

EDUCATION.

CHAPTER 52.

[Sub. S. B. No. 3.]

RELATING TO CERTIFICATES OF SCHOLARSHIP.

AN ACT to Amend Section 23 of Chapter 56, Laws of 1891, Being "An Act to Amend Sections 3, 4, 7, 8, 22, 24, 32, 37, 40, 55, 66, 67, 68, 74, 75, 79, 81, 83, 86, 87, 101, 110, 121, 122, 135, 136, 137, 140, 143, 144, 148, 167, 169, and 192, of Chapter 62, Laws of 1890, Entitled 'An Act to Provide for a Uniform System of Free Public Schools Throughout the State and to Prescribe Penalties for the Violation of the Provisions Thereof.'"

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 23. AMENDMENT.] That Section 121 be amended to read as follows:

§ 121. CERTIFICATES OF SCHOLARSHIP.] Such certificates shall be of three regular grades; the first grade for a term of three years; the second grade for the term of two years; and the third grade for one year, according to the ratio of correct answers of each applicant and other evidence of qualifications appearing from the examination. No certificate shall be granted unless the applicant shall be found proficient in, and qualified to teach the following branches of a common English education; reading, writing, orthography, language lessons, and English grammar, geography, United States history, arithmetic, civil government and physiology and hygiene, and for a first and second grade can pass a satisfactory examination in theory and practice of teaching. In addition to the above applicants for first grade certificates shall pass a satisfactory examination in physical geography, elements of natural philosophy, elementary geometry and algebra and psychology. The percentage required to pass any branch shall be prescribed by the State Superintendent. In addition to these regular grades of certificate the county superintendent may grant a permission to teach until the next regular examination to any person applying at any other time than at a regular examination, who can show satisfactory reasons for failing to attend such examination, subject to rules and regulations to be prescribed by the State Superintendent. Such permit shall not be granted more than once to any person. The written answers of all candidates for county certificates after being duly examined by the county superintendent, shall be kept by him for the space of six months after such examination, and any candidate thinking an injustice

has been done him or her, by paying a fee of two (2) dollars into the institute fund of the county, and notifying both county and State Superintendent of the same, shall have his or her papers re-examined by the State Superintendent; the county superintendent shall, upon receipt of such notice from such complaining candidate, transfer said papers to the State Superintendent, who shall re-examine such answers, and if such answers warrant it, shall instruct the county superintendent to issue to such complaining candidate a county certificate of the proper grade and the county superintendent shall carry out such instructions.*

Approved, March 14, 1895.

CHAPTER 53.

[Sub. S. B. No. 03.]

HIGH SCHOOL BOARD.

AN ACT for the Encouragement of Secondary Education.

Be it Enacted by the Legislative Assembly of the State of North Dakota.

§ 1. HIGH SCHOOL BOARD.] The Governor, the Superintendent of Public Instruction, and the President of the State University, *ex-officio*, are hereby constituted a board of commissioners on preparatory schools for the encouragement of higher education in the State. This board shall be called the "High School Board" and shall perform the duties, and have and exercise the power hereinafter mentioned.

§ 2. STUDENTS CLASSIFIED.] Any public graded school in any city, or incorporated village or township, organized into a district, under the so-called township or district system, which school shall give instruction according to the terms and provisions of this act, and shall admit students of either sex from any part of the State, shall be entitled to be classified as a State high school; *Provided, however*, That no such school shall be required to admit non-resident pupils unless they shall pass an examination in orthography, reading in English, penmanship, arithmetic, grammar, modern geography and the history of the United States.

§ 3. CONDITIONS OF CLASSIFICATION.] The said board shall require of the schools desiring to be classified as State high schools, compliance with the following conditions, to-wit:

First. That there be regular and orderly courses of study, embracing all the branches prescribed by said board for the first two years of the high school course.

Second. That the said schools classified as State high schools under this act shall at all times permit the said board of commissioners, or any of them, to visit and examine the classes pursuing the said preparatory courses.

§ 4. SCHOOL TO BE VISITED ONCE IN EACH YEAR.] The said board of commissioners shall cause each school classified as a State high school under this act to be visited, at least once in each school year, by a committee of one or more members, who shall carefully inspect the instruction and discipline of the said high schools and make a written report on the same immediately; *Provided*, That the said board may, in their discretion, appoint, in any case, competent persons to visit and inspect any schools, and to make report thereon; and no school shall be classified as a State high school in any case until after such report shall have been received and examined by the board and the work of the school approved by vote of the board.

§ 5. NO COMPENSATION.] The members of said board shall serve without compensation.

§ 6. DISCRETIONARY POWERS.] The high school board shall have full discretionary power to consider an act upon applications of schools for classification and to prescribe the conditions upon which said classification shall be made; and it shall be its duty to accept such school only as will, in its opinion, if accepted, efficiently perform the service contemplated by law. Any school once accepted and continuing to comply with law and regulations of the board made in pursuance thereof, shall be so classified not less than three years. The board shall have power to establish any necessary and suitable rules and regulations relating to examinations, reports, acceptance of schools, courses of studies, and other proceedings under this act.

§ 7. SHALL KEEP RECORD.] The said board shall keep a careful record of all their proceedings, and shall make on or before the first day of December in each year, a report, covering the previous school year, to the Superintendent of Public Instruction, showing the names and number of schools classified as State high schools, and the number of pupils attending the classes in each, to which report they may add such recommendations as they may deem useful and proper.

§ 8. TAKE EFFECT.] This act shall take effect and be in force from and after its passage.

Approved, March 12th, 1895.

CHAPTER 54.

[S. B. No. 27.]

QUALIFICATIONS OF TEACHERS.

AN ACT To Amend Section 24 of Chapter 56 of the Session Laws of 1891, Entitled "An Act to Amend Sections 3, 4, 7, 8, 22, 24, 32, 37, 40, 55, 66, 67, 68, 74, 75, 79, 81, 83, 86, 87, 101, 110, 121, 122, 135, 136, 137, 140, 143, 144, 148, 167, 169 and 192, of Chapter 62, Laws of 1890, Entitled 'An Act to Provide for a Uniform System of free Public Schools Throughout the State and to Prescribe Penalties for Violation of the Provisions Thereof.' "

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 24 of Chapter 56 of the Session Laws of 1891, be amended to read as follows:

§ 2. QUALIFICATIONS OF TEACHERS—APPLICATION OF ARTICLE —CONTRACT VOID.] No certificate or permit to teach shall be issued to any person under eighteen years of age and no first grade certificate shall be issued to any person under twenty years of age and who has not taught successfully twelve school months; and a third grade certificate shall not be issued more than twice to the same person. The certificate so issued by a county superintendent shall be valid only in the county where issued; *Provided*, That a first grade certificate may be renewed once without examination at the discretion of the county superintendent, upon payment of the proper fee for the institute fund as provided in the case of examination; *Provided, further*, That a first grade certificate shall be valid in any county of the State when endorsed by the county superintendent of such county. No person shall be employed or permitted to teach in any of the public schools of the State except those in cities organized for school purposes under special laws, who is not the holder of a lawful certificate of qualification, or permit to teach. *Provided, further*, That no certificate or permit to teach in the schools of the State shall be granted to any person not a citizen of the United States unless such person has resided in the United States for one year, past prior to the time of such application for certificate or permit. Any contract made in violation of this section shall be void.

Approved, March 12, 1895.

CHAPTER 55.

[S. B. No. 153.]

HEALTH AND DECENCY IN PUBLIC SCHOOLS.

AN ACT in Relation to Health and Decency in the School Districts of This State.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. DUTY OF BOARDS OF EDUCATION.] It shall be the duty of all boards of education and district school boards having supervision over any school district of this State, to provide suitable and convenient water closets or privies for each of the schools under their charge, at least two in number, which shall be entirely separate each from the other, and having separate means of access, it shall be the duty of the school officers aforesaid to keep the same in a clean, chaste and wholesome condition, and a failure to comply with the provisions of this act on the part of boards of education and district school boards, shall be sufficient grounds for removal from office, and for withholding from any district any part of the public moneys of the State and the expense incurred by the officers aforesaid, growing out of the requirements of this act, shall be a charge upon the district, when such expense shall have been approved by the school superintendent of the county within which the school district is located, and a tax may be levied therefor without a vote of the district.

§ 2. EMERGENCY.] *Whereas*, It is necessary, in the interest of health that this act be put in force prior to July 1st next; *Therefore*, this act shall take effect from and after its passage and approval.

Approved, March 7, 1895.

CHAPTER 56.

[S. B. No. 4.]

COMMON SCHOOL BRANCHES.

AN ACT To Amend Section One Hundred Thirty, Chapter Sixty-two, of the Session Laws of 1890, Entitled: "An Act to Provide for a Uniform System of Free Public Schools Throughout the State, and to Prescribe Penalties for the Violation of the Provisions Thereof."

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 130, Chapter 62, of the Session Laws of 1890 be amended to read as follows:

§ 130. COURSE OF STUDY IN COMMON SCHOOLS.] Every teacher

in the common schools shall teach pupils as they are sufficiently advanced to pursue the same, the following branches, to-wit: Orthography, reading, spelling, writing, arithmetic, language lessons, English grammar, geography, United States history, civil government, physiology and hygiene, giving special instruction concerning the nature of alcoholic drinks, stimulants and narcotics, and their effects upon the human system. Physiology and hygiene, and the nature of alcoholic drinks, stimulants and narcotics, and their effect upon the human system, shall be taught as thoroughly as any branch is taught, by the use of a text-book to all pupils able to use a text-book who have not thoroughly studied that branch, and orally to all other pupils. When such oral instruction is given as herein required, a sufficient time, not less than fifteen minutes, shall be given to such oral instruction, for at least four days in each school week. Every teacher in the school in special districts, and in cities organized for school purposes, under special law, shall conform to, and be governed by the provisions of this section.

Approved, March 14, 1891.

CHAPTER 57.

[H. B. No. 152.]

SPECIAL SCHOOL DISTRICTS.

AN ACT to Amend Section 33 of Chapter 56, Laws of 1891, Being an Act to Amend Sections 3, 4, 7, 8, 22, 24, 32, 37, 40, 55, 66, 67, 68, 74, 75, 79, 81, 83, 86, 87, 101, 110, 121, 122, 135, 136, 137, 140, 143, 144, 148, 167, 169 and 192 of Chapter 62, Laws of 1890, Entitled "An Act to Provide for a Uniform System of Free Public Schools Throughout the State, and to Prescribe Penalties for Violation of the Provisions Hereof."

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 33. AMENDMENT.] That Section 169 be amended to read as follows:

§ 169. SPECIAL SCHOOL DISTRICTS—HOW CONSTITUTED.] All cities and incorporated towns and villages which have heretofore been organized under the general school laws, and which are provided with a board of education, shall be governed by the provisions of this article. Any city or incorporated town or village having a population of more than 200 inhabitants may be constituted a special school district in manner hereinafter prescribed, and shall then be governed by the provisions of this article; *Provided*, That any city heretofore organized for school purposes under a special act may adopt the provisions of this article by a majority vote of the voters therein, in the same manner as is provided for the organization of a new corporation under the provisions of this article.

Approved, March 19, 1895.