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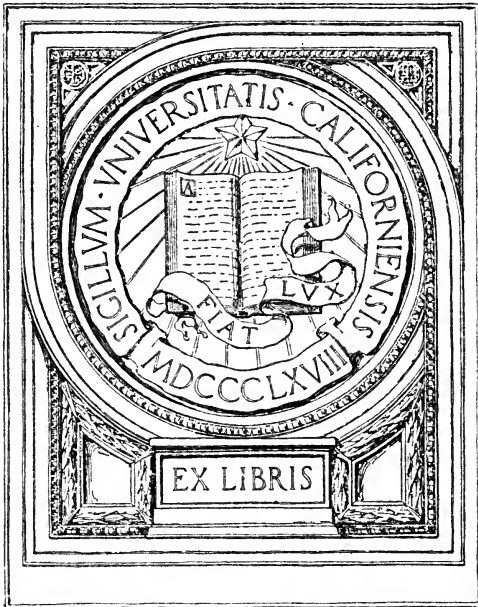
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SCHOOL LAWS

ACTS OF 1908



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STATE OF VERMONT

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ACTS OF 1908



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INTRODUCTORY LETTER.

MONTPELIER, VT., MARCH 1, 1909.

To Teachers and School Officers:

The following pages comprise the School Legislation enacted by the General Assembly of 1908. Your special attention is called to the modification of the laws relating to the Examination and Certification of Teachers, Supervision of Schools, Truancy, Time Allowed Teachers, and the Payment of Teachers' Wages.

The chief modifications and essential features of the various laws are indicated by head notes.

Very sincerely yours,
MASON S. STONE,
Superintendent of Education.

No. 34 creates a State Board of Education with the Governor as Chairman, ex-officio. This Board assumes the duties of the Board of Normal School Commissioners, and also apportions the state school revenues.

No. 34.—AN ACT PROVIDING FOR A STATE BOARD OF EDUCATION.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. A state board of education is hereby created, consisting of the governor of the state, as chairman, and the superintendent of education as members ex officio, and three members appointed by the governor on December 1, 1908, for the term of one, two and three years respectively, and annually thereafter the governor shall appoint a member for three years to succeed the member whose term expires.

The governor shall also appoint biennially for the term of two years, one resident commissioner in each town where a normal school is located, who shall serve without pay and only act with the state board of education in matters pertaining to the normal school in the town of his residence.

The governor shall have power to fill any vacancies.

SEC. 2. Each of said appointees shall receive five dollars a day for services rendered, and necessary expenses. Said board shall be provided, at the expense of the state, with necessary supplies, including stationery, printing, postage and the like.

Settlement of accounts shall be quarterly, on March first, June first, September first, and December first.

SEC. 3. Said board shall elect a vice-chairman, a secretary and a treasurer. Said treasurer shall give bonds to such an amount as the governor and state treasurer may designate.

Said board may make regulations governing its meetings and the performance of its duties.

SEC. 4. Said board shall assume all the powers and duties now granted to the board of normal school commissioners, shall have full control and management of the normal schools, and any normal-industrial or industrial school that may be established by the state, and shall have power to make such regulations governing these institutions as the interests of the state demand.

SEC. 5. Section 1096 of the Public Statutes is hereby amended so as to read as follows:

Section 1096. The state board of education, shall, in its discretion, divide the sum reserved in the preceding section among the towns which expend at least fifty cents on the dollar of the grand list for school purposes, not including new buildings, in order to equalize taxation and afford equal school privileges, and shall certify to the state treasurer such division, and said treasurer shall pay to the various town treasurers in the state, on or before the tenth day of July, annually, such reserved sum, according to the division herein provided, and take their receipts for moneys so paid.

SEC. 6. Sections 946, 947 and 948 of the Public Statutes are hereby repealed. The duties imposed upon the treasurer of the board of normal school commissioners by section 950 of the Public Statutes are hereby devolved upon the treasurer of the state board of education.

SEC. 7. This act shall take effect from its passage.

Approved December 14, 1908.

No. 35 provides \$7,500 additional appropriation for the maintenance of normal schools and creates a Commission to investigate and consider ways of improving the public schools and to report its recommendations to the next General Assembly, together with plans and specifications for a new normal school building.

No. 35.—AN ACT TO AMEND SECTION 952 OF THE PUBLIC STATUTES, RELATING TO APPROPRIATIONS FOR NORMAL SCHOOLS.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. Section 952 of the Public Statutes is hereby amended so as to read as follows:

Section 952. The sum of thirty thousand dollars is hereby annually appropriated to the normal schools to be expended by the state board of education for the support of such schools, as follows:

For the normal school at Castleton, seventy-five hundred dollars.

For the normal school at Randolph, seventy-five hundred dollars.

For the normal school at Johnson, seventy-five hundred dollars.

And the sum of seventy-five hundred dollars to be used annually by said board for the benefit of any or all of said schools, as in the judgment of said board may seem best. Provided that such schools are maintained at a standard high enough to satisfy said board that the graduates of such schools are properly fitted to become teachers.

The auditor of accounts shall semi-annually, on the first day of January and July, draw an order for the sum of fifteen thousand dollars in favor of the state board of education.

SEC. 2. A commission consisting of five members to be appointed by the governor, is hereby created and is instructed to investigate and consider ways and means of improving the public schools by increasing facilities for training teachers, by making the work in such schools more practical through instruction in agriculture and manual arts and by adjusting the present system of public education to ends more promotive of the public interests of the state.

Said commission shall report its findings and recommendations to the general assembly of 1910; shall submit plans, estimates, specifications and locations as near as practicable, of a new normal school building; shall serve without pay; but the auditor of accounts is hereby directed to draw orders on the state treasurer for the necessary expenses of said commission in pursuance of the purposes of this act.

SEC. 3. This act shall take effect from its passage.

Approved January 28, 1909.

No. 36 makes it mandatory upon a town having thirty or more schools to employ a superintendent who shall give his entire time to the work; reduces the minimum number of schools for a supervision union to 25, and the maximum number to 50; makes appropriation for the payment by the state of one-half of the excess of the superintendent's salary above \$1,200, not exceeding \$1,800, in addition to the \$1,000 previously provided for; makes it incumbent upon the union superintendents to meet with the superintendent of education at least once a year; places the conducting of teachers' examinations in the hands of union superintendents; furnishes a means for re-organizing unions; and requires town and union superintendents to report to the superintendent of education the names of teachers employed.

No. 36.—AN ACT TO AMEND VARIOUS SECTIONS OF THE SCHOOL LAWS, AND TO REPEAL SECTION 944 OF THE PUBLIC STATUTES.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. Section 938 of the Public Statutes is hereby amended so as to read as follows:

Section 938. A town having twenty-five and less than thirty schools may, and a town having thirty or more public schools shall employ a superintendent who shall give his entire time to the supervision of schools, except as hereinafter provided for part time supervision, and a town so employing a superintendent may individually be considered a union if the school board so elects. An incorporated school district shall be considered a town for the purposes of this chapter. Two or more neighboring towns having an aggregate of not more than fifty nor less than twenty-five legal schools may, by vote of the school directors of the several towns, unite to form a union for the purpose of employing a superintendent of schools under this chapter.

SEC. 2. Section 941 of the Public Statutes is hereby amended so as to read as follows:

Section 941. Whenever the chairman and secretary of said committee certify, under oath, to the state treasurer that a union has been effected as provided in this chapter, and that the towns unitedly have raised by taxation, appropriated and paid in any one year a sum not less than twelve hundred fifty dollars as the salary for a superintendent of schools, and that, under the provisions of this chapter, a superintendent has been employed for one year, the state treasurer shall apportion the sum of one thousand dollars among the several towns forming

the union according to their respective grand lists, and shall pay the sums so apportioned upon the approval of the superintendent of education to the several treasurers of such towns. When said chairman and secretary certify, under oath, the actual salary paid said superintendent, the state treasurer, in addition to the one thousand dollars hereinbefore provided for and apportioned among the several towns forming a union, shall also apportion among such towns, and in like manner, one-half of the amount of said superintendent's salary above twelve hundred dollars and not exceeding eighteen hundred dollars, such additional apportionment to any one union not to exceed three hundred dollars. Said treasurers shall place such sums to the credit of the school funds of their respective towns. If the superintendent of a town which individually constitutes a union, spends any part of his time in teaching, such town shall receive from the state such portion of one thousand dollars as the time spent by him as superintendent bears to his whole time; but such sum so paid by the state shall in no case exceed five hundred dollars.

SEC. 3. Section 943 of the Public Statutes is hereby amended so as to read as follows:

Section 943. A superintendent elected under the provisions of this chapter may be removed for such cause as a majority of said joint committee, with the approval of the superintendent of education, deem sufficient. Said superintendent shall devote his entire time to the supervision of schools, except as provided for a superintendent of a town which individually constitutes a union, shall be a holder of, or shall have held, a first grade certificate or its equivalent, and shall have taught at least fifty weeks, and shall be a resident of one of the towns forming a union, or become a resident before entering upon his duties. Said superintendent shall conduct, under the direction of the superintendent of education, examinations of applicants for teachers' certificates, shall rate the applicants in such matters and subjects as are required and shall make such returns as may be required. Said superintendent shall meet with the superintendent of education at least once a year, when notified by him, for the purpose of considering matters pertaining to his duties and to the general educational interests of the state, shall make such statistical returns to said superintendent of education as may be required by him, and shall annually, on or before the fifteenth day of February, submit a written report of his official doings to the boards of school directors of the several towns forming the union. Said superintendent shall direct the work of the teachers and pupils, prescribe courses of

study, supervise the purchase and distribution of books and supplies and may dismiss a teacher who, in his judgment, is incompetent and unfit, and shall have all the powers and perform all the various duties usually pertaining to the office of superintendent of schools.

SEC. 4. By a majority vote of the school directors of all the towns forming a union, the union may be dissolved, provided the several towns individually join unions already formed or unite in forming new unions. By a like vote, one or more towns may be released from a union, provided such town or towns join unions already formed or unite in forming new unions. The remaining towns shall continue in existence as a union, provided the number of schools of the union does not fall below twenty-five, and such union may accept other towns, provided the number of schools of the reorganized union does not exceed fifty. Such remaining towns of a union may reduce the number of its schools to less than twenty-five, provided a sufficient number of other towns are added, within thirty days after reduction below twenty-five, to make the aggregate number of schools twenty-five or more.

SEC. 5. A town or union superintendent shall certify to the superintendent of education, within two weeks from the beginning of each term, as to names of teachers under his supervision, together with residence, grade of certificate and number of weeks taught.

SEC. 6. Section 944 of the Public Statutes is hereby repealed.

SEC. 7. This act shall take effect July 1, 1909.

Approved December 16, 1908.

No. 37 discontinues the examination of Teachers by County Examiners after July 1, 1909; places the certification of teachers in the hands of the superintendent of education; limits the number of permits to one-third the number of terms of school in the town, not exceeding five permits; and discontinues the teacher's course in secondary schools and re-graduation from normal schools.

No. 37.—AN ACT PROVIDING FOR A MORE UNIFORM AND ECONOMICAL SYSTEM OF EXAMINATION OF TEACHERS.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. The superintendent of education shall arrange and provide for the examination and certification of

teachers, shall fix the standard to be reached for certification, shall prepare and procure the printing of questions for such examination and blanks for teachers' certificates, and shall have power to make all regulations for such examination and certification provided such regulations are not inconsistent with the laws of the state.

SEC. 2. Under the direction of said superintendent, the superintendent of a union shall conduct examinations, and shall rate applicants for teachers' certificates in such subjects and matters as said superintendent of education may designate. All expenses incurred in conducting an examination within a union shall be met by the joint committee of such union in the same manner as other expenses of the union are met.

SEC. 3. If in the judgment of said superintendent of education an examination should be held in any town not included in a union, said superintendent may designate the time and place, and may appoint some person to conduct such examination. For such service, the appointee shall receive three dollars per day from said superintendent and reimbursement for all necessary expenses. The expense of such an examination shall be allowed said superintendent in the settlement of his account.

SEC. 4. All records of examination and certification of teachers shall be delivered by each county examiner of teachers to said superintendent for custody.

SEC. 5. Said superintendent is hereby empowered to employ such clerical assistance as is necessary for the purpose of carrying into effect the provisions of this act, and all expenses incurred in the performance of his duty shall be allowed him by the state in the settlement of his account.

SEC. 6. Section 917 of the Public Statutes is hereby amended so as to read as follows:

Section 917. Said superintendent may arrange for and conduct a summer school for teachers, the expense of which to the state shall not exceed twenty-five dollars a day, for not more than ten days in each county; and said superintendent may, in his discretion, unite and hold in some convenient location a summer school for two or more counties; but the entire expense to the state of such school shall not exceed the expense of two schools as herein provided.

SEC. 7. Section 918 of the Public Statutes is hereby amended so as to read as follows:

Section 918. Said superintendent may hold educational meetings in different towns in each county and employ compe-

tent assistants; the expense per day shall not exceed thirty dollars and the entire expense to the state for such meetings in a county for a year shall not exceed the allowance for a summer school, such expense to be allowed said superintendent in the settlement of his account.

SEC. 8. Section 958 of the Public Statutes is hereby amended so as to read as follows:

Section 958. A graduate of a normal school in another state may receive, without examination, from the superintendent of education, on presentation of a diploma or certificate of graduation, a certificate of the first grade, valid for five years from the date of graduation and subject to the same provisions as certificates of graduation from a normal school in this state.

SEC. 9. Section 959 of the Public Statutes is hereby amended so as to read as follows:

Section 959. Examination of applicants for teachers' certificates shall be both oral and written and shall be held at such times and places as said superintendent may designate for the accommodation of applicants. A record of the name, age and residence of each person examined shall be made by the person conducting the examination and he shall forthwith transmit such data to said superintendent, together with such other papers as may be required by said superintendent, who, upon their receipt, shall review such papers and thereafter keep them on file in his office for future reference. A person who fails to pass shall not have another examination for a certificate within three months thereafter. Certificates issued on such examination shall be of three grades, first, second and third, and shall not be complete unless they bear the signature or a printed fac simile signature of the superintendent of education nor until countersigned by the person who conducted the examination.

SEC. 10. Section 962 of the Public Statutes is hereby amended so as to read as follows:

Section 962. A certificate of the first grade shall be issued to one who has taught forty weeks, whose examination papers show that the applicant has reached the standard required, and who has given evidence of good moral character and ability to govern. Such certificates shall be a license to teach in the public schools for five years from its date.

SEC. 11. Section 963 of the Public Statutes is hereby amended so as to read as follows:

Section 963. A certificate of the first grade may be issued, without examination, to a graduate of a college approved by said superintendent, upon presentation of a diploma or certifi-

cate of graduation; and, at the expiration of the certificate so issued, if said graduate has taught forty weeks, said superintendent may issue a second first grade certificate.

SEC. 12. Section 966 of the Public Statutes is hereby amended so as to read as follows:

Section 966. A certificate of the first grade, or a certificate of the second grade issued on examination, held by a teacher employed continuously in the same town, shall remain in force during such employment.

SEC. 13. Section 967 of the Public Statutes is hereby amended so as to read as follows:

Section 967. A certificate of the third grade may be issued by the superintendent of education, in his discretion, for a specified time, not exceeding one year. Such certificate shall be a license to teach in the public schools of the state and may be limited to the teaching of a particular school. It shall be issued only to one who has passed a satisfactory examination in the branches required to be taught in public schools and is of good moral character and ability to govern. A person who has twice taken a certificate of the third grade and has taught at least twenty-eight weeks shall not again be eligible to receive such a certificate.

SEC. 14. Section 969 of the Public Statutes is hereby amended so as to read as follows:

Section 969. A special certificate may be issued by the superintendent of education, without examination, to a teacher of successful experience in teaching and previous certification in the first or second grade, or of special training for teaching. Such special certificate shall be a license to teach special high school subjects, music, drawing, physical culture or the industrial arts and sciences, in the public schools. Such certificate shall be valid for five years, or for two years, according to the grade of the certificate previously held by the applicant; and, in case of special training, the grade of such certificate shall be determined by said superintendent.

SEC. 15. Section 970 of the Public Statutes is hereby amended so as to read as follows:

Section 970. A special third grade certificate may be issued by the superintendent of education, without examination, to a person who has held a first or second grade certificate, or its equivalent in another state, and presents evidence of recent and successful teaching. Such certificate shall be valid only in the town specified therein and shall be a license to teach in the public schools until the next public examination or for one year from its date. A second special third grade certificate shall not

be issued until the applicant has received another first or second grade certificate issued on examination.

SEC. 16. Section 971 of the Public Statutes is hereby amended so as to read as follows:

Section 971. A certificate which shall be valid until revoked by the superintendent of education may be issued by said superintendent to a person who has taught in the public schools five hundred weeks, or to a person who is a graduate of an approved college and who has devoted at least eight years to teaching in or superintending public schools in this state, or to a person who has taught in the public schools of this state for two hundred weeks and has held certificates of the first grade for ten years or certificates of the first and second grade for twelve years or certificates of the second and third grade, or their equivalents, for fourteen years, provided that in no case shall special certificates be included.

SEC. 17. Section 972 of the Public Statutes is hereby amended so as to read as follows:

Section 972. A graduate of a normal school, holding a ten years' certificate or two five years' certificates, who has taught successfully two hundred weeks under the same, may, after the expiration thereof, be granted by the superintendent of education, without examination, a certificate which shall be a license to teach in the public schools until the same is revoked.

SEC. 18. Section 973 of the Public Statutes is hereby amended so as to read as follows:

Section 973. The superintendent of education may issue, without examination, a certificate to a person who has taught successfully in primary grades for three hundred weeks, or to a graduate of a recognized kindergarten training school, which shall be a license to teach in primary grades or kindergarten schools for five years from its date.

SEC. 19. Section 974 of the Public Statutes is hereby amended so as to read as follows:

Section 974. A town superintendent may give a private examination for a permit to teach in a particular school for a term not exceeding twelve weeks, and, in case of a successful examination, shall forthwith transmit to the superintendent of education the name, age, and residence of such successful applicant, together with the percentages attained in such examination and the examination papers. Said superintendent of education may, in his discretion, issue a permit on such examination and shall keep a record thereof. A person who has received one permit to teach shall not be entitled to another until said person has received a certificate on a public examination.

Section 20. Section 976 of the Public Statutes is hereby amended so as to read as follows:

Section 976. Not more than one-third of the terms of school in a school year, and not exceeding five terms, shall be taught under permits in a town.

SEC. 21. Section 999 of the Public Statutes is hereby amended so as to read as follows:

Section 999. Said clerk shall keep a permanent record of the proceedings of the board, and shall make such returns as the superintendent of education may require.

SEC. 22. Sections 915, 916, 922, 925, 926, 927, 928, 929, 930, 957, 960, 961, 965, 968, and 975 of the Public Statutes are hereby repealed.

SEC. 23. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 24. This act shall take effect July 1, 1909.

Approved January 25, 1909.

No. 38 provides for appeal to the town or union superintendent in case insufficient school accommodations are provided by the board of school directors.

No. 38.—AN ACT TO AMEND SECTIONS 1007 AND 1008 OF THE PUBLIC STATUTES, RELATING TO INSUFFICIENT SCHOOL ACCOMMODATIONS.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. Section 1007 of the Public Statutes is hereby amended so as to read as follows:

Section 1007. An interested person may appeal from the action of the board of school directors to the town or union superintendent, as to the conveyance of pupils, the designation of a particular school for a pupil to attend, insufficient school accommodations, or, in case of attendance upon a school in another town, as to the number of weeks of school attendance. Such appeal shall be taken by a petition signed by five taxpayers of the town.

SEC. 2. Section 1008 of the Public Statutes is hereby amended so as to read as follows:

Section 1008. On notice of such appeal, the town or union superintendent shall appoint a time and place of hearing thereon in the town where such appeal originated. Such appeal shall be heard by the town or union superintendent, as the case may be, and by two other persons, one of whom shall be selected by the appellant and the other by the board of school directors; and if either party fails to select a referee, said town or union superintendent and the referee selected by the other party shall select a second referee, and the question shall be decided by the superintendent and the two referees so chosen. Said appeal shall be to the union superintendent if the appellant resides in a union district, if not, then to the town superintendent. The decision shall be rendered in writing to the board of school directors, and said board shall act as directed therein.

SEC. 3. This act shall take effect from its passage.

Approved January 27, 1909.

No. 39 increases the number of weeks for an approved secondary school to 36.

No. 39.—AN ACT TO AMEND SECTIONS 1016, 1029 AND 1097 OF THE PUBLIC STATUTES, RELATING TO THE NUMBER OF WEEKS OF SCHOOL.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. Section 1016 of the Public Statutes is hereby amended so as to read as follows:

Section 1016. For the purposes of this chapter, a high school shall be a school of any one of the following classes: first class, a school of a four years' course or courses; second class, a school of a three years' course or courses; third class, a school of a two years' course or courses; fourth class, a school of a one year course or courses.

The course or courses of instruction in each school in any one of the four classes shall begin immediately at the completion of an elementary course of nine years.

Each school shall be considered a single school, in and for which a single register shall be kept and returned according to

law, and each shall be maintained at least thirty-six weeks in the school year and shall be taught by a teacher or teachers of competent ability, of good morals and legal certification; and, in each, instruction shall be given in English language and literature, higher mathematics, history, natural science and, in schools of the first and second class, ancient and modern languages; and instruction may be given in political, social, moral and industrial sciences, commercial subjects, ancient and modern languages, music and physical culture, and in the fine and mechanical arts.

The course or courses and subjects of study for each school shall be prescribed by the superintendent of education, and each school shall conform thereto.

An educational institution legally incorporated and providing instruction equivalent to that of a high school of any class shall be an academy.

SEC. 2. This act shall take effect April 1, 1909.

Approved December 16, 1908.

No. 40 provides state aid for manual training departments in grammar or high schools.

No. 40.—AN ACT TO PROVIDE STATE AID FOR MANUAL TRAINING DEPARTMENTS.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. Any high or grammar school whose course of study or outline or work in manual training has been approved by the state superintendent of education, may, upon application, be placed upon an approved list of schools maintaining manual training departments. A school once entered upon such list may remain there and be entitled to state aid so long as the scope and character of its work are maintained in such manner as to meet the approval of such superintendent. On the first day of July in each year the clerk of each school board maintaining a school on the approved list or the city superintendent of any city where such an approved school is maintained, shall report to the state superintendent of educa-

tion in such form as may be required, setting forth the facts relating to the cost of maintaining the manual training department thereof, the character of the work done, the number and names of teachers employed, and the length of time such department was maintained during the preceding year. And upon the receipt of such report, if it shall appear that the department has been maintained in a satisfactory manner for a period of not less than six months during the year, the said superintendent shall make a certificate to that effect and file it with the auditor of accounts. Upon receiving such certificate, the auditor of accounts shall draw an order for two hundred and fifty dollars payable to the treasurer of the town, city or district maintaining the school; provided that the total amount expended for such purpose shall not exceed five thousand dollars in any year.

SEC. 2. Two or more towns may unite as a district for the maintenance of the industrial schools provided for in the preceding section, but no such district shall be created without the approval of the superintendent of education.

Approved January 27, 1909.

No. 41 places the control of secret societies, organized in connection with public schools, in the hands of the school boards.

No. 41.—AN ACT RELATING TO SECRET SOCIETIES
IN PUBLIC SCHOOLS.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. No pupil registered as such and attending any public school in the state which is wholly or partly maintained by public funds shall join, become a member of or solicit any other pupil of such school to join or become a member of any secret fraternity, club or society wholly or partially formed from the membership or pupils attending such school, or take part in the organization or formation of any such fraternity, club or society or the continuation of any such existing fraternity, club, society or association, except such societies or associations as are sanctioned by the school authorities after an impar-

tial investigation of their nature, in the course of which the members of any such existing fraternity, club, society or association shall be given full opportunity to be heard in person or by deputy. The decision of said school authorities, however, shall be final.

SEC. 2. The school directors, commissioners or other school authorities of the several towns, villages and incorporated school districts shall enforce the provisions of the preceding section in their respective towns, villages or incorporated school districts and shall have full power and authority to make, adopt and modify all rules and regulations which in their judgment may be necessary for the proper governing of such schools and enforcing all of the provisions of the preceding section.

SEC. 3. The school directors, commissioners or other school authorities of the several towns, villages and incorporated school districts shall have power and authority, pursuant to rules and regulations made and adopted by them for that purpose, to suspend or dismiss any pupil of such schools therefrom or to prevent such pupil or any of them from graduating or participating in school honors, when, after investigation, in the judgment of such school directors, commissioners or other school authorities or a majority of them, such pupil is guilty of violating any of the provisions of the second preceding section or is guilty of violating a rule or regulation adopted by such directors, commissioners or other school authorities for the purpose of governing such schools or for the purpose of enforcing the provisions of such second preceding section.

SEC. 4. The provisions of this act shall not apply to membership in temperance or religious societies or associations of any kind or to societies or any form of associations which have been established in a given community for the moral advancement of its youth.

SEC. 5. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 6. This act shall take effect from its passage.

Approved January 7, 1909.

No. 42 gives teachers the privilege of visiting schools, without loss of time, provided they are so instructed by their respective superintendents

No. 42.—AN ACT TO AMEND SECTION 1025 OF THE PUBLIC STATUTES, RELATING TO TIME ALLOWED TEACHERS.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. Section 1025 of the Public Statutes is hereby amended so as to read as follows:

Section 1025. The time not exceeding four days actually spent by a teacher in attendance upon a meeting of the state teachers' association, upon educational meetings held by the superintendent of education or town or union superintendent, and the time actually spent by a teacher in visiting schools when so instructed by the town or union superintendent, during the time such teacher is engaged, shall, in determining the compensation of the teacher and the number of weeks of school, be accounted the same as if spent in teaching.

SEC. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect from its passage.

Approved December 2, 1908.

No. 43 makes the truancy law simpler and more operative, gives truant officers power to call the health officer or a competent physician in case of doubt in regard to a child's sickness, gives school boards power to excuse a child from school attendance, and defines a habitual truant.

No. 43.—AN ACT TO AMEND SECTIONS 1030, 1033 AND 1037 OF THE PUBLIC STATUTES, AND TO REPEAL SECTION 1036 OF THE PUBLIC STATUTES, RELATING TO SCHOOL AGE AND ATTENDANCE.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. Section 1030 of the Public Statutes is hereby amended so as to read as follows:

Section 1030. If a person having the control of a child over fifteen years of age allows such child to be enrolled as a pupil in a public school or in a school in which his tuition is paid at the public expense, he shall cause such child to attend such school regularly during the term for which he is enrolled, unless he is mentally or physically unable to continue or is excused in writing by the board of school directors.

SEC. 2. Section 1033 of the Public Statutes is hereby amended so as to read as follows:

Section 1033. Said truant officer shall, upon such notice, forthwith inquire into the cause of such child's non-attendance; and, if he finds that such child is required to attend school, he shall notify the person having such child under his control that such child is a truant, and also notify such person to cause such child to attend school regularly thereafter, and such notice shall be in writing; and if the truant officer shall find such child, he shall take him to school and place him in charge of the teacher thereof; and a truant officer may stop a child between the ages of eight and fifteen years, or a child over fifteen years of age who has become enrolled in a school, wherever found during school hours, and take him to the school, public or private, which he should attend. When a person having charge and control of a child states to the truant officer that the child is mentally or physically unable to attend school, and the truant officer believes or has reason to believe that such statement is false, he may request the health officer of the town or a competent physician to examine such child and report the facts to such officer, and the expense of such examination shall be paid from the school funds of the town.

SEC. 3. Section 1037 of the Public Statutes is hereby amended so as to read as follows:

Section 1037. Upon such notice of the truant officer, if the person having control of such child fails, without legal excuse, to cause such child to attend school regularly thereafter, the officer giving the notice shall forthwith enter a complaint to the town grand juror of the town in which said person resides, or to the state's attorney of the county, who shall prosecute said person, and said person shall be fined as provided in section 1043 of the Public Statutes.

SEC. 4. Unless physically or mentally unable to attend, or excused in writing by the board of school directors or prudential committee, any child between the ages of eight and fifteen years and any child over fifteen years who has become enrolled in a public or private school, whose absence from

school aggregates five days during any four consecutive weeks of school may be adjudged an habitual truant.

SEC. 5. Section 1036 of the Public Statutes is hereby repealed.

SEC. 7. This act shall take effect from its passage.

Approved January 28, 1909.

No. 44 extends the powers granted to town superintendents, under the child labor law, to union superintendents and prudential committees.

NO. 44.—AN ACT TO AMEND SECTIONS 1044 AND 1045 OF THE PUBLIC STATUTES, RELATING TO THE EMPLOYMENT OF CHILDREN UNDER SIXTEEN YEARS OF AGE.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. Section 1044 of the Public Statutes is hereby amended so as to read as follows:

Section 1044. A child under sixteen years of age who has not completed the course of study of nine years prepared for the elementary schools by the superintendent of education shall not, unless excused in writing by the town superintendent of schools or in case of district supervision by the district superintendent, or by the chairman of the prudential committee in the case of an incorporated district, be employed in work connected with railroading, mining, manufacturing or quarrying, or be employed in delivering messages by a corporation or company, except during vacations and before and after school, unless said child deposits with his employer a certificate from said superintendent or chairman of the prudential committee to the effect that he is eligible to employment in accordance with the provisions of this chapter; and no child under sixteen years of age shall be employed after eight o'clock at night in any of the occupations or industries herein enumerated. In case said child has been in attendance upon a private or parochial school, such superintendent or chairman of the prudential committee may examine said child for the purpose of determining his eligibility to employment in accordance with this section.

SEC. 2. Section 1045 of the Public Statutes is hereby amended so as to read as follows:

Section 1045. The town superintendent, district superintendent or the chairman of the prudential committee may inquire of the owner or superintendent of a mill, factory, quarry, workshop, or railroad office, shop or yards, as to the employment of children therein, may call for the production of certificates deposited with such owner or superintendent, and satisfy himself that the requirements of law have been complied with.

Approved November 17, 1908.

No. 45 provides for the monthly payment of teachers' wages.

No. 45.—AN ACT TO PROVIDE FOR THE PAY OF PUBLIC SCHOOL TEACHERS, AND TO AMEND SECTION 1054 OF THE PUBLIC STATUTES.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. A teacher in the public schools of any town shall be entitled to receive monthly payment of wages due under the contract of said teacher with such town, provided such teacher demands of the board of school directors such monthly payment.

SEC. 2. Section 1054 of the Public Statutes is hereby amended so as to read as follows:

Section 1054. Said clerk shall examine the register; and, if it is filled out and properly certified to by the teacher, he shall give a certificate to that effect; and the teacher shall not be entitled to compensation for the last four weeks of teaching except on presentation of such certificate.

SEC. 3. This act shall take effect from its passage, but shall not affect existing contracts.

Approved January 25, 1909.

No. 46 places in the hands of the board of school directors the management of grammar school lands in towns receiving the benefit of the revenue from such lands, and directs that the revenue shall be applied in providing advanced instruction.

No. 46.—AN ACT RELATING TO GRAMMAR SCHOOL LANDS.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. The school directors of any town within which grammar school lands are located, provided the revenue of such grammar school lands has not been granted to a particular academy or grammar school or to a particular use by special act of the general assembly, shall have control and management of such lands, shall have power to lease the same on the expiration of existing leases, and to collect and disburse all revenues arising therefrom. If in any town in which such lands are located a high school or an academy, approved by the superintendent of education, is maintained by such town, the revenues arising from such lands shall be used in the maintenance of such high school or academy; but if no approved high school or academy is maintained by the town, the revenues arising from such lands shall be used in the payment of the tuition of resident students for advanced instruction in other towns. All funds that have accumulated in the hands of trustees in any town within which grammar school lands are located shall be paid over to the board of school directors to invest and control, for which bonds satisfactory to the selectmen shall be given, and the income from such investments shall be used in the same manner as the revenues of the grammar school lands hereinbefore mentioned.

SEC. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect February 1, 1909.

Approved January 22, 1909.

No. 47 provides for the apportionment of state school revenues by the State Board of Education, directs the State Treasurer to distribute revenues accordingly, and permits high school students to ride in conveyances provided for elementary pupils.

No. 47.—AN ACT TO AMEND VARIOUS SECTIONS OF THE PUBLIC STATUTES, RELATING TO STATE AID.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. Section 1095 of the Public Statutes is hereby amended so as to read as follows:

Section 1095. The state board of education shall annually, in the month of June, apportion the money in the state treasury received on such tax in the following manner: in order to equalize school taxes and afford equal school privileges, forty-five thousand dollars shall be reserved and, in its discretion, shall be apportioned by said board among the towns, unorganized towns and gores, which have actually expended, in addition to all other school moneys, at least fifty cents on the dollar of the grand list for school purposes, not including new buildings. The remaining portion of the income received on such tax shall, at the same time, be apportioned by said board among the towns, unorganized towns and gores, in proportion to the number of legal schools maintained in each during the preceding school year, but any town maintaining only one school shall not forfeit its share in such apportionment because the average daily attendance of such school is below six for twenty-eight consecutive weeks. Upon completion of the apportionments herein provided for, said board shall forthwith furnish the state treasurer a certified copy of the same. In unorganized towns and gores, the moneys received from the state on the division of revenues according to number of legal schools shall be divided equally among the several school districts which have maintained legal schools during the preceding school year.

SEC. 2. Section 1096 of the Public Statutes is hereby amended so as to read as follows:

Section 1096. Said treasurer shall, annually, on or before the tenth day of July, divide the money in the state treasury received on such tax according to the apportionments made by said board, and, after approval by the auditor of accounts, shall transmit the same to the treasurers of the respective towns

who shall credit such apportionments to the school funds of the town.

SEC. 3. Section 1098 of the Public Statutes is hereby amended so as to read as follows:

Section 1098. For the purposes of this act a district incorporated by special act of the general assembly shall be considered a town, but such district shall not be entitled to its portion of the state school tax until its school board has furnished to the state treasurer the name of the treasurer of such district. Provided an incorporated school district, or part of such a district, exists in any town, all revenue from bequests, funds or public lands, not otherwise specifically disposed of by will, grant, or act of legislature, but devoted to the public schools of such towns, shall be divided by the selectmen, on or before September first, annually, between the town school district and the incorporated school district according to the number of legal schools maintained in each, and the portion of the revenue received by each district shall be credited to the school funds of such district.

SEC. 4. In all cases of transportation of elementary pupils, high school students may have the privilege of transportation on conveyances furnished elementary pupils, and, in the distribution of state aid for transportation, no deduction shall be made in the amount due a town on account of transportation furnished high school students under this section.

SEC. 5. Section 1099 of the Public Statutes and all acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 6. This act shall take effect April 1, 1909.

Approved January 28, 1909.

No. 48 provides for the display of the flag on school houses or premises.

**No. 48.—AN ACT TO PROVIDE FOR THE DISPLAY OF
FLAGS ON SCHOOL PREMISES.**

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. The board of school directors and the corresponding officers in school districts shall cause to be erected

on each school house, or on the premises belonging thereto, a suitable flag pole and shall, while school is in session therein, cause a United States flag to be displayed thereon.

Approved December 2, 1908.

No. 49 relates to instruction of deaf and dumb children.

No. 49.—AN ACT IN ADDITION TO CHAPTER 60 OF THE PUBLIC STATUTES, RELATING TO THE INSTRUCTION OF DEAF, DUMB AND OTHER DEFECTIVE CLASSES.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. The governor may, in his discretion, provide for the instruction of blind, deaf and dumb children over 14 years of age, and of blind adults, in such schools without this state as he may designate, said schools to be selected with reference to furnishing instruction in such trades or lines of work as will be best calculated to enable such persons to be self-supporting. The expense of such instruction shall be paid from the appropriation provided by section 1168 of the Public Statutes, and the provisions of chapter 60 of the Public Statutes shall apply to such beneficiaries in so far as the same are not inconsistent with this act.

SEC. 2. This act shall take effect from its passage.

Approved January 7, 1909.

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