

LB  
2529  
.M53  
1904









9  
3  
.

# SCHOOL LAW OF MICHIGAN

By JASON E. HAMMOND

PUBLISHED BY  
THE HAMMOND PUBLISHING COMPANY, Ltd.  
LANSING      \*      \*      \*      \*      \*  
MICHIGAN

LIBRARY OF CONGRESS,  
COPYRIGHT OFFICE.

No registration of title of this  
article as a preliminary to copyright  
protection has been found.

Forwarded to { Catalog }  
                  { Music } Division *Dec. 23, 1908*  
                  { Prints } (Date)

(1, iii, 1906—5,000.)

*JW*

Received from  
Copyright Office.

DEC 28 1908

# STATE OF MICHIGAN.

---

## DEPARTMENT OF PUBLIC INSTRUCTION.

---

### Summary of School Legislation for the session of 1907.

The legislature of 1907 passed fourteen general acts affecting the management of the schools of the state. Some of these are amendments to portions of the Compiled Laws and others are amendments to the School Laws and some are entirely new acts. The following is a summary of the principal features of the laws passed affecting schools:

1. Act 35 is a new law providing for the establishment of county schools of agriculture, manual training and domestic economy. The board of supervisors of the county is authorized to appropriate money for such schools and may, with the approval of the electors of the county, bond the county for the purpose. A county school board is created to consist of five members, of whom the county commissioner of schools is one. The others are elected by the board of supervisors for a period of four years. Two or more counties may unite in the establishment of such schools. The county treasurer is ex officio treasurer of the board. Section 6 provides that instruction in agriculture, domestic economy and manual training shall be given, and under elements of agriculture it is specified that instruction shall be given concerning the soil, plant life and animal life of the farm, a system of farm accounts, and instruction in manual training and domestic economy. It is provided that each school shall have a tract of land for experimental purposes of not less than ten acres, and such schools shall be free to the inhabitants of the county or counties if two or more combine. The State Superintendent of Public Instruction and President of the Michigan Agricultural College are to determine the qualifications of teachers and all such schools are under the general supervision of the State Superintendent of Public Instruction. This act given immediate effect.

2. Act 48 provides for the compulsory education of deaf children. The act is in the nature of an amendment to the general compulsory law and provides that every parent, guardian or other person having control of children between the ages of seven and eighteen years who



by reason of deafness cannot be taught in the public schools shall be required to send such child to a day school for the deaf, the Michigan School for the Deaf, or such other school for the deaf as the parent prefers, but if the child is not sent to some deaf school the truant officer shall see that he is sent to the school for the deaf at Flint. It is provided that in certain cases the State shall furnish transportation for such children to the School for the Deaf, and the officers who under the general statute are concerned in enforcing the compulsory school law are made the officials to enforce this law.

3. Act 74 amends the truancy law, or Act No. 200 of the Public Acts of 1905. The amendments are as follows:

(a) Children between the ages of seven and sixteen years are required to attend school the entire school year and the attendance must be continuous and consecutive.

(b) Under exemptions children who are taught in a private or parochial school in the branches usually taught in the public schools, or who upon the completion of the work in such schools shall satisfy the county commissioner or superintendent of schools that they have completed the work of the eighth grade, are exempt. All children who are holders of eighth grade diplomas from the public schools are exempt. The truant officer is authorized to secure the written statement of a competent physician when it is claimed that children are physically unable to attend school, and children over fourteen years of age may be excused from attendance by the county commissioner or city superintendent on recommendation of the school board. Children between twelve and fourteen years of age while in attendance at confirmation classes conducted for a period of not to exceed five months in those years are exempt.

(c) Section 2 of this act was amended by providing that the sheriff shall select a person of good moral character to act as truant officer for the county who must file an acceptance and a bond of a thousand dollars. Said officer has the powers of a deputy sheriff and performs the duties of truant officer when directed by the sheriff. In graded school districts the board of education have authority to appoint one or more truant officers and fix their compensation. This is in lieu of the provision that the village marshal could act under the old law. Further, in the township unit districts of the upper peninsula the board of education has authority to appoint one or more truant officers for the township but there shall also be a county truant officer and if the board of education fails to act or if the township truant officer fails to act then the county truant officer shall act. The compensation of the county truant officer is fixed at three dollars a day and actual expenses, bills to be certified by the sheriff.

(d) Section 4 is amended by providing that when truancy cases are reported the truant officer must investigate the case and within twenty-



four hours give formal written notice to the parent and in case of failure to comply with the notice the truant officer is required within three days to make complaint against the parent.

(e) Section 3 is amended in clause (d) by providing that instead of a person found guilty being liable to a fine he shall on conviction be fined not less than five dollars nor more than fifty or imprisoned in the county jail. This takes the discretionary authority away from the justices and if the person is found guilty their duty is to levy the fine.

This act is given immediate effect.

4. Act 91 amends (a) section 4665 of the School Laws in the seventh clause by providing that the people may vote a tax to pay the premium upon any surety bond required by the treasurer. This is the same clause which authorizes the people to vote compensation to district officers.

(b) Section 4667 of the School Laws was amended by adding a clause to be known as clause 9, that upon the expiration of twenty days after the failure of the district to elect a successor at the annual meeting the office becomes vacant and the school inspectors of the township shall appoint a successor.

(c) Section 4674 is amended by providing that, in addition to the funds the tax for which the school board shall vote, in districts having less than fifty children on the census list the school officers shall vote compensation for themselves not exceeding ten dollars for director, ten dollars for treasurer and five dollars for moderator. This section is also amended by providing that whenever the district or the board has voted a tax and the money is needed they may borrow the money.

(d) The chief amendment in this act is to section 4691 in regard to school treasurer's bond. It provides that each treasurer shall within ten days after his election file a bond in double the amount of money on hand plus the amount to come into his hands during each year of his term of office and that he shall file a new bond each year thereafter so long as he remains treasurer. It is provided that these bonds shall be signed by two or more sureties, each of whom shall justify to the amount for which he is holden in the bond, or he may furnish the bond of a surety company. The premium on said bond may be paid by the district as above stated. This bond is to be filed with the director and approved by both moderator and director. This section is further amended by providing that when the amount of money coming into the hands of a treasurer shall exceed \$3,000 the board may by resolution provide for the deposit of the school funds in banks or trust companies under certain restrictions which the law specifies. Not given immediate effect.

5. Act 110 amends sections 3, 4 and 5 of Chapter 32 of Act No. 215 of 1895, or the fourth class city act. Section 3 is amended by providing

that the election shall be conducted as a township election, and nominations to office shall be by petition signed by at least twenty-five qualified electors of the district. The board of education is to appoint three election commissioners on or before the 20th of June of each year who perform the usual duties of election commissioners for the school district. Section 4 is amended by providing that the president and secretary of the board of education and one trustee designated by them shall act as a board of inspectors, also that the qualifications of voters at such elections in fourth class cities shall be the same as are prescribed by the general School Laws. Section 5 requires the board of inspectors to make a poll list and have the school census at the election open for inspection and they shall have the right of access to all registration books of the wards of the city. This act is given immediate effect but it affects only such fourth class cities as manage their schools under the provisions of the fourth class city act.

6. Act 112 amends section 4805 of the Compiled Laws or School Laws in regard to the granting of college certificates by providing that the pedagogical course may be in addition to or a part of the regular college course and that the three years of teaching required before a life certificate can be issued may be done either in Michigan or elsewhere. Not given immediate effect.

7. Act 115 amends section 2 of Act 147 of 1891 in regard to commissioners of schools by providing that the commissioner of schools in Lake county shall be elected hereafter at the general election in November and his term of office shall commence on the first day of January following.

8. Act 116 is a new law providing for the compulsory education of blind children. It really amends sections 7 and 9 of Act 123 of the Public Acts of 1893 governing the Michigan School for the Blind. This law requires each school census enumerator to procure the name, age and residence, and the name and residence of the parents or guardians or the persons in control of each blind child, or of each child whose vision is so defective as to make it impossible to educate him in the public schools. It requires a special census of all such children between the ages of seven and nineteen years, and this census list is to be filed with the Superintendent of Public Instruction on blanks prepared and furnished by said Superintendent, and a copy of each is to be filed with the proper officers of the township or city, that is, township or city clerk. The Superintendent of Public Instruction is required to verify and tabulate this census list and furnish them to the superintendent of the School for the Blind. All parents of blind children between the ages of seven and nineteen years are required to have such children educated in the Michigan School for the Blind. But four exceptions are provided. The superintendent of the School for the Blind is required to furnish the county commissioner or city

superintendent with a list of such children under his jurisdiction, and said commissioner or superintendent shall see that the truant officer takes proper steps to enforce the law. The penalties provided for violation of the law are the same as the truancy law. This act was given immediate effect.

9. Act 125 amends section 1826 of the Compiled Laws or School Laws in regard to the powers of the State Board of Education and authorizes said board to recognize State certificates granted in other states under equivalent conditions to those required in Michigan.

10. Act 126 amends the rural high school law in section 4 by providing that children above the sixth grade may attend such rural high school.

11. Act 127 amends sections 4814 and 4815 of the Compiled Laws or School Laws in regard to the powers of the county commissioner of schools and boards of examiners. The first named section is amended by providing a legal procedure for the revocation or suspension of a teacher's certificate. It also provides that the commissioner of schools may suspend the force of any teacher's certificate temporarily when from his personal inspection of the work or from personal knowledge he is satisfied that the teacher has been guilty of wilful neglect of duty, or is incompetent, or has been guilty of gross immorality. The section is quite a long one and is purely technical as to legal procedure. Section 4815 is amended in several particulars by requiring the commissioner of schools to keep a record of all meetings of boards of examiners and authorizing the commissioner to call meetings of the examiners at such times as he may deem best. In other words, the county commissioner of schools is made the executive officer of the board of examiners. The commissioner is also required by other amendments to inspect the schools, the instruction, text books, apparatus, efficiency of teacher, condition of school property, the enforcement of the truancy law and report the same to each director.

12. Act 247 amends sections 4746, 4747 and 4748 of the Compiled Laws or School Laws in regard to the organization of graded school districts. This is one of the most important bills passed by the legislature. It is provided in section 1 that graded school districts may be organized by a majority vote of the qualified voters present at any annual or special meeting. It specifies also the qualifications for voters in such districts and the qualifications of members of the board of education, which are the same as are provided in the general School Laws governing primary districts, that is, a person to be eligible to school office must have property assessed for school taxes, his name must appear on the assessment roll and he must be the owner in his own right of the property so assessed. It is provided that all graded school districts organized prior to 1907 shall operate under the provisions of the new act without reorganization, and that all officers here-

after elected shall be elected under the new law. Section 2 is amended by requiring each officer to file a written acceptance and affidavit setting forth the facts of his eligibility and authorizes the board to form its own organization. It provides also that the treasurer may file either personal or surety bonds in double the amount of money to come into his hands. Section 3 of this act in regard to the powers of the school board is amended by authorizing the board to audit the accounts of the secretary and authorizes the secretary to incur incidental expenses to the amount of one hundred dollars without the authority of the school board. They are also authorized to vote the amount of tax necessary for teachers' wages, fuel and other incidental expenses, also other matters. The fifth clause is amended by providing that in all graded school districts where six or more teachers are employed the board of education is authorized to employ a superintendent of schools who shall be the holder of at least a state certificate or a normal school diploma or have qualifications equivalent. The law also specifies the powers and duties of the superintendent. This law was not given immediate effect.

13. Act 251 provides for the establishment of a bureau of information for school officers and teachers in the Department of Public Instruction. This law given immediate effect.

14. Act 256 amends section 4717 of the Compiled Laws or School Laws as amended in 1905 by providing that any school district by a majority vote of the taxpayers may borrow money and issue bonds. The old law provided that there should be a two-thirds vote in order to bond. This law was not given immediate effect.

All these laws not given immediate effect will take effect ninety days after the close of the session, or on September 27.

The compiling of the School Laws is under the control of the Secretary of State, and they will be compiled and furnished to school officers as soon as possible.

Very respectfully,

*L. L. Wright*

Superintendent of Public Instruction.













THE  
SCHOOL LAW

OF

MICHIGAN.

---

FIFTH EDITION.

*(Seventeenth to Twenty-second Thousand.)*

---

BY

JASON E. HAMMOND,

FORMERLY

SUPERINTENDENT OF PUBLIC INSTRUCTION.

---

LANSING, MICH.

THE HAMMOND PUBLISHING CO., LIMITED.

1904.

LB 2539  
M 53  
1904

LIBRARY of CONGRESS  
Two Copies Received  
NOV 18 1908  
Copyright Entry  
CLASS           XXc. No.  
COPY B.

"Our safety is not in constitutions and forms of government, but in the establishment of right systems of education."- John D. Pierce, 1838.

---

COPYRIGHT BY  
THE HAMMOND PUBLISHING COMPANY, LIMITED  
LANSING, MICH.

---

## PREFACE.

---

The "School Law of Michigan" has met with a very flattering sale since the edition of 1900 was issued and we find that teachers, school officers and students of our educational system have given our little book a place which more than filled our expectation. The edition of 1904 has been carefully revised and corrected so that attorneys may, as heretofore, find it a very valuable if not indispensable addition to their libraries—especially when it is desired to find quick reference to statute law and court decisions relative to school affairs in our state.

In this edition we quote not only from the supreme court decisions in Michigan and other states, but have given decisions of our Attorneys General and Superintendents of Public Instruction wherever it has seemed advisable to give further light on obscure or disputed points.

The numbers in this little book refer to the sections in the Compiled Laws by Hon. Lewis M. Miller, and wherever recent amendments have been made by our Legislature, the number and year of its enactment is given.

Since our last edition was published in 1900 some very important changes have been made and these changes are all very carefully and accurately included in this revision.

Especial attention is called to changes in the law for

township districts in the Upper Peninsula (pages 32 and 49); the legal qualifications of teachers (pages 56 and 57); compulsory attendance at school (pages 73 to 76); transportation of pupils (page 105); and the law providing for the establishment of County Normal schools (page 106).

We are confident that this edition will be as cordially received as the former editions and that it will not disappoint our patrons.

JASON E. HAMMOND.

LANSING, MICH., Jan. 1, 1904.



## TABLE OF CONTENTS.

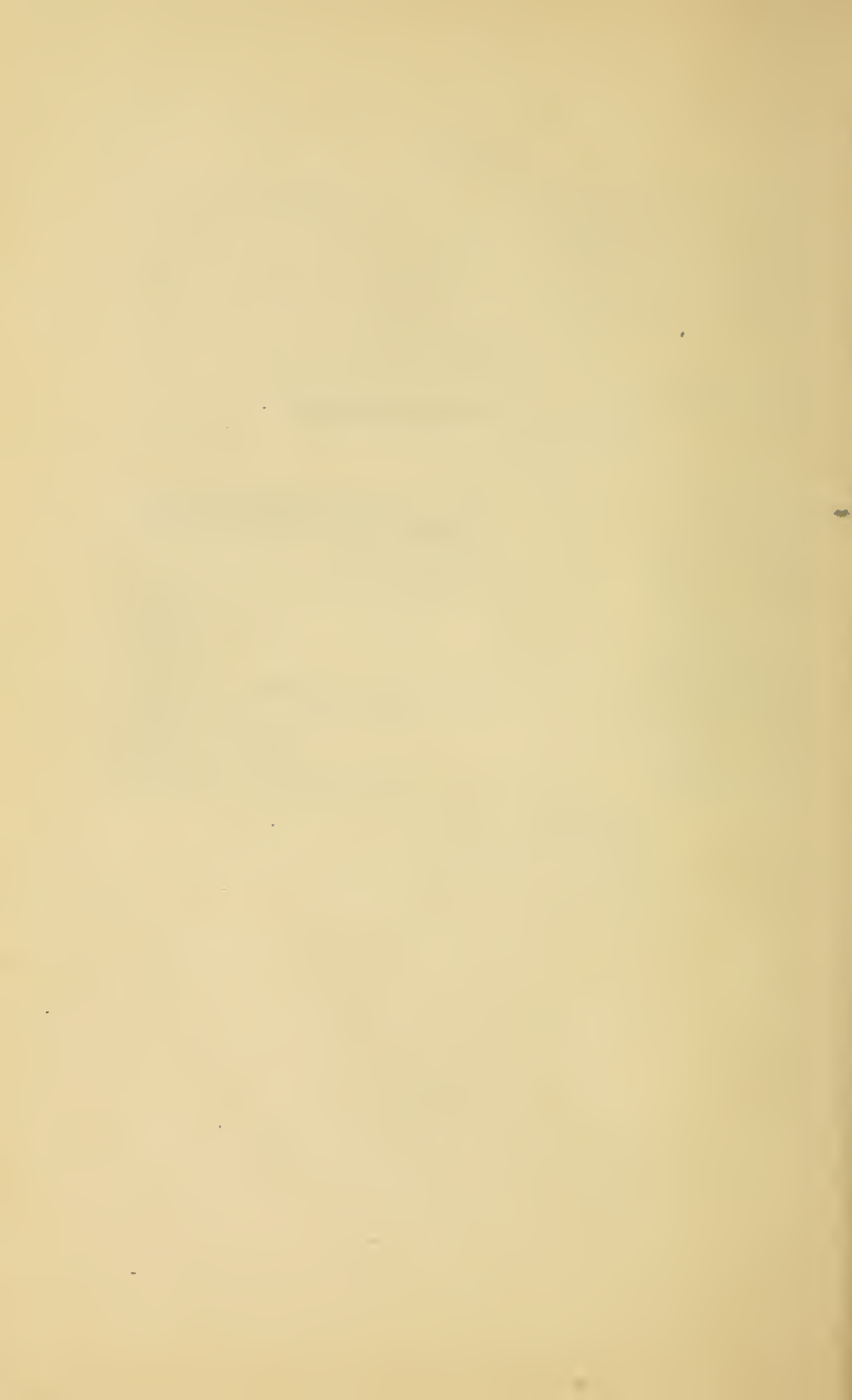
---

|              |           |                                       |
|--------------|-----------|---------------------------------------|
| CHAPTER I    | - - - -   | Constitutional Provisions             |
| CHAPTER II   | - -       | Administration of School Affairs      |
| CHAPTER III  | - -       | Organization of School Districts      |
| CHAPTER IV   | -         | Powers of Voters at District Meetings |
| CHAPTER V    | - - - - - | School Officers                       |
| CHAPTER VI   | - - - - - | Teachers                              |
| CHAPTER VII  | - -       | Compulsory Attendance at School       |
| CHAPTER VIII | - - -     | Text-Books and Libraries              |
| CHAPTER IX   | - - - -   | School Revenues                       |
| CHAPTER X    | - - - -   | Miscellaneous Provisions              |

Appendix.

Review Questions.

Index.



## CHAPTER I.

### CONSTITUTIONAL PROVISIONS.

(From Constitution of Michigan.)

#### ARTICLE VIII.

There shall be elected at each biennial election, a superintendent of public instruction for the term of two years. He shall keep his office at the seat of government, and shall perform such duties as shall be prescribed by law.

**SUPERINTEND-  
ENT OF PUBLIC  
INSTRUCTION.**

His term of office shall commence on the first day of January, one thousand eight hundred and fifty-three, and of every second year thereafter. Whenever a vacancy shall occur in the office, the governor shall fill the same by appointment, by and with the advice and consent of the senate, if in session.

**TERM OF  
OFFICE.**

#### ARTICLE XIII.

The superintendent of public instruction shall have the general supervision of educational affairs.

**GENERAL  
SUPERVISION.**

The proceeds from the sales of all lands that have been or hereafter may be granted by the United States to the state for educational purposes, and the proceeds of all lands or other property given by individuals, or appropriated by the state for like purposes, shall be and remain a perpetual fund, the interest and income of which, together with the rents of all such lands as may remain unsold, shall be inviolably appropriated and annually applied to the specific objects of the original gift, grant, or appropriation.

**PRIMARY  
SCHOOL  
FUND.**

All lands, the titles to which shall fail from a defect of heirs, shall escheat to the state; and the interest on the clear proceeds from the sales thereof shall be appropriated exclusively to the support of primary schools.

The legislature shall, within five years from the adoption of this constitution, provide for and establish a system of primary schools, whereby a school shall be kept without charge for tuition, at least three\* months in each year, in every school district in the state; and all instruction in said schools shall be conducted in the English language.

A school shall be maintained in each school district at least three months in each year. Any school district neglecting to maintain such school shall be deprived for the ensuing year of its proportion of the income of the primary school fund, and of all funds arising from taxes for the support of schools.

There shall be elected in the year eighteen hundred and sixty-three, at the time of the election of a justice of the supreme court, eight regents of the University, two of whom shall hold their office for two years, two for four years, two for six years, and two for eight years. They shall enter upon the duties of their office on the first of January next succeeding their election. At every regular election of a justice of the supreme court thereafter, there shall be elected two regents, whose term of office shall be eight years. When a vacancy occurs in the office of regent, it shall be filled by appointment of the governor. The regents thus elected shall constitute the board of regents of the University of Michigan, and these regents and their successors in office, shall continue to constitute the body corporate known by the name and title of "The regents of the University of Michigan."

---

\* Act No. 15 of 1895 increases the minimum length of school year to five months.

The regents of the University shall, at their first annual meeting or as soon thereafter as may be, elect a president of the University, who shall be *ex officio* a member of their board, with the privilege of speaking, but not of voting. He shall preside at the meetings of the regents, and be the principal executive officer of the University. The board of regents shall have the general supervision of the University, and the direction and control of all expenditures from the University interest fund.

**SUPERVISION  
OF UNIVER-  
SITY.**

There shall be elected at the general election in the year one thousand eight hundred and fifty-two, three members of a state board of education, one for two years, one for four years, and one for six years; and at each succeeding biennial election there shall be elected one member of such board, who shall hold his office for six years. The superintendent of public instruction shall be *ex officio* a member and secretary of such board. The board shall have the general supervision of the State Normal School, and their duties shall be prescribed by law.

**STATE BOARD  
OF EDUCATION.**

Institutions for the benefit of those inhabitants who are deaf, dumb, blind, or insane, shall always be fostered and supported.

**STATE IN-  
STITUTIONS.**

The legislature shall encourage the promotion of intellectual, scientific, and agricultural improvement, and shall, as soon as practicable, provide for the establishment of an agricultural school. The legislature may appropriate the twenty-two sections of salt spring lands now unappropriated, or the money arising from the sale of the same where such lands have been already sold, and any land which may hereafter be granted or appropriated for such purpose, for the support and maintenance of such school, and may make the same a branch of the University for instruction in agriculture and the natural sciences connected therewith, and place the same under the supervision of the regents of the University.

**AGRICULTURAL  
SCHOOL.**

The legislature shall also provide for the establishment of at least one library in each township and city; and all fines assessed and collected in the several counties and townships for any breach of the penal laws, shall be exclusively applied to the support of such libraries, unless otherwise ordered by the township board of any township, or the board of education of any city: *Provided*, That in no case shall such fines be used for any other than library or school purposes.

SCHOOL  
LIBRARIES.

#### ARTICLE XIV.

All specific state taxes, except those received from the mining companies of the Upper Peninsula, shall be applied to paying the interest upon the primary school, University, and other educational funds, and of the interest and principal of the state debt in the order herein recited, until the extinguishment of the state debt other than the amount due to educational funds, when such specific taxes shall be added to and constitute a part of the primary school interest fund.

SPECIFIC  
TAXES.



## CHAPTER II.

## ADMINISTRATION OF SCHOOL AFFAIRS.

*Superintendent of Public Instruction.*

The chief officer of the state educational system is the superintendent of public instruction, who is elected at the time of the general state election for a term of two years, commencing on the first day of January next following his election.

His salary is one thousand dollars a year and his office is  
**SALARY.** at the capitol in Lansing.

He is assisted in the performance of his official duties by a deputy and five clerks appointed by himself.  
**ASSISTANTS.** The deputy is required to take the constitutional oath of office and is authorized by law to execute the duties of the office in the absence of the superintendent or in case of a vacancy. Appointments made by the superintendent may be revoked by the superintendent at any time (4639).\*

## POWERS AND DUTIES.

1. To visit each and every state institution that is essentially educational in character and to meet with the governing board of each institution at least once in each year (4639).  
**VISIT STATE INSTITUTIONS.**
2. To prepare an annual report to the governor, which report shall contain the following information:  
**ANNUAL REPORT.**
  - (a) A statement of the condition of the University and of

\* NOTE.—These numbers refer to sections in the Compiled Laws of Michigan.

each of the several state educational institutions, all incorporated institutions of learning, and the primary, graded, and high schools.

(b) Estimates and amounts of expenditures of all educational funds.

(c) Plans for the management of all educational funds, and for the better organization of the educational system, if in his opinion the same be required.

(d) The annual reports and accompanying documents, so far as he shall deem the same of sufficient public interest, of all state institutions of educational character.

(e) Abstracts of the annual reports of the school inspectors of the several townships and cities of the state.

(f) All such other matter relating to his office and the subject of education generally as he shall deem expedient to communicate (4639).

3. To compile and cause to be printed all general laws relating to schools, with necessary forms, regulations, and instructions for conducting all proceedings under said laws. Such compilation must include rules for the management of libraries of townships and school districts, one copy to be furnished to each of the several school offices intrusted with the management of school affairs (4641).

**COMPILATION  
OF SCHOOL  
LAWS.**

**PRIMARY  
APPORTION-  
MENT.**

4. To prepare statements directing the semi-annual apportionment of the primary school interest fund among all the children between the ages of five and (under) twenty years of age. Between the first and tenth days of each May and November these statements are made to the auditor general, showing the number of pupils of school age in each county, township, and city, as appears from the reports of school officers filed in the office of public instruction during the month of October just previous to the May apportionment. The auditor general, on receiving such statements, is authorized to draw a warrant upon the

state treasurer in favor of the treasurer of each county for the amount due to each county. In case the reports from any county, township, city or district, are defective, the superintendent is authorized to ascertain, by the best evidence he can obtain, the facts upon which the apportionment shall depend.

It is the intention of the law that districts shall not lose public money on account of inaccurate or incomplete reports; if the superintendent is unable to gather such information or if he finds that school has not been taught in the district at least five months (4665, paragraph 11), it is his duty to cause such districts to forfeit their share of this fund. He may, if he finds that officers failed to comply with the law through no fault of their own, apportion such deficiency at the time of the next apportionment (4642 and 4643). The preparation of this statement is one of the most important duties of the superintendent of public instruction.

5. To prepare statements for the division of library money among townships and districts entitled to receive a portion of the same (4761).

**LIBRARY  
APPORTION-  
MENT.**

6. To prepare all examination questions to be used at county teachers' examinations. He is required to send the same under seal to the commissioner of schools (4812). He shall also send to commissioner of schools the questions furnished by the president of the Agricultural College for use in the examination of candidates for admission into said college (4821).

**EXAMINATION  
QUESTIONS.**

7. To prescribe rules and regulations relative to the granting of certificates by county board of examiners (4815).

**COUNTY CER-  
TIFICATES.**

8. To approve and countersign, in his discretion, first grade certificates (4813).

**INDORSED  
CERTIFICATES.**

9. To prepare and furnish to school officers blank forms for annual reports to the department (4815).

**BLANKS AND  
REPORTS.**

10. To arrange for a teachers' institute in each organized county of the state and act as conductor of the same, or appoint some suitable person or persons to act as conductor or instructors. He has general supervision of the institutes and directs the disbursements of money belonging to the institute fund (4839).

**INSTITUTES.**

11. He may appoint, in his discretion, boards of visitors to any incorporated institution of learning within the state (8145).

**VISITING  
BOARDS.**

12. He is a member of the state board of education (Art. 13, Sec. 9, Mich. Constitution) and the state board of geological survey (1519).

**DUTIES  
EX OFFICIO.**

12a. It is also his duty to prepare for the district schools a course of study comprising the branches required for third grade certificate, said course to be known as the Agricultural College course (4791).

13. He shall perform such other duties as are or shall be required of him by law and, at the expiration of his term of office, shall deliver to his successor all property, books, documents, maps, records, reports and all other papers belonging to his office, or which may have been received by him for the use of his office.

**OTHER  
DUTIES.**

13a. The legislature of 1899 made it the duty of the superintendent to authorize the establishment in cities of day schools for deaf children, such schools to have an attendance of not less than three deaf children (Act 176, 1899).

### *State Board of Education.*

Including the superintendent of public instruction, this board is composed of four members. The three members of the board other than the superintendent are elected for terms of six years and receive three dollars per day for their actual services, together with necessary traveling and other expenses. At each biennial state election one member is elected.



The board has general care and management of the state normal schools, and its general duties relating thereto are prescribed by law (1812 to 1832). We give in this chapter only such duties as pertain to the general school system of the state.

#### POWERS AND DUTIES.

1. The board is required by law to prescribe in the state normal schools a course of study intended especially to prepare students for teaching the rural and elementary schools of the state, such course to provide not less than twenty weeks of special professional instruction. The board is also required to prescribe the courses of study for students, to grant such diplomas and degrees and issue certificates to graduates of the several normal schools of the state as said board shall determine. They shall always maintain in the Central and Western normal schools a department for the training of rural school teachers (Act 202, 1903).

2. Certificates for five years are now granted by the state board of education upon the recommendation of the principal and faculty of the school, and certificates for life are granted to those who have completed a full course of not less than four years study. Certificates granted by the board are legal certificates to teach in all the schools of the state, when recorded with the legal examining officer of the county or city where the holder thereof proposes to teach.

3. The board also holds two examinations each year at Lansing, to examine candidates for state certificates. These examinations are usually held during the last weeks of July and December. State certificates are valid during life.

4. The board may indorse state certificates granted in other states, if it be shown that the examinations required or courses of study pursued are fully equal to the requirements of this state (1826).
- INDORSE STATE CERTIFICATES.**
5. It may grant certificates to graduates of colleges of the state whose courses of study have been approved by said board (4805).
- GRANT COLLEGE CERTIFICATES.**
6. It may examine and approve text-books in physiology, before such text-books are legally adopted for use in any of the public schools of the state (1827).
- APPROVE TEXT-BOOKS.**

*County Board of School Examiners.*

This board is composed of three persons, the county commissioner of schools and two examiners, each chosen for terms of two years.

THE COMMISSIONER.

The commissioner is elected by the people in April of 1903 and of every fourth year, and enters upon the duties of his office on the first day of July next after his election. Within ten days after he has received legal notice of his election, he shall take the constitutional oath of office and file a bond in the penal sum of one thousand dollars for the faithful performance of his duties (4808).

**HOW ELECTED.**

**OATH OF OFFICE.**

The compensation of the commissioner of schools is fixed by the board of supervisors. The maximum salary paid in any county is \$1,500. In counties having one hundred and twenty-five schools under his supervision, the minimum salary is \$1,200; in counties having one hundred schools, the lowest limit is \$1,000; and

**SALARY.**

---

NOTE—Michigan has four normal schools supported by legislative appropriations. The State Normal College at Ypsilanti, the Central State Normal at Mt. Pleasant, the Northern State Normal School at Marquette, and the Western State Normal at Kalamazoo. These schools are in charge of the state board of education.



in counties of fifty schools, \$500. In some of the smaller counties of the state the commissioners serve for salaries ranging from \$100 to \$500 (4817).

Before the county clerk can legally issue an order for the salary of the commissioner the latter must meet the following requirements:

1. File a certified statement from the superintendent of public instruction that all reports required of him have been properly made and filed with said superintendent.
- CERTIFIED STATEMENT.**
2. File with the county clerk a detailed statement under oath, showing what schools have been visited by him during the preceding quarter and what amount of time was employed in each school, naming the township and school district (4817).

The necessary contingent expenses of the commissioner for printing, postage, stationery, record books, and rent of rooms for public examinations shall be audited and allowed by the board of supervisors (4817).

**CONTINGENT EXPENSES.**

To be eligible to hold the office of commissioner of schools, the candidate must possess higher qualifications than are required of most officials. Besides having been a teacher in the public schools of the state for twelve months, he must possess one at least of the following qualifications:

**QUALIFICATION OF COMMISSIONER.**

1. Be a graduate of the literary department of some reputable college, university, or state normal school having a course of at least three years.
2. Hold a state teacher's certificate.
3. Hold a first grade certificate in the county in which he is elected.
4. Have been a commissioner under the provisions of Act No. 147, public acts of 1891 (4808).

Counties having less than fifty schools under the supervision of a commissioner, may elect a commissioner who is the holder of a second grade certificate (Act 66, 1895).

IN SMALL  
COUNTIES.

A graduate of a high school or a person to whom a certificate was granted after the date of his election, is not legally qualified (94 Mich. 170).

DATE OF  
CERTIFICATE.

Women are also eligible to hold the office of commissioner (4808).

ELIGIBILITY  
OF WOMEN.

Whenever a vacancy occurs in the office of commissioner of schools, the county clerk shall issue a call to the chairmen of the township boards of school inspectors of each township in the county, who shall meet within ten days at the office of the county clerk and appoint a suitable person to fill the vacancy for the unexpired portion of the term (4819).

VACANCY  
IN OFFICE.

The executive duties of the board of examiners devolve mainly upon the commissioner of schools. No county certificate is valid without his signature, and he is authorized to grant special certificates.

GRANT  
CERTIFICATES.

He must make out a schedule of the times and places of holding special public examinations in counties entitled to hold such examinations, and cause said schedule to be published in one or more newspapers of the county ten days before such examination (4811).

SCHEDULE  
OF EXAMI-  
NATIONS.

He is required to examine candidates for admission to the freshman class of the Agricultural College, using questions furnished by the president of said College and forwarded by the superintendent of public instruction (4821). His duties are as follows (4808 to 4819):

EXAMINE  
COLLEGE CAN-  
DIDATES.

1. Immediately after his or her qualification as commissioner, to send notice thereof to the superintendent of public instruction and the chairman

REPORT TO  
STATE SUPER-  
INTENDENT.

of each township board of school inspectors of the county.

2. To keep a record of all examinations held by the board of school examiners and to sign all certificates and other papers and reports issued by the board.

**RECORD OF EX-AMINATIONS.**

3. To receive the institute fees provided by law and to pay the same to the county treasurer quarterly, beginning September thirtieth in each year.

**RECEIVE INSTI-TUTE FEES.**

4. To keep a record of all certificates granted, suspended, or revoked by the said board or commissioner, showing to whom issued, together with the date, grade, duration of each certificate, and, if suspended or revoked, with the date and reason thereof.

**RECORD OF CERTIFICATES.**

5. To furnish previous to the first Monday in September each year, to the township clerk of each township in the county, a list of all persons legally authorized to teach in the county at large and in such township, with the date and term of each certificate, and if any have been suspended or revoked, the date of such suspension or revocation.

**RECORD OF TEACHERS.**

6. To visit each of the schools in the county at least once in each year, and to examine carefully the discipline, the mode of instruction, and the progress and proficiency of pupils: *Provided*, That in counties containing more than 120 districts (Act 99, 1901), the said commissioner may appoint such assistants as may be necessary, who shall perform such duties pertaining to the visitation and supervision of schools as said commissioner shall direct. The whole expense incurred by such assistant visitors must not exceed the sum of ninety dollars in any one year.

**VISITATION OF SCHOOLS.**

7. To counsel with the teachers and school boards as to the courses of study to be pursued, and as to any improvement in the discipline and instruction in the schools.

**COUNSEL WITH TEACHERS.**

8. To promote by such means as he or she may devise, the improvement of the schools in the county, and the elevation of the character and qualifications of the teachers and officers thereof, and to act as assistant conductor of institutes appointed by the superintendent of public instruction, and perform such other duties as the superintendent shall require.

**ASSISTANT  
INSTITUTE  
CONDUCTOR.**

9. To receive the duplicate annual reports of the several boards of school inspectors, examine into their correctness, require them to be amended when necessary, indorse his or her approval upon them, and immediately thereafter and before the first day of November in each year, transmit to the superintendent of public instruction one copy of each of said reports and file the other in the office of the county clerk.

**INDORSE  
REPORTS.**

10. To be subject to such instructions and rules as the superintendent of public instruction may prescribe; to receive all blanks and communications that may be sent to him or her by the superintendent of public instruction, to dispose of the same as directed, and to make annual reports at the close of the school year to the superintendent of public instruction of his or her official labor, and of the schools of the county, together with such other information as may be required.

**ANNUAL  
REPORTS.**

11. To perform such other duties as may be required by law, and, at the close of the term of office, to deliver all records, books and papers belonging to the office to his or her successor.

The law creating the office and prescribing the duties of the commissioner also places some limitations and restrictions upon his powers and duties as follows:

**LIMITATIONS  
AND RESTRICTIONS.**

1. No commissioner shall act as agent for the sale of any school furniture, text-books, maps, charts, or other school apparatus.\*

\*NOTE.—This rule also applies to the superintendent of public instruction, instructor at institute and school examiner.

Act 134, 1903, makes it the duty of commissioners to report annually to the Board of Library Commissioners.



2. He cannot legally grant a second special certificate to the same person.

3. His expenses for printing, postage, rent of rooms, stationery, books, etc., shall not exceed \$200 per year.

4. No traveling fees are allowed him while engaged in his official duties.

#### THE EXAMINERS.

The examiners are appointed at the October meeting of the board of supervisors for a term of two years, a majority of those present and voting being necessary to a choice (2476). It is so arranged that one examiner goes out of office each year.

HOW AP-  
POINTED.

A person eligible to this office must be the holder of at least a second grade certificate and have had an experience of nine months as teacher (4817).

ELIGIBILITY.

Examiners receive four dollars per day for time actually employed in their official duties, and persons appointed to assist the commissioner in school visitation receive three dollars per day. The whole expense incurred for assistant visitors in any one year is limited to ninety dollars (4815).

COMPENSA-  
TION.

When a vacancy occurs in the office of examiner, the commissioner and remaining examiner, together with the judge of probate, act as a board to appoint a successor, who shall hold his office for the balance of the unexpired term (4819).

VACANCY IN  
OFFICE.

The examiners assist the commissioner in the work of conducting examinations and issuing certificates. The duties of the board as to the granting of teachers' certificates will be discussed in another chapter.

ASSIST AT EX-  
AMINATIONS.

#### *Township Board of School Inspectors.*

The state constitution (Art. 11, Sec. 1) provides for the election of a township clerk who shall be *ex officio* school in-

spector, and for the election of one school inspector; the statute (684a) in addition to this declares that the term of office shall be two years. The board of school inspectors, therefore, consists of the township clerk and two inspectors. Women are eligible to hold the office (2382).

The organization of the board must be effected within twenty days after the first Monday in April. The township clerk is the clerk of the board, and the board shall elect one of their number chairman. The chairman is also the treasurer of the board (4693) and as such is the proper custodian of the township library money (30 Mich. 100).

The treasurer is required to give a bond for the safe keeping of the monyes that may come into his hands.

**TREASURER'S  
BOND.**

#### POWERS AND DUTIES.\*

The chairman of the board of inspectors is required (4808 to 4819):

*First,* To have general supervisory charge of the schools of his township, subject to such advice and direction as the county commissioner may give.

**SUPERVISORY  
CHARGE.**

*Second,* To make such reports of his official labors and of the condition of the schools as the superintendent of public instruction may direct or commissioner request.

**MAKE  
REPORTS.**

The law relative to the powers and duties of school inspectors has undergone many changes and, in the older portions of the state, there seems to be little left for them to do.

---

\*NOTE.—City and township school districts which have been incorporated as such by special enactment, have various provisions defining the powers and duties, election and term of office of school inspector. In some of these, as in Act No. 176, Laws of 1891, the duties of the inspectors are performed by another set of officers.



The most important of these duties and one which generally falls to the clerk, is the preparation, on the third Monday in September, of the triplicate annual report of the schools of the township to the superintendent of public instruction. Blanks for this purpose are prepared at the department of public instruction. One of these reports is filed with the township clerk, another with the county clerk, and the third is sent to the department office at Lansing.

**MOST IMPORTANT DUTY.**

Before making these reports it is the duty of the board to ascertain if the schools have been taught by legally qualified teachers. The report must contain a full financial account of all moneys received and disbursed (4696).

**FINANCIAL ACCOUNT.**

The number of meetings of the inspector at the expense of the township shall not exceed eight in any one year (4697).

**NUMBER OF MEETINGS.**

The authority of the inspectors to form new districts (4646) is discussed in another part of this book.

### *Township Clerk.*

The township clerk is an important official in the management of educational matters in his township.

#### POWERS AND DUTIES.

We mention briefly some of his chief duties as follows:

1. To act as clerk of the board of school inspectors, attend all meetings, and keep a record of their proceedings.
2. To receive all reports to inspectors from school directors, and file such reports in his office.
3. To receive all such communications, blanks, and documents as may be transmitted by the superintendent of public instruction, and dispose of them as directed by said superintendent (4698).

**CLERK BOARD OF SCHOOL INSPECTORS.**

**RECEIVE REPORTS.**

**RECEIVE COMMUNICATIONS.**

4. To transmit to the county clerk, immediately after the organization of the board of inspectors, the name and postoffice address of the chairman of said board.

TRANSMIT  
CHAIRMAN'S  
ADDRESS.

5. To cause a map to be prepared showing the boundaries of the school districts of the township (4700).

6. To make and deliver to the supervisor a certified copy of all statements on file in his office of money to be raised by taxation in the several school districts of his township.

7. To attend to the apportionment of the school moneys of the districts entitled to the same, according to the number of pupils in each between the ages of five and twenty years.

DIRECT  
APPORTION-  
MENTS.

8. To act as clerk of township board at meetings called to remove school officers (4772).

CLERK OF  
TOWNSHIP  
BOARD.

9. To act in township school districts of the Upper Peninsula, as member and *ex officio* clerk of the board of education. His duties in such townships are quite similar to his duties in other townships of the state, and his salary as clerk of the board of education is limited to fifty dollars per year (4823).

TOWNSHIP  
BOARD OF  
EDUCATION.

## CHAPTER III.

## ORGANIZATION OF SCHOOL DISTRICTS.

*Primary Schools.*

The original and fundamental school organization in Michigan is the district, which is established by authority of the township board of school inspectors. After a township has been organized, its territory shall be divided into school districts which may be altered from time to time in the discretion of the inspectors. (Amended by Act No. 37, Public Acts of 1901.)

The statute directs that the territory of each district must be in as compact form as may be (4646). It is not essential that the territory of the maximum school district shall contain exactly nine full sections of land, but it must not contain more than 5,760 acres (75 Mich. 143).

**FORM  
AND SIZE.**

After an organization has been effected by the inspectors, it is the duty of the clerk to deliver to a taxable inhabitant of the district a notice in writing of the formation of such district, describing its boundaries and specifying the time and place of the first meeting, which notice, with the fact of such delivery, is entered upon record by the clerk. The notice also directs such inhabitant to notify every qualified voter of such district, either personally or by leaving a written notice at his place of residence, of the time and place of said meeting, at least five days before the time appointed therefor; and it is the duty of such inhabitant to notify the qualified voters of said district accordingly; and said inhabitant, when he has notified the qualified voters, indorses thereon a return, showing such notification with the date or dates thereof, and delivers such notice and return to the chairman of the

**NOTICE OF  
FIRST MEET-  
ING.**

meeting, to be by him delivered to the director chosen at such meeting, and by said director recorded at length as a part of the records of the district (4647).

**SPECIAL LEGISLATIVE ENACTMENT.** A school district created by special legislative enactment cannot be dissolved or changed by the school inspectors (17 Mich. 223).

**FAILURE TO ORGANIZE.** In case the inhabitants of the district fail to organize as above indicated, the clerk shall give a new notice and the residents of the district shall proceed in the same manner as in case of first notice (4648).

**FRACTIONAL DISTRICTS.** Fractional districts are districts formed from territory taken from two or more adjoining townships. Such districts are formed by joint action of the township boards of inspectors of the townships interested. They are organized in the same manner as other primary school districts, and the officers report to the clerk of the township in which the school house is situated. The inspectors assign a number to each school district thus established (4649).

**UNORGANIZED TERRITORY.** Any unorganized territory cannot be included in a school district and taxed for school purposes (45 Mich. 559), unless at the request of the owner (4655).

**LEGALLY ORGANIZED DISTRICTS.** The proceedings in the organization of school districts are many times informal and irregular. The statute and courts have wisely declared that, however awkward and improper may have been such proceedings, a school district is deemed duly organized when any two of the officers elected at the first meeting have filed their acceptances in writing with the director, and the same have been recorded in the minutes of such first meeting. Every school district is presumed to be legally organized when it has exercised the franchises and privileges of a district for the term of two years; and such school district and its officers shall be entitled to all the rights, privileges,

and immunities, and be subject to all the duties and liabilities conferred upon school districts by law (4650; 81 Mich. 339).

A district organized under the laws of Michigan has a corporate existence and possesses the usual powers of a corporation for public purposes (4652).

#### CHANGES IN THE BOUNDARIES OF PRIMARY SCHOOL DISTRICTS.

These are effected by the inspectors, under certain regulations and restrictions. After a district has exercised its corporate functions for several years, its boundaries should not be altered for trivial reasons. The official acts of inspectors in the change of district boundaries are therefore quite carefully guarded by the statutes.

Whenever the board of school inspectors contemplates an alteration of the boundaries of a district, the township clerk (and for meetings of boards to act in relation to fractional districts, clerks of the several townships interested) gives at least ten days' notice of the time and place of the meeting of the inspectors, and of the alterations proposed, by posting such notice in three public places in the township or townships, one of which notices is posted in each of the districts that may be affected by such alteration. Whenever the board of school inspectors of more than one township meet, they elect one of their number chairman and another clerk (4653).

The inspectors may, in their discretion, detach the property of any person or persons from one district and attach it to another, except that no land which has been taxed for building a school house can be set off into another school district for the period of three years thereafter, without the consent of the owner thereof; and no district can be divided into two or more districts without the consent of a majority of the resi-

**NOTICE OF MEETING.**

**TRANSFER OF TERRITORY OF TAXPAYERS.**



dent taxpayers of said district; and no two or more districts can be consolidated without the consent of a majority of the resident taxpayers of each district (4654).

The inspectors have the right to detach such territory as they see fit (except as stated above), unless such action would practically destroy the district (67 Mich. 601); but they have no authority to divide up the district and destroy it without the consent of a majority of the resident taxpayers; nor can they destroy it by cutting it up into pieces, and attaching all the territory to other districts without such consent (71 Mich. 87).

The inspectors may attach to a school district any person residing in a township and not in any organized district, at his request; and, for all district purposes, except raising a tax for building a school house, such person is considered as residing in such district; but when set off to a new district, no sum is raised for such person as his proportion of the district property (4655).

In all cases where an alteration of the boundaries of a school district is made, the township clerk is required within ten days to deliver to the director of each district affected by the alteration, a notice in writing, setting forth the action of the inspectors and defining the alterations that have been made (4656).

When a new district is formed in whole or in part, from one or more districts possessed of a school house or entitled to other property, the inspectors, at the time of forming such new district or as soon thereafter as may be, ascertain and determine the amount justly due to such new district from any district out of which it may have been in whole or in part formed, as the proportion of such new district, of the value of the school house and other property belonging to the former district at the time of such division; and whenever, by the division of any district, the school house or site thereof is no longer conveniently located for school

purposes and is not desired for use by the new district in which it may be situated, the school inspectors of the township in which such school house and site is located, may advertise and sell the same and apportion the proceeds of such sale, as also any moneys belonging to the district thus divided, among the several districts erected in whole or in part from the divided district.

Such proportion is ascertained and determined according to the value of the taxable property of the respective parts of such former district at the time of the division, by the best evidence in the power of the inspectors; and such amount of any debt due from the former district which would have been a charge upon the new had it remained in the former district, is deducted from such proportion: *Provided*, That no real estate thus set off, which has not been taxed for the purchase or building of such school house, shall be entitled to any portion thereof, nor be taken into account in such division of district property.

### *Graded Schools.*

The term graded school as used in the laws of the State is sometimes confused with those schools which have, by authority of the school board and teacher, adopted a graded course of study according to the manual and course of study published by the superintendent of public instruction. In using the term we refer exclusively to districts organized under the law for graded schools. All such schools are first organized as primary districts, and all graded schools, whether created under special acts or organized under general laws, are subject to the general primary school law, except in so far as the acts creating them or under which they are organized, are inconsistent with it (18 Mich. 400).

**DIVISION OF  
PROPERTY.**

**DEBTS FOR-  
MERLY DUE.**

**HOW  
CLASSIFIED.**

Any school district containing more than one hundred children of school age may organize as a graded district.

**NUMBER OF CHILDREN.**

The vote may be taken at any school meeting properly called, and a two-thirds vote of the qualified voters is required (4746). The district voting to organize as a graded district, elects at such meeting a board of trustees, and the time from the date of the meeting to the date of the next annual school meeting is reckoned as one year.

**HOW ORGANIZED.**

#### ALTERATION IN BOUNDARIES OF GRADED DISTRICT.

The authority to make changes in the boundaries of graded districts is given to the board of inspectors, with the following limitations:

No alteration can be made in the boundaries of any graded school district, without the consent of a majority of the trustees of said district, which consent must be spread upon the records of the district and placed on file in the office of the clerk of the board of school inspectors of the township or city to which the reports of said district are made (97 Mich. 127). Graded school districts are not restricted to nine sections of land (4749).\*

**HOW CHANGED.**

Whenever two or more contiguous districts having together more than one hundred children of school age, have published in the notices of the annual meetings of each district the intention to take

**CONSOLIDATION OF DISTRICTS.**

\*NOTE.—Section 4749 was amended by the legislature of 1899 by adding a proviso: That any three or more tax paying electors having children between the ages of five and twelve years, residing one and one-half miles or more from a school house in such district, feeling aggrieved by any action of the board of trustees with reference to the alteration of a school district, affecting their interests, may within sixty days from the time of such action appeal to the judge of probate of the county in which such school house is situated. Said appellants shall file a bond with said judge of probate, in the penal sum of two hundred dollars, indemnifying said school district of any and all costs made on such appeal in case the appellants shall not prevail therein. Whereupon said judge of probate shall be empowered to entertain such appeal, and review, confirm or set aside or amend the action. (Act 258, 1899.)

such action and have, by a vote of two-thirds of the qualified voters attending the annual meetings in said districts, determined to unite for the purpose of establishing a graded school district, the school inspectors of the township or townships in which such districts may be situated are required, on being properly notified of such vote, to unite such districts and to appoint a time and place for a meeting of the new district. Three notices of the same must be posted in each of the districts so united at least five days before the time of such meeting. At this meeting the district elects a board of trustees and transacts the usual business of an annual school meeting (4750).

Whenever the trustees of any organized graded school district are presented, twenty days before the annual meeting, with a petition signed by ten electors of said district, stating that it is their desire that, at the annual meeting of the school district, there be submitted a proposition to change from a graded district to one or more primary districts, the trustees shall, in their notice of such annual meeting, state that the proposition set forth in said petition will be presented at the meeting; and, if two-thirds of the qualified voters present at said meeting vote to change to one or more primary districts, the change shall be made, and it becomes the duty of the board of school inspectors of the township or townships in which the district is situated, upon being duly notified of such vote, to change or divide the district as determined by such annual meeting, and to provide for the holding of the first meeting in each of the proposed primary districts in the same manner as is provided for by law for the organization of primary districts; and whenever a fractional graded school district is so changed, the township boards of school inspectors of the respective townships where such graded school district is situated, organize the district into one or more primary districts (4751).

**CHANGE  
FROM GRADED  
TO PRIMARY  
DISTRICT.**



*\*Township Districts.*

Michigan has townships organized as school districts, and every legislature, by the passage of special acts, adds others to the number. As the student will readily observe, the township district can not be organized under either of the laws for the primary or graded districts.

The majority of the township districts of the state are in the Upper Peninsula and are authorized by the provision of Act† 176, Public Acts of 1891. By this law the qualified voters of a township petition the township board to give notice of a special meeting of the township board and school inspectors to be held within five days.‡ It is necessary that the petition be signed by a majority of the voters of the township, and be filed with the township clerk at least fifteen days prior to the first day of July. To ascertain whether a majority of the qualified voters have signed the petition, the township board is required to compare the names on the petition with the names on the list of registered voters qualified to vote at the preceding election. If the board finds that a majority of the qualified voters have signed the petition, it is its duty to give notice that, on the second Monday of July, the township school officers shall be chosen. The township board makes and files, both with the county clerk and the commissioner of schools of the county in which such township is located, a certified copy of the petition with their findings and doings thereon (93 Mich. 281). Thereupon such township becomes a single school district which is subject to all the general laws of the state, so far as the same may be applicable, and said district has all the powers and privileges conferred upon other school districts by the laws of this state, all the general provisions of which relating to common or primary schools shall apply and be

**HOW ORGANIZED.**

\*NOTE—Read carefully Act 154, 1903.  
 †NOTE—This act has been declared constitutional by the supreme court. 93 Mich. 280.  
 ‡NOTE—See decision of supreme court. 98 Mich. 441.



enforced in said district, except such as shall be inconsistent with the provisions of this act (4823 to 4838).

#### DISTRICT MEETINGS.

The first Monday of September is the date fixed by law for the annual meeting of primary and graded school districts. The voters of a district may, however, by a vote of any properly called meeting, decide to fix the date of its annual meeting on the second Monday of July. They are also authorized to change back to the September date in a similar manner. The officers chosen at an annual meeting, date their terms of office from the date of election and continue in office until their successors are elected and qualified (4659).

**IN PRIMARY  
AND GRADED  
DISTRICTS.**

In township districts the annual meeting is held on the second Monday of July of each year. Act 154, 1903.

**IN TOWNSHIP  
DISTRICTS.**

At this meeting the township school officers are chosen, the amount of money to be raised by tax for school purposes is determined, and the annual detailed report of the board of education is publicly read by the president of the board or, in his absence, by the clerk.

**BUSINESS TO  
BE TRANS-  
ACTED.**

Districts in cities organized by special legislative enactment hold annual meetings on the date specified in the act.

**IN DISTRICTS  
UNDER  
SPECIAL ACT.**

The time of taking the annual school census by the director and school officers is the same in all districts of the state, being the fifteen days previous to the first Monday in September. And by act passed by the legislature of 1897 census enumerators are required, in addition to what was formerly required, to give the names, residences, street and numbers of the parents or guardians of children whose names appear in the census. In primary school districts the residences of the children must also be mentioned. The same act also provides a penalty of a fine

**CENSUS.**

and imprisonment on parents convicted of giving false information to census enumerator (4687). The same penalty may be inflicted on the enumerator for making a false report.

Special meetings may be called by the district board. It is the duty of the board or any one of them, to call such meetings on the written request of not less than five legal voters of the district, by giving the required notice. No special meeting can legally be called, unless the business to be transacted may lawfully come before such meeting (4660).

**SPECIAL MEETINGS.**

**NOTICES.**

Six days' notice of all district meetings must be given by the posting of written notices in three of the most public places of the district. These notices are prepared by the director, and one copy is placed on the outer door of the school house (4661).

**FOR DISTRICT MEETINGS.**

When a special meeting is called for the purpose of establishing or changing a school site, a ten days' notice is required.

**FOR SPECIAL MEETINGS.**

It is the duty of any school officer, upon receiving a request signed by five legal voters, to call such meeting on a date between six and twelve days from the time such request is received.

**WHEN GIVEN.**

All notices of special meetings must contain a statement of all the business which is proposed to be transacted at such meeting (5048).

**CONTENTS.**

Failure on the part of a director to give notice of an annual meeting, does not invalidate the proceedings of the meeting, unless it appears that the director wilfully and fraudulently omitted to give notice.

**FAILURE TO GIVE NOTICE OF ANNUAL MEETING.**

No notices of district meetings in township districts are required, as the only meeting provided in the act is the annual township meeting held on the second Monday of July. Act 154, 1903.

**IN TOWNSHIP DISTRICTS.**

## CHAPTER IV.

## POWERS OF VOTERS AT DISTRICT MEETINGS.

By the school laws of the state certain powers and duties are delegated to the voters of the district, certain other powers and duties are given wholly to the district officers, while still other powers and duties are given to the district officers with the consent of a majority of the qualified voters. School officers and patrons of schools would save themselves much controversy and litigation, if each would carefully study and correctly determine where the authority rests and, having thus informed himself, carefully avoid assuming responsibility which belongs to others. In this book we shall attempt to arrange these powers and duties in such an order that they may be better understood by those who are entrusted with their enforcement.

*Primary Districts.*

The qualified voters in any school district, when lawfully assembled at the first and at each annual meeting or at an adjournment thereof or at any special meeting lawfully called, except as otherwise provided, have power (4659):

1. At any meeting after the organization of the district, in the absence of the moderator, to appoint a chairman and, in the absence of the director, to appoint a person to act in his stead.
2. To adjourn from time to time as occasion may require.
3. To elect district officers.

APPOINT  
CHAIRMAN.

ADJOURN.

ELECT  
OFFICERS.

4. To designate a site or such number of sites **LOCATE SITES.** as may be desired for school houses, and to change or enlarge the same when necessary. See Act 182, 1903.

5. To direct the purchasing or leasing of a site or sites, lawfully determined upon; also the building, hiring or purchasing of a school house or houses, or the enlarging of a site or sites previously established. **DIRECT PUR- CHASING OF SITES, ETC.**

6. To vote such tax as the meeting may deem sufficient for purchasing or leasing a site or sites, or for building, hiring or purchasing a school house or houses; but the amount of taxes to be raised in any district for the purpose of purchasing or building a school house or houses in the same year that any bonded indebtedness is incurred, shall not exceed, in districts containing less than ten children between the ages of five and twenty years, two hundred and fifty dollars; in districts having between ten and thirty children of like age, it shall not exceed five hundred dollars; and in districts having between thirty and fifty children of like age, it shall not exceed one thousand dollars. (See also Chap. X.) **TAX FOR SITES FOR BUILDING PURPOSES.**

\*7. To impose such tax as shall be necessary to keep their school house or houses in repair, and to provide the necessary appendages and school apparatus; in districts having district libraries, to provide for the support of the same, and to pay and discharge any debts or liabilities of the district lawfully incurred, and also to pay for the services of any district officer. The tax herein authorized to be voted shall not exceed one-half the amount which the district is authorized to raise for building school houses. (See also Chap. X.) **TAX FOR RE- PAIRS OR NEC- ESSARY AP- PENDAGES.**

8. To authorize and direct the sale of any school house, site, building or other property belonging to the district, when the same shall no longer be needed for the use of the district. **SALE OF SCHOOL PROPERTY.**

---

\*See note next page.



9. To give such directions and make such provisions as they shall deem necessary in relation to the prosecution or defense of any suit or proceeding in which the district may be a party or interested.

**SUITS  
AGAINST  
DISTRICT.**

10. To appoint, as in their discretion it may be necessary, a building committee to perform such duties in supervising the work of building a school house as they, by vote, may direct.

**BUILDING  
COMMITTEE.**

11. At the first and the annual meetings only, to determine the length of time a school shall be taught in their district during the ensuing year, which shall not be less than nine months in districts having eight hundred children over five and under twenty years of age, and not less than five months in all other districts, on pain of forfeiture of their share of the primary school interest fund (Act 15, 1895). But in case such matters shall not be determined at the first or annual meetings, the district board shall determine the same; and in case the district fails to vote for at least the minimum length required herein, the district board shall make provisions for said minimum length of school.

**LENGTH OF  
SCHOOL YEAR.**

\*12. To appropriate any surplus moneys arising from the one mill tax (after having maintained a school in the district at least eight months in the school year), for the purpose of purchasing and enlarging school sites, or for building or repairing school houses, or for purchasing library books, globes, maps and other school apparatus, or for any incidental expenses of the school (4665).

**SURPLUS OF  
ONE-MILL TAX.**

13. By a two-thirds vote of the qualified electors present at any annual meeting or a special meeting called for that purpose, to borrow money and issue bonds to pay for a schoolhouse site or sites, and to erect and furnish school building (4707).

**BORROW  
MONEY.**

---

\*Act 10, 1903, gives voters power to appropriate money from the one mill tax for the purpose of transporting pupils to and from school, and to vote a tax for the same purpose.



14. To decide by a two-thirds vote of the tax-paying voters of the district, to use money for some purpose other than that for which it was raised (4676).  
**TRANSFER TO ANOTHER FUND.**
15. To designate by a two-thirds vote of those present, such number of sites as may be desired for school houses (5114).  
**SCHOOL SITES.**
16. By a two-thirds vote, to establish a district library (4756).  
**ESTABLISH LIBRARY.**
17. To vote to furnish free text-books to all the pupils of the district (4775).  
**FURNISH TEXT-BOOKS.**
18. To vote to close school house against public meetings (4678).  
**CLOSE SCHOOL HOUSE.**

### *Qualified Voters at District Meetings.*

The qualification of voters at school meetings is limited to citizens of the United States, and of the state, township and school district in which such citizens offer to vote. The legal qualification of voters at school meetings is a subject of much discussion and controversy, and we give below carefully prepared statements of the necessary qualifications:

1. On all questions which do not directly involve the raising of money by a tax, all citizens, male or female, who have resided in the district the three months next preceding the school meeting, who are twenty-one years of age and are parents or legal guardians of children included in the school census, may vote (4662).  
**QUESTIONS NOT INVOLVING RAISING OF MONEY.**
2. All citizens, male or female, who are twenty-one years of age and are the owners of property assessed for school taxes, may vote on all questions at district meetings.  
**PROPERTY QUALIFICATION.**
3. In township districts and in several cities organized by special legislative enactment, the right to vote is given only to those who are qualified voters for township and city officers. The legal voters  
**WOMEN BARRED FROM VOTING.**

for school officers at such district meetings, therefore, are only those who have the right to vote the entire township or city ticket (Act 176, 1891; 59 Mich. 165; 76 Mich. 1). Act No. 138, Public Acts of 1893, giving women the right to vote in all school, city and village elections, was declared unconstitutional by our supreme court.

#### GRADED DISTRICTS.

The powers and duties of voters in graded school districts are the same as those in primary districts, so far as such powers and duties are consistent with the law for the organization of graded districts. The following is taken from the first section of the act:

Any school district containing more than one hundred children between the ages of five and twenty years may, by a two-thirds vote of the qualified electors present at any annual or special meeting, organize as a graded school district: *Provided*, That the intention to take such vote shall be expressed in the notice of such annual or special meeting.

When such change in the organization of the district shall have been voted, the voters at such annual or special meeting shall proceed immediately to elect by ballot from the qualified voters of the district, one trustee for the term of one year, two for the term of two years, and two for a term of three years, and annually thereafter a successor or successors to the trustee or trustees whose terms of office shall expire (5132).

#### ELECTION OF TRUSTEES.

#### TOWNSHIP DISTRICTS.

These are subject to all the general laws of the state, so far as the same may be applicable, and the voters have all the powers and privileges conferred upon graded school districts (4823). Read Act 154, Laws of 1903.

### *Challenging of Voters.*

When a person who is supposed to be unqualified to vote on any question which shall come before the voters of a district meeting, offers to vote, his vote may be challenged by any legal voter present; and it is the duty of the chairman to require such person to take his oath that he is legally qualified. If such person refuses to take the oath, his vote is rejected. A person who takes a false oath, is deemed guilty of prejury and may be tried and punished according to the law for such an offense.

BY WHOM  
CHALLENGED.

When any question is taken in any other manner than by ballot, a challenge immediately after the vote has been taken shall be deemed to be made when offering to vote, and treated in the same manner (4664).

WHEN NOT  
VOTING BY  
BALLOT.

### *Disorderly Conduct.*

If, at any district meeting, any person conduct himself in a disorderly manner and, after notice from the moderator or person presiding, persists therein, the moderator or person presiding may order him to withdraw from the meeting and, on his refusal, may order any constable or other persons to take him into custody until the meeting shall be adjourned.

TREATMENT  
OF OFFENDER.

Any person who refuses to withdraw from such meeting on being so ordered, and also any person who willfully disturbs such meeting by rude and indecent behavior, or by profane or indecent discourse, or in any other way makes a disturbance, shall, on conviction thereof, be punished by a fine not less than two nor more than fifty dollars, or by imprisonment in the county jail not exceeding thirty days; and any justice of the peace, recorder, or police justice of the township, ward, or city where such offense is committed, shall have jurisdiction to try and determine the same (4665).

REFUSAL TO  
WITHDRAW.

## CHAPTER V.

## SCHOOL OFFICERS.

*In Primary Districts.*

At the first meeting in each newly organized school district there is elected a moderator for a term of three years, a director for a term of two years, and a treasurer for a term of one year. By arranging in this way, the term of office of one expires each year and the length of each term is three years (4666).

All school officers must be chosen by ballot to be legally elected. This provision is mandatory and must **HOW ELECTED.** be observed (75 Mich. 143). All ballots cast under statutory requirements are formal and final. There can be no such thing as an informal ballot. If on a first ballot a person receives a majority of all the votes cast, there is an election and the vote cannot be repeated (78 Mich. 635). Officers who were chosen unanimously (*viva voce*) at a regularly called meeting, and who have qualified and are acting, are officers de facto and the public interest demands that they shall not be disturbed (75 Mich. 143).

School officers cannot be elected by a bare plurality vote.

**PLURALITY VOTE DOES NOT ELECT.** In electing officers the district acts in its corporate capacity, and no corporate action can be had without the concurrence of the majority (Atty. Gen., July 18, 1877).

The moderator, director, and treasurer shall constitute the district board. Meetings of the board may be called by any member thereof, by serving on the other members a written notice of the time and

**TRANSACTION OF BUSINESS.**

place of such meeting at least twenty-four hours before such meeting is to take place; and no act authorized to be done by the district board is valid, unless voted at a meeting of the board. A majority of the members of the board at a meeting is necessary for the transaction of business (4671).

#### ELIGIBILITY TO DISTRICT OFFICES.

Any qualified voter in a school district whose name appears upon the assessment roll, and is the owner in his own right of the property so assessed, shall be eligible to election or appointment to office in such school district, unless such person be an alien. Act 21, 1903, requires affidavit that name of officer elect appears on assessment roll.

#### ACCEPTANCES.

Within ten days after their election or appointment, the several officers of each school district shall file with the director written acceptances of the offices to which they have been respectively elected or appointed, and such acceptances are entered in the records of the district by said director (4670, 4737). In township districts the officers file acceptances within five days after being notified, and such notification is made within five days after election or appointment.

#### VACANCIES.

A district office may become vacant by:

1. Death of the incumbent.
2. Resignation.
3. Removal from office.
4. Removal from the district.
5. Conviction of any infamous crime.
6. Election or appointment being declared void by a competent tribunal.
7. Neglect to file acceptance of office, or to give or renew any official bond as required by law.
8. Ceasing to be a taxpayer in the district (Act 21, 1903).



Temporary absence of an officer does not create a vacancy in the office. If his family continues to reside in the district, he retains his residence. (Atty. Gen., Feb. 8, 1882.)

**TEMPORARY  
ABSENCE.**

FILLING OF VACANCIES.

In case any one of the district offices becomes vacant, the two remaining officers shall immediately fill such vacancy, or in case two of the offices become vacant, the remaining officer shall immediately call a special meeting of the district to fill such vacancies.

**BY THE RE-  
MAINING  
OFFICERS.**

In case any vacancy is not filled as herein provided within twenty days after it shall have occurred, or in case all the offices in a district shall become vacant, the board of school inspectors of the township to which the annual reports of such district are made shall fill such vacancies.

**BY BOARD OF  
SCHOOL IN-  
SPECTORS.**

Any person elected or appointed to fill a vacancy in a district office shall hold such office until the next succeeding annual meeting, at which time the voters of the district shall fill such office for the unexpired portion of the term (4668).

**TIME OF HOLD-  
ING OFFICE.**

In graded districts the trustees have power to fill any vacancy that may occur in their number, until the next annual meeting (4747). The same is true in case of a vacancy on the township board of education (4827).

**VACANCY IN  
TOWNSHIP OR  
GRADED DIS-  
TRICTS.**

POWERS AND DUTIES OF DISTRICT BOARD.

It is impossible to enumerate in detail all of the many duties which the officers of a district are called upon to perform. Below is given a summary of their most important duties, followed farther on by a similar summary of the powers and duties of each individual school officer:

1. To purchase a record book and such other books, blanks, and stationery as may be necessary to keep a record of the proceedings of the district meetings and of meetings of the board, the accounts of the assessor, and for doing the business of the district in an orderly manner (4672, 24 Mich. 353).

2. To purchase or lease, in the corporate name of the district, such sites for school houses as have been lawfully designated; to build, hire or purchase such school houses as may be necessary, out of the fund provided for that purpose; and to make sale of any site or other property of the district, when lawfully directed by the qualified voters (4673).

3. To estimate the amount necessary to be raised, in addition to other school funds, for the entire support of such schools, including teachers' wages, fuel and other incidental expenses, and for deficiencies of the previous year for such purposes. In districts having less than thirty scholars, such estimate, including the district's share of the primary school interest fund and one-mill tax, must not exceed the sum of fifty dollars a month for the period during which school is held in such district; and when such amount has been estimated and voted by the district board, it is reported for assessment and collection, the same as other district taxes. When a tax has been estimated and voted by the district board under the provisions of this section, and is needed before it can be collected, the district board may borrow to an amount not exceeding the amount of said tax (4674).

4. Between the first and third Mondays in September each year, to make out and deliver to the township clerk of each township in which any part of the district is situated, a report in writing of all taxes voted by the district during the preceding year,

RECORD BOOKS  
AND STATION-  
ERY.

AMOUNTS TO  
BE RAISED.

TO BORROW  
MONEY.

ANNUAL RE-  
PORT TO  
TOWNSHIP  
CLERK.

and of all taxes which said board is authorized to impose, to be levied on the taxable property of the district (4675).

5. To apply and pay over all school moneys belonging to the district, in accordance with the provisions of law regulating the same.

**SCHOOL FUNDS.**

6. To present to the district at each annual meeting, a report in writing containing an accurate statement of all moneys of the district received by them during the preceding year, and of the disbursements made by them, with the items of such receipts and disbursements, such report to contain a statement of all taxes assessed upon the taxable property of the district during the preceding year, the purposes for which such taxes were assessed, and the amount assessed for each particular purpose. Said report is entered by the director in the records of the district (4677).

**ANNUAL REPORT TO DISTRICTS.**

7. To hire and contract with such duly qualified teachers as may be required, all contracts to be in writing and signed by a majority of the board on behalf of the district. A teacher's contract can not be made with a member of the board (Act 62, 1901). (4678).

**CONTRACT WITH TEACHERS.**

8. To have the care and custody of the school house and other property of the district, except so far as the same, by vote of the district, be specially confided to the custody of the director, including all books purchased for the use of indigent pupils;\* to open the school house for public meetings, unless by a vote at a district meeting it shall be determined otherwise: *Provided*, That said board may exclude such public meetings during the five school days of each week of any and all school terms, or such part thereof as in their discretion they may deem for the best interest of the schools (4679).

**CUSTODY OF SCHOOL PROPERTY.**

9. To specify the studies to be pursued in the schools of the district (4680).

---

\*NOTE—And provide a water supply. Act 146, 1901.

10. On making a selection of text-books, to keep a record thereof in their proceedings; and text-books once adopted shall not be changed within five years, except by the consent of a majority of the qualified voters of the district present at an annual meeting or at a special meeting called for that purpose.

**RECORD OF  
TEXT-BOOKS  
ADOPTED.**

11. To require each teacher in the public schools of such district, before placing the school register in the hands of the director, to certify therein whether or not required instruction in physiology and hygiene has been given in the school or grade presided over by such teacher; and it is the duty of the director of the district to file with the township clerk a certified copy of such certificate. Any school board neglecting or refusing to comply with this requirement is subject to a fine or forfeiture, the same as for neglect of any other duty pertaining to the office. This applies to all schools in the state, including schools in cities or villages, whether incorporated under special charter or under the general laws (4680).

**INSTRUCTION  
IN PHYSIOLOGY  
AND HYGIENE.**

12. To purchase at the expense of the district, such text-books as may be necessary for the use of children when parents are not able to furnish the same, and to include the amount of such purchase in the report to the township clerk or clerks, to be levied in like manner as other district taxes (4681).

**PURCHASE  
TEXT-BOOKS.**

13. To have the general care of the school, and to make and enforce suitable rules and regulations for its government and management, and for the preservation of the property of the district. Said board may authorize or order the suspension or expulsion from the school of any pupil guilty of gross misdemeanor or persistent disobedience, whenever, in its judgment, the interests of the school demand it (4682). (See also Chap. X.)

**EXPULSION OR  
SUSPENSION.**



14. To admit to the district school non-resident pupils, in its discretion, and to determine the rates of tuition of such pupils and collect the same, which tuition shall not be greater than fifteen per cent more than the average cost per capita for the number of pupils of school age in the district (4684).

**NON-RESIDENT PUPILS.**

15. To have charge of any library which may have been established in the district (5142). It may also donate or sell any library book or books belonging to the district, to the board of school inspectors of the township or townships in which the district is wholly or partly situated (4750).

**CHARGE OF LIBRARY.**

16. To purchase text-books for all the pupils of the district, when authorized by the voters of the district (4775).

**FREE TEXT-BOOKS.**

17. To purchase a flag and flag-staff for each school house, such flag not to be smaller than four feet two inches by eight feet (4802).

### *Board of Education of Graded Schools.*

The graded school board is composed of five members elected at the annual meeting for a term of three years. At the time of the organization into a graded district, one member is elected for a term of one year, two for terms of two years, and two for terms of three years (4746).

As in the case of officers of primary districts, these school officers must be elected by ballot and hold office until their successors are elected and qualified.

A majority vote is also necessary. The board elects from its own number the director, moderator, and treasurer for one year.\* In case of a failure of the board to

---

\*NOTE.—Many times in districts organized by special enactment school officers are known by other titles; as president, secretary and treasurer. Unless such special acts plainly prescribe the duties of such officers, the duties belonging to the moderator, director, and treasurer are performed by the president, secretary, and treasurer, in the order named respectively.



agree in the appointment of its officers, the school inspectors of the township or city are authorized to make the appointment (4747).

#### POWERS AND DUTIES.

Besides having the same powers that are possessed by school officers of primary school districts, the officers of graded districts are authorized:

1. To classify and grade the pupils attending school in such district, and cause them to be taught in such schools or departments as they may deem expedient (4748).  
GRADING OF SCHOOL.
2. To establish in such district a high school, when ordered by a vote of the district at an annual meeting, and to determine the qualifications for admission to such school and the fees to be paid for tuition in any branches taught therein: *Provided*, That when the parents or guardians of non-resident pupils pay a school tax in said district, the same shall be credited on their tuition a sum not to exceed the amount of such tuition, and they shall only be required to pay tuition for the difference between the amount of the tax and the amount charged for tuition (4748).  
TERMS OF ADMISSION.
3. To audit and order the payment of all accounts of the director for incidental or other expenses incurred by him in the discharge of his duties; but no more than fifty dollars may be expended by the director in any one year for repairs of the buildings or appurtenances of the district property, without the authority of the board of trustees.  
AUDITING OF ACCOUNTS.
4. To employ all qualified teachers necessary for the several schools, to determine the amount of their compensation, and to require the director and moderator to make contracts with the same on behalf of the district, in accordance with the provisions of law concerning contracts with teachers. (See Act 62, 1901.)  
CONTRACT WITH TEACHERS.

5. To employ such officers and servants as may be necessary, for the management of the schools and school property, and to prescribe their duties and fix their compensation.

**EMPLOY  
JANITORS,  
ETC.**

6. To publish, previous to the third Monday of September, in one or more newspapers of the district, a full and itemized financial statement of the receipts and expenditures of the district during the year just preceding (4800).

### *Board of Education of Township Districts.*

The board of education of a township district consists of five trustees, see Act 154, 1903. Said trustees are elected by ballot at the annual meeting of the district upon a ticket canvassed in the same manner as the vote for township officers. Within five days after the annual election the township clerk is required to give written notice of their election to the persons elected trustees, and within five days thereafter said trustees so elected shall take and subscribe the oath of office prescribed by the constitution of this state, before any officer authorized to administer oaths, and file the same with the township clerk (4823).

The term of office of the trustees of said district commences on the second Monday following the annual township election at which they are elected, and continues for three years and until their successors are elected and qualified.

**TERM OF  
OFFICE.**

### ORGANIZATION.

The members of the board of education meet on the fourth Monday of July of each year and elect from their number a president, a secretary and a treasurer. The president is entitled to vote in all cases. In the absence of the president at any meeting, a

**PRESIDENT.**

majority of the members present may choose one of their own number president pro tem (4826).

The secretary records all proceedings of annual and special meetings of the district and of all meetings of the board; files all records, and other documents belonging to the district, and performs other duties usually required of the director in primary school districts.

It is the duty of the treasurer in each district to execute and file with the secretary, within ten days after his election or appointment, a bond in the full amount of money to come into his hands during his term of office, with two resident sureties, or shall furnish a bond of some surety company authorized to do business in this state, to be approved by the president and secretary of the board. It is the duty of the treasurer to receive from the township treasurer, all moneys appropriated or apportioned for school purposes. He has the keeping of all school and library moneys, and pays out the same upon warrants or orders drawn upon him and signed by the secretary and countersigned by the president. He performs such other duties as are required of the treasurer in primary school districts.

#### MEETINGS.

The regular meetings of the board are held on the fourth Monday of March, June, September and December in each year. No notice of such meeting is required. Any two members is sufficient to adjourn any meeting from time to time until a quorum is present.

Special meetings of the board may be called at any time on the request of the president, or any two members thereof, in writing, delivered to the secretary and the secretary upon receiving such

request shall at once notify each member, if within the district, of the time of holding such meeting, which shall be at least two days subsequent to the time of receiving such request by the secretary.

The compensation of the members of this board other than the secretary and treasurer is two dollars for each regular board meeting. The secretary and treasurer receives such compensation for their services as the board of education determines not exceeding one hundred dollars for the treasurer and one hundred twenty-five dollars for the secretary, per annum.

COMPENSA-  
TION OF  
OFFICERS.

#### POWERS AND DUTIES.

All the duties required of school inspectors, in townships organized under the primary school law, are performed by the township board of education. The township board of inspectors, therefore, has no separate existence in such townships. The following are the principal duties of township school officers:

1. To designate and purchase school house sites.
2. To erect buildings and furnish the same.
3. To employ legally qualified teachers.
4. To provide books for district library.
5. To make by-laws relative to the taking of the school census.
6. To make all necessary reports and transmit the same to the proper officers.
7. To make needful regulations and by-laws relative to school visitation, length of school terms, and purchase of books for indigent children (4830).
8. To fill vacancies that occur until the next annual election.

*Director.*

The director is the chief officer of the primary district and upon him falls much of the labor and responsibility of the district board. We give below many of his principal duties :

1. To act as clerk, when present, of all meetings of the district and of the board.

2. To record the proceedings of all district meetings, and the minutes of all meetings, orders, resolutions, and other proceedings of the board, in proper record books.

3. To give the prescribed notice of the annual district meeting, and of all special meetings.

4. To draw and sign warrants upon the township treasurer for all moneys raised for district purposes or apportioned to the district by the township clerk, and orders upon the treasurer for all moneys to be disbursed by the district, and to present them to the moderator, to be countersigned by that officer. Each order shall specify the object for which and the fund upon which, it is drawn.

5. To draw and sign all contracts with teachers, when directed by the district board, and present them to the other members of the board for further signature.

6. To provide, in his discretion, the necessary appendages for the school house, and keep the same in good condition and repair during the time of school. (See also Chap. X.)

7. To keep an accurate account of all expenses incurred by him as director, such account to be audited by the moderator and assessor and, on their written order, to be paid out of any money provided for the purpose.

8. To present at each annual meeting an estimate of the expenses necessary to be incurred during the ensuing year by the director, and for payment of the services of any district officer.

9. To preserve and file copies of all reports made to the



school inspectors; and safely to preserve and keep all books, papers and other documents belonging to the office of director (or to the district, when not otherwise provided for) and to deliver the same to his successor in office.

10. To take a census of the district within the ten days next previous to the first Monday in September in each year. This work may be done by any person appointed by the district board.

11. At the end of the school year and previous to the second Monday in September in each year, to deliver to the township clerk, to be filed in his office, a report to the board of school inspectors of the township, showing:

(a) The whole number of children belonging to the district between the ages of five and twenty years, according to the census taken as aforesaid.

(b) The number attending school during the year under five, and also the number over twenty years of age.

(c) The number of non-resident pupils of the district that have attended school during the year.

(d) The whole number that have attended school during the year.

(e) The length of time the school has been taught during the year by a qualified teacher, the name of each teacher, the length of time taught by each, and the wages paid to each.

(f) The average length of time scholars, between five and twenty years of age, have attended school during the year.

(g) The amount of money received from the township treasurer and apportioned to the district by the township clerk.

(h) The amount of money raised by the district, and the purposes for which it was raised.

(i) The kind of books used in the school.

(j) Such other facts and statistics in regard to the schools and the subject of education, as the superintendent of public instruction shall direct.

12. In fractional districts to make an annual report to the clerk of the township in which the school house is situated, and also to report to the clerk of each township in which the district is in part situated, the number of children between the ages of five and twenty years living in that part of the district lying in such township (4686 to 4689).

13. To perform such other duties as may be required of the director by law or by the district board.

### *Moderator.*

It is the duty of the moderator of each school district :

1. To preside, when present, at all meetings of the district and of the board.

2. To countersign all orders legally drawn by the director upon the assessor for moneys to be disbursed by the district, and all warrants of the director upon the township treasurer for moneys raised for district purposes, or apportioned to the district by the township clerk.

3. To cause an action to be prosecuted in the name of the district on the treasurer's bond, in case of any breach of any condition thereof.

4. To perform such other duties as may be required of the moderator by law (4685).

### *Treasurer.*

It is the duty of the treasurer of each school district :

1. To execute to the district and file with the director, within ten days after his election or appointment, a bond in double the amount of money to come into his hands as such assessor during his term of office, as near as the same can be ascertained, with two sufficient sureties, to be approved by the moderator and director, conditioned for the faithful application of all moneys that shall come into his hands by virtue of his office, and to perform all the duties of his said

office as required by the provisions of this act.

**BOND.** Said bond shall be filed with the director, and in case of any breach of the conditions thereof, the moderator shall cause a suit to be commenced thereon in the name of the district, and any moneys collected thereon shall be paid into the township treasury, subject to the order of the district officers, and shall be applied to the same purposes as the moneys lost should have been applied by the assessor.

2. To pay all orders of the director, when lawfully drawn and countersigned by the moderator, out of any moneys in his hands belonging to the fund upon which such orders may be drawn.

3. To keep a book in which all the moneys received and disbursed shall be entered, the sources from which the same have been received, and the persons to whom and the objects for which the same have been paid.

4. To present to the district board at the close of the school year a report in writing, containing a statement of all moneys received during the preceding year and of each item of disbursements made, and exhibit the voucher therefor.

5. To appear for and on behalf of the district in all suits brought by or against the same, when no other directions shall be given by the qualified voters in district meeting, except in suits in which he is interested adversely to the district; and in all such cases the moderator shall appear for such district, if no other direction be given as aforesaid.

6. At the close of his term of office to settle with the district board, and deliver to his successor in office all books, vouchers, orders, documents, and papers belonging to the office of treasurer, together with all district moneys remaining on hand.

7. To perform such other duties as may be required of the treasurer by law (4691).

## CHAPTER VI.

## TEACHERS.

*Legal Qualifications.*

No contract with any person not holding a legal certificate of qualification authorizing him to teach, is valid; and all contracts with a person holding a legal certificate terminate, if the certificate expires by limitation and is not immediately renewed (4678). All persons who expect to teach must procure the necessary certificate from some duly constituted authority. There are several ways by which teachers may receive certificates. We first mention those granted by the county board.

## COUNTY CERTIFICATES.

The regular examinations of teachers in all counties of the state are held at the county seats, beginning on the second Thursdays of March and August in each year. In nearly all of the counties are held two other regular public examinations beginning on the third Thursdays of June and October in each year (4811).

**REGULAR EX-AMINATIONS.**

Three grades of county certificates are granted, as follows:

First grades are granted from the examinations of March and August and are valid for four years. The examination is in algebra, botany, geometry, general history, physics, arithmetic, grammar, United States history, civil government, geography, reading, penmanship, orthography, school law, theory and art of teaching, physiology and hygiene with reference to the effects on the human system of alcoholic drinks, stimulants, and narcotics.

**FIRST GRADE CERTIFICATE.**

All county certificates must be signed by the commissioner and at least one examiner (4812).

Without the indorsement of the superintendent of public

---

NOTE.—A teachers contract is not valid unless the teacher holds a legal certificate during the entire period of said contract.



instruction, first grade certificates are valid only in counties where granted.

To secure this indorsement the papers written by successful applicants must be forwarded by commissioners within ten days to said superintendent for examination and approval. If he approves and signs the certificate, it becomes valid throughout the state.

Any applicant for a first grade certificate who feels that the county board has not given his papers due credit, may order them sent to the superintendent of public instruction for inspection; and if the standings given by the superintendent are sufficient for his indorsement, the county board shall issue the certificate or give reasons satisfactory to the superintendent for withholding the same. No first grade certificate is valid in any county other than that in which it is granted, unless countersigned by the superintendent and a copy filed with the commissioner in the county in which the holder desires to teach. Act 99, 1901.

Second grades are granted from the four regular examinations and are valid throughout the county where granted for three years.\* Candidates may select any two of the four studies—algebra, botany, general history, and physics—and are required to write on all the other branches excepting geometry.

Third grades are granted from any public examination and are valid throughout the county where granted for one year. The branches required in an examination for a third grade certificate are all those, excepting the first five mentioned, in the first grade list.

For the purpose of limiting the number of third grade certificates which may be granted to a person in the public schools, third grade certificates are divided into two classes known as A. and B.

\*NOTE.—Second grade papers may be forwarded to another county for examination if candidate desires to teach in that county (Act 99, 1901).



Certificates of class A are granted to teachers of three years experience in primary department (first four grades) of graded schools. Certificates of this class license the holder to teach only in primary departments. The number which may be granted to a person is not limited. Certificates of class B are the regular third grade certificates and license the holder to teach in any school of the county; but no more than three certificates of this class can legally be granted to the same person (4813). The purpose of this law is to require teachers to progress and secure higher grades of certificate. The questions for these two classes of third grade certificates vary somewhat to correspond with the kind of work required of the teachers.

All questions for county examinations are prepared by the superintendent of public instruction and furnished to the commissioner under seal, to be opened in the presence of the candidates for certificates.

The standard of examinations to be followed is left entirely to the discretion of the examining board, so that the success or failure of applicants depends more on the closeness or liberality of the marking than upon the character of the questions furnished.

Besides the certificates mentioned, the county commissioners has power, upon personal examination satisfactory to himself or herself, to grant certificates which shall license the holder thereof to teach in a specified district for which it is granted; but such certificate does not continue in force beyond the time of the next public examination, and in no case can a second special certificate be granted to the same person, and it does not in any way exempt the teacher from a full examination (4813). The object of a special certificate is to bridge over the time between the commencement of a school term and the next meeting of the examining board (71 Mich. 361). (94 Mich. 170.)

Educational qualifications are not the only qualification of teachers. No board of examiners can legally grant a certificate to any person who, having arrived at the age of twenty-one years, is not a citizen of the United States. The law also directs the examining board to grant certificates to successful applicants who have attained the age of eighteen years (4812).

**CITIZENSHIP  
OF TEACHERS.**

The moral character of the applicant is another question which examining boards must carefully consider.

**MORAL  
CHARACTER.**

Certificates may be withheld from persons who, though possessing all the educational qualifications, are unfit to teach in the public schools. The supreme court, in the case of *Sturdevant vs. The Board of Examiners*, refused to interfere with the decision of the examiners, and decided that the board was better able to determine the qualifications of applicants than the court. From another decision we quote: "A man who habitually violated his duty by profanity and Sabbath breaking was of bad moral character" (45 Mich. 484).

**RENEWALS OF CERTIFICATES.**

The only Michigan law in existence authorizing boards of examiners to renew certificates is the provision found in section 4813 of the Compiled Laws. It reads: "The board of examiners shall have the right, however, to renew without examination the certificates of persons who shall have previously obtained an average standing of at least 85 per cent in all studies covered in two or more previous examinations, and who shall have been since that examination continuously and successfully teaching in the same county." This seems so plain as to require no explanation, but numerous inquiries addressed to the department of public instruction suggest that it is not interpreted alike by teachers and examiners. We, therefore, in the absence of any court decisions, venture the following interpretation: 1st. The

standings on each certificate must average 85 per cent. 2d. The board does not have the right under this provision to renew the certificate of an applicant who has not been teaching continuously and successfully during the two years just preceding. 3d. The law is simply permissive and not mandatory on the examiners.

#### REVOKING OF CERTIFICATES.

The board of examiners may suspend or revoke any teacher's certificate issued by them for any reason which would have justified said board in withholding the same when given—for neglect of duty, for incompetency to instruct or govern a school, or for immorality—and the said board may, within their jurisdiction, for immorality or incompetency to instruct and govern a school, suspend the effect of any teacher's certificate that may have been granted by other lawful authority: *Provided*, That no certificates shall be suspended or revoked without a personal hearing, unless the holder thereof shall, after a reasonable notice, neglect or refuse to appear before the said board for that purpose (4814).

#### CITY CERTIFICATES.

The officers of every school district which is or shall hereafter be organized in whole or in part in any incorporated city in this state where special enactments shall exist in regard to the licensing of teachers, shall employ only such teachers as are legally qualified under the provisions of this act: *Provided*, That in cities employing a superintendent, the examination of teachers shall be conducted by such superintendent or by a committee of the board of education of such school district, and certificates issued at such time and in such a manner as the superintendent of public instruction and board of education in such city shall

prescribe. Cities having a special and thoroughly equipped normal training department under control of a special training teacher, such school having a course of not less than one year, shall be exempt from the provisions of this section as to the examination of teachers.\*

#### COLLEGE CERTIFICATES.

The state board of education is empowered to grant teachers' certificates without examination to any person who has received a bachelor's, master's, or doctor's degree from any college in this State having a course of study of not less than four years, actually taught in such college, in addition to the preparatory work necessary for admission to the University of Michigan, upon a recommendation from the faculty of such college, stating that in their judgment the applicant is entitled to receive such certificate. Such college must also have a course in the science and art of teaching of at least one college year of five and a half hours per week, which shall have been taken by said applicant and shall include a thorough examination by the college granting such diploma, as to qualification and fitness for teaching (4805 to 4807).

Provided, that if said person furnishes to said board satisfactory proof of having successfully taught for three years in the schools of this State, said certificate shall be a life certificate. If such proof is not furnished said board, then such certificate shall be for four years only, and a life certificate may at any time thereafter be issued by said board upon the filing of such proof. Such certificate shall entitle the holder to teach in any of the schools in this State without examination, provided a copy of the same is filed or recorded in the office of the legal examining officer, or officers of the county, city, township, or

---

\*NOTE.—Amended by Act 99, 1901, by providing that a principal be employed and that the superintendent shall give at least half his time to supervision.



district in which said person is to teach, and shall be annulled only by the state board of education, and by it only for cause.

It shall be the duty of said board of education carefully to examine any course of study in the science and art of teaching that may be submitted to it by the trustees of any college and, if satisfactory, to furnish such trustees with a written certificate approving the same. If, at any time, the said board of education concludes that any college, whose graduates may desire to receive such certificate, is not giving such instruction in the science and art of teaching and in the other branches as shall be approved by it, then said board shall so determine by a formal resolution and shall give notice thereof to the trustees of such college; and thereafter no teachers' certificates shall be given by said board to the graduates of such college, until said board shall be satisfied that proper instruction in the science and art of teaching and in other branches is given by such college, and the board shall certify such fact to the trustees of such college.

**APPROVAL OF  
STATE BOARD.**

**WITHDRAWING  
OF APPROVAL.**

#### UNIVERSITY CERTIFICATES.

The faculty of the department of literature, science, and the arts, of the University of Michigan, shall give to every person receiving a bachelor's, master's, or doctor's degree, and also a teacher's diploma for work done in the science and in the art of teaching from said University, a certificate, which shall serve as a legal certificate of qualification to teach in any of the schools of this State, when a copy thereof has been filed or recorded in the office of the legal examining officer or officers of the county, township, city, or district (4804).

**SUSPENSION  
OF CERTIFI-  
CATE.**

Such certificate shall not be liable to be annulled except by the said faculty of the University; but its effect may be suspended in any county, township, city or district, and the holder thereof



may be stricken from the list of qualified teachers in such county, township, city, or district, by the legal examining officer or officers of the said county, township, city, or district, for any cause and in the same manner that such examining officer or officers may be by law authorized to revoke certificates they have given, and such suspension shall continue in force until revoked by the authority suspending it.\*

#### STATE CERTIFICATES.

The state board of education holds two meetings each year, at which they examine teachers and grant certificates to such as have taught in the schools of the State at least two years, and who, upon a thorough and critical examination in every study required for such certificate, are found to possess eminent scholarship, ability, and good moral character. Such certificates, signed by the members of said board, impressed with its seal, entitle the holder to teach in any of the public schools of this State without further examination, and are valid for life unless revoked by said board. No certificate shall be granted except upon the prescribed examination (1818).

The branches required in an examination for State certificates are chemistry, zoölogy, rhetoric, literature, geology, in addition to those required for first grade certificates.

**PRESCRIBED  
EXAMINATION.**

The said state board of education may, in its discretion, endorse State teachers' certificates or normal school diplomas granted in other states, if it be shown to the satisfaction of such board that the examinations required or courses of study pursued are fully equal to the requirements of this State (1826).

**FROM OTHER  
STATES.**

---

\*NOTE.—Act 213, 1903, provides that credit may be given for work done in other educational institutions if such work is equivalent to work done in the University.

*Teachers' Institutes.\**

All boards or officers authorized by law to examine applicants for certificates shall collect, at the time of examination, from each male applicant an annual fee of one dollar, and from each female applicant an annual fee of fifty cents; and the director or secretary of any school board that shall employ any teacher who has not paid the fee hereinbefore provided shall collect, at the time of making contract, from each male teacher so employed, an annual fee of one dollar, and from each female teacher so employed, an annual fee of fifty cents (4839).

All persons paying a fee as required by this section shall be given a receipt for the same; and no person shall be required to pay said fee more than once in any school year. The requirements of this law apply to all teachers, whether applicants for certificates or employed by school boards (Atty. Gen., March 21, 1884).

All such fees collected by the director or secretary of any school board are paid over to the county commissioner of schools of the county in which they were collected, on or before the fifteenth day of March, June, September, and December, accompanied by a list of those persons from whom they were collected (93 Mich., 281). And all such fees, together with all those that are collected by the county commissioner of schools, are paid over by him to the treasurer of the county in which they were collected, on or before the last day of March, June, September, and December in each year, accompanied by a complete list of all persons from whom said fees were collected; and a like list, accompanied by a statement from the county treasurer that said fees have been paid to him, shall

**INSTITUTE FUND.**

\* NOTE.—This act does not conflict with the constitution (xiv, i.) on the ground that the fees are specific taxes; nor on the ground that the fees are not uniform. This section (law) is not defective, incomplete, ineffectual and is not therefore void. (67 N. W. 973.)

be sent by said commissioner to the superintendent of public instruction. All moneys paid over to the county treasurer, as provided by this act, shall be set apart as a teachers' institute fund (4840).

The superintendent of public instruction shall annually appoint a time and place in each organized **WHERE HELD.** county for holding a teachers' institute, make suitable arrangements and give due notice of the same: *Provided*, that in organized counties having less than one thousand children between the ages of five and twenty years, the holding of the institute shall be optional with the said superintendent, unless requested to hold such institute by fifteen teachers of the county in which such institute is to be held. However, if there shall not be a sufficient number of teachers in any county to make such request, then teachers of adjoining counties who desire to attend such institute may unite in the required application to said superintendent. Also, the said superintendent may, in his discretion, hold an institute for the benefit of two or more adjoining counties, and draw the institute fund from each of the counties thus benefited (4841).

The superintendent of public instruction, in case of inability personally to conduct any institute or to make **THE** the necessary arrangements for holding the same, **CONDUCTOR.** is authorized to appoint some suitable person for that purpose, who shall be subject to the direction of the superintendent.

Every teacher attending any institute held in accordance with the provisions of this act, shall be given by **CERTIFICATE** the superintendent of public instruction, or by **OF ATTEND-** the conductor, a certificate setting forth at what **ANCE.** sessions of said institute such teacher was in attendance; and any teacher who closes his or her school in order to attend the institute shall not forfeit his or her wages as teacher

during such time as he or she attended it, and the certificate provided shall be evidence of such attendance (4842).

For the purpose of defraying the expenses of rooms, fires, lights, or other necessary charges, and for procuring teachers and lecturers, the said superintendent or the person authorized by him to conduct the institute, may demand of the county clerk of each county for the benefit of which the institute is held (who shall thereupon draw an order on the county treasurer of his county for such sum) an amount necessary to defray these expenses but not exceeding the institute fund in the county treasury; and the treasurer of said county is hereby required to pay over to said superintendent or conductor, from the institute fund in his hands, the amount of said order (4843).

In case the institute fund in any county is insufficient to defray the necessary expenses of any institute held under the provisions of this act, the auditor general shall, upon the certificate of the superintendent that he has made arrangements for holding such institute and that the county institute fund is insufficient to meet the expenses thereof, draw his warrant upon the State treasurer for such additional sum as said superintendent shall deem necessary for conducting such institute, which sum shall not exceed one hundred\* dollars for each institute of five days' duration (4843).

The superintendent is authorized to hold, once in each year, an institute for the State at large, to be denominated a State institute; and for the purpose of defraying the necessary expenses of such institute, the auditor general shall, on the certificate of said superintendent that he has made arrangements for holding such institute, draw his warrant upon the state treasurer for such sum as said superintendent shall deem necessary for conducting such institute, which sum shall not exceed four hundred

---

\* Amended by act No. 64, Laws of 1899.



dollars and shall be paid out of the general fund: *Provided*, That not more than three thousand dollars shall be drawn from the treasury, or any greater liability incurred in any one year, to meet the provisions of this law (4845).

The superintendent of public instruction or the conductor drawing money from the county treasurer, shall, at the close of each institute, furnish to the county treasurer vouchers for all payments from the same; and he shall return to the county treasurer whatever of the amount may remain unexpended, to be replaced in the institute fund (4846).

### *Teachers' Associations.*

Any fifteen or more teachers, or other persons residing in the State, who shall associate for the purpose of promoting education and science and improvements in the theory and practice of teaching, may form themselves into a corporation under such name as they may choose, providing they shall have published in some newspaper printed at Lansing or in the county in which such association is to be located, for at least one month previous, a notice of the time, place, and purpose of the meeting for such association, and shall file in the office of the secretary of state a copy of the constitution and by-laws of said association (7730).

Such association may hold and possess real and personal property to the amount of five thousand dollars, but the funds or property thereof shall not be used for any other purpose than the legitimate business of the association in securing the objects of its corporation (7731).

Upon becoming a corporation, they shall have all the powers and privileges and be subject to all the duties of a corporation (7732).

ORGANIZATION.  
VOUCHERS.  
FUNDS.  
POWERS.



## TEACHERS' CONTRACTS.

A teacher's contract must be in writing, and must state the wages agreed upon and the length of the term.

The teacher must be required to keep a correct list of the pupils and the age of each attending the school.

**REQUIRED RECORD.** He shall keep a record of the number of days each pupil is present, and furnish to the director a correct copy of the same at the close of the school.†

The contract must be filed with the director and a duplicate copy furnished to the teacher (4678).

**FILING OF CONTRACT.**

A contract with a teacher who does not hold a certificate that is valid within the county is void. If the certificate expires during the period for which the contract is given, said contract becomes void, unless the teacher immediately secures a new certificate. The word "immediately" in the foregoing sentence should be construed to mean that the certificate be renewed before the teacher continues with the work of the school.

**UNQUALIFIED TEACHER.**

All contracts for teaching must be construed as subject to vacations on legal holidays.\* No deduction from teachers' wages on account of such vacation can be made (39 Mich. 484). Holidays should always be counted as days taught. The employment of teacher *by the day* instead *by the month or year*, does not make it the duty of teachers to make up time lost in the observance of holidays.

**LEGAL HOLIDAYS.**

If a teacher is employed for a definite time and, during the period of his employment, the district officer closes the schools on account of the prevalence of contagious diseases and keeps them closed for a time, the teacher is entitled to full wages during such period (43 Mich. 480; 39 Mich. 484; 62 Mich. 153). In schools closed

**CLOSING OF SCHOOLS.**

\* NOTE.—The legal holidays in this State are January 1, February 22, May 30, July 4, Labor Day, Thanksgiving Day, and Christmas. Whenever a legal holiday falls on Sunday, the next day is observed instead.

†NOTE.—Act 146, 1901, requires teacher to keep a record of the grading of pupils, the aggregate attendance and the percentage of attendance.

on account of a loss of the school house by fire or storm, the teacher can collect his wages (75 Mich. 143).

Contracts made previous to annual meeting are valid. The legislature contemplated that schools should generally open on the beginning of the school year and that teachers would have to be contracted with in season. Neither the newly elected trustees nor the voters at the annual meeting have the power to impair the obligation of a contract made before such annual meeting (44 Mich. 500; 98 Mich. 43; 88 Mich. 374).

When a contract with a teacher has been agreed upon at a board meeting, it is the duty of the director and the moderator to sign it. It is not in the power of the officers to defeat the action of the board by refusing to sign a contract authorized by it (93 Mich. 43). A contract signed by two members of the board without calling a meeting and consulting with the other member is void (47 Mich. 626). It is not imperative that a contract be signed by all three of the officers, and one signed by a majority of the board is presumed to be valid, especially if the officers draw and pay orders without protest (61 Mich. 299). It should also have the teacher's signature.

While it is the duty of the director to sign and file a teacher's contract, his refusal to perform his duty in this respect does not impair the validity of a contract, if otherwise properly authorized and executed (46 Mich. 316). A contract valid on its face and carried with the acquiescence of all concerned, can not be subsequently repudiated (62 Mich. 153; 77 Mich. 610).

Contracts made between the district board and teacher must be authorized at a regular meeting of the board (47 Mich. 626). After a contract has been duly authorized at a meeting of the board, it may be signed at the convenience of the officers (30 Mich. 249).

**MADE  
BEFORE  
ANNUAL  
MEETING.**

**SIGNATURES  
TO CONTRACT.**

**VALIDITY OF  
CONTRACT.**

**WHEN AU-  
THORIZED.**

No power is now conferred by statute upon the voters at a district meeting, to determine whether the school shall be taught by a male or a female teacher (88 Mich. 374).

CHOICE OF  
MALE OR  
FEMALE  
TEACHER.

All teachers, whether qualified or unqualified, are entitled to pay for services actually performed. The general policy of the school law is that schools shall be taught by qualified teachers, but necessities may arise where this cannot be done. A district may be unable to find a qualified teacher. Where the employment of an unqualified teacher is a necessity, the school district is authorized to employ one who has not the proper certificate (if the school board is satisfied that the teacher is otherwise qualified), and to pay such teacher out of the moneys belonging to the district; but the primary school moneys and mill-tax cannot be applied to that purpose (37 N. W. 570). The liability of a school district to pay a teacher for services actually rendered has been maintained by the following authorities: 55 Vt. 61; 13 Neb. 52; 47 Mich. 226; 10 N. W. 349; 61 Mich. 299; 28 N. W. 105. Teachers who do not hold a properly signed contract and who are permitted by the district board to teach, can collect such wages as a court will allow, which is generally the average rate of wages paid in adjoining school districts.

CONTRACTS  
WITH TEACH-  
ERS NOT LE-  
GALLY QUALI-  
FIED.

TEACHERS CAN  
COLLECT PAY.

### *Corporal Punishment.*

Our school law is silent on this subject. The decisions of the courts uniformly sustain teachers in the administering of punishment to a reasonable degree. Teachers should exercise much discretion, and punish only when all other methods fail. Many of our best educators are opposed to corporal punishment under any circumstances. Below is given a list of cases on which decisions have been made:

4 Gray, Mass., 36; 14 Johns., Ind., 119; 50 Iowa, 145; 4 Ind., 291; 19 Vt., 102; 27 Me., 266; 32 Vt., 114; 50 Iowa, 152.

*Extent of Teachers' Authority.*

This is a much disputed question. Generally speaking, the authority of the teacher does not extend beyond the school premises; but conduct of pupils which injures the school and has a tendency to bring the teacher's authority into contempt may be dealt with by the teacher, even if outside of school house and away from school premises (32 Vt., 114; 31 Iowa, 562).

*Recent Michigan Decisions, 1902.*

It is not only the legal right but the moral duty of the school authorities to require children to go directly from school to their homes. All parents who have a proper regard for the welfare of their children, desire it. The state makes it compulsory upon parents to send their children to school and punishes them for failure to do so. The least that the state can in reason do is to throw every safeguard possible around the children, who in obedience to the law are attending school. The dangers to which children are exposed upon the streets of cities are matters of common knowledge. Humanity and the welfare of the country demand that a most watchful safeguard should so far as possible accompany children, when required or allowed to be on the streets. Parents have a right to understand that their children will be promptly sent home after school, and to believe that something untoward has happened when they do not return in time. In no other way can parents and teachers act in harmony to protect children from bad influences, bad companionship, and bad morals. The rule does not restrict the authority of parents over their children.

This action is fully sustained by the authorities: 32 Vt. 120; 85 Mo.. 485; 8 Cush., 160; Mechem on Pub, Officers, Sec. 730.

## CHAPTER VII.

## COMPULSORY ATTENDANCE AT SCHOOL.

Michigan has a comprehensive law for compelling children to attend school. Previous to 1895 the authority of truant and district officers had been limited, and a general enactment was passed by the legislature giving additional power to those dealing with parents who are indifferent concerning the education of the children, or with truants who baffle the authority of their parents (4847 to 4853).

*Ages of Compulsory Education.*

Every parent, guardian, or other person in the State of Michigan having control and charge of any child between the ages of eight and fifteen years and in cities between the ages of seven and fifteen years, is required to send such child to the public school for a period of at least four months in each school year (except that, in cities having a duly constituted police force, the attendance at school shall not be limited to four months), beginning on the first Monday of the first term commencing in his or her district after September 1, 1895, and of each year thereafter. Such attendance must be consecutive, and each and every pupil between the ages specified must have attended school the entire four months previous to the thirtieth day of June in each year.

NUMBER OF  
MONTHS AT-  
TENDANCE.

## PUPILS EXEMPTED.

1. Those who are being taught in private schools in such branches as are usually taught in public schools.



2. Pupils who have already acquired the ordinary branches of learning taught in public schools.
3. Children physically unable to attend school, if such fact is certified to by a reputable physician.
4. Those under nine years of age, living more than two miles from any school house.

### *Truant Officer.*

WHEN AP-  
POINTED.

The district board or board of education in each school district which has been organized as a graded school district or as a township district, and all districts having fifty or more pupils, may, in their discretion, previous to the tenth day of September of each year, appoints a truant officer for the term of one year from and after the first Monday of September of each year.

IN PRIMARY  
DISTRICTS.

In townships whose districts are organized under the primary school law, the chairman of the township board of school inspectors is the truant officer and performs all the duties of truant officer, so far as the provisions of this law apply to the territory over which he has jurisdiction.

IN CITIES.

In cities having a duly organized police force, it is the duty of the police authority, at the request of the school authorities, to detail one or more members of said force to perform the duties of truant officer, or the board of education may appoint any citizen (Act 83, 1901).

COMPEN-  
SATION.

The compensation of the truant officer is fixed in graded school districts by the board which appoints, and in townships by the township boards; and in no case can such compensation be less than one dollar and fifty cents per day for time actually employed under direction of the district board in performance of his official duties. The compensation of truant officers is allowed and paid in the same manner as incidental expenses are paid by such boards.

The director is required to furnish a copy of the last school census at the beginning of each term of school, and the teacher is required at the end of each month to compare the names of pupils in attendance with the names of those on the census list to ascertain what pupils, if any, are not attending school. It is the further duty of the teacher to report such pupils to the truant officer. 1903.

It is the duty of the truant officer to investigate all cases

DUTIES. of truancy or non-attendance at school, and to render all services within his power to compel children to attend school; and, when informed of continued non-attendance by any teacher or resident of the school district, he shall immediately notify the persons having control of such children that, on the following Monday, such children must present themselves with the necessary text-books for instruction in the proper school of the district. The notice also informs said parent or guardian that attendance at school must be consecutive at least eight half days of each week until the end of that term, except in cities having a duly constituted police force, where attendance in school shall be continuous.

### *Penalty on Parents.*

In case any parent, guardian, or other person having charge of children fails to comply with the provisions of this law, he shall be deemed guilty of a misdemeanor and shall, on conviction, be liable to a fine of not less than five dollars nor more than fifty dollars, or by imprisonment in the county or city jail for not less than two nor more than ninety days, or by both such fine and imprisonment, in the discretion of the court.

### *Ungraded Schools.*

In all city school districts having a school census of five hundred or more pupils, the school board or officers having in charge the schools of such districts may establish one or more ungraded schools for the instruction of juvenile disorderly persons. They may, through their truant officer and superintendent of schools, require such children to attend said ungraded schools or any department of their graded schools, as said board of education may direct.

### *Juvenile Disorderly Persons.*

The following classes of persons between the ages of eight

and fourteen years, and in cities between the ages of seven and sixteen years, are deemed juvenile disorderly persons, and shall, in the judgment of the proper school authorities, be assigned to the ungraded school or schools:

1. Habitual truants from any school in which they are enrolled as pupils.

2. Children who, while attending any school, are incorrigibly turbulent, disobedient, or insubordinate, or are vicious or immoral in conduct.

3. Children who are not attending any school and who habitually frequent streets and other public places, having no lawful business, employment, or occupation.

It is the duty of the truant officer, in case of a violation of this law, within one week after having given

**VIOLATION OF  
LAW.**

the notice to the parent or guardian as specified above, to make a complaint for such refusal or

neglect, against said parent, guardian, or other person having the legal charge and control of such child, before a justice of the peace in the city, village, or township where the party resides, except in cities having recorder's or police court. And said justice of the peace, police judge, or recorder's court, shall issue a warrant upon said complaint and shall proceed to hear and determine the same; and, upon conviction thereof, said parent, guardian, or other person, as the case may be, shall be punished by the fine and imprisonment above mentioned. It is the duty of all school officers, superintendents, or teachers, to render such assistance and furnish such information as they have at their command, to aid said truant officer in the fulfillment of his official duties.

#### COMMITMENT TO REFORMATORY.

A boy between the age of ten and sixteen years or a girl between the age of ten and seventeen years, who frequents saloons or disreputable places or who is an inmate or member of a family who resides in any house of ill fame or who

frequents a place where disreputable people congregate or where intoxicating liquors are kept for sale, is considered, in law, a truant or disorderly child.

**TRUANTS.**

A child between the ages above mentioned, who runs away from school or from a house or other place where he or she resides or is legitimately employed or who lounges upon public streets or any place of disreputable or improper character, or who attends public dances, skating rinks, or shows are also considered truants or disorderlies.

Boys of this class may be sent to the Industrial School at Lansing, and girls to the Industrial Home for Girls at Adrian. The sentence of the boys continues until they are eighteen years of age and girls until twenty-one years of age. Before children may be consigned to these institutions they must be given a trial in the manner prescribed in our state Laws, before a Justice or other Magistrate and sentence must be approved by the Judge of Probate in the county in which they reside, excepting the cities of Detroit and Grand Rapids and where their cases are submitted to the Judge of the Records Court. In each county of the state an officer acting as County Agent of Corrections and Charities appointed by the Governor of the state, has authority to make complaint and bring action against children who are classed as truant and disorderly.

## CHAPTER VIII.

## TEXT-BOOKS AND LIBRARIES.\*

The district board is authorized to specify the studies to be pursued in the schools of the district, and each school board making a selection of text-books for use in the district is directed to keep a record of the same.

*Adoption of Text-Books.*

**HOW OFTEN ADOPTED.** Text-books once adopted can not legally be changed within five years, unless a majority of the voters of the district shall consent at a regularly called district meeting (4680). If, after five years the school board does not make another adoption, the books formerly adopted continue to be the legally adopted books of the district.

**CANNOT RECONSIDER.** After a school board has adopted a certain text-book and several copies of it have been received and sold to the patrons, the board has no right to reconsider the resolution adopting such book (88 Mich. 371).

## BOOKS FOR POOR CHILDREN.

The district board may purchase, at the expense of the district, such text-books as may be necessary for the use of children, when parents are not able to furnish the same; and they shall include the amount of such purchase in the report to the township clerk or clerks, to be levied in like manner as other district taxes (4681).

---

\* NOTE.—Michigan has no law for uniform text-books. The law of 1897 was repealed by the Legislature of 1899.



*Free Text-Books.\**

SECTION 1. From and after June thirtieth, eighteen hundred and ninety, each school board of the State shall purchase, when authorized, as hereinafter provided, the text-books used by the pupils of the schools in its district in each of the following subjects: Orthography, spelling, writing, reading, geography, arithmetic, grammar (including language lessons), National and State history, civil government, and physiology and hygiene; but text-books once adopted under the provisions of this act shall not be changed within five years: *Provided*, That the text-book on the subject of physiology and hygiene must be approved by the state board of education, and shall in every way comply with section fifteen of act number one hundred and sixty-five, of the public acts of eighteen hundred and eighty-seven, approved June ninth, eighteen hundred and eighty-seven, and that all text-books used in any district shall be uniform in any one subject.

SEC. 2. The district board of each school district shall select the kind of text books on subjects enumerated in section one, to be taught in schools of their respective districts: *Provided*, That nothing herein contained shall require any change in text-books now in use in such district.

The board shall cause to be posted in a conspicuous place, at least ten days prior to the first annual school meeting from and after the passage of this act, a

PURCHASED BY  
THE BOARD.

HOW  
SELECTED.

NOTICE  
TO VOTERS

\* NOTE.—We print in full Act No. 147, Public Acts of 1889, which is the free text-book law of the State. Michigan has nearly 700,000 children of school age, about 500,000 of whom are attending school. There are about 7,200 districts in the State; and, up to September, 1894, only about 400 had availed themselves of the benefits of this law. Let the student estimate the cost each year to each pupil, and multiply the amount by 500,000 to get the estimated yearly cost of text-books to the pupils of the State. Now, supposing text-books can be bought 10 per cent cheaper, and, being actually worn out in the service of the pupils, last 15 per cent longer, what would be the saving in each year, if all districts furnished free text-books?

notice that those qualified to vote upon the question of raising money in said district shall vote at such annual meeting to authorize said district board to purchase and provide free text-books for the use of the pupils in said district. If a majority of all the voters, as above provided, present at such meeting shall authorize said board to raise by tax a sum sufficient to comply with the provisions of this act, the district board shall thereupon make a list of such books and file one copy with the township clerk and keep one copy posted in the school; and due notice of such action by the district shall be noted in the annual report to the superintendent of public instruction.

The district board shall take the necessary steps to purchase such books for the use of all pupils in the several schools of their districts, as hereinafter provided. The text-books so purchased shall be the property of the district purchasing the same and shall be loaned to pupils free of charge, under such rules and regulations for their careful use and return as said district board may establish: *Provided*, That nothing herein contained shall prevent any person from buying his or her books from the district board of the school in which he or she may attend, and that nothing herein contained shall prevent any district having once adopted or rejected free text-books, from taking further action on the same at any subsequent annual meeting.

**LOANING OF BOOKS.**

SEC. 3. It shall be the duty of the district board of any school district adopting free text-books provided for in this act, to make a contract with some dealer or publisher to furnish books used in said district at a price not greater than the net wholesale price of such books: *Provided*, That any district may, if it so desires, authorize its district board to advertise for proposals before making such contract.

**CONTRACT WITH DEALER.**

SEC. 4. The district board of every school district in the

State adopting free text-books under this act shall make and prepare annually an estimate of the amount of money necessary to be raised to comply with the conditions of this act, and shall add such amount to the annual estimates made for money to be raised for school purposes for the next ensuing year. Said sum shall be in addition to the amount now provided by law to be raised, which amount each township clerk shall certify to the supervisor of his township to be assessed upon the taxable property of the respective districts, as provided by law for raising the regular annual estimates of the respective district boards for school purposes, and, when collected, shall be paid to the district treasurer in the same manner as all other money belonging to said district is paid.

**ANNUAL ESTIMATE OF TAX.** SEC. 5. On the first day of February next after the tax shall have been levied, the director of said district may proceed to purchase the books required by the pupils of his district, from the list mentioned in section one of this act, and shall draw his warrant, countersigned by the moderator, upon the treasurer or assessor of the district for the price of the books so purchased, including the cost of transportation.

**WHEN LEVIED.** SEC. 6. If the officers of any school district which has so voted to supply itself with text-books shall refuse or neglect to purchase at the expense of the district, for the use of the pupils thereof, the text books as enumerated in section one of this act, or to provide the money therefor as herein prescribed, each officer or member of such board so refusing or neglecting shall be deemed guilty of a misdemeanor, and, upon conviction thereof before a court of competent jurisdiction, shall be liable to a penalty of not more than fifty dollars, or imprisonment in the county jail for a period not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court: *Provided,* That any district board may

**NEGLECT OF DUTY.**

buy its books of local dealers if the same can be purchased and delivered to the director as cheaply as if bought of the party who makes the lowest bid to the district board, also that school districts in cities organized under special charters shall be exempt from the provisions of this act; but such districts may, when so authorized by a majority vote of their district boards, submit the question of free text-books to the qualified voters of said districts. If a majority of the qualified electors vote in favor of furnishing free text-books, such district boards shall have authority to proceed under the provisions of this act (Act 147, 1889).

*Instruction in Physiology and Hygiene.*

In order that proper instruction be given in the effect on the human system of stimulants and narcotics, the legislature has enacted laws which make it the duty of school boards to select suitable text-books in physiology and hygiene, and likewise the duty of teachers to give instruction in this branch to all the pupils of the school.

In addition to the branches in which instruction is now required to be given in the public schools, instruction shall be given in physiology and hygiene with a special reference to the nature of alcohol and narcotics and their effects upon the human system. Such instruction shall be given by the aid of text-books in the case of pupils who are able to read, and as thoroughly as in other studies pursued in the same school. The text-books to be used for such instruction shall give at least one-fourth of their space to the consideration of the nature and effects of alcoholic drinks and narcotics, and the books used in the highest grade of graded schools shall contain at least twenty pages of matter relating to this subject. Text-books used in giving the foregoing instruction shall first be approved by the state board of education.



**CERTIFIED REPORT.** The district board shall require each teacher in the public schools of such district, before placing the school register in the hands of the director, to certify therein whether or not instruction has been given in the school or grade presided over by such teacher, as required by this law, and it shall be the duty of the director of the district to file with the township clerk a certified copy of such certificate. Any school board neglecting or refusing to comply with any of the provisions of this act shall be subject to fine or forfeiture the same as for neglect of any other duty pertaining to their office. This act shall apply to all schools in the State, including schools in cities or villages, whether incorporated under special charter or under the general laws (4680).

#### PREVENTION OF COMMUNICABLE DISEASES.

Although not properly belonging under the general subject of text-books, we mention under this head the printed matter sent out by the state board of health, quoting Act No. 146 of the Laws of 1895, which is brief and explains itself:

**STATE BOARD OF HEALTH.** "There shall be taught in every year in every public school in Michigan, the principal modes by which each of the dangerous communicable diseases are spread, and the best methods for the restriction and prevention of each such disease. The state board of health shall annually send to the public school superintendents and teachers throughout this State, printed data and statements which shall enable them to comply with this act. School boards are hereby required to direct such superintendents and teachers to give oral and blackboard instruction, using the data and statements supplied by the state board of health).

Neglect or refusal on the part of any superintendent or



**REFUSAL TO COMPLY WITH LAW.** teacher to comply with the provisions of this law shall be considered a sufficient cause for dismissal from the school by the school board. Any school board neglecting or refusing to comply with any of the provisions of this act shall be subject to a fine or forfeiture, the same as for neglect of any other duty pertaining to their office. This act shall apply to all schools in this State, including schools in cities or villages, whether incorporated under special charter or under the general laws" (4796 to 4799).

### *Libraries.*

In the twelfth section of article thirteen of the constitution of the State may be found the following provision for the establishment of libraries:

**HOW ESTABLISHED.** The legislature shall also provide for the establishment of at least one library in each township and city; and all fines assessed and collected in the several counties and townships for any breach of the penal laws shall be exclusively applied to the support of such libraries, unless otherwise ordered by the township board of any township, or the board of education of any city: *Provided*, That in no case shall such fines be used for other than library or school purposes."

To carry into effect the above requirement, the legislature has from time to time enacted certain laws providing not only for libraries in townships, but in school districts.

#### TOWNSHIP LIBRARIES.

The law contemplates that a library shall be maintained in every organized township. The library is the property of the township, and all actions relating to township libraries are brought in the name of the township (4752). All persons who reside within the township have an equal right to the

privileges of the library, excepting those who reside in districts that maintain a district library (4753).

The care of the township library is entrusted to the township board of school inspectors. The inspectors are held accountable for the proper care and preservation of said library, prescribe rules and regulations concerning the same, may appoint a librarian whose term of office is one year, assess and collect fines for loss or injury of books, keep the books at some central or eligible place, and make annual reports to the superintendent of public instruction, giving such facts and statistics as said superintendent may require.

**CARE OF  
TOWNSHIP  
LIBRARY.**

#### DISTRICT LIBRARIES.

Any school district, by a two-thirds vote at any annual meeting, may establish a district library. Such districts are entitled to an equitable proportion of the books from the township library, and also to a proportionate share of the library money of the township (4757).

District boards have charge of district libraries, and are subject to the same rules and regulations as to care of the library as are the township inspectors (4758).

**CARE OF  
DISTRICT  
LIBRARY.**

#### ANNUAL ADDITION TO LIBRARIES.

The annual report of the superintendent of public instruction is furnished to every township and district library.

#### LIBRARY FUNDS.

The clear proceeds of all fines for any breach of the penal laws of this State and for penalties, or upon any recognizance in criminal proceedings, and all equivalents for exemption from military duty, when collected in any county and paid into the county treasury, together with all moneys heretofore collected and paid

**WHAT ARE  
LIBRARY  
FUNDS.**

into said treasury on account of such fines or equivalents, which are not already apportioned, shall be apportioned by the county treasurer among the several townships in the county before the first day of June in each year, according to the number of children therein between the ages of five and twenty years, as shown by the statement of the superintendent of public instruction; and this money shall be exclusively applied to the support of the township and district libraries, and to no other purpose (4760).

**VOTING OF TAX.** The qualified voters of each township have power, at any annual township meeting, to vote a tax for the support of township libraries; and the qualified voters of any school district, in which a district library has been established, have power at any annual meeting of such district, to vote a district tax for the support of the district library. When any tax for libraries has been voted, it is reported to the supervisor, levied, and collected in the same manner as other township and school district taxes (4763).

**ANNUAL APPORTIONMENT.** The superintendent of public instruction annually, and previous to the tenth day of May, transmits to the clerk of each county a statement of the townships in his county that are entitled to receive library moneys, giving the number of children in each of such townships between the ages of five and twenty years, as appears from the reports of the boards of school inspectors for the school year last ending; the clerk files such statement in his office, and furnishes a copy of the same to the county treasurer (4761). The statements also indicate the various districts of the townships that are entitled to receive a portion of the moneys apportioned to the townships.

**FORFEITURE.** In case the board of school inspectors of any township, or district board of any school district, fails to make the required report, or in case it appears from the reports so made that any township or

district has failed to use the library money in strict accordance with the law, such township or district forfeits its share of the library moneys that are apportioned, and the same shall be apportioned to the several other townships and districts in the county. The constitution has provided that library moneys may be used for general school purposes, if the township board shall so determine (Art. XI, Section 12).

*Board of Library Commissioners.*

The legislature of 1899 (Act 115) provided a board of library commissioners of four persons, appointed by the Governor, to act with the State Librarian. The members of the board serve for four years. They serve without pay except that one of their number may be secretary and receive a salary not exceeding \$300.00 per year. They are also given an allowance limited to \$500.00 per year for supplies and incidental expenses. They give advice and counsel to all free libraries of the state as to the best method of establishing libraries, selecting books, etc. They must report annually to the Governor, and all free libraries organized under the laws of the state must report to the library commissioners. Act 199, 1903 makes it the duty of the county commissioner of schools to make a complete report of all libraries (other than personal) within his county.

## CHAPTER IX.

## SCHOOL REVENUES.

The moneys used for the support of the common schools are :

1. The interest from the primary interest fund.
2. The one-mill tax.
3. District school taxes.
4. Unappropriated dog tax.
5. Library moneys.\*
6. Tuition of non-resident pupils.

*Primary School Fund.*

The establishment of this fund has been referred to in the first chapter of this book, and we give in this chapter a few facts concerning its distribution.

The fund is divided among the school districts of the State in proportion to the number of school children **HOW DIVIDED.** in each. Statements showing the number of school children in each county, township, and district of the State are sent by the superintendent of public instruction to the several county clerks, between the first and tenth days of May and November of each year.

The money is transferred by the State treasurer to the county treasurer, by him to the township or **HOW TRANS-** city treasurer, who, in turn, transmits it to the **FERRED.** treasurer of the district (4642).

Primary money can be used for no other purpose than the

---

\* NOTE.—This fund has been fully discussed in Chapter VIII.



payment of the wages of legally qualified teachers (4676), and only by districts in which five months of school were maintained during the school year ending the first of September just preceding.

### *One-Mill Tax.*

The supervisor assesses upon the taxable property of his township one mill upon each dollar of valuation, and reports the aggregate valuation of each district to the township clerk, who reports said amount to the director of each school district in his township, or to the director of any fractional school district a portion of which may be located in the township, before the first day of September of each year; and all moneys so raised are apportioned by the township clerk to the district in which it was raised.

All money collected by virtue of this law during the year on any property not included in any organized district, or in districts not having, during the previous school year, three months' school in districts of less than thirty children, or five months' school in districts of thirty and less than eight hundred children, or nine months' school in districts of eight hundred or more children, as shown by the last school census, is apportioned to the several other school districts of said township, in the same manner as the primary school interest fund. All moneys accruing from the one-mill tax in any township, before any district shall have a legal school therein, belongs to the districts in which it was raised, when they shall severally have had a three months' school by a qualified teacher (4705).

The voters of the district have authority to appropriate any surplus moneys arising from the one-mill tax, after having maintained a school in the district at least eight months in the school year,

**SURPLUS  
MONEYS.**

for the purpose of purchasing and enlarging school sites, or for building or repairing school houses, or for purchasing books for library, globes, maps, and other school apparatus, or for any incidental expenses of the school (5052).

### *District Taxes.*

These are moneys which are voted by the qualified voters of the district for general school purposes. The student is referred to that part of this book which relates to the powers of voters at district meetings for information concerning the raising of money by vote of the district.

After a tax has been voted, it is the duty of the supervisor to assess the taxes chargeable against each district, upon the taxable property of the district, and to place the same on the township assessment roll in the column for school taxes; and the same is collected and returned by the township treasurer in the same manner as township taxes. If any taxes provided for by law for school purposes are not assessed at the proper time, the same are assessed in the succeeding year (4665).

HOW COL-  
LECTED.

### *Surplus Dog Tax.*

The statutes provide for an annual tax of one dollar upon every male dog and of three dollars upon every female dog. The money thus obtained constitutes a fund for the payment of damages sustained by owners of sheep, by reason of having sheep killed or injured by dogs.

If money remains of such fund (after satisfactory payment of all claims aforesaid in any one year) over and above the sum of one hundred dollars, it is apportioned among the several school districts of such township or city, in proportion to the number of children therein of school age. The apportionment must be

APPOR-  
TION-  
MENT.

based upon the whole number of children of school age residing in the township and must include all districts, whether lying wholly or partly in such township. In case of a fractional district in which the school-house is situated in a different township, the money belonging to such district must be paid over to the treasurer of the township in which the school-house is situated, and by that treasurer paid to the district in the same way as in the case of the one-mill and other taxes (5601).

### *Tuition.*

**RESIDENT PUPILS.** All persons above five years of age who are residents of any school district have an equal right to attend any public school in the district. No separate school can be maintained at public expense for any person on account of race and color (4683). Persons who are more than twenty years of age are not barred from the privileges of school, and no tuition should be charged to such persons. Resident pupils should have an equal right to all the benefits of the school, and should be allowed to study any branch in any grade to which they belong, without paying tuition (Att'y Gen'l, November 17, 1891).

**CLASSIFICATION OF PUPILS.** The board of education has authority to determine the gradation and classification of pupils, and may prescribe the particular department or building where certain pupils shall attend.

**NON-RESIDENT PUPILS.** The district board may admit non-resident pupils, and shall determine the rate of tuition of the same, which tuition shall not exceed fifteen per cent more than the average cost per capita for resident pupils (4684). It is sometimes supposed that the voters of the district meeting have power to exclude non-resident pupils, but this power rests entirely with the school board.

Non-residents who pay a school tax in a district are entitled to have the amount of such tax credited on their tuition and are required to pay tuition only when the amount of such tuition exceeds the school tax.

**NON-RESIDENT  
TAX-PAYERS.**

The rate of tuition to be charged foreign pupils must be fixed by a resolution of the board, which must be duly entered in the record of the district. Charges for tuition can not be collected in the absence of any resolution fixing the rate (25 Mich., 483).

**RATE OF  
TUITION.**

Where a party resides in one district and rents a farm in another, he is not entitled to send his children to the district school in which he rents the farm (Att'y Gen'l, Sept. 16, 1893).

**RENTERS  
OF FARMS.**

Children in alms houses at county expense must be admitted to the schools of the district, the county paying the tuition (4686).

**INDIGENT  
CHILDREN.**

Under the various provisions of the school law, the authority of a district to vote a tax upon its inhabitants is carefully limited; and there is no law authorizing a district to assess a tax to educate its children outside of the district (Att'y Gen'l, Oct. 16, 1891).

**LIMITATIONS  
OF AUTHORITY.**

## CHAPTER X.

## MISCELLANEOUS PROVISIONS.

*Introduction of the Kindergarten.*

In addition to the duties imposed by law upon district boards in this State, they are also empowered to provide suitable rooms or apartments for kindergarten work, and to supply their districts with the necessary apparatus and appliances for the instruction of children in what is known as the kindergarten method.

In the employment of teachers it is competent for district boards to require qualifications for instruction of children in kindergarten methods. They may provide by contract with teachers for such instruction, specifying the hours and times therefor under such rules as the district board may prescribe.

**COMPETENT  
TEACHERS.**

All children residing within the district between the ages of four and seven are entitled to instruction in the kindergarten department. This act is applicable to every public school organized by special act or by charter (4792 to 4796).

**WHO ARE EN-  
TITLED TO ITS  
PRIVILEGES.**

*Necessary Appendages.*

The director of the district is authorized by law to provide necessary appendages for the school house and to keep the same in good condition and repair during the time of school (4686). In this duty the director is independent of the vote of the district meeting, yet there has been much controversy as to where the

**AUTHORITY  
OF DIRECTOR.**



authority of the director ends, or what he may purchase without the consent of the district.

To settle this question so far as a few of the more needful pieces of apparatus are concerned, the legislature of 1895 made an amendment to the section above referred to. It reads as follows: Necessary appendages, within the meaning of the law, shall consist of the following articles, to wit: A set of wall maps (the grand divisions, the United States, and Michigan) not exceeding twelve dollars in price; a globe not exceeding eight dollars; a dictionary not exceeding ten dollars; a reading chart not exceeding five dollars, and a case for library books not exceeding ten dollars; also looking-glass, comb, towel, water-pail, cup, ash-pail, poker, stove, shovel, broom, dustpan, duster, wash-basin and soap (4686). It must not be supposed that only the articles mentioned in the law should be considered as necessary apparatus such as the director has the right to purchase. Numerous decisions have been filed which show that directors have power to provide other useful appliances without obtaining authority from the district meeting.

\* The word "appendage" as used in our school statutes, does not mean simply the school apparatus used inside the building, nor is it limited to such articles as brooms, pails cups, etc.; but it must be construed in a broader sense, to include fuel, fences, and necessary out-houses (62 Mich., 101). Desks are necessary appliances (48 Mich., 404; Attorney General, July 31, 1877).

### *United States Flag.*

While a flag for a school house may be considered as a necessary appendage" within the meaning of the school law, we give under separate heading the whole of Act No. 56

---

\* NOTE.—For decisions relative to the purchase of charts by the director, see 36 Mich., 404, and 94 Mich., 262.

of the Laws of 1895, the passage of which was advocated by the members of the Grand Army of the Republic of the State:

An act to provide for the purchase and display of United States flags in connection with the public school buildings within this State:

Section 1. The People of the State of Michigan enact, That the board of education or the board of school trustees in the several cities, townships, villages, and school districts of this State shall purchase a United States flag, of a size not less than four feet two inches by eight feet, and made of good flag bunting "A," flag staff, and the necessary appliances therefor, and shall display said flag upon or near (or in a conspicuous place within) the public school building during school hours, and at such other times as to the said boards may seem proper; and that the necessary funds to defray the expenses to be incurred herein shall be assessed and collected in the same manner as moneys for public school purposes are assessed and collected by law. And the penalties for neglect of duty provided in section two, chapter fourteen [thirteen] of the general school laws shall apply to any school officer refusing to comply with the provisions of this act (4802).

### *School Census.*

The school age in Michigan is from five to twenty years and the age of compulsory education from eight to  
**WHEN TAKEN.** fourteen, except in cities under police regulation, where the compulsory age is from seven to sixteen. It is the duty of the director, or such other person as the board may appoint, to take a census of the district during the fifteen days just previous to the first Monday of September in each year (4687). This is one of the important duties of school officers, and it is essential that the census be taken in all districts of the State at the same time (4659). From the census reports of September is made the distribution of

primary school moneys in May and November of the next year.

Children in almshouses, prisons, or asylums are not included in the census; nor are Indian children, unless their parents are liable to pay taxes in the district.

THOSE  
EXCLUDED.

The correctness of the census must be verified by the oath or affirmation of the person taking the same, and a copy sent to the superintendent of public instruction.

MUST BE  
VERIFIED

### *Penalties and Forfeitures.*

The law is very explicit in stating the powers and duties of all individuals connected with our school affairs, and is equally explicit in regard to the treatment of any one who seems regardless of the welfare of our schools. Below is a list of the various penalties and forfeitures.\*

#### DISTURBING A DISTRICT MEETING.

If at a district meeting any person shall conduct himself in a disorderly manner and, after notice from the person presiding, shall persist therein, the chairman may order him to withdraw and, if he refuses, may order any constable or other person to take him into custody until the meeting adjourns; and any person who refuses to withdraw on being so ordered, and also any person who wilfully disturbs such meeting by rude and indecent behavior, or by profane or indecent discourse or any other disturbance, shall, on conviction thereof, be punished by a fine not less than two nor more than fifty dollars, or by imprisonment in the county jail not exceeding thirty days. Any justice of the peace, recorder, or police justice of the township, ward,

REFUSAL TO  
WITHDRAW.

---

\* NOTE.—For penalty on parents or guardians, see Chapter VII, on compulsory attendance.

or city where such offense shall be committed shall have jurisdiction to try and determine the same (4664).

#### DISTURBING A SCHOOL.

Any person who disturbs school by rude and indecent behavior, or by profane or indecent discourse or any other disturbance, shall, on conviction thereof, be punished by a fine not less than two nor more than fifty dollars, or by imprisonment in the county jail not exceeding thirty days (4682).

#### NEGLIGENT OFFICIALS.

Any taxable inhabitant of a newly formed district receiving the notice of the first meeting, who neglects or refuses to serve and return such notice, and every chairman of the first district meeting, who wilfully neglects or refuses to perform the duties enjoined on him, shall respectively forfeit the sum of five dollars (4765).

Any person duly elected to the office of moderator, director, assessor, or trustee of a school district, who neglects or refuses without sufficient cause to accept and serve, or who, having entered upon the duties of his office, neglects or refuses to perform any duty required of him by virtue of his office, shall forfeit the sum of ten dollars (4766).

Any person duly elected or appointed a school inspector, who neglects or refuses without sufficient cause to qualify and serve, or who, having entered upon the duties of his office, neglects or refuses to perform any duty required of him by virtue of his office, shall forfeit the sum of ten dollars (4767).

If any board of school inspectors neglect or refuse to make and deliver to the township clerk the annual report, within the limited time, they shall be liable to pay the full amount of money lost by their failure, with interest thereon, to be recovered by the



township treasurer in the name of the township; and if any township clerk neglects or refuses to transmit the report herein mentioned within the limited time, he shall be liable to pay the full amount lost by such neglect or refusal, with interest thereon (4768).

Any county clerk who neglects or refuses to transmit to the superintendent of public instruction the required reports, within the limited time, shall be liable to pay to each township the full amount which such township or school district shall lose by such neglect or refusal, with interest thereon (4769).

Any township clerk who neglects or refuses to certify to the supervisor any school district taxes that have been reported to him, and any supervisor willfully neglecting to assess any such tax, shall be liable to any district for any damage occasioned thereby, to be recovered by the treasurer in the name of the district (4771).

No school officer, superintendent, or teacher shall act as agent for any author, publisher, or seller of school books, or shall directly or indirectly receive any gift or reward for his influence in recommending the purchase or use of any library or school apparatus or furniture; nor shall any school officer be personally interested in any way whatever in any contract with the district in which he may hold office. Any act or neglect herein prohibited, performed by any such officer, superintendent, or teacher, shall be deemed a misdemeanor (4772).

Any person intentionally giving to any census enumerator of school children any false information as to the names or ages of school children, or as to the names or residence of the parents or guardian of any school children, or any enumerator who shall perform his duties carelessly or negligently, shall be guilty of a misdemeanor, and upon conviction thereof, be liable to a fine of not more than five dollars or to



imprisonment in the county jail for not more than five days, in the discretion of the court (4688).

Any board of education of a graded school district in which there is published a newspaper, that shall neglect or refuse to publish a financial statement of the receipts and expenditures of the district for the year just preceding the third Monday of September, each member shall forfeit the sum of ten-dollars (4801).

### *Safe Keeping of Public Moneys.*

**WHAT ARE PUBLIC MONEYS.** All moneys which come into the hands of any school officer, pursuant to any provisions of law authorizing such officer to receive the same, are denominated public moneys (1197 to 1204).

**HOW KEPT.** It is the duty of every officer charged with the receiving, keeping, or disbursing of public moneys, to keep the same separate and apart from his own money, and not to commingle the same with his own money nor with any other money.

**HOW USED.** No such officer shall, under any pretext, use or allow to be used, any such moneys for any purpose other than in accordance with the provisions of law; nor shall he use the same for his own private use, nor loan the same without legal authority.

**INTEREST ACCRUING.** In all cases where public moneys are authorized to be deposited in any bank or to be loaned for interest, the interest accruing belongs to and constitutes a general fund.

**DEPOSIT OF PUBLIC MONEYS.** In no case shall any such officer, directly or indirectly, receive any pecuniary or valuable consideration as an inducement for the deposit of any public moneys with any particular bank, person, firm, or corporation.

These provisions apply to all deputies, clerks, agents and

servants of such officers, and any person guilty of a violation of this law shall, on conviction thereof, be punished by a fine not exceeding one thousand dollars or imprisonment in the county jail not exceeding six months, or both such fine and imprisonment, in the discretion of the court: *Provided*, That nothing in this act contained shall prevent a prosecution under the general statute for embezzlement, in cases where the facts warrant a prosecution under such general statute.

Any officer who wilfully or corruptly draws or issues any warrant, order, or certificate for the payment of money in excess of the amount authorized by law, or for a purpose not authorized by law, shall be deemed guilty of a misdemeanor and may be punished as stated above.

### *Indebtedness and Expenses.*

By wise provisions of law the expenses of districts for purchasing property, building houses, and maintaining schools is carefully restricted, so that districts may not become unduly burdened.

#### BONDED INDEBTEDNESS.

Any school district may, by a two-thirds vote of the qualified electors present at any annual meeting or a special meeting called for that purpose, borrow money, and may issue bonds of the district to pay for a school-house site or sites, and to erect and furnish school buildings.

Districts having less than thirty children may have an indebtedness not to exceed three hundred dollars; districts having thirty children, five hundred dollars; districts having forty children, seven hundred and fifty dollars;\* districts having fifty children,

---

\* Amended by Act No. 190, Laws of 1899.

one thousand dollars; districts having seventy-five children, two thousand dollars; districts having one hundred children, three thousand dollars; districts having one hundred twenty-five children and an assessed valuation of not less than one hundred fifty thousand dollars, five thousand dollars; districts having two hundred children, eight thousand dollars; districts having three hundred children, fifteen thousand dollars; districts having four hundred children, twenty thousand dollars; districts having five hundred children, twenty-five thousand dollars; and districts having eight hundred children or more, thirty thousand dollars (4717).

All children mentioned in this section must be of legal school age, and the indebtedness of a district

**TIME LIMIT.** shall in no case extend beyond ten years for money borrowed.

In all proceedings under this section, the director, treasurer, and one other person appointed by the district board constitute a board of inspection, who shall cause a poll-list to be kept and a suitable ballot-box to be used, which shall be kept open two hours. The vote must be by ballot and canvassed in the same manner as votes at township elections.

**VOTE BY  
BALLOT.**

#### TAXATION.

One of the powers of the district meeting is the voting of taxes for the building of school houses and the running expenses of school. The amount of taxes to be raised in any district for the purpose of purchasing or building a school house or houses in the same year that any bonded indebtedness is incurred shall not exceed in districts containing less than ten children of school age, two hundred fifty dollars; in districts having between ten and thirty children, five hundred dollars; and in districts having between thirty and fifty children, one

**AMOUNT FOR  
PURCHASING  
OR BUILDING.**

thousand dollars. The requirement that a legal subdivision of land shall be within two and one-half miles of the school site to be taxable is repealed. Act 10, 1903.

The tax authorized to be raised for general school expenses must not exceed one-half the amount authorized to be raised for building. In the estimates made by district boards of districts having less than thirty pupils, such estimate, including the district's share of the primary school interest fund and one-mill tax, shall not exceed the sum of fifty dollars a month for the period during which school is held in such district. In township districts the amount voted for purchasing school lots and for erecting school houses, shall not be greater than three mills on the dollar of all the taxable valuation of the real and personal property in said township (4831).

FOR GENERAL  
SCHOOL PUR-  
POSES.

### *Suits and Judgments Against Districts.*

Justices of the peace have jurisdiction in cases against school districts, when the amount claimed or matter in controversy does not exceed one hundred dollars (4721).

JURISDICTION.

When any suit is brought against a school district, it must be commenced by summons, a copy of which shall be left with the treasurer of the district at least eight days before the return day (4722).

HOW COM-  
MENCED.

No execution shall issue on any judgment against a school district, nor shall any suit be brought thereon; but the same shall be collected in the manner prescribed in this act (4723).

NO EXECUTION.

Whenever any final judgment shall be obtained against a school district, the treasurer of the district shall certify to the supervisor of the township and to the director of the district, the date and amount

FINAL JUDG-  
MENT.

of such judgment, with the name of the person in whose favor the same was rendered (4724).

If the assessor fails to certify the judgment, it is lawful for the party obtaining the same to file with the supervisor the certificate of the justice or clerk of the court rendering the judgment showing the facts which should have been certified by the treasurer (4725).

The supervisor receiving either of the certificates of a judgment, shall proceed to assess upon the taxable property of the district, the amount with interest from the date of the judgment to the time when the warrant for the collection will expire, placing the same on the next township assessment roll in the column for school taxes; and the same proceedings shall be had, and the same shall be collected and returned, in the same manner as other district taxes (4726).

### *School House Sites.*

The qualified voters of any school district, when lawfully assembled, may designate by a vote of two-thirds of those present such number of sites as may be desired for school houses, and may change the same by a similar vote at any annual meeting. When no site can be established by such inhabitants, the school inspectors of the township or townships in which the district is situated determine where such site shall be; and their determination shall be certified to the director of the district and shall be final, subject to alteration afterward by the inspectors, on the written request of two-thirds of the qualified voters of the district, or by two-thirds of the qualified voters agreeing upon a site, at a district meeting lawfully called (4732).

Whenever a site for a school house shall be designated, determined, or established in any manner provided by law, and such district shall be unable to agree



with the owner or owners upon the compensation to be paid, or in case such district shall, by reason of any imperfection in the title to said site, arising either from break in the chain of title, tax sale, mortgages, levies, or any other cause, be unable to procure a perfect, unincumbered title, the district board of such district shall authorize one or more of its members to apply to the circuit judge, circuit court commissioner, or any justice of the peace of the city or township in which such school district is situated, for a jury to ascertain and determine the just compensation to be made for the real estate required by such school district for such site. The application must be in writing, state the necessity for using the same for school purposes, and describe the real estate in question (4729).

### *Suspension of Pupils.*

District boards have authority to make and enforce suitable rules for the government and management of schools and the care of district property. Just what shall be considered suitable rules must necessarily be left to the discretion of the board. Said board may authorize or order the suspension or expulsion from the school, whenever in its judgment the interests of the school demand it, of any pupil guilty of gross misdemeanor or persistent disobedience (4682)

It will be observed that the power to suspend pupils, if possessed by the teacher, must be delegated to him by the board. It sometimes occurs that teachers feel obliged to suspend a pupil before the board can be advised with. Such suspension should be for the day only (45 Wis., 150; 32 Vt., 224; 48 Cal., 36; 133 Mass., 103). Some courts have held that, in extraordinary cases, a teacher may expel a pupil in order to maintain proper control; and that, in case the board reinstates the pupil who becomes a menace to the proper discipline of the school,

**POWER  
VESTED IN  
BOARD.**

**POWER MAY  
BE DELEGATED  
TO TEACHER.**

the teacher may quit the school and maintain an action for the amount of his wages (46 Vt., 452; 27 Vt., 755). Generally, the power to suspend rests with the board alone.

The rules of the board should not be unjust and require more than can legally be enforced. Suspension should be the last resort. A pupil cannot be expelled or suspended for a careless act, no matter how negligent, if it is not wilful or malicious (77 Mich., 605).

**RULES MUST  
BE REASON-  
ABLE.**

### *Method of Voting.*

The method of voting at district meetings, as well as the majority required, depends upon the question under discussion. Though referred to in Chapter IV, we herewith append a summary as follows :

#### VOTING BY BALLOT.

This is necessary in the following cases :

1. To elect all school officers (4666, 4746).
2. To bond the district (4717).

#### A TWO-THIRDS VOTE.\*

At district meetings this is requisite, as follows:

1. To authorize the district board to use money for any other purpose than that for which it was raised (4676).
2. To raise money by issuing bonds (4717).
3. To designate sites for school houses (4728).
4. To request inspectors to alter location of school site (4728).
5. To organize as a graded school district (4746).
6. To unite two districts into one graded district (4750).
7. To change from graded district to primary district (4750).

---

\* NOTE.—A measure requiring a two-thirds vote of a district meeting cannot after adoption be rescinded by a mere majority vote. (10 N. W. 349. See 47 Mich. 226).

## 8. To establish a district library (4757).

*Course of Study.*

**STUDIES NOT SPECIFIED BY LAW.** The arrangement of a course of study for the schools of the district is within the jurisdiction of the school board. The law is not very explicit as to what studies shall be included in established courses.

The free text-book law and the law creating the office of commissioner of schools and defining his duties contain a mention of certain branches of study; and the law for the establishment of graded schools provides for high schools; but district boards must decide what branches shall be pursued in the schools of their districts. Having fixed a course of study, the board may require teachers and pupils to follow the same within reasonable limits. Music may be

**MUSIC MAY BE INCLUDED.** included in the adopted course of study of a public school, and necessary apparatus for teaching music may be purchased without a vote of the district (67 Mich. 262). Sectarian instruction is abolished

**READING OF BIBLE.** from all public schools (4676); and, while the reading of the Bible may properly become a part of the daily program of the public school, the comment thereon by the teacher should be of such a character that pupils and parents of all religious faiths may not detect the slightest traces of sectarian prejudice. (35 Wis., 59; 79 Ill., 567; 87 Ill., 303; 38 Me., 379; 95 Ill., 263; 23 Ohio, 211.)

*Transportation of Pupils.*

A school district which maintains a school during five months of the year, having children residents who have completed the studies of the eighth grade, may at any annual meeting vote a tax sufficient to pay the tuition and transportation of children to any high school which the school board may designate.

The tax is reported to the clerk of the township, in which such district is located and spread upon the tax roll in the same manner as other school taxes. Act 190, 1903.

## APPENDIX.

MISCELLANEOUS LAWS RELATING TO SCHOOL  
AFFAIRS—NOT GIVEN ELSEWHERE.

[Act No. 176, 1899.]

## DAY SCHOOLS FOR DEAF CHILDREN.

This law provides that any district of the State may, under certain conditions, maintain separate schools for deaf children. The conditions are as follows: The superintendent of public instruction, upon application of the school authorities, grants permission to such school authority to maintain a school. The average attendance in such school must be at least three pupils. The board maintaining such a school must report to the superintendent of public instruction annually such facts as he may require. The State treasurer is authorized to pay out of the general fund to the school board maintaining a school for deaf children one hundred fifty dollars for each deaf pupil instructed for a period of nine months, or a proportioned sum for a shorter period. The money received from the State treasurer must be kept as a separate fund and used for no other purpose than the payment of salaries of teachers of deaf children and for school appliances. Sums not expended as above must be returned to the State treasurer and by him credited to the primary school interest fund. Teachers having had special training for teaching deaf children must be employed, and in addition to this one year's experience as teacher in a school for the deaf. The so-called oral-system must be

taught, and nine months considered a reasonable time for trial for a pupil to show an ability to learn. Any child of sound mind but who by reason of defective hearing cannot profitably be taught in the public schools may be considered deaf.

*County Normal Training Classes.*

[Act No. 241, 1903.]

Superintendent of Public Instruction may authorize the establishment of County Normal Training Classes under the provisions of Act No. 241, Laws of 1903. The first step leading to the establishment of such Training Class is a vote of a School District and the Board of Supervisors of the County. Only one Training Class can be established in any County, and not more than ten such classes can be established in the State during any one year.

The County Normal Board consists of the State Superintendent of Public Instruction, the County Commissioner of Schools and the Superintendent of Schools in the district. There is a provision that in case the County Commissioner of Schools is also Superintendent of the schools of the district, the Superintendent of Public Instruction and Commissioner shall select a third member.

COUNTY NORMAL BOARD.

Duties of the County Normal Board are as follows:

First, To determine the qualifications for admission of students;

Second, To establish courses of study, which courses shall not be more than two, a one year course and a two year course; a year to consist of not less than thirty-two weeks of five days each;

DUTIES OF NORMAL BOARD.

Third, To grant certificates of graduation to students who



finish either course, in such form as the Superintendent shall prescribe. These certificates are valid in rural schools and in grades only of graded schools. They may be transferred from one county to another and are renewable.

The expense of Normal Training Schools is provided for as follows: The district receiving permission to establish school, provides teachers, and rooms with heating and satisfactory equipments. The amount to be paid by the state in any one year is limited to \$250.00 for each teacher employed in the school, paid on the warrant of the Auditor General on the State Treasurer in favor of the Treasurer of the district where school is located. The law provides that the amount of state aid in any school year for a single district maintaining a Normal Training Class shall not exceed \$1,000. The county may also assist in the support of the school, which assistance is given by an appropriation by the Board of Supervisors at its October session but the amount thus appropriated cannot exceed one-half of the amount appropriated by the state for the same school. The money so raised is called the County Normal Fund. All money remaining in the County Normal fund upon the first of September of each year is returned to the general fund of the county. The law provides that the appropriation of the expenses of Normal Training School not paid by the state shall be borne equally between the county and the district which establishes the class but this appropriation cannot exceed the amount drawn from the state. [Act No. 44, 1899.]

[Act No. 44.]

## PRINTING OF PUBLIC DOCUMENTS.

Sections eleven, thirty, and thirty-two of this act are of interest to school officers and teachers. Section eleven refers to the report of the superintendent of public instruction, and provides that there shall be printed one copy for each school library of the State, one to each superintendent of public instruction, State university and State normal school in the United States, one for each living ex-superintendent and ex-deputy superintendent in this State, one for each commissioner and school examiner, each city superintendent of schools and two hundred copies for deposit with the secretary of State for future distribution.

The superintendent of public instruction may in his discretion order three hundred copies in addition to the above.

The report is limited to three hundred pages and the amount expended for cuts and illustrations must not exceed fifty dollars. Section thirty provides a Legislative Manual (Red Book) for each district school, each graded and city school, each library other than school library and to each county commissioner of schools.

Section thirty-two makes it the duty of the county commissioners of schools to distribute the Legislative Manual to all the schools in their respective counties, and also to see that the same are kept for the use of the schools.

NOTE.—The State Superintendent of Public Instruction may have published for the district schools, a State course of study; for the teachers' institutes, institute outline; and such educational bulletins as he may deem necessary for the advancement of the cause of education. Act 31, 1901.



## REVIEW QUESTIONS.

In answering some of the following questions the student will be obliged to consult Miller's Compiled Laws, Reports of the Superintendent of Public Instruction, and the Legislative Manual.

1. By whom are school districts formed and numbered?
2. What are specific taxes?
3. What is meant by a fractional district?
4. How are vacancies in State offices filled?
5. How is the primary school fund raised?
6. About how much money is apportioned in each year among the school districts of the State?
7. Should all instruction in our public schools be given in the English language?
8. What is done with lands which escheat to the State from a defect of heirs?
9. How many months of school must be maintained during a school year to entitle districts to primary school money?
10. How many members compose the board of regents of the State university?
11. What is the length of a regent's term of office?
12. Who is the president of the university?
13. Is the president of the university a member of the board of regents?
14. Of how many members is the State board of education composed?
15. What is the length of the term of office of a member of the board of education?
16. What is the salary of the superintendent of public instruction?
17. Of what State boards is the superintendent a member?
18. What provision was made in the constitution for the establishment of an agricultural college?
19. Mention some of the duties of the superintendent of public instruction.

20. To whom does the law require the printed school laws to be furnished?
21. On what dates is the apportionment of primary school money made?
22. What is the legal school age in the State?
23. For what reasons may the State superintendent cause a school district to forfeit public money?
24. Who makes statements for the distribution of library funds?
25. What compensation is allowed to members of the State board of education?
26. Where are the State normal schools located?
27. Are State normal school diplomas legal certificates to teach?
28. How many State examinations are held in each year?
29. How may certificates granted in other States be made valid in this State?
30. Are holders of diplomas from Michigan colleges legally qualified to teach?
31. How many members in the county board of examiners?
32. When is the commissioner chosen and for how long?
33. What is the salary of commissioner in the various counties of the State?
34. What amount must be named in the commissioner's bond?
35. What is required of a commissioner before he receives an order for his salary?
36. What qualifications are required of persons who are eligible to hold the office of commissioner?
37. How are vacancies in the office of commissioner filled?
38. How are vacancies in the office of examiner filled?
39. Is an examiner authorized by law to grant a special teacher's certificate?
40. By whom are assistant visitors of schools appointed?
41. What compensation do assistant visitors receive?
42. Mention six of the principal duties of the commissioner.
43. Have members of examining boards the legal right to engage in summer normal school work?
44. How is the commissioner limited in office expenses?
45. Can an examiner be elected by a plurality vote?
46. What compensation does an examiner receive?
47. Of how many members is the township board of inspectors composed?
48. What school offices may be held by women?
49. With whom are the triplicate annual reports of the inspectors filed?



50. Mention some of the information that must be contained in the inspector's annual reports.
51. Give some of the school duties of the township clerk.
52. How is the number of meetings of the board of inspectors limited?
53. What compensation is allowed to school inspectors?
54. What yearly salary does the clerk of the Upper Peninsula township district receive?
55. What is the maximum size of primary school districts?
56. Have the inspectors authority to change the boundaries of a school district which has been organized by special legislative enactment?
57. By whom are changes in the boundaries of fractional districts made?
58. When may a school district be said to be legally organized?
59. How many days' notice must be given of a meeting to change boundaries of a school district?
60. How many notices must be posted for change of boundaries?
61. How may two or more primary districts be consolidated?
62. How may a district be divided into two or more districts?
63. Have the inspectors the right to destroy a district by detaching its territory?
64. How may a primary district organize into a graded district?
65. Under what conditions may inspectors make an alteration in the boundaries of a graded district?
66. How may two primary districts organize into one graded district?
67. May a graded district change to a primary district?
68. How many township school districts are there in Michigan?
69. How many primary districts?
70. How many graded districts?
71. In the Upper Peninsula how are township districts organized?
72. Of how many members is a township board of education composed?
73. Mention several of the advantages of the township system over the district system.
74. What are some of the reasons why the township should not be the unit in school matters.
75. Has the township system been successfully tried in other States? If so, where?
76. Is the township system unpopular in States where it has been established? If so, in what States?
77. What is the date of the annual school meeting?
78. When and how are the members of township boards of education elected?

79. What is the time of taking the annual census of school children in *all* the districts of the State?
80. How may special school meetings be called?
81. How many days' notice must be given for all district meetings?
82. Has the district board the authority to determine the number of months of school to be taught in the district during the year?
83. Can a board of supervisors legally appoint one of its own number as member of the board of examiners?
84. What must be included in all notices of special school meetings?
85. What is the date of the annual school meeting in township districts of the Upper Peninsula?
86. Have the voters or the district board the authority to determine whether the school shall be taught by a male or a female teacher?
87. Have the voters or the district board the authority to determine the maximum salary that shall be paid to teachers?
88. Have the voters or the district board the authority to admit non-resident pupils?
89. Who selects school house sites, the school board or the voters?
90. What is the highest amount of money for sites or building purposes that can be raised by taxation in any one year in districts having ten children of school age? Thirty children? Five hundred children?
91. How is the tax for repairs and apparatus limited?
92. What is the minimum number of months required to be taught in districts having 800 children?
93. What is the minimum number of months required in all districts?
94. What is the penalty on districts whose officers do not provide for the required number of months of school?
95. For what purposes may the surplus of the one-mill tax be appropriated?
96. Who are legal voters at school meetings?
97. In what districts are women barred from voting?
98. How many trustees in the district board of graded school districts?
99. How many children of school age must a district contain to be organized into a graded district?
100. How many votes at a district meeting are required to change to a graded district?
101. How may a person who is not a legally qualified voter in the district be prevented from voting, if he offers to do so?
102. If a vote is not taken by ballot, how may voters be challenged?
103. How may a disorderly person be expelled from a district meeting?
104. What penalty may be inflicted upon a person for disturbing a district meeting?

105. What officers are elected at the first school meeting of a newly organized school district?
106. What is the length of the term of office of school officers?
107. Are school officers legally elected, if chosen in any other way than by ballot?
108. Is a plurality vote sufficient to elect a school officer?
109. How may meetings of the district board be called?
110. What persons are eligible to hold a district office?
111. Within what time and in what manner must district officers accept their offices?
112. State seven ways by which a district office may become vacant?
113. Does the temporary absence of a district officer from a district create a vacancy?
114. When one of the district offices becomes vacant, how may such vacancy be filled?
115. When two of the district offices become vacant, how filled?
116. How are vacancies filled after an office has been vacant more than twenty days?
117. How long does a person who is elected to fill a vacancy serve?
118. How are vacancies in the board of education of graded or township districts filled?
119. Upon what condition may a district board borrow money?
120. When must the report of the district board to the township clerk be made?
121. How is district taxation in districts having less than thirty children limited?
122. Who has the authority to admit or exclude public meetings from the school house, the school board or the voters?
123. Who determines the kind of text-books that shall be used in the district?
124. How long do text-books once adopted continue to be the legal text-books of the district?
125. How may indigent children be supplied with text-books?
126. For what reason may pupils be expelled or suspended from school?
127. What tuition may be charged to non-resident pupils?
128. What is the minimum legal size of school flags?
129. How are the executive officers of a graded district chosen?
130. How are the township district trustees chosen and how long do they serve?
131. Who acts as president of the township school board? As clerk?
132. What bond is required of the treasurer of township school districts?

133. On what dates are the regular meetings of the township school board held?
134. Where are such meetings held?
135. Mention some of the powers and duties of the officers of township districts?
136. What officer appears for the district in suits brought for or against the same?
137. What officer appears for the district in suits brought against the assessor?
138. Mention several of the specific duties of the director of a primary school district. Of moderator. Of assessor.
139. On what dates are the two required regular public examinations of teachers held?
140. On what dates are the two optional regular examinations held?
141. On what dates may extra public examinations be held in certain large counties?
142. What counties are entitled to three extra examinations? Two? One?
143. What branches of study are required in examinations for first grade certificates? Second? Third? State?
144. By whom must all county certificates be signed?
145. Is the holder of a third grade certificate of class B legally qualified to teach in primary departments of graded schools?
146. Is the holder of a third grade certificate of class A legally qualified to teach in ordinary district schools of eight grades?
147. How is the number of third grade certificates of class B limited?
148. By whom are questions for teachers' examinations prepared?
149. Who fixes the standard of examinations for county certificates?
150. By whom are special certificates granted?
151. For how long are special certificates granted?
152. What citizenship qualification is required of teachers?
153. In your opinion, what constitutes a good moral character in a teacher?
154. Under what conditions may a teacher's certificate be renewed?
155. What authority have examining boards for revoking certificates?
156. Must city teachers be legally qualified?
157. What penalty is inflicted upon districts, if the officers employ teachers that are not holders of certificates?
158. What colleges in this state have courses of study which have been approved by the state board of education?
159. What are the conditions under which the board of education grant certificates to college graduates?



160. For how long are college certificates valid? Do they ever become life certificates?

161. Are diplomas granted by the faculty of the university legal teachers' certificates?

162. How many state examinations are held in each year? What branches are required?

163. For how long are state certificates valid?

164. Are certificates or diplomas granted in other states valid in this state?

165. What annual institute fee are teachers required to pay? Are any teachers exempt? Who collects the fee?

166. Who has the custody of the county institute fund?

167. Who conducts institutes and who appoints institute instructors?

168. May two or more counties unite in a teachers' institute?

169. How much money may be drawn from the State treasury in any one year for the support of teachers' institutes?

170. What is the largest sum that can be drawn from the State treasury for any one institute?

171. How may a teachers' association become incorporated? What amount of property may an association hold?

172. By whom must a teacher's contract be signed?

173. Mention some of the things that must be contained in a teacher's contract.

174. With whom must contracts be filed?

175. Must teachers make up for time lost in the observance of legal holidays?

176. What are the legal holidays in this State?

177. When schools are closed by the district board on account of the prevalence of a contagious disease, must teachers lose the time?

178. Are contracts made previous to the annual school meeting, valid?

179. Can school boards legally make contracts two or three years in advance?

180. Must all the officers sign teachers' contracts?

181. What is the age of compulsory education in the primary and township districts of the State?

182. What is the compulsory age in cities under police regulation?

183. How many months in the year must all pupils between certain ages attend school?

184. What pupils of the compulsory age are exempt from the provisions of the law for compulsory attendance?

185. Who appoints the truant officer and what is the lowest compensation allowed him by law?



186. In cities, who selects the truant officer?
187. What notice to parents are truant officers required to give?
188. What penalty may be inflicted on parents who refuse to send their children to school?
189. Can parents evade the compulsory law because of being too poor to buy text-books?
190. In what city school districts may the board establish ungraded schools?
191. What children are considered as juvenile disorderly persons?
192. What courts have jurisdiction over truancy?
193. Are superintendents required by law to assist the truant officer?
194. What sentence may be imposed upon juvenile disorderly persons? To what State institutions may they be sentenced?
195. What officer must be consulted before sentence is passed upon a juvenile disorderly person?
196. Does the constitution of the State provide for the establishment of libraries?
197. Who are entitled to the privileges of the township library?
198. Who has charge of the township library?
199. Who is custodian of the funds belonging to the township library?
200. Where must the township library be kept?
201. Who appoints the librarian?
202. How may a district library be established?
203. Who has charge of the district library?
204. How are library funds raised?
205. Under what conditions may a district or township forfeit library money?
206. When and by whom is the library apportionment made?
207. What amendment was made to the library law by the Legislature of 1895?
208. May library moneys ever be used for other purposes?
209. May district officers ever sell the books of the library?
210. How many township libraries are there in Michigan?
211. How many volumes in township libraries?
212. How many district libraries in Michigan?
213. How many volumes in district libraries?
214. Has your township or district a library? If so, in what condition is it?
215. Under our State law, what is meant by free text-books?
216. When was our free text-book law passed?
217. What text-books may be purchased by school officers under the provisions of this law?
218. By what vote of the district meeting may the purchase of free text-books be authorized?

219. May a district that has once voted to furnish free text-books return to the former plan of requiring pupils to furnish their own books?

220. What penalty may be inflicted upon school officers who refuse to obey the instructions of the district meeting as to the purchase of free text-books?

221. How many districts in Michigan furnish free text-books?

222. How, in your opinion, should text-books be supplied to pupils?

223. Do you believe in State publication of text-books?

224. What provision is made by law for the teaching of the modes by which dangerous diseases are spread?

225. Who furnishes the printed matter to the schools?

226. Who is the principal officer of the State board of health? Where is his office?

227. By whom is the State Manual and Course of Study published? Have you ever seen a copy of it?

228. What is done with the surplus of the dog tax fund?

229. Which section of each township was set apart as a "school" section?

230. What are necessary appendages to a school house?

231. Which officer is authorized to provide necessary apparatus?

232. Should a dictionary be considered as a "necessary appendage" such as a director may purchase without a vote of the district?

233. Select from the following list such articles as a director may purchase without the consent of the voters of the district meeting: Maps, globe, organ, stove, desks, wall pictures, case for library books, towels, water-pail, books for library.

234. Are the following necessary appendages: Line-fence, well, out-houses?

## INDEX.

| PAGES.                             | PAGES.                         |
|------------------------------------|--------------------------------|
| Acceptance of office:              | Appointment:                   |
| filed with and recorded by         | of building committee.... 37   |
| director..... 42                   | of commissioner in case        |
| neglect to file vacates            | of vacancy..... 18             |
| office..... 42                     | of conductor of teachers'      |
| Accounts:                          | institute..... 65              |
| of director..... 48                | of deputy supt. of public      |
| Action:                            | instruction..... 11            |
| against school district...55, 98   | of deputy made by supt.        |
| relative to obtaining site. 102    | of public instruction,         |
| Adjournment:                       | may be revoked..... 11         |
| of district meeting..... 34        | of district officers in case   |
| Admission of pupils:               | of vacancy of trustees.. 43    |
| non-resident.....47, 48            | of first meeting of district   |
| to high school..... 48             | of librarian of township       |
| to kindergarten..... 92            | library..... 84                |
| Age:                               | of member of board of ex-      |
| school..... 53                     | aminers in case of va-         |
| at which education is              | cancy..... 21                  |
| compulsory..... 72                 | of person to take school       |
| Agents for school books:           | census.....53, 94              |
| officers, superintendents,         | of regents in case of va-      |
| and teachers not to act            | cancy, con. prov., art. xiii 8 |
| as.....20, 97                      | of supt. of public instruc-    |
| Agricultural school:               | tion in case of vacancy,       |
| to be provided, con. prov.,        | con. prov., art. viii..... 7   |
| art. xiii..... 9                   | of truant officer..... 73      |
| Aliens:                            | Apportionment:                 |
| not eligible to office..... 42     | of library moneys..... 85      |
| Alteration:                        | of primary school fund,        |
| in boundaries of districts..27, 30 | con. prov., art. xiii..... 7   |
| Annual meetings:                   | to districts by township       |
| (See District meetings.)           | clerk..... 24                  |
| Annulment of certificates:         | duty of supt. of public        |
| by county board of exam-           | instruction..... 12            |
| iners..... 60                      | Assessment of taxes:           |
| by faculty of university.. 62      | (See Taxes.)                   |
| by State board of education 62     | Assessor:*                     |
| Appendages to school house:        | acceptance of office..... 42   |
| to be provided by di-              | a member of district           |
| rector.....52, 92                  | board.....41, 47               |
| what are..... 93                   |                                |
| Appendix..... 106                  | *Treasurer.                    |





| PAGES. |                                      | PAGES.     |
|--------|--------------------------------------|------------|
|        | <b>Certificates, etc.—Continued:</b> |            |
|        | fee to be paid on obtaining          | 63         |
|        | from other states, indors-           |            |
|        | ed by State board of edu-            |            |
|        | cation.....                          | 63         |
|        | given by county board of             |            |
|        | examiners.....                       | 56         |
|        | given by city board.....             | 60         |
|        | given by faculty of uni-             |            |
|        | versity.....                         | 62         |
|        | given by State board of              |            |
|        | education.....                       | 15, 63     |
|        | grades of and requisite              |            |
|        | qualifications to obtain.....        | 56, 63     |
|        | holder of, must be citizen           |            |
|        | of United States.....                | 59         |
|        | holder of must be of good            |            |
|        | moral character.....                 | 59         |
|        | indorsement by supt. of              |            |
|        | public instruction.....              | 57         |
|        | list of teachers having.....         | 19, 64     |
|        | record to be kept by county          |            |
|        | commissioner of schools.....         | 18         |
|        | renewal by board of ex-              |            |
|        | aminers.....                         | 59         |
|        | revocation or suspension             |            |
|        | of.....                              | 19, 60, 62 |
|        | signed by commissioner               |            |
|        | and one examiner.....                | 57         |
|        | two classes of third grade           |            |
|        | .....                                | 57         |
|        | <b>Chairman:</b>                     |            |
|        | of board of school in-               |            |
|        | spectors.....                        | 22         |
|        | of board of school in-               |            |
|        | spectors has supervision             |            |
|        | of schools.....                      | 22         |
|        | of first meeting of dis-             |            |
|        | trict.....                           | 25, 96     |
|        | of meeting may arrest dis-           |            |
|        | orderly person.....                  | 95         |
|        | to give bond.....                    | 22         |
|        | to give oath to challenged           |            |
|        | voter.....                           | 40         |
|        | <b>Challenge:</b>                    |            |
|        | of voter at district meet-           |            |
|        | ing.....                             | 40         |
|        | <b>Children:</b>                     |            |
|        | census list of.....                  | 52, 94     |
|        | compulsory education of.             |            |
|        | duties of truant officer             |            |
|        | with respect to.....                 | 73         |
|        | entitled to attend kinder-           |            |
|        | garten.....                          | 92         |
|        | indigent, tuition of.....            | 91         |
|        | <b>Citizen of United States:</b>     |            |
|        | teacher must be.....                 | 59         |
|        | <b>Clerk:</b>                        |            |
|        | of board of school in-               |            |
|        | spectors.....                        | 22         |
|        | of district, director to be.         |            |
|        | of township. (See Town-              |            |
|        | ship clerk.)                         |            |
|        | <b>Collection:</b>                   |            |
|        | of damages for not report-           |            |
|        | ing and assessing taxes..            | 96         |
|        | of fines for injuring books          |            |
|        | of institute fees from               |            |
|        | teachers.....                        | 64         |
|        | of judgments against dis-            |            |
|        | trict.....                           | 101        |
|        | of penalties, etc.....               | 99         |
|        | of taxes.....                        | 80         |
|        | <b>Committee on building:</b>        |            |
|        | voters may appoint.....              | 37         |
|        | <b>Compensation:</b>                 |            |
|        | for site, determined by              |            |
|        | jury.....                            | 102        |
|        | of members of county                 |            |
|        | board of school exam-                |            |
|        | iners.....                           | 21         |
|        | of board of education....            | 14         |
|        | of county commissioners..            | 16         |
|        | <b>Compulsory education:</b>         |            |
|        | age at which compulsory..            | 72         |
|        | length of time to attend             |            |
|        | school.....                          | 72         |
|        | who are truants under                |            |
|        | this act.....                        | 74         |
|        | <b>Conductor:</b>                    |            |
|        | of teachers' institutes....          | 65         |
|        | <b>Consolidation of districts:</b>   |            |
|        | (See School districts.)              |            |
|        | <b>Constitutional provisions:</b>    |            |
|        | agricultural school, art.            |            |
|        | xiii.....                            | 9          |
|        | districts may be deprived            |            |
|        | of public money, art.                |            |
|        | xiii.....                            | 8          |
|        | escheats of land to the              |            |
|        | State, art. xiii.....                | 8          |
|        | free schools to be main-             |            |
|        | tained, art. xiii.....               | 8          |
|        | institutions for deaf,               |            |
|        | dumb, blind, and insane,             |            |
|        | art. xiii.....                       | 9          |
|        | libraries to be provided,            |            |
|        | art. xiii.....                       | 10         |
|        | number months of school              |            |
|        | maintained, art. xiii....            | 8          |
|        | regents of the university,           |            |
|        | art. xiii.....                       | 8          |
|        | school funds, art. xiii....          | 7, 8       |
|        | specific taxes, art. xiv....         | 10         |



| PAGES.                                   | PAGES.                                  |
|--|---|
| Constitutional provisions— <i>Con.</i> : | County comm'r of schools— <i>Con.</i> : |
| state board of education,                | examinations, prepare                   |
| art. xiii.....                           | schedule of.....                        |
| 9  | 18                                      |
| supt. of public instruction,             | file acceptance of office               |
| art. viii.....                           | and bond.....                           |
| 7  | 16                                      |
| supt. of public instruction,             | receive annual reports....              |
| term of office, art. viii..              | 7                                       |
| 7  | 20                                      |
| supt. of public instruction,             | receive institute fees.....             |
| vacancy in office, how                   | 19                                      |
| filled, art. viii.....                   | 7                                       |
| 7  | 20                                      |
| supt. of public instruction,             | receive instructions from               |
| where to keep office....                 | supt. of public instruc-                |
| 7  | tion.....                               |
| Contract:                                | 20                                      |
| with teachers..45, 48, 52, 56,           | County institute:                       |
| 68                                       | (See Teachers' institute.)              |
| Corporal punishment:                     | County treasurer:                       |
| supreme court decisions..                | apportion library mon-                  |
| 70                                       | eys.....                                |
| Corporate powers:                        | 84, 85                                  |
| of teachers' associations..              | pay teachers' institute                 |
| 67                                       | fund on order of clerk..                |
| County board of school examin-           | 64                                      |
| ers:                                     | statements of apportion-                |
| compensation of mem-                     | ment filed with.....                    |
| bers.....                                | 91                                      |
| 16, 21                                   | set apart institute fees as             |
| duties of county commis-                 | institute fund.....                     |
| sioner.....                              | 64                                      |
| 18, 22                                   | vouchers for payment at                 |
| election and term of office              | teachers' institute filed               |
| of.....                                  | with.....                               |
| 16, 21                                   | 67                                      |
| 21                                       | Course of study:                        |
| eligibility of.....                      | to be prescribed for schools            |
| 21                                       | 108                                     |
| how appointed.....                       | Crimes and offenses:                    |
| 21                                       | distributing district meet-             |
| schedule of meetings for                 | ing.....                                |
| examinations to be pub-                  | 95                                      |
| lished.....                              | distributing school.....                |
| 18                                       | 95                                      |
| vacancies in board, how                  | illegal use of moneys.....              |
| filled.....                              | 99                                      |
| 18, 21                                   | Deaf, dumb and blind:                   |
| shall assist at examina-                 | institutions for, con. prov.,           |
| tions.....                               | art. xiii.....                          |
| 21                                       | 9                                       |
| County clerk:                            | Delivery of books, etc., to suc-        |
| duties in relation to appor-             | cessor in office:                       |
| tionment of moneys...85,                 | by assessor of district....             |
| 88                                       | 55                                      |
| duties in relation to coun-              | by supt. of public instruc-             |
| ty commissioner.....                     | tion.....                               |
| 16                                       | 14                                      |
| duties in relation to insti-             | Deputy supt. of public instruc-         |
| tute moneys.....                         | tion:                                   |
| 64                                       | appointment and duties of               |
| examination of candidates                | 11                                      |
| for admission to.....                    | Diplomas:                               |
| 18                                       | to graduates of state nor-              |
| neglect of duty.....                     | mal school.....                         |
| 97                                       | 15                                      |
| County commissioner of schools:          | Director:                               |
| act as assistant institute               | acceptance of office.....               |
| conductor.....                           | 42                                      |
| 20                                       | a member of district                    |
| certificates, keep record                | board.....                              |
| of.....                                  | 41, 47, 52                              |
| 19, 65                                   | a member of board of ins-               |
| counsel with teachers....                | pection at election to                  |
| 19                                       | issue bonds.....                        |
| duties of.....                           | 100                                     |
| 18, 19                                   | and moderator to approve                |
| examinations, hold.....                  | bond of assessor.....                   |
| 18, 56                                   | 54                                      |
| examinations, keep record                | draw and sign contracts                 |
| of.....                                  | with teachers.....                      |
| 19                                       | 52                                      |

|   | PAGES.     |  | PAGES.     |
|---|------------|--|------------|
| Director— <i>Continued</i> :  |            | District boards— <i>Continued</i> :                    |            |
| draw and sign warrants and orders.....                                    | 52         | to classify pupils.....                                | 90         |
| election and term of office.....  | 41         | to contract with teachers.....                         | 45, 48     |
| give notice of meetings.....  | 52         | to donate or sell library books.....                   | 47         |
| have custody of school house and property....                             | 45         | to employ janitors.....                                | 49         |
| of fractional districts, to whom to report.....                           | 53         | to establish rules for school.....                     | 46         |
| penalty for neglect of duties.....  | 96         | to estimate amount for support of schools.....         | 44         |
| reports of to be filed with township clerk.....                           | 52         | to fix rate of tuition to non-resident pupils.....     | 47, 91     |
| to be clerk of district.....  | 51         | to have care and custody of school property.....       | 45         |
| to file census list with township clerk.....                              | 52         | to have charge of district library.....                | 47         |
| to file certificate of instruction in physiology with township clerk..... | 46         | to make statement of finances at annual meeting.....   | 44, 45     |
| to file copies of all reports to take annual school census.....           | 58         | to prescribe text-books and course of study.....       | 45, 105    |
| to present estimate to annual meeting.....                                | 52         | to provide for instruction in physiology.....          | 46         |
| to present warrants and orders to moderator to be countersigned.....      | 51         | to purchase books for indigent children.....           | 46         |
| to provide necessary appendages.....                                      | 52, 96     | to purchase flag and flag-staff.....                   | 47         |
| to keep account of expenses.....  | 42, 52     | to purchase record books, etc.....                     | 44         |
| to keep record of meetings.....   | 51         | to purchase text-books when authorized by voters.....  | 46         |
| Disease:  |            | to purchase or lease site for school house.....        | 44         |
| prevention of communicable.....   | 82         | to report taxes to be assessed.....                    | 44         |
| Disorderly persons:   |            | to suspend or expel disorderly pupils.....             | 46         |
| treatment of.....   | 39, 99     | vacancy in, how filled....                             | 43         |
| Districts, school:  |            | vacancy in, what to occasion.....                      | 42         |
| (See School districts.)   |            | when to exclude public meetings from school house..... | 45         |
| District boards:  |            | when may issue bonds....                               | 99         |
| election and tenure of office of members.....                             | 41, 47, 49 | who are eligible to office.....                        | 42         |
| may admit non-resident pupils.....  | 46, 90     | who to constitute.....                                 | 41, 47, 49 |
| majority of members necessary at meetings of.....                         | 42         | District libraries:                                    |            |
| meetings of.....  | 41         | (See Libraries.)                                       |            |
| to apply moneys according to law.....                                     | 45         | District meetings:                                     |            |
| to apply for jury in suits to obtain site.....                            | 103        | annual, board to make financial report at.....         | 45         |
| to audit accounts of director.....  | 48         | annual, powers of voters at.....                       | 34, 39, 51 |
| to borrow money.....  | 44         | annual, regular, where held.....                       | 50         |
| to build, hire, or purchase schoolhouses.....                             | 44         | annual, when to be held..                              | 31         |
| to call meetings of district.....   | 50         |  |            |

|                                       | PAGES.     |
|---------------------------------------|------------|
| District meetings— <i>Continued</i> : |            |
| business to be trans-                 |            |
| acted.....                            | 33, 41     |
| challenging votes at.....             | 39         |
| disorderly persons at.....            | 40, 95     |
| in district, primary and              |            |
| graded.....                           | 32, 41     |
| in district, township.....            | 32, 49     |
| in district, under special            |            |
| act.....                              | 32         |
| limit of taxes voted.....             | 100        |
| may vote on issuance of               |            |
| bonds.....                            | 99         |
| notice of.....                        | 32         |
| notice of, contents of.....           | 34         |
| notice of, failure to give..          | 34         |
| notice of, none required in           |            |
| township district.....                | 34         |
| special, may be called....            | 34, 50     |
| special, notice of.....               | 34         |
| voters at, who are.....               | 38         |
| District officers:                    |            |
| acceptance of office.....             | 42         |
| election and term of                  |            |
| office.....                           | 41, 47, 49 |
| penalty for neglect of                |            |
| duty.....                             | 80, 96, 99 |
| plurality vote does not               |            |
| elect.....                            | 41, 47     |
| who are eligible to election          |            |
| to.....                               | 42         |
| District school:                      |            |
| (See Schools.)                        |            |
| District taxes:                       |            |
| (See Taxes.)                          |            |
| Disturbing district meeting or        |            |
| school:                               |            |
| penalty for.....                      | 95         |
| Division of district:                 |            |
| (See School district; also            |            |
| Township board of in-                 |            |
| spectors.)                            |            |
| Dog tax, surplus of:                  |            |
| apportionment of.....                 | 89         |
| Education:                            |            |
| constitutional provisions,            |            |
| art. xiii.....                        | 7, 10      |
| Election:                             |            |
| of county commissioner of             |            |
| schools.....                          | 16         |
| of district officers.....             | 41, 47, 49 |
| of members of county                  |            |
| board of examiners.....               | 21         |
| of members of State board             |            |
| of education, con. prov.,             |            |
| art. xiii.....                        | 9          |

|                                | PAGES. |
|--------------------------------|--------|
| Election— <i>Continued</i> :   |        |
| of members of State board      |        |
| of regents, con. prov.,        |        |
| art. xiii.....                 | 8      |
| of supt. of public instruc-    |        |
| tion, con. prov., art. viii.   | 7      |
| Electors:                      |        |
| who are qualified.....         | 38     |
| Eligibility to office:         |        |
| in districts.....              | 42     |
| of commissioner.....           | 17     |
| of examiner.....               | 21     |
| English language:              |        |
| instruction to be conduct-     |        |
| ed in, con. prov., art. xiii.  | 8      |
| Escheats of land to the State: |        |
| constitutional provisions,     |        |
| art. xiii.....                 | 8      |
| Estimates:                     |        |
| of amount to be raised by      |        |
| tax.....                       | 44, 52 |
| Examinations:                  |        |
| of applicants for certifi-     |        |
| cate.....                      | 56, 63 |
| of candidates for admis-       |        |
| sion to freshman class of      |        |
| agricultural college....       | 18     |
| of inspectors' reports by      |        |
| county commissioner....        | 20     |
| questions for.....             | 13, 58 |
| Examiners:                     |        |
| of teachers, to collect        |        |
| fees.....                      | 64, 65 |
| to pay fees to county treas-   |        |
| urer.....                      | 65     |
| Execution:                     |        |
| not to issue against school    |        |
| district.....                  | 101    |
| Expenses:                      |        |
| estimate of, to be present-    |        |
| ed at annual meeting....       | 44, 52 |
| of inspectors, limited.....    | 23     |
| of State institute, how        |        |
| paid.....                      | 65, 67 |
| Fees:                          |        |
| to be paid by teachers on      |        |
| obtaining certificates...      | 64     |
| Females:                       |        |
| eligible to district offices.. | 42     |
| eligible to office of county   |        |
| commissioner.....              | 17     |
| eligible to office of town-    |        |
| ship school inspector....      | 22     |
| may vote at district meet-     |        |
| ings.....                      | 38     |

|                              | PAGES. |   | PAGES. |
|------------------------------|--------|---|--------|
| Fines:                       |        | Graded school district— <i>Continued:</i> |        |
| for breach of penal laws,    |        | trustees, consent to be ob-               |        |
| con. prov., art. xiii.....   | 10     | tained in alterations of                  |        |
| for breach of penal laws,    |        | boundaries.....                           | 30     |
| apportionment of.....        | 85     | grades of certificates to                 |        |
| for disturbing district      |        | teachers.....                             | 56, 63 |
| meeting.....                 | 40, 95 | High schools:                             |        |
| for disturbing school.....   | 95     | may be established in                     |        |
| Flag and flag-staff:         |        | certain cases.....                        | 48     |
| district board to purchase   | 47, 93 | Indebtedness:                             |        |
| Forfeitures:                 |        | of districts. (See Bonds)                 |        |
| (See Penalties.)             |        | .....                                     | 98, 99 |
| Formation:                   |        | Insane:                                   |        |
| of districts. (See School    |        | institutions for, con. prov.,             |        |
| districts.)                  |        | art. xiii.....                            | 9      |
| of teachers' associations..  | 67     | Inspection, board of:                     |        |
| Fractional districts:        |        | (See Board of inspection.)                |        |
| (See School districts.)      |        | Inspectors, board of school:              |        |
| Free schools:                |        | (See Township board of                    |        |
| to be provided, con. prov.,  |        | school inspectors.)                       |        |
| art. xiii.....               | 8      | Institutes:                               |        |
| Free text-books:             |        | (See Teachers' institutes.)               |        |
| district to vote on question |        | Institutions:                             |        |
| of furnishing.....           | 78     | for deaf, dumb, and blind,                |        |
| board to estimate amount     |        | con. prov., art. xiii.....                | 9      |
| necessary to purchase...     | 78     | Instruction:                              |        |
| board to make contract       |        | to be conducted in the                    |        |
| for furnishing.....          | 79     | English language, con.                    |        |
| board to incur penalty for   |        | prov., art. xiii.....                     | 8      |
| failure to comply with       |        | supt. of public instruction               |        |
| law.....                     | 80     | to have supervision.....                  | 11     |
| board to purchase when       |        | Interest:                                 |        |
| authorized.....              | 47, 77 | on State fund for educa-                  |        |
| property of district.....    | 77     | tional purposes, con.                     |        |
| Funds:                       |        | prov. art. xiii.....                      | 7, 8   |
| educational, con. prov.,     |        | Janitors:                                 |        |
| art. xiii.....               | 7, 8   | employed by district board                | 48     |
| library, con. prov., art.    |        | Judgments:                                |        |
| xiii.....                    | 10     | against school district....               | 101    |
| teachers' association.....   | 67     | Jurisdiction:                             |        |
| teachers' institute.....     | 64     | in actions against districts              | 101    |
| Geological survey, board of: |        | Jury:                                     |        |
| supt. of public instruction  |        | in proceedings to obtain                  |        |
| a member of.....             | 14     | site.....                                 | 102    |
| Graded school district:      |        | Juvenile disorderly persons:              |        |
| annual meeting of.....       | 30     | penalties imposed upon...                 | 75     |
| alteration in boundaries     |        | penalties imposed upon                    |        |
| of.....                      | 30     | parents in certain cases..                | 74     |
| change to primary district   | 31     | to be sent to ungraded                    |        |
| how classified.....          | 29     | school.....                               | 74     |
| how organized.....           | 30, 39 | who constitute.....                       | 74     |
| not limited to nine sections |        | Kindergarten:                             |        |
| of land.....                 | 29     | act to apply to the schools.              | 92     |
| number of children.....      | 29, 39 |   |        |
| two or more contiguous       |        |   |        |
| districts may organize..     | 30     |   |        |



| PAGES.                         |        | PAGES                        |
|--------------------------------|--------|------------------------------|
| <b>Kindergarten—Continued:</b> |        | <b>Libraries—Continued:</b>  |
| children entitled to at-       |        | funds, State supt. to fur-   |
| tend.....                      | 92     | nish statement of town-      |
| duty of district board in      |        | ships, etc., entitled to..   |
| regard to.....                 | 92     | 83, 85                       |
| qualifications of teachers     |        | township, care of.....       |
| in.....                        | 92     | 84                           |
| <b>Land:</b>                   |        | township, librarian of.....  |
| escheat to the State, con.     |        | 84                           |
| prov., art. iii.....           | 8      | tax for support of.....      |
| legislature may appropri-      |        | 85                           |
| ate same or money aris-        |        | <b>Maps:</b>                 |
| ing from sale of same,         |        | of townships showing         |
| for maintenance of             |        | boundaries of districts..    |
| agricultural school, con.      |        | 23                           |
| prov., art. xiii.....          | 9      | <b>Meetings:</b>             |
| proceedings to obtain for      |        | for examination of teach-    |
| school house sites.....        | 102    | ers.....                     |
| <b>Laws:</b>                   |        | 56, 60, 63                   |
| relative to schools to be      |        | joint, of school inspectors  |
| published and furnished        |        | when school house used       |
| to officers.....               | 12     | for public.....              |
| <b>Lease:</b>                  |        | 38, 45                       |
| of school house site.....      | 36     | (See District meetings.)     |
| <b>Legislature:</b>            |        | <b>Members:</b>              |
| to provide for agricultural    |        | of county board of school    |
| school, con. prov., art.       |        | examiners.....               |
| xiii.....                      | 9      | 20                           |
| to provide for free schools,   |        | of board of regents, col-    |
| con. prov., art. xiii.....     | 8      | prov., art. xiii.....        |
| <b>Libraries:</b>              |        | of board of school inspect-  |
| constitutional provisions,     |        | ors.....                     |
| art. xiii.....                 | 10     | 21                           |
| <b>Liability:</b>              |        | of board of trustees.....    |
| of board of inspectors....     | 96     | 39, 49                       |
| of county clerk.....           | 96     | of boards, district.....     |
| of district officers.....      | 96     | 41, 47                       |
| of parent for failure to       |        | of State board of educa-     |
| send child to school....       | 74     | tion, con. prov., art. xii.. |
| of township clerk and          |        | 9                            |
| supervisor.....                | 97     | <b>Moderator:</b>            |
| <b>Librarian:</b>              |        | acceptance of office.....    |
| to be appointed.....           | 84     | 42                           |
| <b>Libraries:</b>              |        | a member of district         |
| constitutional provisions,     |        | board.....                   |
| art. xiii.....                 | 10, 83 | 41, 47                       |
| district board have charge     |        | and assessor to audit and    |
| of.....                        | 46, 51 | pay directors' accounts.     |
| district, care of.....         | 84     | 52                           |
| district, what may estab-      |        | and director to approve      |
| lish.....                      | 83     | bond of assessor.....        |
| funds, apportionment of..      | 85     | 54                           |
| funds, forfeitures of.....     | 85     | election and term of         |
| funds, penal fines to be ap-   |        | office of.....               |
| plied to, con. prov., art.     |        | 41, 47                       |
| xiii.....                      | 10     | penalty for neglect to ac-   |
|                                |        | cept office or perform       |
|                                |        | duties.....                  |
|                                |        | 96                           |
|                                |        | to bring suit on assessor's  |
|                                |        | bond.....                    |
|                                |        | 54                           |
|                                |        | to countersign warrants      |
|                                |        | and orders.....              |
|                                |        | 53                           |
|                                |        | to preside and preserve      |
|                                |        | orders at district meet-     |
|                                |        | ings.....                    |
|                                |        | 40, 96                       |
|                                |        | <b>Moneys:</b>               |
|                                |        | accrued from one-mill tax,   |
|                                |        | how used.....                |
|                                |        | 37, 88                       |
|                                |        | apportionment by State       |
|                                |        | supt., con. prov., art.      |
|                                |        | xiii.....                    |
|                                |        | apportionment to districts   |
|                                |        | by township clerk.....       |
|                                |        | 29                           |



| PAGES.  | PAGES.  |
|---|---|
| Moneys— <i>Continued:</i>   | Necessary appendages:<br>(See Appendages.)                                  |
| board to apply according<br>to law.....   | Neglect:  |
| 45  | of county clerk to trans-   |
| board to report to annual<br>meeting receipts and dis-  | mit reports.....  |
| 45  | of district officers.....   |
| collected on account of<br>neglect of officers.....   | of inspectors in perform-   |
| 96  | ing duties.....   |
| collected on assessor's<br>bond, how applied.....   | of parent or guardian to<br>send child to school.....                       |
| 54  | of supervisor and town-   |
| county treasurer to apply<br>for and pay.....   | ship clerk in regard to<br>taxes.....                                       |
| 87  | 97  |
| county treasurer to appor-  | Non-resident pupils:  |
| tion library moneys.....  | admission of.....   |
| 85  | 46, 48, 90  |
| library, apportionment<br>of.....   | Normal:   |
| 13, 85  | county.....   |
| library, derived from<br>penal fines, con. prov.,<br>art. xiii.....                             | 104   |
| 10  | Notices:  |
| library, forfeiture of.....   | by State supt. of appor-  |
| 85  | tionment.....   |
| library, may be used for<br>school purposes.....  | 12, 87  |
| 85  | of first meeting in new<br>district.....                                    |
| limitations as to borrow-   | of formation of teachers'   |
| ing.....  | association.....  |
| 44  | 67  |
| not to be diverted except<br>by a two-thirds vote.....  | of meetings for examina-  |
| 37  | tion of teachers.....   |
| primary school interest<br>fund, apportionment of..   | 18  |
| 87  | of meetings to be given by<br>director.....                                 |
| primary school interest<br>fund, districts entitled<br>to receive.....                          | 32, 52  |
| 87  | of special meetings... 33, 34,  |
| primary school interest<br>fund, duties of State<br>supt. in regard to.....                     | 50  |
| 12, 87  | in proceedings to obtain<br>site.....                                       |
| primary school interest<br>fund, how constituted,<br>con. prov., art. xiii.....                 | 102   |
| 7   | to organize as graded<br>school district.....                               |
| primary school interest<br>fund, used only for<br>teachers' wages.....                          | 30  |
| 87  | to parent or guardian that<br>child does not attend<br>school.....          |
| primary school interest<br>fund, when withheld<br>from districts, con.<br>prov., art. xiii..... | 74  |
| 8   | to township clerk of taxes<br>to be levied.....                             |
| public, defined.....  | 44  |
| 98  | Number months of school to be<br>maintained:                                |
| public, deposit of.....   | constitutional provisions,<br>art. xiii.....                                |
| 98  | 8   |
| public, how kept.....   | Oath:   |
| 98  | by challenged voter at<br>district meeting, if false<br>deemed perjury..... |
| public, how to be used.....   | 40  |
| 98  | by deputy superintendent<br>of public instruction.....                      |
| public, interest accruing<br>on.....  | 11  |
| 98  | of school officers.....   |
| public, orders for pay-<br>ment of, unlawful.....   | 50  |
| 99  | to be made to correct-<br>ness of census list.....                          |
| township treasurer has<br>keeping of all school and<br>library.....                             | 95  |
| 50  | Office:<br>acceptance of to be filed... 42, 50                              |
|   | term of district officers.....  |
|   | 21, 41, 47, 49  |

|                                   | PAGES. |  | PAGES.     |
|-----------------------------------|--------|--|------------|
| <b>Office—Continued:</b>          |        | <b>Penalties and forfeitures—Con.:</b> |            |
| term of members of board          |        | on district officers for neg-          |            |
| of school examiners.....          | 21     | lect of duty.....                      | 46, 88, 96 |
| term of members of State          |        | on inspectors for not quali-           |            |
| board of education, con.          |        | fying or neglect of duty.              | 96         |
| prov., art. xiii.....             | 9      | on parent or guardian for              |            |
| term of regents of the uni-       |        | failure to send child to               |            |
| versity, con. prov. art.          |        | school.....                            | 74         |
| xiii.....                         | 8      | on supervisor and clerk                |            |
| term of State supt. of            |        | for neglect of duties....              | 97         |
| public instruction, con.          |        | on taxable inhabitant for              |            |
| prov., art. xiii.....             | 7      | neglect of duty in forma-              |            |
| <b>Officers:</b>                  |        | tion of new district.....              | 96         |
| (See names of the several         |        | <b>Perjury:</b>                        |            |
| offices.)                         |        | false oath deemed.....                 | 40         |
| <b>Official bonds:</b>            |        | <b>Physiology and hygiene:</b>         |            |
| of assessor.....                  | 54     | director to file copy of               |            |
| of chairman of board of           |        | teacher's certificate of               |            |
| inspectors.....                   | 21     | instruction with town-                 |            |
| of county commissioner of         |        | ship clerk.....                        | 46, 82     |
| schools.....                      | 16     | penalty for failure of dis-            |            |
| <b>One-mill tax:</b>              |        | trict board to comply                  |            |
| assessment, collection and        |        | with statute.....                      | 46, 82     |
| disposition of.....               | 88     | teacher to certify whether             |            |
| how surplus may be ap-            |        | instruction has been                   |            |
| plied, sec. 12.....               | 37, 88 | given.....                             | 46, 82     |
| <b>Orders:</b>                    |        | text-books to be adopted               |            |
| on assessor, drawn and            |        | by district board.....                 | 81         |
| signed by director.....           | 52     | text-books to be approved              |            |
| on assessor, countersigned        |        | by State board of educa-               |            |
| by moderator.....                 | 54     | tion.....                              | 81         |
| <b>Organization:</b>              |        | to be taught by all schools            |            |
| of graded schools.....            | 30     | in the State.....                      | 46, 81     |
| of primary district.....          | 25     | <b>Poll-list:</b>                      |            |
| of township district.....         | 32     | kept when voting on issu-              |            |
| <b>Parents and guardians:</b>     |        | ance of bonds.....                     | 100        |
| liability for not sending         |        | <b>Poor children:</b>                  |            |
| children to school.....           | 74     | to be furnished with text-             |            |
| proceedings against for           |        | books.....                             | 46, 77     |
| failure to send children          |        | <b>President of university:</b>        |            |
| to school.....                    | 74     | constitutional provisions,             |            |
| required to send children         |        | art. xiii.....                         | 9          |
| to school.....                    | 72     | <b>Prevention:</b>                     |            |
| <b>Penalties and forfeitures:</b> |        | of communicable diseases               | 82         |
| for disturbing district           |        | <b>Primary school interest fund:</b>   |            |
| meeting.....                      | 95     | apportionment of.....                  | 12, 88     |
| for disturbing school.....        | 96     | apportionment of, when re-             |            |
| for illegal use of public         |        | ports are defective.....               | 13         |
| moneys.....                       | 99     | apportionment of, when                 |            |
| on district for not main-         |        | deficiencies may be paid               | 13         |
| taining three months'             |        | constitutional provisions              |            |
| school, con. prov., art.          |        | respecting, art. xiii.....             | 7          |
| xiii.....                         | 8      | school to be maintained                |            |
| on county clerk for not           |        | three months to secure,                |            |
| transmitting reports....          | 97     | con. prov., art. xiii.....             | 8          |
|                                   |        | specific taxes, part of, con.          |            |
|                                   |        | prov., art. xiii.....                  | 10         |

|   | PAGES.     |  | PAGES.     |
|---|------------|--|------------|
| Primary school int. fund— <i>Con.</i> :                           |            | Regents— <i>Continued.</i> :                               |            |
| to be used only for teachers' wages.....                          | 88         | election and term of office of, con. prov., art. xiii..... | 8          |
| Proceedings:  |            | Register:  |            |
| to obtain site for school house.....                              | 102        | of school, kept by teacher.....                            | 68         |
| Property:   |            | Regulations:   |            |
| of district, care of.....   | 46         | at election to vote for issuance of bonds.....             | 100        |
| sale of, directed by voters.....                                  | 36         | for government of schools.....                             | 46         |
| sale of, when may be by inspectors.....                           | 27, 28     | for libraries.....   | 84, 93     |
| of teachers' associations.....                                    | 67         | Report:  |            |
| Prosecution:  |            | liability of officers for failure to.....                  | 96         |
| (See Action; Proceedings; Suits.)                                 |            | of board at annual meeting.....                            | 45         |
| Public meetings:  |            | of chairman of board of school inspectors.....             | 22         |
| when may be excluded from school house.....                       | 38, 45     | of county commissioner.....                                | 18         |
| Public moneys:  |            | of director, to whom made in fractional districts.....     | 53         |
| (See Moneys.)   |            | of director to inspectors.....                             | 52         |
| Punishment:   |            | of township clerk, of taxes.....                           | 23         |
| corporal.....   | 70         | of supt. of public instruction, annual.....                | 11         |
| Pupils:   |            | of supervisor, of taxes assessed.....                      | 88         |
| classification of.....  | 90         | Residents:   |            |
| expulsion or suspension of.....                                   | 46, 103    | notified of first meeting in new district.....             | 25         |
| tuition of non-residents.....                                     | 46, 48, 90 | petition for organization of new district.....             | 31, 32     |
| who may be.....   | 90         | qualification of, to vote at district meetings.....        | 38         |
| Purchase:   |            | rights of, to attend school.....                           | 90         |
| of books for library.....   | 51, 83     | Revenues:  |            |
| of books for poor children.....                                   | 46, 77     | of schools.....  | 87         |
| of books for records of district.....                             | 43         | Revocation of teachers' certificates:                      |            |
| of necessary appendages.....                                      | 52, 92     | by board of school examiners.....                          | 60, 62     |
| of school house or school site.....                               | 44, 102    | by State board of education.....                           | 63         |
| Qualifications:   |            | Sale of property:  |            |
| of teachers.....  | 59         | directed by district.....                                  | 36         |
| Questions:  |            | when by inspectors.....                                    | 29         |
| for examinations of teachers.....                                 | 13, 58     | School:  |            |
| Record:   |            | admission of non-resident pupils.....                      | 46, 48, 90 |
| director to keep, of proceedings.....                             | 51         | agricultural to be provided for, con. prov. art. xiii..... | 9          |
| of acceptance of office.....                                      | 42         | board to establish regulations for.....                    | 48, 103    |
| of certificates to teachers of pupils, to be kept by teacher..... | 67         | board to prescribe course of study.....                    | 105        |
| Regents:  |            |  |            |
| of the university, con. prov., art. xiii.....                     | 8          |  |            |
| duties of, con. prov., art. xiii.....                             | 9          |  |            |

| PAGES.                       |         | PAGES.                           |         |
|------------------------------|---------|----------------------------------|---------|
| <i>School—Continued:</i>     |         | <i>School funds:</i>             |         |
| board to prescribe text-     |         | (See Moneys.)                    |         |
| books.....                   | 45      | <i>School houses:</i>            |         |
| closed on account of pre-    |         | appendages to, director          |         |
| valence of contagious        |         | to provide.....                  | 92, 93  |
| diseases.....                | 68      | board to provide.....            | 44      |
| maintained at least three    |         | bonds may be issued to           |         |
| months, con. prov., art.     |         | build.....                       | 99      |
| xiii.....                    | 8       | limitations of indebted-         |         |
| may be graded.....           | 39, 48  | ness for building.....           | 100     |
| penalty for disturbing....   | 96      | site for, to be purchased        |         |
| revenues.....                | 87      | or leased.....                   | 44, 102 |
| sectarian instruction is     |         | tax for building.....            | 36, 100 |
| abolished.....               | 105     | <i>School officers:</i>          |         |
| suspension or expulsion of   |         | in primary districts, how        |         |
| pupils from.....             | 45, 103 | elected.....                     | 41      |
| taxes for support of.....    | 44      | must be chosen by ballot..       | 41      |
| time necessary to be         |         | plurality vote does not          |         |
| maintained.....              | 37      | elect.....                       | 41      |
| to be free, con. prov., art. |         | <i>School year:</i>              |         |
| xiii.....                    | 8       | when to commence.....            | 30      |
| ungraded, to be established  | 74      | <i>Sites for school houses:</i>  |         |
| <i>School board:</i>         |         | board to purchase or             |         |
| (See District board.)        |         | lease.....                       | 36, 44  |
| <i>School books:</i>         |         | bonds issued for purchase        |         |
| (See Text-books.)            |         | of.....                          | 37, 99  |
| <i>School census:</i>        |         | compensation for, how de-        |         |
| time of taking not to be     |         | termined in certain cases        | 103     |
| changed.....                 | 94      | location of.....                 | 36, 102 |
| when and how taken....       | 53      | notice of meeting to             |         |
| <i>School districts:</i>     |         | change.....                      | 33      |
| cannot be dissolved.....     | 26      | tax for.....                     | 36      |
| changes in boundaries of     |         | <i>Specific state taxes:</i>     |         |
| primary.....                 | 27      | how applied, con. prov.,         |         |
| consent of taxpayers....     | 28      | art. xiv.....                    | 10      |
| consolidation of.....        | 29      | <i>State board of education:</i> |         |
| debts formerly due.....      | 30      | constitutional provisions        |         |
| division of property....     | 30      | for, art. xiii.....              | 9       |
| failure to organize.....     | 26      | have care of state normals       | 14      |
| form and size.....           | 25      | examine and approve text-        |         |
| fractional formation of..    | 26      | books in physiology....          | 15      |
| graded.....                  | 29      | grant certificates to grad-      |         |
| individuals set off.....     | 28      | uates of certain colleges        | 15      |
| legally organized.....       | 27      | grant diplomas to grad-          |         |
| notice of alteration.....    | 28      | uates of State normals..         | 15      |
| notice of meeting for....    | 27      | indorse certificates grant-      |         |
| notice of first meeting in.. | 25      | ed in other states.....          | 15, 63  |
| organization of.....         | 25      | maintain school at State         |         |
| special legislative enact-   |         | normal.....                      | 15      |
| ment for.....                | 26      | prescribe course of study        |         |
| transfer of territory of     |         | for normal schools.....          | 14      |
| taxpayers in.....            | 27      | term of office and salary        |         |
| unorganized territory....    | 26      | of members.....                  | 14      |
| <i>School examiners:</i>     |         | <i>State certificates:</i>       |         |
| (See County board of         |         | when granted by State            |         |
| school examiners.)           |         | board of education.....          | 16      |



| PAGES.                                 | PAGES.                                     |
|--|--|
| State certificates— <i>Continued</i> : | Supt. of Public Instruction— <i>Con.</i> : |
| granted in other states, in-           | to approve first grade cer-                |
| dorsed by state board..... 15          | tificates.....13, 57                       |
| granted to graduates of                | to be a member and sec-                    |
| State normal schools .. 15             | retary of State board of                   |
| granted to graduates of                | education..... 9                           |
| certain colleges..... 15               | to be a member of State                    |
| State institutions of educa-           | board of geological sur-                   |
| tional character:                      | vey..... 14                                |
| to be visited by supt. of              | to deliver official books,                 |
| public instruction..... 11             | etc., to successor..... 14                 |
| State normal schools:                  | to have general supervi-                   |
| to be under care of State              | sion of public instruction                 |
| board of education, con.               | to hold county teachers'                   |
| prov., art. xiii..... 9                | institute annually..... 14                 |
| diplomas and certificates              | to make annual report to                   |
| to graduates..... 15                   | governor..... 11                           |
| training school in..... 15             | to meet with governing                     |
| State teachers' institute:             | board of each educa-                       |
| to be held annually..... 66            | tional institution..... 11                 |
| State university:                      | to prepare all examina-                    |
| supervision of, con. prov.,            | tion questions.....13, 58                  |
| art. xiii..... 9                       | to prescribe rules for                     |
| Studies:                               | boards of school exam-                     |
| to be prescribed..... 105              | iners..... 13                              |
| Suits:                                 | to publish and transmit                    |
| and judgments against                  | laws and forms to officers                 |
| district.....37, 101                   | to read examination ques-                  |
| assessor to appear for dis-            | tions to examiners..... 13                 |
| trict..... 101                         | to visit State institutions.               |
| jurisdiction of justices in            | vacancy in office, how                     |
| on assessor's bond..... 54             | filled, con. prov., art. viii.             |
| summons in, served on                  | 7  |
| assessor..... 101                      | Supervisor:                                |
| when moderator may ap-                 | liable for not assessing                   |
| pear in, for district..... 55          | taxes..... 97                              |
| Supt. of Public Instruction:           | to assess judgment against                 |
| appointments made by,                  | school district..... 102                   |
| may be revoked..... 11                 | to assess one-mill tax.... 88              |
| duties of, con. prov., art.            | to assess tax for support                  |
| xiii..... 7                            | of libraries..... 85                       |
| duties of, relative to ap-             | to assess school tax..... 89               |
| portionment of primary                 | to township clerk to certify               |
| school moneys, con.                    | taxes to..... 23                           |
| prov., art. xiii..... 7                | Surplus:                                   |
| election and term of office            | of dog tax..... 89                         |
| of, con. prov., art. viii... 7         | of school moneys, how                      |
| office of, where located,              | apportioned..... 89                        |
| con. prov., art. viii..... 7           | Suspension;                                |
| salary of..... 11                      | of pupils from school..46, 106             |
| to appoint boards of vis-              | power of, may be dele-                     |
| itors..... 14                          | gated to teacher..... 103                  |
| to appoint conductors of               | rules for, must be reason-                 |
| teachers' institutes..... 14           | able..... 104                              |
| to appoint deputy super-               | Taxes:                                     |
| intendent..... 11                      | amount for purchasing of                   |
|  | building.....36, 100                       |



|   | PAGES. |  | PAGES. |
|---|--------|--|--------|
| <b>Taxes—Continued:</b>   |        | <b>Teachers—Continued:</b>   |        |
| district, how collect.....  | 89     | must be citizens of United States .....                              | 59     |
| estimated and reported by district board.....                                       | 43, 80 | must be of good moral character.....                                 | 59     |
| falling to be assessed, levied next year.....                                       | 89     | to be furnished with copy of contract.....                           | 68     |
| for books for indigent children.....  | 46     | to file certificate of instruction in physiology, with director..... | 46     |
| for school purposes.....  | 101    | to keep school register...   | 68     |
| limit of, in certain cases..  | 36, 44 | <b>Teachers' associations:</b>                                       |        |
| of a district, when divided, to be apportioned one-mill, assessment, etc., of ..... | 28     | formation and incorporation of .....                                 | 67     |
| one-mill, how surplus may be applied.....   | 37, 88 | <b>Teachers' institutes:</b>   |        |
| report of, by board to township clerk.....  | 44     | aid from State treasurer..   | 66     |
| report of, by township clerk to supervisor.....                                     | 80     | arranged by State supt. .14,   | 64     |
| specific, constitute a part of primary school fund, con. prov., art. xiv.....       | 10     | conductor of.....  | 65     |
| supervisor to assess.....   | 89     | counties may be united in. expenses of, how paid....                 | 65     |
| surplus dog, apportionment of .....   | 89     | funds for support of, how raised.....                                | 64     |
| <b>Teachers:</b>  |        | State institute, to be held annually.....                            | 66     |
| allowed legal holidays....  | 68     | State institute, expenses paid from State treasury                   | 66     |
| certificates, fees to be paid in obtaining.....                                     | 63     | vouchers for expenses....  | 66     |
| certificates, grades of and qualifications necessary                                | 57     | where held .....   | 64     |
| certificates, given by city board .....   | 60     | <b>Term of office:</b>   |        |
| certificates given by county board of school examiners .....                        | 57     | of district officers.....41, 42,                                     | 49     |
| certificates, given by faculty of university.....                                   | 62     | of members of board of school examiners.....                         | 20     |
| certificates, given by State board of education.....                                | 62     | of members of State board of education, con. prov., art. xiii .....  | 9      |
| certificates, revoked or suspended.....   | 60, 62 | of regents of the university, con. prov., art. xiii..                | 9      |
| close school to attend institute.....   | 64     | of supt. of public instruction, con. prov., art. viii..              | 7      |
| contracts with 45, 48, 52, 56,  | 67     | of township officers .....   | 21     |
| contracts valid, made previous to annual meeting.                                   | 69     | <b>Text-books:</b>   |        |
| contracts with, necessary to entitle teacher to pay.                                | 69     | free, adoption of, by district.....                                  | 77     |
| examination of, by county board of examiners.....                                   | 56     | free, board contract with dealer.....                                | 79     |
| examination of, by State board of education.....                                    | 63     | free, board estimate amount necessary to purchase.....               | 80     |
| extent of authority.....  | 71     | free, board incur penalty for failure to comply with law.....        | 80     |
| legal qualifications.....   | 56, 59 | free, board purchase when authorized.....47,                         | 78     |
| list of, to be furnished...18,  | 64     | free, loaned to pupils.....  | 79     |
|   |        | free, property of district..   | 79     |

| PAGES.   | PAGES   |
|--|---|
| Text-books— <i>Continued</i> :   | Township treasurer— <i>Continued</i> :  |
| on physiology and hygiene,<br>approved by State board<br>of education.....15, 78   | warrants on, to be signed<br>by director and modera-<br>tor.....86                              |
| to be furnished to indigent<br>children.....46, 77                                 | Training school at normal:<br>maintained by State board<br>of education.....15                  |
| to be prescribed by dis-<br>trict board.....45                                     | Treasurer of board of school<br>inspectors:<br>(See Chairman of board of<br>school inspectors.) |
| Township board of education:<br>(See Board of Education<br>in township districts.) | Treasurer of district:<br>(See Assessor.)   |
| Township board of school in-<br>spectors:  | Truants:  |
| chairman and clerk of....21  | sent to reformatory.....75  |
| chairman to be treasurer<br>of, and give bond.....21                               | tried by justice or re-<br>corder.....75  |
| charge of schools.....21   | ungraded schools provided<br>for.....74   |
| duties of, in forming new<br>districts.....26-30                                   | who shall be deemed.....74  |
| number of meetings of....22  | Truant officers:  |
| penalty for neglect to<br>qualify or perform<br>duties.....96                      | compensation and duties<br>of.....72  |
| powers and duties of.....21  | when appointed.....72   |
| reports to be made in<br>triplicate.....22   | Trustees:   |
| reports, full financial....22  | election of.....39, 49  |
| when, may appoint officers<br>when, to constitute board.21                         | (See board of trustees.)  |
| Township clerk:  | Tuition:  |
| a member and clerk of<br>board of inspectors.....23                                | of non-resident pupils.....46, 48, 90   |
| clerk of township board<br>of education.....23                                     | Transportation.....37, 105  |
| duties of.....23   | Ungraded schools:   |
| election and term of office<br>to apportion moneys to<br>districts.....23          | juvenile disorderly persons<br>to be sent to.....74   |
| to be furnished with a list<br>of teachers.....52                                  | University of Michigan:   |
| to give notice of formation<br>of new district.....28                              | constitutional provisions,<br>art. xiii.....8, 9  |
| to keep records, reports,<br>etc., on file.....52, 84                              | diplomas and certificates<br>to graduates.....62  |
| to prepare map of town-<br>ship showing districts...23                             | United States flag:<br>(See Flag.)  |
| to receive reports and<br>communications.....23                                    | Vacancy:  |
| to transmit chairman's<br>address.....23   | in district offices, how oc-<br>casioned and filled....42, 43                                   |
| Township district:   | in office of regent, con.<br>prov., art. xiii.....8   |
| how organized.....30   | in office of supt. of public<br>instruction, con. prov.,<br>art. viii.....7                     |
| Township treasurer:  | Visiting boards:  |
| duties in relation to frac-<br>tional districts.....90                             | appointed by supt. of pub-<br>lic instruction.....14  |
|  | Voters:   |
|  | challenge of.....40   |
|  | in graded districts, elec-<br>tion of trustees.....39   |

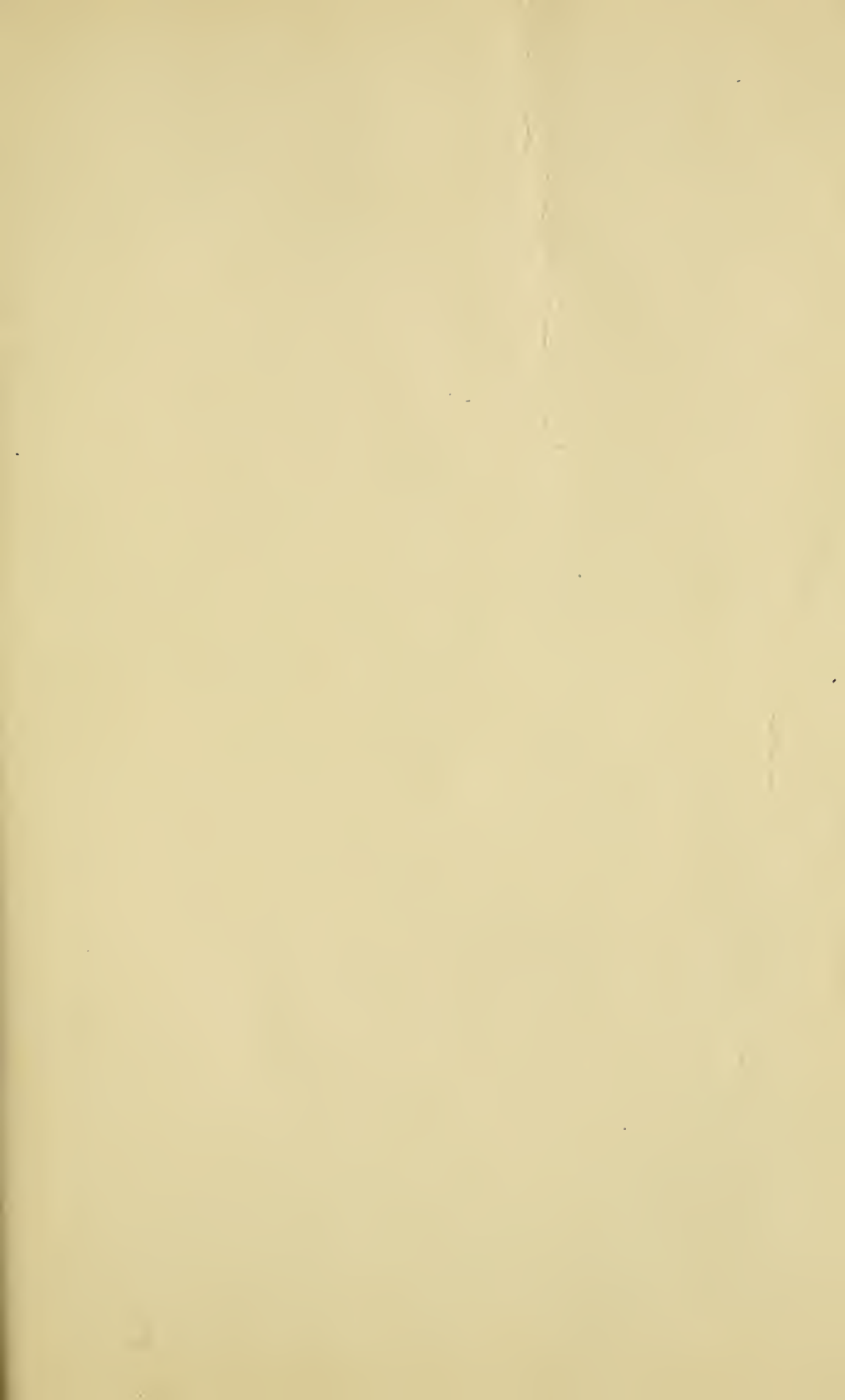
|                              | PAGES. |                                | PAGES. |
|------------------------------|--------|--------------------------------|--------|
| <b>Voters—Continued:</b>     |        | <b>Warrants:</b>               |        |
| in primary districts, ap-    |        | of director upon treasurer     | 80     |
| point chairman.....          | 35     | on State treasurer for         |        |
| in township districts, who   |        | primary school interest        |        |
| are qualified.....           | 38, 39 | fund.....                      | 12, 13 |
| limitations of authority...  | 91     | <b>Women:</b>                  |        |
| powers of, at district meet- |        | barred from voting.....        | 38     |
| ings.....                    | 35-39  | eligible to election to dis-   |        |
| <b>Voting:</b>               |        | trict offices.....             | 42     |
| in regard to.....            | 104    | eligible to election to office |        |
| <b>Vouchers:</b>             |        | of commissioner.....           | 17     |
| for payments at teachers'    |        | eligible to election to office |        |
| institute.....               | 66     | of school inspector.....       | 31     |
|                              |        | qualified as voters at dis-    |        |
|                              |        | trict meetings.....            | 38     |







NOV 18 1908



# START A CLASS IN BOOKKEEPING

And Give the Young People Something  
Helpful and Useful to them in After Years

Hundreds of graded schools, in all cultural regions throughout the country, will have many young pupils to whom the aim which has been used and success is assured. This is *Classroom Science in Accounts*.

## Part I. of Our Card System of Bookkeeping

*It has been the need.* The work requires six weeks and pupils who finish it will not only keep pace with Part II. *and thereby complete a full course in accounts.*

Many schools using Parts I and II. complete each year with the *Practical Principles and Problems* through the remaining six weeks with our *Part III. Science in Accounts*.

## One Year of Solid Accounting Work

Many other schools take bookkeeping during the last semester only. *Part III. Science in Accounts and gives instruction in a Ledger, Asset, Liability, Profit and Loss, and Balance Sheet.*

## BEAR IN MIND

That we should *order for mail orders, Science in Accounts, Part I.* It is captioned "BOOKKEEPING BY MAIL," and is for teachers who have been using our system. Our price, in 100 sets and as follows:

|           |  |        |
|-----------|--|--------|
| Part I.   | Twelve Weeks' Course, complete for students, | \$2.00 |
| Part II.  | Eight " " " " " " " "                        | .75    |
| Part III. | Twenty " " " " " " " "                       | 1.50   |

We have prepared *Bookkeeping by Mail Course*, which we furnish to teachers, which makes the work of instruction simple and easy.

WHY LET PUPILS GRADUATE FROM THE HIGH SCHOOL OR COLLEGE without some instruction in the ordinary principles of Business Law? Every school should teach Commercial law and every school should have it. Our book.

## Business Law by Borritt Hamilton

It is the best book of the kind in existence. 240 pp., Price \$1.00.

PUBLISHED BY  
THE HAMMOND PUBLISHING COMPANY, LTD.  
LANSING, MICHIGAN









LIBRARY OF CONGRESS



0 020 312 102 7