

CHAPTER CXLII.

[H. B. No. 472.]

SUNDRY AMENDMENTS TO THE SCHOOL CODE.

AN ACT to amend an act entitled and cited as the Code of Public Instruction of the State of Washington, amending sections 6, 10, 11, 22, 30, 33, 39, 42, 48, 49, 54, 56, 78, 97, 99, 101, 102, 105, 111, 121, 141, 142, 144, 153, 175, 177, 222, 223, 255, all being of said act; also declaring an emergency.

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

SECTION 1. That section 6 of an act known and cited as the Code of Public Instruction of the State of Washington, approved March 19, 1897, be amended to read as follows: Sec. 6. In forming new districts, or transferring territory from one district to another, or changing boundaries of districts, no school district shall contain less than four sections of land, unless said district can support six months' school per year after such change of territory: *Provided*, That the county superintendent may establish a district with less than four sections on a petition signed by all the heads of families of the proposed district, by and with the consent of the state superintendent of public instruction.

SEC. 2. That section 10 of said act be amended to read as follows: Sec. 10. The board of directors and clerk provided for in the preceding section shall, in all matters relating to the union or graded schools of such districts, possess all the powers, discharge all the duties and be governed by the laws herein provided for school district officers, and the clerk of such union district shall, immediately upon his election, inform the county superintendent of the organization of the district. Upon receipt of such notice of organization the county superintendent shall designate such union district by number, as "Union District No.....,county," and shall notify the county treasurer, of the organization of such district: *Provided*, That such district shall be entitled to and shall receive

Union dis-
tricts.

apportionments from the state annual school fund in the manner provided by law for the apportionment of said fund to other school districts: *Provided further*, That the superintendent of public instruction shall apportion annually to each such union district the sum of one hundred (\$100) dollars for each grade above the grammar grade maintained in such schools.

SEC. 3. That section 11 of said act be amended to read as follows: Sec. 11. The directors of such union districts shall determine what grade or grades above the grammar grade of the state common school course of study shall be pursued and maintained in such schools: *Provided*, That the course of study for such grade or grades shall not be inconsistent with the laws of this state; and the teacher or teachers of such union schools shall keep such records and make such reports as are required of teachers of schools in the districts composing such union districts, and shall make such other reports as may be required by the superintendent of public instruction.

Rural high schools.

SEC. 4. That section 22 of said act be amended to read as follows: Sec. 22. The powers and duties of the superintendent of public instruction shall be—

Duties.

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

To supervise.

Second. To report biennially to the governor on or before the first day of November preceding the regular session of the legislature, of which report three thousand copies shall be printed and delivered to the superintendent of public instruction, who shall furnish two copies to be deposited in the state library, one copy to each county superintendent of schools and one copy to each district library. Said report shall contain a statement of the general condition of the public schools of the state, with full statistical tables, by counties, showing the number of schools and the attendance; the state and county school funds apportioned, amount received from special tax and from other sources, amount expended for salaries of teachers, the salaries paid by the several counties to the county superintendent of

To make biennial report.

schools, and the amount paid him for incidentals and expenses ; the amount paid for buildings and providing school houses, furniture and apparatus ; the amount of bonded or other school indebtedness, with the rate of interest paid thereon ; the reports of all state educational institutions, or such portions of them as he may think advisable, together with such other facts as he may deem of general interest. He shall also include in his report a statement of plans for the management and improvement of the schools.

To have
printed blanks
and registers.

Third. To prepare and have printed such blanks, forms, registers, courses of study, rules and regulations for the government of the common schools, questions prepared for the examination of teachers, and such other blanks and books as may be necessary for the discharge of the duties of teachers and officers charged with the administration of the laws relating to the common schools ; and to distribute the same to the county superintendents.

To visit
schools.

Fourth. To travel in the different counties of the state where public schools are taught, without neglecting his other official duties as superintendent of public instruction, for the purpose of visiting schools, of consulting the county superintendents, and of addressing public assemblages on subjects pertaining to public schools ; also to conduct such correspondence as may enable him to obtain all necessary information relating to the system of public schools in other states.

Fifth. To submit to the state auditor a monthly statement of his expenditures for traveling expenses : *Provided,* That said expenditures shall not exceed eight hundred dollars in any one year.

To have
printed school
laws.

Sixth. To cause to be printed with an appendix of appropriate forms and instructions for carrying into execution the laws relating to public schools, and to distribute to each county superintendent a sufficient number of copies to supply each district officer, and to cause the same to be printed and distributed as often as any change in the laws makes it of sufficient importance, in his opinion to justify the same.

Seventh. To act as *ex officio* president of the state board of education. President state board of education.

Eighth. To hold biennially, on or before the first day of May following the election of county superintendents, a convention of the county superintendents of the state, at such time and place as he may deem convenient, for the discussion of questions pertaining to the supervision and administration of the school laws, and such other subjects affecting the welfare and interests of the common schools as may be brought before it. To hold county superintendents' convention.

Ninth. Upon receipt from the state auditor of a certificate of the state school fund subject to apportionment, to apportion within ten days said fund among the several counties of the state, in proportion to the total days' attendance: *Provided*, That each school district shall be credited with at least two thousand total days' attendance. The basis of said apportionment shall be the last annual reports of the several county superintendents on file in his office at the time of making his apportionment. *Provided further*, If a pupil attends any school of the state outside his resident district during the time the resident district maintains school of the grade in which the pupil belongs, the attendance shall be credited to the district in which the pupil resides, unless mutually arranged otherwise by the directors; and the clerk of any district whose resident pupils are attending school in another district, shall notify the clerk of the district where such pupils attend, when the school of said pupils' resident district will be in session, and the grades maintained; and without such notice all claim to attendance will be forfeited. To apportion school funds.

Tenth. To require annually, on or before the fifteenth day of August, of the president, manager or principal of every seminary, academy or private school, and of the president, manager or principal of every state educational institution in this state, a report of such facts arranged in such form as he may prescribe, and he shall furnish blanks for such reports, and it To require reports from private schools.

is made the duty of every such president, manager or principal to fill up and return such blanks within such time as the superintendent of public instruction shall direct.

To keep directory of school officers.

Eleventh. To keep in his office a directory of all boards of regents and trustees of state educational institutions, of the faculties of said institutions, and of all teachers receiving certificates to teach in the common schools of this state.

To examine manuscript.

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

To preserve official documents.

Thirteenth. To keep in his office at the capital of the state all books and papers pertaining to the business of his office, and to keep and preserve in his office a complete record of statistics and all matters pertaining to the educational interests of the state, as well as a record of the meetings of the state board of education. He shall file all papers, reports and public documents transmitted to him by the school officers of the several counties of the state each year, separately. Copies of all papers filed in his office, and his official acts, may be certified by him and attested by his official seal, and when so certified shall be evidence equally and in like manner as the original paper.

To render decisions or opinions.

Fourteenth. To decide all points of law which may be submitted to him in writing by any county superintendent, or that may be submitted to him by any other person upon appeal from the decision of any county superintendent, and shall publish his rulings and decisions from time to time, for the information of school officers and teachers; and his decision shall be final unless set aside by a court of competent jurisdiction.

Fifteenth. To deliver over to his successor at the expiration of his term of office, all records, books, maps and documents, and papers of whatever kind belonging to his office, or which may have been received by him for the use of his office.

SEC. 5. That section 30 of said act be amended to read as follows: Sec. 30. A county superintendent of common schools shall be elected in each county of the state at each general election, whose term of office shall begin on the first Monday in August next succeeding his election and continue for two years and until his successor is elected and qualified. He shall take the oath or affirmation of office, and shall give an official bond in a sum to be fixed by the board of county commissioners. He may, at his own cost, appoint a deputy, who shall qualify in the same manner as the county superintendent, and perform all the duties of the office, subject, however, to revision by the county superintendent. The county commissioners of each county shall fill any vacancy that may occur in the office of county superintendent until the next general election.

SEC. 6. That section 33 of said act be amended to read as follows: Sec. 33. Each county superintendent shall have the power, and it shall be his duty —

First. To exercise a careful supervision over the common schools of his county, and to see that all the provisions of the common school laws are observed and followed by teachers and school officers.

Second. To visit each school in his county not less than once in each year.

Third. To distribute promptly all reports, laws, forms, circulars and instructions which he may receive for the use of the schools and the teachers.

Fourth. To enforce the course of study adopted by the state board of education and to enforce the rules and regulations required in the examination of teachers.

Fifth. To keep on file and preserve in his office the biennial reports of the superintendent of public instruction and of the county superintendent of his county.

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

Seventh. To preserve carefully all reports of school officers and teachers, and at the close of his term of

office, to deliver to his successor all records, books, documents and papers belonging to the office, taking a receipt for the same, which shall be filed in the office of the county auditor.

To administer oaths.

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

To keep record of contracts.

Ninth. To keep in a suitable book an official record of all persons under contract to teach in the schools of his county, showing the number of the school district, the date of the contract, the names of the contracting parties, the date of the expiration of the teacher's certificate and the grade thereof, the salary paid, and the date of commencing school, with the length of the term in weeks.

To make annual report.

Tenth. To make an annual report to the superintendent of public instruction on the first day of August of each year for the school year ending June 30, next preceding. The report shall contain an abstract of the reports made to him by the district clerks, and such other matters as the superintendent of public instruction shall direct.

To fix district boundaries.

Eleventh. To keep in his office a full and correct transcript of the boundaries of each school district in the county. In case the boundaries of said districts are conflicting or incorrectly described, he shall change, harmonize and describe them, and at their next regular meeting, he shall certify his action to the county commissioners of his county, and shall file with them a complete transcript of the boundaries of all school districts affected by his action, which shall be entered upon the journal of said board and become a part of their records. The county superintendent shall, on request, furnish the district clerks with descriptions of the boundaries of their respective districts.

To fill vacancies.

Twelfth. To appoint directors and district clerks to fill vacancies caused by death, resignation, failure to hold election, failure to qualify before the day for

taking office, and absence from the district for a period of ninety days; to appoint directors and district clerks for any new districts: *Provided*, That when any new district is organized, such of the directors and district clerk of the old district as reside within the limits of the new one shall be directors and district clerk of the new one, and the vacancies in the old district shall be filled by appointment.

Thirteenth. To apportion, within ten days after receiving the certificate of apportionment of the superintendent of public instruction, the state annual school fund, and such other funds as are subject to apportionment, to the several school districts entitled to receive the same, in accordance with the instructions of the superintendent of public instruction. He shall certify the result of the apportionment to the county treasurer, and also notify each clerk of the amount apportioned to that district. To apportion funds.

Fourteenth. To grant such temporary and special certificates and to conduct such examinations of teachers and make such records thereof as may be prescribed by law: *Provided*, That he shall give ten days' notice of such examination by publication in some newspaper of general circulation published in his county, or if there be no newspaper, then by posting up hand bills, or otherwise. To issue certificates.

Fifteenth. To hold teachers' institutes according to law, and to conduct such other meetings of the teachers of his county as may be for the best interests of the schools. To hold institutes.

Sixteenth. Upon receipt of the report of the clerk and at any time upon the complaint of the clerk or a parent of the school or any member of the board of directors of any school district that any child is not attending school as required by law, to immediately notify the parents or guardian of such child that the law must be complied with and otherwise endeavor to procure the attendance of such child at school. To enforce attendance.

SEC. 7. That section 39 of said act be amended to read as follows: Sec. 39. Directors of school districts Election and qualification of directors.

shall be elected at the regular annual school election. At the first annual election in all new districts three directors shall be elected, for one, two and three years respectively. No person shall be eligible to the office of school director who is not able to read and write the English language. The ballot shall specify the term for which each is to be elected. In all districts in which elections have been previously held, one director shall be elected for the term of three years, and if any vacancies are to be filled, a sufficient number to fill them for the unexpired term or terms; and the ballot shall specify the respective term for which each director is to be elected. Directors-elect shall take office on the first Monday in July next succeeding their election, and shall hold office until their successors are qualified. In case of vacancy in the board of directors from any cause, the county superintendent shall fill such vacancy by appointment until the next annual election.

Non-resident
attendance.

SEC. 8. That section 42 of said act be amended to read as follows: Sec. 42. Any board of directors shall have power to make arrangements with adults wishing to attend school or with the directors of another district for the attendance of such children in the school of either district as may be best accommodated therein: *Provided*, That in case such arrangements are not made, or children from school districts not adjoining desire to attend school in their district, they may charge reasonable tuition for such attendance; *Provided, further*, That all moneys collected by any school district officer for the use of the district shall, within thirty days after the date of its collection, be turned over to the county treasurer and placed to the credit of the district.

Election of
clerk.

SEC. 9. That section 48 of said act be amended to read as follows: Sec. 48. A district clerk shall be elected in each district at each annual election, to hold office for one year, beginning on the first Monday in August next succeeding his election, and until his successor is elected and qualified. In case of vacancy in the office of district clerk from any cause, the county

superintendent shall fill such vacancy by appointment until the next annual election.

SEC. 10. That section 49 of said act be amended to read as follows: Sec. 49. The duties of the district Duties. clerk shall be as follows: *First.* To attend all meetings of the board of directors; but if he shall not be present the board of directors shall select one of their number to act as clerk; who shall certify the proceedings of the meeting to the clerk of the district, to be recorded by him. He shall keep his records in a book To keep records. to be furnished by the board of directors, and he shall preserve copies of all reports made to the county superintendent, and safely preserve and keep all books and documents belonging to his office, and shall turn the same over to his successor. *Second.* To keep accurate and detailed accounts of all receipts and expenditures of school money. To keep financial account. At each annual school meeting the district clerk must present his record book for public inspection, and shall make a statement of the financial condition of the district and of the action of the directors, and such record must always be open for public inspection. *Third.* To take annually, in June of each year, an exact census of all children and youth between the ages of five and twenty-one years who were *bona fide* residents of the district on the first day of June of that year; and he shall designate the number of weeks each child between the ages of six and twenty-one years has attended school during the school year; the names and sex of all children subject to enumeration, together with the names of their parents or guardians: *Provided,* That Indian children not living under the guardianship of white persons, or who have not severed their tribal relations, or Mongolian children not native born, shall not be included in said census. He shall note all defective youth between the ages of five and twenty-one years; and he shall, on or before the fifteenth day of July, make to the county superintendent a full and complete report of all children enumerated, together with a complete statistical report of the To take census.

affairs of his district, which report shall be verified by affidavit. Said report shall be made upon blanks to be furnished by the superintendent of public instruction, and shall contain such items of information as said superintendent shall require, including the following: The names of all persons, male and female, between the ages of five and twenty-one years, residing in the district on the first day of June last past, together with the number of weeks each has attended school during the last school year; the names and residences of the parents or guardians of all such children; the number of schools or departments taught during the year, and the branches taught; the number of children, male and female, enrolled in school, and the average daily attendance; the number of teachers employed, and their compensation per month; the number of days school was taught during the past school year, and by whom; the text-books used, and the number of volumes, if any, in the school district library; the aggregate amount paid teachers during the year; the number of school houses in the district, and the value of them; the aggregate value of all school furniture and apparatus belonging to the district; the amount raised by special tax during the year for the support of schools, and for buildings, sites and furniture; the amount raised by subscription, or by other means than taxation; the amount of bonded indebtedness of the district, and the rate of interest paid; the amount of all other indebtedness, and such other items as the superintendent of public instruction may deem of importance, and as may be provided for in the blanks furnished for said report, and the clerk shall keep on file a duplicate copy of said report. *Fourth.* To keep an accurate account of all expenses incurred by him in his district in keeping the school house in repair, in providing for necessary janitor work, and in providing school supplies, and for other expenses incurred by him on account of the school, which accounts must be audited by the board of directors, and paid out of the district school fund. *Fifth.* To give

the required notice of all annual or special elections; also, to give notice of the regular and special meetings of the board of directors as herein authorized. *Sixth.*

To give notice of meetings.

To report to the county superintendent at the beginning of each term of school the name of the teacher and the proposed length of the term, and to supply the teacher with the school register furnished by the superintendent of public instruction. *Seventh.* To issue

To make reports.

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

To sign warrants.

county superintendent on or before the first day of December of each year the name and residence of every child that failed to attend school as required by law, and shall submit, at their next regular meeting, a duplicate of said report to the school board of his district.

To report non-attendance.

SEC. 11. That section 54 of said act be amended to read as follows: Sec. 54. Teachers shall faithfully enforce in the schools the course of study and regulations prescribed, and shall furnish promptly all information relating to the schools which may be requested by the county superintendent.

To enforce course of study.

SEC. 12. That section 56 of said act be amended to read as follows: Sec. 56. No teacher shall be required to teach school on Saturdays, or on Thanksgiving Day, Christmas, New Year and Fourth of July: *Provided,* That if the foregoing holidays fall on Sunday, the teacher shall not be required to teach on the following Mondays; and no deduction from the teacher's time or salary shall be made by reason of the fact that a school day happens to be one of the days referred to in this section as a day on which school shall not be taught.

Holidays.

SEC. 13. That section 78 of said act be amended to read as follows: Section 78. The board of directors shall, at a regular meeting, provide not more than two voting places in each ward of the city, and appoint

Registration and election.

judges and clerks of election, who shall observe and cause to be observed at such election all the election laws of the state applicable thereto not otherwise provided for: *Provided*, That only those persons, male and female, who have complied with the laws governing registration in cities of the class for which this section provides, shall be permitted to vote, and that no person shall be permitted to vote at said election except in the ward in which he or she resides. In cities of ten thousand (10,000) or more inhabitants, books of registration shall be open for the purpose of registration at not more than two convenient places in the district, to be designated by the board of directors, on each day between the hours of 9 o'clock A. M. and 4 o'clock P. M. of each day, except legal holidays, and they shall be closed and no names shall be registered therein during the five days preceding any special election, and during the ten days preceding any general election held in such district, except only on the last day, not Sunday or a legal holiday, preceding the day of said election, said books shall again be opened during the hours specified for the purpose of further registration. The secretary of the board shall give notice of the closing of the books of registration in his district by a notice published in a newspaper of general circulation, published in his district, at least ten days before the day for first closing of said books: *Provided, however*, That any elector of said district who has duly registered as a voter at any general election in said district shall be allowed to vote at the next succeeding school election held in the same year without registration. Should any of the judges be absent at the opening of the polls, the electors present shall appoint a legal voter, who, upon taking oath, shall be qualified to fill the vacancy.

Annual levy
and expend-
iture.

SEC. 14. That section 97 of said act be amended to read as follows: Sec. 97. The board of directors shall annually, at a meeting next preceding the annual tax levy for state and county purposes, report to the board of county commissioners an estimate of the amount of

funds in addition to estimated receipts from the state tax required for the support of the schools, for the purchase of school sites, the erection and furnishing of school buildings, the payment of interest upon all bonds issued for school purposes, and the creation of a sinking fund for the payment of such indebtedness, if any, and the county commissioners are hereby authorized and required to levy and collect said additional amount the same as other taxes; *Provided*, That in case the purchase of school sites and the erection of buildings shall require an expenditure exceeding fifty thousand dollars (\$50,000) for any one current school year, the question shall be submitted to a vote of the electors of the district, at the time and places the board of directors may appoint. The board of directors shall, previous to such election, designate in at least one daily paper published in the district, if there be one, if not, then in such weekly papers as may be selected by the board, the place or places where such an election shall be held, the locality of the site or sites required, and the proposed cost of the buildings to be erected thereon: *Provided*, That the board of directors of any school district of this state may proceed to condemn and appropriate sufficient land for a school house site not to exceed one acre in extent; such condemnation proceedings shall be in accordance with the laws of this state providing for appropriating private property for public use.

SEC. 15. That section 99 of said act be amended to read as follows: Sec. 99. Whenever the number of ^{Institutes.} school districts in any county is twenty-five or more, the county superintendent must hold a teachers' institute each year, and every teacher holding a valid certificate employed in a common school in the county must attend such institute during its whole time. County superintendents of contiguous counties may by ^{Joint.} mutual arrangements hold a joint institute, the expenses to be shared in proportion to the departments maintained in the counties as shown by the county superintendent's last annual reports. The work of the

Program.

institute shall be in conformity to a syllabus prepared by the state superintendent and a committee of three county superintendents appointed by him, for at least one-half of the program, the remaining part to be supplied by the county superintendent of each county where institute is held.

Duration.

SEC. 16. That section 101 of said act be amended to read as follows: Sec. 101. Each session of the institute must continue not less than five days.

Credit for attendance.

SEC. 17. That section 102 of said act be amended to read as follows: Sec. 102. When the institute is held during the time when a teacher is employed in teaching, his pay shall not be diminished by reason of his attendance, when certified to by the county superintendent, and in addition to the actual attendance earned by the district, an additional attendance shall be accredited to the district, determined by multiplying the average daily attendance for the term by the number of days the teacher attended the institute.

SEC. 18. (Vetoed by the governor.)

State school tax.

SEC. 19. That section 111 of said act be amended to read as follows: Sec. 111. In addition to the provisions for the support of common schools hereinbefore provided, it shall be the duty of the state board of equalization, annually, at the time of levying tax for state purposes, to levy a tax that shall be sufficient to produce a sum which, when added to the estimated amount of money to be derived from the interest on the state permanent school fund for the current fiscal year, shall equal eight dollars for each child of school age residing in the state as shown by the last report of the several county superintendents to the superintendent of public instruction: *Provided*, That said tax shall not exceed five mills on the dollar. Said tax levy shall be certified to the several county auditors in the same manner as other state taxes are required to be certified, and shall be collected and transmitted to the state treasurer at the same time and in the same manner as other state taxes are required to be collected and transmitted; and it shall be the duty of the state auditor within thirty

days after the date at which county treasurers are required to transmit state funds to the state treasurer, to certify to the superintendent of public instruction the amount of all state annual school funds in the hands of the state treasurer subject to apportionment.

SEC. 20. That section 121 of said act be amended to read as follows: Sec. 121. The county commissioners ^{Bond-interest levy.} must ascertain and levy annually the tax necessary to pay the interest upon such bonds as it becomes due, and at the expiration of one-half of the time for which said bonds are to run, and annually thereafter until full payment of said bonds is made, they may, if deemed advisable, levy, in addition to the tax required to pay the interest, such amount for sinking fund to meet the payment of said bonds at maturity, to be determined by dividing the amount of bonds outstanding by the remaining number of years to run, and the fund arising from such levy shall be kept as the bond redemption fund of said district, and each of said tax levies shall be a lien upon the property in said district, and must be collected in the same manner as taxes for other school purposes: *Provided*, That the county treasurer, ^{Investment of sinking fund.} when authorized to do so, by the board of directors of any school district, may invest any accumulated sinking fund of said district in school, county or state warrants of the State of Washington, and all profits accruing from such investment and the funds so invested shall revert to the sinking fund of said district, and the county treasurer shall be custodian of all warrants purchased by and with the said sinking fund until the same are redeemed.

SEC. 21. That section 141 of said act be amended to read as follows: Sec. 141. All applicants at the examination mentioned in the preceding section shall be at least seventeen years of age, and shall be examined according to the rules and regulations of the state board of education, in reading, penmanship, orthography, written and mental arithmetic, geography, English grammar, physiology and hygiene, history and consti- ^{Requirements for certificates.}

Certificates
without ex-
amination.

tution of the United States school law and the constitution of the State of Washington and the theory and art of teaching; but no person shall receive a first grade certificate who does not pass a satisfactory examination in the additional branches of physics, English literature and algebra, and who does not present satisfactory written evidence of having taught successfully one school year of nine months: *Provided*, That the state board of education may adopt two subjects in lieu of algebra and physics for teachers who have taught exclusively in primary schools for not less than fifty months, and the certificates granted to such primary teachers shall be known as first grade primary certificates, and shall entitle the holders to teach only in the primary grades of city and village schools. The state superintendent shall also have power to grant common school certificates without examination to all applicants who are graduates of a regular four year collegiate course of the University of Washington, the Agricultural College, and school of science, state normal schools equal in requirements to the state normal schools of Washington, or of other reputable institutions of learning whose requirements for graduation are equal to the requirements of the University of Washington; also to all applicants who hold state certificates or diplomas equal in requirements to the requirements of the State of Washington: *Provided*, That an applicant shall pass an examination in state school law and constitution with a standing required for a first grade certificate.

Examination
fee.

SEC. 22. That section 142 of said act be amended to read as follows: Sec. 142. Each applicant before taking the examination for a certificate, or upon application for a temporary certificate or for a renewal, shall pay to the county superintendent the sum of one dollar, and shall receive a receipt therefor. The fees so received by the superintendent shall in no case be returned to the applicant, but shall be paid to the county treasurer to the credit of the institute fund.

SEC. 22½. That section 144 of said act be amended to

read as follows: Sec. 144. The holder of a first grade certificate who shall present to the superintendent of public instruction evidence of having taught successfully twenty-four school months during the time said certificate has been in force, may have his certificate renewed without further examination, which renewal shall be endorsed thereon by the superintendent of public instruction, upon its presentation, for a like term of five years: *Provided*, That such renewed certificate shall lapse upon the failure of its holder to teach for a period of two consecutive school years: *Provided further*, That a teacher holding a second grade certificate who has taught in a primary grade of the public schools of the state for not less than four years immediately preceding the expiration of said certificate, and who has taken at least one subject of the teacher's reading circle each year under the regulations prescribed by the state board of education, may have said certificate renewed for two years as a primary teacher only.

SEC. 23. That section 153 of said act be amended to read as follows: Sec. 153. Every person, male or female, over the age of twenty-one years, who shall have resided in the school district for thirty days immediately preceding any school election, and in the state one year, and is otherwise, except as to sex, qualified to vote at any general election, shall be a legal voter at any school election, and no other person shall be allowed to vote: *Provided*, That registration for purposes of school election shall not be required except in cities of ten thousand or more inhabitants. Persons offering to vote may be challenged by any legally qualified school elector of the district, and one of the judges of election shall thereupon, before receiving his vote, administer to the person challenged an oath in substance as follows: "You do swear (or affirm) that you are a citizen of the United States, or have declared your intention to become such; that you are twenty-one years of age, according to your information and belief, and that you have resided in this district thirty days next preceding this election, and in the state one year,

Renewal
without ex-
amination.

Legal voters
at school
election.

and that you have not voted before on this day." If he shall refuse to take the oath, his vote shall be rejected. Any person guilty of illegal voting shall be punished as provided in the general election laws of the state.

Forfeiture of school funds.

SEC. 24. That section 175 of said act be amended to read as follows: Sec. 175. No school district shall be entitled to receive any apportionment of school moneys which shall not have maintained school for the time required by law during the preceding school year: *Provided*, That any new district formed from the division of an old one shall be entitled to its just share of school moneys when the time that school was maintained in the old district before division, and in the new one after division, shall be equal to at least the time required by law in the old district: *Provided further*, That if any school district has heretofore failed to receive apportionment of state school funds because of failure to hold school the time required by law, and there are unpaid warrants drawn on the general funds of said district for maintenance of school prior to the said failure, the superintendent of public instruction shall apportion to the county, at the time of the next regular apportionment of state school funds, an additional amount sufficient to pay said warrants and interest on the same to the date on which said apportionment is made.

Warrants of defunct districts.

Superior judge to compel attendance.

SEC. 25. That section 177 of said act be amended to read as follows: Sec. 177. Any parent or guardian, who, after being notified by the county school superintendent of the provisions of the law relative to children attending school, shall further refuse or neglect to send such child to school, shall upon complaint of the superintendent, be summoned before the judge of the superior court, who shall have power to remove any child, if an orphan, who fails to attend school, as required by law, and place it in the care of some other person who will be likely to send such child to school, or if the child be under the care of a parent or parents, then said judge shall have power, upon the complaint

of the county school superintendent, to summon such child and such parent or parents before him, and if he shall, upon inquiry, find that said child has not already attained a reasonable proficiency in the common school branches for the first eight years outlined in the course of study for common schools for the State of Washington, he shall issue an order commanding such parent or parents to place such child in school, if school be then in session, or immediately when school shall resume, if school be not in session, or appear before him and show cause for the neglect or refusal so to do.

SEC. 26. That section 222 of said act be amended to read as follows: Sec. 222. The board of higher education shall prescribe the following courses of study which shall be uniform for all state normal schools of the state: (1) An elementary course of three years; (2) An advanced course of two years for those who have completed the elementary course; (3) An advanced course of two years for graduates from a four year high school accredited by the board of higher education; (4) An advanced course of one year for graduates from colleges and universities. A student who completes the elementary course shall receive a certificate which shall entitle him to teach the common schools of the state for a period of five years. A student who completes any advanced course shall receive a diploma which shall entitle him to teach in the common schools of the state for a period of five years and upon satisfactory evidence of having taught successfully for two years during the time for which the diploma was issued, shall receive a life diploma issued by the state board of education. Graduates from accredited high school shall receive an elementary certificate after completing one year's work of the advanced course: *Provided*, That no one shall receive a diploma or certificate who has not been in attendance one school year of forty weeks, and who has not given evidence of ability to teach and govern a school by not less than twenty weeks' practice teaching in the training school: *Provided further*, That any of the foregoing certificates

Normal school
course of
study.

or diplomas may be revoked by the state board of education for incompetency, immorality or unprofessional conduct. The board of higher education shall also prescribe uniform rules and regulations for admission to and graduation from the state normal school: *Provided*, That a student shall pass the examination required for a third grade teacher's certificate before entering the second year of the elementary course, and shall pass the examination required for a second grade teacher's certificate before entering the third year of the elementary course.

Normal school library fee. SEC. 27. That section 223 of said act be amended to read as follows: Sec. 223. The board of trustees shall provide out of funds appropriated for the purpose, such text books and supplies as are needful for successfully carrying into effect the course of study prescribed. Each student upon admission to the school may be required to pay into the library fund of the school a sum not to exceed \$10.00, one-half of which shall be applied to the support of the general library and reading room, and the remaining half shall be kept as indemnity for loss or damage of books belonging to the school in the hands of the student, and shall be returned to him after deducting such amount which may be justly charged for any loss or damage beyond reasonable wear.

Expenses of children of indigent parents. SEC. 28. That section 255 of said act be amended to read as follows: Sec. 255. If it appears to the satisfaction of the county commissioners that the parents of any such defective youth within their county are unable to bear the expense of sending and returning them to said state school, it shall then be the duty of the commissioners to send and return them to and from said school or to maintain them at said school during vacation at the expense of the county.

SEC. 29. An emergency is declared to exist, and this act shall take effect immediately.

Passed the House March 4, 1899.

Passed the Senate March 9, 1899.

Section 18 of this bill vetoed for reasons appended in margin this 15th day of March, 1899. Other sections approved.

J. R. ROGERS,
Governor.

Section 18 of this bill is amended to correspond to the provisions of House Bill 193, and is objected to for the same reasons offered against that bill. It furthermore has amended the present law which provides for contracting with publishers for text books for a period of five years, by changing the period to two years. This change necessarily makes the contract of less value to the publisher, and precludes the possibility of favorable exchange of books and reasonable retail prices to the public.

CHAPTER CXLIII.

[H. B. No. 350.]

AS TO INSURANCE COMPANIES.

AN ACT to regulate and control insurance companies, corporations and associations in this state, and to amend section[s] 4 and 31 of an act entitled "An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency," approved March 19, 1895.

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

SECTION 1. Section 4 of an act entitled "An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency," approved March 19, 1895, is hereby amended to read as follows: Section 4. The insurance commissioner shall issue to any insurance company, corporation or association his certificate of authority to transact business in this state under the following conditions:

Provisions for admission of companies.

First. If a company, corporation or association organized under the laws of this state, when he is satisfied that the provisions of this act in relation to such company, corporation or association has been complied with.

State companies.

Second. If a company, corporation or association organized in any of the United States or territories, when he is satisfied that the company, corporation or association has net assets or paid up and unimpaired capital of one hundred thousand dollars.

Domestic companies.