in and by its corporate name, sue and be sued, purchase, lease, receive, hold and sell property, real and personal, take and condemn land and other property for school purposes in the manner provided by law regulating the ascertainment and payment of compensation for property condemned or taken for public use, and, if either party shall feel aggrieved by any proceedings and award thereunder, said party may appeal in the manner provided by law for appeals from such proceedings and award, and shall do all acts and things necessary for the lawful and proper conduct and maintenance of the public schools of its school district.

May sue, etc.

Condemn lands for school purposes.

51. Such board shall succeed to and be vested with all the property of every kind, and all the rights and privileges, not inconsistent with the provisions of this act, theretofore vested in or possessed by any board of education, school commissioners, or other body theretofore having charge and control of the public schools or public school property of the school district or of the city in which said district shall be situate.

Vested rights.

52. The title to school property, real and personal, previously acquired by said school district, or by any antecedent board of education, school commissioners, or by any other body for school purposes in said school district, or in the city in which the said district shall be situate, and the title to all lands, buildings and other property to be hereafter acquired for school purposes in said school district shall vest in the board of education in said district created under the provisions of this article.

Title to school property vested in board of education.

53. Every such board shall have the supervision, control and management of the public schools and public

Management of schools.

Appoint secretary, superintendent, etc.

school property in its district. It shall appoint a person to be its secretary, and may appoint a superintendent of schools, a business manager and other officers, agents and employes as may be needed, and may fix their compensation and terms of employment, but no such appointee, officer, agent or employe, other than the secretary, shall be a member of said board.

Make rules and regulations.

54. Such board shall make, amend and repeal rules, regulations and by-laws not inconsistent with this act or with the rules and regulations of the State Board of Education, for its own government, for the transaction of business, and for the government and management of the public schools and the public school property in said district, and also for the employment and discharge of principals and teachers.

Proposals for supplies.

55. Such board of education shall, prior to the beginning of each school year, cause advertisement to be made under such regulations as it may provide, for proposals for furnishing supplies required in the schools and by said board during the ensuing year. If other and further supplies shall be required during the year, they shall be purchased in like manner. No contract shall be entered into for the building of a new school-house or for the enlarging or repairing of a school-house already erected, except after advertisement made under such regulations as said board may prescribe; *provided*, that the board may at any time order repairs to school buildings to an amount not exceeding five hundred dollars, and may authorize the purchase of supplies to an amount not exceeding two hundred and fifty dollars without advertisement. Text-books and kindergarten supplies may be purchased without advertisement.

Proviso.

Specifications and contracts.

56. No bid for building or repairing school-houses or for supplies shall be accepted which does not conform to the specifications furnished therefor, and all contracts shall be awarded to the lowest responsible bidder.

Annual report.

57. Such board of education shall, as soon as practicable after the close of each school year, cause to be printed and published a report of the condition of the public schools under its charge, of all the property under

its control, and an itemized account of the expenditures of the board and of the finances of the district.

58. A secretary shall be appointed by the majority vote of all the members of the board of education; he shall be paid such salary as said board shall determine, and may be removed by a majority vote of all the members of said board. He shall, before entering upon the duties of his office, execute and deliver to said board a bond in a sum to be fixed by said board, but not less than two thousand dollars, with surety or sureties to be approved by said board conditioned for the faithful performance of the duties of his office. Said board may accept the bond or undertaking of a trust company or surety or indemnity company, and may pay the annual premium or fee therefor as a current expense of said board.

Secretary.

Salary.

Bond.

59. The secretary may appoint and remove clerks in his office, but the number and salaries of such clerks shall be determined by the board of education.

Powers of secretary.

60. The secretary shall record the proceedings of the board and of its committees, and shall be the custodian of all securities, documents, title papers, books of record and other papers belonging to the board under such conditions as said board shall direct.

Duties of secretary.

61. The secretary shall collect tuition fees and other moneys due to the board of education, except moneys apportioned by the County Superintendent of Schools or appropriated by the city, and shall deposit with the custodian of the school moneys of the district all moneys collected by him, and shall render monthly to the board of education a report of the receipts during the preceding month.

Secretary to collect moneys.

Monthly report.

62. The secretary shall be the general accountant of the board of education and shall preserve in his office all accounts, vouchers and contracts relating to the public schools. He shall examine and audit all accounts and demands against said board. Such accounts and demands exceeding in amount the sum of five dollars, except for salaries, shall be verified by affidavit.

Secretary to audit claims.

63. No claim or demand shall be audited or paid unless it shall be authorized by law and the rules of the

Claims, how paid.

board of education and be fully itemized, nor unless the amount required to pay the same shall have been theretofore appropriated by said board.

Disbursements,  
now made.

64. All disbursements of the board of education shall be by warrant drawn on the custodian of the school moneys of the district, signed by the president of said board and countersigned by the secretary. All warrants drawn in accordance with the provisions of this section, accompanied by itemized statements of the claims or demands that have been drawn, shall be forwarded, by said secretary, to the comptroller, auditor or other officer, if there be one, authorized by law to audit claims and demands against the municipality in which such district shall be situate. Said comptroller, auditor or other officer shall examine and audit such warrants and statements, and, if they shall be found to be correct, countersign said warrants and forward them to the city treasurer, who, by virtue of his office as city treasurer, shall be the custodian of school moneys for said city. If said comptroller, auditor or other officer or body shall have reason to believe that the claim or demand for which any such warrant shall have been issued is incorrect, such warrant, and the statement accompanying it, shall be returned to the secretary of the board of education, with a statement of the reasons why the same should not be paid, and said secretary shall correct such warrant and statement, or present them to the board of education at its next meeting. If said board shall find that such claim or demand is correct and just it shall, by a vote of a majority of all the members of said board, order that it be paid, and said comptroller, auditor or other officer or body shall, upon receipt of the warrant and statement thereof, countersign the warrant and forward it to said city treasurer.

Monthly state-  
ment by secre-  
tary.

65. The secretary shall report monthly to the board of education the amount for which warrants shall have been drawn during the preceding month, the accounts against which said warrants shall have been drawn and the balance to the credit of each account, and shall, at the close of the fiscal year, make a full itemized report of the finances of the school district.

66. Whenever a superintendent of schools shall be appointed, it shall be by a majority vote of all of the members of the board of education. He shall receive such salary as said board shall determine, which salary shall not be reduced during his employment. He may be removed by a majority vote of all the members of said board. He shall have a seat in said board and the right to speak on all educational matters, but shall not have the right to vote.

City superintendent.

Salary.

67. The board of education may, on the nomination of the superintendent of schools, appoint assistant superintendents and shall fix their salaries. Assistant superintendents may be removed by a majority vote of all the members of said board.

Assistant superintendents.

68. No person shall be appointed superintendent of schools, or assistant superintendent under the provisions of this article unless he shall hold a state teacher's certificate; *provided*, that this section shall not apply to a superintendent of schools employed in any city school district at the time of the passage of this act.

Qualifications of superintendents.

Proviso.

69. The superintendent of schools shall, when required by the board of education, devote himself exclusively to the duties of his office. He shall have general supervision over the schools of the district and shall examine into their condition and progress and report thereon from time to time as directed by the board of education. He shall have such other powers and perform such other duties as may be prescribed by the board of education. He may appoint and remove clerks in his office, but the number and salaries of such clerks shall be determined by the board of education. Said superintendent shall render annually on or before the first day of August to the State Superintendent of Public Instruction, and in the manner and form prescribed by him, a report of such matters relating to the schools under his supervision as shall be required by said State Superintendent of Public Instruction.

Duties of superintendents.

Report to state superintendent.

70. The appointment, promotion, removal and transfer of teachers, the adoption and change of text-books and courses of study shall be made by a majority vote of all the members of the board of education.

Appointment of teachers and selection of text-books.

Suspension of  
teacher.

71. The superintendent of schools may, with the approval of the president of the board of education, suspend any assistant superintendent, principal or teacher, and shall forthwith report such suspension to the board of education, which board shall take such action for the restoration or removal of such assistant superintendent, principal or teacher as it shall deem proper; *provided*, that such action shall be by a majority vote of all the members of said board.

Proviso.

Business  
manager.

72. Whenever a business manager shall be appointed it shall be by a majority vote of all the members of the board of education. He shall receive such salary as said board shall determine. He shall, before entering upon the duties of his office, execute and deliver to the board of education a bond in a sum to be fixed by said board, but not less than two thousand dollars, with surety or sureties to be approved by said board, conditioned for the faithful performance of the duties of his office. Said board may accept the bond or undertaking of a trust company, surety or indemnity company and may pay the annual premium or fee therefor as a current expense of said board. Said business manager may, by a majority vote of all the members of the board of education, be removed from office. He shall have a seat in said board, and the right to speak on all matters relating to his department, but shall not have the right to vote.

Salary.

Bond.

Duties of busi-  
ness manager.

73. The business manager shall have charge and care of the public school buildings, and all other property belonging to the school district. He may appoint and remove clerks in his office, but the number and salaries of such clerks shall be determined by the board of education.

Plans of school  
houses to be  
supervised by  
business man-  
ager.

74. All plans and specifications for the erection, improvement or repair of public school-houses shall be drawn by or under the supervision of the business manager, if there be one, and shall be approved by the board of education. Said business manager, if there be one, shall supervise the construction and repair of all school-buildings, and shall report monthly to the board of education the progress of the work; *provided*, that repairs not exceeding the sum of one hundred dollars may

Proviso.

be ordered by the business manager, and repairs not exceeding the sum of five hundred dollars may be ordered by the committee of the board having charge of the repair of school property, without the previous order of the board and without advertisement. The business manager, if there be one, shall superintend all advertisements for bids and the letting of all contracts. He shall inspect all work done and materials or supplies furnished under contract, and shall, subject to the approval of the board of education, condemn any work and reject any material or supplies which, in his judgment, do not conform to the specifications contained in the contract therefor, and shall perform such other duties as may be required by the board of education.

75. In every school district the board of education shall appoint two of its members, and the common council, board of finance or other body in such city having the power to make appropriations of money raised by taxes in said city, shall appoint two of its members, which persons so appointed, together with the mayor or other chief executive officer of the city, shall constitute a board to be known as the "Board of School Estimate" of said school district. Said appointments shall be made annually during the month of January. The secretary of the board of education shall be the secretary of the board of school estimate, but shall receive no compensation as such.

Board of school estimate, how constituted.

76. On or before the fifteenth day of May in each year, the board of education of such city school district shall prepare and deliver to each member of said "Board of School Estimate" an itemized statement of the amount of money estimated to be necessary for the current expenses of and for repairing and furnishing the public schools of such district for the ensuing school year, and also the amount which shall have been apportioned to such district by the county superintendent.

Estimate furnished by board of education.

77. Between the fifteenth day of May and the first day of June in each year said "Board of School Estimate" shall fix and determine the amount of money necessary to be appropriated for the use of the public schools in such district for the ensuing school year, exclu-

Appropriations, amount, how determined.

Appropriations, how made.

Proviso.

Proviso.

Appropriations for school buildings, how determined.

sive of the amount which shall have been apportioned to it by the County Superintendent of Schools. Said "Board of School Estimate" shall, on or before the last-named date, make two certificates of said amount, signed by at least three of the members of said board, one of which certificates shall be delivered to the board of education of said school district, and the other to the common council, board of finance, or other body in the city having the power to make appropriations of moneys raised by taxes in such city. Said common council, board of finance or other body shall, upon receipt of said notice, appropriate in the same manner as other appropriations are made by it the amount so certified as aforesaid, and said amount shall be assessed, levied and collected in the same manner as moneys appropriated for other purposes in such city shall be assessed, levied and collected; *provided*, that any amount in excess of three-fourths of one per centum of the taxable valuation of the real and personal property shall be appropriated only with the concurrence and consent of said common council, board of finance or other body, expressed by its resolution duly passed; *and provided further*, that if the charter of the city shall limit the amount of tax or the rate of taxation in such city, so that the provisions of this section cannot be carried out, or shall otherwise by its terms prevent the carrying out of the provisions of this section, the same shall be hereafter held not to apply to the raising of money under the provisions of this section.

78. Whenever a city board of education shall decide that it is necessary to raise money for the purchase of lands for school purposes, or for erecting, enlarging, repairing or furnishing a school-house or school-houses, it shall prepare and deliver to each member of the "Board of School Estimate" of such school district a statement of the amount of money estimated to be necessary for such purpose or purposes. Said "Board of School Estimate" shall fix and determine the amount necessary for such purpose or purposes, and shall make two certificates of such amount, one of which certificates shall be delivered to the board of education, and the other to the common

council, board of finance or other body in the city having the power to make appropriations of money raised by tax in such city. Said common council, board of finance or other body may appropriate such sum or sums for such purpose or purposes in the same manner as other appropriations are made by it, and said sum or sums shall be raised, assessed, levied and collected at the same time and in the same manner as moneys appropriated for other purpose in such city are raised, assessed, levied and collected, or said common council, board of finance or other body may appropriate and borrow such sum or sums for the purpose or purposes aforesaid, and may secure the repayment of the sum or sums so borrowed, together with interest thereon at a rate not to exceed five per centum per annum, by the issue of bonds in the corporate name of such city. Bonds so issued shall be designated "school bonds;" shall be of such denomination as said common council, board of finance or other body may determine, and shall be made payable in not more than thirty years from the date thereof. Such bonds may be registered or coupon bonds, or may be registered and coupon bonds combined at the option of such common council, board of finance or other body. The proceeds of the sale of such bonds shall be deposited with the custodian of school moneys of such school district, and shall be paid out only on the warrants or orders of the board of education; *provided*, that the total amount of bonds for the purposes named in this section, including bonds theretofore issued for such purposes, and not redeemed, shall not exceed at any one time a sum equal to three per centum of the taxable valuation of the real and personal property in such city; *provided further*, that if the charter of the city shall limit the amount of indebtedness in such city, or shall by its terms prevent the carrying out of the provisions of this section, the same shall be hereafter held not to apply to the issuing of bonds under the provisions of this section.

Bonds for  
school-houses.

Proviso.

Proviso.

79. Any such board of education shall have all the powers granted to boards of education under other articles

Powers of board  
of education.

of this act, except as they are limited by or are inconsistent with the provisions of this article.

Referendum on appointment or election of members of board of education under sections 42 and 43.

80. The acceptance of the provisions of section forty-two or forty-three shall be submitted to the qualified voters of any city at a general or municipal election to be held therein; *provided*, that such submission shall be had and such vote shall be taken whenever the common council, board of aldermen or other legislative body of the city, or the board of education of any school district situate in such city shall have, by resolution, determined that such question shall be so submitted, or whenever at least five per centum of the legal voters of such city, as shown by the election returns at the last election in such city, shall, by their petition duly signed and delivered to the clerk of such city, have requested that such question shall be so submitted; *provided further*, that the question of accepting the provisions of either section forty-two or forty-three shall not be submitted to the legal voters of any city more often than once in five years. In any city school district, until the organization of a board of education in such school district as provided in section forty-two or forty-three of this act, the administration and conduct of the public schools and the management and control of the public school property therein, shall remain in and shall be exercised by any board of education or other body theretofore having control of the public schools therein. Said board of education or other body shall be hereafter deemed to be incorporated under the provisions of section forty-eight of this act, and shall have all the powers and be charged with all the duties conferred or imposed upon a board of education as provided in this article, and the members of any such board of education or other body shall be selected, elected or appointed at the same time, in the same manner, and shall serve for the same terms as members of such board of education or other body have been heretofore selected, elected or appointed. Upon the organization of a board of education in said district, as provided in section forty-two or forty-three, the board of education or other body theretofore having charge of the public schools in such school district or in such city,

Proviso.

Management to remain in present boards until new boards organized.

Powers of board.

When old board abolished.

or having custody, charge or management of any fund or property used for or in the maintaining of public schools in such district or city, and having no other function, shall be ipso facto abolished.

## ARTICLE VII.

BOARDS OF EDUCATION IN TOWNSHIP, INCORPORATED  
TOWN AND BOROUGH SCHOOL DISTRICTS.

81. In each township and incorporated town and in each borough which may be a separate school district, there shall be a board of education consisting of nine members, except as hereinafter provided; three members of such board shall be chosen at each annual school meeting and shall hold office for the term of three years. In case there shall be a vacancy in a board of education, such vacancy shall be filled at the next annual meeting after such vacancy occurs, and the person elected to fill such vacancy shall be elected for the unexpired term only; *provided*, that nothing in this section shall be construed so as to require any such school district which now has a board of education consisting of less than nine members to increase the number of members to nine.

Boards of education in townships, towns or boroughs, how constituted.

Proviso.

82. If the board of education in any school district created under the provisions of this article shall deem it for the best interests of the schools that the number of members constituting said board shall be reduced, the district clerk, when directed by said board, shall insert in the call for the next annual meeting a notice that it will be determined at said meeting whether the board of education shall consist of three or nine members. If it shall be determined at said meeting that the board of education shall consist of three members, then no election for members of said board shall be held until the expiration of the terms of office of all the members of said board then in office, and at the second annual school meeting held after the meeting at which it was determined to reduce the number of members of the board to three, there shall be elected three members of

Number of members may be reduced.

said board to serve for one, two and three years respectively, and thereafter one member of said board shall be chosen at each annual school meeting who shall hold office for the term of three years.

Boards of education in new district.

83. Whenever in any township, incorporated town or borough a new school district shall be created, there shall be held, at the ensuing annual school meeting, an election for members of the board of education. Before proceeding to ballot for such members of the board of education, the legal voters present shall determine whether the board of education shall consist of three or nine members. If it shall be determined that the board shall consist of three members, then said legal voters shall elect one member to serve for the term of one year, one for the term of two years and one for the term of three years. If it shall be determined that said board shall consist of nine members, said legal voters shall elect three members to serve for the term of one year, three for the term of two years and three for the term of three years, and annually thereafter there shall be elected three persons for the term of three years in the place of the members whose terms shall have expired.

Annual district meeting.

84. An annual meeting for the election of members of the board of education shall be held in each township, incorporated town or borough school district on the third Tuesday in March at a school-house or such other convenient public place within the district as may be selected by the board of education. Not less than seven notices of such meeting, specifying the day, time, object and place thereof, shall be posted by the district clerk at least ten days before the date of such meeting; one of such notices shall be posted on each school-house within the district, and at such other public places therein as the board of education of said district shall direct. Any district clerk who shall fail to post notices calling said annual meeting as required by this section shall pay a fine of twenty dollars, to be recovered in a court for the trial of small causes by any resident of said school district. A plurality of the votes cast shall be sufficient to elect a member of a board of education.

Notices.

Penalty for failure to post notices.

Qualifications of members.

85. A member of a board of education created under

the provisions of this article shall be at least twenty-five years of age, a citizen and resident of the school district, and shall have been such citizen and resident for at least three years immediately preceding his or her becoming a member of such board, and shall be able to read and write. He shall not be interested directly or indirectly in any contract with nor claim against said board.

86. Every male citizen of the United States who shall have the qualifications required for electors for the General Assembly of the State of New Jersey, shall have the right to vote at such meeting. Every female citizen of the United States of the age of twenty-one years and possessing the qualifications respecting residence required of male voters, shall have the right to vote at any annual or special school meeting of the legal voters of said school district for any purpose other than the election of members of the board of education. (a)

Qualifications  
of voters at  
school meet-  
ings.

87. All elections for members of a board of education created under the provisions of this article shall be by ballot. The polls for such election shall remain open one hour and as much longer as may be necessary to enable the legal voters present to cast their ballots. Said ballots may be printed or written, or partly printed and partly written. In case a member of a board of education is to be elected for a full term, and a member is to be elected to fill an unexpired term, the ballots shall designate which of the persons voted for is to be elected for the full term, and which for the unexpired term. The chairman of the meeting shall appoint two tellers who shall receive and count the ballots in his presence and said chairman shall announce the result of such election. The secretary of the meeting shall keep a poll-list and record therein the name of each person voting at such election and shall also keep a tally-sheet of the votes

Elections to be  
by ballot.

Method of con-  
ducting elec-  
tions.

(a) 1. Trustees of school districts are municipal officers, and being elected by the people, those who vote for them must have the qualifications required by Article II. of the Constitution of New Jersey. *State v. Dasher*, 1 *Dutcher* 177.

2. School trustees are officers within Article II., paragraph 1, of the Constitution, so that, if they are made elective by the people, only male citizens can vote for them. *Kimball v. Hendee*, 28 *Vr.* 307.

3. Women may vote at school meetings for all purposes except the election of officers. *Landis v. Ashworth*, 28 *Vr.* 509; *Chamberlain v. Cranbury*, 28 *Vr.* 605.

as counted by the tellers. The tally-sheet shall be signed by the chairman and tellers, and said tally-sheet, poll-list and ballots shall be placed by the secretary in a sealed package indorsed with the name of the district, the name of the county in which said district shall be situate and the date on which said election shall have been held, and said package, together with a statement of the result of said election signed by the chairman and secretary, shall be, by said secretary, deposited with the district clerk, and a copy of said statement shall be forwarded by said secretary to the County Superintendent of Schools within five days after the date of such election and the same shall be preserved for one year.

Two ballot-boxes in certain cases.

88. At any annual meeting when the question of raising a tax, the issuing of bonds, or the establishing of a union graded school is to be voted on, two ballot-boxes shall be provided and two tellers shall be appointed for each box. One of said boxes shall be used to receive the ballots for members of the board of education and the other to receive the ballots for the other objects enumerated in this section.

Corporate name of board of education.

89. Each board of education elected as provided in this article shall be a body corporate, and shall be known as and called "the board of education of the township (town or borough, as the case may be) of \_\_\_\_\_, in the county of \_\_\_\_\_."

Organization of board of education.

90. Each board of education created under the provisions of this article shall organize within ten days after the annual school meeting by the election of one of its members as president, and a district clerk, and may fix the compensation of said clerk. If said board shall fail to organize within ten days the County Superintendent of Schools shall appoint, from among said members a president and a district clerk. In case the office of president or district clerk shall become vacant, the board of education shall, within thirty days thereafter, fill such vacancy for the unexpired term, and if it shall fail to fill said vacancy within the said thirty days the County Superintendent of Schools shall fill such vacancy for the unexpired term. A member of such board of education shall, before entering upon the

Vacancies, how filled.

Oath of office.

duties of his office, take and subscribe an oath before any officer authorized by law to administer oaths, that he possesses the qualifications to be a member of said board prescribed therefor in this article, and that he will faithfully discharge the duties of his said office. Said oath shall be filed with the district clerk of said board.

91. The board of education shall have power:

Powers of board of education.

I. To appoint a person to fill a vacancy in the board of education, but the person so appointed shall serve only until the next regular election for members of the board of education;(a)

Appoint member to fill vacancy.

II. To employ and dismiss principals, teachers, janitors, mechanics and laborers, and to fix, alter and order paid their salaries and compensation;

Employ teachers, etc.

III. To make and enforce rules and regulations not in conflict with this act nor with the rules and regulations of the State Board of Education for the government of schools, pupils and teachers;

Make rules.

IV. To purchase, sell and improve school grounds; to erect, lease, enlarge, improve, repair or furnish school buildings and to borrow money therefor with or without mortgage; *provided*, that for any such act it shall have the previous authority of a vote of the legal voters of the district;

Purchase, sell or lease school-houses.

Proviso.

V. To take and condemn land and other property for school purposes in the manner provided by law regulating the ascertainment and payment of compensation for property condemned and taken for public use. If either party shall feel aggrieved by any proceedings and award thereunder, said party may appeal in the manner provided by law for appeals from such proceedings and award; *provided*, that before beginning any proceedings for taking and condemning land and other property, the board of education shall have the authority of a vote of the legal voters of the district;

Condemn land for school purposes.

Proviso.

VI. To insure school buildings, furniture and other school property, and to receive, lease and hold in trust for the district any and all real or personal property for the benefit of the schools thereof;

Insure school property.

(a) The office of trustee is not vacated by an unaccepted resignation. *Townsend v. Trustees, &c.*, 12 Vr. 312.

Select text-books, etc.

VII. To enforce the rules and regulations prescribed by the State Board of Education, select the text-books, and, in connection with the County Superintendent of Schools, to prescribe the course of study to be pursued in the school or schools under its charge; (a)

Suspend or expel pupils.

VIII. To suspend or expel pupils from school;

Provide text-books.

IX. To provide text-books and other necessary school supplies;

Call special meetings of legal voters.

X. To call a special meeting of the legal voters of the district at any time when in its judgment the interests of the school require it, or whenever fifty of such legal voters shall request it by petition so to do. In the notices of any special meeting, called upon petition as aforesaid, shall be inserted the purposes named in said petition so far as the same are not in conflict with the provisions of this act. No business shall be transacted at any special meeting except such as shall have been set forth in the notices by which said meeting was called. Special meetings shall be called in the manner provided for calling the annual meetings; (b)

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(a) The school laws are not rendered special or local, or otherwise unconstitutional by the fact that under them a higher grade of education may be afforded to the children in one district than that offered to those in another. *Landis v. Ashworth*, 28 Vr. 509.

(b) 1. A special meeting of the legal voters of a school district, duly called, may vote to raise money for school purposes, although such appropriation has been refused at the annual meeting. *State, Trustees, &c.*, v. *Lewis*, 6 Vr. 377. Special meetings of the voters of a school district cannot be called unless ordered by the board of trustees regularly convened. *Bogert v. Trustees, &c.*, 14 Vr. 358. Where money is ordered to be raised by taxation at a special meeting, the previous action of the trustees in calling such meeting in pursuance of authority here given, must appear in the certificate of the clerk to the assessor. *Lamb v. Hurff*, 9 Vr. 310; *Slack v. Palmer*, 10 Vr. 250.

2. Notices for special school meetings to raise special school taxes should be put up at least ten days before the time of meeting. *Davis v. Rapp*, 14 Vr. 594.

3. At a special district meeting called by the board of trustees of a school district to build an addition to a school-house, a majority of the votes of the taxable residents present at a meeting is sufficient authority to act. *Crandall v. Trustees, &c.*, 22 Vr. 138.

4. A special school tax, ordered by a special meeting of the voters, which was not called by the board of trustees and of which the district clerk did not give notice, will be set aside. *Apgar v. Van Syckle*, 17 Vr. 492.

5. A special meeting can vote to raise money to build a school-house, although a similar proposition has been rejected at a previous special meeting held in the same year. *Stackhouse v. School District 43, Sussex Co.*, 23 Vr. 291; *Chamberlain v. Cranbury*, 28 Vr. 605.

XI. To permit a school-house to be used for other than school purposes when the board shall consent thereto; Use of school-house for other purposes.

XII. To adopt an official seal by which all its official acts may be authenticated; Seal.

XIII. To make an annual report to the County Superintendent of Schools on or before the first day of August in the manner and form prescribed by the State Superintendent of Public Instruction; Annual report.

XIV. To borrow, after the first day of July and before the first day of January, a sum not exceeding one-half of the amount appropriated for the current expenses of the schools and for the repair of school-houses under its control, and to execute and deliver promissory notes therefor, and to pay the amount so borrowed together with interest thereon, at a rate not exceeding six per centum per annum. Borrow money.

92. A board of education may appoint a suitable person as supervising principal of schools, define his duties and fix his salary; *provided*, that no person shall be appointed supervising principal unless he or she shall hold either a state or first-grade county certificate; *and provided further*, that the boards of education of two or more districts may unite in employing a supervising principal. Supervising principal. Proviso. Proviso.

93. No principal or teacher shall be appointed or dismissed, nor the amount of his or her salary fixed; no school term shall be determined, nor shall any course of study be adopted or altered, nor text-books selected, except by a majority vote of the whole number of members of the board of education. Majority vote required in certain cases.

94. The board of education of every school district elected under the provisions of this article, shall meet for the transaction of business at least once in two months during the period that the schools in said district shall be in session. No contract shall be entered into by a board of education, nor shall any bill or demand for money against such board be paid until the same shall have been presented and passed on at a regularly called meeting of the board. Regular meetings.

Bills must be itemized.

Proviso.

Affidavit to bills.

Penalty for violation of provisions of section.

Duties of district clerk.

Post notices of district meetings.

95. It shall be unlawful for any board of education to order paid out of the school moneys under its control, any money for school supplies, books, maps, charts, globes, fuel, erecting, enlarging, repairing, furnishing or improving school buildings and grounds, unless the person claiming said money shall first present to said board an itemized bill showing the name of the person to whom the amount of such bill is due; *provided* that the district clerk, whenever authorized by said board, may purchase such supplies for the school or schools under its control and shall present an itemized bill of the same with his affidavit attached, which bill shall be acted on and paid as other bills are paid. Every person presenting any such bill exceeding in amount the sum of five dollars, shall make an affidavit that the goods or services itemized in said bill have been delivered or rendered, and that no bonus nor reward has been given or received by any person with the knowledge of the deponent in connection with the claim, and that said bill is correct and true. The district clerk is hereby authorized to take said affidavit without cost. Any member of a board of education who shall willfully violate the provisions of this section shall be deemed guilty of a misdemeanor, and punished by a fine not to exceed one hundred dollars. Said fine when collected shall be paid to the custodian of the school moneys of the school district for the use of the district.

96. The district clerk shall record in a suitable book all proceedings of the board of education, of the annual school meetings, and of special school meetings. He shall pay out by orders on the custodian of the school moneys of the school district, and in the manner prescribed by law, all school moneys of the district. He shall keep a correct and detailed account of all the expenditures of school moneys in the district, and shall report the same to the County Superintendent of Schools. At each annual school meeting he shall present his record-books and his accounts for public inspection, and shall make a statement of the financial condition of the district. He shall post notices of the annual and of any special meeting of the legal voters, and shall insert in

said notices the object or objects for which said meeting shall be called, and shall notify all members of the board of education of all regular and special meetings of the board.

97. A member of a board of education elected under the provisions of this article who shall fail to attend three consecutive regular meetings of said board, without good cause, may be removed by said board, and the vacancy thus created shall be filled in the same manner as other vacancies in the board of education shall be filled.

Removal of member for not attending meetings.

98. The boards of education in the several school districts in each county organized under the provisions of this article, shall meet together semi-annually at such times and places as the County Superintendent of Schools shall appoint.

Semi-annual meetings of boards of education.

99. A board of education may sue and be sued, complain and defend in any court of law and equity, and employ counsel therefor, and the amount of the expense incurred by said board in conducting or defending any such suit shall be certified to the assessor by the president and district clerk of such board, and said amount shall be assessed and collected in the next annual tax levy. (a)

Right to sue, etc.

## ARTICLE VIII.

### TEACHERS.

100. A board of education may make rules and regulations governing the engagement and employment of teachers and principals, the terms and tenure of such employment, and the promotion and dismissal of such teachers and principals, the salaries, and the time and mode of payment thereof, and may from time to time change, amend or repeal such rules and regulations. The employment of any teacher by such board, and the rights

Rules for the employment of teachers.

(a) The action must be brought against the district by its corporate name, and not against the trustees in their individual names, with description appended of "Trustees, &c." *Sproul v. Smith*, 11 Vr. 314. The trustees of a school district, in their corporate capacity, are not liable to be sued in a justice's or district court. *Townsend v. Trustees, &c.*, 12 Vr. 312; *Trustees, &c., v. Stocker*, 13 Vr. 115.

Contract with  
teacher.

School month.

Blank contracts prepared  
by state superintendent.

Dismissal of  
teacher.

and duties of such teacher with respect to such employment, shall be dependent upon and shall be governed by the rules and regulations in force with reference thereto. If a board of education shall not have made rules and regulations as aforesaid, then no contract between such board of education and a teacher shall be valid unless the same shall be in writing, or partly written and partly printed, in triplicate, signed by the president and district clerk or secretary of the board of education and by the teacher. One copy thereof shall be filed with the board of education, one copy with the teacher and one copy with the county or city superintendent. Such contract shall specify the date when such teacher shall begin teaching, the kind and grade of certificate held by said teacher and the date when said certificate will expire, the salary, and such other matter as may be necessary to a full and complete understanding of the same. In every such contract, unless otherwise specified, a month shall be construed and taken to be twenty school days or four weeks of five school days each. The salary specified in every such contract shall be paid in equal monthly installments, not later than five days after the close of each month while the school shall be in session. Any contract or engagement between a board of education and a teacher shall cease and determine and be of no effect against said board whenever said board shall ascertain by notice in writing received from the county or city superintendent or otherwise, that said teacher is not in possession of a proper teacher's certificate in full force and effect, notwithstanding the term or engagement for which such contract shall have been made may not then have expired. The State Superintendent of Public Instruction shall prepare and distribute blanks for contracts between boards of education and teachers. (a)

101. In case the dismissal of any teacher before the expiration of any contract entered into between such teacher and a board of education shall, upon appeal, be decided to have been without good cause, such teacher

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(a) The employment of teachers by school corporations is an act judicial in its character, and should be done at a meeting of the trustees, of which all should have notice and in which all have an opportunity to participate. *Townsend v. Trustees, &c.*, 12 Vr. 312.

shall be entitled to compensation for the full term for which said contract shall have been made; but it shall be optional with the board of education whether such teacher shall or shall not teach for the unexpired term. (a)

102. If a teacher employed by a board of education shall leave the school before the expiration of the term of his or her employment, without the consent of the board of education, said teacher shall be deemed guilty of unprofessional conduct, and the State Superintendent of Public Instruction is authorized, upon receiving notice of such fact, to suspend the certificate of such teacher for a period not exceeding one year.

Penalty for teacher leaving school before completion of contract.

103. Every teacher in a public school shall keep a school register in the manner provided therefor, and no salary shall be paid to such teacher until the district clerk or other officer or person authorized to deliver the check, order or warrant for such salary shall ascertain that such register has been properly kept for the time for which salary is demanded, and shall enter upon said register a certificate to that effect. The check, order or warrant for the balance of salary due any teacher at the time of closing the school for the summer vacation, or of leaving the school before the end of the school year, shall not be delivered to such teacher until the district clerk or other officer authorized to deliver

Teacher to keep school register.

(a) 1. A school teacher who has rendered services according to the requirements of the School law, and is refused compensation out of the fund specially provided for that purpose, is entitled to a *mandamus* to compel the proper officers to perform their duty, and to make payment of what is justly due. *Apgar v. School Trustees, &c.*, 5 Vr. 308.

2. In an action brought by a teacher to recover of the trustees of a school district for services as a teacher, an objection that the plaintiff was not the holder of a proper teacher's certificate in full force and effect cannot be made after the evidence is closed and the cause is being summed up. *Sproul v. Smith*, 11 Vr. 314.

3. A school teacher who has litigated successfully before the state superintendent the controverted questions upon which her right to compensation depends, is entitled to a writ of *mandamus* to enforce a decision in her favor. *Thompson v. Board of Education*, 28 Vr. 628.

4. In such a case the only burden upon the relator is to show that the jurisdiction of the state superintendent extended to the matter in dispute and over the parties in controversy. *Ibid.*

5. Special tribunals created by statute have exclusive jurisdiction over all controversies arising under such statutes, and an action at law cannot be maintained by a public school teacher for the purpose of contesting the legality of the action of a local school board in dismissing him before the term of service provided in his contract of employment has expired. *Draper v. Camden*, 48 Atl. Rep. 556.

such check, order or warrant shall have received written notice from the county or city superintendent that such teacher has filed with him his or her annual report on the blank furnished for that purpose by the State Superintendent of Public Instruction; *provided*, that in any school in which more than one teacher shall be employed the principal thereof shall furnish such report.

Proviso.

Teachers not required to teach on holidays.

104. No teacher shall be required to teach school on any day declared by law to be a public holiday, and no deduction from a teacher's salary shall be made by reason of the fact that a school day happens to be a day declared by law to be a public holiday. Any contract made in violation of this section shall have no force or effect as against a teacher.

Teacher's authority over pupils.

105. A teacher shall hold every pupil accountable in school for disorderly conduct on the way to or from school, or on the play-grounds of the schools, or during recess, and shall suspend from school any pupil for good cause; *provided*, that such suspension shall be reported forthwith by the teacher to the board of education; *provided further*, that in any school in which more than one teacher shall be employed the principal alone shall have the power to suspend a pupil.

Proviso.

Corporal punishment prohibited.

106. No principal, teacher or other person employed or engaged in any capacity in any school or educational institution, whether public or private, shall inflict or cause to be inflicted corporal punishment upon any pupil attending such school or institution, and every resolution, by-law, rule, ordinance or other act or authority heretofore or hereafter passed, adopted, approved, made or given by any person or persons whomsoever, natural or artificial, permitting or authorizing corporal punishment to be inflicted upon any pupil attending or that may attend any school or educational institution shall be henceforth void and of no force or effect.

Teacher must hold certificate.

107. No teacher shall be entitled to any salary unless such teacher shall be the holder of an appropriate teacher's certificate.

Religious exercises.

108. No religious service or exercise, except the reading of the Bible and the repeating of the Lord's Prayer,

shall be held in any school receiving any portion of the moneys appropriated for the support of public schools.

109. No teacher shall be required to serve on any jury in this state while his school shall be in session. Teacher exempt from jury duty.

## ARTICLE IX.

## PUPILS.

110. Public schools shall be free to all persons over five and under twenty years of age who shall be residents of the school district. Non-residents of a school district, if otherwise competent, may be admitted to the schools of said district with the consent of the board of education upon such terms as said board may prescribe; *provided*, that the authority to charge tuition for non-resident pupils conferred by this section shall not apply to non-resident pupils transferred to any district by an order of the County Superintendent of Schools. School age of pupils. Tuition fees may be charged in certain cases. Proviso.

111. Whenever in any district there shall be children living remote from the school-house, the board of education of such district may make rules and contracts for the transportation of such children to and from school. Nothing in this section shall be so construed as to prohibit a board of education from making contracts for the transportation of children to a school in an adjoining district when such children shall be transferred to said district by order of the County Superintendent of Schools, or when any children shall attend school in a district other than that in which they shall reside by virtue of an agreement made by the respective boards of education. Transportation of pupils.

112. Any child living remote from any public school in the district in which he or she shall reside shall be allowed to attend a public school in an adjoining district with the consent of the County Superintendent of Schools, which consent shall be in writing, and one copy thereof filed with the district clerk or secretary of the board of education of the district in which such child shall reside, and one copy filed with the district clerk or secretary of the board of education of the dis- Transfer of pupils by county superintendent.

trict in which such child shall attend school; and in case the districts shall not be in the same county, the written consent of the County Superintendent of Schools of each county shall be obtained.

Tuition fees for pupils attending school of higher grade in adjoining district.

113. Any child who shall have completed the course of study pursued in the schools in the district in which he or she shall reside may, with the consent of the board of education of said district and of the board of education of a district in which he or she shall desire to attend school, be admitted to a school of higher grade in said last-mentioned district. Said boards of education shall determine the amount to be paid for the education of such child, and the board of education of the district in which such child shall reside shall issue an order for said amount, signed by the president and district clerk or secretary of the board of education, in favor of the custodian of the school moneys of the school district in which such child shall attend school, which order shall be paid by the custodian of the school moneys of the first-mentioned district out of any moneys in his hands available for the current expenses of said district.

Pupils to submit to authority of teacher.

114. Pupils in the public schools shall comply with the regulations established in pursuance of law for the government of such schools; shall pursue the prescribed course of study, and shall submit to the authority of the teacher. Continued and willful disobedience, open defiance of the authority of the teacher, the use of habitual profanity or obscene language shall be good cause for suspension or expulsion from school. Any pupil who shall cut, deface or otherwise injure any school-house, furniture, fences, out-buildings or other property of the school district shall be liable to suspension and punishment, and the parents or guardians of such pupil shall be liable for damages to the amount of the injury; said amount to be collected by the board of education in any court having jurisdiction, together with the costs of said action.

Penalty for injuring school property.

Teachers or pupils exposed to contagious disease may be excluded from school.

115. A board of education may exclude from school any teacher or pupil who shall not have been duly vaccinated, unless such teacher or pupil shall present a

certificate signed by a regularly licensed physician, that such teacher or pupil is an unfit subject for vaccination. No teacher or pupil who shall be a member of a household in which a person shall be ill with small pox, diphtheria, scarlet fever, whooping cough, yellow fever, typhus fever, cholera, or measles, or of a household exposed to contagion as aforesaid, shall attend any public school during such illness, nor until the board of education shall have been furnished with a certificate from the board of health, or from the physician attending such person, or from a medical inspector, certifying that all danger of communicating such disease by such teacher or pupil has passed.

116. In case any pupil enrolled in a public school shall be found to be unvaccinated, whose parents shall be, in the judgment of the board of education, unable to pay for the vaccination of such pupil, the district clerk or secretary of the board of education may give to said pupil a permit to appear before any regularly licensed physician to be vaccinated, and such physician, on presenting said permit with his certificate appended thereto that the vaccination has been by him successfully performed, shall receive from the township, city, incorporated town, borough or other municipality in which said pupil shall reside the sum of fifty cents.

Free vaccination in certain cases.

117. Whenever the board of health of any township, city, incorporated town, borough or other municipality shall declare any epidemic or cause of ill-health to be so injurious or hazardous as to make it necessary to close any or all of the public schools in such township, city, incorporated town, borough or other municipality, said board shall immediately serve notice on the board of education of the school district situate in said township, city, incorporated town, borough or other municipality that it is desirable to close said school or schools. Upon receipt of such notice such board of education may close the schools under its control, or such of them as may be designated by the board of health, and said schools shall not be reopened until said board of education shall be satisfied that all danger from said epidemic or cause of ill-health has been removed.

School may be closed in case of epidemic.

When new pupils may be received.

118. Children who shall have never attended any public or private school may be admitted to a public school during the ten days immediately following the opening of said school for the fall term, during the first five days in January and April respectively, and at no other time except by a majority vote of all the members of the board of education of the school district in which said school shall be situate.

Children not to be excluded from school on account of color.

119. No child between the age of four and twenty years shall be excluded from any public school on account of his or her religion, nationality or color. A member of any board of education who shall vote to exclude from any public school any such child, on account of his or her religion, nationality or color shall be guilty of a misdemeanor, and punished by a fine of not less than fifty dollars nor more than two hundred and fifty dollars, or by imprisonment in the county jail, workhouse or penitentiary of the county in which the offense shall have been committed for not less than thirty days nor more than six months, or by both fine and imprisonment in the discretion of the court. (a)

Penalty.

## ARTICLE X.

### SCHOOL-HOUSES.

Suitable school accommodations must be provided.

120. Each school district shall provide suitable school facilities and accommodation for all children residing in the district and desiring to attend the public schools therein. Whenever such school facilities or accommodation shall be inadequate and unsuited to the number of pupils attending or desiring to attend such schools, the County Superintendent of Schools shall transmit to the custodian of the school moneys of the school district an order directing him to withhold from the district all moneys in his hands to the credit of such school district received from the state appropriation or from the state school tax until suitable facilities or accommodation

Penalty.

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(a) It is unlawful for the school trustees to exclude children from any public school on the ground that they are of the negro race. *Pierce v. Union District*, 17 Vr. 76.

shall be provided, and shall notify the board of education of such district of his action with the reasons therefor. Such order shall not take effect until approved in writing by the State Superintendent of Public Instruction, and said approval shall state when said order shall take effect.

121. Each board of education shall provide at least <sup>Outhouses.</sup> two suitable and convenient outhouses or water-closets for each of the school-houses under its control. Said outhouses or water-closets shall be entirely separated each from the other and shall have separate means of access. Said outhouses and said water-closets, if detached from the school-house, shall be separated by a substantial close fence not less than seven feet in height. The board of education shall have said outhouses and water-closets kept in a clean and wholesome condition. The question of raising the amount needed to carry <sup>Tax for out-</sup> into effect the provisions of this section shall not be <sup>houses.</sup> submitted to the legal voters of the school district, but the board of education shall notify the assessor or assessors and collector, by notice signed by the president and district clerk or secretary, of the amount needed for such purpose, and such amount shall be assessed, levied and collected at the same time and in the same manner as other special school taxes are assessed, levied and collected.

122. The State Superintendent of Public Instruction shall procure architects' plans and specifications for school buildings, and full detail working plans therefor. In the preparation of such plans due regard shall be given to proper heating, lighting, ventilating and other hygienic requirements. Said plans and specifications shall be approved by the State Board of Education and shall be loaned to any district desiring to erect a new school building. <sup>Plans for school houses to be prepared by state superintendent.</sup>

123. In order that due care may be exercised in the heating, lighting, ventilation and other hygienic conditions of public school buildings hereafter to be erected, all plans and specifications for any such proposed school building shall be submitted to the State Board of Education for suggestion and criticism before the same shall <sup>Approval of plans by state board of education.</sup>

be accepted by the board of education of the district in which it is proposed to erect such building.

Doors to open outwardly.

124. In any school-house of two or more stories in height, the doors leading from the class-rooms to the corridors and from said corridors to the street or to the ground surrounding such school-house shall open outwardly. All swing-doors shall have plate-glass windows of suitable dimensions.

Requirements in erecting school-houses.

125. In order that the health, sight and comfort of the pupils may be properly protected all school-houses hereafter erected shall comply with the following conditions:

Light.

I. Light shall be admitted from the left, or from the left and rear of class-rooms, and the total light area must, unless strengthened by the use of reflecting lenses, equal at least twenty per centum of floor space;

Ventilation.

II. School-houses shall have in each class-room at least eighteen square feet of floor space and not less than two-hundred cubic feet of air space per pupil. All school buildings shall have an approved system of ventilation by means of which each class-room shall be supplied with fresh air at the rate of not less than thirty cubic feet per minute for each pupil;

Height of ceilings.  
Staircases.

III. All ceilings shall be at least twelve feet in height;

IV. All stairs, except cellar stairs, shall be not less than four feet in width and shall have intermediate landings. The several flights of stairs shall be enclosed by brick walls or by partitions of slow burning construction, and without open well holes. The risers of stairs shall not exceed seven and one-half inches in height, and the treads shall be at least ten inches in width, exclusive of the projecting nosings;

V. Every school-house having eight rooms shall have two flights of stairs of not less than four feet in width, or, in lieu thereof, one flight of stairs situated near the center of the building, not less than six feet in width;

VI. Every school building having more than eight and less than sixteen rooms, shall have two flights of stairs not less than five feet in width;

VII. Every school-house having sixteen or more rooms shall have three flights of stairs not less than four feet

in width, or, in lieu thereof, two complete flights of stairs not less than six feet in width;

VIII. Every building more than one story in height shall have metal ceilings; wooden ceilings painted white or some light tint or plastered ceilings on metal lath.

Construction of ceilings.

## ARTICLE XI.

### UNION GRADED SCHOOLS.

126. Whenever the boards of education of two or more adjoining school districts shall deem it for the best interests of the children that said districts shall unite in establishing and maintaining a union-graded school, each of said boards shall cause its secretary or district clerk to insert in the notices calling any annual or special meeting of the legal voters, a notice that the question of establishing such union-graded school will be submitted at such meeting. The legal voters shall vote by ballot, and at any such meeting the secretary thereof shall keep a poll-list of the legal voters voting on such question, and a tally-sheet of the ballots as counted by the tellers. Said ballots, poll-list and tally-sheet, which tally-sheet shall be signed by the chairman of the meeting and by said secretary, shall be, by said secretary, within five days after the date of said meeting, transmitted to the County Superintendent of Schools in a sealed package endorsed with the name of the district of the county in which it shall be situate, and the date of the meeting. Said secretary shall also transmit to said County Superintendent of Schools a certificate of the result of such vote signed by said chairman and secretary. In case the districts shall be situate in different counties, said secretary shall transmit the ballots and other papers hereinbefore described to the County Superintendent of Schools of the county in which the district shall be situate, and shall transmit a duplicate of the certificate of the result of such vote to the County Superintendent of Schools of the county in which the other district or districts shall be situate. If the County Superintendent of Schools shall ascertain

Establishment of union-graded schools.

Election, how conducted.

Report to county superintendent.

from such certificates that the total number of votes cast in each of said districts in favor of establishing such union-graded school exceeds the total number of votes cast in each district against the same, he shall immediately notify each of the boards of education of the result of such vote.

Constitution of board of education.

127. Whenever two or more districts shall have voted to establish a union-graded school as provided in the preceding section, the board of education of such union-graded school shall be constituted as follows:

I. If two districts shall unite for the purpose aforesaid, the board of education of each of said districts shall appoint two of its members as members of the board of education of said union-graded school;

II. If three or more districts shall unite for the purpose aforesaid, the board of education of each of said districts shall appoint one of its members as aforesaid.

Report to county superintendent of appointment of board of education.

128. Each board of education shall notify the County Superintendent of Schools of the names of the persons so appointed as aforesaid, and the persons so appointed shall continue to be members of the board of education of such union-graded school until the second Tuesday in April next after their terms of office as members of their respective boards of education shall have expired, and their successors shall be appointed on or before the first day of said April in like manner and for a like term. The members so appointed as aforesaid shall continue to act as members of the boards of education in their respective districts.

Removal of member or officer.

129. A member of a board of education of a union-graded school or the president or secretary thereof, may be removed in the same manner as is provided in this act for the removal of an officer or member of a board of education. Any vacancy in such board shall be filled by the board of education of the district which by reason of such vacancy has not its full representation on the board of education of such union-graded school.

Vacancy, how filled.

Corporate name.

130. Each board of education appointed as provided in this article shall be a body corporate, and shall be known as and called "the board of education of the union-graded school of the school district of \_\_\_\_\_"

(here insert the name of the district), in the county of \_\_\_\_\_” (here insert the name of the county in which the school-house shall be located).

131. The board of education of each union-graded school shall forthwith, after its first appointment, organize by the election of one of its members as president and a secretary, who shall serve until the second Tuesday in April next after their election, on which day and annually thereafter said board shall organize by the election of the officers aforesaid. Said board shall appoint a suitable person as custodian of school moneys of said union-graded school and shall fix his salary and term of office. Said custodian shall have the powers and be charged with the duties conferred or imposed by this act upon custodians of school moneys of a school district, and shall give such bonds in such amounts and with such sureties as said board shall direct, but said bonds shall be for a sum not less than the amount annually apportioned to such school by the County Superintendent of Schools.

Organization of board of education.

Custodian of school moneys.

132. The board of education of a union-graded school shall have power:

Powers of board of education.

I. To purchase, sell and improve school grounds, to erect, lease, enlarge, improve, repair or furnish school buildings; to borrow money with or without mortgage and to raise money by taxation for any such purpose, or to pay debts incurred therefor, or for the current expenses of the schools; *provided*, that for any such acts it shall have the previous authority of a majority vote of the board of education of each of the districts uniting in establishing said union-graded schools;

Purchase, sell or lease school property.

II. To take and condemn land and other property for school purposes, in the manner provided by law regulating the ascertainment and payment of compensation for property condemned and taken for public use. If either party shall feel aggrieved by any proceedings and awards thereunder, said party may appeal in the manner provided by law for appeals from such proceedings and awards; *provided*, that before beginning any proceedings for taking and condemning land and other property the board of education shall have the authority of a

Condemn land for school purposes.

Appropriations  
for union-  
graded schools.

majority vote of the board of education of each of the districts uniting in establishing said union-graded school;

III. To determine, subject to the approval of a majority of the board of education of each of the districts uniting in establishing such union-graded school, the amount needed to purchase land for school purposes; to erect and furnish a suitable school-house, or to lease a school-house already erected, and for the current expenses of such school, in which term shall be included principals', teachers', janitors' and medical inspectors' salaries, fuel, text-books, school supplies, flags, school libraries, salaries of secretary and custodian of school moneys, insurance and the incidental expenses of such school. The amount of money thus determined shall be certified by the secretary of said board to the assessors of the several taxing districts in which the school districts uniting as aforesaid shall be situate, and said assessors shall apportion said amount among said several taxing districts in the proportion that the ratables of each bear to the total ratables of all said taxing districts, and the amount thus apportioned to each taxing district shall be assessed, levied and collected in the same manner and at the same time as other school taxes shall be assessed, levied and collected therein, and shall be paid by the several collectors to the custodian of school moneys of such union-graded school on or before the fifth day of January next after the same shall become due and payable to said several collectors;

Seal.

IV. To adopt an official seal by which all its official acts may be authenticated;

Supervising  
principal.

V. To appoint a supervising principal and fix his salary, which principal shall be also the supervising principal of the schools in the districts uniting in establishing such union-graded school. Such supervising principal shall hold a state or a first-grade county certificate.

Apportionment  
of school  
moneys to  
union-graded  
schools.

133. In making the annual apportionment of school moneys, the County Superintendent of Schools shall make an apportionment to such union-graded school on the same basis and in the same manner as to the school districts in the county in which such union-graded school

shall be situate. If the districts which shall have united in establishing such union-graded school shall be situate in different counties, the County Superintendent of Schools of each of such counties in making his annual apportionment of school moneys shall apportion to such union-graded school three hundred dollars for the supervising principal and one hundred dollars for each teacher employed therein during the year preceding that for which said apportionment shall be made, and in addition thereto shall apportion an additional sum on the basis of the aggregate days attendance of all pupils, residents of such county who shall have attended such union-graded school during the year preceding that for which said apportionment shall be made.

134. The board of education of a union-graded school shall have all the powers and be charged with all the duties conferred or imposed upon a board of education in a township school district, so far as the same are not inconsistent with the provisions of this article.

Powers of board of education.

135. Each union-graded school shall be under the supervision and control of the County Superintendent of Schools of the county in which the school-house shall be situate.

Supervision of union-graded schools.

136. In case a board of education of a union-graded school shall decide that it is necessary to raise money to purchase land for school purposes and for the erection and furnishing of a school-house or for the purchase thereof by the issue of bonds, it shall notify the board of education of each of the districts which shall have united in establishing such union-graded school of the amount needed, the number of bonds to be issued, the denomination of such bonds, the maximum rate of interest thereon, and the time or times of payment. Each of such boards, upon receiving such notification, shall forthwith call a meeting of the legal voters of its district, and shall submit to said meeting the question of issuing such bonds as proposed by the board of education of such union-graded school, and the district clerk of the board of education of each of said districts shall transmit to the board of education of such union-graded school certified copies of the record of the proceedings

Bonds for school-houses.

of the board of education and of the legal voters of said district thereon. If from said certified copies it shall appear that a majority of the legal voters present at such meeting in each of said districts shall have voted in favor of the issue of such bonds, the secretary of the board of education of such union-graded school shall transmit such certified copies together with certified copies of the record of the proceedings of the board of education of such union-graded school concerning the issue of such bonds to the Attorney-General for his approval of the legality of all said proceedings, and shall file duplicate certified copies of the record of all such proceedings with the State Superintendent of Public Instruction, and, upon the approval thereof by the Attorney-General, said bonds may be issued and sold by said board.

Approval of proceedings by attorney-general.

Description of bonds.

137. Bonds authorized as provided in this article shall be issued in the corporate name of the board of education of the union-graded school; shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually; shall be signed by the president of said board and attested by the secretary; shall bear the seal of said board, and shall have coupons attached for current payment of interest, which coupons shall be signed by the secretary, and shall be numbered to correspond to the bonds to which they shall be severally attached. Bonds so issued shall be numbered and a proper registry thereof kept by the secretary, and may be sold at public or private sale for the best obtainable price, but not less than par. Such bonds when issued shall be a lien upon the real estate situate in each of the districts which shall have united in establishing such union-graded school and the personal estates of the inhabitants of each of said districts, as well as the property of each of said districts, and said estates and property shall be liable for the payment of the same.

Payment of bonds and interest.

138. Whenever bonds shall have been issued by the board of education of a union-graded school, the secretary of such board shall, each and every year, certify to the assessors of the several taxing districts in which the several school districts which shall have united in

establishing such union-graded school shall be situate, the amount which shall become due during such year for principal and interest of such bonds. The amount so certified shall be apportioned and assessed by said assessors in the same manner and in the same proportion as taxes for the current expenses of such union-graded school shall be apportioned and assessed, and the moneys so assessed shall be levied and collected by the collectors of the several taxing districts, and the said collectors shall, on or before the fifth day of January next thereafter, pay the full amount so ordered to be assessed, levied and collected to the custodian of the school moneys of said union-graded school, who shall, upon receipt of the orders of said board of education (which orders shall state at what bank said principal and interest are payable), deposit in such bank the sum of money necessary to pay said principal and interest as they shall become due and payable.

## ARTICLE XII.

## KINDERGARTENS.

139. The board of education of any school district may establish a kindergarten school or a kindergarten department in any school under its control, and shall admit to such kindergarten school or department any child over the age of four and under the age of seven years who shall be a resident of the district; *provided*, that no child under the age of five years shall be admitted to any public school unless such school shall be a regularly organized kindergarten school or shall have a kindergarten department.

Ages of pupils  
in kindergar-  
tens.

Proviso.

140. Every teacher in a kindergarten school or department shall hold a special kindergarten certificate, issued either by the State Board of Examiners or the board of examiners of the county or city in which he or she shall be teaching.

Teachers in  
kindergartens  
to hold special  
certificates.

141. The expense of kindergarten schools or departments shall be paid out of any moneys available for the

Expenses of  
kindergartens.

current expenses of the schools, and in the same manner and under the same restrictions as the expenses of the other schools or departments shall be paid.

### ARTICLE XIII.

#### EVENING SCHOOLS.

Age of pupils  
in evening  
schools.

142. The board of education of any school district may establish and maintain public evening schools for the instruction of persons over twelve years of age residents of the district, and unless such evening schools shall be maintained for a term of not less than four months in each year, each of said months to consist of at least sixteen evening sessions of at least two hours each, said district shall not be entitled to any apportionment on the basis of the number of teachers employed in such schools during the year preceding that for which the apportionment shall be made.

Term.

Expenses of  
evening  
schools.

143. The expenses of evening schools shall be paid out of any moneys available for the current expenses of the schools, and in the same manner and under the same restrictions as the expenses of day schools shall be paid.

### ARTICLE XIV.

#### TEXT-BOOKS AND SUPPLIES.

Text-books to  
be furnished  
free to all  
pupils.

144. Text-books and school supplies shall be furnished free of cost for use by all pupils in the public schools. Every school district shall raise and appropriate annually in the same manner as other school moneys shall be raised and appropriated in such district an amount sufficient to pay for such text-books and supplies.

Rules for text-  
books.

145. Every board of education shall make rules for the safe keeping and proper care of text-books, and shall keep an account of all moneys expended by it for such text-books and supplies, and shall report the same in its annual financial statement.



146. It shall be unlawful for any County Superintendent of Schools, member of a board of education, teacher or any person officially connected with the public schools to be agent for, or to be in any way pecuniarily or beneficially interested in the sale of any text-books, maps, charts, school apparatus or supplies of any kind or to receive compensation or reward of any kind for any such sale, or for unlawfully promoting or favoring the same. A violation of the provisions of this section shall be punishable by the removal from office or by revocation of certificate to teach.

School officers and teachers must not be interested in furnishing text-books.

Penalty.

## ARTICLE XV.

### COMPULSORY EDUCATION.

147. Every parent, guardian or other person having the legal control of a child between the ages of seven and twelve years, shall send such child to public day school each day while such school shall be in session, unless such child shall be excused from such attendance by the board of education of the school district in which such parent, guardian or other person shall reside, upon its being shown to the satisfaction of said board that the bodily or mental condition of such child is such as to prevent his or her attendance at school, or that such child is being taught in a private school or at home in such branches as are usually taught in public schools to children of its age, or for other good cause deemed sufficient by said board of education.

Attendance of children between seven and twelve years.

148. Any parent, guardian or other person having the legal control of any child who shall fail to comply with the provisions of section one hundred and forty-seven of this act shall be deemed guilty of a misdemeanor, and punished by a fine of not less than one dollar nor more than twenty-five dollars for each offense, or by imprisonment for not less than five days nor more than ninety days for each offense, which said fine shall be paid to the custodian of the school moneys of the school district in which the offense shall have been committed

Penalty for violation of section 147.

for the use of the public schools therein. Such offense shall be prosecuted upon the complaint of the board of education of said school district, through its truant officer, or other person designated by it, before any magistrate having the power to commit in any city, township, incorporated town or borough.

Employment of children under fifteen prohibited in certain cases.

149. No child under the age of fifteen years shall be employed by any person, company or corporation to labor in any business whatever, unless such child shall have attended within twelve months immediately preceding such employment some public or private school. Such attendance shall be for five days or four evenings every week during a period of at least sixteen weeks which may be divided into two terms of eight consecutive weeks each, so far as the arrangement of school terms will permit.

Truant officers.

150. The board of education of each school district may appoint, and may remove at pleasure, one or more persons to be designated as truant officers, and may fix their compensation, prescribe their duties, not inconsistent with the provisions of this article, and shall make rules and regulations for the performance of such duties.

Police as truant officers.

151. The police authorities in any municipality having an organized police force shall, upon the written request of the board of education of the school district situate in such municipality, detail one or more members of said police force to act as truant officers. Any police officer so detailed shall have all the powers granted to truant officers under the provisions of this article as fully as if appointed as such truant officer by the board of education. Whenever the words "truant officer" are used in this article, the same shall apply as well to the person or persons designated under section one hundred and fifty, as to those designated in this section.

Definition of truancy.

152. Every child between the ages of seven and fifteen years who shall be repeatedly absent from school, or found away from home during school hours, or whose parent, guardian or other person having legal control is unable to cause it to attend school, or who shall be habitually a truant from school, or who shall habitually wander about the streets and public places of any municipi-

pality during school hours having no lawful business or occupation, or any pupil who shall be incorrigible, vicious or immoral in conduct or who fails to comply with the provisions of sections one hundred and forty-nine, one hundred and fifty-six and one hundred and fifty-seven of this act shall be deemed and adjudged to be a disorderly person and proceeded against as provided in section one hundred and fifty-four of this act.

153. Every truant officer or other person designated by a board of education, finding any child between seven and fifteen years of age away from home during school hours, and who shall then be a truant from school, shall take such child and deliver it to its parent, guardian or other person having legal control, or to the teacher of the school which said child is lawfully required to attend. Said truant officer or other person shall examine into cases of children or pupils coming under the provisions of section one hundred and fifty-two of this act, when requested so to do by the inspector of factories and workshops or by the board of education of the district for which he shall have been appointed or detailed, and shall thereupon warn such child or pupil, its parent, guardian or other person having legal control of such child or pupil in writing, of the consequences of any of the acts as set out in section one hundred and fifty-two, if persisted in, and shall request that said pupil shall improve its conduct or said child attend school within five days from serving said notice in writing, whereupon if said parent, guardian or other person having the legal control of said child or pupil shall fail, neglect or refuse to admonish said pupil for its conduct, or fail, neglect or refuse to cause said child to attend school within said period, said parent, guardian or other person having the legal control of said child or pupil shall be guilty of a misdemeanor and punished by a fine of not less than one dollar nor more than twenty-five dollars for each offense, or by imprisonment of not less than five days, nor more than ninety days for each offense, which said fine shall be paid to the custodian of the school moneys of the school district in which the offense shall have been committed for the use of the public schools therein.

Powers of  
truant officer.

Penalty for  
truancy.

Such offense shall be prosecuted upon the complaint of the board of education of said school district, through its truant officer, or other person designated by it, before any magistrate having the power to commit in any city, township, incorporated town or borough; *provided*, that if such parent, guardian or other person shall enter into a bond with one or more sureties in the penal sum of one hundred dollars, that said child shall attend school within five days thereafter and continue to attend as required by this act, said punishment shall be remitted, and when said magistrate is satisfied that said child regularly attends school said bond may be discharged; *provided further*, that such sentence may be suspended by said magistrate if he shall become satisfied that said child is regularly attending school, and properly deporting himself; *provided further*, that such parent, guardian or other person shall have all the rights and privileges assured to any person charged or convicted of a misdemeanor as provided in an act entitled "An act for the punishment of crimes [Revision of 1898]," approved June fourteenth, one thousand eight hundred and ninety-eight, and its supplements and amendments.

**Arrest of truant.** 154. In the case of the offenses set out in section one hundred and fifty-two it shall be the duty of the truant officer or other person designated, when requested by the board of education, to make a complaint thereof under oath before any magistrate having the power to commit in any city, township, incorporated town or borough where such offender resides, whereupon said magistrate shall issue his warrant directed to said truant officer or any constable to immediately apprehend such child so complained of and bring it before said magistrate, who, upon conviction of said child of the offense charged, may either direct said child so complained of to be delivered to its parents, guardian or other person entitled to its legal control, or to the teacher of the class in the school at which said child shall or ought to attend, or to parole said child or pupil, or sentence such child, if over eight and under fourteen years of age, to the State Home for Boys or to the State Home for Girls.

**Commit truant to institution.**

**Report of truant officer.**

155. Such truant officer shall report promptly every

## SCHOOL LAW.

such arrest and the disposition made of such arrested child to the board of education of the school district where said child shall be lawfully required to attend school, or to such person as said board may direct.

156. The board of education of any school district may establish and maintain a school or schools, or may set apart separate rooms in a public school building for the use, restraint and instruction of children between the ages of seven and fifteen years who shall be habitual truants from school, or who shall be habitually insubordinate or incorrigibly disorderly during their attendance upon such school. Such school or room shall be known as a parental school.

Parental  
schools.

157. Said board of education may compel any such child to attend such parental school and, with the consent, in writing, of the parent, guardian or other person having legal control of such child, may cause such child to be restrained and instructed therein for such a period and under such rules and regulations as said board of education may prescribe.

Commitment to  
parental  
school.

158. If any such child shall not attend such school, then he or she shall be proceeded against as a disorderly person as set out in sections one hundred and fifty-two and one hundred and fifty-four of this act.

Penalty for failure to attend  
parental  
school.

159. Any parental school established under the provisions of this article shall be maintained as other public schools shall be maintained in the district in which it shall be situate under such rules and regulations as the board of education of such district may prescribe.

Expenses of  
parental  
school.

160. The board of education of a school district in which there shall be no parental school, may send children who shall be residents of such school district and who shall be habitual truants or insubordinate or incorrigible as defined in this article, to a parental school in an adjoining school district, by and with the consent of the board of education of the district in which said parental school shall be situate. Any expense incurred by a board of education under the provisions of this section may be paid out of any money raised by special district tax for the current expenses of the school.

Children may  
be sent to pa-  
rental school  
in adjoining  
district.

## ARTICLE XVI.

## SCHOOL FUND.

Trustees of  
school fund.

161. The Governor, the Attorney-General, the Secretary of State, the State Comptroller and the State Treasurer are hereby constituted a Board of Trustees of the Fund for the Support of Public Schools arising from appropriations heretofore made or which may be hereafter made by law, or which may arise from gift, grant, bequest or devise, which board shall be known as "The Trustees for the Support of Public Schools."

Secretary of  
board.

162. The Secretary of State shall be the Secretary of said board. He shall record in a book to be kept for that purpose the proceedings of said board and the accounts to be furnished by the State Treasurer as hereinafter directed.

Riparian lands  
part of school  
fund.

163. All lands belonging to this state now or formerly lying under water are appropriated for the support of public schools, and all moneys hereafter received from the sales of such lands shall be paid to "The Trustees for the Support of Public Schools," and shall be invested by said board, and shall constitute a part of the permanent school fund of the state.

Income from  
leases.

164. All leases which have been heretofore made, or which shall be hereafter made of such lands, shall be held by "The Trustees for the Support of Public Schools" as a part of the principal of the school fund, and the income arising from said leases shall be a part of the income of said school fund.

Investment of  
school fund.

165. Moneys belonging to the school fund shall be invested by said board in the bonds of the several school districts of this state, or in the bonds of the United States, or of this state, or in the bonds of any county, city, incorporated town, township or borough of this state the total indebtedness of which shall not exceed in the aggregate fifteen per centum of the total assessable valuation of all taxable property therein, and the interest thereof shall be a part of the income of said

school fund. The income of said school fund shall be used for the support of public schools, the payment of the salaries of the County Superintendents of Schools, the payment of premiums and accrued interest on bonds purchased by the "Board of Trustees of the Fund for the Support of the Public Schools," and for no other use or purpose whatsoever. An account of the management of said fund shall be laid before the Legislature with the annual statement of the State Treasurer's accounts. No compensation shall be paid to said trustees or treasurer for any services performed in pursuance of this article.

Appropriations from school fund.

Annual report.

166. Said board shall not invest any part of the principal or interest of said fund in bonds secured by mortgage on lands except as hereinafter provided.

Loans on mortgage prohibited.

167. Said board shall cause foreclosure proceedings to be commenced without delay whenever the interest on bonds secured by mortgage held by said board as part of the school fund shall remain unpaid for the space of six months; *provided*, that whenever foreclosure proceedings shall have been commenced, said board may, in its discretion, discontinue the same upon the payment of accrued interest and the cost of such proceedings.

Foreclosure of mortgage.

Proviso.

168. Said board may bid for and purchase any lands and premises exposed to sale under the order and decree of any court for the payment and satisfaction of any mortgage incumbrance thereon held by said board, and may take and hold title to the lands and premises so purchased in and by its official name as a part of the principal of the school fund; *provided*, that said board shall not bid a higher price for such lands and premises than shall be sufficient to produce the amount due upon said mortgage incumbrance and costs. The taxed costs attending such proceedings and sale, if any, shall be paid by the State Treasurer on the warrant of the State Comptroller.

Purchase property at foreclosure sale.

Proviso.

Payment of taxed costs.

169. All real estate now held by "The Trustees for the Support of Public Schools," and all real estate that may be hereafter acquired by them under foreclosure proceedings shall be sold, either at private or public sale,

Sale of real estate.

at such times and at such prices as will, in the judgment of said board, be for the best interest of the state. Said board may advertise such properties, either at private or public sale, in such manner as to it shall seem judicious, and the proceeds of such sale shall be paid into the school fund, and shall be invested by said board as other moneys of said fund shall be invested. Said board may loan to the purchaser of any said real estate, one-half of the amount of purchase-money, the same to be secured by bond and mortgage on the premises so purchased.

**Annual report.** 170. The State Treasurer shall make annually to said board on the first day of the annual meeting of the Legislature, and at such other times as said board shall require, a statement of the school fund, containing an account of the securities belonging thereto with the dates of investment, their values, and the interest arising from each class of securities, together with an account of the moneys in the treasury belonging to said fund.

**Appropriations  
from school  
fund.**

171. There shall be annually apportioned and paid from the income of the school fund for the support of public schools two hundred thousand dollars. If the income of said fund shall not have been received in full, or shall be insufficient for such appropriation, the sum necessary to make up the deficiency shall be drawn from the State Treasury on the warrant of the State Comptroller, which sum so drawn as aforesaid shall be replaced from the income of said school fund as soon as the same shall have been received.

## ARTICLE XVII.

### STATE SCHOOL TAX.

**Appropriations  
from state  
fund.**

172. For the purpose of maintaining free public schools there shall be appropriated each year from any moneys in the State Treasury not otherwise appropriated such sum, not less than one hundred thousand dollars, as may be determined by the Legislature in the annual appropriation act; which sum shall be apportioned among and paid to the several counties in the proportion

that the ratables of each of said counties shall bear to the total ratables of the State as exhibited by the latest abstract of ratables filed in the office of the State Comptroller. In addition to the amount so determined and appropriated, a State school tax shall be annually assessed, levied and collected upon the taxable real and personal property in the State, as exhibited by the latest abstract of ratables from the several counties made out by the several boards of assessors and filed in the office of the State Comptroller. Said tax shall be such an amount as will make, when added to the amount determined and appropriated as aforesaid, a sum equal to two and three-fourths mills on each dollar of valuation of the taxable real and personal property in the State as exhibited by the last abstract of ratables from the several counties made out by the several boards of assessors and filed in the office of the State Comptroller, which tax shall be assessed, levied and collected at the same time and in the same manner as other taxes shall be assessed, levied and collected. The State Comptroller shall apportion said tax and appropriation among the several counties in proportion to the amount of taxable real and personal estate of said counties respectively as shown by the abstract of ratables as aforesaid, and he shall transmit on or before the first day of February in each year, to the State Board of Education, a statement of the amount of said tax and appropriation, apportioned as aforesaid, and to the County Collector a statement of the amount of said tax apportioned to and payable by said county, and said County Collector shall lay said statement before the board of assessors of the townships, cities, incorporated towns, boroughs and wards within his county at its next annual meeting, and said board of assessors shall thereupon apportion said school tax as other taxes are apportioned, and the same shall be assessed, levied and collected according to law. (a)

Rate of tax.

Apportionment  
by state comp-  
troller.

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(a) The board of assessors in apportioning the school tax among the several townships in a county, must distribute it according to the value of the property, after deducting debts, as shown by the duplicate of the assessors of the several townships of the then present year, and not of the preceding year. *Skirm v. Cox*, 9 Vr. 302.

Payment of  
tax to state  
treasurer.

Penalty for  
failure to pay  
tax.

173. Every County Collector shall pay to the State Treasurer the quota of the state school tax from his county within twenty-five days after the same shall be due and payable to him by the several collectors and other officers authorized by law to collect said tax. In case any such collector or other officer shall fail or neglect to pay to the County Collector the full amount of state school tax due from his taxing district within fifteen days after said tax shall have become due and payable to said County Collector, said County Collector shall give to the County Superintendent of Schools written notice of such failure or neglect, and said County Superintendent of Schools shall withhold from every school district in said taxing district, the full amount apportioned to it out of the reserve fund for the support of the school or schools situate within said taxing district, and said County Superintendent of Schools in making the next apportionment of school moneys, shall reapportion the amount of the reserve fund so withheld among the several school districts in his county. Said County Superintendent of Schools shall also withhold from the custodian of the school moneys of any school district the order for the amount of money apportioned out of the state school tax to said district, until the collector or other officer authorized to collect taxes in the taxing district in which said school district shall be situate shall have paid to the County Collector the full amount of the state school tax due from said taxing district, and the body having the control of the finances of any township, city, incorporated town, borough or other municipality from which shall have been withheld as hereinbefore provided, the amount apportioned out of the reserve fund for the support of schools in any school district situate in such township, city, incorporated town, borough or other municipality, shall forthwith appropriate to said school district, out of any funds under its control, a sum equal to the amount so withheld, and in case there shall be no funds available for such purpose, the body having control of the finances of such municipality shall borrow and appropriate a sum sufficient for

such purpose, and shall place the amount so borrowed in the next annual tax levy. (a)

174. Ten per centum of the full amount of the state school tax annually raised shall be known as a reserve fund, and shall, on or before the fifteenth day of February in each year, be apportioned among the several counties by the State Board of Education equitably and justly according to its discretion. The State Superintendent of Public Instruction shall, on or before the fifteenth day of January next ensuing said apportionment, draw an order on the State Comptroller in favor of each County Collector for ninety per centum of the amount of the state school tax paid by said County Collector to the State Treasurer, and said County Collector shall apply for and be entitled to receive the amount of said order as soon as said order shall be received by him. The State Superintendent of Public Instruction shall also draw his order in favor of each County Collector for such portion of the reserve fund as shall have been apportioned to his county as aforesaid, which order shall be payable when the total amount of said reserve fund shall have been received by the State Treasurer.

Apportionment  
of reserve fund.

175. The State Comptroller shall draw his warrant on the State Treasurer in favor of the County Collector of each county for the portion of the income of the State School Fund, of the state appropriation and state school tax to which said county shall be entitled, whenever such County Collector shall present orders for the same drawn by the State Superintendent of Public Instruction.

Comptroller to  
draw warrants  
in favor of  
county col-  
lectors.

176. The County Collector of each county shall receive and hold in trust that part of the state appropriation and state school tax apportioned to his county, and shall pay the same to the custodians of the school moneys of

County col-  
lector to hold  
money in trust.

(a) 1. A *mandamus* will be allowed to compel townships to pay state and county taxes out of first tax moneys collected. *Veghte v. Township of Bernards*, 13 Vr. 338.

2. A peremptory *mandamus* will issue for the payment of state and county taxes by a city where it has collected sufficient money to pay such taxes. *Shields v. Paterson*, 26 Vr. 495.

the several school districts of his county on the orders of the County Superintendent of Schools. (a)

Board of education to report number of teachers to county superintendent.

177. The board of education of each school district shall, on or before the fifteenth day of March in each year, certify to the County Superintendent of Schools for the county in which such school district shall be situate, and on the blanks furnished for that purpose by the State Superintendent of Public Instruction, the number of teachers who shall have been employed in the schools of such district for the full time the schools therein shall have been kept open during the then current school year, and the number of teachers who shall have been employed in said schools for a portion only of said year, but for a period of not less than four months, and said County Superintendent of Schools shall, on or before the first day of April in each year, apportion to the several school districts of the said county the State school moneys and the interest of the surplus revenue in the following manner:

Apportionment by county superintendent on basis of number of teachers.

I. He shall apportion to each district the sum of two hundred dollars for each teacher that shall have been employed in said district for the full time the schools

(a) 1. A county collector is not required or permitted to exercise any discretion as to how much of the state appropriation the several township collectors in the county are entitled to receive from him. The question as between these officers is settled conclusively by the order of the county superintendent of public schools. The notion that a county collector can, in any case, lawfully reduce the amount by setting up some counterclaim, whether in his own behalf or in behalf of his county, and whether against the township collector, personally, or against his township is neither justified by the language nor consistent with the policy of our school laws. *State, Herder, &c., v. Collector, &c., 7 Vr. 363.*

2. The county collector of each county shall receive and hold in trust the state appropriation for public schools belonging to his county, and pay the same to the collectors of the several townships and to the city treasurers of the cities of his county only on the orders of the county superintendent, and is responsible for these moneys if otherwise expended. School taxes are to be levied and applied for the fiscal year beginning September 1st succeeding the assessment, and not for the preceding year. A *mandamus* will be allowed for the payment of the county superintendent's order for the state appropriation for public schools, where the moneys have been applied for school purposes in the preceding year, beginning January 1st. *State, ex rel. Board of Education, &c., v. Sheridan, &c., 13 Vr. 64.*

3. A *mandamus* will be granted against a county collector in favor of a township collector or city treasurer to compel the payment of school moneys although the township collector or city treasurer may owe the county collector money for state or county taxes. *Board of Education v. Sheridan, 16 Vr. 276.*

therein shall have been kept open during the school year preceding that for which the apportionment shall be made; the sum of eighty dollars for each teacher that shall have been employed therein for a portion only of said year, but for a period of not less than four months; the sum of six hundred dollars to each district in which there shall have been employed a supervising principal or city superintendent of schools, who shall have devoted his entire time to the supervision of the schools in such district, but if two or more districts shall have united in employing a supervising principal as aforesaid the six hundred dollars apportioned for such principal shall be apportioned among said districts in the proportion that the number of teachers employed in each of said districts shall bear to the total number of teachers employed in all of the districts uniting in employing said supervising principal; *provided*, that in Proviso. making such apportionment teachers employed in evening schools shall be regarded as employed for a portion of the year only, but no apportionment shall be made for teachers employed in an evening school unless the board of education of the school district in which such evening school shall have been maintained shall certify that said evening school has been maintained at least four months during the school year preceding that for which the apportionment shall be made, but if such teachers shall have been also employed in the day schools of the same districts, the apportionment aforesaid shall be made for them in addition to any amount apportioned for them as teachers in such day schools; *provided further*, that Proviso. if any board of education of any school district shall provide proper means for the transportation of pupils in accordance with the provisions contained in this act, the County Superintendent of Schools, in making his next apportionment and every apportionment thereafter shall apportion to such district the sum of two hundred dollars for each teacher whose services shall have been dispensed with by reason of substituting transportation for the services of such teacher so long as proper transportation shall be provided; *provided further*, that in Proviso. making such apportionment, teachers employed in a

manual training school or department in a district receiving an appropriation from the state for such manual training school or department, and who shall have devoted at least one-half of the time the schools in said district shall have been kept open to school work other than manual training, shall be regarded as employed for a portion of the year only, but no apportionment shall be made for teachers who shall have devoted their entire time to teaching in such manual training school or department;

Apportionment on basis of aggregate days' attendance.

II. He shall apportion to the several school districts of the county the remainder of said moneys on the basis of the total days' attendance of all pupils enrolled in the public schools thereof as ascertained from the last published report of the State Superintendent of Public Instruction. For the purpose of such apportionment an attendance upon an evening school shall be counted as one-half day's attendance. If a school in any district shall, on account of contagious disease, destruction of the school-house by fire or otherwise, or for other good reason, be closed, for the purpose of this apportionment, such school shall be deemed to have been in session, and the total days' attendance upon such school for the time it shall have been closed as aforesaid shall be determined by dividing the actual total days' attendance of the pupils enrolled in such school by the number of days such school shall have been actually in session, and multiplying the quotient thus obtained by the number of school days such school shall have been closed.

Balance of state school moneys to be paid to county collector.

178. On or before the fifteenth day of September in each year the custodian of the school moneys of each school district shall pay to the County Collector the balance of moneys apportioned to said district by the County Superintendent of Schools, which may then be in his hands to the credit of said district, and shall report forthwith to the County Superintendent of Schools the amount thus paid over, and the County Collector shall, on or before the first day of October in each year, report to the County Superintendent of Schools of his county the amount of money received by him by virtue of the provisions of this section, and said County Superin-

tendent of Schools shall thereupon re-apportion such amount among all the school districts in said county. The sum thus re-apportioned shall be paid immediately by the County Collector to the several custodians of the school moneys of said districts on the orders of the County Superintendent of Schools, and shall be available for the then current school year. The sum thus re-apportioned to any district shall be in addition to the sum apportioned to such district by the County Superintendent of Schools for said school year; *provided*, that Proviso. the County Superintendent of Schools may, for good cause shown, allow any such balance to remain in the hands of the custodian of the school moneys of such district to the credit of such district, and such balance may thereafter be used and expended by the board of education of such school district for the purpose of paying teachers' salaries and fuel bills, or, by and with the written consent of the County Superintendent of Schools, for the improvement of school-houses and grounds, the purchase of school furniture, or for any other purpose connected with the schools of such district.

## ARTICLE XVIII.

## DISTRICT TAX.

179. The legal voters of each township, incorporated town or borough school district may, at any annual or special meeting of said legal voters, (a) by the vote of a majority of those present raise by special district tax District tax for school purposes.

(a) 1. When an assessment is ordered by the inhabitants of a school district called for that purpose, to sustain the assessment, proof must be clear that ten days' legal notice of the time, place and purposes of such meeting had been given. *State v. Van Winkle*, 1 *Dutcher* 73; *Canda Mfg. Co. v. Woodbridge*, 29 *Vr.* 134.

2. A notice indicating that the object of the meeting is to purchase a school-house, will not warrant a resolution to pay for a house already built. *Lamb v. Hurff*, 9 *Vr.* 310.

3. A special meeting of the voters of a school district cannot legally be held unless ten days' notice thereof be given. *Canda Mfg. Co. v. Township of Woodbridge*, 29 *Vr.* 134.

4. Under the statutes school districts are political organizations possessing the power of taxation. *Landis v. Ashworth*, 28 *Vr.* 509.

5. For definition of legal voters, see section 86.



Purposes for which tax may be ordered.

Certificate to assessor.

Assessment.

Collection.

such sum or sums as a majority of said legal voters present at such meeting may agree upon for any or all of the following purposes: to enable the board of education to purchase or take and condemn land for school purposes; to build, enlarge, repair or furnish a school-house, or to pay a debt incurred therefor; for industrial schools, for manual training, and for the current expenses of the schools, in which term shall be included principals', teachers', janitors' and medical inspectors' salaries, fuel, text-books, school supplies, flags, transportation of pupils, tuition of pupils attending schools in other districts with the consent of the board of education, school libraries, compensation of the district clerk, of the custodian of the school moneys and of truant officers; truant schools, insurance and the incidental expenses of the schools. In case any money shall be ordered to be raised by special district tax, the district clerk shall make out and sign a certificate thereof, (a) under oath or affirmation that the same is correct and true, and deliver the same to the assessor of the taxing district in which such school district shall be situate, and shall send a duplicate of said certificate to the County Superintendent of Schools. Said assessor shall assess on the inhabitants of the school district and their estates, and the taxable property therein, in the same manner as other taxes shall be assessed, and the collector of such taxing district shall levy and collect such sum of money as shall have been ordered to be raised by the legal voters in the manner

(a) 1. The sworn certificate of the clerk to the assessor must specify the amount to be raised for each purpose; that the notices were posted in "at least seven public places in said district," and all other facts necessary to show that the law has been complied with.

2. The affidavit must verify all the material facts set forth in the certificate. *State v. Hardcastle*, 2 Dutcher 143, 3 Dutcher 551; *Winsor v. Donahay*, 1 Vr. 404; *Banghart v. Sullivan*, 7 Vr. 89; *Trustees v. Padden*, 15 Vr. 151; *Quaid v. Trustees, &c.*, 20 Vr. 607.

3. It is essential to the validity of the certificate of district clerk that it set forth that due notice has been given of the amount of money proposed to be raised at the district meeting. *Slack v. Palmer*, 10 Vr. 250.

4. The certificate to the assessor must show how the money ordered to be raised is to be apportioned, and that the apportionment was made by the district meeting. *Duryea v. Greenleaf*, 5 Vr. 441; *Banghart v. Sullivan*, 7 Vr. 89; *Corrigan v. Duryea*, 11 Vr. 266; *Trustees v. Padden*, 15 Vr. 151.

5. The certificate to the assessor must state what the notice given of the meeting was, and when and where the notices were put up. *Quaid v. Trustees*, 20 Vr. 607.

aforesaid, and shall pay the same to the custodian of the school moneys of the school district as is in this act provided, and for collecting said tax, said collector, except such as receive a salary in lieu of fees, shall receive three-fourths of one per centum of the amount of said tax collected by him, said compensation to be paid by the township committee or other governing body of the municipality wherein said tax shall be collected. In case the full amount of the district school tax shall not have been collected, said collector shall pay to said custodian the full amount of said tax out of any moneys in his hands, except moneys received from the County Collector on the order of the County Superintendent of Schools, and any amount advanced as aforesaid shall be paid to said collector out of said district school tax when collected; *provided*, that when there shall be no funds in the hands of said collector available for such purpose, the township committee, common council or other body having control of the finances of the municipality in which such school district shall be situate, shall borrow and appropriate a sum sufficient for such purpose; *provided further*, that when any meeting shall be held as aforesaid it shall not be lawful for such meeting to order a greater sum of money raised by special tax than shall have been mentioned and designated in the notices calling such meeting. (a)

Compensation of collector.

Payment of tax when full amount has not been collected.

Proviso.

Proviso.

180. At any annual or special meeting when money shall be ordered raised for school purposes by special district tax or by the issue of bonds the legal voters shall

Vote to be by ballot.

(a) 1. The resolution passed at the district meeting must direct the particular purpose, which must be one of the purposes in the act, and must be contained in the notice. If money is voted for more than one purpose, the resolution must specify the amount apportioned to each. *Cochrane v. Garrabrant*, 3 Vr. 444; *Banghart v. Sullivan*, 7 Vr. 89; *Corrigan v. Duryea*, 11 Vr. 266; *Schomp v. Cole*, 22 Vr. 277.

2. A resolution to raise money to build and furnish a school-house is not bad because the amount to be used for building and the amount for furnishing are not separately stated. *Stackhouse v. School District 43, Sussex Co.*, 23 Vr. 291.

3. A resolution to sell an old school-house, passed at the same meeting that it was resolved to raise money to build a new house, is illegal if the notice calling the meeting does not state that it would be a subject for consideration. *Stackhouse v. School District 43, Sussex Co.*, 23 Vr. 291.

4. The purchase of land and erection of a school-house includes fencing and grading the lot, and supplying the school property with drinking water. *Chamberlain v. Cranbury Board of Education*, 29 Vr. 347.

Election, how  
conducted.

Report to  
county superin-  
tendent.

vote by ballot. The chairman of the meeting shall appoint two tellers who shall receive and count the ballots in his presence. The secretary of the meeting shall keep a poll-list and shall record therein the name of each person voting, and shall also keep a tally-sheet of the votes as counted. The tally-sheet shall be signed by the chairman and tellers, and said tally-sheet, poll-list and ballots shall be placed by the secretary in a sealed package, indorsed with the name of the district, the name of the county in which the district shall be situate, and the date on which said election shall have been held, and said package, together with a statement of the results of such election, signed by the chairman and secretary, shall, within five days after the date of said meeting, be forwarded by said secretary to the County Superintendent of Schools, and the same shall be preserved by him for one year.

## ARTICLE XIX.

### CUSTODIAN OF SCHOOL MONEYS.

Custodian of  
school moneys.

181. In each school district there shall be a custodian of school moneys who shall receive and hold in trust all school moneys belonging to such school district, whether received from the state appropriation, state school tax, district tax, appropriation, or from other sources, and shall pay out the same only on orders signed by the president and district clerk or secretary of the board of education. Each order shall specify the object for which it shall be given, and shall be made payable to the order of and shall be indorsed by the person entitled to receive the amount named therein; *provided*, that in the payment of teachers' salaries a pay-roll, certified by the president and district clerk or secretary of the board of education, stating the names of the teachers and the amount to be paid to each, may be delivered to the custodian of school moneys, accompanied by one order or warrant, drawn to his order, for the full amount of said pay-roll, in which case said custodian shall deliver to said district clerk or secretary individual

Orders, how  
drawn.

checks payable to the order of said teachers. Said custodian shall pay over the balance of school funds remaining in his hands to his successor in office. He shall keep in the book provided for that purpose a record of the sums received and paid out by him. At the close of the school year he shall transmit to the board of education of the district a report showing the amounts received and disbursed by him for school purposes during said year, and shall file a duplicate of such report with the County Superintendent of Schools.<sup>(a)</sup>

Report of custodian.

182. The collector, or other person designated by law as the custodian of the moneys belonging to the municipality in which a school district shall be situate, shall be the custodian of the school moneys of such district, and shall receive such compensation as the township committee, common council or other governing body of such municipality shall determine, which compensation shall be paid by said township committee, common council, or other governing body from the funds of the township, incorporated town, borough, city or other municipality, and the bonds given by said collector or other person for the faithful performance of his duty as such officer, shall be held to cover and secure the faithful performance of his duty as custodian of school moneys and the bondsmen thereon shall be liable therefor. In case the term of office of any such collector or other person shall expire before the close of the school year, he shall remain and continue to be the custodian of school moneys until the close of the then current school year, and his bondsmen shall remain and be legally bound for the faithful performance of his duties as such custodian until the final settlement of his accounts. Nothing in this article shall be construed as giving to the township committee, common council or other governing body of any municipality

Collector or treasurer to be custodian.

Compensation.

Bonds.

To continue as custodian until end of school year.

Governing body of municipality not to have control of school moneys.

(a) 1. A *mandamus* will be granted to compel a township collector to pay the balance of school moneys to his successor. *Minzer v. Disbrow*, 13 Vr. 141.

2. An order of the district clerk, which specifies the object for which it was given without any designation of the yearly taxes out of which it shall be payable, is a sufficient voucher for the township collector. *Zimmerman v. Mathe*, 20 Vr. 45.

3. The township collector paying out school moneys on statutory orders is not responsible for the application the school trustees have made of the money. *Zimmerman v. Mathe*, 20 Vr. 45.

any control over moneys belonging to the school district in the hands of the custodian of the school moneys of said district, but said moneys shall be held by such custodian in trust, and shall be paid out by him only on orders legally issued and signed by the president and district clerk or secretary of the board of education. Any ordinance, by-law or resolution of a township committee, common council or other governing body of any municipality attempting to control such moneys, or which shall in any way prevent the custodian of the school moneys of the school district from paying the orders of the board of education as and when they shall be presented for payment shall be absolutely void and of no effect. (a)

Board of education may appoint custodian in certain cases.

183. Whenever in any school district there shall be two or more collectors or other persons entitled to be custodians of school moneys in such district, the board of education may appoint a suitable person as custodian of school moneys of said district, and may fix his salary and term of office. Such custodian shall give bonds for the faithful discharge of his duties in such amount and with such sureties as said board shall direct, but such bonds shall be for a sum not less than the amount apportioned to said district by the County Superintendent of Schools. Until the appointment of a custodian of school moneys by the board of education, the collector or other person residing in the municipality situate in such school district having the largest amount of taxable property shall be custodian of the school moneys of such school district.

Moneys to be paid to custodian.

184. The collector or treasurer of each municipality in which a school district shall be situate, shall pay to the custodian of the schools moneys of such school district the amount ordered to be assessed, levied and col-

(a) 1. The common council has no control over school funds, and a resolution directing the treasurer to retain a portion of the school fund and apply it to the payment of certain special assessments against school property, is a nullity. *Board of Education v. Town of Union*, 23 Vr. 69.

2. Money raised and placed in the hands of an officer for a specific purpose cannot be lawfully applied to any other purpose. *Hoboken v. Irwin*, 5 Dutcher 65.

3. A township committee cannot lawfully expend for other purposes than those of education the money raised or appropriated for a school fund. *Ibid.*

lected in such municipality for the use of the public schools therein exclusive of the state school tax, on the requisition or requisitions of the board of education.

185. Whenever there shall have been established a Sinking fund. sinking fund for the payment of school bonds and there is no officer or body designated by law as the custodian of the funds belonging to such sinking fund, the custodian of the moneys of the corporation which shall have issued such bonds shall be the custodian of the securities and moneys belonging to such fund, and the bondsmen on his bonds as such custodian shall be liable for the safe-keeping of said fund.

186. Whenever any order for payment of the current expenses of a public school shall be drawn and issued by any board of education on the custodian of the school moneys of such district, and there shall be no funds in the hands of such custodian to pay the same, such order shall bear legal interest until such time as said custodian shall have funds to pay the same, of which fact he shall give public notice, whereupon said interest shall cease. School orders to draw interest in certain cases.

187. If any custodian of the school moneys of any school district shall fail to make his report to the County Superintendent of Schools on or before the first day of August in any year, he shall forfeit to said school district the sum of ten dollars for each day thereafter until his report shall be made. Said sum shall be sued for and collected by the district clerk or secretary of the board of education of said school district in any court of competent jurisdiction. Penalty for failure of custodian to report.

## ARTICLE XX.

### SCHOOL DISTRICT BONDS.

188. The legal voters of any township, incorporated town or borough school district may, either at the annual meeting of said district or at a special meeting thereof called for that purpose, by the vote of a majority of those present<sup>(a)</sup> authorize the board of education to issue bonds. District may issue bonds.

(a) See section 180.

Description of  
bonds.

of the district for the purpose of purchasing or taking and condemning land for school purposes, or building a school-house or school-houses, or making additions, alterations, repairs or improvements in or upon any school-house and the lands upon which the same shall be located, and of purchasing school furniture and other necessary equipment. (a) Such bonds shall be issued in the corporate name of the district, for such sums and in such amounts and payable at such times as the legal voters so met shall direct, with interest at a rate not exceeding six per centum per annum, payable half-yearly. Said bonds shall be signed by the president of the board of education and attested by the district clerk, shall bear the seal of the district, and shall have coupons attached for current payment of interest, which coupons shall be signed by the district clerk and shall be numbered to correspond to the several bonds to which they shall be severally attached. Bonds so issued shall be numbered and a proper registry thereof shall be kept by the district clerk. Such bonds may be sold at public or private sale for the best obtainable price, but not less than par.

Sale of bonds.

Renewal of  
bonds.

189. Whenever bonds shall have been legally issued by any township, incorporated town or borough school district, and the same shall be due and unpaid or outstanding, the board of education of such district, when authorized so to do by the legal voters thereof at an annual meeting of said district, or at a special meeting thereof called to act thereon, shall have power to renew such outstanding bonds or any part thereof by the issuing of new bonds for that purpose, in the name and under the seal of said district. Such bonds shall be in the general form of the bonds theretofore issued by said district, shall be signed by the president of the board of education and attested by the district clerk, shall bear the seal of the district, shall bear interest at a rate not

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(a) 1. It is necessary that it shall clearly and unequivocally appear upon the face of proceedings for the issue of bonds of a school district, that the bonds are to be issued only for purposes which the statute authorizes them to be issued for. *Chamberlain v. Cranbury Board of Education*, 29 Vr. 347.

2. Bonds are not mere mortgages, but are evidences of legal debts of the districts issuing them. *McCully v. Ridgefield Township*, February Term, 1899.

exceeding six per centum per annum, and shall be issued for such sums and in such amounts and payable at such times as the legal voters at such meeting shall direct. Such bonds shall have coupons attached for current payment of interest, which coupons shall be signed by the district clerk and shall be numbered to correspond to the several bonds to which they shall be severally attached. Bonds so issued shall be numbered and a proper registry thereof kept by said district clerk. They may be sold at public or private sale for the best obtainable price, but not less than par, and the money realized from such sale shall be applied to the taking up and cancellation of such outstanding bonds; or said renewal bonds may be exchanged for such outstanding bonds on an equal basis of principal and interest, and the bonds so redeemed shall be forthwith canceled by the board of education of said district.

190. Bonds of any school district legally issued under the provisions of this article shall be a lien upon the real estate situate in said district, and the personal estates of the inhabitants of the said district, as well as the property of said district, and said estates and property shall be liable for the payment of the same. Whenever bonds shall be authorized to be issued by any school district as aforesaid the district clerk shall transmit certified copies of the record of the proceedings authorizing the issuing of such bonds to the Attorney-General for his approval of the legality of said proceedings, and duplicate copies of such record shall be filed with the State Superintendent of Public Instruction.

Bonds a lien on all property in district.

Proceedings to be approved by attorney-general.

191. Whenever a township, incorporated town or borough school district shall have ordered and authorized the issue of bonds and the same shall have been issued, the district clerk shall, each and every year issue to the assessor of the taxing district in which such school district shall be situate an order directing him to assess upon the owners of property in said taxing district and their estates, and the taxable property therein, an amount sufficient to pay the bond or bonds maturing in such year, together with the interest accruing upon all the unpaid bonds of such district, which order so issued

Notice to assessor.

Collection of tax to pay bonds and interest.

as aforesaid shall be duly executed by said assessor. The moneys so assessed shall be levied and collected by the collector of said taxing district who shall, on or before the fifth day of January next thereafter, pay the full amount so ordered to be assessed, levied and collected to the custodian of the school moneys of said school district, who shall, upon the receipt of the orders of the board of education, signed by the president and attested by the district clerk (which orders shall state at what bank the said principal and interest shall be payable), deposit in such bank the sum of money necessary to pay the principal and interest as they shall become due and payable.

Cancellation of bonds.

192. On the taking up of outstanding bonds, or on the payment of bonds of any township, incorporated town or borough school district the board of education of such district shall forthwith cancel the same, and when so canceled they shall be deposited in the office of the State Superintendent of Public Instruction.

Report of indebtedness to state superintendent.

193. The district clerk or secretary of a board of education in any district in which there shall be any interest-bearing school debt shall, on or before the first day of August in each year report to the State Superintendent of Public Instruction the amount of such debt then remaining unpaid, together with the rate of interest, the date or dates on which the bonds, notes or other evidences of indebtedness were issued, and the date or dates on which they will fall due.

## ARTICLE XXI.

### STATE NORMAL SCHOOL.

Name of normal school.

194. A state normal school shall be maintained for the purpose of training and educating persons in the science of education and art of teaching. The name and title of said school shall be "The New Jersey State Normal School." Tuition in said school shall be free.

State board to have control of school.

195. The State Board of Education shall have the control and care of the buildings and grounds owned and used by the state for a normal school and of the

funds for the support thereof; shall appoint and remove the principal, teachers and other employes and shall fix their salaries; shall purchase and furnish text-books, apparatus and supplies for the use of the pupils; shall prescribe a course of study for the school; shall make rules for its management and shall grant diplomas.

196. The State Board of Education shall appoint <sup>Treasurer.</sup> some suitable person treasurer of said school and shall fix his salary. All bills and charges for the maintenance of said school, except as hereinafter provided, shall be paid by said treasurer upon the certificate of said board.

197. Said board shall order necessary repairs to the <sup>Repairs</sup> grounds, buildings and furniture of said Normal School, and shall keep said buildings and furniture insured. The State Comptroller shall upon the certificate of said board, draw warrants upon the State Treasurer for the payment of the costs thereof.

198. Each county shall be entitled to at least six times <sup>Number of pupils.</sup> as many pupils in the school as it shall have representatives in the Legislature. In case any county shall not have the full number of pupils to which it shall be entitled, pupils may be admitted from other counties. Pupils when admitted shall sign a declaration that they intend to teach in the public schools of this state for at least two years immediately after being graduated, unless excused temporarily by the State Board of Education, and that if they do not so teach they will refund to the state the cost of their education.

199. The State Board of Education may maintain a <sup>Model school;</sup> model school under regular teachers, in which pupils of the Normal School shall have the opportunity to observe and practice approved methods of instruction and discipline.

## ARTICLE XXII.

### NEW JERSEY SCHOOL FOR THE DEAF.

200. A school shall be maintained for the purpose of <sup>Name of school.</sup> training and educating deaf children. The name and

title of said school shall be "The New Jersey School for the Deaf." Tuition in said school shall be free.

State board of education to have control of school.

201. The State Board of education shall have the control and care of the buildings and grounds owned and used by the state for a school for the deaf and the funds for the support thereof; shall appoint and remove a superintendent, teachers and other employes and shall fix their salaries; shall purchase furniture, text-books, school apparatus and other supplies; shall make rules and regulations for the government and management of said school and for the admission of pupils thereto.

Maintenance.

202. All improvements, additions and repairs to the buildings of said school and the furnishing thereof, shall be by contract, after due notice given and specifications furnished. The State Board of Education shall invite proposals twice in each year, at intervals of six months, for supplying said school with dry goods, wearing apparel, groceries, provisions, vegetables, fuel, illuminating material and all other articles the necessity of which it shall be practicable to determine as being needed for the then ensuing six months. The standard quality of such articles shall be determined by the board, and standard samples of non-perishable articles shall be kept in the office of the superintendent for the inspection of bidders. The inviting of proposals shall be advertised for ten consecutive days in two daily newspapers published in the city of Trenton, which advertisement shall classify the articles which shall be grouped in each bid, and shall also state, as nearly as practicable, the quantity needed, and that said goods are to be delivered during the next ensuing six months as ordered by said superintendent. Said board shall award the contract to the lowest responsible bidder on each class or group of articles advertised for, and shall require contractors to enter into suitable bonds for the faithful performance of said contracts; but said board shall have the right to reject any and all bids not considered by it to be in the interest of said school.

Advertisement for supplies.

Qualifications of pupils.

203. Deaf persons of suitable age and capacity for instruction who shall be legal residents of this state and not over twenty-one years of age, shall be entitled to

the privileges of the school for such a period of time, not exceeding fourteen years, as the State Board of Education shall determine; *provided*, that whenever more persons apply for admission at one time than can be properly accommodated in said school, said board shall so apportion the number received that each county shall be represented therein in the ratio of its deaf population to the total deaf population of the state. Application for admission into said school shall be made to the State Board of Education by a parent, guardian or friend of a proposed pupil in such manner as said board shall direct, but the board shall require such application to be accompanied by a certificate from the judge of the inferior court of common pleas or the county clerk of the county, the chosen freeholder or clerk of the township, the mayor or other executive officer of the city, borough or other municipality in which the applicant shall reside, setting forth that the applicant is a legal resident of the township, city, borough or other municipality claimed as his or her residence, and the age, circumstances and capacity of such proposed pupil, and the ability or inability of such proposed pupil or of his or her parent or guardian to pay any part of the expense of the care and maintenance of such proposed pupil. Whenever said board shall be satisfied that the resources of any person applying for admission to such school or being a pupil thereat, or those of his or her parent or guardian shall be sufficient to defray either the whole or a part of the expense of maintaining such pupil, said board may require such parent or guardian to pay either the whole or such portion of the annual expense of maintaining such pupil as it shall deem just and equitable.

Proviso.

Application for admission.

204. The State Board of Education shall appoint some suitable person treasurer of said school and shall fix his salary. All bills and charges for the maintenance of said school shall be paid by said treasurer upon the certificate of said board.

Treasurer.

## ARTICLE XXIII.

## MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

State board of education to have control of school.

205. "The Manual Training and Industrial School for Colored Youth" (now located at Bordentown) shall be hereafter conducted and managed by the State Board of Education, which board shall have the full management and control thereof; shall have the care and charge of the buildings and property thereof; the application and expending of the funds provided or appropriated for the support thereof; the appointment and removal of a principal, teachers and other employes; the fixing and paying of their salaries; the power to prescribe the studies and exercises of said school and rules for its management, and for the admission of pupils thereto. Tuition in said school shall be free.

Number of pupils.

206. Each county shall be entitled to as many pupils in said school as it shall have representatives in the Legislature, but in case any county shall not have in said school the full number of pupils to which it shall be entitled, pupils may be admitted from other counties.

Appropriation.

207. In lieu of all claims, rights and titles that the Manual Training and Industrial School for Colored Youth has or may hereafter have upon the annual appropriation coming to this state from Congress under the provisions of the supplement to the act of Congress of August thirteenth, one thousand eight hundred and ninety, a sum not to exceed five thousand dollars may be annually appropriated for the maintenance of said school out of any money in the state treasury not otherwise appropriated.

Treasurer.

208. The State Board of Education shall appoint some suitable person treasurer of said school and shall fix his salary.

## ARTICLE XXIV.

## MANUAL TRAINING.

209. Whenever in any school district there shall have been raised by special tax or by subscription or both a sum not less than two hundred and fifty dollars for the establishment in such district of a school or schools for industrial education or manual training, or for the purpose of adding industrial education or manual training to the course of study then pursued in the school or schools of such district, there shall be paid for such purpose to the custodian of the school moneys of said district, on the order of the State Superintendent of Public Instruction, an amount equal to that raised therein as aforesaid, which amount shall be paid by the State Treasurer on the warrant of the State Comptroller. Whenever such school or schools shall have been established in any district, or said industrial education or manual training shall have been added to the course of study in the school or schools of any district, there shall be paid to such district in like manner for the maintenance and support thereof a sum equal to that raised each year in the district for such purpose; *provided*, that the course of study in industrial education or manual training established under the provisions of this section shall be approved by the State Board of Education; *and provided further*, that the moneys appropriated by the state as aforesaid to any school district shall not exceed in any one year the sum of five thousand dollars. The custodian of the school moneys of the school district shall be the legal custodian of any and all funds subscribed, appropriated or raised for the purpose of carrying out the course of study contemplated by this section, and he shall keep a separate and distinct account thereof, and shall disburse said moneys on orders signed by the president and district clerk or secretary of the board of education.

Appropriation.

Proviso.

Proviso.

Custodian of funds.

Additional managers in certain cases.

210. In case the sum necessary as aforesaid to obtain the state appropriation or any part thereof shall have

been raised by private subscription, the board of education of any school district in which there shall have been established a separate school for industrial education or manual training under the provisions of this article, may select from among the donors of such sum not more than six persons to assist said board in the management of said school.

Report.

211. The board of education of any school district receiving an appropriation from the state for the purpose mentioned in this article shall annually, on or before the first day of August, make a special report to the State Superintendent of Public Instruction in the manner and form prescribed by him.

## ARTICLE XXV.

### SCHOOL LIBRARIES.

Appropriations.

212. The State Comptroller shall draw his warrant on the State Treasurer upon the order of the State Superintendent of Public Instruction, and in favor of the custodian of the school moneys of a school district for the sum of twenty dollars for any public school situate in such district for which there shall have been raised by special district tax, subscription or entertainment a like sum to establish in such school a school library, or to procure books of reference, school apparatus or educational works of art; and the further sum of ten dollars annually upon a like order, upon condition that there shall have been raised by special district tax, subscription or entertainment a like sum for the maintenance of such library for such year.

Selection of books.

213. All selections of articles aforesaid purchased in part by state funds shall be approved in such manner as the State Board of Education may by rule direct.

Joint library.

214. In any school district in which there shall be more than one school-house, the school library committees of two or more of such schools may consolidate and establish in one place the school libraries under their

control, and said committees shall constitute a joint committee for the control and management of such consolidated library.

## ARTICLE XXVI.

## TEACHERS' LIBRARIES.

215. Whenever in any county there shall have been raised by subscription a sum of money not less than one hundred dollars for the establishment of a library of pedagogical books for the use of the teachers of the public schools, the State Comptroller shall, upon the order of the State Superintendent of Public Instruction, draw his warrant on the State Treasurer in favor of the County Superintendent of Schools of said county for the sum of one hundred dollars for the benefit of such library, and annually thereafter there shall be paid on a like order a sum not less than fifty dollars nor more than one hundred dollars, upon condition that there shall have been raised by subscription a like sum for the maintenance of such library for such year. Appropriations.

216. The County Superintendent of Schools and three teachers of public schools in such county appointed by him, shall constitute a committee to select and purchase books and apparatus for such library, and to make rules and regulations for the management, use and safe-keeping thereof. Committee.

## ARTICLE XXVII.

## TEACHERS' RETIREMENT FUND.

217. There shall be a board of trustees of the fund hereinafter mentioned to be known as "The Board of Trustees of the Teachers' Retirement Fund," which board shall be composed of such members as the Legislature shall from time to time prescribe; and, until changed by law, said board shall consist of the State Superintendent of Public Instruction, three members of the State Board of Education chosen by that body, and three members of the New Jersey State Teachers' Trustees, how selected.

Association upon whom this act shall have become binding by its terms. Said last-mentioned three members shall be selected at the annual meeting of the New Jersey State Teachers' Association by those members of said association eligible to election hereunder. The terms of office of the members so chosen by the State Board of Education shall be co-extensive with their respective terms as members of such Board of Education, and the terms of office of those members elected by the members of the New Jersey State Teachers' Association hereinabove designated, shall be for three years and until their successors shall be elected. The members and officers of the Board of Trustees of the Teachers' Retirement Fund as now constituted shall continue in office for the full terms for which they have been severally elected.

**Term of office.** 218. Said board of trustees shall elect one of its members president and one secretary, who shall hold office respectively until the next annual meeting of the board and until their successors shall be elected; *provided*, that the term of office of such president or secretary shall not extend beyond his term of office as member of said board of trustees. The annual meeting for the election of officers shall be held on the second Monday of September. Said board shall administer the fund hereinafter mentioned and order all payments therefrom according to the provisions of this article. Such portion of said fund as the board of trustees may, from time to time determine, may be invested either on bond and mortgage upon real estate situate within this state worth at least double the amount loaned thereon, or in any bonds of this state, or bonds of any of the counties or school districts of this state, or in any of the bonds of any city or other municipality of this state whose aggregate bonded indebtedness shall not exceed fifteen per centum of the amount of its taxable ratables. All moneys invested in any of the securities mentioned in this section shall be deemed to be part of the permanent principal of said fund, and the income arising from said moneys so invested, together with all moneys received as percentages of the salaries of teachers, and all moneys

**Officers.**

**Proviso.**

**Annual meeting.**

**Investment of fund.**

received by donation, legacy, gift, bequest, devise or otherwise, and which shall not be specifically directed to be made a part of the permanent principal of said fund, shall be available for the payment of annuities and the expenses connected with the management of said fund. All moneys received in payment of principal of bonds or other securities held by said fund shall be re-invested and shall remain a part of said principal. Said board shall report annually to the State Board of Education at its meeting in October, the condition of said fund and the receipts and disbursements on account of the same, together with a list of the beneficiaries of said fund, and the amount paid to each of said beneficiaries. The fiscal year of said fund shall begin on the first day of July and shall end on the thirtieth day of June, and the report herein required shall be for such fiscal year.

Annual report.

219. The State Treasurer shall be ex-officio treasurer of the fund hereinafter mentioned. He shall receive all moneys payable to said fund, and shall pay out the same only on warrants or orders of the board of trustees of said fund, which warrants or orders shall be signed by the president and secretary of said board, and all warrants or orders when so signed, shall be full authority for and the acquittance of said treasurer for all payments from said fund. Said treasurer shall give receipts for all moneys received by him for said fund; shall keep full and correct accounts of the financial transactions connected with the said fund in proper books for that purpose, and shall make an annual report to the board of trustees at its meeting in September of the receipts and disbursements and other financial transactions connected with said fund.

Duties of treasurer.

Report of treasurer.

220. Whenever any teacher shall have taught in the public schools, or in any normal or reformatory school or in any other school of this state supported either wholly or in part by public moneys raised under the authority of any law of this state, for a period or periods aggregating twenty years or more, and shall have become incapacitated from earning a sufficient livelihood, such teacher shall, at his or her request, and on the approval of the aforesaid board of trustees be retired as a teacher,

Annuitants.

and shall thereafter receive an annuity out of the fund hereinafter mentioned equal to one-half of the average annual salary received by such teacher for the five years immediately preceding the time of retirement; *provided, however,* that no annuity shall be less than two hundred and fifty dollars nor more than six hundred dollars; *provided further,* that no teacher shall be retired under the provisions of this article unless he or she shall have first paid into said fund such sum as shall make his or her total payments into said fund equal to at least twenty per centum of his or her average annual salary for the five years immediately preceding the time of such retirement. The decision of the board of trustees of said fund upon any application for such annuity shall conclusively determine the right of the applicant thereto, and the payment of any such annuity shall be suspended whenever it shall appear to said board upon sufficient proof, that the annuitant is able to earn a sufficient livelihood, but such payment may be resumed whenever said board shall deem it proper so to do.

Proviso.

Proviso.

Decision of trustees conclusive.

Payment of annuities.

221. All annuities payable under the provisions of this article shall be paid in quarterly installments on the last days of September, December, March and June, and all annuities granted shall date from the first day of the quarter next succeeding the dates of the granting of such annuities; but if the funds available for the payment of any installment shall not be sufficient to pay the aggregate of annuities payable under this article in any quarter, such annuities shall abate pro rata.

Payment to teachers who have resigned.

222. Any teacher upon whom the provisions of this article shall have become binding, who shall have contributed to the fund hereinafter mentioned for five years or more, and who shall resign his or her position as teacher or shall be otherwise honorably retired from such position, except as hereinbefore provided, shall, upon application within three months after the date of such resignation or retirement be entitled to receive and shall receive one-half of the total amount paid by him or her into said fund without interest.

Fund, how constituted.

223. The retirement fund herein provided for shall be made up as follows:

I. One per centum of the monthly salaries of all teachers upon whom this act shall have become binding by its terms prior to January first, one thousand nine hundred and three; one per centum of the monthly salaries of all teachers who shall become members of said fund on or after January first, one thousand nine hundred and three, and who shall have been teaching ten years or less at the time of becoming members of said fund; two per centum of the monthly salaries of all teachers who shall become members of said fund on or after said date, and who shall have been teaching more than ten years at the time of becoming members of said fund; *provided*, that on or after said date no person who shall have been teaching more than fifteen years shall become a member of said fund unless he or she shall have passed a satisfactory medical examination under such rules as the board of trustees may prescribe; *and provided further*, that a teacher, now a member of said fund, shall not be required to pay more than one per centum of his or her monthly salary by reason of the fact that he or she has been teaching more than ten years. The said per centum shall be reserved or deducted from each warrant or order for salary given to such teacher by the board of education or other officers as shall be required by law to give such warrants or orders to such teachers, and the said board of education or other officer shall, between the first and tenth days of each and every calendar month, draw their warrants for the amount so reserved and deducted during the preceding calendar month in favor of the custodian of the school moneys of the district or school in which such teachers shall be employed, and the said custodian shall, immediately upon the receipt of such warrant or order, forward to the State Treasurer the amount of money named in such warrant or order, together with a list of the names of the said teachers;

Percentage of salary of teacher to be paid to fund.

Proviso.

Proviso.

II. One per centum of all annuities paid under the provisions of this article, which shall be deducted and withheld from each payment made to any annuitant;

Percentage of annuitants.

III. All moneys and property received by donation,

Legacies.

legacy, gift, bequest, devise or otherwise for or on account of said fund;

Interest on investments.

IV. All interest on investments and other moneys which may be duly and legally raised for the increase of said fund.

Powers of trustees.

224. Said board of trustees shall have power:

I. To subpoena witnesses and compel their attendance to testify before it in all matters relating to the operation of this article, and any member of said board may administer oaths or affirmations to such witnesses;

Make rules, etc.

II. To fix the salary of the secretary of said board, and to make rules, not inconsistent with the laws of this state, for their own government and for carrying out of the provisions of this article;

Draw orders.

III. To draw their warrants or orders upon the State Treasurer for the payment out of said fund of all annuities and necessary expenses incurred in carrying out the provisions of this article, but the members of said board, excepting the secretary, shall serve without compensation, but said members shall be paid the necessary expenses incurred by them as members of said board, which expenses shall be paid in the same manner as other payments shall be made from said fund;

Expenses of trustees.

Right to sue, etc.

IV. By the name of "The Board of Trustees of the Teachers' Retirement Fund" to sue and be sued, complain and defend in any court of law or equity;

Hold real estate.

V. To have, hold, purchase, sell, assign and transfer any of the securities in which any part of the said retirement fund may be invested.

Who may be members.

225. The provisions of this article shall be binding upon any teacher employed at the time of the passage of this act in any of the schools hereinabove mentioned, only in case he or she shall sign and deliver to the board of education, board of trustees or other body by whom he or she shall be employed, a notice in substantially the following form:

To the board of education of \_\_\_\_\_:

Notice of intention to join.

You are hereby notified that I desire to avail myself of the provisions of Article XXVII. of the act of the Legislature entitled "An act to establish a system of

public instruction," and that I do hereby agree to be bound thereby;

Dated \_\_\_\_\_; \_\_\_\_\_;

A duplicate of said notice shall be sent by the teacher signing the same to the secretary of the Board of Trustees of the Teachers' Retirement Fund.

226. Any teacher who has heretofore signed and delivered the notice prescribed in an act entitled "A supplement to an act entitled 'An act to establish a system of Public Instruction'" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, which supplement was passed March eleventh, one thousand eight hundred and ninety-six, or in an amendment thereto approved March twenty-fourth, one thousand eight hundred and ninety-nine, shall become bound by the provisions of this article and shall have its advantages and privileges without signing or delivering any other notice, and shall be deemed to have accepted the provisions of this article by receiving any sum of money as salary from which there shall have been made a deduction under and by virtue of the provisions of this article. Any person who is not now a teacher in any of the schools hereinabove mentioned may become bound by the provisions of this article, and have its advantages and privileges, by signing and delivering to the board of education or other body by whom he or she shall be employed a notice as prescribed in this article.

Persons who joined prior to passage of this act to remain members.

227. Any teacher who shall have become bound by the provisions of this article, and who shall cease to teach in the district or school in which he or she was teaching at the time of signing and delivering the notice as provided in this article, and who shall be employed as a teacher in any other district or school, shall immediately give written notice to the board of education having control of the school in which he or she shall be teaching that he or she is a member of the Teachers' Retirement Fund, and said notice shall direct that the prescribed per centum of his or her salary be deducted and forwarded to the State Treasurer. Such teacher shall send one copy of said notice with his or her address to the secre-

Notice by teacher of change of school.

tary of the Board of Trustees of the Teachers' Retirement Fund, and another copy of said notice to the State Treasurer.

To whom this act applies

228. The provisions of this article shall apply to any superintendent, principal or supervising principal who shall teach or be employed in the public schools of this state, or in any normal, model or reformatory school of this state, or in any other school of this state supported either wholly or in part by public moneys raised under the authority of any law of this state.

## ARTICLE XXVIII.

### SALARIES OF TEACHERS AND PRINCIPALS.

Salaries of teachers.

229. Teachers hereafter employed in any graded school in this state supported in whole or in part by state moneys shall receive salaries proportioned to their experience and success in the school district where they may be employed, such salary, in the case of every teacher whose experience and success have been properly certified to, to be not less than the amount provided for such teacher in the following schedule:

Assistants in primary grammar and kindergarten departments.

Assistant teachers in primary and grammar schools and kindergartens:

Less than two years' experience, four hundred and eight dollars per annum;

Two years' and less than three years' experience, four hundred and fifty-six dollars per annum;

Three years' and less than four years' experience, five hundred and four dollars per annum;

Four years' and less than five years' experience, five hundred and fifty-two dollars per annum;

Five years' and less than six years' experience, six hundred dollars per annum;

Six years' and less than seven years' experience, six hundred and forty-eight dollars per annum;

Seven years' and less than eight years' experience, six hundred and ninety-six dollars per annum;

Eight years' and less than nine years' experience, seven hundred and forty-four dollars per annum;

Nine years' and less than ten years' experience, seven hundred and ninety-two dollars per annum;

Ten years' and less than eleven years' experience, eight hundred and forty dollars per annum;

Eleven years' and less than twelve years' experience, eight hundred and eighty-eight dollars per annum;

Twelve years' experience and upwards, nine hundred and thirty-six dollars per annum;

Principals of schools containing grammar and primary departments: Principals of grammar and primary schools.

Less than one year's experience as such principal, one thousand eight hundred dollars per annum;

One year's and less than two years' experience, one thousand nine hundred dollars per annum;

Two years' and less than three years' experience, two thousand dollars per annum;

Three years' and less than four years' experience, two thousand one hundred dollars per annum;

Four years' and less than five years' experience, two thousand two hundred dollars per annum;

Five years' and less than six years' experience, two thousand three hundred dollars per annum;

Six years' and less than seven years' experience, two thousand four hundred dollars per annum;

Seven years' experience and upwards, two thousand five hundred dollars per annum;

Principals of schools containing primary departments only: Principals of primary schools.

Less than one year's experience as such principal, one thousand two hundred dollars per annum;

One year's and less than two years' experience, one thousand three hundred dollars per annum;

Two years' and less than three years' experience, one thousand four hundred dollars per annum;

Three years' and upwards, one thousand five hundred dollars per annum;

Principals of primary departments shall be paid at the same rate as principals of schools containing primary departments only: Principals of primary departments.

Vice-principals  
of grammar  
and primary  
departments.

Vice-principals, head assistants and first assistants of grammar and primary departments:

Less than one year's experience as such vice-principal, head assistant or first assistant, nine hundred and ninety-six dollars per annum;

One year's and less than two years' experience, one thousand and fifty-six dollars per annum;

Two years' and less than three years' experience, one thousand one hundred and sixteen dollars per annum;

Three years' experience and upwards, one thousand one hundred and seventy-six dollars per annum;

Assistants in  
high schools.

Assistant teachers in high schools, male assistants:

Less than one year's experience, one thousand five hundred dollars per annum;

One year's and less than two years' experience, one thousand six hundred dollars per annum, and for each year's experience thereafter at an additional salary of one hundred dollars per annum to not less than the sum of two thousand four hundred dollars per annum;

Female assistants in high schools:

Less than one year's experience, seven hundred dollars per annum, and for each year's experience thereafter, at an additional salary of one hundred dollars per annum, to not less than the sum of one thousand two hundred dollars per annum;

Vice-principals  
of high schools.

Vice-principals of high schools:

Less than one year's experience two thousand dollars per annum, and for each year's experience thereafter, at an additional salary of one hundred dollars per annum, to not less than two thousand five hundred dollars per annum;

Principals of  
high schools.

Principals of high schools:

Less than one year's experience as such high school principal, two thousand five hundred dollars per annum;

One year's and less than two years' experience, two thousand six hundred dollars per annum;

Two years' and less than three years' experience, two thousand seven hundred dollars per annum;

Three years' and less than four years' experience, two thousand eight hundred dollars per annum;

Four years' and less than five years' experience, two thousand nine hundred dollars per annum;

Five years' experience and upwards, three thousand dollars per annum;

Model teachers in model departments of training schools for teachers: Teachers in training schools.

In addition to the salaries herein provided for assistant teachers of primary and grammar schools, one hundred and fifty dollars, each, per annum;

Critic teachers of training schools for teachers:

Two hundred dollars, each, per annum, as extra compensation;

Principal of primary department of training schools for teachers: Principals of primary departments of training schools.

Less than one year's experience, one thousand five hundred dollars per annum, and for each year's experience thereafter at an additional salary of one hundred dollars per annum, to not less than the sum of one thousand seven hundred dollars per annum;

Teachers of methods or supervisor of methods of training schools for teachers:

Less than one year's experience, one thousand five hundred dollars per annum, and for each year's experience thereafter, at an additional salary of one hundred dollars per annum, to not less than two thousand dollars per annum;

Principals of training schools for teachers:

Less than one year's experience, two thousand five hundred dollars per annum, and for each year's experience thereafter, at an additional salary of one hundred dollars per annum, to not less than three thousand dollars per annum; *provided*, that if the annual salary of Principals of training schools.

any teacher now employed in any graded school of any school district is less than the amount required to be paid to such teacher by the preceding schedule, the salary of such teacher shall, if such teacher's experience is approved as successful, be increased by adding thereto annually, beginning with the first day of the fiscal year next succeeding the adoption of this article in the manner provided in section two hundred and thirty of this act, a sum equal to the annual increase provided in the Proviso.

**Proviso.**

preceding schedule for the class to which such teacher belongs, until such teacher's salary shall be in accordance with the schedule; *and provided further*, that the annual salary paid to any principal or vice-principal hereafter appointed shall not exceed the annual salary paid at the time such appointment is made to principals and vice-principals of the same class respectively, and that the salary of every such appointee shall, if the experience of such appointee proves to be successful, be increased annually by the amount and in the manner described in this section, until the salary of such appointee shall be in accordance with the preceding schedule.

**Referendum.**

230. The board of aldermen, common council or other governing body of any municipality of this state, may, by resolution, submit the question of the acceptance or rejection of this article to the voters of such municipality at any general or charter election to be held therein, whereof at least ten days' notice shall be given by public advertisement in two daily newspapers of this state, circulating in such municipality, and if a majority of those who shall vote for the acceptance or rejection thereof shall be in favor of the acceptance of this article, then this article shall go into effect at the commencement of the then next fiscal year in such school district, and the grant of power herein made shall be deemed to be accepted by such school district, and such school district shall be bound by the terms of this article; persons entitled to vote at any election where this question is submitted to them shall express their assent or rejection of this article in the manner provided in "An act to regulate elections" [Revision of 1898]; there shall be a canvass on return of the votes upon the question of acceptance or rejection of this article made by the election officers in the same way and manner as for officers voted for at such election, and if a majority of the ballots shall be found to be in favor of the acceptance of this article it shall then, but not otherwise, go into effect and be binding upon the school district situate in said municipality wherein such vote shall be taken.

231. All elections or submissions to the vote of the qualified voters of any municipality for the adoption of the provisions of any statute establishing the compensation to be paid to teachers and principals in the public schools, and to provide for the payment thereof, in the school district situate in such municipality, which statute was in substantial compliance with the provisions of this article, and the acceptance of the provisions of such statute by reason of a majority of the ballots having been found to be in favor thereof, and the attendant proceedings heretofore held, submitted, had, done or taken pursuant to and in substantial compliance with such statute are hereby validated and confirmed as fully and to the same extent as though done after the passage of and in conformity with the provisions of this article, and said teachers and principals shall hereafter receive and be paid salaries in accordance with the provisions of this article.

Elections held prior to passage of this act validated.

## ARTICLE XXIX.

### MISCELLANEOUS.

232. If the board of education of any school district shall use any of the school money received by it, except such as shall have been raised within the district, for any purpose other than the payment of teachers' salaries, fuel bills, the transportation of pupils and the tuition of pupils attending schools in adjoining districts, there shall be deducted by the County Superintendent of Schools from the next annual apportionment to such district a sum equal to twice the amount thus used, and said County Superintendent of Schools shall apportion the money thus deducted among the other districts of the county; *provided*, that the State Superintendent of Public Instruction may remit such penalty.

Penalty for misuse of school moneys.

Proviso.

233. Every board of education may employ a competent physician to be known as the Medical Inspector, fix his salary and define his duties. Said Medical Inspector shall visit the schools in the district in which he shall be employed at stated times to be determined

Appointment of medical inspectors.

Duties of medical inspector.

by the board of education, and during such visits shall examine every pupil referred to him by a teacher. He shall at least once during each school year examine every pupil to learn whether any physical defect exists, and keep a record from year to year of the growth and development of such pupil, which record shall be the property of the board of education and shall be delivered by said Medical Inspector to his successor in office. Said Inspector shall lecture before the teachers at such times as may be designated by the board of education, instructing them concerning the methods employed to detect the first signs of communicable disease and the recognized measures for the promotion of health and prevention of disease. The board of education may appoint more than one Medical Inspector.

Flags for school houses.

234. Every board of education shall procure a United States flag, flag-staff and the appliances therefor for each school in the district, and shall display said flag upon or near the public school building during school hours and at such other times as said board may deem proper.

Interest of surplus revenue.

235. The several counties in this state shall appropriate the interest of the surplus revenue to the support of the public schools.

Teachers' institutes.

236. The State Superintendent of Public Instruction shall procure instructors and lecturers for teachers' institutes. To defray the expenses incurred in holding said institutes there shall be paid to him annually by the State Treasurer, upon the warrant of the State Comptroller, a sum not exceeding four thousand dollars. Said State Superintendent of Public Instruction shall make annually to the State Board of Education an itemized report of the expenses incurred in holding said teachers' institutes during the year for which said report shall be made.

Nature and effect of alcohol and narcotics to be taught.

237. The nature of alcoholic drinks and narcotics and their effects upon the human system shall be taught in all schools supported wholly or in part by public moneys as thoroughly and in the same manner as other like branches shall be taught, by the use of graded text-books in the hands of the pupils when other branches shall be thus taught and orally only in the case of pupils unable

to read. In the text-books on physiology and hygiene the space devoted to the consideration of the nature of alcoholic drinks and narcotics and their effects upon the human system shall be sufficient for a full and adequate treatment of the subject. The failure or refusal of any district to comply with the provisions of this section shall be sufficient cause for withholding from such district the state appropriation.

238. No certificate shall be granted to any person to teach in the public schools, except to persons applying for special certificates to teach music, drawing, manual training or other subjects not included in the usual school curriculum, who shall not have passed a satisfactory examination in physiology and hygiene with special reference to the nature of alcoholic drinks and narcotics and their effects upon the human system.

Teachers to be examined in physiology.

239. The day in each year known as Arbor Day shall be suitably observed in the public schools. The State Superintendent of Public Instruction shall from time to time prepare and issue to schools such circulars of information, advice and instruction with reference to the day as he may deem necessary.

Arbor day.

240. In all public schools there shall be held on the last school day preceding the following holidays, namely, Lincoln's birthday, Washington's birthday, Decoration or Memorial day and Thanksgiving day and on such other patriotic holidays as shall be established by law, appropriate exercises for the development of a higher spirit of patriotism.

Patriotic exercises to be held on certain days.

241. Whenever an execution shall be issued against the board of education of a school district or of a union-graded school by any court authorized to issue the same, upon a judgment recovered either before or subsequent to the passage of this act, and there shall be found no property belonging to said school district or union-graded school sufficient to satisfy the same liable to be levied on, then the officer authorized to execute such process shall serve a certified copy of said execution upon the assessor or assessors of the taxing district or districts in which said school district or union-graded school shall be situate, and also upon the collector or

Payment of judgments against a school district.

collectors of such taxing district or districts. Upon receipt of such copy or copies such assessor or assessors shall, at the time of the next regular assessment of school taxes, assess upon the inhabitants of said school district and their estates, and upon the taxable property therein, in addition to the regular school taxes, the amount due upon said execution, with interest thereon to the time when the same shall be paid to the officer serving such process and the collector or collectors shall levy and collect the same, and said amount, when collected, shall be a separate fund, and shall be paid over by said collector to the officer who shall have served said process.

School year.

242. The school year shall begin on the first day of July and end on the thirtieth day of June.

Appropriations.

243. No money shall be paid from the state treasury for any purpose named in this act unless an appropriation therefor shall have been made by the Legislature in the annual appropriation act.

Selection of members of board of education and appropriations in certain districts.

244. In any school district which comprises a municipality and a portion of an adjoining municipality, members of the board of education shall be selected in the same manner in all respects as they are selected in said district at the time of the passage of this act, and moneys for the maintenance of public schools therein shall be ordered, assessed, levied and collected in the same manner as they are ordered, assessed, levied and collected therein at the time of the passage of this act.

"Article" construed.

245. Whenever in this act the word "article" is used, it shall be construed as referring to the caption under which it is used.

All elections, assessments, bonds, etc., under act of 1900 validated.

246. Every school district shall be responsible and liable for all contracts, bonds and obligations of said district which have been entered into, made or incurred under the provisions of an act entitled "An act to establish a system of public instruction [Revision of 1900]," approved March twenty-third, one thousand nine hundred, whether or not such act lawfully conferred the power to enter into, make or incur the same; and all elections or submissions to the vote of the qualified voters of any school district of the question whether in such district the board of education should be created

by election by the people or otherwise, and the attendant proceedings heretofore held, submitted, had, done or taken pursuant to and in substantial compliance with said act, shall be and the same are hereby validated and confirmed as fully and to the same extent as though done after the passage of and in conformity with this act; and in every such district hereafter the board of education shall, if the manner of its creation has been so fixed as to be by appointment, be appointed and organized under the provisions of section forty-two of this act, and if the manner of its creation shall have been by such election or submission so fixed as to be by election by the people, then the board of education shall be hereafter elected and organized in such school district under the provisions of section forty-three of this act; and all elections for members of the board of education in any such school district held pursuant to and in substantial compliance with said act, approved March twenty-third, one thousand nine hundred, shall be and the same are hereby validated and confirmed as fully and to the same extent as if done after the passage of and in conformity with this act; and the members so elected shall constitute and be the board of education of such school district, and shall be deemed to be incorporated under section forty-eight of this act; and all other elections, acts and proceedings heretofore held, passed, had, done or taken, and all appropriations, taxes and assessments heretofore made, levied and imposed in substantial compliance with said act, are hereby validated and confirmed as fully and to the same extent as though done after the passage of and in conformity with this act.

247. Every board of education shall succeed to and be vested with the title to all lands, securities, moneys and other property which may be held by any board of managers for the education of youth, commissioners or trustees, by whatever name called or known, created or existing by act of the Legislature, and having charge and control of any property belonging to any special school fund used for public school purposes and within the school district in which such board of education is organized, and all property so held for any such special school

Board of education to be vested with title to special funds.

fund shall, within thirty days after the passage of this act, be paid over and transferred by said board of managers, commissioners or trustees to the board of education or the custodian of school moneys of said district, to be held for the use of said district as other school property within said district is held and used.

Term of office  
of all school  
officers con-  
tinued.

248. The members of the State Board of Education, the State Superintendent of Public Instruction, the county and district superintendents of schools, the members of the boards of education in township, incorporated town and borough school districts, secretaries of boards of education, janitors and other employes of the several boards of education of the several school districts, shall continue to serve for the full term for which they were severally elected or appointed, as though they had been elected or appointed under any of the provisions of this act, and all certificates heretofore issued, and now in force in this state shall be valid according to their terms and for the periods for which they have been severally granted.

Township,  
town and  
borough school  
districts may  
incorporate  
under Article  
VI.

Referendum.

249. Members of boards of education in all township, incorporated town and borough school districts shall continue to be elected or appointed in the same manner as said members have been heretofore elected or appointed. The acceptance of the provisions of this act contained in Article VI. relating to boards of education in city school districts, shall be submitted to the qualified voters of any town, township or borough at a general or municipal election to be held therein, whenever the town council, township committee or other governing body of such municipality, or the board of education of the school district situate in such municipality, shall have, by resolution, directed that such question shall be so submitted. The question to be submitted shall be for or against the adoption of the provisions of Article VI. of an act entitled "An act to establish a system of public instruction," approved —— (insert herein the date when this is approved), and if a majority of the votes cast upon said question shall be for the adoption of the provisions of said article, the school district in such municipality shall thereafter in all respects be

governed by the provisions of Article VI. relating to boards of education in city school districts, and the board of education therein shall have all the powers and duties given and imposed by the several provisions of said article.

250. All school districts shall hereafter be governed solely by the provisions of this act, and all acts and parts of acts, general, special or local, so far as they are inconsistent with the provisions of this act, are hereby repealed; *provided*, that this repealer shall not revive any act heretofore repealed; *and provided further*, that this act shall not repeal or affect the provisions of any general act which may have been or may hereafter be accepted by a vote of the people in any city or school district in this state.

Repealer.

Proviso.

Proviso.

251. This act shall take effect immediately.

Approved March 26, 1902.

An Act providing for the establishment of schools for industrial education, approved March twenty-fourth, one thousand eight hundred and eighty-one.

1. Whenever any board of education, school committee or other like body of any city, town or township in this state shall certify to the governor that a sum of money not less than three thousand dollars has been contributed by voluntary subscriptions of citizens, or otherwise as hereinafter authorized, for the establishment in any such city, town or township, of a school or schools for industrial education, it shall be the duty of the said governor to cause to be drawn, by warrant of the comptroller, approved by himself, out of any moneys in the state treasury not otherwise appropriated, an amount equal to that contributed by the particular locality as aforesaid for the said object; and when any such school or schools shall have been established in any locality as aforesaid, there shall be annually contributed by the state, in manner aforesaid, for the maintenance and support thereof, a sum of money equal to that contributed each year in

State appropriation for industrial education.

**Proviso.** said locality for such purpose; *provided, however, that* the moneys contributed by the state as aforesaid to any locality, shall not exceed in any one year the sum of five thousand dollars.

Money to be applied under direction of trustees.  
Ibid., § 2.

2. All money raised and contributed as aforesaid shall be applied under the direction of the board of trustees, organized as hereinafter provided, to the establishment and support of schools for the training and education of pupils in industrial pursuits (including agriculture), so as to enable them to perfect themselves in the several branches of industry which require technical instruction.

Local tax.  
Ibid., § 3.

3. Any city, town or township shall have power to appropriate and raise by tax for the support of any such school therein, such sum of money as they may deem expedient and just.

Trustees of industrial schools.  
P. L. 1895,  
p. 594, § 1.

4. There shall be a board of trustees of each of such schools, which shall consist of a governor and the mayor or other chief executive officer of the city, town or township in which such school is located, as ex-officio members, and eight other persons to be chosen and appointed by the governor, as follows: within thirty days after the passage of this act the governor shall choose and appoint eight persons, resident in the city, town or township in which such school is located, as members of such board of trustees for the following terms: (a) two for the term of one year, two for the term of two years, two for the term of three years and two for the term of four years; and thereafter two trustees shall be appointed in like manner each year for a full term of five years; and the official terms of all trustees in office at the time of the passage of this act shall terminate and expire upon the making of the appointments aforesaid, and the trustees appointed hereunder shall take office immediately upon their appointment, and shall continue in office until their successors are appointed, and any vacancy that may occur in the said board of trustees shall be filled by appointment in like manner for the unexpired term only; the said board of trustees shall have control of the buildings and grounds owned and used by such schools, the application of the

**Powers.**

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(a) Amended by section 6.

funds for the support thereof, the regulation of the tuition fees, the appointment and removal of teachers, the power to prescribe the studies and the exercises of the school and rules for its management, to grant certificates of graduation, to appoint some suitable person treasurer of the board, to frame and modify at pleasure such by-laws as they may deem necessary for their own government; they shall report annually to the state and local boards of education their own doings and the progress and condition of the schools.

Treasurer.

5. The said trustees shall receive no compensation for their services, but the expenses necessarily incurred by them in the discharge of their duties shall be paid upon the approval of the governor.

Compensation.

6. The trustees of schools for industrial education, to be hereafter appointed by the governor of this state for full terms under and by virtue of the acts to which this is a supplement or the supplements thereto, shall serve for terms of four years and not for terms of five years as now required by law.

Term of office of trustees.  
P. L. 1896,  
p. 86, § 1.

7. The board of trustees of the schools for industrial education, provided for and organized under the act to which this is a supplement, be and they are hereby created a body corporate under the name and style of "the board of trustees of schools for industrial education," with the right of perpetual succession, to sue and be sued, to purchase, lease and hold personal and real property, and to sell and mortgage the same, and with power to accept donations and bequests of money and property to be used for the purposes for which said boards are constituted and organized.

Trustees of industrial schools created bodies corporate.  
P. L. 1890,  
p. 21, § 1.

An Act to provide free lectures for workingmen and workingwomen, approved February twenty-fifth, one thousand eight hundred and ninety-five.

1. The boards of education in cities of this state or other municipalities containing over ten thousand population according to the last census are hereby authorized

Boards of education may provide.

and empowered to provide for the employment of lecturers on the natural sciences and kindred subjects in the public schools in any city or other municipality, in the evenings, for the benefit of workingmen and working-women.

Purchase necessary apparatus, etc.

2. The said boards of education shall have the power to purchase books, stationery and other things necessary and expedient to successfully conduct said lectures, which it shall have the power to direct.

No admission fee to be charged.

3. No admission fee shall be charged, and at least one school in each ward or subdivision of each city or municipality, where practicable, shall be designated by the said board of education for the purpose of carrying out the provisions of this act, and at least one lecture shall be delivered during each of the months of October, November, December, January, February and March in each year, which shall be advertised in a daily or weekly paper published in said city or municipality at least ten days in advance of the delivery thereof.

#### AGRICULTURAL COLLEGE.

Appointment of students for agricultural college. P. L. 1867, p. 360, § 27.

1. It shall be the duty of the county superintendent, at such time and place as the state superintendent may appoint, to examine such candidates for state scholarships at the agricultural college as may present themselves, and the candidates shall be subjected to such examination as the faculty of the said college and the state superintendent shall prescribe; and the candidates who shall receive certificates of appointment to the agricultural college in any one county shall be those who obtain, on such examination, the highest average for scholarship; and the number of certificates thus granted shall in no case exceed the number of state scholarships to which such county is entitled. (a)

Additional free scholarships. P. L. 1890, p. 161, § 1.

2. In order that students in all schools in all parts of the state may receive the stimulus afforded by the opportunity to pursue the courses of study in the state

(a) Each county is entitled to as many students as it has representatives in the legislature. P. L. 1864, Chap. CCCLXIX., § 10.

agricultural college, and in order to enable said state agricultural college to furnish instructions gratuitously to students, residents of this state, in its several courses of study, as special courses of advanced study in the public school system of this state, there shall be sent to the said college students to the number of one each year from each assembly district of this state, to be selected and designated as hereinafter provided, who shall receive gratuitous instruction in any or all of the prescribed branches of study in any of the courses of study of said state college, under the general powers of supervision and control possessed by the board of visitors of said state college; said students so received shall be residents of this state and shall be admitted into said state college upon the terms and subject to the rules and discipline which shall apply to all the free students of said state college, and if there should be more than one suitably-prepared applicant from the same assembly district in the same year, such additional applicant may, in the discretion of the board of visitors of the said state agricultural college, be received upon any vacant scholarships of any other assembly districts until such districts shall require such scholarships, after notice has been served upon the superintendent of education of the county in which such vacant assembly districts are situated.

Students from each assembly district.

Students may be received on vacant scholarships.

3. Said students shall be selected as follows: a competitive examination under the direction of the city superintendents and the county superintendent of education in each county, shall be held at the county courthouse in each county of the state, upon the first Saturday in June in each year, and the necessary traveling expenses of said examiners, not otherwise provided for by law, on the approval of the president and secretary of the board of visitors of said state agricultural college, shall be paid by said state college; students who apply for examination shall be examined upon such subjects as may be designated by the faculty of said college, and the state board of education, and the said city and county superintendents shall report to the president of said

Examination for scholarships. Ibid., § 2.

college and the state superintendent of public instruction the names of all such students examined as in their opinion are suitably prepared to enter said college, with their estimate of the order of excellence in scholarship shown by said students at such preliminary examination; certificates of appointment to the state agricultural college shall be issued by the state superintendent of public instruction to all such students as are so found to be qualified to enter said college, and in case the vacant scholarships shall not be sufficient to receive all successful candidates, preference to appointing to vacant scholarships shall be given to successful candidates in the order of the excellence of their examination as certified by said superintendents, and in general the regulations and provisions governing the conduct of such examinations and the appointment of said students to scholarships shall be subject to the control of said board of visitors of said college.

Certificates, by whom issued.

Students appointed to hold state scholarships. Ibid., § 3.

Appropriation from income of state school funds.

Proviso.

President of college to certify number of students. Ibid., § 4.

4. Each student so appointed and admitted to said college shall be regarded as holding a state scholarship, and for each scholarship so held there shall be paid as herein-after provided, on the first day of November in each year, to the treasurer of said college, the same sum of money as the said college is entitled to receive for each scholarship established in said college under the existing state agricultural college fund; *provided*, that such payment shall be made only out of the income of the fund for the support of public free schools remaining after appropriations heretofore made payable out of said income are met.

5. In order to ascertain the number of scholarships for which payment shall be made as aforesaid, the president of said college shall, in the month of October, in each year, make his certificate in writing, setting forth the names of the students so as aforesaid appointed and then in attendance at said college, the assembly districts from which they were appointed and the classes in college in which they belong, or the special courses of study which they are pursuing, which certificate, when approved by the president of the board of visitors of the state agricultural college, shall be plenary evidence of the number of

scholarships for which payment shall be made, and on filing the same with the comptroller of the state he shall draw his warrant upon the treasurer of the school fund for the sum of money to which the said college may accordingly be entitled, and the said treasurer shall thereupon pay the same as aforesaid.

Certificate filed  
with state  
comptroller.

Extract from an act entitled "An act concerning disorderly persons" [Revision of 1875].

7. Any person who shall enter the buildings or go upon the lands belonging to any public school district of this state, or used and occupied for school purposes by any public school in this state, and shall break, injure or deface such building or any part thereof, or the fences or outhouses belonging to or connected with such building or lands, or shall disturb the exercises of such public school, or molest or give annoyance to the children attending such school, or any teacher therein, shall be deemed and adjudged to be a disorderly person, and may be apprehended in the manner hereafter prescribed in this act, and taken before any justice of the peace of the county where such person may be apprehended; and it shall be the duty of the said justice to commit such disorderly person, when convicted before him by the confession of the offender, or by the oath or affirmation of one or more witness or witnesses, to the county jail of such county, there to be kept at hard labor for any term not exceeding thirty days.

Injury to  
school property  
or disturbing  
schools.

Penalty.

Extracts from an act entitled "An act for the punishment of crimes" [Revision of 1898].

28. Any member or officer of any state, county or city government, or any member of any public board, association or commission, who shall hereafter solicit or receive, either directly or indirectly, any money or valuable thing, reward or commission for his vote in the appointment or selection of any person or persons to any position in any

Penalty for  
bribery.

department of any public body aforesaid, shall be guilty of a misdemeanor, and shall be punished accordingly, and be forever thereafter disqualified from holding any office of profit, trust or emolument in this state.

Penalty for officers having an interest in furnishing supplies.

29. Any employe or person having the whole or partial control or management of any institution, the moneys for the support of which are drawn in whole or in part from the treasury of the state or of any county or city thereof, shall be directly or indirectly interested in furnishing any goods, chattels, supplies or property of any kind whatsoever, to or for the use of any such institution, shall be guilty of a misdemeanor.

Penalty for bribery.

30. Any person who shall directly or indirectly give, or receive, or promise, contract or agree to give or receive, any sum or sums of money, or any goods, chattels, gift, lands or real estate, or any other thing, present or reward whatsoever, to secure or obtain, or to give out or grant the printing of blanks, notices, advertisements, or any other printing, or any other work or thing, connected with, or in or appertaining to, any office or department of the government of this state, or any office or department of the government of any county, city, town, township, borough or other place in this state, shall be guilty of a misdemeanor.

Penalty for exceeding appropriation.

31. Any board of chosen freeholders or any township committee, or any board of aldermen or common councilmen, or any board of education, or any board of commissioners of any county, township, city, town or borough in this state, or any committee of any such board or commission, which, or any member thereof who shall disburse, order or vote for the disbursement of public moneys, in excess of the appropriation respectively to any such board or committee, or which board or committee, or any member thereof, who shall incur obligations in excess of the appropriation and limit of expenditure provided by law for the purpose respectively of any such board or committee thus disbursing, ordering or voting for the disbursement and expenditure of public moneys, or thus incurring obligations in excess of the amount appropriated and limit of expenditure as now or hereafter appropri-

ated and limited by law, shall be jointly or severally guilty of a misdemeanor; *provided*, nothing herein shall prevent any board of education from keeping open the public schools. Proviso.

32. Any member of any board of chosen freeholders, or any township committee, or any board of aldermen or common council, or any board of education or school trustees in any city, or any board of commissioners of any county, township, city, town, borough or school district in this state, who shall be directly or indirectly concerned in any agreement or contract for the construction of any bridge or building of any kind whatsoever, or any improvement whatever to be constructed or made for the public use or at public expense, or shall be a party to any contract or agreement, either as principal or surety, between the county, township, city, town, borough or school district, as the case may be, and any other party, or shall be directly or indirectly interested in furnishing any goods, chattels, supplies or property of any kind whatsoever, to or for the county, township, city, town, borough or school district, the contract or agreement for which is made, or the expense or consideration of which is paid, by the board, council or committee of which such member is a part, shall be guilty of a misdemeanor. Penalty for public officer being concerned in any public contract.

33. When bids or proposals for supplies or for public works or buildings or other public purposes are asked for by boards of managers having charge of any of the public institutions of this state, or by boards of freeholders, common councils, boards of works or other bodies having control of the counties, cities or other municipal bodies of this state or any department of the same, or any committees representing such boards or bodies, such boards or bodies or committees shall proceed in the manner following, to wit: said boards or governing bodies or committees shall give public notice at the time such bids or proposals are advertised, of the time and place when such bids or proposals shall be received, and at such time and place the said board or governing body or committee, being in session, shall receive such bids, and thereupon immediately proceed to unseal the same and publicly Manner of advertising and receiving proposals.

announce the contents in the presence of the parties bidding or their agents, providing said parties or agents choose to be then and there present, and also make proper record of the prices and terms upon the minutes of the body; no bids shall be received previous to the hour designated in the public notice, and none shall be received thereafter; and any failure to comply with the provisions hereof shall be a misdemeanor.

An Act for the creation of a state board of children's guardians, and for defining their duties and powers with respect to the maintenance, care and general supervision over indigent, helpless, dependent, abandoned, friendless and poor children now or hereafter to become public charges of this state, approved March twenty-fourth, one thousand eight hundred and ninety-nine.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

State board  
of children's  
guardians; ap-  
pointment and  
term.

1. There shall be appointed by the governor seven persons, two of whom shall be women, who shall be known as the state board of children's guardians, two of whom shall hold office for two years, two for four years and three for six years, as shall be indicated by the governor on making their appointment, and thereafter all appointments, except to fill vacancies in the said board, shall be for six years, and shall be made by the governor; said board shall receive no compensation for their time or services but the actual and necessary expenses of each of them while engaged in the performance of the duties of his or her office.

Expenses met.

Vacancies.

2. In case of the death or resignation of any member, or in case any member ceases to be a resident or citizen of this state, it shall be the duty of the governor to fill such vacancy for the unexpired term only, and any member may be removed by the governor for cause.

Power and  
duty of board.

3. Said board of children's guardians shall have and it is hereby vested with power to adopt a seal and

reasonable rules and regulations; said board of children's guardians shall have the care of and maintain a general supervision over all indigent, helpless, dependent, abandoned, friendless and poor children who may now be or who may hereafter become public charges; and said board shall have the care of and maintain supervision over all children adjudged public charges, who may now be in the charge, custody and control of any county asylum, county home, almshouse, poorhouse, charitable institution, home or family to which such child or children may be or have been committed, confined, adopted, apprenticed, indentured or bound out; said board shall have and is hereby vested with power to appoint such agents, one being a woman, and other subordinate officers as it may deem necessary; said board shall fix their compensation, subject to the approval of the governor, and the amount paid for compensation of such agents and other officers shall not exceed the sum appropriated by the legislature for the purpose.

4. It shall be the duty of the state board of children's guardians, upon receiving notice of the commitment of the child as a public charge, to place such child in the care of some family within this state, with or without the payment of board, and with or without indenture; and it shall further be the duty of such state board of children's guardians to place such child in the care of a family of the religious faith of the parent or parents of such child, and during the period in which the state board of children's guardians is seeking such family for such child, and until such family is secured as hereinbefore provided, it shall be the duty of the state board of children's guardians to place such child in the custody and care of an institution in this state for the care of children; *provided*, that the institution in which the child is placed shall be one maintained for children of the religious faith of the parent or parents of such child when such an institution exists therein; in case no institution of such religious faith exists in this state, then the said board of children's guardians shall use its discretion in providing an institution for the care of such child until

Further duty.  
Chap. 84.  
P. L. 1900, § 1.

Proviso.

**Proviso.** a family has been secured; *provided*, that nothing in this act contained shall be construed as giving such state board any control over or supervision of any child heretofore or hereafter placed in or bound out by any home or institution created under the laws of this state, and supported or maintained without assistance from the state or any municipality thereof, or of any child heretofore or hereafter duly committed to a duly incorporated charitable institution in this state by virtue of an act approved March twenty-fifth, anno domini one thousand eight hundred and eighty-one, entitled "A supplement to an act entitled 'An act for the settlement and relief of the poor' [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four."

**Visitations.** 5. It shall be the duty of the state board of children's guardians to visit, by its agent or agents, quarterly, all children who may be committed under this act, and also any home, asylum, institution or private family where any such child or children may be placed; said board shall report from time to time to the governor, and make a yearly report to the governor and legislature of the state, showing in detail the work of said board for that time.

**Funds provided by chosen freeholders.** 6. The county board of chosen freeholders of the respective counties of this state shall annually hereafter provide sufficient funds for the objects of this act in their respective counties for the support, care and education and maintenance of any child or children adjudged to be a public charge, and who shall become thereby wards of the state board of children's guardians; said sum shall not be less than one dollar and fifty cents per week for each child.

**Provision for expenses in annual budget.** 7. It shall be the duty of the proper officers in any county, township, borough, city, or other municipality in any county in the state having jurisdiction to provide in their annual budget for the expense of maintaining such children as aforesaid; said sum not to be less than one dollar and fifty cents per week for each child.

**Duty of overseer of poor.** 8. It shall be the duty of every overseer of the poor or other officer in any county, city, township, borough or

other municipality in any county in the state having jurisdiction and power to do so, to commit such child or children to the care of the keeper of the almshouse, or such other institution where he would commit such child or children, for the term of thirty days after the date of such commitment; thereupon he shall forthwith give a written notice of such commitment to the state board of children's guardians, which notice shall contain a description of such child, or children, embracing its or their name, age, sex, religion, faith of its or their parent or parents, date of commitment and such other information as such officer has been able to ascertain; upon such commitment being made by such officer as aforesaid, such child or children shall immediately become the ward or wards of the state board of children's guardians.

Wards of state guardians.

9. It shall be the duty of the state board of children's guardians, upon receipt of the notice of the commitment of any child as hereinbefore provided, to place such child or children in the manner hereinbefore provided as soon as possible thereafter; and in no case shall said child or children who may hereafter be committed as public charges, who may be over the age of twelve months, be confined in such almshouse for a longer period than thirty days, and the keeper of such almshouse shall surrender such child or children to the care and custody of the state board of children's guardians at any time within thirty days, when surrender is demanded.

Children placed as soon as possible.

10. The state board of children's guardians may, in its discretion, return any child or children becoming wards of said state board to the parent or parents or other relative agreeing to assume the care and maintenance of such child or children or of sufficient ability to do so.

Return children to parents.

11. The state board of children's guardians may, in their discretion, for the purpose of effective organization, require the continuance of children in almshouses or other places where such children may be kept for a period not longer than six months after the passage of this act.

Until effective organization is completed.

Remain as  
guardians.

12. The state board of children's guardians shall remain the guardian of all children indentured, bound out or put forth, who may now be or may hereafter become public charges.

Act, how con-  
strued.

13. This act shall be construed liberally and for the benefit of any child or children so becoming ward or wards of such state board of children's guardians as aforesaid.

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Rules and Regulations

PRESCRIBED BY THE

State Board of Education.

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# RULES AND REGULATIONS.

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## TEACHERS' CERTIFICATES.

### I. RULES RELATING TO ALL CERTIFICATES.

1. No person shall be employed as a teacher by any board of education unless he shall hold a certificate in full force and effect in this State at the time he shall begin teaching under a contract entered into between a board of education and such teacher. Any person accepting a position as teacher in any school shall, before entering upon the duties of such position, exhibit his certificate to the county or District Superintendent of Schools of the county or district in which such school shall be situate.

2. The District Clerk of the Board of Education of each school district situate in a township, incorporated town or borough shall, within ten days after a contract with a teacher shall have been made, forward to the County Superintendent of Schools a copy of such contract if the same shall be in writing, but if such contract shall have been made under rules adopted by the board of education, said district clerk shall report to the County Superintendent of Schools the name of such teacher, the time for which he shall have been employed, the amount of salary and the kind, grade and date of his certificate. The County Superintendent of Schools shall file such contracts and reports, and keep an accurate record thereof.

3. Each board of education which shall adopt rules governing the employment of teachers in accordance with the provisions of section 100 of the School law, shall file a copy of such rules with the County Superintendent of Schools.

4. Any person may, between the dates of the regular examinations, at the discretion of the State Board of Examiners or of the County or the District Board of Examiners of the county or district in which the school he intends to teach shall be situate, be granted a provisional certificate good in the subjects to be taught until the next regular examination. A provisional certificate shall not be renewed or extended.

5. Each applicant for a teacher's certificate shall file testimonials as to his moral character and scholarship, and in case of previous experience, testimonials as to his success in teaching; and shall present a written statement as to the places in which he shall have taught, and the term of service in each. No certificate shall be issued until the applicant therefor shall have filed such testimonials and statement.

6. No certificate shall be issued to any person whose percentage in any subject covered by the examination shall fall below 70.

7. Any board of examiners may accept any certificate of any grade in full force and effect, or which shall have been in full force and effect in this State within one year next preceding the date of the examination, in lieu of an examination in the academic subjects covered by said certificate; *provided*, said certificate shall show a general average of not less than 75 per cent.

8. The State Board of Examiners may, subject to appeal to the State Board of Education, revoke for cause any certificate granted by any board of examiners.

9. Any County or District Board of Examiners may, subject to appeal, revoke any certificate granted by it.

10. Each board of examiners shall keep a list of all certificates issued by it, together with the names and addresses of the teachers to whom they shall have been issued, and shall transmit to the State Superintendent of Public Instruction within thirty days after each regular or special examination a copy of such list, which list shall be printed in the annual report of that officer.

11. In any examination for a teacher's certificate the diploma of a university or college authorized to confer degrees may be accepted in lieu of an examination in the subjects prescribed for such examination; *provided*, that the course of study covered by said diploma shall include said prescribed subjects or their equivalent, and shall not have been pursued through correspondence. The State Board of Examiners may, in lieu of an examination in any subject or subjects, accept such credentials as it may deem conclusive evidence of scholarship and professional qualification; *provided*, such action shall not be inconsistent with the provisions of Rule 14.

12. Special certificates may be granted to kindergartners, and to teachers of physical training, music, drawing, manual training, ancient languages, modern languages and commercial branches.

## II. STATE CERTIFICATES.

13. The State Board of Examiners shall grant first, second and third-grade State certificates, and special State certificates for the subjects authorized under Rule 12.

14. The State Board of Examiners may grant a second-grade State certificate, valid for two years, to the holder of a diploma of any normal school or teachers' college, or a permanent certificate to teach in another State and valid as a State certificate therein, when the course of study of such normal school or teachers' college or the requirements for such certificate shall be, in the judgment of said board, equivalent to those required for a State certificate to teach in this State; *provided*, that such other State shall grant reciprocal privileges to those holding similar diplomas or certificates issued in this State. After the expiration of said two years, the said normal diploma, teachers' college diploma, or permanent State certificate, in virtue of which the aforesaid second-grade State certificate was issued, may be indorsed by the State Board of Examiners; *provided*, the holder thereof shall have taught not less than two years in this State, shall have given satisfactory evidence of efficiency and success as a teacher and shall file approved testimonials. When so indorsed such diploma or certificate shall have the same force and effect as if issued in this State. Normal diplomas, issued in States not having a State system of certification, and which are, therefore, unable to grant said reciprocal privileges, may be indorsed as hereinabove provided.

15. There shall be two examinations for State certificates each year. Said examinations shall be held in the State House, at Trenton, on the first Thursday, Friday and Saturday of June and December respectively, and the questions used shall be approved by each member of the board of examiners. The subjects shall be assigned in the following order:

Thursday—(1) Geometry, (2) Literature, (3) Chemistry, (4) Botany.

Friday—(1) Drawing, (2) Psychology, (3) School Law, (4) Manual Training, (5) Principles and Practice of the Kindergarten, (6) Music, (7) Ancient and Modern Languages, (8) Bookkeeping, (9) Commercial Arithmetic.

Saturday—(1) Physical Training, (2) Theory and Practice of Teaching, (3) History of Education, (4) Science of Education, (5) Stenography, (6) Business Practice.

16. An applicant for a third-grade State certificate shall be not less than twenty years of age, and shall not be required to have had previous experience in teaching. The examination shall be the same as that required for a first-grade county certificate, and, in addition thereto, Psychology, Plane and Solid Geometry, Literature, Botany and Free-hand Drawing, or in lieu of one or more of said subjects, such other subject or subjects as the State Board of Examiners shall regard as the equivalent thereof. This certificate shall remain in force for seven years from its date, and shall be valid as a license to teach in any school in the State. It may be renewed without re-examination. (See Rule 19.)

17. An applicant for a second-grade State certificate shall be not less than twenty-one years of age, with an experience in teaching of not less than two years. The examination shall be the same as that required for the third-grade State certificate, and, in addition thereto, Chemistry, Science of Education, Manual Training and Physical Training, or in lieu of one or more of the said subjects, such other subject or subjects as the State Board of Examiners shall regard as the equivalent thereof. This certificate shall remain in force for ten years from its date, and shall be valid as a license to teach in any school in the State. It may be renewed without re-examination. This shall be the highest grade certificate issued for class teaching as distinguished from supervision. (See Rule 19.)

18. An applicant for a first-grade State certificate shall be not less than twenty-five years of age, with an experience in teaching of not less than five years, and shall present satisfactory evidence of efficiency and success as a superintendent, supervising principal, principal of a graded school employing not less than five assistant teachers, or in such other capacity as the State Board of Examiners shall regard as the equivalent thereof. The examination shall be the same as for the second-grade State certificate. The first-grade State certificate shall remain in force during the life of the holder, and shall be valid as a license to teach in any public school in the State. (See Rule 19.)

19. Any person desiring to take an examination in any subject or subjects in lieu of those specified, shall make application

therefor, addressed to the Secretary of the State Board of Examiners, Trenton, N. J., at least four weeks prior to the date of the examination.

20. Graduates of the State Normal School who shall have completed the post-graduate course shall be granted Normal School life certificates. Graduates who shall have completed the three-years' course shall be granted Normal School certificates which shall remain in force for ten years from the date thereof. Graduates of the three-years' course, with an experience in teaching of not less than two years after graduation, may be granted Normal School life certificates upon presenting to the State Board of Examiners satisfactory evidence of their success as teachers. Normal School certificates shall be valid as licenses to teach in any public school in the State.

21. A graduate of the former elementary course of the State Normal School may be granted a Normal life certificate upon passing an examination in Physics, Chemistry, Literature, Geometry, History of Education, Science of Education and School Law of New Jersey, or in lieu of one or more of said subjects, such other subject or subjects as the State Board of Examiners shall regard as the equivalent thereof. (See Rule 19.)

22. A special kindergarten State certificate, or a State certificate to teach ancient languages or modern languages, may be granted to any person holding a diploma from a high school, or any form of teacher's certificate, other than special, which shall be valid in New Jersey, or which shall have been in full force and effect in this State within one year next preceding the date of the examination, on passing an examination in History of Education, Psychology, Theory and Practice of Teaching, School Law of New Jersey and the special subject to be taught, and, in addition thereto, for a kindergarten certificate, an examination in Drawing. A special State certificate to teach Drawing, Manual Training, Physical Training or Music, may be granted to any person on passing an examination in Psychology, History of Education, School Law of New Jersey and the special subject to be taught, and, in addition thereto, for a certificate to teach Drawing, an examination in Plane Geometry. A special State certificate to teach commerical branches may be granted to any person on passing an examination in Psychology, School Law of New Jersey, Bookkeeping, Commercial Arithmetic, Stenography, Theory and

Practice of Teaching, History of Education and Business Practice. All special State certificates shall be valid for a term of five years from their date, and may be renewed without re-examination.

### III. COUNTY CERTIFICATES.

23. Each County Board of Examiners shall grant first, second and third-grade county certificates and special county certificates for the subjects authorized under Rule 12.

24. There shall be three examinations for county certificates each year, at such place or places in the county as shall be designated by the County Superintendent. Said examinations shall be held on the first Friday and Saturday in October, February and May respectively; *provided*, that when any of these days shall fall upon a legal holiday the examination shall be postponed one week; *provided further*, that the County Superintendent may designate some other day than Saturday as a regular day for examinations without charge to applicants. The subjects shall be assigned in the following order:

Friday—(1) Penmanship, (2) Orthography, (3) Arithmetic, (4) Geography, (5) Grammar, (6) Reading.

Saturday—*Third Grade*—(1) Theory and Practice of Teaching, (2) School Law of New Jersey, (3) Temperance Physiology, (4) United States History, (5) Elementary Civics, (6) Elementary Composition.

*Second Grade*—(1) Theory and Practice of Teaching, (2) School Law of New Jersey, (3) History of Education, (4) Physiology, (5) Composition, (6) Bookkeeping, (7) Elementary Algebra.

*First Grade*—(1) Theory and Practice of Teaching, (2) School Law of New Jersey, (3) History of Education, (4) Algebra, (5) Civics, (6) Physics, (7) General History, (8) Plane Geometry.

*Special Certificates*—Saturday—(1) Theory and Practice of Teaching, (2) School Law of New Jersey, (3) Kindergarten, (4) Drawing, (5) Manual Training, (6) Physical Training, (7) Music, (8) Ancient Languages, (9) Modern Languages, (10) Inventive Geometry.

25. If an applicant shall fail to complete at one session of the board of examiners all the subjects required to secure a certificate,

the remaining subject or subjects may be taken at a subsequent examination.

26. Any teacher holding a certificate in full force and effect may attend not more than two subsequent examinations for the purpose of improving his general average or his percentage in any subject or subjects. Any improvement shall be recorded on the original certificate but shall not prolong the term for which it shall have been issued.

27. All county certificates shall bear date of the first day of the month next succeeding the examination, and all certificates now in force shall remain in force until the first day of the month next succeeding the date of the expiration of the term for which they shall have been issued.

28. For the purpose of classification an ungraded school shall be one in which but a single teacher is employed; a graded school shall be one which is divided into at least two departments; a primary school or primary department shall be one having the first four years of the usual school curriculum consisting of subjects similar to those prescribed for the primary department of the State Model School; a grammar school or grammar department shall be one having the second four years of the usual school curriculum consisting of subjects similar to those prescribed for the grammar department of the State Model School; a high school or high school department shall be one having the third four years of the usual school curriculum consisting of subjects similar to those prescribed for the high school department of the State Model School.

29. An applicant for a third-grade county certificate shall be not less than eighteen years of age, and shall not be required to have had previous experience in teaching. Said applicant shall be examined in Orthography, Reading, Penmanship, Geography, Arithmetic, English Grammar, Elementary Composition, United States History, Elementary Civics, Temperance Physiology and the Theory and Practice of Teaching. The third-grade county certificate shall continue in force for two years from its date, and shall be valid as a license to teach in any ungraded school or primary department in the county in which it shall be issued. Said certificate may be given two renewals; *provided*, it shall show a general average of not less than 75 per cent., and the holder thereof shall pass on each renewal an examination in

Theory and Practice of Teaching and School Law of New Jersey. The third-grade county certificate shall not be issued to the same person more than three times unless he shall secure the professional certificate. (See Rule 36.)

30. An applicant for the second-grade county certificate shall be not less than nineteen years of age, with an experience in teaching of not less than one year. The examination shall be the same as that required for the third-grade county certificate, and, in addition thereto, Composition, Physiology, Elementary Algebra, School Law of New Jersey and Bookkeeping. Said certificate shall continue in force for three years from its date, and shall be valid as a license to teach in any ungraded school or primary or grammar department in the county in which it shall be issued. The second-grade county certificate may be renewed; *provided*, it shall show a general average of not less than 75 per cent., and the holder thereof shall pass on each renewal an examination in Theory and Practice of Teaching and History of Education.

31. An applicant for the first-grade county certificate shall be not less than twenty years of age, with an experience in teaching of not less than two years. The examination shall be the same as that required for the second-grade county certificate, and, in addition thereto, Algebra, Plane Geometry, Physics, General History, History of Education and Civics, or in lieu of one or more of said subjects, such other subject or subjects as the State Superintendent of Public Instruction shall regard as the equivalent thereof. Said certificate shall continue in force for five years from its date, and shall be valid as a license to teach in any school or department in the county in which it shall be issued. The first-grade county certificate may be renewed in the county in which it shall have been issued without re-examination; *provided*, it shall show a general average of not less than 75 per cent. (See Rule 32.)

32. Any person desiring to take an examination in any subject or subjects in lieu of those specified for a first-grade county certificate, shall make application therefor to the State Superintendent of Public Instruction at least four weeks prior to the date of the examination.

33. Upon each county certificate shall be written the percentage in each subject and the general average, each marked upon a scale of 100.

34. When a County Superintendent of Schools shall ascertain that any teacher is, through aptitude and acquirement, especially qualified to give instruction in particular branches or departments, he shall record the fact on such teacher's certificate.

35. A special kindergarten county certificate, or a county certificate to teach ancient languages or modern languages, may be granted to any person holding a diploma from a high school or any form of teacher's certificate, other than special, which shall be valid in New Jersey, or which shall have been in full force and effect in this State within one year next preceding the date of the examination, on passing a satisfactory examination in Theory and Practice of Teaching, School Law of New Jersey and the special subject to be taught, and, in addition thereto, for a kindergarten certificate, an examination in Drawing. A special certificate to teach Manual Training, Physical Training, Drawing or Music, may be granted to any person passing an examination in School Law of New Jersey and the special subject to be taught, and, in addition thereto, for a certificate to teach Drawing, an examination in Concrete or Inventional Geometry. A special certificate to teach commercial branches may be granted to any person passing an examination in School Law of New Jersey, Bookkeeping, Commercial Arithmetic, Stenography, Theory and Practice of Teaching and Business Practice. All special county certificates shall be valid for a term of three years from their date, and may be renewed without re-examination.

36. A professional certificate for each grade may be issued to a teacher whose percentage in any subject shall be not less than 75, whose general average in all the subjects shall be not less than 85, and who shall have completed the prescribed course of professional reading; *provided*, said teacher, in the judgment of the County Board of Examiners, shall possess exceptional skill in the organization, management and advancement of a school. A County Board of Examiners must exercise due caution and discretion in the issue of professional certificates. A professional certificate shall be granted only after a careful personal supervision and inspection of school work, and must have the approval of the State Superintendent of Public Instruction. A professional certificate may be accepted by any board of examiners in lieu of an examination in any of the subjects covered by said certificate.

## IV. CITY CERTIFICATES.

37. Each City Board of Examiners shall grant certificates of such grades as shall be prescribed by the City Board of Education, and shall also grant special certificates for the subjects authorized under Rule 12. A copy of the rules governing examinations shall be filed in the office of the State Board of Education.

38. The requirements for the several grades of certificates granted by a City Board of Examiners under the provisions of section 32 of the School law, shall be not less than those prescribed by these Rules and Regulations for the corresponding grades of county certificates. If a City Board of Examiners shall grant but two grades of certificates, other than special, the requirements for the two grades shall be not less than the requirements prescribed for the three grades of county certificates, but the subjects required shall be apportioned between said grades by the City Board of Examiners. Nothing in this rule shall be construed as prohibiting a City Board of Examiners from requiring other and additional qualifications than those prescribed by this rule.

39. If any City Board of Examiners shall hold regular examinations on the dates fixed by these Rules and Regulations for holding the county examinations, and shall use the questions and the system prescribed for county examinations, the certificates granted by such City Board of Examiners may be accepted by the State Board of Examiners and by any County Board of Examiners on the same terms as said boards of examiners are authorized to accept county certificates.

40. The board of education in each city school district having a normal or training school or a normal or training department, shall submit to the State Board of Education for its approval the course of study pursued in such normal or training school or normal or training department, and shall also submit for approval all changes or amendments thereof as shall be made after such course of study shall have been approved as aforesaid.

41. All diplomas or certificates granted to graduates of a normal or training school or a normal or training department shall be valid as certificates to teach in the district in which such normal or training school or normal or training department shall be

situate; *provided*, the course of study pursued by the persons to whom such diplomas or certificates shall be granted shall have been approved by the State Board of Education.

#### V. COUNTY SUPERINTENDENTS.

42. Each County Superintendent shall visit the schools in his county as often as may be necessary; *provided*, that he shall visit every school under his jurisdiction at least once in each year; *provided further*, that the total number of visits made during the year shall equal at least twice the number of schools under his jurisdiction, the additional visits to be made to such schools as, in his judgment, most need his encouragement and advice. At such visits he shall inquire into the management, methods of instruction and discipline in such schools; note the condition of the school-houses, sites, buildings and appurtenances, examine the course of study, text-books and school libraries, and recommend to and counsel teachers as to proper studies, methods, discipline and management for the schools.

43. The County Superintendent shall distribute promptly all documents, forms, laws, circulars and instructions which he may receive from the State Superintendent or the State Board of Education.

44. The County Superintendent shall see that the decisions of the State Superintendent and the State Board of Education, upon controversies arising under the School laws of the State or under the rules and regulations prescribed by the State Board of Education are obeyed; and in case such decisions are not obeyed he shall so inform the State Superintendent and state the circumstances.

45. The County Superintendent shall preserve carefully all reports of school officers and teachers, and all examination papers of teachers examined by the County Board of Examiners, and at the close of his official term shall deliver to his successor all records, books, documents, papers and property belonging to the office.

46. The County Superintendent shall not be agent for or be in any way pecuniarily or beneficially interested in the sale to the board of education of any school district under his supervision of any text-books, maps, charts, school apparatus or supplies of any

kind, or receive compensation or reward of any kind for any such sale or for unlawfully promoting or favoring the same. Any County Superintendent who shall violate this provision shall be subject to removal from office.

47. The County Superintendent shall meet each board of education in his county at least twice each year, at such times and places as he may appoint.

48. The County Superintendent shall, in the manner now provided by law, and subject to the approval of the State Superintendent, prepare and establish a uniform course of study and a standard of graduation in the schools under his supervision.

49. The County Superintendent shall, by such means as he shall deem most practicable, establish a County Pedagogical Library, and shall, subject to the approval of the State Superintendent, designate courses of pedagogical reading.

50. The State Superintendent shall furnish blank diplomas to be awarded by County Superintendents to all pupils who shall successfully complete the prescribed course of study; also diplomas suitable to be granted to such teachers as shall prove that they have intelligently completed the courses of professional reading prescribed for their respective grades.

51. The Committee on Education shall, subject to the approval of the State Board of Education, prepare rules for the examination of applicants for the position of County Superintendent; shall conduct such examinations and shall report its findings to said board at its regular meeting in October.

#### TEACHERS' INSTITUTES.

52. The State Superintendent shall secure instructors, prepare programs and provide a county institute for each county of the State, but shall hold joint institutes wherever practicable. General sessions of such institutes may, if deemed advisable, be held during each forenoon, but the afternoon session shall be divided into either two or three departments, in which the instruction given shall be adapted to the several grades of teachers in attendance.

53. No public school in the State shall be in session, or shall be deemed to be in session, during the period the institute for the county in which it is situate shall be held.

54. All teachers shall attend the annual institute held for the county in which they are teaching; and no deduction shall be made from the salary of any teacher for the time he shall be in attendance upon said institute.

55. The State Superintendent shall pay all expenses incurred in connection with each county institute, but only upon the presentation of itemized and certified bills, and shall render to the State Board of Education both an itemized and a summarized account of the amount expended, accompanied with appropriate vouchers.

56. The County Superintendent shall make all necessary local arrangements for the county institute, shall preside at the same, shall render an exact statement to employing boards as to the time each teacher in the county has been in attendance at said institute, and no teacher shall be paid for time not in actual attendance at the said institute, except upon the presentation of a written excuse from the county superintendent.

#### TEACHERS.

57. The order or warrant for the balance of salary due any teacher at the time of closing the school for the summer vacation shall not be delivered to such teacher until the district clerk or other officer authorized to deliver such order or warrant shall have received written notice from the State Superintendent of Public Instruction that such teacher has filed his or her register and report of attendance with him; *provided*, that in any school in which more than one teacher shall be employed, the principal thereof shall file the registers and reports; *and provided further*, that in any district having a superintendent or a supervising principal the filing of the registers and reports with such superintendent or supervising principal shall be deemed to be a compliance with the provisions of this rule, and said superintendent or supervising principal shall forward the registers and reports to the State Superintendent.

## SCHOOL ATTENDANCE.

58. For the purpose of apportionment a day shall consist of not less than four hours of actual school work, except in kindergartens one continuous session of two and one-half hours may be considered a day. Night school sessions shall be reckoned as half days.

59. The mere presence of a pupil at roll call will not be considered as sufficient attendance to be a compliance with the intent of the law. A pupil must be present at least one hour during any forenoon, afternoon or evening session in order to be recorded present.

60. No attendance is to be marked in the register for the days during which the school shall be closed, but a report shall be made to the State Superintendent at the end of the year stating in detail the days on which the schools were closed and the reasons therefor. The attendance for days when the school shall have been closed for good cause will be computed by said State Superintendent, and all that the teacher is required to do is to note in the register on each day the school shall be closed, the reasons why a session of the school was not held.

61. Whenever a dwelling shall be quarantined by order of the board of health, notice shall be sent to the State Superintendent of Public Instruction of the date when the quarantine went into effect and the date when it was raised, with a certificate from the Board of Health stating the reasons for the quarantine. Children residing in the building quarantined, who shall be actually on roll in the school at the time the building shall be quarantined, excepting children who are ill, shall be counted as present during the time the building shall be quarantined. The allowance for attendance lost by pupils quarantined will be added to the total attendance of the district by the State Superintendent of Public Instruction at the end of the school year. The State Superintendent of Public Instruction shall prepare and distribute blank forms for carrying this rule into effect, and the notice provided for in this rule shall be forwarded on said forms as soon as possible after said quarantine shall be raised.

## SCHOOL LIBRARIES.

62. In each city school district all selections of books of reference, books for school libraries, school apparatus and educational works of art, purchased in part by State funds, shall be approved by a committee of five persons, consisting of the city superintendent of schools, if there be one, two principals of public schools in such city to be appointed by said city superintendent, and two residents of the city to be appointed by the Board of Education. If in any such city there shall be a public library, with a regularly appointed and qualified librarian who shall be able to serve, said librarian shall be a member of such committee, in which case the Board of Education shall appoint one resident of the city on such committee instead of two as is hereinbefore provided. In any city school district not having a city superintendent of schools, the county superintendent of schools of the county in which such city shall be situate, shall be a member of said committee, and shall appoint said principals.

63. In each township, incorporated town and borough school district, all selections of books of reference, books for school libraries, school apparatus and educational works of art, purchased in part by State funds, shall be approved by a committee consisting of the county superintendent of schools for the county in which such district shall be situate, the President of the Board of Education, the principal of the school for which the purchases shall be made, and the supervising principal of the district, if there be one.



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Blanks and Forms

For School Officers.

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## BLANKS AND FORMS FOR SCHOOL OFFICERS.

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The following Forms have been prepared for the use of all officers having duties to discharge under the School Law. Their use will secure uniformity and correctness in the transaction of financial and general school business. The literal use of these Forms is in no case essential to the validity of a school instrument. Any form may be used which clearly expresses the objects designed, or the intention of the parties interested, and conforms in all respects to the requirements of the law, but as those annexed have been prepared with strict reference to these necessary conditions, their use is recommended. The blank spaces are to be filled to meet the varying circumstances in each case. These Forms have been submitted to and approved by the State Board of Education.

CHARLES J. BAXTER,  
State Superintendent of Public Instruction.

## FORMS FOR COUNTY SUPERINTENDENTS.

### I. (Form No. 15.)—Transfer Certificate.

Transfer Certificate No. .... County.

This is to certify that....., residing in the School District of ....., County of....., has received the consent of the County Superintendent to attend the Public Schools in the School District of....., County of.....

Dated....., 190..

.....  
*County Superintendent.*

One copy should be filed with the clerk of the school district in which the pupil attends school, and one copy with the clerk of the school district in which said pupil resides. When the districts are in adjoining counties, the certificate must be signed by the County Superintendent of each county.

### II. (Form No. 21.)—Notice of Institute.

....., N. J., ....., 190..

The Teachers' Institute for.....County will be held at....., beginning....., 190., and closing....., 190..

.....  
*County Superintendent.*

RULE PRESCRIBED BY THE STATE BOARD OF EDUCATION.—“All teachers shall attend the annual institute, held for the county in which they are teaching, and no deduction shall be made from the salary of any teacher for the time he shall be in attendance upon said institute.”

III. (Form No. 22.)—Certificate of Teacher's Attendance at Institute.

....., N. J., ....., 190..

To the Board of Education of the School District of.....:

I hereby certify that.....has been in attendance at the Annual Institute of the County, just closed, ..... days.

.....  
 \_\_\_\_\_  
*County Superintendent.*

IV. (Form No. 38.)—Notice of Meeting for Examination of Teachers.

Notice is hereby given that there will be a meeting of the County Board of Examiners of.....County, for the examination of candidates for teachers' certificates at ....., on....., the.....instant. Each applicant for a certificate should be present as early as.....o'clock A. M.

.....  
 \_\_\_\_\_  
*County Superintendent.*

....., 190..

The questions will be given in the following order:

Friday—(1) Penmanship, (2) Orthography, (3) Arithmetic, (4) Geography, (5) Grammar, (6) Reading.

Saturday—*Third Grade.*—(1) Theory and Practice of Teaching, (2) School Law of New Jersey, (3) Temperance Physiology, (4) United States History, (5) Elementary Civics, (6) Elementary Composition.

*Second Grade.*—(1) Theory and Practice of Teaching, (2) School Law of New Jersey, (3) History of Education, (4) Physiology, (5) Composition, (6) Bookkeeping, (7) Elementary Algebra.

*First Grade.*—(1) Theory and Practice of Teaching, (2) School Law of New Jersey, (3) History of Education, (4) Algebra, (5) Civics, (6) Physics, (7) General History, (8) Plane Geometry.

*Special Certificates.*—(1) Theory and Practice of Teaching, (2) School Law of New Jersey, (3) Kindergarten, (4) Drawing, (5) Manual Training, (6) Physical Training, (7) Music, (8) Ancient Languages, (9) Modern Languages, (10) Intentional Geometry.

V. (Form No. 25.)—Statement of Expenses.

....., N. J., ....., 190..

To the State Board of Education:

I herewith submit a statement, by items, of the expenses I have incurred in the performance of my official duties as County Superintendent of.....County, for the three months ending....., 190..

OFFICE EXPENSES.

Postage,	.	.	.	.	.	.	.	.	.....
Expressage,	.	.	.	.	.	.	.	.	.....
Stationery,	.	.	.	.	.	.	.	.	.....
Printing,	.	.	.	.	.	.	.	.	.....

MISCELLANEOUS EXPENSES.

.	.	.	.	.	.	.	.	.	.....
.	.	.	.	.	.	.	.	.	.....

EXPENSES INCURRED IN VISITING SCHOOLS.

Date.....,	Schools.....,	.	.	.	.....
Date.....,	Schools.....,	.	.	.	.....

SUMMARY.

Office expenses,	.	.	.	.	.	.....
Miscellaneous expenses,	.	.	.	.	.	.....
Expenses incurred in visiting schools,	.	.	.	.	.	.....
Total,	.	.	.	.	.	.....
Total number of school-houses in the County,	.	.	.	.	.	.....
Total number visited during the three months ending						
....., 190..,	.	.	.	.	.	.....
Numbers of the schools not visited,	.	.	.	.	.	.....
Reasons why these schools were not visited,	.	.	.	.	.	.....

STATE OF NEW JERSEY, }  
 .....County, } ss.

On this.....day of....., 190.., before me personally appeared....., County Superintendent of.....County,

who, on his oath, saith that the within statement is true, and that, to the best of his knowledge and belief, he has, during the time for which this statement is made, faithfully performed all the duties imposed by the School Law and by the regulations of the State Board of Education.

Sworn and subscribed before me }  
this.....day of....., 190.. } .....

VI. (Form No. 26.)—Order on County Collector for the \$200,000 State School Fund Appropriation.

OFFICE OF COUNTY SUPERINTENDENT, }  
....., N. J., ....., 190.. }

To the Collector of.....County:

Pay to the order of the Custodian of School Moneys of the School District of....., .....dollars, being the amount apportioned for the support of Public Schools in said District, out of the State School Fund appropriation of \$200,000, for the School Year beginning July 1st, 190..

\$.....

.....  
*County Superintendent.*

VII. (Form No. 26A.)—Order on County Collector for the State Appropriation.

OFFICE OF COUNTY SUPERINTENDENT, }  
....., N. J., ....., 190.. }

To the Collector of.....County:

Pay to the order of the Custodian of School Moneys of the School District of....., .....dollars, being the amount apportioned for the support of Public Schools in said District, out of the State Appropriation, for the School Year beginning July 1st, 190.., in accordance with the provisions of section 172 of the School Law.

\$.....

.....  
*County Superintendent.*



VIII. (Form No. 27.)—Order on the County Collector for the State School Tax.

OFFICE OF COUNTY SUPERINTENDENT, }  
 ....., N. J., ....., 190.. }

To the Collector of.....County:

Pay to the order of the Custodian of School Moneys of the School District of....., .....dollars, being the amount apportioned out of the State School Tax for the support of Public Schools in said District, for the School Year beginning July 1st, 190..

\$.....

.....  
*County Superintendent.*

IX. (Form No. 28.)—Order on the County Collector for the Reserve Fund.

OFFICE OF COUNTY SUPERINTENDENT, }  
 ....., N. J., ....., 190.. }

To the Collector of.....County:

Pay to the order of the Custodian of School Moneys of the School District of....., .....dollars, being the amount apportioned out of the Reserve Fund for the support of Public Schools in said District, for the School Year beginning July 1st, 190..

\$.....

.....  
*County Superintendent.*

X. (Form No. 29.)—Order on the County Collector for the Interest of Surplus Revenue.

OFFICE OF COUNTY SUPERINTENDENT, }  
 ....., N. J., ....., 190.. }

To the Collector of.....County:

Pay to the order of the Custodian of School Moneys of the School District of....., .....dollars, being the amount apportioned out of the Interest of the Surplus Revenue for the

support of Public Schools in said District, for the School Year beginning July 1st, 190..

\$.....

.....  
*County Superintendent.*

**XI. (Form No. 30.)—Order on County Collector for Balances.**

OFFICE OF COUNTY SUPERINTENDENT, }  
....., N. J., ....., 190.. }

To the Collector of.....County:

Pay to the order of the Custodian of School Moneys of the School District of....., .....dollars, being the amount of balance of the State Appropriation reapportioned to said District for the support of Public Schools, for the School Year beginning July 1st, 190..

\$.....

.....  
*County Superintendent.*

**XII. (Form No. 31.)—Order on the County Collector for Examiner's Salary.**

No..... OFFICE OF COUNTY SUPERINTENDENT, }  
....., N. J., ....., 190.. }

To the Collector of.....County:

Pay to the order of....., County Examiner, ..... dollars, being the amount due him for services and traveling expenses at the....., 190.., session of the Board of County Examiners.

\$.....

.....  
*County Superintendent.*

**XIII. (Form No. 57.)—Notice to District Clerk that Teacher has filed Report.**

....., N. J., 190..

To.....District Clerk:

SIR—You are hereby notified that.....has filed..... annual report with me, as required by law.

.....  
*County Superintendent.*

**XIV. Notice to Teacher Revoking His Certificate.**

To .....

SIR—The certificate of qualification held by you as a Public School teacher in the County of....., issued on the..... day of....., 190., is hereby revoked, for the reason that [*here state reason why certificate is revoked*].

Dated this.....day of....., 190..

.....  
County Superintendent.

See Rules 8 and 9 of the State Board of Education.

**XV. Notice to District Clerk Informing Him of the Revocation of Teacher's Certificate.**

To....., District Clerk of the School District of....., of the County of.....:

SIR—You are hereby notified that on the.....day of....., 190., the certificate of qualification held by....., a teacher in your Township, was revoked for the reason that the said .....does not possess the requisite qualifications as a teacher in respect to [*moral character, learning or ability to teach, as the case may be*].

Dated this.....day of....., 190..

.....  
County Superintendent.

NOTE.—When a teacher's certificate is revoked, a notice similar to the above should also be sent to the Custodian of the School Moneys of the District in which the teacher has been engaged.

**XVI. Form of Certificate Condemning a School-House.**

This is to certify that I, the undersigned, have this day condemned Public School-house No....., in the School District of .....and County of....., as being, in its present condition, inadequate and unsuited to the number of pupils attending or desiring to attend said school. [*Here give reasons.*]

Dated this.....day of....., 190..

.....  
*County Superintendent.*

Approved this.....day of....., 190.., and this order shall take effect on the.....day of....., 190..

.....  
*State Superintendent Public Instruction.*

NOTE.—The original should be filed with the Custodian of School Moneys, a copy retained by the County Superintendent and a copy filed with the State Superintendent and with the District Clerk.

---

**XVII. Notice to the Custodian of School Moneys of Apportionment of Balances.**

OFFICE OF COUNTY SUPERINTENDENT, }  
....., N. J., ....., 190.. }

To the Custodian of School Moneys of the School District of  
.....:

The amount of balances of the State Appropriation due your School District, under section 178 of the School Law, is \$.....

.....  
*County Superintendent.*

---

**XVIII. Notice to District Clerk of Apportionment of Balances.**

OFFICE OF COUNTY SUPERINTENDENT, }  
....., N. J., ....., 190.. }

.....D. C., School District of.....:

I have this day apportioned to your District, from the balances of the State Appropriation, the sum of \$..... for the School Year beginning July 1st, 190..

.....  
*County Superintendent.*

**XIX. Appointment of a President or District Clerk.**

To .....

The office of President (or District Clerk) of the Board of Education of the School District of....., in the County of....., being vacant through failure of the Board of Education to elect according to law, you are hereby appointed to fill such vacancy until the next annual meeting for the election of members of the Board of Education in said district.

Dated this.....day of....., 190..

.....  
*County Superintendent.*

**XX. Notice to the Custodian of School Moneys, directing him to withhold School Moneys from a Teacher.**

To the Custodian of School Moneys of the School District of .....

SIR—You are hereby directed to withhold all further payment of salary to....., a teacher now employed in School No....., situated in your School District, said teacher not being in possession of a certificate [*or not having kept the School Register*], as is required by the School Law.

Dated this.....day of....., 190..

.....  
*County Superintendent.*

Approved this.....day of....., 190..

.....  
*State Superintendent of Public Instruction.*

See note to Form XVI.

**XXI. Notice to the Custodian of School Moneys, directing him to withhold School Moneys from a District.**

To the Custodian of School Moneys of the School District of .....

SIR—You are hereby directed to withhold [*here state the amount in words*] from the school moneys apportioned to your School District [*here state the reason why the money is withheld*].

Dated this.....day of....., 190..

.....

*County Superintendent.*

Approved this.....day of....., 190..

.....

*State Superintendent of Public Instruction.*

See note to Form XVI.

FORMS FOR CITY SUPERINTENDENTS.

XXII. (Form No. 33.)—Application for State Aid for School Library.

....., N. J., ....., 190..

To the State Superintendent of Public Instruction:

SIR—We, the undersigned, Superintendent and Secretary of the Board of Education of the School District of....., County of....., State of New Jersey, do hereby certify that there has been raised in our district the sum of.....dollars, for the purpose of establishing a school library in the School..... in said District, in accordance with the provisions of Article XXV., section 212, of the revised School Law, and we therefore request you to send to....., Custodian of School Moneys of said District, an order for the amount due from the State in accordance with the further provisions of said article.

.....  
*City Superintendent.*

.....  
*Secretary Board of Education.*

STATE OF NEW JERSEY, }  
 COUNTY OF..... } ss.

....., Superintendent of the School District....., in the County of....., being duly sworn, on his oath saith that the within statement is true.

.....

Sworn and subscribed before me this }  
 .....day of....., 190.. }  
 .....

XXIII. (Form No. 39.)—Teacher's Contract.

It is agreed between the Board of Education of.....in the County of.....and.....that said Board of Education has employed and does hereby engage and employ the said

.....to teach in the.....public school, under the control of said Board of Education, for the term of.....year.... from the.....day of....., 190., at the salary of \$..... to be paid in.....equal monthly installments; ..... that the said.....shall begin teaching on the.....day of....., 190.; that the said.....holds a valid..... grade.....certificate to teach now in full force and effect, or will procure such certificate before the date.....he shall begin teaching, and that the date when said certificate will expire is the.....day of....., 190..

It is hereby agreed that either of said parties to this contract may, at any time, terminate said contract and the employment aforesaid, by giving to the other party [*here insert length of time*] notice in writing of its election to so terminate the same.

The said.....hereby accepts the employment aforesaid and undertakes that.....he will faithfully do and perform .....duty under the employment aforesaid, and will observe and enforce the rules prescribed for the government of the School by the Board of Education and the Superintendent, or Principal, or Supervising Principal.

Dated this.....day of....., 190..

.....  
*President of the Board of Education  
of the School District of.....,  
County of.....*

.....,  
*Teacher.*

**XXIV. (Form No. 40.)—Application for State Aid for Manual Training.**

....., N. J., ....., 190..

To the State Superintendent of Public Instruction:

SIR—We hereby certify that for the School Year beginning July 1st, 190., there has been raised by.....in the School District of....., in the County of....., the sum of..... dollars, for the purpose of.....course of Manual Training pursued in the schools of said District, and that said amount has been appropriated for such purpose.

BLANKS AND FORMS

This application is made in accordance with the provisions of Article XXIV. of the revised School Law, and we therefore request you to draw an order in favor of....., Custodian of the School Moneys of said District, for the amount due from the State, in accordance with the further provisions of said article.

.....  
*President of the Board of Education  
of the School District of.....,  
County of.....*

Attest:

.....,  
*Secretary of the Board of Education.*

FORMS FOR DISTRICT CLERKS.

XXV. (Form No. 3.)—Notice for Annual Meeting for the Election of Members of the Board of Education.

Notice is hereby given to the legal voters of the School District of....., in the County of....., that the annual School meeting for the election of members of the Board of Education will be held at....., on Tuesday, the..... day of March, 190., at...o'clock..m.

The polls will remain open one hour, and as much longer as may be necessary to enable all the legal voters present to cast their ballots.

At said meeting will be submitted the question of voting a tax for the following purposes:..... The total amount thought necessary is \$.....

The following propositions will also be submitted:.....

Dated this.....day of March, 190..

..... District Clerk.

NOTE.—The above notice must be posted in at least seven public places in the district, one copy being posted on each school building at least ten days previous to the time of the meeting. The election must be held on the third Tuesday of March. Each item of business to be acted on must be particularly specified in the notice. See sections 84, 179 and 188.

XXVI. Notice for a Special District Meeting.

Notice is hereby given to the legal voters of the School District of....., in the County of....., that a special School meeting will be held at....., on the.....day of....., 190., at...o'clock in the .....noon, at which meeting will be submitted the following questions [here particularly specify each item of business to be acted upon].

Dated this.....day of....., 190..

..... President.

..... District Clerk.

**XXVII. Various Specifications of Business to be Transacted that may be inserted in any Notice for District Meeting, as they may be Needed.**

To authorize the board of education to purchase land and to erect and furnish a school-house thereon;

To authorize the board of education to repair, alter, enlarge or furnish a school-house already erected;

To raise money by district tax to pay the expenses of such erection, alteration or repair;

To authorize the board to borrow money to defray the expenses of such erection, alteration or repair, and to provide for the payment of the same by bonding the district;

To see if the district will vote a sufficient district tax to defray the current expenses of the schools during the ensuing year [current expenses include principals', teachers', janitors' and medical inspectors' salaries, fuel, text-books, school supplies, flags, transportation of pupils, tuition of pupils attending school in other districts with the consent of the board of education, school libraries, compensation of the district clerk, of the custodian of school moneys and of truant officers, truant schools, insurance and the incidental expenses of the schools];

To order a district tax for the payment of a debt of . . . . . dollars, now resting upon the school-house property;

To order the sale of the present school-house property, and to decide what disposition shall be made of the proceeds;

To authorize the board to condemn land for school purposes;

To authorize the board to renew outstanding bonds;

To see if the district will reduce the number of members of the board of education;

To see if the district will agree to establish a union-graded school;

To order a district tax for manual training.

---

**XXVIII. Order of Business at a District School Meeting.**

1. Choose a chairman and secretary.
2. Read the notice calling the meeting.
3. Report of district clerk.

4. Appointment of tellers by the chairman.
5. Transaction of the business for which the meeting was called, as set forth in the notice.
6. Miscellaneous business.
7. Adjournment.

---

**XXIX. (Form No. 12.)—Order on Custodian of School Moneys for Teacher's Salaries.**

No....., N. J., ....., 190..

To....., Custodian of School Moneys of the School District of.....

County of....., State of New Jersey:

Pay to the order of....., Teacher, .....dollars, being the amount of salary due for teaching in Public School No....., of said School District of....., from....., 190.. to....., 190..

\$...., *President.* { *Board of Education of the*  
 ....., *District Clerk.* { *School District of.....*

I hereby certify that the Teacher in whose favor this order is drawn, is in possession of a Teacher's Certificate, in full force and effect, and has properly kept the School Register, as required by law, and that I have certified thereto in said Register.

.....  
*District Clerk.*

**NOTE.**—Money raised by district tax can be used for such school purposes as are specified at the meeting at which the money is ordered. All other school money must be reserved for the payment of teacher's salary, fuel, bills, transportation of pupils and tuition of pupils in adjoining districts.

Payments can be made only for the support of those schools that conform in all respects to the provisions of the School Law, and to those teachers only who possess certificates in full force and effect, covering the time for which salary is demanded, and who have kept the school register in the manner prescribed.

The custodian of school moneys should invariably refuse to pay orders until he is satisfied that all these conditions have been complied with.

**XXX. (Form No. 13.)—Order on the Custodian of School Moneys for District Tax Raised for Other Purposes than the Payment of Teachers' Salaries.**

No. ...., N. J., ....., 190..  
 To....., Custodian of School Moneys of the School District of....., County of....., State of New Jersey:  
 Pay to the order of....., .....dollars, for [*here state for what purpose the money is to be paid*], out of the funds raised by District Tax now in your hands.  
 ....., *President.* { *Board of Education School Dis-*  
 ....., *District Clerk.* { *trict....., County of.....*

**XXXI. (Form No. 14.)—Notice by District Clerk to County Superintendent of the Election of Members of Board of Education.**

To....., County Superintendent:  
 SIR—The legal voters of....., at the annual school meeting held on the.....day of March, 190., elected..... as members of the Board of Education in the place of....., whose terms had expired.  
 The Board of Education now consists of—

	Name.	Address.				
Mr.	.....	.....	whose term expires	190..		
"	.....	.....	"	"	"	190..
"	.....	.....	"	"	"	190..
"	.....	.....	"	"	"	190..
"	.....	.....	"	"	"	190..
"	.....	.....	"	"	"	190..
"	.....	.....	"	"	"	190..
"	.....	.....	"	"	"	190..

The Board has organized by the election of Mr.....as President, and Mr..... as District Clerk.  
 .....,  
*District Clerk.*

NOTE.—This notice should be sent to the county superintendent as soon after the election as possible. It may be sent by the district clerk or the secretary.

**XXXII. (Form No. 17.)—Report of District Clerk to County Superintendent of the Amount of District School Tax Ordered to be Raised.**

To....., County Superintendent of.....County:

The legal voters of the School District of....., in the County of....., met at....., a convenient public place within the District, on the.....day of....., 190., and notice thereof, setting forth the time, place and object of said meeting, specifying.....dollars as the amount of money thought necessary to be raised, was given by the District Clerk, and set up at.....public places within the District ten days before the meeting, and the said legal voters, so met, by the consent of a majority of those present, authorized the Board of Education of said District....., and ordered, by a like vote, .....dollars for the purpose of....., and .....dollars for the purpose of....., amounting in all to.....dollars, which sum is not in excess of the amount thought to be necessary as set forth in the notices.

Dated this.....day of....., 190..

.....  
*District Clerk*

STATE OF NEW JERSEY, }  
COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of the School District of....., in the County of....., and that the above statement is correct and true.

Sworn and subscribed before me, this.....day of....., 190..

.....

**XXXIII. (Form No. 17.)—Certificate of the Amount of School Tax Voted to be Raised in a School District, to be Delivered by the District Clerk to the Township Assessor.**

To....., Assessor of.....Township, .....County, State of New Jersey:

The legal voters of the School District of....., in the County of....., met at....., a convenient public place within the district, on the.....day of....., 190., a

notice thereof, setting forth the time, place and object of said meeting, and specifying:.....dollars as the amount of money thought necessary to be raised, was given by the District Clerk, and set up at.....places within the district, one copy having been posted on each school-house in the district, ten days before the meeting; and the legal voters, so met, by the consent of a majority of those present, authorized the Board of Education of said district [*to purchase lands, &c., as the case may be*], and ordered by a like vote.....dollars for the purpose of [*as purchasing land*], and.....dollars for the purpose of [*as building a school-house*], &c., amounting in all to.....dollars, which sum is not in excess of the amount thought to be necessary, as set forth in the notices, and you are therefore directed to assess the said sum of.....dollars on the inhabitants of said School District and their estates, and the taxable property therein, pursuant to the statute in such case made and provided.

Dated this.....day of....., 190..

.....  
*District Clerk.*

STATE OF NEW JERSEY, }  
 COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of the School District of....., in the County of....., and the above statement by him is correct and true.

Sworn and subscribed before me this.....day of....., 190..

.....  
 NOTES TO XXXII. AND XXXIII.—The certificate must state for what object or objects the money is raised. 3 Vr. 444. If more than one object is specified, the amount of money apportioned to each must be stated. 7 Vr. 89.

A district tax ordered for the purpose of "maintaining a school" is illegal. The express purpose, as specified in section 179, for which the money is to be used must be stated and voted upon.

The law requires that notice of the above action should also be sent to the county superintendent.

XXXIV. (Form No. 20.)—Affidavit to Bills Presented to a Board of Education.

STATE OF NEW JERSEY, }  
.....COUNTY, } ss.

....., of full age, being duly sworn, on his oath saith that the goods or services itemized in the annexed bill have been delivered or rendered; that no bonus nor reward has been given or received by any person or persons, within the knowledge of the deponent, in connection with the same; that the same is correct and true, and the amount therein stated is justly due and owing as set forth.

Sworn and subscribed before me, }  
this.....day of....., 190.. }  
....., D. C. }

XXXV. (Form No. 32.)—Application for State Aid to Establish a School Library.

....., N. J., ....., 190..

To the State Superintendent of Public Instruction:

SIR—We, the undersigned, President and District Clerk of the Board of Education of the School District of....., County of....., State of New Jersey, do hereby certify that there has been raised in School No....., by [*special tax, subscription, or entertainment, as the case may be*], the sum of.....dollars, for the purpose of establishing [*or maintaining, as the case may be*] a School Library in said School....., in accordance with the provisions of Article XXV., Section 212, of the revised School Law. And we, therefore, request you to send an order for the amount due us from the State in accordance with the further provisions of said article.

.....  
President.  
.....  
District Clerk.

STATE OF NEW JERSEY, }  
 .....COUNTY, } ss.  
 ....., District Clerk of the School District of....., in  
 the County of....., being duly sworn, on his oath saith that  
 the within statement is true.

Sworn and subscribed before me, this } .....  
 .....day of....., A. D. 190.. }  
 .....

NOTE.—The first appropriation is twenty dollars, and subsequent appropriations ten dollars each.

---

XXXVI. (Form No. 129.)—Report of Purchases Made for School  
 Library.

....., 190..

To the State Superintendent of Public Instruction:

I hereby report that the following purchases have been made  
 for our School, with the amount raised in the District, and the  
 appropriation received from the State.

.....

*District Clerk.*

N. B.—This report must be made in order that the district may be entitled to  
 future payment. It should give the names and prices of the several articles  
 purchased.

---

XXXVII. (Form No. 39.)—Teacher's Contract.

It is agreed between the Board of Education of....., in the  
 County of.....and....., that said Board of Education has  
 employed and does hereby engage and employ the said.....  
 to teach in the.....public school, under the control of said  
 Board of Education, for the term of.....year...from the  
 .....day of....., 190.., at the salary of \$....., to be  
 paid in.....equal monthly installments; that the said.....  
 shall begin teaching on the.....day of....., 190..; that  
 the said.....holds a valid.....grade.....certificate  
 to teach now in full force and effect, or will procure such certifi-  
 cate before the date...he shall begin teaching, and that the  
 date when said certificate will expire is the.....day of  
 ....., 190..

It is hereby agreed that either of said parties to this contract may, at any time, terminate said contract and the employment aforesaid, by giving to the other party [*here insert length of time*] notice in writing of its election to so terminate the same.

The said.....hereby accepts the employment aforesaid and undertakes that...he will faithfully do and perform..... duty under the employment aforesaid, and will observe and enforce the rules prescribed by the government of the School by the Board of Education and the Superintendent, or Principal, or Supervising Principal.

Dated this.....day of....., 190..

.....,  
*President of the Board of Education  
of the School District of.....,  
County of.....*

.....,  
*Teacher.*

NOTE.—One copy of the contract must be filed with the county superintendent, one copy with the district clerk and one copy retained by the teacher.

**XXXVIII. (Form No. 40.)—Application for State Aid for Manual Training.**

To the State Superintendent of Public Instruction:

SIR—We hereby certify that for the School Year beginning July 1st, 190., there has been raised by....., in the School District of....., in the County of....., the sum of..... dollars, for the purpose of.....course of Manual Training pursued in the Schools of the District, and that said amount has been appropriated for such purpose.

This application is made in accordance with the provisions of Article XXIV. of the School Law, and we do hereby make application for a State appropriation, equal to the sum of money so raised and appropriated as aforesaid.

Attest: .....  
*President.*

.....,  
*District Clerk.*

XXXIX. (Form No. 137.)—Bond to be Issued for Loan.

SCHOOL BOND.

No. . . . . Bond of School District of the . . . . . of . . . . .,  
 County of . . . . .

\$. . . . . . . . . . . County, N. J.

Know all men by these presents, that "The Board of Education of the . . . . . of . . . . ., in the County of . . . . .," in the State of New Jersey, is justly indebted unto . . . . ., or bearer, in the sum of . . . . . dollars, lawful money of the United States of America, to be paid to the said . . . . ., or bearer, on the . . . . . day of . . . . ., 190., at the . . . . . bank at . . . . ., N. J., with interest therefor from the date hereof, at the rate of . . . . . per centum per annum, payable semi-annually, on the . . . . . days of . . . . . and . . . . . in every year, at the bank aforesaid, on the presentation of the annexed coupons, as they shall severally become due.

This is one of a series of coupon bonds issued by the Board of Education of said School District, amounting in the aggregate to . . . . . dollars, numbered from . . . . . to . . . . ., both inclusive; and all of said bonds have been issued for money borrowed by said Board of Education under the provisions of Article XX. of an act entitled "An act to establish a system of public instruction," approved March 26th, 1902, and by the consent of the inhabitants of said district lawfully given, at a meeting lawfully held, on . . . . ., 190..

In witness whereof, on the . . . . . day of . . . . ., in the year nineteen hundred and . . . . ., this bond is signed by the President of the Board of Education of the . . . . . of . . . . ., County of . . . . ., and attested by the District Clerk, under the seal of the Board.

Attest: . . . . .,  
*President.*  
 . . . . .,  
*District Clerk.*

[SEAL.]

[Form of Coupon to be attached to the above Bond.]

SCHOOL-HOUSE LOAN.

Board of Education of the.....of....., County of.....:  
 Interest warrant for.....dollars, payable at the.....  
 bank, at....., N. J., to bearer,....., 190.., for six months'  
 interest on Bond No...  
 ....., *D. C.*

**XL. (Form No. 55.)—Notice to the Assessor of Amount of Tax to be Raised for Bonds and Interest.**

To....., Assessor of the.....of....., County of.....:  
 You are hereby directed to assess upon the inhabitants of the  
 School District of....., and upon their estates, and the taxable  
 property therein, the sum of.....dollars, pursuant to the stat-  
 ute in such case made and provided.

The sum ordered to be assessed is to be used for the purpose  
 of paying the principal and interest falling due during the year  
 for which said assessment is made, on the bonds of the School  
 District of....., in the County of.....

Dated this.....day of....., 190..  
 ....., *President.* } *Board of Education*  
 ....., *District Clerk.* } *of.....*

**XLI. (Form No. 55.)—Notice to County Superintendent of Tax for Bonds and Interest.**

To....., County Superintendent, .....County:  
 You are hereby notified that the Assessor of the.....of.....,  
 County of....., has been directed to assess the sum of.....  
 dollars, for the purpose of paying the principal and interest fall-  
 ing due during the year for which said assessment is made on  
 the bonds of the school district of....., in the County of.....

Dated this.....day of....., 190..  
 ....., *President.* } *Board of Education*  
 ....., *District Clerk.* } *of.....*

**XLII. (Form No. 61.)—Report of Proceedings Authorizing the Issue of Bonds.**

MINUTES OF BOARD OF EDUCATION MEETING.

Pursuant to notice given to each member, the Board of Education of the School District of....., in the County of....., met at....., on the.....day of....., 190.., at.....o'clock in the..... There were present Messrs..... On motion of Mr.....it was resolved that the District Clerk is hereby directed to post notices calling a meeting of the legal voters of the District, said meeting to be held at....., on the....day of....., at....o'clock in the....., and that in said notices he state the following items of business to be acted upon at said meeting:

.....  
.....

.....,  
*District Clerk.*

STATE OF NEW JERSEY, }  
COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of the School District of....., in the County of....., and that the foregoing is a true copy of the proceedings and resolutions adopted by the Board of Education of said School District at a meeting held on the....day of....., 190..

Sworn and subscribed before }  
me, this.....day of....., }  
190.. }

.....  
.....

**NOTICE.**

Notice is hereby given to the legal voters of the School District of....., in the County of....., that a.....school meeting will be held at....., on the.....day of....., 190.., at.....o'clock in the....., at which meeting will be submitted the following propositions:

.....  
.....

The amount of money thought to be necessary for the foregoing is.....dollars.

To authorize the Board of Education to borrow the money ordered to be raised by issuing the bonds of the District.

Dated....., 190..

....., *President.* } *School District of*  
 ..... , *D. C.* } .....

STATE OF NEW JERSEY, }  
 COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of the School District of....., in the County of....., and that he posted.....copies of a notice, of which the foregoing is a true copy, on the.....day of....., 190.., in public places in said District, one copy being posted on each school-house in the District, and that the said notices were posted in all respects according to law.

Sworn and subscribed before }  
 me, this.....day of....., }  
 190.. }

.....  
 .....

DISTRICT MEETINGS.

The legal voters of the School District of....., in the County of....., met at....., on the.....day of....., 190.., at.....o'clock in the....., pursuant to legal notice, a copy of which notice is hereto appended. Mr..... was elected Chairman, and Mr.....Secretary of the meeting. The Secretary read the notice calling the meeting.

The following resolutions were adopted:

*Resolved,* That the Board of Education be authorized to purchase, as a lot on which to build a school-house, the plot of land situated as follows:

.....  
 .....

The cost of said land not to exceed the sum of.....dollars.

The vote on this resolution was by ballot—Ayes, .....;  
 Nays, .....

*Resolved*, That the Board of Education be authorized to erect and furnish a school-house on said plot of land, said school-house to be built of.....and to contain.....rooms, and to cost not more than.....dollars.

The vote on this resolution was by ballot—Ayes, .....; Nays, .....

*Resolved*, That for the purpose of securing the money needed to purchase said lot and to erect and furnish said school-house the sum of.....dollars be raised by issuing bonds of the District, in the corporate name of the District, in the denomination of.....each.

The vote on this resolution was by ballot—Ayes, .....; Nays, .....

*Resolved*, That one bond shall be issued for.....years, one for.....years, one for.....years.

And that each year until the last bond is paid a tax shall be levied, according to law, on the property and the inhabitants of the District sufficient to pay the bond maturing, together with the accrued interest on those then outstanding.

The vote on this resolution was by ballot—Ayes, .....; Nays, .....

.....,  
*Secretary.*

STATE OF NEW JERSEY, }  
COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that he was the Secretary of the meeting of the legal voters of the School District of....., in the County of....., and that the foregoing is a true copy of the proceedings and resolutions adopted at said meeting, and that all votes taken at said meeting were by ballot, and that the ballots, tally-sheets, poll-list and statement of the result of said meeting have been filed with the County Superintendent, as required by law.

Sworn and subscribed before me, this.....day of....., }  
190.. } .....

.....  
.....

**XLIII. (Form No. 62.)—Application for Loan from State School Fund.**

To the Trustees for the Support of Public Schools for the State of New Jersey:

The Board of Education of the..... of....., in the County of....., in the State of New Jersey, ask to borrow of the Trustees for the Support of Public Schools the sum of .....dollars, and offer as security for said loan the coupon bonds of said District to the amount at par of said loan. Said loan and bonds were authorized by the legal voters of the School District when met, upon due and legal notice, for that purpose, upon the.....day of....., 190.. The principal of said loan is to be paid in installments of.....dollars; the first installment to be paid on the.....day of....., 190..; the second installment to be paid on the.....day of....., 190 ....., with interest from date at the rate of..... per centum per annum, according to the terms aforesaid; principal and interest payable at the.....bank at....., and the bonds hereby offered are of the denomination of \$....each, and are numbered from.....to....., both inclusive.

We submit herewith a copy of the proceedings had at said meeting of said legal voters, a copy of the minutes of the meeting of the Board of Education at which the posting of the notices calling said meeting of the inhabitants was ordered, a copy of the notices calling said meeting duly verified by affidavit, and the approval of the Attorney-General as to the legality of said proceedings.

Dated....., N. J., ....., 190..

.....,  
*President.*

.....,  
*District Clerk.*

**XLIV. (Form No. 60.)—Directions for Bonding a District.**

1. There must be a regularly-called meeting of the board of education, of which meeting all the members must have had notice. At that meeting the board must decide on the amount of money thought to be necessary. If land is to be purchased, the board must decide upon the site or sites it thinks suitable. It must also decide upon the time for holding the district meeting, and the form of the resolutions to be inserted in the notices to be posted by the district clerk. Full minutes of the meeting must be kept.

2. The district clerk must post the notices ordered by the board at least ten days before the date of the meeting of the legal voters. The day the notices are posted must not be counted in the ten days. The notices must state the time and place of the district meeting, and all business that is to be acted upon. If land is to be purchased, the plot or plots thought to be suitable by the board must be described. Any description that will enable the legal voters to locate the plot is sufficient. The board may submit more than one site, if it thinks best, in which case all the plots must be described. The notices must also state the amount of money thought to be necessary. It is not necessary to divide the amount among the several objects. The notices must also state that the question of authorizing the board to issue bonds will be submitted. Not less than seven notices must be posted, one of which must be posted on each school-house in the district. It is not necessary that the notices state the number of bonds to be issued, the denomination of the bonds, or the time of payment. These items should be left to the determination of the legal voters.

3. The district meeting must decide the amount of money to be raised, and also decide what portion of the money so ordered shall be used for the purchase of land, and what portion for building and furnishing the school-house. The aggregate amount ordered raised must not exceed the sum named in the notices. The district meeting must also decide how many bonds shall be issued, the denomination of each bond, and the time of its payment. The meeting may reject all the sites offered, but cannot select a site not described in the notices calling the meeting. All

votes in the district meeting must be by ballot. Full minutes of the meeting must be kept.

4. The chairman must appoint two tellers to receive and count the ballots. At the annual meeting in March, if a tax or the issue of bonds is to be voted on, two ballot-boxes, with separate tellers for each box, must be provided, one box to be used for ballots for tax and bonds and the other for members of the board of education. The secretary must keep a poll-list of the voters and tally-sheet of the ballots as counted. The tally-sheet must be signed by the chairman and tellers. The poll-list, tally-sheet and ballots must be placed by the secretary in a sealed package, indorsed with the name of the district, the county in which it is situated and the date of the meeting. A statement of the result of the meeting must be signed by the chairman and secretary, and, together with said package, forwarded to the County Superintendent within five days after said meeting shall have been held.

5. Two copies of the minutes of the meeting of the board, attested by the district clerk, two copies of the notices posted, attested by said clerk, and two copies of the minutes of the district meeting, attested by the secretary of the meeting, must be sent to the State Superintendent, one copy to be approved by the Attorney-General, and the other to be filed in his office. When it is intended to borrow the money from the State School Fund, an application must accompany the copies of the proceedings sent to the State Superintendent. Blank forms to be used for the copies of the proceedings to be sent to the State Superintendent may be obtained from the County Superintendent. In making reports, only such business as relates to the purchase of land, building and furnishing the school-house and bonding the district need be inserted in the copies of the minutes of the meetings of the board and legal voters. In the blank for the report of the proceedings of the district meeting, a resolution is inserted for the purchase of land; when land is not ordered to be purchased, this resolution should be crossed out in making the report.

6. The approval of the Attorney-General must be secured before bonds can be legally issued, whether the money is to be borrowed from the State School Fund or from private parties.

7. When district bonds have been issued, it is the duty of the district clerk, when any bond is paid and canceled, to forward said canceled bond to the State Superintendent, to be filed as required by law.

8. Blank bonds will be furnished by the State Superintendent.

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**XLV. Notice for a Meeting of the District Board of Education.**

To.....:

You are hereby notified that there will be a meeting of the Board of Education of the School District of....., on..... evening, ....., 190., at.....o'clock, in the school-house.

[Date.]

.....,

*District Clerk.*

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**XLVI. Notice to be given by the Secretary of a District School Meeting to the Officers-elect.**

To.....:

You are hereby notified that at the annual school meeting in the School District of....., in the County of....., held on the.....day of....., 190., you were elected a member of the Board of Education in said District.

Dated this.....day of....., 190..

.....,

*Secretary of said Meeting.*

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**XLVII. Form of a Lease.**

Know all men by these presents, that A. B., of the ..... of....., in the County of....., in the State of New Jersey, of the first part, for the consideration herein mentioned, does hereby lease unto "The Board of Education of the..... of....., in the County of.....," in the State aforesaid, party of the second part, and its assigns, the following-described parcel of land:

[Here insert description of land.]

Together with all the privileges and appurtenances thereunto belonging: To have and to hold the same for and during the term of.....years from the.....day of....., A. D. 190..; and the said party of the second part, for itself and assigns, does covenant and agree to pay the said party of the first part, for said premises, the annual rent of.....dollars.

In testimony whereof, the said parties have hereunto set their hands and seals, this.....day of....., 190..

A. B., *Lessor.*

....., *President.*

....., *District Clerk.*

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**XLVIII. Form of a Deed of a School-House Site.**

Know all men by these presents, that A. B. [*and C. B., his wife, if married*], in the.....of....., in the County of....., in the State of New Jersey, party of the first part, for and in consideration of the sum of.....dollars, to them in hand paid by "The Board of Education of the.....of....., in the County of.....," and State aforesaid, party of the second part, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey to the said party of the second part, and its assigns, the following-described piece of land, namely:

[*Here insert description of land.*]

Together with all the privileges and appurtenances thereunto belonging: To have and to hold the same to the said party of the second part and its assigns forever; and the said party of the first part, for themselves, their heirs, executors and administrators, do covenant, bargain and agree, to and with the said party of the second part, and its assigns, that at the time of the ensembling and delivery of these presents, they are well seized of the premises above conveyed, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law in fee-simple, and that the said lands and premises are free from all incumbrances whatsoever; and that the above-bargained premises, in the quiet and peaceable possession of the said party of the second part, and its assigns, against all and every person or persons lawfully claiming or to claim, the whole or any part

thereof, the said party of the first part will forever warrant and defend.

In witness whereof, the said A. B. and C. B., his wife, party of the first part, have hereunto set their hands and seals, this . . . . . day of . . . . ., A. D. 190..

Signed, sealed and delivered in }  
 presence of }  
 E. F. }

A. B. [SEAL.]

C. B. [SEAL.]

NOTE.—Such deeds should be duly acknowledged before a judge, commissioner of deeds, master in chancery or other officer authorized by law to take such acknowledgment, and recorded in the office of the county clerk. The bond and mortgage given by the board of education to secure payment of part of purchase-money may be in the usual forms, and for the execution of deeds, mortgages and bonds each district should have a corporate seal. Notes given for borrowed money should be in the name of the district and signed by the president and district clerk.

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#### XLIX. Contract for Building a School-House.

Contract made and entered into between A. B., of the County of . . . . ., State of New Jersey, and "The Board of Education of the . . . . . of . . . . ., in the County of . . . . .," State of New Jersey.

In consideration of the sum of one dollar in hand paid, the receipt whereof is hereby acknowledged, and of the further sum of . . . . . dollars, to be paid as hereinafter specified, the said A. B. agrees to build a frame school-house and to furnish the materials therefor, according to the plans and specifications for the erection of said house hereto appended, at such point in said District as the said Board may designate. The said house is to be built of the best material, in a substantial, workmanlike manner; and is to be completed and delivered to said Board, free from any lien for work done or materials furnished, by the . . . . . day of . . . . ., 190..; and in case the said house is not finished in the time herein specified, the said A. B. shall forfeit and pay to the said Board, for the use of said District, the sum of . . . . . dollars, and shall also be liable for all damages that may result in consequence of such failure, and said Board may finish the building and charge the cost of the same to the said A. B.

The said Board hereby agrees to pay the said A. B. the sum of . . . . .dollars when the foundation of said house is finished, and the further sum of . . . . .dollars when the building is ready for the roof; and the remaining sum of . . . . .dollars when the said house is finished and delivered, as herein stipulated.

It is further agreed, that this contract shall not be sub-let, transferred or assigned without the consent of both parties.

Witness our hands this . . . . . day of . . . . ., 190..

A. B., *Contractor.*

. . . . ., *President.*

. . . . ., *District Clerk.*

NOTE.—In building a school-house, it is all-important to secure a plan of the building, with full specifications as to its dimensions, style of architecture, number and size of the windows and doors, quality of materials to be used; what kind of roof; number of coats of paints; of what material the foundation shall be constructed; its depth below, and its height above the surface of the ground; the number and style of chimneys and flues; the provisions for ventilation; the number of coats of plastering, and style of finish, and all other items in detail that may be deemed necessary. The plan and specifications should be attached to the contract, and the whole filed with the district clerk. Before the building is commenced, the contract and specifications should be filed in the office of the county clerk to prevent liens. All plans and specifications must be submitted to the State Board of Education for approval.

L. Form of Note for Money Borrowed.

. . . . ., N. J., . . . . ., 190..

. . . . .days after date, "The Board of Education of the . . . . .of . . . . ., in the County of . . . . .," State of New Jersey, promises to pay to . . . . ., or order, . . . . .dollars, with interest from the date thereof, at the rate of . . . . . per cent. per annum.

This note is given for money borrowed by said Board for the purpose of . . . . ., pursuant to the statute entitled "An act to establish a system of public instruction," approved March 26th, 1902, and by the consent of the inhabitants of the said district lawfully given, at a meeting lawfully held on . . . . ., 190..

Attest:

. . . . ., *President.*

. . . . ., *District Clerk.*

**LI. Duties of District Clerk.**

1. To prepare and post  
Notices for annual district meeting,  
Notices for special district meeting.
2. To prepare and deliver notices for meetings of the board of education.
3. To act as secretary of the board of education.
4. To record, in a book provided for that purpose, all the proceedings of board of education meetings and district meetings.
5. To keep an account of the finances of the district.
6. To pay out all moneys by issuing orders on the custodian of school moneys.
7. To make a financial report to county superintendent.
8. To make a report of the doings of the board for the year to the annual district meeting for the election of members of the board of education.
9. To prepare and forward the annual report of the county superintendent.
10. To notify county superintendent and township assessor of the amount of district school tax ordered.
11. To notify county superintendent of the election of members of the board.
12. To buy fuel, crayons and such other articles as the board may direct.
13. To deliver to his successor all records and papers belonging to the district.

## TEACHERS.

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### LII. (Form No. 18.)—Directions Given to Candidates for Certificates Before Being Examined.

1. Write your name and the subject of the examination, distinctly, at the top of each page.

2. You need not copy the questions upon the paper, but be careful to number each answer to correspond with the question.

3. If unable to answer any questions, write its proper number, and opposite the same write, "I cannot answer."

4. In answering questions in arithmetic, algebra, &c., give the work as well as the answer.

5. As soon as one exercise is finished, hand it to the examiner before beginning another.

6. After beginning a set of questions, do not leave the room without the permission of the examiner in charge until that exercise is completed.

7. Avoid all communications with other candidates, with visitors, or with anyone else, except the examiners, whether by talking or otherwise. Exercises prepared in violation of this rule will be rejected.

8. All referring to text-books, or to written or printed abstracts, or memoranda of any kind, is forbidden. A violation of this rule will cause your entire examination to be rejected.

9. Do not tear off any portion of the sheet that may remain after you have finished a set of questions, but leave the sheet whole, as the paper will be preserved.

10. Be careful to preserve this card of directions and questions. They will both be called for at the close of the examination.

## RULES FOR EXAMINATIONS FOR STATE CERTIFICATES

1. Examinations for State Certificates are held at the State House, in Trenton, on the first Thursday, Friday and Saturday of June and December.

2. In any examination the diploma of a university or college, authorized to confer degrees, may be accepted in lieu of an examination in the academic subjects prescribed, provided the course of study covered by said diploma shall include said prescribed subjects or other equivalent, and shall not have been pursued through correspondence. The State Board of Examiners may, in lieu of an examination in any of the subjects, accept such credentials as it may deem conclusive evidence of scholarship and professional qualification.

3. Any certificate of any grade, issued in this State, in full force and effect, or which shall have been in full force and effect within one year next preceding the date of the examination, may be accepted in lieu of an examination in the academic subjects covered by said certificate, provided said certificate shall show a general average of not less than 75 per cent.

4. The subjects shall be assigned in the following order:

*Thursday.*—Geometry, Literature, Chemistry and Botany.

*Friday.*—Drawing, Psychology, School Law, Manual Training, Principles and Practice of the Kindergarten, Music and Ancient or Modern Languages, Bookkeeping, Commercial Arithmetic.

*Saturday.*—Physical Training, Theory and Practice of Teaching, History of Education, Science of Education, Stenography, Business Practice.

5. No certificate shall be issued to a teacher whose percentage in any subject shall fall below 70.

6. A Third-Grade State Certificate is valid for seven years from its date, and may be renewed without re-examination. No experience in teaching is required. An applicant must be at least twenty years of age. In addition to the subjects required for a First-Grade County Certificate, he will be examined in—

Plane and Solid Geometry, Literature, Botany, Free-Hand Drawing, Psychology, or in lieu of one or more of said subjects,



## FOR SCHOOL OFFICERS.

such other subject or subjects as the State Board of Examiners shall regard as the equivalent thereof.

7. A Second-Grade State Certificate is valid for ten years from its date, and may be renewed without re-examination. An experience in teaching of not less than two years is required. An applicant must be at least twenty-one years of age. In addition to the subjects required for a Third-Grade State Certificate, he will be examined in—

Chemistry, Manual Training, Physical Training, Science of Education.

8. A First-Grade State Certificate is valid for life. An experience in teaching of not less than five years is required. The examination is the same as that required for a Second-Grade State Certificate. This certificate is issued only to a teacher who presents satisfactory evidence of success as a superintendent, supervising principal or a principal of a graded school employing not less than five teachers, or in such other capacity as the State Board of Examiners shall regard as the equivalent thereof. An applicant must be at least twenty-five years of age.

9. A college graduate, whose diploma is accepted in lieu of an examination in the academic subjects, will be examined in such of the following subjects as are not covered by his diploma:

Third-Grade State Certificate—

Theory and Practice, School Law, Psychology, History of Education.

Second-Grade State Certificate, in addition to the subjects above named—

Science of Education, Manual Training, Physical Training.

10. Any person desiring to take an examination in any subject or subjects in lieu of those specified, must make application therefor to the State Board of Examiners at least four weeks prior to the date of the examination.

11. Special State Certificates are valid for five years, and may be renewed without re-examination. Special Certificates are granted to teach the following subjects:

Kindergarten, Manual Training, Physical Training, Drawing, Music, Ancient Languages or Modern Languages and Commercial Branches.

12. An applicant for a Special Certificate must present either a diploma from a high school or a Teachers' Certificate valid in

New Jersey, other than Special, which has been in full force and effect within one year next preceding the examination.

13. The subjects for a Special Kindergarten Certificate or a Certificate to Teach Ancient Languages or Modern Languages, are: History of Education, Psychology, Theory and Practice of Teaching, School Law and the special subject to be taught. And in addition thereto, for a Kindergarten Certificate, an examination in Drawing.

14. The subjects for a Special Certificate to Teach Drawing, Manual Training, Physical Training or Music, are: Psychology, History of Education, School Law of New Jersey, and the special subject to be taught, and in addition thereto, for a Certificate to Teach Drawing, an examination in Plane Geometry.

15. The subjects for a Special Certificate to Teach Commercial Branches, are: Psychology, School Law of New Jersey, Book-keeping, Commercial Arithmetic, Stenography, Theory and Practice of Teaching, History of Education and Business Practice.

16. A graduate of the former Elementary Course of the State Normal School may be granted a Normal Life Certificate upon passing an examination in Physics, Chemistry, Literature, Geometry, History of Education, Science of Education and School Law of New Jersey, or in lieu of one or more of said subjects, such other subject or subjects as the State Board of Examiners shall regard as the equivalent thereof.

17. The following text-books will indicate about the extent of the examination in the subjects named:

*Theory and Practice.*—Lectures on Teaching (Fitch), School Management (White), Courses and Methods (Prince), Lectures on Education (Jos. Payne), Psychology, Briefer course (James), Hand-Book of Psychology (Murray), Theory and Practice of Teaching (Page).

*Science of Education.*—Elements of Pedagogy (White), Philosophy of Education, Spencer's Edition (Tompkins), Science of Education (Rosenkranz).

*History of Education.*—(Compayre, Painter, Williams), Educational Reforms (Quick), History of Education (Seeley).

*Physical Training.*—Light Gymnastics (W. G. Anderson), Swedish System of Educational Gymnastics (Baron Nils Posse), Physiology of Bodily Exercise (Lagrange), Gymnastics in the School-Room (Hans Ballin), Progressive Gymnastics, Day's Orders (Enebriske).

*Manual Training*.—Industrial Education (Love), Manual Training (Charles Ham), The Manual Training School (Woodward).

In all other subjects, the scope of the examination will correspond to the subject-matter of the ordinary text-book.

18. The subjects required for a First-Grade County Certificate are—

Orthography, Reading, Penmanship, Geography, Arithmetic, English Grammar, United States History, English Composition, Physiology, Bookkeeping, Drawing, Algebra, Physics, General History, Civics, Plane Geometry, Theory and Practice of Teaching, School Law of New Jersey, History of Education.

19. All communications should be addressed to the State Superintendent of Public Instruction, who will furnish blank applications for examination.

## RULES FOR ENDORSEMENT OF STATE CERTIFICATES AND NORMAL DIPLOMAS.

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1. The applicant must forward his certificate or diploma for inspection and file original testimonials as to moral character and success as a teacher.

2. A Second-Grade Certificate, valid for two years, may be granted to the holder of a normal school or teachers' college diploma or a permanent certificate to teach in another State, and valid as a State certificate therein when the requirements for such diploma or certificate shall be equivalent to those required in this State. After two years' successful teaching in this State such diploma or certificate may be indorsed and made a valid life license to teach in this State.

3. Blank applications for indorsement will be furnished by the State Superintendent of Public Instruction.

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### LV. (Form No. 34.)—Certificate that Child has Attended School.

I hereby certify that I am Principal of School No....., in the.....of....., County of....., and that [*name of child*] is the [*son, daughter or ward*] of [*name of parent or guardian*], residing at [*street and city*]; that to the best of my knowledge and belief, said [*name of child*] is.....years of age; and said [*name of child*] has attended school under my charge, five days a week, for.....weeks, during the year preceding the date of this certificate.

Dated....., 190..

.....,  
*Principal.*

**LVI. Teacher's Report to the County Superintendent when Leaving a School before the end of the School Year.**

Report of the Teacher of Public School No....., in the.....  
of....., in the County of....., for the portion of  
the School Year commencing.....1st, 190., and end-  
ing.....,190..

[*The body of the Report same as Annual Report in the Register.*]

To....., County Superintendent for.....County:

Being about to leave my present school, I respectfully present the above record and statements as my report for the expired portion of the present School Year, as required by the laws of this State; which report I hereby certify has been carefully made out from the records contained in the School Register.

.....,  
*Teacher.*

NOTE.—The law requires that a duplicate of the above report shall be made to the district clerk.

**LVII. Teacher's Report of the Suspension of a Pupil to the Board of Education.**

To....., District Clerk of the Board of Education of  
the.....of....., of the County of.....:

SIR—You are hereby notified that I have this day suspended from my school....., for [*here state the cause for suspension*].

Dated this.....day of....., 190..

.....,  
*Teacher.*

NOTE.—The school law requires every suspension to be reported to the board of education.

## CALENDAR FOR SCHOOL ELECTIONS AND DUTIES

1. *State Board of Education.*—Meets on the first Tuesday of February, April, June, October and December, annually.

2. *State Board of Examiners.*—Meets on the first Thursday, Friday and Saturday of June and December, annually, at the State House.

3. *County Boards of Examiners.*—Meet on the first Friday and Saturday of February, May and October, annually.

4. *Boards of Education.*—Elected on the third Tuesday in March, annually, and should meet at least once in two months during the period that the school shall be in session.

5. *District Clerks.*—Elected within ten days after the annual meeting for the election for members of the Board of Education, annually.

6. *District Meetings for Voting District Tax.*—Held on the third Tuesday in March, annually, or at the call of the Board of Education.

7. *Report of the State Board of Education to the Governor.*—On the first Tuesday in December, annually.

8. *Report of the State Superintendent to the State Board of Education.*—On the first Tuesday in December, annually.

9. *Report of County Superintendent to the State Superintendent.*—On or before the first of September, annually.

10. *Report of the District Clerks to County Superintendent.*—On or before the first of August, annually.

11. *Report of Teachers to Board of Education.*—At the close of each quarter's teaching, or as directed by the rules of the Board.

12. *Financial Statement of Township Collector to Township Committee and County Superintendent.*—On or before the first of August, annually.

13. *Financial Statement of District Clerks to Township Committee.*—On or before the first of August, annually.

14. *Financial Statement of District Clerks to the County Superintendent.*—On or before the first of August, annually.

15. *Assessor Makes Returns to Collector.*—Within fifteen days after the first Monday in September, annually.

16. *State School Tax.*—To be paid to the State Treasurer within twenty-five days after the same shall be due and payable to the County Collector. To be paid to the County Collector within fifteen days after said tax shall be due and payable.

17. *School Tax.*—Collected and due the Board of Education by the fifth of January, annually.

18. *Apportionment of the State Appropriation to the Counties.*—Made on or before the fifteenth day of February, annually.

19. *Report of Teachers Employed.*—Made by the Board of Education to the County Superintendent on or before March fifteenth, annually.

20. *Apportionment of the State Appropriation and Township School Taxes to the District.*—Made by the County Superintendent on or before the first day of April, annually.

21. *State Appropriation.*—Two hundred thousand dollars paid in November, and the State school tax in the month of January following.

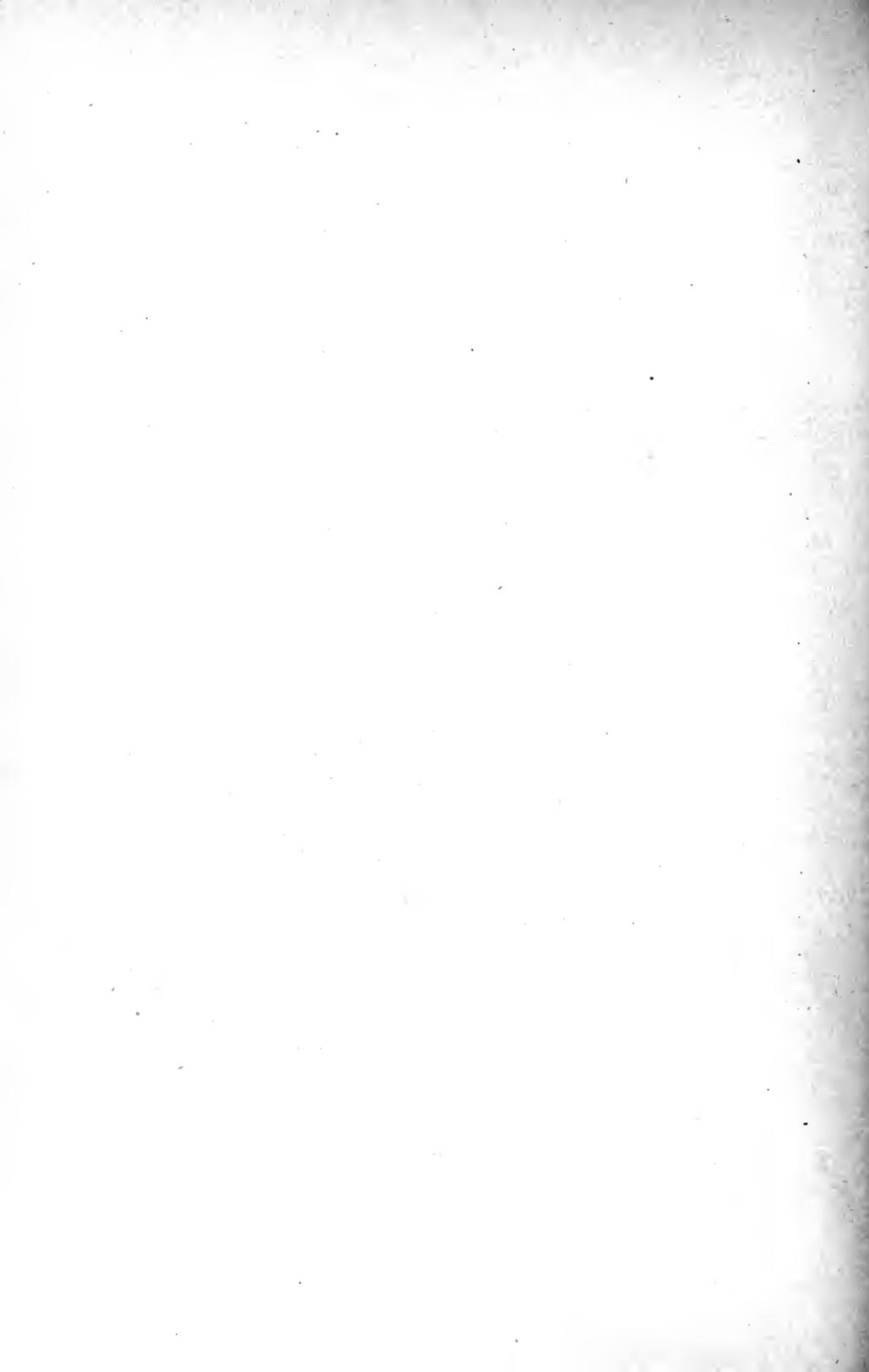
22. *Agricultural College.*—Candidates examined by the County and City Superintendents on the first Saturday in June.

23. *School Holidays.*—First day of January, Lincoln's birthday, Washington's birthday, Memorial day, fourth day of July, Labor day, Thanksgiving day, Christmas day, any day upon which a general election shall be held for members of Assembly, and also any day set apart by proclamation of the Governor of this State or the President of the United States for the purpose of public observance.

24. *Patriotic Exercises.*—Held on the last school day preceding Lincoln's birthday, Washington's birthday, Decoration or Memorial day and Thanksgiving day.

25. *School Year.*—Commences on the first day of July and ends on the thirtieth day of June.

27. *Library Year.*—The school library year and the teachers' library year coincides with the State fiscal year, and begins on the first day of November and ends on the thirty-first day of October.



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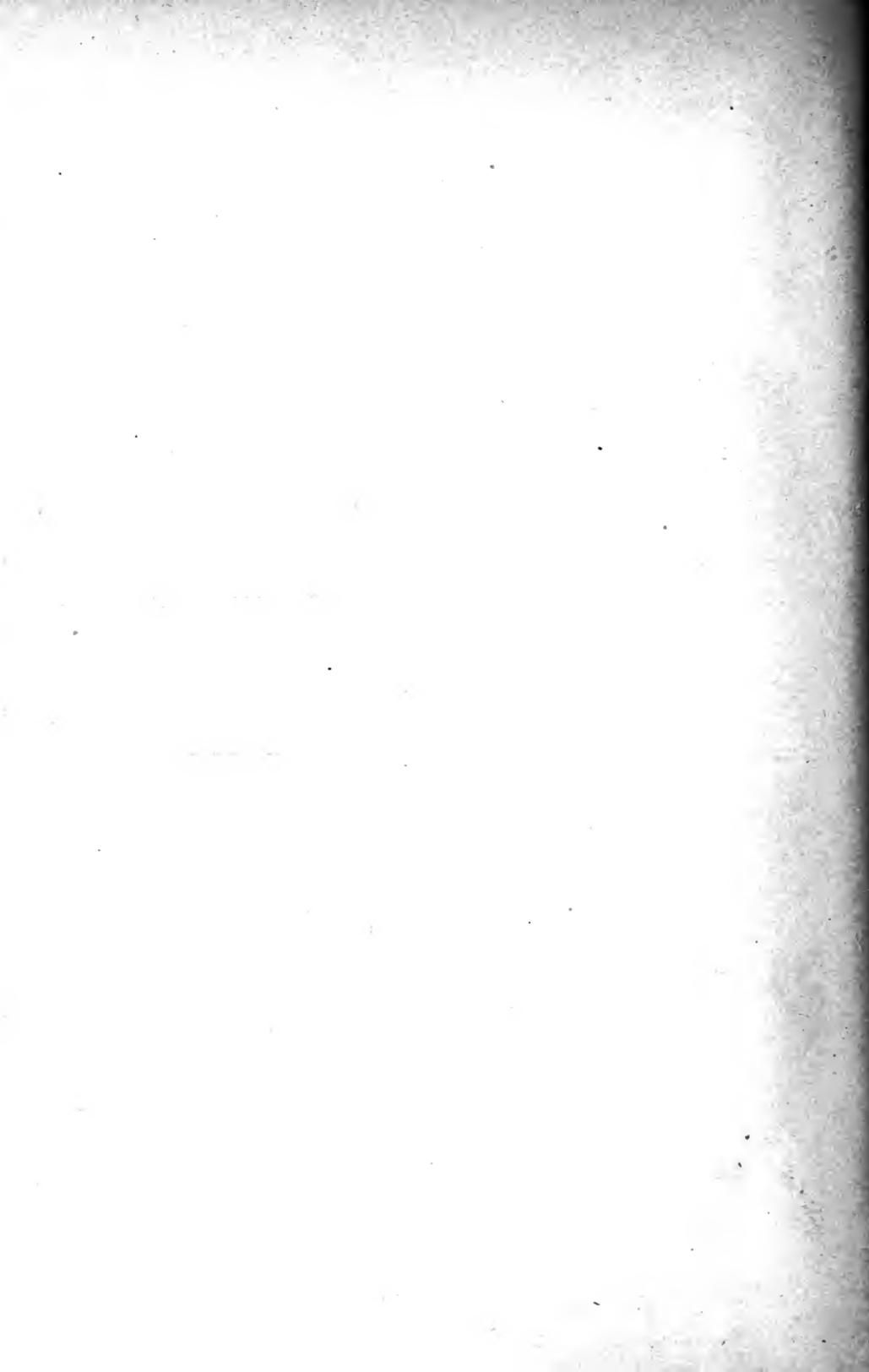
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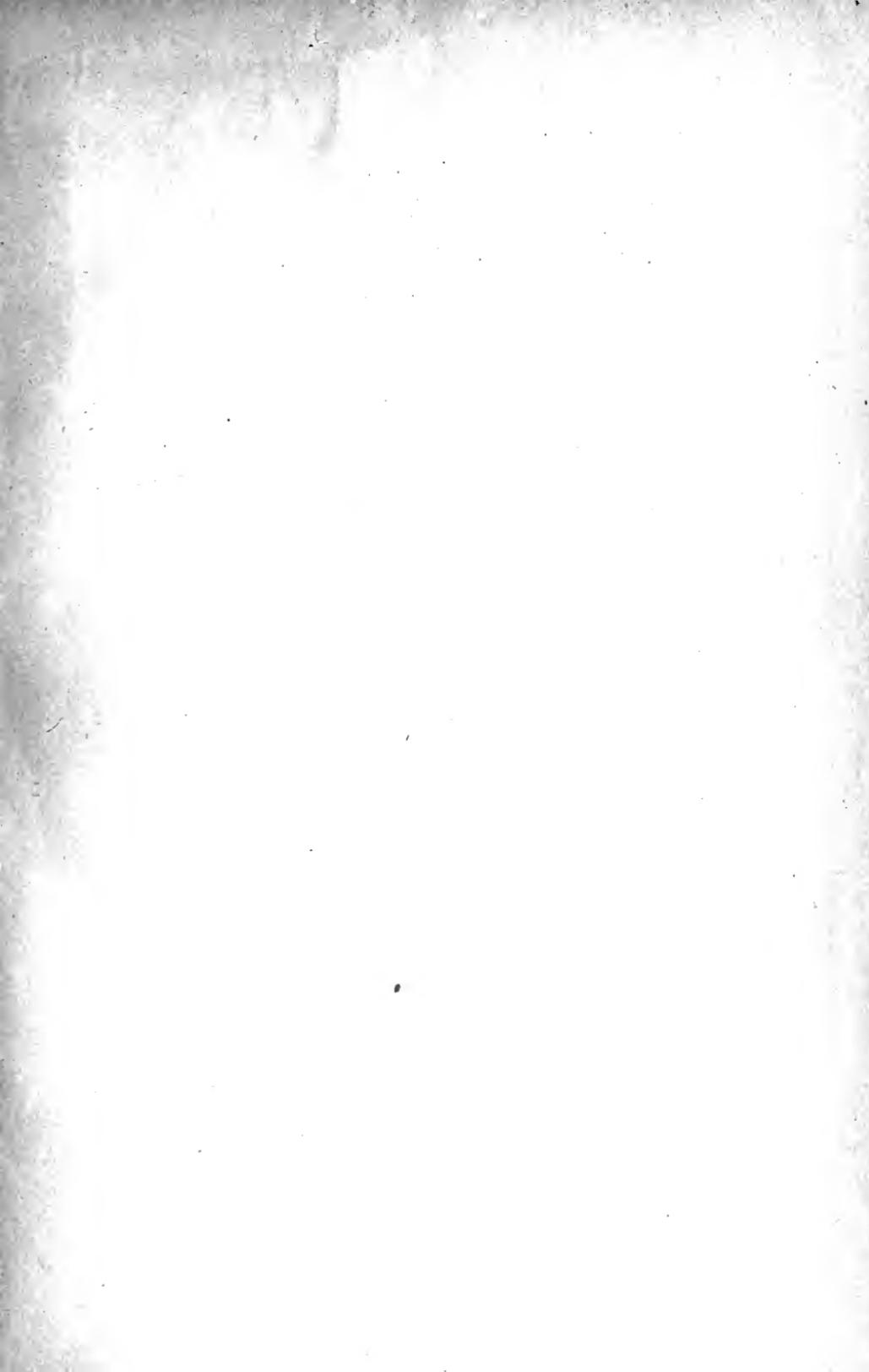
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