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PORTO RICO

COMPILED AND PUBLISHED BY THE
DEPARTMENT OF EDUCATION,

JUNE, 1911

SAN JUAN, P. R.

BUREAU OF SUPPLIES, PRINTING, AND TRANSPORTATION.

Puerto Rico. Laws, statutes, etc.
"

THE
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P R E F A C E .

This edition of the School Laws of Porto Rico includes the Codified School Law enacted by the legislative assembly in 1903, together with all amendments and independent acts of subsequent dates governing public education in Porto Rico. The laws, as codified, are topically arranged.

For the purpose of indexing, the laws are paragraphed consecutively without reference to the sections of the original school law, those portions which have been enacted since 1903 being indicated by the insertion of the date of their enacting. The Rules and Regulations of the department, authorized in Section 66 of the original school law are included in this volume immediately following the Codified School Laws. The index is general, covering the entire contents of the volume. The title and marginal notes which have been inserted for convenience in reference do not form a part of the law. The English text is official and must be followed where the English and Spanish texts appear to differ in meaning.

E. G. DEXTER,

Commissioner of Education.

San Juan, P. R., April 26, 1911.



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THE SCHOOL LAWS OF PORTO RICO.

AN ACT

TO REVISE, AMEND AND CODIFY THE GENERAL LAWS AND REGULATIONS RELATING TO PUBLIC EDUCATION IN PORTO RICO, TO AMEND THE CODES AND FOR OTHER PURPOSES.

Be it enacted by the Legislative Assembly of Porto Rico:

TITLE OF LAW.

(1) SECTION 1.—This Act shall be referred to as the Codified School Law of Porto Rico.

GENERAL PROVISIONS.

(2) SECTION 2.—The Commissioner of Education is hereby authorized and directed to establish and maintain a system of free public schools in Porto Rico for the purpose of providing a liberal education to the children of school age, *i. e.*, between the ages of five and eighteen years; to establish higher institutions of learning, including colleges, universities, normal, industrial, mechanical and high schools, together with such other educational agencies as said Commissioner may find necessary and expedient in order to promote the educational development of the island. In addition to the rural and graded schools which shall constitute the regular common school system, said Commissioner is hereby authorized and directed to establish, maintain and direct so far as the resources placed at his command will permit, such special schools as in his judgment are necessary to meet special educational needs, such as kindergarten schools, night schools, agricultural schools, professional and commercial schools, and schools in penal and charitable institutions, either under private or public management, where the same can be maintained in general harmony with the public-

Commissioner to establish school system.

Special schools.

oaths. school system and in harmony with its general standards; *Provided*, That the pupils in said special schools may include others than those of school age. The Commissioner of Education, the Assistant Commissioner, the secretary of the department and the general superintendents of schools shall have power to administer oaths and take sworn testimonies on school matters.

ELECTION OF SCHOOL DIRECTORS.

Three directors.

(3) SECTION 3.—(1) The qualified voters of each municipality shall elect at each regular municipal election, three (3) persons with the requirements specified in Section 4 of this Act as directors of the public schools of said municipality, who shall serve without compensation, and who shall be elected in the same manner as other municipal officers, and whose election shall be certified in the same manner as that of other officers elected at the same time. The three directors thus elected shall be known as the school board and shall hold office for four years from and after the first day of January next ensuing after their election and until their successors have been elected and qualified.

Term of office.

QUALIFICATIONS OF SCHOOL DIRECTORS.

Citizenship, residence, education.

(4) SECTION 4.—Section 4 of "An Act to provide for municipal elections in Porto Rico," approved February 11, 1902, is hereby amended in its application to persons who may be candidates for school director. No one shall be eligible to election as school director unless he is a citizen of Porto Rico or of the United States; unless he has been a resident within said municipal district or school district for six months next preceding the date of said election, and unless he knows how to read and write. All persons duly elected at any regular municipal election shall take office on the first Monday after the first Sunday in January next succeeding such

To take oath.

election and shall qualify as other municipal officers by taking the prescribed oath of office. Refusal or neglect of a school director to file his official oath of office within fifteen (15) days after the commencement of the term of office for which he was chosen, renders said office vacant and the Commissioner of Education is hereby authorized and directed to fill said vacancy by the appointment of a person possessing the necessary qualifications of a school director and of the same political party as that of the person who was duly elected by the people to fill the position thus made vacant.

Vacancies.
How filled.

ORGANIZATION OF SCHOOL BOARD.

(5) SECTION 5.—(1) On the first Monday after the first Sunday in January, following a municipal election, the school board shall meet in ordinary session and proceed to the election from their own number of a president and a secretary, certifying said organization and officers to the Commissioner of Education. They shall in like manner proceed to the election of a treasurer who may be the treasurer, secretary-comptroller or comptroller of the municipality or any other person, but who shall not be a member of the school board and who must be a duly qualified voter of the municipality; *Provided*, That when a school board deems it necessary, it may appoint any teacher as treasurer, although he is not a legal resident of the district. The election of said treasurer shall be certified to the Commissioner of Education in like manner as that of the president and secretary. The treasurer of the school board must conform in every condition and respect to the regulations provided by law for the regulation of duties of treasurers of municipalities. He shall pay only such amounts as are authorized by warrants signed by the president and the secretary of the school board and no account shall be

Officers of
school
board.

Duties of
treasurer.

Salary.

allowed unless previously ordered at a regular or duly called meeting of the said school board, and the date of said meeting shall be stated in the warrant. The treasurer shall receive a salary of five per cent of all funds actually disbursed by him, in all municipalities wherein the annual income of the school board thereof does not exceed ten thousand dollars (\$10,000); four per cent of all funds actually disbursed by him in all municipalities wherein the annual income of the school board thereof shall be over ten thousand and less than twenty thousand dollars; three per cent of all funds actually disbursed by him in all municipalities wherein the annual income of the school board thereof shall be over twenty thousand and less than thirty thousand dollars; and two and one-half per cent of all funds actually disbursed by him in all municipalities wherein the annual income of the school board thereof shall exceed thirty thousand dollars: *Provided*, That no percentage shall be allowed the treasurer of the school board on the salary drawn for himself; *And, Provided, further*, That the treasurer shall receive the maximum amount of one per cent of the funds disbursed by the school boards from advances made for the building of school houses or other additional receipts. The president and secretary shall perform such duties as usually appertain to such offices and shall make such report to the Commissioner of Education as he may require from time to time.

Duties of president and secretary.

Regular and special meetings.

(6) SECTION 6.—(1) Immediately upon its organization, the school board shall fix a regular date upon which to meet each month. Special meetings may be called upon twenty-four hours' notice being given and signed by the president of the board or by any two (2) of the members of the board or by the supervising principal of the district. The board shall meet monthly

or oftener as required and all meetings shall be held in the *alcaldía* or other public place and two members shall constitute a quorum. The supervising principal of the district is *ex officio* a member of the school board and entitled to participate in its discussions, to receive notice of its meetings, to examine its minutes, records and accounts in like manner as a duly elected member of the board, but he is not entitled to a vote.

Supervising
principal a
member.

GENERAL POWERS AND DUTIES OF SCHOOL BOARDS.

(7) SECTION 7.—(1) School boards shall have charge of all school buildings in their respective districts; they shall have the power to erect, repair, remodel and improve school property, rent buildings for school purposes, provide suitable furniture and equipment for the same, employ janitors for school buildings, repair and keep in order suitable outbuildings, pay house rent for teachers, and keep in order all school buildings, in their respective districts, and in general they shall perform such duties as the Commissioner of Education may require in accordance with the School Law.

In charge of
buildings.

(8) SECTION 8.—(2) The school board of each municipality may hold in its corporate name the title to lands and other property which may be acquired for school purposes in the district and no property so held by the school directors for school purposes shall be subject to taxation.

May hold
property.

(8a) Wherever a school board now holds lands or other property which has been acquired by deed or otherwise for school purposes, the title to such land or other property is hereby ratified and confirmed, in so far as the said property has been acquired directly by the school board or by the expenditure of the revenues of said board.

(1) As amended March 11, 1907.

(2) As amended March 11, 1907.

Municipality may cede property to school board.

(8b) Any municipal council so desiring to do is hereby authorized to cede to the school board of its municipality for school purposes the title to lands and other property belonging to the municipality subject to the provisions of Section 22 of "An Act to establish a system of local government, and for other purposes," approved March 8, 1906, and the provisions of said section with respect to the cession of municipal property to The People of Porto Rico for public purposes, are hereby extended and made applicable to the cession of lands and other property to the school boards for school purposes.

Not to alienate property.

(8c) No land or improvements on landed property held by the school board for school purposes shall be alienated except by public sale in accordance with an ordinance of the school board duly approved by the Commissioner of Education.

Buildings transferred to school boards.

(8d) The title to all buildings erected by the Department of Education for school purposes and the land upon which such buildings are situated is hereby transferred to the school boards of the district in which such buildings are located; *Provided*, That when such buildings cease to be used for school purposes they shall revert to The People of Porto Rico; *And, Provided, further*, That it is hereby made the duty and obligation of the school boards to maintain said buildings and other property in good repair and that in the event of failure to comply with this obligation, after three months' notice by the Commissioner of Education, it shall be the duty of the Commissioner of Education to make all repairs which are absolutely necessary for the preservation of said buildings and property at the expense of the Insular Government, charging the same to the respective school boards; and it shall be the duty of the Treasurer of Porto Rico to retain from any moneys due the said school boards the cost of such repairs during

Repairing school buildings.

the fiscal year in which such repairs were made unless the school board shall, by appropriate ordinance approved by the Commissioner of Education, request that the repayment of such cost be distributed over two fiscal years; *Provided, further*, That the transfers which The People of Porto Rico may make to the school boards as herein provided shall be inscribed in the registry of property whenever this is to be done, by means of a certificate issued and authorized by the Commissioner of Education and in compliance with the requirements of the Mortgage Law.

CONSTRUCTION OF SCHOOL HOUSES (1).

(9) Any school board desiring to build school buildings may with the approval of the Executive Council and in accord with the provisions of this Act contract loans by the issue of certificates of indebtedness hereinafter described. The school board may by proper ordinance request the authorization of such loan. The said ordinance shall in its preamble recite the necessity for the loan, the amount of money now paid for rent of buildings and the amount of its income from school tax; in the ordinance proper it shall specify the amount of the said loan, the interest which it shall bear, and the amount to be repaid in each fiscal year beginning not later than the second fiscal year after the loan has been contracted. The said ordinance shall further specify that the interest and principal shall be payable by the Treasurer of Porto Rico and shall be a first lien upon the revenues of the school board to be deducted therefrom by the Treasurer of Porto Rico.

School boards may contract loans.

(10) The Executive Council of Porto Rico shall approve no loan in excess of one per cent of the assessed valuations of the municipality in which the school board is situated. It shall not permit a higher rate of

Maximum of loan and interest.

interest than six per cent or a longer duration than fifteen years, and no certificates shall be sold at less than their par value.

Certificates
of indebted-
ness.

(11) When approved by the Executive Council, school boards may issue certificates of indebtedness in amounts of \$50 each, which shall specify the amount of interest to be paid annually and the date for the payment of the principal, such certificates being issued in series to correspond to the terms of repayment fixed by the ordinance. The said certificates shall bear the signatures of the president and secretary of the school board, the date of the ordinance of the school board, a notice that the issue has been approved by the Executive Council of Porto Rico and the date of such approval, but they shall not be negotiable until they have been countersigned by the Treasurer of Porto Rico. The form of such certificates shall be prescribed by the Treasurer of Porto Rico.

Sale of
certificates.

(12) When such issue has been duly authorized, the school board may proceed to make contracts for the sale of such certificates. Such contracts should specify the name of the person to whom the certificates have been sold and the number and series of the same. The Treasurer of Porto Rico shall, upon the receipt of such contracts, issue to the school board duly countersigned certificates in favor of the persons named in the contract in accordance with the terms thereof.

Reports to
Treasurer
of Porto
Rico.

(13) No money arising from the proceeds of such certificates shall be used for any purpose other than that described in the enacting ordinance. The school board shall make a quarterly return to the Treasurer of Porto Rico showing all disbursements for the purpose proposed, until the work has been completed. Upon the completion of the work any balance in cash on hand shall be turned over to the Treasurer of Porto

Rico to be used in paying the principal of the said certificates.

(14) The Commissioner of Education shall approve all plans and specifications for school buildings and may inspect work under construction at any time.

Plans for
buildings.

(15) No work shall be begun under such loans before the entire amount of the said loan shall have been sold, without the express authorization of the Executive Council.

(16) Contracts for work under this Act may provide that not exceeding one-third of the contract price may in the option of the school board be paid to the contractor in certificates of indebtedness.

LOANS TO SCHOOL BOARDS (1).

(17) That authority is hereby given to the Executive Council of Porto Rico to prescribe rates of interest and forms of contract which shall be uniform so far as practicable, and which shall be charged and used in future loans to municipalities, school boards and other dependencies of The People of Porto Rico, and in the refunding of loans existing at the date of the approval of this Act.

Power of
Executive
Council.

(18) That municipalities, school boards, and other dependencies of The People of Porto Rico, now existing or which may hereafter be created, are authorized to enter into new contracts to be substituted for existing contracts evidencing indebtedness of such municipalities, school boards and other dependencies of The People of Porto Rico, in accordance with the forms and at the rates of interest prescribed for such purpose as hereinbefore provided.

Power of
school
board.

(19) That authority is hereby given to the Executive Council of Porto Rico to sell, transfer, assign, pledge and to hypothecate where permitted by law all exist-

Pledging
of credit
for raising
funds.

ing obligations representing funds owing to The People of Porto Rico from the municipalities, school boards, and other dependencies of The People of Porto Rico, or obligations which may be substituted therefor, and also any and all such obligations hereafter created in accordance with the provisions of law, and the proceeds of such sales, assignments, transfers, pledges and hypothecations, shall constitute a special fund which may be loaned as provided by law to the municipalities, school boards and other dependencies of The People of Porto Rico; it being the intention of this act to provide for a fund which always shall be at the disposal of the Executive Council for the purpose of making loans to municipalities, school boards and other dependencies of The People of Porto Rico as the same may now or hereafter be authorized by law; *Provided*, That nothing in this Act shall be deemed to authorize any municipality to incur indebtedness in excess of seven per centum of the aggregate tax valuation of its property in violation of the Act of Congress entitled "An Act temporarily to provide revenues and a civil government for Porto Rico and for other purposes," approved April 12, 1900.

Intention
of this Act.

Power of
school
board.

(19a) (1) That all municipalities, school boards, and other dependencies of The People of Porto Rico, now existing or which may hereafter be created, be, and the same are, hereby authorized and empowered to contract and provide, when deemed advisable, by an ordinance as incident to the obtaining of advances or loans from The People of Porto Rico or to the refunding or reissue of existing evidences of indebtedness to The People of Porto Rico, or to the issuing of any bonds authorized by law, that any public work or improvement included within the purposes, or the cost of which in

whole or in part is to be met from the proceeds of such advance or loan, or of the sale, transfer, assignment, pledge, or hypothecation of any bonds issued for the security of such indebtedness, or of any other bonds issued in accordance with law, be constructed in accordance with plans and specifications approved by the Commissioner of the Interior, that every contract for the construction of these works or public improvements shall be entered into by the mayor in representation of the municipality and with the approval of the municipal council, or by the president of the school board or of any other dependency with the approval of the Commissioner of the Interior and pursuant with the general conditions established for the contracting of insular public works; and may further set forth and provide in any such ordinance all such other and further stipulations or details as the Executive Council may deem advisable or require in any particular case as a condition precedent to the granting of such loan, or advance, or the authorizing of such bond issue, and any such ordinance, immediately upon its acceptance or approval by the Executive Council, shall be and become absolute and binding upon such municipality, school board, or other dependency of The People of Porto Rico, and upon all successors in office of the municipal council, school board, or other dependency enacting the same.

Power of
Executive
Council.

(19b) (1) That all bonds and other evidences of indebtedness, heretofore or hereafter issued according to law, in favor of The People of Porto Rico by municipalities, school boards, or other dependencies of The People of Porto Rico, and all reissues of said bonds by assignment of The People of Porto Rico are hereby

Bonds
exempt from
taxation.

exempt from the payment of all insular and municipal taxation.

Treasurer of
Porto Rico
may accept
bonds at par.

(19c) That the Treasurer of Porto Rico is hereby authorized, in his discretion, to accept any of the bonds or other evidences of indebtedness described in the foregoing section at par as security for any of the deposits made by him of money belonging to The People of Porto Rico, in any banking institution in Porto Rico or elsewhere.

Treasurer of
Porto Rico
may sell
bonds.

(19d) The Treasurer of Porto Rico, subject to the approval of the Executive Council, may dispose by sale, for the benefit of The People of Porto Rico, of any of said bonds or other evidences of indebtedness which may have come finally into his possession by forfeiture as security for deposits, or he may, as between himself as Treasurer of Porto Rico and The People of Porto Rico, treat such bonds or other evidences of indebtedness as cash, in which event he shall be entitled to a credit amounting to the par value thereof, provided such par value is necessary to fully recoup said deposits.

Good faith
of People
of Porto Rico
pledged.

(19e) That in order to facilitate the sale or hypothecation of such bonds or other evidences of indebtedness above mentioned, the good faith of The People of Porto Rico is hereby irrevocably pledged for the payment of the interest thereon as it falls due, and for the repayment of the principal thereof at maturity.

SCHOOL BUILDING FUND (1). (2). (3).

Appropriation.

(20) That the sum of eighty thousand (80,000) dollars is hereby set aside from any money in the Treasury not otherwise appropriated as a special trust fund to

(1) Act of March 11, 1907.

(2) Fund increased by forty thousand (40,000) dollars, March 9, 1908.

(3) Fund increased by forty thousand (40,000) dollars, March 9, 1911.

be called the "School building fund" to be expended in accordance with the terms of this Act without limitation of fiscal year for the construction of school buildings.

(21) The school-building fund shall be subject to increase and replenishment by subsequent appropriations from the Insular Treasury, by repayments from the local school boards and by the payment of interest upon advances as hereinafter provided.

(22) All buildings erected under the provisions of this Act shall be from plans approved by the Commissioner of Education and the Commissioner of the Interior. All contracts for the construction of buildings shall be made for the Department of Education by the Commissioner of the Interior and under his responsibility, and all payments on account of such contracts shall be approved by the Commissioner of the Interior. The entire cost of erecting all school buildings under the provisions of this Act shall be paid in the first instance by the Insular Treasury from the school-building fund; *Provided, however,* That one-half of the cost of constructing such building shall be reimbursed to the school-building fund in the manner hereinafter set forth.

Plans and contracts.

(23) Any school board desiring to avail itself of the benefits of this Act shall make application therefor to the Executive Council by proper ordinance, which ordinance shall specify the number of school houses and the number of rooms in each which it is proposed to construct, the material to be used in such construction and the maximum cost thereof. Such ordinance shall pledge the school board to acquire a suitable site approved by the Commissioner of Education, with title of dominion. The said ordinance shall pledge the school board to the repayment of one-half the cost of constructing the buildings, and shall authorize the Treasurer of Porto Rico to deduct the sum so pledged

Ordinance of school board.

Board to repay one-half cost.

Interest. in equal annual installments from any moneys collected by the Insular Government and due the school board, such deduction to begin in the fiscal year following the passage of the ordinance. The number of years during which such repayment is to be made shall not exceed ten. The ordinance shall also provide for the payment of interest at the rate of three per centum per annum on all sums advanced upon the construction of the building and which by the terms of the ordinance are to be repaid to the Insular Treasury, and for the retention of such interest by the Treasury of Porto Rico. Said interest shall be computed on the entire sum to be repaid to the Insular Treasury from the date of the draft representing the first payment on account of the work undertaken and all interest paid by the school board shall accrue to the school building fund; *Provided*, That on making such reimbursements by the school boards, the Treasurer of Porto Rico shall compute only the interest on the sums pending payment. Upon receipt of the ordinance, the Executive Council shall examine whether the same is in accordance with the terms of the law, and if found defective or unsatisfactory in form shall return the same to the school board for revision and correction.

Order of allotment.

Failure of board to provide site.

(24) The Executive Council shall consider the applications as they are received, and shall allot the funds available for the purpose among the applicants as far as possible to do so. In case any school board whose application has been approved shall fail to provide, within five months, a suitable site for the erection of the building, the Commissioner of Education shall report the fact to the Executive Council and the allotment to said school board shall be declared null and void, provided that the cancellation of any allotment for failure to provide a site shall not operate as a bar to any subsequent application of the same school board

by appropriate ordinance duly enacted. All applications which may not be acted upon for lack of funds shall be considered in force until the close of each fiscal year when all such applications shall lapse. In such cases renewal of the application may be made by a new ordinance.

RURAL SCHOOL BUILDING FUND (1).

(25) That the sum of forty thousand (40,000) dollars be appropriated from any money in the Treasury not otherwise appropriated, to be expended under the direction of the Commissioner as hereinafter provided. Appropriation.

(26) The Commissioner of Education is hereby authorized to purchase or construct in the rural regions of the island, inexpensive school houses; *Provided*, That the cost to the Department of Education of any one building shall not exceed two hundred and fifty (250) dollars, and further provided that any school board may increase the maximum amount mentioned, by such further sum as may be within their power. Cost of building.

(27) The Commissioner of Education is authorized to purchase or erect the buildings authorized in this Act upon land ceded or donated, provided such land shall be free of all incumbrances and shall appear to be recorded in the registry of property, in the name of the grantor. The conveyance shall be in writing in a public instrument which shall be recorded at the registry of property, such instrument to be exempted from the payment of all internal revenue stamps and the recording thereof in the registry to be made free of charge. In the execution of such instrument the Commissioner of Education shall appear in behalf of the People of Porto Rico, or he may delegate for that purpose the president of the school board of the respective municipality. Requisites of registration.

Meetings or elections to authorize taxation.

(28) SECTION 9.—Whenever the purpose of a meeting of the school board or of a municipal election is to authorize taxation or indebtedness for school purposes, such meeting or election shall not be legal for such purposes unless its object be advertised, together with the time and place of such meeting or election for at least thirty (30) days previous.

Schools open to both sexes.

(29) SECTION 10.—Whenever the school board provides but one school building in any urban center of a municipality even though said building contain more than one class, each and every class thus maintained shall be open to both sexes, and likewise all rural schools. When, however, in any urban center there is more than one school building provided and said buildings are no more than one kilometer distant from each other, one building may be devoted to classes for boys and the other to classes for girls, if the school board so desire. All schoolhouses and class rooms shall be entirely separate and upon different premises from the residence of the teacher or any other family, or from any place of business.

Separate from residence.

Eminent domain.

(30) SECTION 11.—Whenever it shall become necessary for a school board to acquire a site for a school building or for an addition to a school-house site and the same cannot be acquired by agreement of sale with the owners thereof, the board is hereby given the right of eminent domain to proceed to condemn said property for school uses. The method employed in said condemnation proceedings shall be in accordance with the law of eminent domain then in force.

Suits.

(31) SECTION 12.—A school board in a municipality in its corporate capacity and organized in accordance with this Act may sue and be sued in the name of the board.

(32) SECTION 13.—The school board shall see that all public schools supported by public taxation either local

or Insular, are known as public schools and that admission to them shall be free of all charge. It is furthermore the duty of the school board to see that no teacher accepts fees for instruction given in the public schools during school hours.

Schools to be free.

(33) SECTION 14.—Whenever proper school quarters are not provided by the school board within ten (10) days from the receipt of notice from the Commissioner of Education that such quarters shall be provided, the Commissioner through the supervising principal of the district, may contract for the use of a suitable building or rooms for the public school in question, and such contract shall be recognized as valid against the school board in whose jurisdiction the school is located, and suit for the amount of said rent may be brought against the school board by the owner of the property thus rented in any court of competent jurisdiction and if judgment be in favor of the claimant, such judgment shall be recognized as a legal claim against said school board.

Neglect of board to provide rooms.

(34) SECTION 15.—If the school board fail to provide teachers for the schools or if vacancies occur during the school year and the school board fail to fill the same within fifteen days after notice from the Commissioner of Education that such appointments should be made the Commissioner shall appoint the teachers and such appointments shall be valid for the remainder of the school year.

Neglect of board to provide teachers.

(35) SECTION 16.—The school directors shall have the right to visit their schools as frequently as possible, and to report to the supervising principal on the work of any teacher. They shall supply the necessary school equipment in accordance with the recommendations of the supervising principal, co-operating with the latter to remedy all defects noted. If the school board does not remedy the defects in school equipment, the supervising principal may bring the matter officially to the

Directors to visit schools and supply equipment.

attention of the Commissioner of Education and the board shall co-operate with the Department of Education in promptly removing any unsatisfactory conditions in the schools.

Equipment necessary.

(36) SECTION 17.—The school boards shall supply desks, school furniture, book-cases, chairs and desks for teachers, clocks, proper receptacles for drinking water, supplies for janitors, and all other necessary equipment for the school room, except textbooks and such stationery supplies as the Department of Education may furnish, for the schools of their respective districts and they shall provide suitable storerooms in such towns as the district supervising principal may indicate for the safe custody of school books and supplies, and shall pay the cost of transportation of said books and supplies to and from said store-rooms to their schools whenever it may be necessary or whenever directed to do so by the Commissioner.

Board to provide store rooms and pay transportation.

Location of duly elected teachers.

(37) SECTION 18.—The location or assignment to a particular school of a teacher within the jurisdiction of a school board shall be determined by said board and the supervising principal of the district. In cases where the school board and the supervising principal fail to agree the matter shall be referred to the Commissioner of Education, whose decision, after due and proper investigation of the facts in the case, shall be final. This rule applies only to the location or assignment of teachers who shall have been duly nominated by the school board, approved by the Commissioner of Education, and elected by the school board.

SCHOOL FUNDS AND THEIR ADMINISTRATION.

(38) SECTION 19.—[Repealed] March 10, 1904.

Accounts to be audited.

(39) SECTION 20.—The accounts of the school board and of the treasurer of the school board shall be audited

and in every way treated as the accounts of all other municipal officers.

(40) SECTION 21.—(1) School boards shall pay all their obligations promptly and under no circumstances shall incur debts or obligations in excess of their receipts or not provided for in their budget. They shall, before the first day of August of each year, make a statistical report of their transactions, financial and otherwise, and submit the same to the Commissioner of Education. Said report shall contain an exact statement of the receipts and expenses of the school board. The accounts of the school board and of the treasurer of the school board shall be audited and otherwise treated as all accounts of the municipal offices. These accounts shall be kept in the account books prepared and furnished by the Commissioner of Education, and no money shall be expended until after the appropriate record of the transaction has been made in these books. These account books shall be sent to the Commissioner of Education for his examination and approval on or before the twentieth day of July, October, January and April of each year, and shall be returned by the Commissioner of Education, through the supervising principal of the district, within ten days after their receipt.

Not to incur debts.

To report to Commissioner.

Account books to be prepared by Commissioner.

(41) SECTION 22.—The treasurer of each school board shall keep such books open at all times to the inspection of any member of the board, of the auditing officers of the Insular Treasury or the Commissioner of Education or his delegates or of any resident of the municipality, in which he shall enter all receipts on accounts, the sources from which they were received and the objects to which they were made applicable. All disbursements so recorded shall show for what purpose the money was paid, and he shall keep [all

Books to be open to inspection.

Accounts.

books, receipts and vouchers] on file until authorized by the Commissioner of Education or the Auditor of Porto Rico to destroy them. He shall likewise keep on file receipts and vouchers for all moneys paid out showing to whom the money was paid and all orders upon which money has been paid out. The treasurer shall present and file with the secretary of the school board three (3) days before his successor may qualify, a report in writing signed by him and containing a statement of all moneys received by him within the year preceding and of all his disbursements, exhibiting vouchers therefor; also the amount received by him of taxes assessed upon the taxable property of the district within the year, purpose for which they were assessed, the amounts assessed for each purpose, which report shall be recorded by the secretary, and if it appears that there is any balance in the hands of the treasurer, he shall pay such balance into the hands of his successor as soon as he executes the bond required as a condition of holding the office of treasurer, and his sureties justify on such bond. The president and secretary shall examine said report, and if correct they shall endorse the same and file a duplicate copy with the Department of Education. The treasurer of the school board of each district shall refuse absolutely to pay any warrant where the date of the meeting at which the disbursement was ordered is not specifically stated. In such cases it shall be the duty of such treasurer to notify the Commissioner of Education.

Treasurer's
report.

Warrants
must be
dated.

Bond of
treasurer

(42) SECTION 23.—(1) The treasurer of each school board shall give a bond in favor of The People of Porto Rico, equal to ten (10) per cent of the total receipts of the school board for the preceding fiscal year; *Provided*, That in no instance shall such bond be for a sum less than five hundred (500) dollars; *And, Provided, further*,

That when the school board of any municipality shall incur indebtedness, through the Insular Treasury of Porto Rico, a supplementary bond shall be given by the treasurer of that school board to an amount equivalent to twenty (20) per cent of the loan. These bonds shall be approved by the president and secretary, and shall be subject to annual inspection in reference to their amounts. Such bond shall be filed with the secretary of the board, and a duplicate copy with the signed approval of the president and secretary shall be filed with the Department of Education. In case of breach of any condition of said bond the president shall cause an action to be commenced thereon, and shall prosecute in the name of the board, and the money when collected shall be applied to the use of the board for school purposes. If the treasurer fails to give bond, as provided herein, or for any cause is unable to attend to his duty, the board shall proceed to appoint another treasurer, who shall give bond as required herein.

(43) SECTION 24.—The Treasurer of Porto Rico may at any time prescribe for the treasurers of the school boards a method of keeping their accounts and auditing the same which shall then become, upon thirty (30) days' notice having been given of such rules and regulations as the Treasurer may prescribe, obligatory [upon] such treasurers: *Provided*, That all the rules and regulations prescribed by the Treasurer of Porto Rico shall relate solely to the method of keeping the accounts of the school board and shall be transmitted to the school board through the Commissioner of Education and with his approval.

Treasurer of
Porto Rico
may
prescribe
methods.

DUTIES OF SECRETARIES OF SCHOOL BOARDS.

(44) SECTION 25.—The secretary shall record the proceedings of the school board in a book provided for that purpose; he shall enter therein copies of his report

To record
proceedings

made to the supervising principal or to the Department of Education, and keep and preserve carefully all records, books and papers belonging to his office, and deliver the same to his successor in office; he shall act as secretary of the district in all its meetings, or, if absent, record the minutes of the secretary *pro tempore*; his minutes shall show all disbursements authorized by the school board and he shall keep an account of all expenses of the schools and school houses and record the cost of outbuildings, fences and all the conveniences of the school room, such as charts, maps, blackboards and school libraries provided by the board. He shall issue vouchers for all amounts owed by the board as shown by the disbursements authorized in the minutes, when they become due, which vouchers when countersigned by the president shall become orders upon the treasurer of the board for their face value. Each voucher shall be dated and numbered, and shall state the service or consideration for which it was drawn and the names of the parties rendering such service or consideration and shall be recorded by the secretary in a book kept by him for that purpose.

Minutes to show disbursements authorized

Vouchers.

RESIGNATIONS, REMOVAL OF SCHOOL DIRECTORS AND VACANCIES IN SCHOOL BOARDS.

Resignations to be sent to Commissionere.

(45) SECTION 26.—Section 207 of the Political Code is hereby amended in so far as it applies to school directors who desire to resign from office, and said school directors are hereby required to send their resignation in writing to the Commissioner of Education, who must act upon the same within ten days after its receipt.

Suspension of directors accused of crime.

(46) SECTION 27.—When a school director is accused of any felony or crime under the laws of Porto Rico he shall be suspended from the position he holds by the Commissioner of Education, and if he is convicted of

any crime or felony he shall be permanently dismissed from his position and the Commissioner shall appoint a substitute.

(47) SECTION 28.—The Commissioner of Education shall also suspend or dismiss from his position a school director for offences committed in the performance of his duty as such director after having preferred charges of the offences in writing, copies of which charges shall be sent to the person against whom said charges are brought, to the members of the school board of the district, to the mayor of the municipality and to the supervising principal of schools of the district: *Provided*, That a reasonable length of time shall be given in which the interested person may present to the Commissioner of Education a written answer to the charges; *And Provided, further*, That at the expiration of said time the action of the Commissioner shall be stated in writing, and same shall be sent to the same parties who were entitled to receive copies of the charges preferred. A certified copy of the action taken by the Commissioner of Education, together with a copy of the charges preferred and any answer which may have been filed shall be placed together on file in the records of the Department of Education.

Suspension
for other
causes.

(48) SECTION 29.—Vacancies in the school board whether caused by death, resignation, removal from the district, failure to attend stated or called meetings for two consecutive months or removal by the Commissioner of Education, shall be filled by appointment for the unexpired term, to be made by the Commissioner of Education within one month of the date when said vacancy occurred: *Provided*, That no one shall be thus appointed who is not a qualified voter of the school district and who is not certified as a member of the same political party as the immediate previous incumbent of the position which it is desired to fill. A

Vacancies
to be filled
by Commis-
sioner.

Political
status of
appointees.

written statement of the president of the party or any two members of the executive committee of the party shall be considered sufficient evidence that the appointee is a member of the party as stated; *Provided, further,* In cases where no member of the party of the previous incumbent who possesses the qualifications required by law for the office of school director, can be found who is willing to serve in said position, then the said Commissioner of Education may appoint any one qualified to fill the position without reference to his political status.

School board to report to Commissioner number of schools desired.

(49) SECTION 30.—(1) School boards shall annually, as soon as notified by the Commissioner of Education of the date of the beginning of the school year, report to him the number of schools they desire to open in their respective municipalities for the next ensuing school year. Said school boards shall specify the number of rural, graded, principal, and English teachers required, and also the number of special teachers, or teachers of special schools, such as agricultural, kindergarten, and night schools, which they desire to open. And the Commissioner of Education shall at once proceed to consider such report, informing the respective school boards not later than three months prior to the beginning of said school year of the exact number of schools and teachers of different grades that may have been assigned to their respective municipalities; *Provided,* That the school course shall necessarily commence in the month of September or October, and shall last not less than nine and not more than ten months; *Provided, further,* That nothing herein shall prevent any school board from requesting at any time an additional allotment of teachers, salaries to be paid either from the fund designated in the annual appropriation as “Salaries,

Length of school course.

Additional allotment of teachers.

Salaries.

Common Schools," or in the case of rural teachers from any surplus funds at the disposal of the school board; *Provided, however,* That no school board shall pay the salaries of any teachers included in the additional allotment herein provided for from any surplus funds at the disposal of the school board until said school board has adequately housed its graded school system in buildings which are the property of said school board; *Provided, however,* That this proviso shall not apply to rural teachers.

(50) SECTION 31.—The school year shall in no case exceed ten months and shall be as much less as the Commissioner of Education shall direct; *Provided,* That the school year shall in no case be less than eight months; *And Provided, further,* That the school board in the school district may extend the school year beyond the limit fixed by the Commissioner of Education, but not to exceed the maximum limit herein provided for. In all cases where such extension of the school year is made, it shall be wholly at the expense of the district authorizing it.

Length of school year.

May be extended by school board.

(51) SECTION 32.—The length of the school day, its division into sections, the length of vacations, school holidays and their observance shall be fixed and determined by the Commissioner of Education, subject only to the provisions of law regarding general holidays, but in all these matters, the school boards are authorized to make recommendations to the said Commissioner and so far as possible the regulations for these topics shall be uniform throughout every school district.

Commissioner to determine school days, vacations, etc.

(52) SECTION 33.—The school month shall consist of twenty days of actual teaching—legal holidays excepted—but no school shall be open on a Saturday or a Sunday. Legal holidays within the meaning of this section are those described in Section 387 of the Political Code, as follows: Every Sunday, New Year's

School month.

Legal holidays.

Celebration
of holidays.

Day, Washington's Birthday, March Twenty-second, Good Friday, May Thirtieth, known as Memorial Day, the Fourth day of July, the Twenty-fifth day of July, the First Monday in September, to be known as Labor Day, Thanksgiving Day, Christmas Day, every day on which a general election is held throughout the island and every day appointed by the President of the United States, or by the Governor of Porto Rico, or by the Legislative Assembly for a public fast or thanksgiving or holiday. When any such day falls upon a Sunday, the Monday following is to be a holiday. Unless otherwise directed by the Commissioner of Education, the school board and the supervising principal of the district may make provision for the proper celebration of these holidays, when the same fall on school days, by special exercises in the schools of the afternoon session or during the last hour of the school session of the school day next preceding said legal holiday; *Provided*, That no special school celebration of Christmas and New Year's Day shall be deemed necessary in districts where the school board makes arrangements for the celebration of a school festival on a day falling between the twentieth day of December and the sixth day of January inclusive, to be known as a school festival of Christmas and Three Kings' Day.

SCHOOL DISTRICTS.

(53) SECTION 34.—The school district shall be coterminous with the municipality and the school boards shall have jurisdiction over all schools within their respective districts.

QUALIFICATIONS OF TEACHERS.

Classifica-
tion
of teachers.

(54) SECTION 35.—Teachers of schools in Porto Rico shall be designated as rural, graded, teachers of English, principal teachers and special teachers, the latter class comprising kindergarten teachers, music and drawing

teachers, teachers of sloyd, teachers of trades and special subjects in industrial schools, teachers in the normal and high schools and special schools, teachers of stenography and typewriting and all other teachers not otherwise classified who may at any time be employed in school work under the direction of the Commissioner of Education. They shall all be persons of good moral character and possessed of the necessary requirements for their several positions as may be prescribed by law and certified to by a certificate or license to teach issued by the Department of Education over its own seal and the signature of the Commissioner.

(55) SECTION 36.—(1) Candidates for license to teach in the rural schools of Porto Rico after July 1, 1904, shall pass an examination in (1) English language, (2) Spanish language, (3) Arithmetic, (4) Geography, (5) History of the United States and History of Porto Rico, (6) Methods of Teaching, (7) Nature Study, (8) Elementary Physiology and Hygiene.

Examination
for rural
teachers.

(56) SECTION 37.—(1) Candidates who apply for licenses to teach in the graded schools of Porto Rico after July 1, 1904, shall pass an examination in (1) English language, (2) Spanish language, (3) Arithmetic, (4) Geography, (5) History of the United States and History of Porto Rico, (6) Pedagogy, (7) Nature Study, (8) Elementary Physiology and Hygiene, (9) Civil Government of the United States and of Porto Rico.

Examination
for graded
teachers.

(57) SECTION 38.—(1) Candidates to teach as principal teachers after July 1, 1904, shall pass an examination in all of the subjects for license to teach in the graded schools, and in addition thereto in (10) Elementary Physics, (11) Spanish Literature, (12) English Literature, (13) Algebra, (14) Geometry, and such additional studies as the Commissioner of Education may require:

Examination
for principal
teachers.

Provided, however, That no additional studies shall be required without giving at least six months' notice of such additional studies. *And Provided, further,* That the maximum requirement for examination in each of the studies prescribed for rural, graded, and principal teachers shall correspond to the courses given in said subjects in the normal department of the University of Porto Rico.

Maximum requirements.

Teachers to be of sound health.

Recognition of diplomas and certificates.

Age and experience qualification.

(57a) Licenses to teach as rural, graded, principal, or special teachers shall be granted only to persons of sound physical health and may be granted without examination to persons possessing the legal age and experience requirements on the basis of certificates of graduation from the normal department of the University of Porto Rico or from any other accredited normal school, college or university in the United States, or upon a first-class teacher's license from any state or county in the United States; *Provided,* That in all such cases the candidate possesses an elementary knowledge of the Spanish language, which shall be tested by examination.

(58) SECTION 39.—No person shall be granted a license to teach in a rural school who has not attained the age of seventeen (17) years. No person shall be granted a license to teach in the graded schools who has not attained the age of nineteen (19) years, and who has not had at least one year's experience as a teacher. No person shall be granted a license to teach as a principal teacher who has not attained the age of twenty-one (21) years and who has not had at least two years' experience as a teacher; *Provided, however,* That any person who has finished satisfactorily a two years' course in the Insular Normal School of Porto Rico (exclusive of the preparatory year) may be granted a license to teach if he possesses the other qualifications without having any other experience as a teacher; *And Provided, also,* That any person who has completed the

full three years' course in the Insular Normal School of Porto Rico and has received a diploma from said normal school, shall be entitled to receive a license to teach as a principal teacher without further examination or further requirements upon reaching the age of twenty-one (21) years and having had one year's experience as a teacher in the schools of Porto Rico.

(59) SECTION 40.—Teachers of English shall be graduates of a first-class high school, normal school, college or university, or teachers of extended experience holding high grade certificates from some State of the United States, or they shall pass an examination in the English language, including writing, spelling, reading, and grammar, arithmetic, geography, history of the United States, physiology, and methods of teaching. In every village and city maintaining a graded system of schools there shall be at least one teacher of English, and as many more as the Commissioner of Education may appoint. All teachers of English shall be selected and appointed by the Commissioner of Education, and shall perform the duties he may assign to them. But in all other respects they shall be subject to the same conditions and regulations governing graded teachers.

Qualifica-
tions of
teachers of
English.

Appoint-
ment.

(60) SECTION 41.—(1) No license to teach in the rural or graded schools of Porto Rico shall be issued to any person over sixty-five [65] years of age.

Maximum
age limit.

(61) (2) All certificates shall be issued in the first instance for one year. They may be renewed at the close of each year by the Commissioner of Education. (3) Before the end of each school year, and upon satisfactory evidence of competence, the certificates held by teachers shall be renewed for longer periods of respectively two, three and five years; *Provided*, That no renewal can be made for a longer period unless the

Renewal of
licenses.

(1) As amended March 10, 1901.

(2) Act of March 9, 1905, as amended March 10, 1910.

(3) See "Rules and Regulations."

teacher has already had renewals for each of the preceding shorter periods.

Diploma or
certificate
from normal
school
equivalent
to license.

(62) (1) Whenever the Board of Trustees of the University of Porto Rico shall have established an elementary course of study of two years in the normal department of said university, comprising instruction in at least all subjects required by law for both rural and graded teachers' licenses; and whenever said board shall have made arrangements for granting an elementary certificate to students completing all the subjects prescribed for said elementary course, the Commissioner of Education is authorized to countersign such elementary certificate, and it shall then entitle the holder thereof to teach in all public schools of Porto Rico below the grade of principal of a graded school, for a period of two years, unless sooner revoked for cause; *Provided*, That the holder of such certificate shall meet the requirements of law as regards the minimum age and experience qualifications for teachers; and whenever the Board of Trustees of the University of Porto Rico shall have established four years' study in the normal department of said university, comprising instruction in at least all the subjects required by law for a principal's license; and whenever said board shall have made arrangements for granting diplomas to students who successfully complete such four years' courses, in accordance with such conditions as said board may prescribe for granting such diplomas, the holders thereof shall be entitled to receive from the Commissioner of Education certificates of grade to which they may be entitled by reason of their minimum age and experience qualifications; *Provided*, That such certificates shall be valid only for three years from the date when they were first issued; *And Provided*, That the grade of such certificates may be advanced in

accordance with the age and experience qualifications of the holder: and the Commissioner of Education is hereby authorized to countersign diplomas granted upon completion of a four-year course of the normal department of the University of Porto Rico (or to issue certificates to the holders of diplomas granted upon the completion of a four-year course of the normal department of the University of Porto Rico) and such diploma when so countersigned (or such certificate when so issued) shall qualify the holder thereof to teach in any public school of Porto Rico without further examination until the same is annulled for cause; *Provided*, That no diploma shall be countersigned (or no such certificate shall be issued) unless the holder thereof (or of such diploma) shall present evidence satisfactory to the Commissioner of Education of good moral character and two years' successful experience in teaching a public school, after the date that said diploma was conferred by the Board of Trustees of the University of Porto Rico.

Permanent
license to
normal
graduates.

PREPARATORY TEACHERS (1).

(63) The Commissioner of Education may issue to not more than one hundred unmarried young men and women who are desirous of becoming regular teachers in the public schools of Porto Rico, special licenses, valid for the school year, as preparatory teachers, which licenses shall entitle the holders to teach in the rural schools hereinafter described.

Authoriza-
tion.

(64) Candidates for a special preparatory license shall be not less than sixteen nor more than twenty-two years of age and shall pass an elementary examination in the English language, the Spanish language, arithmetic, geography, history of the United States and of Porto Rico. No license shall be issued to any person who fails to pass a satisfactory examination in any of

Examination
for
preparatory
license.

these subjects and if more than one hundred candidates pass in all subjects licenses may be issued only to the one hundred whose average standing is highest, or who are otherwise best qualified for work as teachers.

Location of preparatory teachers.

(65) Special preparatory teachers may be appointed by the Commissioner of Education to teach in rural schools so located that they may be under the immediate supervision of a supervising principal or a principal of schools; *Provided*, That the number of rural schools now established shall not be reduced, and that no school opened as a rural school in the year 1905-6 shall be assigned to a preparatory teacher; *And Provided, further*, That the enrollment in schools assigned to preparatory teachers shall not exceed thirty pupils.

Course of study.

(66) The Commissioner of Education shall prescribe a course of study for preparatory teachers, including all the subjects required for a rural license, and shall appoint as instructor of preparatory teachers in each school district or municipality some qualified person, either a supervising principal of schools, or a principal or graded teacher, who shall meet all the preparatory teachers assigned to his care at least once every week for the purpose of instructing them in the course of study prescribed by the Department. Any principal or graded teacher who may be appointed as instructor under the provisions of this section may receive for his services a payment of ten dollars per school month in addition to his salary as a teacher.

License not renewable.

(67) No person shall be employed as a preparatory teacher for more than three years beginning from the date of the passage of this Act, and no preparatory licenses shall be renewed or extended beyond the school year for which they are issued, and all applicants for a second or third examination for such a license must present evidence of having performed in a satisfactory

manner the work outlined in the department course of study.

(68) Service as a preparatory teacher shall not be considered as a qualification for examination for a license as graded or principal teacher.

(69) Preparatory teachers shall be paid a salary of Salary. not more than sixteen dollars per school month from the appropriation, "Salaries, common schools," but shall receive no house rent from school boards.

PERMANENT DIPLOMAS (1).

(70) The Commissioner of Education shall hold in the month of July, 1906, and annually thereafter, examinations for permanent diplomas for principals, graded and rural teachers. Examination for permanent diploma. These examinations shall include for each grade the subjects prescribed for certificates in the respective grades and such other subjects included in the course of study of the Insular Normal School as the Commissioner of Education may direct.

(71) No person shall be admitted to the examination for a permanent diploma as principal unless he holds a principal's certificate and has had in all five years of experience as a teacher in the schools of Porto Rico. Qualifications of candidates. No person shall be admitted to the examination for a permanent graded diploma unless he possesses a certificate as principal or graded teacher and has had in all five years' experience in the schools of Porto Rico. No person shall be admitted to the examination for a permanent rural diploma unless he possesses a certificate as principal, graded or rural teacher and has had in all five years' experience in the schools of Porto Rico.

(72) Any person who has heretofore possessed a permanent diploma of Spanish or American origin, giving him the right to teach in the schools of Porto Rico,

shall be permitted upon application to take the examination above referred to in the month of September, 1905.

Value of permanent diplomas.

(73) The diplomas granted to those who have successfully passed the examinations above referred to shall entitle the holders to a certificate for life, and such diplomas and certificates may be canceled only in case of negligence in the performance of duty or demonstrated incompetency on the part of a teacher.

EXAMINATIONS IN ENGLISH (1).

Annual examinations.

(74) Examinations in English for teachers shall be held annually, the date to be designated by the Commissioner of Education.

(75) Said examinations shall be progressive for a term of years, and for every year there shall be assigned a certain amount of knowledge in accordance with the method to be followed for the study of the language.

English course of study.

(76) The department shall prepare a course of study for each and every such course, wherein shall appear in full all the subjects that are to be included in such examinations for all teachers. Teachers of English assigned to give instruction to other teachers shall conform strictly to the course of study prepared by the department.

Failure to pass examination.

(77) Any teachers who have not successfully passed any examination of English held in any one year shall be allowed a term of three months to try examination again at which such teachers shall necessarily be successful, otherwise the Department of Education may suspend them from duty until the examination has been passed. If the suspension should exceed two years the teachers' license or diploma may be canceled.

SUSPENSION AND REMOVAL OF TEACHERS.

(78) SECTION 42.—Teachers shall be suspended from their positions by the Commissioner of Education or by

(1) According to Act of March 9, 1905.

the school board for cruelty, immorality, incompetency, insubordination or negligence in the performance of their duties, and said Commissioner may reinstate them or dismiss them and cancel their licenses after an investigation which shall be held and in which the school board may file a statement, and said teachers shall be heard in their own defence either verbally or in writing; *Provided*, That no suspension by a school board shall be valid for more than five days; and the teacher thus suspended shall not be again suspended for the same cause by said board during the school year in which the first suspension took place.

Commissioner or school board may suspend teachers.

(79) (1) No complaint against a teacher unless it is made by a local board or by an officer of the Department of Education, shall be entertained by the department unless the said complaint shall be duly sworn to by the party filing the same. In all cases of complaint against teachers, which if proven would lead to the cancellation of certificates or diplomas, the Commissioner of Education shall request a statement of the facts from the local school board, the principal of the school and from the supervising principal, and may obtain sworn statements from other persons who may be capable of giving testimony. All evidence relating to such investigation should be in writing and when charges are preferred, the teacher shall be allowed a period of not less than eight days wherein to make a written reply to such charges.

Complaints against teachers.

(80) (1) When a teacher is charged with an offense before the civil or criminal courts, final action shall not be taken by the Commissioner of Education until the decision of the courts has been rendered; *Provided, however*, That the Commissioner of Education may in his discretion, when the circumstances of the case

Judicial charges.

warrant, suspend the teacher from the exercise of his functions pending the decision of the court.

SALARIES OF TEACHERS.

Salaries. (81) SECTION 43.—(1) The salaries of all teachers shall be those fixed by law. Said salaries shall be exempt from execution and attachment. Absences. Up to a maximum of fifteen days during any school year, teachers' salaries shall continue during their absence from school work, provided that after investigation it is proven that the absence was necessary and justifiable.

Salary classes—rural teachers. (82) SECTION 44.—(2) For the purpose of compensation and payment, teachers shall be assigned by the Commissioner of Education to one of three salaried classes. All rural teachers shall be divided into three classes beginning on and after July 1, 1903. Those of the first class shall receive forty dollars [\$40] per school month for each month of actual service. Those in the second class shall receive thirty-five dollars [\$35] per school month of actual service. Those of the third class shall receive thirty dollars [\$30] per school month for each month of actual service.

Salary classes—graded teachers. (83) SECTION 45.—Graded teachers shall be divided into three classes on and after July 1, 1903, as follows: Those of the first class shall receive fifty-five [55] dollars per school month for each month of actual service. Those of the second class shall receive fifty [50] dollars per school month for each month of actual service. Those of the third class shall receive forty-five [45] dollars per school month for each month of actual service.

Salary classes—principal teachers. (84) SECTION 46.—Principal teachers shall be divided into three classes on and after July 1, 1903. Those of the first class shall receive eighty [80] dollars per school month for each month of actual service. Those

(1) As amended March 10, 1910.

(2) As amended March 8, 1906.

of the second class shall receive seventy-five [75] dollars per school month for each month of actual service. Those of the third class shall receive seventy [70] dollars per school month for each month of actual service.

(85) SECTION 47.—(1) Teachers, whether rural, graded or principal, who shall receive their licenses to teach under the Department of Education after the passage of this Act, shall be placed in the third class and may not be advanced to the second class until they have taught three years in the public schools of Porto Rico. No teachers shall be advanced to the first class from the second, unless they have taught in all five years in the public schools of Porto Rico and unless they shall be the possessors of life diplomas. No period of teaching in the public schools of Porto Rico prior to July 1, 1903, shall be counted in calculating the length of service; *Provided, however,* That all persons who held a diploma or special certificate from the Insular Normal School indicating that they have passed successfully at least one year of the regular course of study in the normal school (not including the preparatory year), by reason of the superior advantages which they have enjoyed, shall be admitted when given a license to teach by the Department of Education, to the second salary class immediately upon beginning their work in the public schools; *And Provided,* That all rural, graded and principal teachers in actual service during the school year 1902-03, who may be given a license to teach for the school year 1903-04, shall be assigned to the second class of their respective grades.

Advance
from class
to class.

(86) SECTION 48.—(2) Teachers of English shall receive not less than forty [40] nor more than sixty [60] dollars per school month for each month of actual service.

Salary of
teachers of
English.

(1) As amended March 9, 1905.

(2) As amended March 10, 1901.

Salary of
special
teachers.

(87) SECTION 49.—Salaries of special teachers shall be fixed by the Commissioner of Education by and with the consent of the Executive Council in the absence of specific provision of law fixing the salaries of said special teachers. Salaries of rural, graded and principal teachers, and of any other teacher duly appointed by law shall be paid from the fund designated in the annual appropriation Act as "Salaries, common schools" unless provision is made by the Legislature for the payment of said salaries under some other item of the Annual Appropriation Act or other Act of the Legislature.

Appropriation.

Teachers in
classified
civil service.

(88) (1) The classified service shall comprise all positions not included in the unclassified service; *Providing, however,* That the appointment and removal of the * * * * teachers in the public schools, shall continue to be governed by the special laws in force concerning them, and provided that the teachers in the public schools shall be considered as members of the classified civil service for the purposes of promotion within the Department of Education.

DUTIES OF TEACHERS.

Teachers
to follow
course of
study.

(89) SECTION 50.—Teachers shall instruct the pupils in the public schools in all subjects prescribed in the course of study according to their various grades and the provisions of this Act. Teachers shall not teach any subjects not authorized in the said course of study during the legal school hours.

Teachers to
report
absence.

(90) SECTION 51.—(2) When a teacher on account of illness, or for any other reason of equal moment, is prevented from attending to his duties, or is compelled to absent himself from the school room during the legal school hours, he shall at once notify the supervising

(1) Act to regulate and improve the civil service of Porto Rico, approved March 14, 1907.

(2) As amended March 10, 1904.

principal of his district and the principal of his school, in towns where a principal is employed, explaining fully the cause of his detention from school. On receipt of such a notice the supervising principal of the district shall notify the Commissioner of Education of the circumstances and the Commissioner may appoint a legally qualified substitute to serve until the regular teacher can resume his duties or a successor is legally appointed.

Substitute to be appointed by Commissioner.

(91) SECTION 52.—All teachers in actual service or holding a license to teach, during the period for which said license is valid, are considered as officials or employes of the Insular Government, and shall not take an active part in any election or canvass or attempt to canvass or to control any vote or voters (other than their own individual vote) for or against any candidate or candidates for office at any political convention or to permit their names to be used as members of political committees or subcommittees without first resigning their positions and asking to have their licenses canceled. Any violation of this section shall be considered good cause for the cancellation of a teacher's license.

Political activity forbidden.

(92) SECTION 53.—(1) Corporal punishment is absolutely prohibited in the schools of Porto Rico, except in accordance with regulations issued by the Commissioner of Education in pursuance of Sections 53, 66 and 89 of the Compiled School Law, the Organic Act, and other legislative sanction and upon the sanction of the parent or guardian.

School discipline.

SELECTION OF TEACHERS.

(93) SECTION 54.—(2) Teachers other than teachers of English and special teachers, as defined in Section 35 of the Codified School Law, in the public schools of Porto Rico shall be selected in the following manner: The

(1) As amended March 10, 1910.

(2) As amended March 10, 1901.

School board
to make
nominations.

school board of each municipality by a majority vote shall certify to the Commissioner of Education at least three months before the date fixed by the Commissioner of Education as the beginning of the school year, the names of any teachers legally qualified whom they desire to elect for the next ensuing school year. After twelve o'clock noon of the ninetieth day prior to the opening of the school year of each and every year, there shall be made up as speedily as possible, in the Office of the Commissioner of Education, a list for each municipality of all the legally qualified teachers whose names have been sent to the Commissioner of Education by the respective school boards and received at the office of said Commissioner of Education prior to the hour of noon of the ninetieth day prior to the date fixed by the Commissioner of Education for the opening of the school year, and whose names have been previously certified to by the respective school boards of each municipality: Said list to be signed by the Commissioner of Education and his seal affixed thereto and become a part of the official records of the Department of Education and henceforth to be known as the official list of the said respective municipalities for the ensuing school year. The Commissioner of Education shall return the list of each municipality to its school board on or before the sixtieth day prior to the opening of the school year and shall indicate his approval or disapproval of each teacher nominated in said list. The school boards shall then proceed to elect for the schools of their respective municipalities, according to law, from the teachers approved by the Commissioner on said official list, the teachers for the next ensuing school year. No names shall be added to such official list unless the number of teachers approved by the Commissioner is not sufficient to fill all the places for which the school board is authorized to make provision,

Official list
to be pre-
pared by
Commis-
sioner.

Boards elect
teachers
from official
list.

and until after all the persons approved on such official list shall have been elected by the school board to a school in said district. The names of the additional teachers required shall then be submitted to the Commissioner of Education, the board proceeding in like manner as in the case of the teachers on the official lists. After having been approved by said Commissioner additional teachers thus nominated shall then be elected by the school board in a like manner as the teachers who appeared on the official lists. No applicant for a school shall be certified to the Commissioner of Education by any school board unless said applicant possesses a valid license to teach bearing the signature of the Commissioner of Education and the seal of the department. School boards shall have public notice of all vacancies in the schools under their jurisdiction in at least one newspaper in Porto Rico, giving at least five days' notice of the date and place of meeting for filling said vacancies. No teacher shall be nominated or elected by any school board without the unanimous vote of those present if he is a relative within the third degree of consanguinity or second degree of affinity of a member of the school board. Teachers not thus related shall be nominated or elected upon a majority vote of those present at any legal meeting of the board.

(94) SECTION 55 — Teachers of English and all special teachers shall be appointed directly by the Commissioner of Education and shall perform such duties as he may assign to them; *Provided*, That teachers of English shall have the qualifications specified in Section 40 of this Act, and all special teachers shall have the qualifications usually appertaining to teachers of their respective branches and shall have first been granted a license as such special teacher by the Department of Education. The Commissioner of Education may appoint not more than five rural, graded or principal

Additional list.

Vacancies to be advertised.

Candidates related to member of school board.

Special teachers to be appointed by Commissioner.

teachers in each school district as teachers at large for the purpose of substituting in the place of teachers regularly chosen in the schools of said district, whom said Commissioner is hereby authorized to remove from their schools for a period not exceeding three months in any one school year and to assign to study in the Insular Normal School, allowing the teachers thus temporarily absent from their schools full pay and paying said substitute teachers the salary pursuant to law appertaining to their respective grades; *Provided*, That the salaries thus paid to teachers pursuing their studies in the Insular Normal School for entire period for which they are absent from their schools shall be paid from moneys specially appropriated for "Salaries, teachers' institutes and summer normal schools."

Commissioner may assign teachers to normal school.

Acting principal may be appointed.

(94a) In any town having four or more graded schools in one building for which no principal teacher is provided, the Commissioner of Education may designate one of the graded teachers of said town as acting principal with the usual duties and responsibilities of a principal teacher, and said acting principal shall receive for said services in addition to his regular salary as fixed by law, the further sum of ten [10] dollars per month during the period of such actual service and to be paid from the funds appropriated for "Salaries, common schools."

Contracts between teachers and school boards.

(95) SECTION 56.—Immediately after the election of a teacher in the manner prescribed by law, the officers of a school board shall sign a written contract with said teacher upon blanks furnished by the Department of Education for that purpose, engaging him to teach for the following school year. Such contracts shall be in triplicate, one copy to be retained and filed by the secretary of the school board, one copy to be delivered to the teacher and one copy to be forwarded to the Commissioner of Education. The Commissioner of

Education may annul any contract between a school board and a teacher, for cause, in accordance with Section 42 of this Act, and if the board neglects to fill the vacancy thus caused within ten [10] days after notification that such contract has been annulled, the Commissioner of Education may appoint a teacher for the remainder of the school year.

Commissioner to fill vacancies.

(96) SECTION 57.—In any contracts between the school boards and teachers providing for the payment of house rent, salary or other items contracted for in cases where the Insular Government pays the salary or part of the same, the Commissioner of Education is hereby authorized to enforce the contract. After ten days written notice of failure on the part of the treasurer of the school board to pay when due the amounts contracted under the School Laws of Porto Rico, said written notice having been mailed by the Commissioner of Education to the president of the school board and to the alcalde of the city or town, the Auditor is hereby authorized to withhold from the next succeeding disbursement of municipal taxes to said municipality, a sum sufficient according to the certified statement of the Commissioner of Education to pay the claim of such contracts with teachers in said municipality, and the Auditor is hereby directed to approve such claims and the Treasurer will pay the same from moneys withheld from the funds of the municipality.

Commissioner to enforce contracts.

SCHOOL HOUSES, OFFICES AND HOUSE RENT FOR TEACHERS.

(97) SECTION 58.—(1) Municipalities shall provide rooms or buildings for schools, and necessary offices for school boards wherever public buildings in the control of said municipality are available for such purposes. Wherever possible, the municipality shall construct

Municipalities to provide buildings and offices.

public school buildings erected and furnished according to plans authorized by the Commissioner of Education and suitable for graded schools. Where the municipality provides such building, additional teachers, sufficient for six grades, will be furnished as needed.

Allowance
for house
rent.

(98) SECTION 59.—(1) From the funds at their disposal, the school boards shall pay the house rent of teachers, making a cash allowance to teachers as follows: To rural teachers not less than three [3] dollars per month and not more than eight [8] dollars per month for each and every school month in which the teacher is actually engaged; to graded teachers and to principal teachers not less than eight [8] dollars nor more than twenty [20] dollars per month for each and every school month in which the teacher is actually engaged. Said allowance shall, in every case, be made a part of the contract or agreement between the teacher, the school board and the Commissioner of Education, all of whom shall agree to the rent or allowance so specified. Teachers of English, special teachers, agricultural teachers, and teachers whose salaries are paid by the school boards shall receive no allowance for house rent.

COMPULSORY ATTENDANCE (2).

Pupils
enrolled
shall
continue
in school.

(99) SECTION 60.—Pupils enrolled in the public schools of Porto Rico shall continue members of the public schools of Porto Rico until they shall have completed the work of each grade of the course of study prescribed at the time of such enrollment for the system of schools to which their respective schools belong, except when the parents or guardians show good and sufficient cause for withdrawal in the judgment of the supervising principal of schools of the municipality;

(1) As amended March 8, 1907 and February 25, 1911.

(2) As amended May 30, 1904 and March 12, 1908.

Provided, Such pupils may be dismissed for cause by the supervising principal of the municipality or by the school board with the approval of the Commissioner of Education; *Provided further*, That parents or guardians shall always have power to transfer their children or wards to other schools of recognized standing. Expulsion.

(100) The attendance of pupils enrolled in the public schools of Porto Rico shall be prompt and regular, and their conduct in accordance with what is commonly accepted as good behavior and with the rules and regulations to which their respective schools are subject. Prompt attendance is understood to mean that the pupils shall be present at the time of opening school as prescribed by the teacher of the school or by the supervising principal; and regular attendance is understood to mean attendance every day unless the pupils be prevented from attending by sickness or other good and sufficient cause acceptable to the teacher and subject to the approval of the supervising principal. Prompt and regular attendance defined.

(101) Children between eight and fourteen years of age shall be enrolled in any public school that may be located within reasonable distance of their homes, and their attendance at that school shall be enforced as herein provided in the case of any pupil enrolled in the public schools; *Provided*, There be a school within reasonable distance as hereinbefore mentioned where accommodation can be furnished; *And Provided*, Such children may not already have completed each grade of the course of study prescribed for the particular school which meets the conditions outlined. Schoolage of children.

(102) In each and every graded school an enrollment of not less than thirty-five nor more than fifty pupils, and in each and every rural school an enrollment of not less than twenty-five nor more than fifty pupils shall be maintained. Maximum and minimum enrollment.

(103) Failure on the part of the local authorities to

Removal of school. maintain a minimum enrollment as hereinbefore provided, or failure to secure such minimum enrollment within thirty days after the receipt of official notification from the Commissioner of Education, shall be sufficient cause for the removal of a school to a more suitable locality within the same municipal district, the school board to furnish suitable quarters for said school, or sufficient cause for the removal of the school to some other municipality in the discretion of the Commissioner of Education.

Enforced attendance. (104) Municipal authorities upon notification from the teacher or from the supervising principal of the municipality shall enforce the attendance of children between the ages of eight and fourteen years who reside within a reasonable distance of a public school and who are otherwise eligible for admission to the public schools of Porto Rico.

Punishment for failure. (105) Any parent or guardian wilfully responsible for the violation of any of the provisions of this section after notification by the teacher of the school or by the supervising principal for the municipality in which he or she resides shall be deemed guilty of a misdemeanor and upon conviction in any court shall for the first offense, be publicly reprimanded by the judicial officer before whom they are tried, and for the second offense shall be fined in an amount not to exceed five dollars, and for a third offense shall be fined in an amount not to exceed ten dollars; said fines to be imposed and collected in accordance with the usual provisions of law applicable to judicial fines. All the processes of the municipal courts of Porto Rico shall be and are hereby made available for the prosecution and conviction of persons accused under the provisions of this Act.

Municipal courts.

NIGHT SCHOOLS.

(106) SECTION 61.—The Commissioner of Education upon application of twenty young persons unable to

attend day school for justified reasons, may establish a night school and may close the same when the average attendance in any one month does not reach twelve students. Adults may be admitted to night schools when in the judgment of the local school authorities they are able to profit by the instruction offered, and their presence in the said night school will not operate to the exclusion of eligible young persons who desire admission.

Commissioner may establish night schools.

(107)—(1) The Commissioner of Education may establish in his discretion a night school in each municipality and may establish more than one school in any city where in his opinion the demand for such schools may warrant it.

Number of schools.

SUPERVISING PRINCIPALS.

(108) SECTION 62.—(2) Supervising principals of schools shall be at all times under the immediate control and guidance of the Commissioner of Education, who shall prescribe their duties. They shall in every respect consistent with the welfare of the schools, cooperate with and assist their respective school boards in the performance of their duties under the law. They shall make an annual report to the Commissioner of Education on the condition of the schools in their district. Said report shall be presented June first of each and every year. They shall make such additional reports, statistical or otherwise, as the said Commissioner of Education may direct. No person shall be eligible for appointment to the position of supervising principal who has not had at least one year's experience as a teacher in the public schools of Porto Rico and who shall not, in the judgment of the Commissioner of Education, possess a practical knowledge, reading, writing

Duties.

Eligibility.

(1) Act of March 9, 1905.

(2) As amended March 12, 1908.

and speaking, of the Spanish and English languages; *Provided*, That after June 30, 1909, no person shall occupy the position of supervising principal who shall not hold a principal's license issued by the Department of Education of Porto Rico, in pursuance of the provisions of Section 38 of an Act entitled "The Codified School Law of Porto Rico," approved March 12, 1903.

Assistant
supervising
principals.

(109)—(1) The Commissioner of Education may in his discretion authorize principal teachers to act as assistants to supervising principals in any district. During the period of such authorization the Department of Education may appoint graded teachers as substitutes for the said principals and such substitutes shall be paid by the Department of Education. When any principal is assigned as assistant to a supervising principal he shall be allowed an additional compensation at the rate of ten dollars per month during the period of such services.

SCHOOL TAXATION.

General
taxation.

(110)—(2) That for and during the fiscal year beginning the first day of July, nineteen hundred eight, and ending the thirtieth day of June, nineteen hundred nine, and in every succeeding fiscal year, unless otherwise provided by the Legislative Assembly of Porto Rico, there shall be levied and collected, for the purpose of providing insular and municipal revenue, by the Insular Government, a tax of ten one-hundredths of one per cent, and by the municipalities a tax of not exceeding ninety one-hundredths of one per cent upon the value of all real and personal property in Porto Rico, and of all personal property of persons residing in Porto Rico, to be ascertained as hereinafter provided, not hereinafter exempted from taxation. The proceeds

(1) Act of March 9, 1905.

(2) Act of March 10, 1904, as amended March 12, 1908.

of this tax and the taxes upon property heretofore levied for insular and general municipal purposes for the fiscal years ending June thirtieth, nineteen hundred two, nineteen hundred three, nineteen hundred four, nineteen hundred five, nineteen hundred six, nineteen hundred seven and nineteen hundred eight, including all surcharges, shall be covered into the Insular Treasury. The Treasurer shall pay monthly, pursuant to law, upon the warrant of the Auditor, countersigned by the Governor of Porto Rico, of each dollar collected *on account of each municipality*, to the treasurer of each local school board the sum of twenty-five cents, to the treasurer of each municipality, to be covered into the "Road fund," the sum of eight cents, and the balance to the treasurer of the municipality; *Provided*, That the proportionate amount to be covered into the road fund by the municipality of San Juan shall be five cents instead of eight cents and shall be used for construction and repair of municipal roads and streets in Santurce; *Provided, however*, That nothing herein contained shall prevent the Treasurer of Porto Rico from retaining from moneys due municipalities, local school boards, or other local corporations, any sums required, or that may be hereafter required by law, or by ordinance duly enacted by any municipality, school board, or other local corporation, to be retained by him for the purpose of meeting obligations incurred by them.

(111) SECTION 63.—(1) That for the fiscal year beginning July 1, 1904, and ending June 30, 1905, and for every succeeding fiscal year, in order to increase the revenues of the respective school boards, the municipalities may levy a property tax to be known as "School tax," and not to exceed one-tenth of one per centum of the assessed value of all real and personal

School tax.

(1) As amended March 10, 1901 and February 17, 1905.

property within the respective municipalities in accordance with assessment made by the Treasurer of Porto Rico to levy and collect the insular property tax.

Municipal council to determine amount of school tax.

(112) SECTION 64.—(1) The municipal council of each municipality shall decide on or before the twentieth day of February of each and every year whether such additional tax shall be levied and shall fix the rate within the limit allowed by the foregoing section, basing such action upon reports of the respective school boards situated in each municipality and upon the needs for school funds in whatsoever manner determined; *Provided*, That in cases where the School Board is about to contract a loan for the construction of one or more school buildings, the municipal council may levy the school tax at a given rate, not to exceed the maximum of one-tenth of 1 per cent, for such term of years as will be covered by the payments on account of principal and interest of the loan to be contracted. The municipal council shall notify the Treasurer of Porto Rico immediately upon the adoption of all resolutions fixing the rate of the school tax and the Treasurer of Porto Rico shall collect the said tax in the same form and subject to the rules provided for by the Act entitled "An Act to provide revenue for The People of Porto Rico, and for other purposes," approved January 31, 1901. The Treasurer of Porto Rico shall pay monthly, pursuant to law, upon the warrant of the Auditor, countersigned by the Governor, to the Treasurer of each school board the amounts collected on account of said school tax; *Provided*, That nothing herein contained shall prevent the Treasurer of Porto Rico from retaining from moneys due school boards any sums required, or that may be hereafter required by law, or by ordinance duly enacted by any school board, to be

Treasurer of Porto Rico to collect tax.

retained by him for the purpose of meeting obligations contracted by them.

(113) SECTION 65.—The amount accruing to the treasury of each municipality on account of school taxes hereby established shall be devoted solely to school purposes.

Solely for school purposes.

SPECIAL DUTIES AND POWERS OF THE COMMISSIONER
OF EDUCATION.

(114) SECTION 66.—(1) The Commissioner of Education being required by Act of Congress of April twelfth, nineteen hundred, to supervise education in Porto Rico, he shall, to comply with said Act, approve all disbursements made on account thereof; he shall appoint, as occasion may require an officer for each municipality, to be known as supervising principal, and these supervising principals shall be subject to the Commissioner of Education in all respects; the power to appoint such officers shall reside fully in the Commissioner of Education, who shall consult and, as far as possible, shall attend the recommendations of the respective school boards interested regarding candidates, but temporary appointments may be made by the Commissioner without such consultation and for a maximum term of two months; until the time that a supervising principal shall be provided for each municipality, the Commissioner shall have power to group two or more municipalities into a district, the schools of which are to be under the supervision of one supervising principal; with the understanding that the number of schools in each district shall not be over fifty nor less than twenty-five on the basis of the allotment for the preceding year; for the purposes of salary for supervising principals, the municipalities shall be divided into three classes: first class, those containing

Appointment of supervising principals.

Grouping of municipalities.

Classification of districts.

Salaries
of supervis-
ing
principals.

more than one hundred schools; second class, those containing from fifty to one hundred schools; third class, those containing less than fifty schools; until otherwise provided by law the salary of supervising principals in municipalities of the first class shall be fifteen hundred (1,500) dollars per annum, payable from the appropriation known as "Salaries, common schools;" the salary of supervising principals in municipalities of the second class, shall be thirteen hundred (1,300) dollars per annum, payable from the appropriation known as "Salaries, common schools;" the salary of supervising principals in municipalities of the third class, shall be twelve hundred (1,200) dollars per annum, payable from the appropriation known as "Salaries, common schools;" in addition to the salary the school board of each municipality in which the supervising principal is resident, shall provide house and office rent of not less than twenty (20) dollars per month, for the supervising principal in districts in which the supervising principal is in charge of the schools of more than one municipality, the school board, or school boards, of the municipality or municipalities, in which the supervising principal is not resident, conjointly, in instances where more than one municipality are so contained, or singly, in instances of a single municipality, shall pay to the supervising principal not less than twenty (20) dollars per month for traveling expenses; school boards may add as they see fit to the salaries of supervising principals, but every such addition shall be subject to the approval of the Commissioner; the Commissioner of Education shall appoint three (3) officers who shall be known as general superintendents and who shall be subject in all respects to the Commissioner who shall prescribe their duties; the salary of each general superintendent of

School board
to provide
house and
office rent.

General
superin-
tendents.

schools shall be eighteen hundred (1,800) dollars per annum, payable from the appropriation known as "Salaries, Office of the Commissioner of Education;" the Commissioner shall prepare and publish all courses of study for the schools; he shall conduct all examinations for teachers' certificates and issue licenses or certificates to teachers; he shall fix the salaries of teachers, *Provided always* the amounts so designated shall not be in conflict with law; he shall select and purchase all school books, supplies, and equipments necessary for the proper conduct of education, except as otherwise provided by law; he shall approve all projects and plans for public school buildings to be erected in Porto Rico, where the same are to be at the cost of The People of Porto Rico; but where the same are to be at the cost of the school boards, or at the cost of the latter and of The People of Porto Rico, then there shall be such participation by the school boards that no project or plan shall be approved without the consent of the respective school boards; he shall require and collect such statistics and reports from school boards, supervising principals and teachers, as he may from time to time deem necessary to the welfare of the school system, and he shall formulate such rules and regulations as he may deem necessary for the effective administration of his office.

Courses
of study.

Examin-
ations.

Rules and
regulations.

(115)—(1) The Commissioner of Education shall provide whatever may be necessary for placing in each rural school of the Island of Porto Rico and in such graded schools as in his opinion is desirable, bulletins in the English and Spanish languages which bulletins are to be prepared under the direction of the Director of the

Bulletins on
anemia.

Anemia Dispensary Service, briefly and clearly explaining:

- (a) What is uncinariasis.
- (b) Its causes and effects.
- (c) How it may be prevented.

Bulletins on
tubercu-
losis.

(116) The Commissioner of Education shall provide whatever may be necessary for placing in each graded school of the island and in such rural schools as in his opinion is desirable, bulletins in the language which is the basis of instruction in each particular school, said bulletins to be prepared under the direction of the Director of the Anemia Dispensary Service, briefly and clearly explaining:

- (a) What is tuberculosis.
- (b) Its causes and effects.
- (c) How it may be prevented.

(117) The Commissioner of Education shall take such steps as may be necessary to see that the attention of the pupils is called to the contents of said bulletins.

To forward
criminal
statistics.

(118)—(1) It shall be the duty of all courts of justice, fiscals, departments of the Insular Government, municipal officers and any other insular or municipal officials, to forward such information [criminal statistics] as may be required of them by the Attorney General and also to fill out the blanks sent to them for that purpose.

Commis-
sioner to
report to
Governor.

(119) SECTION 67.—The Commissioner of Education shall, on or before the first day of October of each year, transmit to the Governor a full report of the operations of his department, of all expenditures made therein, together with such statements, facts and explanations concerning the educational system of the island, and such suggestions and recommendations as he may deem appropriate.

(120)—(1) The Commissioner of Education shall issue annually to the teachers, school boards and municipalities of the island his annual report to the Governor of Porto Rico concerning public education. Report to be distributed.

(121)—(2) The public schools of the municipality of Culebra shall be a charge against the Insular Government, and the Commissioner of Education shall appoint such teachers as may be necessary and shall have complete control over the schools and school property and buildings of the island. Schools of Culebra.

BOOKS (3).

(122) The Department of Education shall supply all books to be used in the public schools of Porto Rico to the supervising principals who shall distribute them to the principals and to rural teachers. The books so distributed shall be classed as old or new books. Department to supply books.

(123) Each teacher and each principal shall give a receipt for all the books delivered to him, specifying the number of new and the number of old books, and shall be held accountable for the invoice price of new books, and for half the invoice price of old books, in case such books be lost or torn. Teachers accountable.

(124) The department shall procure for the use of the public schools in Porto Rico a reading book which shall contain the best passages of local literature in prose or verse, by leading Porto Rican writers, with brief biographical notices of each author. Literature of Porto Rico.

(125)—(4) The Commissioner of Education shall provide each school board and public library in the island with two copies of "Mujeres Puertorriqueñas." Mujeres Puertorriqueñas.

(1) Act of March 9, 1905.

(2) Act of March 8, 1905.

(3) Act of March 9, 1905.

(4) Joint Resolution of March 10, 1910.

STUDENTS TO BE SENT TO THE UNITED STATES (1).

Selection of
young men.

(126) SECTION 68.—(2) There shall be selected annually as hereinafter provided, a number of young men of sound constitution and good character who could not otherwise, because of existing circumstances, enjoy the educational advantages hereinafter mentioned who shall be sent to the United States and there maintained at the expense of The People of Porto Rico for a period not to exceed four years devoted to the study of such subjects as the commission hereinafter provided may determine, preference being given to agriculture, architecture and forestry, and chemical, hydraulic, electrical and sanitary engineering; *Provided*, That the commission may extend said term for one year in case of illness or any other justifiable cause.

The number of young men upon whom this privilege shall be bestowed shall at no time be in excess of twenty-five (25) and the total expenses in each case shall not exceed the sum of five hundred dollars (\$500) per annum.

The young men thus selected shall be sent to the United States as soon as provisions have been made for them in accordance with this Act.

(127) SECTION 69.—(3) The President of the Executive Council and the Speaker of the House of Delegates, together with the Commissioner of Education, shall

(1) AN ACT TO EXTEND THE BENEFITS OF SECTION 68 OF THE CODIFIED SCHOOL LAW.

Be it enacted by the Legislative Assembly of Porto Rico:

SECTION 1.—That the commission charged with the supervision of the Porto Rican young men studying in the United States pursuant to the provisions of Section 68 of the Codified School Law is hereby authorized to extend the benefits of said Act for the time that may be necessary to conclude their studies within a period not to exceed three years to those young men who are now studying under the provisions thereof and who have observed good conduct and made progress in their studies, but who have failed to finish them for just cause.

SECTION 2.—All laws or orders or parts thereof in conflict with this Act be and are hereby repealed.

SECTION 3.—This Act shall take effect on and after July 1, 1906.

Approved March 8, 1906.

(2) As amended March 12, 1908.

(3) As amended March 10, 1901.

form a commission which shall prepare the rules under which these young men shall be selected, and shall have charge of them during the time they are engaged in study under the same; *Provided*, That the young men selected shall be graduates of the eighth grade of a public school in Porto Rico.

Commission to supervise students.

(128) SECTION 70.—The commission shall keep regularly informed of the conduct and progress of each beneficiary and secure all other data that they may consider necessary. They may also withdraw support from any beneficiary upon proper proofs being presented of misconduct or bad faith of any beneficiary under this Act.

Commission to keep informed of conduct.

(129) SECTION 71.—By and with the recommendation of the Commissioner of Education for the Island of Porto Rico, there shall be maintained each year twenty good and worthy young men and women from Porto Rico in the United States to be educated in the various arts and trades that may best qualify them to assist in the improvement of conditions of Porto Rico.

Council bill 12.

(130) SECTION 72.—Each person receiving said appointment shall receive from the general Government of Porto Rico a sum not to exceed two hundred fifty [250] dollars per annum and shall pursue the studies or trades as agreed upon by the said Commissioner of Education and the applicant, before finally receiving said appointment.

Appropriation.

(131) SECTION 73.—The colleges or institutions designated which the said students shall attend are Hampton Institute, Hampton, Virginia, Tuskegee Institute, Tuskegee, Alabama, and such other similar educational institutions as the Commissioner of Education may from time to time specify.

Schools designated.

(132) SECTION 74.—The Commissioner of Education shall have the right to cancel or withdraw support at any time upon proper proofs being presented of miscon-

Under supervision of Commissioner.

duct or bad faith of any of the beneficiaries included under this Act, subject to the approval of the Executive Council.

Reports
required.

(133) SECTION 75.—There shall be sent to the Commissioner of Education from the authorities of the college or institution at which the said students are in attendance, a quarterly report of the conduct and advancement of each student so attending.

Number of
scholarships.

(134) SECTION 76.—The students who may receive the appointments shall at no time exceed twenty [20] in number, ten [10] young men and ten [10] young women, and no one shall receive the benefits of this Act for a longer term than four years.

Distribution.

(135) SECTION 77.—The twenty [20] beneficiaries referred to in Section 71 shall in no case be sent from the same district or county, and the Commissioner of Education shall therefore confer this favor with the greatest equity among all the young persons of the island. A necessary qualification shall be that the parents of the beneficiaries shall be poor.

Qualifica-
tions.

Young
women.

(136)—(1) Subject to the conditions hereinafter provided a number of young women shall be selected every four years or before in case of vacancies to be sent to the United States and maintained there at the expense of The People of Porto Rico, for a period not exceeding four years.

Number.
Expense
of each.

(137) The number of young women upon whom this privilege shall be bestowed shall at no time exceed fourteen, and the total expense for each young woman shall be precisely five hundred dollars per annum.

Eligibility.

(138) The fourteen beneficiaries of this Act must be graduates of some high school or the normal school in Porto Rico, and they shall be selected from among those young women who, on being graduated have

obtained the highest qualifications, provided that whenever there be equality of conditions the poorest young women shall be given preference and that no more than two young women resident in the same district shall be benefitted at the same time by this Act; in such a case the commission hereinafter provided shall determine what they deem more convenient.

(139) The young women benefitted by this Act must necessarily be of sound health and good character.

(140) Every young woman candidate to the benefits of this Act, shall, upon her selection, and obtaining the necessary diploma be obliged to return to the island and enter into the public-school service of Porto Rico for a period of four years, for a just compensation.

To teach in
Porto Rico.

(141) The fourteen young women so selected shall be sent to universities or colleges of good standing in the United States for the sole purpose of taking the necessary courses until they are graduated and placed on a fit condition for appointment as teachers for the high schools of Porto Rico, on their return to the island. As far as possible, said students shall be sent to universities and colleges maintaining a strong pedagogical department, and the selection of such institutions shall be agreed upon by the commission hereinafter provided.

(142) The President of the Executive Council, the Speaker to the House of Delegates or a Delegate appointed by the latter and the Commissioner of Education shall form the commission to determine the qualifications provided in Section 3 herein, and said commission shall select the fourteen beneficiaries, their decision to be final.

Commission
on selection.

(143) Any young woman who is a graduate with high qualifications from a high school, and who is taking course in the Normal School of Porto Rico or college or university in the United States, with the

purpose of entering in the school service, and whose present studies are satisfactory shall be eligible under this Act, pursuant to the provisions of Section 5 herein.

Appropriation.

(144) The sum of seven thousand dollars, or so much thereof as may be necessary is hereby appropriated for the fiscal year ending June 30, 1909, out of any money in the Insular Treasury not otherwise appropriated; and every beneficiary upon leaving Porto Rico, for the United States, shall be given the sum of one hundred dollars, which shall be proportionally discounted from her monthly instalments of her first year, and every instalment shall be paid monthly in advance. The Treasurer of Porto Rico and the Commissioner of Education shall agree upon the manner of complying with the provisions of this section in order that there should be no delay in the monthly instalments being received by the beneficiaries.

Reports.

(145) The Commissioner of Education of Porto Rico shall request that he be furnished with the monthly report as to the behavior and progress of each young woman, and should the report be unsatisfactory for two continuous months the Commission herein before provided shall decide, upon examination of the report, as to the advisability of withdrawing the privilege; if the decision shall be that such privilege shall be withdrawn, the action taken shall be reported to the interested young woman, to whom the sum of one hundred dollars shall be sent for her return to the island.

HIGH SCHOOL SCHOLARSHIPS.

Act of March 14, 1907, as amended February 15, 1908.

Purpose.

(146) For the purpose of assisting worthy young persons, graduates of the eighth grade of the public schools of Porto Rico, to continue their studies in a public high school, there are hereby established forty scholarships in the Central High School of Porto Rico.

at San Juan, and thirty scholarships in the High School of Ponce, and thirty scholarships in the High School of Mayagüez, to be filled annually in accordance with the rules hereinafter provided.

(147) The Commissioner of Education shall annually select after listening to information from school boards from among the graduates of the eighth grade of the public schools of Porto Rico a number of young persons of good health and good character and who cannot otherwise because of existing circumstances in them enjoy the educational advantages hereinbefore mentioned to be given the scholarships hereby established; *Provided*, That these young persons shall be selected so far as practicable in equal numbers from the different electoral districts of Porto Rico and that the total number shall not exceed one hundred.

Selection
of candi-
dates.

(148) The said scholarships shall be regarded as a reward for diligence and excellence in the work of the common schools. In making his selection the Commissioner of Education shall take into consideration the monthly reports of the pupils during the year preceding the eighth grade examination, as well as the results of such examination. Giving equal weight to the average of monthly reports and that of the eighth grade examination the Commissioner of Education shall establish a minimum combined average for appointment. No person who fails to attain such average shall be appointed to such a scholarship, and in case of various qualified applicants from a given electoral district, preference shall always be given to those having the highest combined average.

Method of
selection.

(149) All appointments to these scholarships shall be for one school year, but students whose record is in every way satisfactory may be reappointed from year to year until they shall have received four appointments, thus enabling them to complete one of the

Duration of
scholarships.

regular courses of study offered in the school which they may attend.

Appropriation.

(150) The sum of one hundred eight dollars in nine instalments of twelve dollars each shall be paid annually to each of the young men who are appointed to these scholarships, or to their parents or legal guardians.

(151) For the purpose of carrying out the provisions of this Act during the fiscal year ending June 30, 1908, the sum of five thousand four hundred dollars, or so much thereof as may be necessary, is hereby appropriated from any moneys in the Treasury not otherwise appropriated.

NORMAL SCHOLARSHIPS.

Act of March 12, 1903, as amended March 1, 1906, and March 12, 1908.

Number.

(152) Seventy-five [75] young men and young women seventy of which shall be in so far as possible ten from each electoral district, of not less than sixteen years of age nor more than twenty years of age of good health, honest, intelligent, and who otherwise would be unable to continue their education beyond the common schools, shall be awarded by the committee hereinafter established, scholarships in recognition of diligence and excellence in the work of the common schools each of the value of one hundred eighty (180) dollars payable in nine equal monthly instalments of twenty (20) dollars for each school month, for the purpose of studying in the Insular Normal School with the end in view of obtaining the diploma of said Insular Normal School.

Scholarship committee.

(153) A committee to be known as the Normal School Scholarship Committee herein referred to as the "Committee" composed of the Speaker of the House of Delegates, or a Delegate appointed by him, the president of the board of trustees of the University of Porto Rico, and the President of the Executive Council, shall

examine and consider all applications for the scholarships and make known on or before August 10 of each year through the secretary for the committee the names of the young men and young women awarded scholarships. The chairman of this committee shall be the Speaker of the House of Delegates, or in his absence the President of the Executive Council. The secretary for the committee shall be the principal of the Insular Normal School, whose duty it shall be to conduct all correspondence for the committee, receive and keep in his custody all applications for normal school scholarships to be presented to the committee upon request of its chairman, and keep a complete record of the proceedings of the committee and of the work and conduct of each holder of a scholarship.

(154) Candidates for scholarships shall have successfully and creditably passed the examination conducted by the Department of Education for the eighth-grade diploma of the common schools; if awarded scholarships they shall enter the first year class of the Insular Normal School and before entering they shall be required to promise in writing that when their studies are concluded they will devote themselves to teaching in the public schools of Porto Rico beginning as soon as they shall have been able to secure positions as teachers and continuing for a period of at least three years. Requirements.

(155) The committee constitutes a permanent commission charged with the supervision of the department, work, and the personal welfare and comfort of scholarship students in the Insular Normal School, who may for indolence or misconduct be deprived by the committee of the privileges of scholarships. Vacancies in the holders of scholarships that may at any time occur may be filled by the committee. Vacancies.

(156) When all or a part of said scholarship students shall have passed the necessary examination and ob-

To continue studies.

tained the elementary certificate of the Insular Normal School, the Commissioner of Education may select not more than forty (40) young men and young women to continue their studies through the advanced course of the Insular Normal School; *Provided*, That the Commissioner of Education, may in his discretion, include among the said forty (40) young men and young women hereinbefore mentioned, not more than fifteen (15) young men and young women who hold a diploma showing a completion of the four-year course in a high school in Porto Rico during the year immediately preceding the selection.

Rules. (157) The Commissioner of Education, may in his discretion, promulgate and enforce rules and regulations not in conflict with the spirit or letter of this Act, for its proper execution.

Appropriation. (158) To provide funds for the fulfillment of the purpose of this Act, the sum of fifteen thousand (15,000) dollars is hereby appropriated from any money in the Treasury not otherwise appropriated for the fiscal year ending June 30, 1909, and to be expended under the direction of the board of trustees of the University of Porto Rico and by the approval of the president of the board of trustees of the University of Porto Rico.

COMMON-SCHOOL SCHOLARSHIPS (1).

School boards to appoint. (159) For the purpose of enabling worthy pupils lacking financial resources, in the rural schools of Porto Rico, who have completed the work prescribed by the official course of study for these schools, to continue their studies in the graded schools of any town, the school boards are hereby empowered to establish scholarships which shall be awarded in accordance with the rules hereinafter formulated.

Elizibility. (160) School boards shall award these scholarships

only to those pupils who reside in the rural districts of their respective municipalities, and who have attended the rural schools under their jurisdiction and obtained the highest averages in their studies during the year immediately preceding, as shown by their monthly report cards.

(161) The maximum value of these scholarships shall be ten (10) dollars per school month for each beneficiary, payable from the funds of the school boards awarding the same, and the total annual value of the scholarships awarded by any school board shall not exceed the sum corresponding to five (5) per cent of the board's total income. Value.

(162) The award of such scholarships and the number of same that may be awarded in every municipality, shall rest with the respective school boards. Number.

TEACHERS' PENSION FUND.

(163) SECTION 78.—[Repealed by following Act of March, 9, 1905.]

(164) All municipalities of the Island of Porto Rico, indebted to the teachers' pension fund for moneys collected on account of said fund, which have not issued certificates of indebtedness in favor thereof, shall, upon the passage of this Act, immediately avail themselves of the benefits of an Act entitled "An Act authorizing municipalities to issue certificates of indebtedness in payment of their obligations incurred prior to July first, nineteen hundred two, outstanding and unpaid," approved March 1, 1902, and proceed to issue certificates covering their indebtedness in favor of the teachers' pension fund. Municipalities to issue certificates of indebtedness.

(165) The administration of this fund shall be vested in a board of trustees, which shall be known as the "board of trustees of the teachers' pension fund" and Board of trustees.

the members of which shall be appointed by the Governor of Porto Rico for a period of five years.

(166) Said board shall consist of a president, a secretary and a treasurer, who shall be beneficiaries of the fund, and two other members who shall be principals in the public schools of Porto Rico and shall not be beneficiaries of the fund.

Meetings of
board.

(167) Said board shall meet at the call of the president, and four members shall constitute a quorum for the transaction of business, except, that in all cases where the disbursement of funds is ordered, two of the members present must, be nonbeneficiaries of the fund.

(168) The board of trustees shall receive and examine all applications for pensions in accordance with the provisions required by the "*derechos pasivos del magisterio de primera enseñanza de Puerto Rico*" actually in force, and upon determining the right of an applicant to receive pension from the fund, shall approve the payment of same at a meeting of the board and state an account in favor of the claimant, which shall bear the signature of the president, secretary and two non-beneficiary members of the board and shall serve as a warrant upon the treasurer of the board for the payment of the pension as long as sufficient funds exist; *And Provided*, That no new accounts shall be stated until all claims in arrears shall have been paid in full, after which time new claims shall take their respective places in order of the priority of approval.

Payment of
claims.

Treasurer
of board.

(169) The treasurer of the board shall give bond in such amount as the Governor of Porto Rico shall direct; he shall deposit all funds belonging to the board in one of the Government depositories and shall make no disbursements except as authorized by the duly signed warrants of the board; he shall make all disbursements by checks which shall be countersigned by the president of the board; he shall render monthly accounts to the

board which shall be audited and passed upon by the board and which, if found correct and in proper form, shall be approved by same; he shall receive as salary two per centum [2%] on all money disbursed to pensioners, provided that nothing in this Act shall be construed as allowing the treasurer a percentage on his own salary; he shall be bonded by some surety company which is accepted by the Treasurer of Porto Rico, the expense of obtaining said bond shall be borne by the fund.

(170) Vacancies occurring in the board of trustees by reason of death, resignation, removal of one or more of its members by the Governor, or from any other cause, shall be filled by appointment, which shall be made by the Governor.

Vacancies
in board.

(171) Upon the passage of this Act, and the appointment of the board of trustees, the Department of Education shall deliver to the secretary, all records, papers, and documents of whatever character pertaining to the subject, which it may have in its possession; the disbursing officer of the Department of Education will immediately close all accounts of the teachers' pensions-trust fund and render same to the Auditor.

Board to
receive all
documents.

(172) The Treasurer of Porto Rico is hereby authorized and directed to pay over to the treasurer of the board of trustees of the teachers' pension fund, on the usual form of warrant issued by the Auditor and signed by the Governor, as soon as said treasurer shall have been appointed and qualified, the balance to the credit of the teachers' pensions-trust fund as shown on the books of the Auditor.

Treasurer
of Porto Rico
to pay
balance
to board.

(173) Section 78 of the Codified School Law, all laws, decrees, military orders or parts of any thereof in conflict with this Act be and the same are hereby repealed.

Repeal of
Section 78.

SCHOOL FOR TRAINED NURSES.

(174) SECTION 79.—[Repealed March 10, 1904.]

School for
training of
nurses.

SECTION 80.—[Repealed March 10, 1904.]

SECTION 81.—[Repealed March 10, 1904.]

SECTION 82.—[Repealed March 10, 1904.]

INDUSTRIAL SCHOOLS.

Commis-
sioner to
establish
industrial
schools.

(175) SECTION 83.—(1) The Commissioner of Education is hereby authorized to establish, equip, and maintain, with any funds allotted or appropriated therefor, at least three industrial or manual training schools for the education of the youth of Porto Rico. Said schools shall be designed and equipped to afford a practical education for pupils, both male and female, who shall be received therein, in some occupation or trade of a mechanical or industrial character. Competent teachers, who shall be practical mechanics, artisans, or persons thoroughly equipped by education to instruct pupils of said schools in such mechanical or industrial branches as shall be taught therein, shall be from time to time employed by the Commissioner of Education, as the needs and necessities of said schools, and the means at his disposal for said purpose, shall require and permit.

To employ
teachers of
mechanical
and indus-
trial sub-
jects.

Schools to be
in San Juan,
Ponce and
Mayagüez.

(176) SECTION 84.—The first three of said schools to be established by the Commissioner of Education, under the authority hereby granted, shall be located in the cities of San Juan, Ponce and Mayagüez, respectively, in the order herein named. In the city of San Juan, the Commissioner of Education shall be authorized to take possession of any public building which the Commissioner of the Interior may be able to provide in place of the building partially destroyed by fire some time since, situated in said city of San Juan, and which contained a partial equipment of machinery and appliances for the use of a school of the character herein designated, and to repair and fix up such a building and to have the use of same together with the partial

equipment heretofore mentioned. For the construction and equipment of such other manual training schools as may be established under the terms of this Act, the said Commissioner of Education is authorized to receive and accept donations or assistance in the way of lands, machinery, equipments or buildings which may be offered for the purpose by the community where said school is to be located, or from any person who shall offer such donation.

Commissioner to receive donations.

(177) SECTION 85.—(1) The courses of instruction in industrial schools shall be such as may be prescribed by the Commissioner of Education, and said schools, when so established, shall become and be maintained as a part of the general educational system of Porto Rico under the supervision and direction of the Commissioner of Education. Said Commissioner of Education is authorized to equip fully said schools with all the necessary machinery, apparatus, and accessories requisite to the teaching and instructing of the pupils therein in such of the mechanical or industrial branches as may be designated to be taught in said schools, and to hire all the necessary assistants and teachers, providing for the organization of such schools as a portion and branch of the Department of Education, under the control of the Commissioner of Education of Porto Rico, and after the construction and equipment of such schools the same shall be maintained out of appropriations for the support and maintenance of said department. All products or articles made in the industrial schools or in the agricultural schools, when made from materials furnished by the school authorities, shall become the property of The People of Porto Rico, and as such may be retained as a part of the permanent equipment of the school or of the Department of Education to be used for instruction or exhibition purposes.

Part of general school system.

Products may be retained.

Or may be sold to pupils or others.

When in the judgment of the Commissioner of Education they are not so required they may be sold in accordance with such rules and regulations as he may adopt, at cost price, to the pupils, teachers, or other persons in the schools or in the Department of Education, and all products or works so offered for sale and not sold after a period of three months from the date when they were first offered, may be sold to the general public at a fair market price, and all receipts from the sale of products or articles made in industrial schools, or agricultural rural schools shall be paid into a special trust fund with no-fiscal year and shall be available for the establishment and maintenance of industrial schools.

Commissioner to make regulations for admission of pupils.

(178) SECTION 86.—The Commissioner of Education shall provide such rules and regulations as may be proper for the admission of boys and girls of Porto Rico as pupils in such schools as may be established under the terms of this Act, the courses of study and training to be pursued therein, the discipline thereof, and he shall be authorized to make such other regulations as may be necessary in order that the most impartial distribution of the benefits to be derived from the practical education to be given at said schools shall be afforded to the most worthy applicants for the privilege of becoming pupils in said schools.

Loan to Reform School.

(179)—(1) That such part of the outfits and implements of every kind which existed in the late Industrial School at Mayagüez, as shall be determined by the Commissioner of Education to be capable of advantageous use by the Reform School for Juvenile Delinquents, shall be from time to time transferred temporarily to the Reform School for Juvenile Delinquents, in Mayagüez; *Provided*, That said outfits and implements shall still remain under the jurisdiction of

the Department of Education and that in the event of the reestablishment of public industrial schools upon the island, the Commissioner of Education is empowered at any time to recall said outfits and implements.

ARBOR DAY.

(180) SECTION 87.—(1) The Friday immediately following the last Thursday in November in each year shall be known throughout the island as Arbor Day and shall be a holiday in all of the public schools in charge of the Commissioner of Education. It shall be the duty of said Commissioner to cause the scholars in every public school in the island to be assembled in the school building, or elsewhere, as he may deem proper, and to provide for and to conduct, under the general supervision of the local school board, or other chief officers having the general oversight of the public schools in each municipality or district, such exercises as shall tend to encourage the planting, protection, and preservation of trees and shrubs, and an acquaintance with the best methods to be adopted to accomplish such results.

To be a holiday in all public schools.

Special exercises.

(181) SECTION 88.—The Commissioner of Education shall have power to prescribe from time to time a course of exercises and instruction in the subjects hereinbefore mentioned, which shall be adopted and observed by the public school authorities on Arbor Day, and upon receipt of copies of such course, sufficient in number to supply all the schools under their supervision, the supervising principals shall promptly provide each of the schools under their charge with a copy and shall cause it to be observed.

Commissioner to prepare course of exercises.

PUBLICATION OF THE SCHOOL LAW.

(182) SECTION 89.—Immediately upon the approval

(1) As amended March 10, 1904.

Laws and
rules to be
published.

of this Act, the Commissioner of Education shall compile and publish in pamphlet form in the English and Spanish languages, the laws and regulations in force relating to public education in Porto Rico. Said pamphlet shall contain any additional rules and regulations necessary to carry out the provisions of this Act, which the Commissioner of Education may deem necessary for the guidance and information of the school authorities and teachers of Porto Rico.

REPEALING CLAUSE.

(183) SECTION 90.—All laws, decrees, military orders, or parts of the same in conflict with this Act, be and the same are hereby repealed. This Act shall be known as the Codified School Law and shall constitute Section 7 of the Political Code.

(184) SECTION 91.—This Act shall take effect sixty days after its approval, except Section 21 thereof which shall take effect July first, nineteen hundred three.

Approved March 12, 1903.

AN ACT (1)

TO PROVIDE INSTRUCTION OF HIGH SCHOOL GRADE IN COMMERCIAL SUBJECTS AND FOR OTHER PURPOSES.

Be it Enacted by the Legislative Assembly of Porto Rico:

Central High
School of
Porto Rico.

(185) SECTION 1.—That the San Juan High School shall hereafter be known as the Central High School of Porto Rico, and there shall be organized therein studies to correspond to the four high school grades, as also such commercial studies as the Commissioner of Education may deem proper.

Commercial
studies.

(186) SECTION 2.—The high schools of Mayagüez, Ponce, Arecibo and Fajardo may give commercial as well as such other instruction as is given in normal schools; *Provided*, That the Commissioner of Education may at any time, for reasons of economy and betterment.

Normal
studies.

order that in all towns where industrial high schools exist both branches of instruction be taught in the same building, the same teachers being employed as far as possible for the common studies.

(187) SECTION 3.—That all the high schools of the island shall be authorized to admit for examination in the months of June and September, all students who have privately taken up the studies corresponding to said courses, and private students shall submit to the same entrance examinations as students from the public schools.

Entrance
examina-
tions.

(188) SECTION 4.—That the Commissioner of Education shall at any time during the coming fiscal year draw up a plan of commercial studies to embrace Commercial Arithmetic, Commercial Geography, Book-keeping, Political Economy, Typewriting, English, Spanish, French and any other studies in harmony with the needs of the country, and shall present the same in his next annual report.

Commis-
sioner to
prepare plan
of commer-
cial studies.

(189) SECTION 5.—All laws, orders or parts thereof in conflict with this shall be and the same are hereby repealed.

(190) SECTION 6.—This Act shall take effect on the first day of July, 1904.

AN ACT (1)

TO ESTABLISH A CLASS OF MECHANICAL DRAWING IN THE HIGH SCHOOL OF PONCE, FOR MECHANICS.

Be it Enacted by the Legislative Assembly of Porto Rico:

(191) SECTION 1.—That the Commissioner of Education shall proceed to acquire the necessary instruments and material for establishing a night class of mechanical drawing in the Ponce High School, for mechanics.

Night
class in
mechanical
drawing.

(192) SECTION 2.—That the Commissioner of Education shall proceed to appoint a competent person to act

Teacher's
salary.

as teacher in said class of drawing, with the monthly salary of seventy-five (75) dollars.

(193) SECTION 3.—That the sum of six hundred and seventy-five dollars is hereby appropriated to pay the salary of the teacher.

(194) SECTION 4.—That this Act shall take effect July 1, 1910.

(195) SECTION 5.—That any law or part thereof in conflict herewith is hereby repealed.

AN ACT (1)

TO REAPPROPRIATE MONEYS PAID BY MUNICIPALITIES AND OTHER PARTIES TO THE COMMISSIONER OF EDUCATION FOR SCHOOL EQUIPMENT, AND FOR OTHER PURPOSES.

Be it Enacted by the Legislative Assembly of Porto Rico:

Money paid
for
equipment.

(196) SECTION 1.—That all moneys paid by municipalities or school boards to the Commissioner of Education for desks or other school appliances furnished to said boards or to said municipalities, shall be credited to an appropriation to be known as an appropriation for "Common school equipment, no-fiscal year." The payments so credited shall be available for the purchase of additional desks, text-books and school supplies.

Payments
for
reimburse-
ments for
property.

(197) SECTION 2.—All moneys paid to the Commissioner of Education in the settlement of property accounts of supervising principals, principals, teachers, or other employes having in their custody and being charged with the responsibility for the proper care of school property, and all moneys paid for the reimbursement for property lost or stolen while in their possession, and all moneys paid by any other persons as reimbursement for school property in their possession which may be lost or stolen during the time for which they are charged with the responsibility for the same, shall be credited to the aforesaid appropriation to be known as the appropriation for "Common school equipment, no-

fiscal year," and when so credited shall be available for the purchase of additional desks, text-books and supplies.

(198) SECTION 3.—The Commissioner of Education shall not sell school furniture or supplies to private persons or to any other parties than the municipalities or the school boards of the several municipalities in Porto Rico; *Provided*, That nothing in this Act shall prohibit the Commissioner of Education from selling at duly advertised public sale school property that may be duly and properly condemned as unfit for use and properly cancelled, so as to prohibit its further use in the public schools.

Public prop-
erty not to
be sold.

(199) SECTION 4.—This Act shall take effect immediately upon its approval.

AN ACT (1)

TO PROVIDE FOR THE RELIEF OF MUNICIPALITIES AND SCHOOL BOARDS
IN PORTO RICO.

Be it Enacted by the Legislative Assembly of Porto Rico:

(200) SECTION 1.—Any municipality or the school board of any municipality, may, in case of emergency, or in case that there is a necessity to secure an advance of funds to be repaid out of uncollected taxes, request by ordinance the advance of money to it by the Insular Government out of insular funds, which ordinance shall be submitted to the Executive Council of Porto Rico for its approval, and in case of such approval, together with the approval of the Governor, and the direction of the Executive Council to the Treasurer of Porto Rico to make such advance, shall have the power to receive such sum. The ordinance requesting such advance shall recite the circumstances rendering desirable such advance, the amount requested, and the exact purpose or purposes to which the moneys that may be so ad-

Municipality
or school
board may
make loan.

vanced shall be devoted, and shall also provide for the repayment of such advance to the Insular Government, with interest at such rate as the Executive Council may fix, in annual instalments, to extend over not exceeding five [5] years, or such period of time as the Executive Council may determine; *Provided, however,* That any such advance of money shall be considered as a temporary loan to such municipality or school board. The Executive Council shall have full power to modify such ordinance coming before it for approval in such manner as it sees fit, and to impose such conditions as in its judgment are desirable, and such ordinance as modified by the Executive Council shall not become effective until it has been adopted in its modified form by the municipal council or school board, and has been returned to the Executive Council and received the final approval of the latter, whereupon the said ordinance shall have become an irrevocable contract until such money shall have been repaid. The funds thus received shall be used only for the purpose or purposes specified in the ordinance authorizing the advances, and the Executive Council of Porto Rico shall have full power to require such accounting of the expenditure of such money as in its opinion is desirable.

Executive Council to approve loan.

Appropriation.

(201) SECTION 2.—There is hereby appropriated out of any funds in the Treasury not otherwise appropriated, such sums of money as may from time to time be required to carry out the provisions of this Act.

(202) SECTION 3.—All laws, orders or decrees or parts thereof in conflict with this Act be and the same are hereby repealed.

(203) SECTION 4.—This Act shall take effect from and after its passage.

AN ACT

TO ESTABLISH THE UNIVERSITY OF PORTO RICO, TO AMEND SECTION 923 OF THE CIVIL CODE OF PORTO RICO AND FOR OTHER PURPOSES.

Be it Enacted by the Legislative Assembly of Porto Rico:

(204) SECTION 1.—That an institution of higher learning is hereby established to be known as the University of Porto Rico. Establishment.

(205) SECTION 2.—That the university thus established shall provide the inhabitants of Porto Rico as soon as possible with the means of acquiring a thorough knowledge of the various branches of literature, science, and useful arts, including agriculture and mechanical trades and with professional and technical courses in medicine, law, engineering, pharmacy and in the science and art of teaching. Scope of university.

(206) SECTION 3.—(1) That the government of the University of Porto Rico shall be vested in a board of trustees composed of the Commissioner of Education, as a member and its president, the Speaker of the House of Delegates or Representatives and the Treasurer of Porto Rico, as *ex officio* members, and four other persons to be appointed by the Governor of Porto Rico, who shall hold office until their successors are appointed and qualified. Trustees.

(207) SECTION 4.—(1) That the board of trustees shall constitute a body corporate under the name of "The University of Porto Rico," with the right as such of suing and being sued, of making contracts, of having and using a common seal and altering the same, of holding and transferring property both real and personal, for the university. The said board shall hold regular quarterly meetings on the first Monday of the months of January, April, July and October of each year, but special meetings may be called at any time by Trustees a body corporate.

(1) As amended February 18, 1905 and March 8, 1910.

the president on the written request of two members, or whenever in his judgment the affairs of the university require such a meeting. At any meeting of the board four members shall constitute a quorum. No person connected with the university as professor, tutor, teacher or other employe receiving salary in the said university, may at the same time be a trustee of the university and no trustee shall be entitled to or be paid any compensation for his services as such trustee; *Provided*, That by special action of the board, in each and every case voted upon separately, trustees may be allowed their necessary traveling expenses while engaged on business of the university.

Vice
president.

(208) SECTION 5.—The board of trustees shall elect from their number a vice president who shall perform all the duties of the president of the board in his absence and when both are absent the board may elect from their own number a president *pro tem* who for the time being may act as president and do and perform all acts required of the president. It shall be the duty of the president to sign all contracts, orders and every paper obligating the university for a valuable consideration, and such contract, order or paper shall be attested by the secretary with the seal of the trustees thereto attached.

Secretary
and
treasurer.

(209) SECTION 6.—The trustees shall elect a secretary and treasurer who shall be one and the same person, whose duty it shall be to receive and receipt for all moneys of the university; keep all accounts which may be directed to be kept by the board; keep inventories of all property of the university as minutely as may be directed by the board; keep all records of their transactions as they may require, and otherwise do such clerical and executive work as may from time to time be directed by the board, and who shall at all times be under the immediate direction and authority of the

president of the board except as otherwise explicitly directed by the laws of Porto Rico or the requirements of the board.

(210) SECTION 7.—The president of the board of trustees shall be the chancellor of the University and as such shall perform the duties usually appertaining to such office. The board shall have power to enact ordinances, by-laws and regulations for the government of the university; to fix, increase and reduce the number of professors, teachers and other employes of the university, appoint or remove the same, determine the amount of their salaries and to prescribe their duties; *Provided*, That no course of study, no subject of instruction and no course of lectures or recitations may be inaugurated or put in force without the written approval of the Commissioner of Education for Porto Rico having been first obtained by the board.

President.

Powers of trustees.

(211) SECTION 8.—The university shall consist of the following departments to be organized in the order of their importance as soon as the necessary funds may be available, and it shall be the duty of the board of trustees to appeal to the philanthropy of public-spirited citizens of Porto Rico and of the several States of the United States for gifts and bequests of money, books, buildings and equipment for this purpose, in addition to such financial assistance as the Government of Porto Rico may have given or may give the university for its endowment:

Departments.

(1) A normal department to be known as the Insular Normal School for the training of teachers in the subjects taught in the public schools of Porto Rico, and to be supported by annual appropriations by the Legislative Assembly.

Normal.

(2) An agricultural and mechanical department for training of teachers and for the promotion of agriculture and the mechanic arts, to be maintained in conformity

Agricultural.

with the requirements of an Act of Congress approved August 30, 1890, being an act entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July 2, 1862," and the legislative assent required by Section 2, of the Act of Congress approved August 30, 1890, is hereby given and the conditions imposed by that Act as well as those imposed by the Act of Congress approved July 2, 1862, are hereby accepted and imposed by this Act upon the University of Porto Rico, and all moneys accruing thereunder are accepted under the conditions and terms in said Acts named.

(3) A Department of the natural sciences and engineering.

(4) A department of liberal arts.

(5) A department of medicine.

(6) A department of laws.

(7) A department of pharmacy.

(8) A department of architecture.

(9) A university hospital.

(10) And such other departments germane to a well-equipped university as the board of trustees may from time to time be able to establish.

Treasurer of
Porto Rico
to
receive
grants from
Congress.

The Treasurer of Porto Rico is hereby designated as the officer to receive the grants of moneys to be paid to the State or Territorial treasurer or to such official as shall be designated by law of such State or Territory to receive same, as provided in an Act of Congress of the United States, approved August 30, 1890, and entitled, "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agricultural and mechanical arts, established under provision of an

Act of Congress approved July 2, 1862," and the assent of the Legislative Assembly of Porto Rico is hereby given to the purpose of said grants and to all the terms and conditions thereof as specified in said Act of Congress. The Treasurer of Porto Rico shall keep an account of the moneys hereafter received by him in pursuance of such Act of Congress in a separate fund to be known as the "University Agricultural fund," to the credit of the University of Porto Rico and shall pay such moneys immediately upon receipt thereof by him, to the treasurer of the University of Porto Rico upon the warrant of the Auditor of Porto Rico, countersigned by the Governor of Porto Rico and issued upon the order of the trustees of the University of Porto Rico in pursuance of said Act of Congress.

(212) SECTION 9.—The immediate government of the several departments shall be intrusted to the chancellor and the respective faculties. The chancellor shall be the presiding officer of the various faculties and the executive head of the university in all its departments, and as such shall have authority—subject to the power of the board of trustees—to give general directions respecting the instruction and scientific investigations of the several departments. The board of trustees shall, with the chancellor and with the recommendation of the several faculties, confer such degrees as in their judgment they shall deem best, and issue certificates or diplomas of proficiency in special subjects, or courses of study, but no strictly honorary degree without corresponding literary or scientific attainments shall be granted by the university.

(213) SECTION 10.—The university shall be open to students of both sexes under such restrictions and regulations as the board of trustees may deem proper, and all able-bodied male students of the university may receive instruction and discipline in military tactics;

Government.

Grant degrees.

Open to both sexes.

Military training.

Provided. That instruction in the normal department for the training of teachers for public schools shall at all times be free to the citizens and residents of Porto Rico of both sexes within the age limits and subject to the conditions of admission which the board of trustees may impose.

Trustees to report to Commissioner.

(214) SECTION 11.—The board of trustees shall make an exhibit of the affairs of the university in each year to the Commissioner of Education, setting forth the condition of the university in all its departments, the amount of receipts and disbursements, the number of professors, teachers and other officers and the compensation of each, number of students in the several departments and in the different classes, the books of instruction used and an estimate of the expenses for the ensuing year, together with such information and suggestions as they may deem important or the Commissioner of Education may require to embody in his report. Such report of the board of trustees shall be delivered to the Commissioner of Education on or before August 15, in each and every year, and shall contain statistical and other data as of the close of the fiscal and academic year ending June 30 previous. It shall be the duty of the Commissioner of Education to lay such report of the board of trustees of the University of Porto Rico before the Legislature in each and every year.

Public documents for library.

(215) SECTION 12.—The Secretary of Porto Rico shall deliver to the university ten copies of each volume of the General and Special Laws of Porto Rico and of the reports of the decisions of the courts and of any other public documents distributed through his office or which may hereafter be published for use in the way of exchange or otherwise, in the establishment and maintenance of the university library, and said library shall be entitled to receive copies of the official reports

when printed, of the several officials of the insular and municipal Government of Porto Rico.

(216) SECTION 13.—(1) To provide funds for the current expenses of the university and for the repairs of buildings, purchase of books and for the purpose of any scientific work which may be conducted under the auspices of the university for the benefit of science or the state, there shall be established by the Treasurer of Porto Rico a fund to be known as the "University fund," into which he shall pay pursuant to law, the following-named receipts, which are hereby appropriated for said purpose:

University
fund.

(1) Escheated inheritances. Section 923 of the Civil Code of Porto Rico is hereby amended to read: "In default of persons who have the right to inherit in accordance with the preceding articles, The People of Porto Rico shall take the inheritance and shall devote the property to the benefit of the "University fund."

Escheated
inheritances.

(2) Fifty per cent of all fines imposed by the courts of Porto Rico, and which are paid into the Insular Treasury, except those imposed under the provisions of the Act, entitled "An Act to prevent cruelty to animals" approved March 1, 1902.

Fines.

(3) Royalties from all franchises or public rights which may be granted by the Executive Council, and the proceeds of which the Executive Council, may designate to be paid into the "University fund." The Treasurer of Porto Rico shall submit to the trustees of the University of Porto Rico semi-annually, or oftener, if requested by said board, a statement showing the balances available to the credit of said board on account of the aforesaid "University fund," and shall pay quarterly to the treasurer of the University of Porto Rico, upon the warrant of the Auditor of Porto Rico, countersigned by the Governor of Porto Rico, and issued upon the order of the trustees of the University of

Franchises.

Porto Rico all unexpended moneys that may accrue in said "University fund."

Proceeds of
public lands
to perma-
nent
university
fund.

(217) SECTION 14.—Twenty-five [25] per cent of the proceeds from the sales of all public lands in Porto Rico are hereby appropriated and shall be set aside by the Treasurer of Porto Rico to the credit of a special fund to be known as the "Permanent university fund" and so much more than twenty-five [25] per cent of the proceeds from the sale of such public lands as the Legislative Assembly may direct to be set aside for the special benefit of the University of Porto Rico. The Treasurer of Porto Rico shall pay to the treasurer of the University of Porto Rico upon the warrant of the Auditor of Porto Rico countersigned by the Governor and issued upon the order of the trustees of the University of Porto Rico annually upon a date to be fixed by said Treasurer of Porto Rico, all moneys accruing to the credit of said University of Porto Rico on account of the "Permanent university fund," and all such moneys thus paid by the Treasurer of Porto Rico on account of the "Permanent university fund" shall be invested by the Trustees of the University of Porto Rico in interest-bearing securities, and only seventy-five [75] per cent of the income from such investments may be used by said trustees in the payment of current expenses or for the construction of buildings or to purchase permanent equipment. The remaining twenty-five [25] per cent of the income from such investments shall be added to the principal of the same and be reinvested in a like manner and subject to the same conditions as the original investment of all moneys received for the "Permanent university fund." No investment of moneys received for the "Permanent university fund" shall be made by the board of trustees in securities without first obtaining the written approval of the Treasurer of Porto Rico, certifying that in his judgment

Investments.

the securities selected for such investment are satisfactory.

(218) SECTION 15.—For the further endowment of the University of Porto Rico the Governor of Porto Rico is hereby authorized to execute a quit-claim deed to the trustees of the University of Porto Rico for the tract of land comprising about fifty acres, together with the buildings thereon erected, situate in the town of Río Piedras and known as the Insular Normal School property, upon which shall be located the normal department of such university and the agricultural and mechanical department, together with such other departments as the board of trustees may decide to locate on this land; *Provided*, That nothing in this section shall be construed to prohibit the trustees of the University of Porto Rico from establishing other departments of the university or departments supplementary to the two departments herein mentioned at other places in the Island of Porto Rico; *And Provided further*, That nothing in this Act shall be construed to prohibit the trustees of the University of Porto Rico from disposing of any part of this land which may not be needed for the benefit of the university.

Normal
School
property
deeded to
university.

(219) SECTION 16.—Immediately upon the transfer of said Insular Normal School property to the University of Porto Rico, the Commissioner of Education is hereby authorized to transfer to said trustees of the University of Porto Rico all the equipment, including books, desks and apparatus and other school materials now or then appertaining to the Insular Normal School and its various departments and the Treasurer of Porto Rico is hereby authorized and directed to pay to the treasurer of the University of Porto Rico upon warrant of the Auditor of Porto Rico countersigned by the Governor and issued upon order of the trustees of the University of Porto Rico, all moneys appropriated for the Insular

Normal
School
equipment
transferred
to university.

Normal School in the budget of the Department of Education and unexpended at the time of said transfer of property and equipment of the Insular Normal School; *Provided*, That the Treasurer have the written approval for such transfer from the Commissioner of Education and a certified copy of a resolution of the board of trustees of the University of Porto Rico setting forth that the university agrees to continue in operation said normal school as a department of the university without interruption to its course of study or of the privileges now extended to the regularly matriculated students of said school; *And Provided further*, That said board of trustees assume all obligations and outstanding contracts appertaining to the administration of said normal school which may have lawfully been made by the Commissioner of Education previous to the date of said transfer.

(220) SECTION 17.—All laws, or parts thereof, decrees, or military orders in conflict with this act are hereby repealed.

(221) SECTION 18.—This act shall take effect from and after its approval.

Approved March 12, 1903.

CHANGES MADE IN THE SCHOOL LAW SINCE IT WAS
CODIFIED IN 1903.

Paragraph 1911 compilation.	Laws 1904. Page.	Laws 1905. Page.	Laws 1906. Page.	Laws 1907. Page.	Laws 1908. Page.	Laws 1909. Page.	Laws 1910. Page.	Laws 1911. Page.
3.				193				
5.			45				79	
6.					106			
7.				194				
8.				195				
8a to 8d.				195				
9 to 16.			52					
17 to 19.							74	
19a.								166
19b to 19e.								40
20 to 24.				199	119			126
25 to 27.					120			
33.					107 (a)			
38.	75							
40.	64							
42.			46				153	
49.	65							61
55.	65							
56.	66							
57.	66							
60.	71						148	
61.		67						
62.	72	5*						
63 to 69.			50					
70 to 73.		66						
74 to 77.		69						
79.		67						
80.		68						
81.							148	
82.			47					
85.		68						
86.	67							
88.				173				
90.	67							
92.							148	
93.	67							
97.					107			
98.				198				61
99 to 105.		5*			111			
107.		70						
108.					108			
109.		68						
110.	167				187			
111.	75	66						
112.								59
114.					108			
115 to 117.						78		170
118.						236		
120.		70						
121.		60						
122 to 124.		69						
125.							198	
126.			48		110			
127.	69							

CHANGES MADE IN THE SCHOOL LAW SINCE IT WAS
COMPILED IN 1903.—Continued.

Paragraph 1911 compilation.	Laws 1904. Page.	Laws 1905. Page.	Laws 1906. Page.	Laws 1907. Page.	Laws 1908. Page.	Laws 1909. Page.	Laws 1910. Page.	Laws 1911. Page.
136 to 145..					113			
146.....					115			
146 to 151..				204				
147.....					115			
152 to 158..			49		117			
159 to 162..					116			
163 to 173..		180						
174.....	76							
175.....	74							
177.....	69							
179.....					120			
180.....	70							
185 to 190..	79							
186.....						148		82
191 to 195..							103	
196 to 199..	76							
200 to 203..	148							
206.....		64					68	
207.....		65					68	
211.....		19						
216.....	78							

(a) This amends every section and paragraph by substituting the words "supervising principal" for the terms "superintendent," "district superintendent" and "school superintendent" wherever found.

*Extraordinary session, May 23 to June 1, 1904.

The laws referred to in the box headings refer to the Laws of Porto Rico.

RULES AND REGULATIONS OF THE DEPARTMENT OF EDUCATION.

Approved by the Commissioner of Education under authority of law in pursuance of Sections 53, 66 and 89 of the Compiled School Law, the Organic Act, and other legislative sanction.

RENEWAL OF TEACHERS' LICENSES.

(222) A license to teach is merely a permit granted for a limited time. It is not a diploma setting forth the results of a course of study or of work done. A diploma is a permanent record of something completed. A license to teach indicates an estimate or a judgment of the temporary or present value placed on a diploma, examination, or other evidence of past achievements and is therefore subject to change. The burden of proof always rests upon the applicant for renewal of a license to show that he has kept his own efficiency up to the standard demanded of new candidates for teachers' licenses.

All licenses issued by the Department of Education are for a certain specified period as provided in the School Laws.

Applications for renewals from others than public-school teachers in actual service should be made in writing and state definitely what teaching or other educational work the applicant has done during the year, or what studies he has pursued and under whose direction. If he has taught in private schools or has been engaged in other kinds of educational work, or has continued his own reading and study in subjects in which he originally passed his examination for a teacher's license, the department will investigate his year's record and renew or refuse to renew his license upon the evidence or lack of evidence of his success as a teacher, or his endeavor to maintain and improve his intellectual attainments as indicated in the examination he passed at the time his license was granted, it

being understood, however, that after June, 1912, the certificate of no person licensed to teach in the Department of Education, who has failed for two successive years to teach in any school under the regular inspection of officers of the department will be renewed. Such persons will, however, be admitted to examination for the reissuance of a certificate.

CLASSIFICATION OF TEACHERS.

All common-school teachers holding certificates issued by the Department of Education, shall be classified as follows, with respect to their proficiency and success as teachers:

Class "A."—Teachers whose work is eminently successful.

Class "B."—Teachers whose work is successful, although not of as high a grade as is that of Class "A."

Class "C."—Teachers who are not giving satisfactory evidence of competence.

This classification shall be revised during the third term of each school year, and shall be based upon the reports submitted by the general superintendents and supervising principals.

Persons entering the corps of teachers for the first time, will be placed in Class "B." Persons already in the teaching force, passing an examination for a higher grade of license, will be placed in the class, under the new grade, which they occupied under the previous grade of license.

Certificates of teachers in Class "C" will be renewed for one year only, at the end of which period, unless they have passed to Class "B," the certificate will not be renewed. Such persons, however, may be admitted to examination for the reissuance of a certificate.

All persons regaining their licenses in this way will

be placed in Class "C" and will receive salaries of the third class.

Teachers in Class "C" will not be approved upon any of the lists submitted by school boards until all available teachers in Classes "A" and "B" have been contracted.

All teachers in Class "C" who had their certificates renewed at the close of the school year 1909-10 for periods of three or five years must necessarily pass to Class "B" during the school year 1911-12.

Teachers in Class "A" only will be approved for the maximum house rent allowed under the law.

VACATION LEAVE FOR SUPERVISING PRINCIPALS OF SCHOOLS.

(223) Supervising principals are subject to the same rules respecting leave of absence that apply to employes in the office force of the Department of Education. In the discretion of the Commissioner of Education, they may be granted leave of absence with full pay, whenever the needs of the public service will permit, for a period not exceeding a total of thirty days in any one calendar year; with an additional allowance of six days for travel each way in case their leave of absence includes permission to go to the States. They may accumulate this leave and be given sixty days with travel allowance, provided that period covers all leave of absence granted in a period of two years, in accordance with the provisions of law regulating leave of absence for Government employes.

DUTIES OF SUPERVISING PRINCIPALS.

(224) Whenever a supervising principal, for any reason whatever, is unable to perform the duties which naturally devolve upon such an official, immediate notice shall be sent to the department.

An adequate sign shall be displayed at the office of

the supervising principal. In connection with such sign, or at least in some conspicuous place open to the public, there shall also be displayed a statement of office hours which shall be observed punctually.

DUTIES OF PRINCIPALS AND TEACHERS.

(225) The principals and teachers together with the officers of the Department are responsible for the maintenance of good schools in Porto Rico. They are supposed to know the school law and to familiarize themselves as far as possible with the course of study and all reports of the Department of Education, so that they may understand its aims and its plans. They are expected to work sympathetically and harmoniously with the department, to give it their full confidence and to look to it as their best friend and helper in all that makes for success in their work. A teacher who does not have confidence in the department, in its intentions and purposes, should sever his connection with the teaching force. He should always appeal first to the department, and not write articles to the newspapers or engage in discussion or gossip with his neighbors about things which concern primarily his relations with the Department of Education. He is expected to take the initiative in doing everything he can for the good of the school. So long as his acts are not inconsistent with the School Laws or general policy of the department, every teacher and principal will be sustained by the department. A few of the more general duties pertaining to principals and teachers may be enumerated as follows:

DUTIES OF PRINCIPALS.

(226) (1) Principals of public schools shall keep a register in which shall be noted the name, age, sex, color, date of entry, date of promotion from one grade

to another and the attendance of each pupil; also the name, residence and occupation of the parents or guardians of the pupils. This register shall always be at the disposition of the Commissioner of Education or his representatives and of the members of the school boards.

(2) Principals shall be in their respective buildings at least twenty minutes before the opening of each session.

(3) Principals shall keep a register of the daily attendance of the teachers who are under their direction, requiring them to sign their names in this book at the opening of school and to note the exact time of their arrival.

(4) Principals are responsible to the Commissioner of Education or his representatives for the organization, discipline and distribution of work in their schools, and they are responsible to the school board for the care of the buildings and public property.

(5) Principals shall assist the supervising principals in the distribution of the books and materials provided by the department.

(6) Principals shall see that the school buildings are kept clean and in good order.

(7) Principals shall matriculate and classify pupils of the school placed under their care, subject to the general direction and guidance of the supervising principals.

(8) Principals shall keep all written suggestions or criticisms received from the supervising principal during the year, as well as all the books in which they have written out their daily preparation of work, at their respective school rooms until the close of each school year.

(9) Principals shall see that the schools under their charge are open at the hour fixed for the opening of

schools and that the teachers devote themselves exclusively to the instruction of their pupils during school hours, maintaining good discipline, and that they conduct themselves with propriety and follow faithfully the course of study laid down by the Commissioner of Education.

(10) Principals shall not permit any person to visit their schools with the object of selling merchandise or advertising books, publications, concerts, exhibitions or any other business enterprise, without the written permission of the Commissioner of Education.

(11) Principals are required to have the correct time and to see that the clocks in their schoolrooms are regulated to keep the correct time.

(12) Principals shall see that all of the reports for the schools under their direction are promptly filled out in the form required and placed at the disposition of the supervising principal.

(13) Principals are responsible for the faithful execution and performance of all the rules and regulations laid down for their respective schools.

(14) Principals are responsible for the maintenance of discipline in all the schools under their direction.

(15) Principals shall report upon the work, conduct, etc., of all the teachers under their direction so far as it is possible to observe the same in addition to attending to their duties in their own classes, whenever requested by supervising principals or school boards.

(16) Principals shall send a report on the condition of the school property to the school boards when requested to do so.

(17) Principals shall hold themselves in readiness for such additional work as may be required by the Commissioner of Education or his representatives.

(18) Principals shall immediately notify the Super-

vising Principal of any permission given by them to a teacher to dismiss his pupils during school hours.

(19) Wherever in these rules and regulations the word "principal" occurs, it is intended to include "acting principal" and "teacher in charge."

DUTIES OF TEACHERS.

(227) (1) Teachers shall always respect the authority of principals and shall not interfere with nor usurp their rights or duties.

(2) Teachers in rural schools shall be in their respective schools at least twenty minutes before the hour set for beginning classes.

(3) Teachers in school buildings in charge of principals or acting principals shall be in their respective schools at least ten minutes before the time for beginning classes.

(4) Teachers shall keep a register provided by the department in accordance with the instructions given therein.

(5) Teachers shall be responsible for the proper care and protection of text-books and the economic use of school materials supplied to them by the department.

(6) Teachers are prohibited from dismissing their pupils during school hours unless obliged to do so for some absolutely necessary cause, in which case graded teachers shall have previously secured permission of their principal, but in no case shall a teacher appoint a substitute.

(7) Teachers should study the characteristics of the pupils of their respective classes and by means of kindness and persuasive disciplinary measures they should endeavor to win their affection and cooperation. Teachers shall always be examples of dignity, courtesy and kindly spirit.

(8) Teachers are charged with the duty of overseeing

the conduct of their pupils not only in the class room, but also during the recesses, and they are jointly responsible with the parents or guardians for their conduct from the time they leave home for school until they return to their homes.

(9) Teachers shall fill out in proper form all required reports and give same to their supervising principals.

(10) Teachers shall follow at all times the directions or orders of the Commissioner of Education or his representatives, and shall familiarize themselves with the School Laws and the Rules and Regulations of the department.

(11) Teachers shall closely observe and follow the methods of instruction outlined in the Course of Study issued by the department.

(12) Teachers shall preserve for inspection by general superintendents or other officials of the department, all written suggestions or criticisms received from their supervising principals during the school year, as well as all books in which they have written their daily preparation of work, at their respective schoolrooms until the close of each school year.

(15) Teachers shall, when requested by their supervising principal, be with their pupils on the playgrounds during recess to preserve order and to direct their games.

(16) Teachers of English shall be placed in charge of the Courses in English for Porto Rican teachers. The time and place for holding these courses shall be determined by the Supervising Principal, subject to the approval of the Commissioner of Education.

(17) Teachers will not be allowed to take the annual examination given toward the close of each school year in the elementary or intermediate course in English for Porto Rican teachers more than twice. This rule will go into effect in June, 1912.

RIGHTS OF TEACHERS.

(228) Teachers shall have the right to appeal from the orders which may be given them by their principal to the supervising principal and from the latter to the Commissioner of Education.

Supervising principals and principals should give all their instructions to teachers privately and not in the presence of the their classes.

The restriction upon the teachers from engaging in active politics does not restrain their liberty to cast their vote at the polls or to express their opinions privately, but they shall not engage in public discussions or in electioneering.

Teachers are at liberty to make any voluntary contribution that they may deem fit for political purposes. The department is, however, desirous of coöperating with the Department of Justice in prosecuting any violation of Section 16 of the Civil Service Law, and will, so far as is in its power, protect teachers refusing to make involuntary contributions.

Teachers enjoy the complete right to criticise or discuss either in pedagogical meetings or in newspaper articles the School Laws and Regulations, but in all such discussion they shall avoid the use of words and phrases which could in any manner be deemed as showing a lack of respect for any department of the Insular Government.

LENGTH OF SCHOOL DAY.

(229) The school day for all graded schools and urban rural schools shall be as follows:

Grades 1 and 2.—8.30 a. m. to 11 a. m.; 1.30 p. m. to 4 p. m.

Grades 3 to 8.—8.30 a. m. to 11.30 a. m.; 1.30 p. m. to 4 p. m.

In all rural schools other than urban.—8.30 a. m. to 11.30 a. m.; 12 m. to 3 p. m.

In all night schools.—Two hours.

These hours shall be strictly adhered to unless special permission to the contrary is granted by the Commissioner of Education.

A fifteen-minute recess shall be given each session.—In urban schools, at 10 a. m. and 2.45 p. m.; in rural schools, at 10 a. m. and 1.30 p. m.

The length of recitation periods shall be as follows: Grades 1 and 2 not to exceed 15 minutes, grades 3 and 4 not to exceed 20 minutes, grades 5 and 6 not to exceed 25 minutes, grades 7 and 8 not to exceed 30 minutes.

PHYSICAL EXERCISES.

(230) Fifteen minutes daily shall be devoted to calisthenics and breathing exercises in all schools of the island. These exercises should be introduced after lessons of limited physical activity. Whenever the class is restless, dull or inattentive, it would be well to introduce breathing exercises in order to refresh both mind and body. These exercises shall not be substituted for the regular recess period, but wherever possible, without too much confusion and loss of time, they shall be held in the open air.

The following exercises shall be taught all pupils so that they may practice them at home:

1. Stand erect, heels together, toes out, hands down at the sides. Draw a deep breath slowly and at the same time raise the arms slowly from the sides until the palms nearly meet over the head. Lower the arms gradually, exhaling slowly. Repeat about eight times.

2. Stretch the arms straight out in front of the body, palms facing. Keeping the arms in a horizontal position, move them slowly backward and see how near

you can come to bringing the hands together at the back without bending or lowering them, inhaling and exhaling as before. Repeat about eight times.

3. Arms straight out in front, palms down. Raise the arms slowly over the head, then as far back as possible, down and to the original position, making in this way a sort of crooked circle in the air with the hands. Inhale slowly as the arms are raised and exhale as they are lowered. Repeat eight times.

4. To vary these exercises from time to time, instead of exhaling as the arms descend, hold the breath until the arms are in their original position, then exhale slowly.

The following simple rules should be observed by all school children in order to prevent the spread of contagious disease:

1. Do not spit on the floor or sidewalk.
2. Do not put pencils or penholders in the mouth.
3. Do not put the fingers in the mouth.
4. Do not put money in the mouth.
5. Never put into the mouth anything that another person has had in his mouth (whistles, candy, gum, etc.)
6. When coughing turn the face away from others, and avoid allowing others to cough in your face.
7. Wash the face and hands often.

SUSPENSION.

(231) This method of punishment is approved by the Department of Education when necessary to maintain the dignity and proper discipline of the school. Suspensions shall not exceed five days unless further extension is granted by the Commissioner of Education.

For the guidance of teachers the following instructions are given:

(1) In rural schools a child may be suspended by the teacher. The child shall be sent home at once and

the parent or guardian notified in writing of the reasons for suspension and informed that the consent of the supervising principal must be secured before the child may return. The teacher will also notify the supervising principal of his action enclosing a copy of the letter sent to the parents or guardian.

(2) In school buildings in charge of principals or acting principals, pupils may be suspended by these officers only. The teacher shall send the pupil to the principal or acting principal who, after investigation, may suspend him. The child shall, in such case, be sent home immediately, and the parent or guardian notified in writing that the child is suspended, with the reasons therefor, and that the written consent of the supervising principal is necessary before the child may return.

(3) The supervising principal shall, after investigation, notify the parent or guardian in writing of the conditions under which the child may return.

(4) Copies of all papers relating to suspension shall be kept on file in the supervising principal's office.

CORPORAL PUNISHMENT.

(232) The use of corporal punishment in the schools of Porto Rico is not approved by the Department of Education, and is absolutely prohibited except in accordance with the following regulations:

(1) Whenever a grave misdemeanor has been committed by a pupil for which it seems corporal punishment would be the best remedy, written or oral permission (if oral, it should be given in the presence of a reliable witness) must be secured from the parent or guardian for the infliction of that form of punishment.

(2) In schools where there are principals or acting principals, corporal punishment, when administered,

shall be inflicted only by those officers and in the presence of two other teachers, and not in the presence of other pupils.

(3) In rural schools, corporal punishment may be administered by the teacher, but must be in the presence of two patrons of the school called in as witnesses. In this case also, punishment shall not be administered in the presence of other pupils.

(4) Teachers shall not strike pupils on the head, or any other part of the body in such a way as to produce severe or permanent injury.

(5) When corporal punishment is administered it shall be by the use of the hand or a light rule, switch or strap without a buckle or other piece of metal.

(6) Teachers who disregard section 53 of the Compiled School Laws of Porto Rico or the rules of the department relative to corporal punishment will be summarily dealt with.

EXAMINATIONS.

(233) Examinations for all classes of teachers' licenses will be held annually during the Easter vacation at headquarter towns and also during the summer vacation at such places as the Commissioner of Education may designate. Examinations for permanent diplomas will be held annually during the summer vacation at such places as the Commissioner of Education may determine.

Applications for admission to examinations for teachers' licenses or for permanent diplomas must be made in writing upon blanks provided by the department and supplied through the supervising principals. Such applications must be handed to the supervising principals at least 15 days before the day set for examination.

Applicants for the principal's examination must

possess the English graded license; those for examination for rural license, the eighth grade diploma or its equivalent.

In order to obtain the teacher's certificate, applicants must obtain at least 60% in each subject, and a general average of 75%. At the Easter vacation examinations those candidates for the principal's license who receive 75% or over in at least seven subjects will be credited with those subjects. Candidates for the graded or rural license who receive 60% or over in at least five subjects will be credited with subjects in which they obtain 75% or over. The credits referred to in this paragraph shall hold good only until the examinations given during the summer vacation at which time all remaining subjects must be approved and the general average of 75% obtained.

Examinations for the common school diploma which is given upon completion of the work of the 8th grade, will be held at the close of the school year in each town where 8th grades are maintained, and also late in the summer at such towns as the Commissioner of Education may designate.

In order to obtain the common school diploma, candidates must obtain at least 60% in each subject, and a general average of 75%. Any candidate who receives 75% or more in at least five subjects at the June examinations will be credited with those subjects and may take the examination in the remaining subjects at the examinations held late in the summer.

The examination of graded teachers for authority to teach in English will be conducted by the general superintendents at the time of their visit to the various districts and at such other times or by such other persons as may be designated by the Commissioner of Education.

Examinations provided by law to be given in the

English language for teachers will be held at the completion of the several courses at headquarter towns and also during the summer at such places as the Commissioner of Education may determine. This examination in English will be both oral and written, and teachers must obtain an average of at least 60%.

Special permission may be given by the Commissioner of Education for admission to any examination for satisfactory reason.

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"ff" read "and following paragraphs."

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