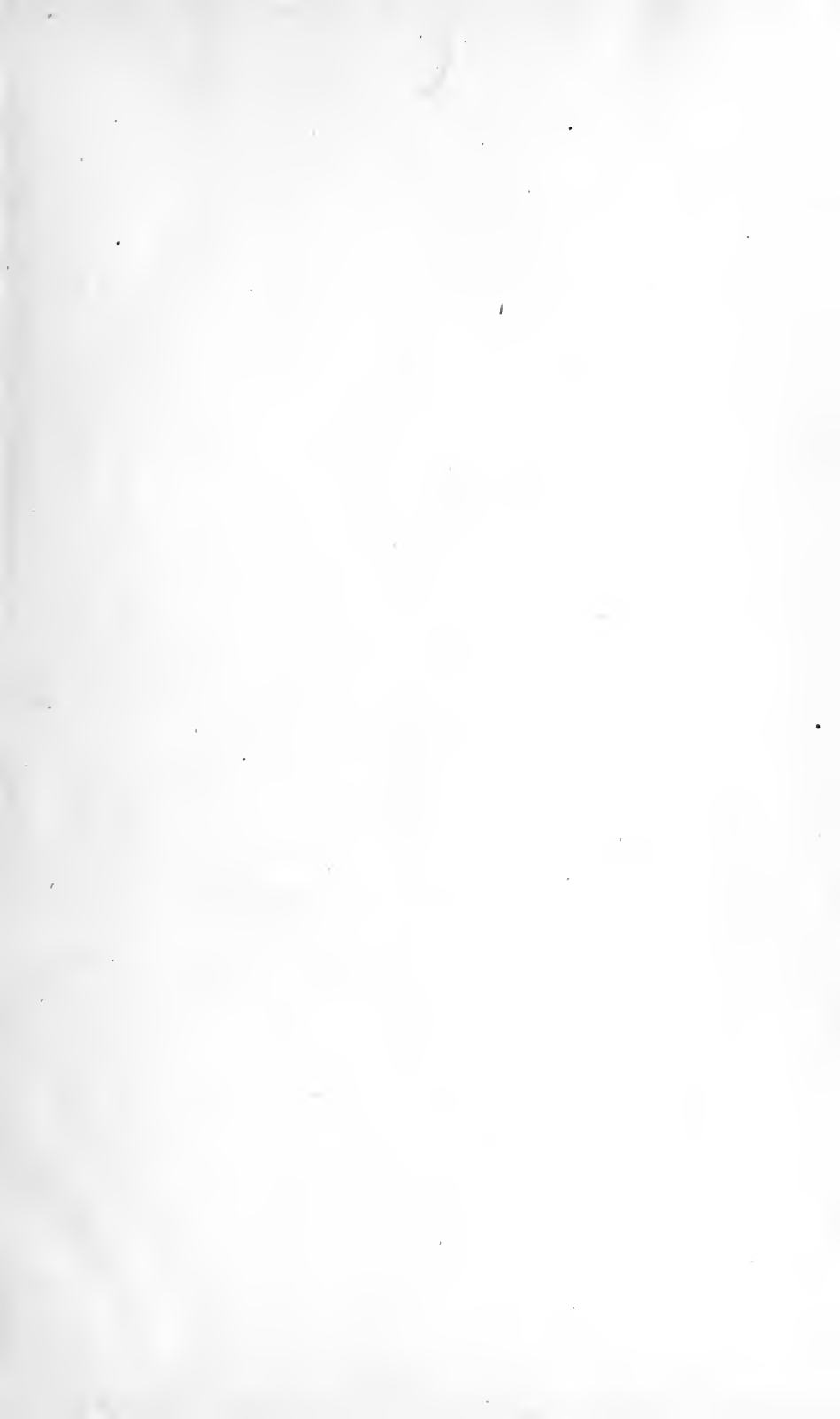




Class LB 2525

Book C5
1885

OFFICIAL DONATION.





STATE PROPERTY for the use of SCHOOL DIRECTORS and TEACHERS.

To be Delivered by each School Officer to his Successor,

THE SCHOOL LAW

OF THE

STATE OF COLORADO

AS AMENDED BY THE

SEVENTH GENERAL ASSEMBLY,

1889.



DENVER, COLO :
THE COLLIER & CLEVELAND LITHOGRAPHING CO., STATE PRINTERS.
1889.

THE SCHOOL LAW

OF THE

STATE OF COLORADO

AS AMENDED BY THE

SEVENTH GENERAL ASSEMBLY,

1889.



DENVER, COLO.:
THE COLLIER & CLEVELAND LITHOGRAPHING CO., STATE PRINTERS.
1889.

LB 2729
.C:
1889

22 JAN 1906
D. C. D.

YMAEELI ENT
22380000 70

INTRODUCTION.

STATE OF COLORADO, DEPARTMENT OF PUBLIC INSTRUCTION. }

The contents of this pamphlet include:

Article IX. of the Constitution of Colorado;

The School Law of the State, with all amendments to date;

The law concerning reports of State Educational Institutions;

The law in regard to the study of alcoholic stimulants and narcotics in public schools;

The law establishing Arbor Day;

The law in regard to compulsory education;

The law in regard to printing the school laws;

The law organizing a State Normal School;

Forms for the use of school officers and teachers.

The following sections were amended by the Seventh General Assembly:

Sections 28, 32, 33, 37, 54, 77 and 88.

FRED DICK,
Superintendent of Public Instruction.

ARTICLE IX.

OF THE

Constitution of the State of Colorado

EDUCATION.

SECTION 1. The general supervision of the public schools of the State shall be vested in a Board of Education, whose powers and duties shall be prescribed by law; the Superintendent of Public Instruction, the Secretary of State and Attorney General shall constitute the Board, of which the Superintendent of Public Instruction shall be President.

SEC. 2. The General Assembly shall, as soon as practicable, provide for the establishment and maintenance of a thorough and uniform system of free public schools throughout the State, wherein all residents of the State between the ages of six and twenty-one years may be educated gratuitously. One or more public schools shall be maintained in each school district within the State, at least three months in each year; any school district failing to have such school shall not be entitled to receive any portion of the school fund for that year.

SEC. 3. The public school fund of the State shall forever remain inviolate and intact; the interest thereon only shall be expended in the maintenance of the schools of the State, and shall be distributed amongst the several counties and school districts of the State, in such manner as may be prescribed by law. No part of this fund, principal or interest, shall ever be transferred to

any other fund, or used or appropriated, except as herein provided. The State Treasurer shall be the custodian of this fund, and the same shall be securely and profitably invested, as may be by law directed. The State shall supply all losses thereof that may in any manner occur.

SEC. 4. Each County Treasurer shall collect all school funds belonging to his county, and the several school districts therein, and disburse the same to the proper districts, upon warrants drawn by the County Superintendent, or by the proper district authorities, as may be provided by law.

SEC. 5. The public school fund of the State shall consist of the proceeds of such lands as have heretofore been, or may hereafter be, granted to the State by the General Government for educational purposes; all estates that may escheat to the State; also, all other grants, gifts or devises that may be made to this State for educational purposes.

SEC. 6. There shall be a County Superintendent of Schools in each county, whose term of office shall be two years, and whose duties, qualifications and compensation shall be prescribed by law. He shall be *ex officio* Commissioner of Lands within his county, and shall discharge the duties of said office under the direction of the State Board of Land Commissioners, as directed by law.

SEC. 7. Neither the General Assembly, nor any county, city, town, township, school district or other public corporation, shall ever make any appropriation, or pay from any public fund or moneys whatever, anything in aid of any church or sectarian society, or for any sectarian purpose, or to help support or sustain any school, academy, seminary, college, university or other literary or scientific institution, controlled by any church or

sectarian denomination whatsoever; nor shall any grant or donation of land, money, or other personal property, ever be made by the State, or any such public corporation, to any church or for any sectarian purpose.

SEC. 8. No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the State, either as teacher or student; and no teacher or student of any such institution shall ever be required to attend, or participate in, any religious service whatever. No sectarian tenets or doctrines shall ever be taught in the public schools, nor shall any distinction or classification of pupils be made on account of race or color.

SEC. 9. The Governor, Superintendent of Public Instruction, Secretary of State and Attorney General shall constitute the State Board of Land Commissioners, who shall have the direction, control, and disposition of the public lands of the State, under such regulations as may be prescribed by law.

SEC. 10. It shall be the duty of the State Board of Land Commissioners to provide for the location, protection, sale, or other disposition of all the lands heretofore, or which may hereafter, be granted to the State by the General Government, under such regulations as may be prescribed by law; and in such manner as will secure the maximum possible amount therefor. No law shall ever be passed by the General Assembly granting any privileges to persons who may have settled upon any such public lands subsequent to the survey thereof by the General Government, by which the amount to be derived by the sale, or other disposition, of such lands, shall be diminished, directly or indirectly. The General Assembly shall, at the earliest practicable period, provide by law that the several grants of land made by Congress to the State shall be judiciously located and

carefully preserved and held in trust, subject to disposal, for the use and benefit of the respective objects for which said grants of lands were made, and the General Assembly shall provide for the sale of said lands from time to time, and for the faithful application of the proceeds thereof, in accordance with the terms of said grant.

SEC. 11. The General Assembly may require, by law, that every child of sufficient mental and physical ability, shall attend the public school, during the period between the ages of six and eighteen years, for a time equivalent to three years, unless educated by other means.

SEC. 12. There shall be elected by the qualified electors of the State, at the first general election under this Constitution, six Regents of the University, who shall, immediately after their election, be so classified by lot, that two shall hold their office for the term of two years, two for four years, and two for six years; and every two years after the first election, there shall be elected two Regents of the University, whose term of office shall be six years. The Regents thus elected, and their successors, shall constitute a body corporate, to be known by the name and style of "The Regents of the University of Colorado."

SEC. 13. The Regents of the University shall, at their first meeting, or as soon thereafter as practicable, elect a President of the University, who shall hold his office until removed by the Board of Regents for cause; he shall be *ex officio* a member of the board, with the privilege of speaking, but not of voting, except in cases of a tie; he shall preside at the meetings of the board, and be the principal executive officer of the University, and a member of the faculty thereof.

SEC. 14. The Board of Regents shall have the general supervision of the University, and the exclusive

control and direction of all funds of, and appropriations to the University.

SEC. 15. The General Assembly shall, by law, provide for organization of school districts of convenient size, in each of which shall be established a Board of Education, to consist of three or more directors, to be elected by the qualified electors of the district. Said directors shall have control of instruction in the public schools of their respective districts.

SEC. 16. Neither the General Assembly nor the State Board of Education shall have power to prescribe text books to be used in the public schools.



AN ACT

TO ESTABLISH AND MAINTAIN A SYSTEM OF FREE SCHOOLS, APPROVED MARCH 20, 1877, AS AMENDED BY THE SECOND, THIRD, FOURTH, SIXTH AND SEVENTH GENERAL ASSEMBLIES.

Be it enacted by the General Assembly of the State of Colorado:

STATE BOARD OF EDUCATION.

SECTION 1. The Superintendent of Public Instruction, the Secretary of State and Attorney General, shall constitute a State Board of Education, of which the Superintendent of Public Instruction shall be President. State board, how constituted.

SEC. 2. The State Board of Education shall meet at the State capitol on the last Saturday in December in each year, and at such other times and places as may by them be deemed necessary, and shall have power to adopt any rules and regulations not inconsistent with law, for its own government, and for the government of public schools. Meetings and powers.

SEC. 3. The State Board of Education is hereby authorized to grant State diplomas to such teachers as may be found to possess the requisite scholarship and culture, and who may also exhibit satisfactory evidence of an unexceptional moral character, and whose eminent professional ability has been established by not less than two years' successful teaching in the public schools of this State. Such diplomas shall supersede the necessity of any and all other examinations of persons holding the same, by county, city or local examiners, and shall be valid in any county, city, town or district in the State, unless revoked by the State Board of Education. State diplomas, to whom issued.

Examination for
state diplomas.

SEC. 4. But State diplomas shall only be granted upon public examination, of which due notice shall be given, in such branches and upon such terms, and by such examiners as the Superintendent of Public Instruction, the President of the State University, the President of the State Agricultural College and the President of the State School of Mines may prescribe; *Provided*, That the State Board of Education may, upon the recommendation of the State Board of Examiners, grant State diplomas without examination to persons who, in addition to good moral character and scholarly attainments, have rendered eminent services in the educational work of the State for a period of not less than five years.

How revoked.

SEC. 5. The State Board of Education may at any time revoke a State diploma, upon satisfactory evidence that the holder thereof has become unworthy of the same; *Provided*, That, before revoking any such diploma, the holder thereof shall have at least thirty days' notice to appear before the State Board, and refute any charges brought against him.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

When elected.

SEC. 6. At the general election, to be held in the year of our Lord one thousand eight hundred and seventy-eight, and every two years thereafter, a State Superintendent of Public Instruction shall be elected by the qualified electors of the State, who shall hold office for a term of two years from the second Tuesday of January next after his election, and until his successor is duly elected and qualified.

Tenure of office.

Oath and bond.

SEC. 7. Before entering upon his duties he shall take and subscribe the oath of office prescribed by the Constitution, and shall also execute a bond in the penalty of five thousand dollars, payable to the State of Colorado, with sureties to be approved by the State Auditor, con-

ditioned upon the faithful discharge of his official duties, and the delivery to his successor of all books, papers and documents and other property belonging to the office. Said bond and oath shall be deposited with the Secretary of State.

SEC. 8. He shall have an office at the seat of gov- Keep office, where.
 ernment, where shall be kept an official seal, and all books and papers appertaining to the business of his office. He shall file all papers, reports and public doc- Duties.
 uments transmittted to him by the school officers of the several counties, each year separately, and hold the same in readiness to be exhibited to the Governor, or to any committee of either house of the General Assembly. Copies of all papers filed in his office, and his official acts, may be certified by him, and when so certified, Decisions touch-
ing school laws
valid.
 shall be evidence equally and in like manner as the original papers. He shall decide all points touching the construction of the school laws, which may be submitted to him in writing by any school officer, teacher or other person in the State, and his decision shall be held to be correct and final until set aside by a court of competent jurisdiction, or by subsequent legislation; and said decisions, correspondence and instructions may be communicated through the columns of any regularly published periodical that is devoted to the interests of education. He shall prepare lists of questions for the Prepare ques-
tions for teach-
ers' examination
 use of County Superintendents at the quarterly examination of teachers, and make such suggestions concerning their use as shall tend to secure uniform examinations in the different counties; and he may call to his aid, in the preparation of said questions, such assistance as he may deem proper.

SEC. 9. He shall have a general supervision of all Furnish blanks,
etc.
 the County Superintendents and of the public schools of the State. He shall prepare, have printed and furnish to teachers and all officers charged with the admin-

Such supplies to be charged to counties and deducted from state fund.

istration of the laws relating to public schools, such blanks, forms, registers and books as may be necessary to the discharge of their duties; but he shall not copy-right such forms, nor be directly nor indirectly compensated by reason of the sale thereof. All registers and blank books so furnished for the use of teachers and school officers, shall be charged to the respective counties at cost, and the County Superintendent of Schools shall receipt for and distribute the same among the districts of his county as they may require; and the amount so charged against each county shall be deducted from the amount apportioned to such county at the semi-annual apportionment of the State School Fund; and the Superintendent of Public Instruction shall certify to the State Treasurer the aggregate amount of such deductions, and the Treasurer shall thereupon transfer said amount from the School Fund, subject to apportionment, to the General Fund.

Publication of school law.

The Superintendent of Public Instruction shall have the laws relating to public schools printed in pamphlet form, and annexed thereto forms for making reports and conducting school business, and shall supply School Officers, School Libraries and State Libraries with a copy each. Said printing to be paid for out of the Printing Fund, on warrant of the Auditor, on bills approved by the Superintendent of Public Instruction, and attested by the Secretary of State.

Biennial report.

SEC. 10. He shall, on or before the tenth day of December, in every year preceding that in which shall be held a regular session of the General Assembly, report to the Governor the condition of the public schools, the amount of State School Fund apportioned, and sources from which derived, with such suggestions and recommendations relating to the affairs of his office as he may think proper to communicate. It shall be his duty to visit annually such counties in the State as most need

Visit each county, for what purpose.

his personal attendance, and all counties, if practicable, for the purpose of inspecting the schools, awakening and guiding public sentiment in relation to the practical interests of education, and diffusing as widely as possible, by public addresses and personal communication with school teachers and parents, a knowledge of existing defects and of desirable improvements in the government and instruction of the schools; and he shall open such correspondence as may enable him to obtain all necessary information relating to the system of public schools in other States; and he shall receive out of the State treasury, for actual necessary traveling expenses and other expenses while traveling on the business of the department, not exceeding five hundred dollars per annum, for which he shall render an itemized bill to the Auditor of State, who is hereby authorized to draw his warrant therefor; and an office, fuel, furniture, postage, books, stationery, and other contingent expenses pertaining to his office, shall be furnished in the same manner as those of the other departments of the State Government.

SEC. 11. It shall be the duty of the State Auditor to notify the Superintendent of Public Instruction of the amount of money in the State treasury to the credit of the Public School Income Fund, on the thirtieth days of June and December in each year. Within fifteen days after receiving such notification, the Superintendent of Public Instruction shall apportion said fund among the several counties of the State, from which reports have been received by said Superintendent, as provided in this act, in proportion to the school population as shown by the report of each county for the year next preceding such apportionment, making such deductions as are provided in section 9 of said chapter. And the Superintendent of Public Instruction shall certify said apportionment to the State Auditor, and upon such

certificate the Auditor shall draw his warrant on the State Treasurer in favor of the County Treasurer of each county, for the amount due said county. The Superintendent shall also certify to the Superintendent of each county the amount apportioned to such county.

Notify different
officers.

Assistant
librarian.

SEC. 12. He may employ an Assistant Librarian, who shall have charge of the State Library, under such regulations as may be prescribed by the State Librarian, or by law. Said Assistant shall receive the annual salary of one thousand (\$1,000) dollars for his services.

COUNTY SUPERINTENDENT.

SEC. 13. There shall be elected in each county, at the general election in the year one thousand eight hundred and seventy-seven, and biennially thereafter, a County Superintendent of Public Schools, who shall take office on the second Tuesday of January next succeeding that on which such election shall be held. He shall hold his office for two years, and until his successor shall be elected and qualified. Before entering upon the duties of his office he shall take the oath prescribed by the Constitution, and execute a bond payable to The People of the State of Colorado, with two or more sureties, to be approved by the Board of County Commissioners, in penalty of not less than two thousand dollars, to be increased at the discretion of said Board, conditioned upon the faithful performance of the duties of his office and the delivery of all moneys and property as such Superintendent to his successors, which bond shall be filed in the office of the County Clerk.

When elected,

Term of office,

Oath and bond.

County commis-
sioners fill
vacancy.

SEC. 14. Should the Superintendent elect fail to qualify as aforesaid, or should there occur a vacancy in said office, the Board of County Commissioners shall, at their next meeting after such vacancy or failure to qualify occurs, appoint an eligible and suitable person,

who shall qualify within ten days after his appointment, and who shall continue in office until the next general election thereafter. Should such appointee fail to qualify, as aforesaid, another appointment shall be made in the same manner, until the vacancy shall be filled by appointment or election.

SEC. 15. On the last Friday of February, May, ^{Quarterly} August and November, in each year, he shall meet all ^{examination.} persons desirous of passing an examination as teachers, in some suitable room at the county seat, notice of which shall be given in some newspaper in the county, or in case there is no paper published in the county, he shall give such notice as may by him be deemed necessary; at which time he shall examine all such applicants in orthography, reading, writing, arithmetic, English ^{Topics.} grammar, geography, the history of the United States, including the Constitution of the United States, physiology, laws of health, the elements of the natural sciences, theory and practice of teaching, and the school law of the State; *Provided*, That, if attendance upon the examination at the county seat work a great hardship to one or more teachers in the county, he may provide for such teacher or teachers to take the examination at some convenient place under the direction of a deputy, ^{Examination} who shall transmit to the County Superintendent the ^{may be held} written answers of each applicant as soon as the ^{elsewhere.} examination is completed. Such deputy shall receive the sum of five dollars (\$5) per day for conducting such examinations, when such services are certified to the County Commissioners by the County Superintendent. If the applicant is to teach in a school of high grade, the examination shall extend to such additional branches of study as are to be pursued in such school. If satisfied of the competency to teach, and of the good, moral character of the applicant, he shall give such applicant a certificate as provided in the following section, but he ^{Certificates.}

shall not issue a certificate, except a temporary one, unless the applicant be examined at the regular quarterly examination.

Grades of
certificates.

SEC. 16. The certificates issued by the County Superintendents shall be of three grades, distinguished as first, second and third. The first grade certificate shall be valid for two years; the second grade for one year; the third grade for six months. A County Superintendent

Renewals.

may renew a certificate of the first grade by endorsing such renewal thereon, and may revoke certificates of any grade at any time, for immorality, incompetency or other just cause. It shall be deemed a violation of law to grant a certificate of either of the above named grades without requiring the applicant to pass a thorough and satisfactory examination in such branches, and at such times as are specified in section 15 of this act, and in all such examinations the questions prepared by the Superintendent of Public Instruction shall be used; *Provided,*

Third grade.

however, That a certificate of the third grade shall not be refused because of the failure of the applicant in the elements of the natural sciences. The Superintendent may, however, upon satisfactory evidence of competency, issue a temporary certificate, which shall be valid only until the next regular examination, at which time the holder of such temporary certificate shall appear for a complete examination, as aforesaid. It shall not be law-

Temporary.

ful to renew a temporary certificate, nor to grant a second one to the same person. The Superintendent shall keep an official record, in a suitable book, of the persons so examined, containing the name, age, nationality, date of examination, and grade of certificate issued; he shall also retain for six months the written answers of all applicants at the regular examinations, and hold the same subject to the order of the State Board of Education; *And, provided, further,* That in school districts of the first class, the examination of teachers to fill

Record.

vacancies may be conducted by the School Boards of such districts, and a teacher thus examined and employed by a district of the first class shall not be required to hold a certificate from the County Superintendent while teaching in such district. A County Superintendent may, upon the application of a teacher holding a first grade certificate received at a regular examination in another county in the State, and in full force at the time, issue to said teacher a certificate of like grade, if satisfied of his or her ability to teach; *Provided*, That such certificate shall not show the standing in each branch, nor be subject to renewal, but shall show the condition upon which it is issued. In case a certificate is revoked or refused, at a regular examination, by the County Superintendent, the right of appeal to the State Board of Education shall not be denied the teacher or applicant, if said appeal be taken within thirty days from date of notice of such revocation or refusal.

SEC. 17. If for any cause the Superintendent is unable to attend to the duties of his office, he may appoint a deputy, who shall take the usual oath or affirmation of office, and who may exercise all the functions of County Superintendent, but such deputy shall draw no salary from the public fund; *Provided*, That the Superintendent may receive a *per diem* for the service of such deputy.

SEC. 18. On the first Tuesday of September, in each year, the County Superintendent shall make a report to the Superintendent of Public Instruction for the school year ending June thirtieth next preceding, which report shall contain an abstract of the reports made to him by the District Secretaries, and such other matters as the Superintendent of Public Instruction may direct, and shall be in such form and upon such blanks as the Superintendent of Public Instruction shall furnish. The

Retain copy. County Superintendent shall retain a copy of all such reports and file the same in his office.

SEC. 19. The County Superintendent shall apportion the General School Fund of the county among the several school districts in accordance with the provisions of sections seventy-two and seventy-three of this chapter, quarterly, to-wit: On the first Monday in January, April, July and October, in each year, and he may apportion the same at other times if there be sufficient money in the treasury to require it. He shall certify each apportionment promptly to the County Treasurer, and shall also notify the Secretary of each district of the amount placed to the credit of his district.

SEC. 20. It shall be the duty of the County Superintendent to exercise a careful supervision over the schools of his county, to visit each school at least once during each quarter it is in session, to see that all the provisions of this act are observed and followed by teachers and School Officers; to examine the accounts of the District Officers to see if such accounts are properly kept, and all district funds properly accounted for; to keep, in a good and substantial bound book, a record of his official acts, and of all other matters required by law to be recorded; to obey the legal instructions and decisions of the Superintendent of Public Instruction. He shall also keep a record of the Registers, Record Books and Order Books furnished to the several districts of his county; and it shall be his duty to hold County Teachers' Associations whenever, in his judgment, the interests of the school work demand it; the records of the County Superintendent's Office shall be open to the inspection of any citizen of the county, and within one week from the close of each school year he shall publish in some newspaper published in the county, if there be such a paper, a statement of the apportionment of school funds for the year preceding.

SEC. 21. If the County Superintendent fails to make Neglect of duty. a full and correct report to the Superintendent of Public Instruction, as provided by law, and shall, after written request or notice from the Superintendent of Public Instruction, or from the Board of County Commissioners, delay more than ten (10) days after the service of such notice to make such report, he shall forfeit the sum of Forfeiture for same. one hundred dollars, which sum the Board of County Commissioners may deduct from any money due him; said forfeit may, however, be recovered by suit, upon his official bond.

SEC. 22. The County Superintendent shall have May administer oaths. power, and is hereby authorized, to administer oaths and affirmations to school directors, teachers and all other persons in official matters relating to schools; but shall receive no fee for so doing.

SEC. 23. The County Superintendent shall appoint Fill vacancies in district boards. directors for any district which fails to elect, as provided in section forty-four, and shall fill vacancies that may occur in any board of directors by reason of death, removal from office or from the district, resignation, or otherwise, except in boards of directors of districts of the first class, and the officers so appointed shall hold office only until the ensuing regular election.

SEC. 24. It shall be the duty of the County Superintendent to ascertain the boundaries of each school Ascertain boundaries of districts. district in his county, and to make and keep a record of the same in a suitable bound book, which record shall show definitely the boundaries of each district. In case the boundaries are found to be conflicting or incorrectly described, he shall harmonize the same and make a report of such action to the board of school directors whose districts are affected thereby. District officers shall have access to such records for the purpose of examination, making copies, or for other legitimate

purposes. The County Superintendent shall prepare, or have prepared, a map of the county, showing the correct boundaries of the districts.

Salary.

SEC. 25. For the time necessarily spent in the discharge of his duty he shall receive five (5) dollars per day, and fifteen (15) cents for each mile necessarily traveled one way. He shall, as far as practicable, render an itemized bill of his services and mileage, each month or quarter, to the Board of County Commissioners, and shall make oath that the bill is just and correct; whereupon the County Commissioner shall order a warrant on the County Treasurer, payable from the General County Fund; *Provided*, That the annual salary so received shall in no case exceed one hundred dollars for each regularly organized public school in the county. The Commissioner shall provide him with a suitable office at the County Seat, and all necessary blank books, stationery, postage, expressage and other expenses of his office, not otherwise provided for, which last mentioned expenses shall be paid for from the County Fund. He shall keep his office open for the transaction of official business such days each week as the duties of the office may require.

Bill for same.

Limit.

Books, etc.,
furnished by
county.

Keep his office
open.

Duties of county
treasurers.

Not to pay over
funds in certain
cases.

SEC. 26. It is hereby made the duty of the County Treasurer in each county, to keep a separate account with each school district in his county, to place to the credit of each the amount of money as certified to by the County Superintendent, as provided in section nineteen, and to pay over the money so collected, upon the presentation of the legally-drawn warrants or order of the district officers entitled to draw the same; *Provided*, That if the County Superintendent shall notify the County Treasurer, in writing, that there has been a failure on the part of any Board of Directors to comply with the law, and that said money should be withheld from said Board of Directors, he shall retain the same

until further notice from the County Superintendent. On or before the fifth day of July in each year, he shall render, to the County Superintendent of Schools, a statement of the receipts and disbursements on account of the several districts, of all the School funds which have passed through his hands during the school year next preceding; and at the same time he shall render to each District Secretary a statement of receipts and disbursements of such district. All money which shall become forfeited by any district shall be put into the General School Fund and re-appropriated as other moneys.

Treasurers' reports.

ORGANIZATION OF DISTRICTS, ETC.

SEC. 27. For the purpose of organizing a new district out of a portion of one or more old districts, the parents of at least ten children of school age residing within the limits of the proposed new district shall petition the County Superintendent, in writing, which petition shall describe the boundaries of the proposed district, and the names of all children of school age residing in such proposed district at the date of said petition; and said list of names shall be held to be the census list of said district until the next regular census shall be taken, and if any names are found on said list, and also on other census lists for the current year, if the County Superintendent is satisfied that the children so named are *bona fide* residents of the proposed district, he shall strike such names from the lists of the old districts, when the organization of the new district is complete. If, in the judgment of the County Superintendent, the school interest of the districts affected by the proposed change, will be best promoted by said change, he shall direct some one of the petitioners who is a legal voter, to notify each elector residing within the district so to be formed, by personal service as far as convenient, and to post a notice in three public places in said new district, that such

Division of districts.

List of names.

Notice of meeting	petition has been made, and that a meeting will be held, naming the time and place for such meeting, to determine the question of the proposed organization. People
New districts from unorganized territory	living upon unorganized territory may organize themselves into a school district at any time, without a petition, if a majority of the legal voters residing within the proposed district shall so decide at a meeting, of which reasonable notice has been given to all resident voters, and which meeting shall be conducted as is now provided by law for the organization of new districts; <i>Provided</i> , That, in addition to the copy of the proceedings now required by law, the Secretary shall also transmit to the County Superintendent a certified list of all children of school age who are residents in good faith in said district at the date of the organization, which
Census list.	list shall be held to be the census list of said district until the next regular school census.
Qualified electors of new school districts shall organize.	SEC. 28. The qualified electors of such proposed new district, when assembled in accordance with the notice above required, shall organize by electing a chairman and secretary. Every legally qualified elector, and
Only qualified electors entitled to vote.	none other, shall be entitled to vote at such meeting. After the organization of such meeting, as above mentioned, a vote shall be taken by ballot on the question whether or not the proposed district shall be organized. Those in favor of organization shall vote "Yes," and those opposed "No." If two-thirds of the legal voters so voting are found to be in favor of such organization, and not otherwise, the meeting shall proceed to
Proceed to elect by ballot a board of directors.	elect by ballot a board of directors of said district, who shall hold office until the ensuing regular election, as provided in section forty-four (44) of this act. The
Transmit a copy of proceedings.	secretary of said meeting shall immediately transmit to the County Superintendent a copy of the proceedings of the meeting, upon the receipt of which, if the proceedings are found to have been in accordance with law, he

shall establish and number such district and enter a record of the same, and of the proceedings of the meetings, as provided in section twenty-four (24) of this act; *Provided*, If such organization of a new district works great hardships to any head of a family, a statement of the facts may be submitted to the Superintendent and two disinterested persons, one to be named by the Superintendent and one by the person affected, and if in their judgment good cause be shown for the transfer, he may be transferred to another district; *Provided, further*, That no district shall *hereafter* be divided for the purpose of forming a new district, *unless it contains an area of more than nine square miles*; nor shall a district be divided if by so doing the remainder of the district shall be found to contain less than fifteen persons of school age, and when practicable the district shall conform to government lines; *Provided, also*, That no city or town shall *hereafter* be divided into two or more districts, *and districts of the first class shall not be divided except upon a vote of the electors of the district, submitted at an annual election, and a majority of all the votes cast being in favor of such division.*

Shall establish and number such district.

Proviso.

Hardship to head of family

Transferred to another district.

Proviso.

Contains an area of nine square miles.

New district must contain fifteen persons of school age.

Proviso.

District of first class shall not be divided, except by vote of electors of district.

SEC. 29. Two or more contiguous districts may be united into one district. For the purpose of effecting such union, each district shall, at a special meeting legally called for the purpose, determine by ballot whether or not a majority of the legal voters assembled are in favor of such union. Those in favor will vote "Yes," and those opposed "No." If a majority of the voters present, in each district, vote in favor of a union, a union meeting shall be called by giving at least ten days' public notice, at which meeting the organization shall be perfected by the election of officers and other necessary proceedings, in the same manner as provided for the organization of districts in section twenty-eight (28) of this chapter. Upon receiving notice from the

Union of districts.

County Superintendent, of such union of districts, it shall be the duty of the County Treasurer to transfer all funds belonging to said districts to the credit of the new district thus formed. A portion of unorganized territory may be annexed to a school district; or a portion of one district may be detached from said district and annexed to a contiguous district, by the County Superintendent, upon petition, in either case, of a majority of the legal voters resident within the territory to be so annexed, subject always to the limitation provided in section twenty-eight.

Annexation.

Must establish school before money is paid over; may become void in six months.

SEC. 30. No new district, formed as provided in sections twenty-seven (27) and twenty-eight (28) of this chapter, shall be entitled to any portion of the public school money until a school has actually commenced therein, and unless within six (6) months from the establishment of such district a school be opened and maintained as required by law, the action making such district shall be void, and all actions had by such district, acting as a body corporate, shall cease and determine, and all taxes which may have been levied in the old district or districts out of which the new one was formed, shall be valid and binding upon the real and personal property of the new district, the same as if said new district had never been organized; *Provided*, That the County Superintendent may, for good cause, extend the said six (6) months to eight (8) months, said time of limitation shall begin to run from the time of the meeting at which it was voted to organize the district; whenever any district shall, for the period of one year, fail to maintain a school and keep up its organization of officers, and to make annual report as required by law, the County Superintendent may declare such district annulled, and annex its territory to adjoining district or districts.

County superintendent may extend time.

Annulled for failure

SEC. 31. A Joint School District may be formed from territory belonging to two or more contiguous counties. For the purpose of organizing a Joint District, the same preliminary steps shall be taken, and the same course pursued as is provided for the organization of other districts, in sections twenty-seven (27) and twenty-eight (28). Such district shall be designated as "Joint District No. . . . , of the counties of and , and shall be so numbered that it shall have the same number in all the counties from which it is formed." The petition required by section twenty-seven (27) shall be made to each County Superintendent interested, who shall unite in forming such districts; *Provided*, That the school census, the record of attendance at school, the assessing of property, the collection of taxes, and all other acts which from their nature should be separately kept or done, shall be kept and done, and the reports thereof made, as if each portion of said Joint District belonging to each county were an entire district in the respective counties. The teachers of such Joint District shall have a certificate from the Superintendent of the county in which the school house is located. No Joint District shall be annulled except by the consent of the County Superintendents of the counties in which such district is located; *Provided*, That when any Joint District desires to be annulled for the purpose of forming separate districts, it shall require a majority vote of the voters constituting said Joint District, at a meeting called for such purpose.

Joint districts;
how formed.

Reports separate

Teachers'
certificate.

How annulled.

SEC. 32. When a new district is formed from one or more old ones, *the school funds remaining to the credit of the district, after providing for all outstanding debts excepting debts incurred for building and furnishing school houses, shall be divided as follows: The basis of division for the school fund shall be the school population, as shown by the last school census before the division of*

When new district is formed from one or more old ones, school funds shall be divided.

Each district shall receive funds.

Shall own and hold permanent property.

County treasurer to retain funds until the same is apportioned.

County superintendent to apportion money

Can not apportion until school has commenced in good faith.

the district or districts occurred, and shall apply to such funds as remain to the credit of said old district or districts at the time of the organization of said new district, and each district shall receive funds in proportion to its per cent. of the said census. In case of division, *each district shall own and hold all permanent property, such as sites, school-houses and furniture situated within its boundaries. All division of funds under this provision shall be made by the County Superintendent*, and when there are unpaid special taxes on the county tax-book, belonging to a district at the date of its division, the County Treasurer, upon being notified of such division by the County Superintendent, shall retain all money received in payment of said special tax until the same shall be apportioned by the County Superintendent, whose duty it shall be to apportion said money monthly, between the fractions of the divided district, according to the location of the property on which said tax was levied. At the first apportionment after the organization of a new district, the County Superintendent shall apportion to such district its *per capita* proportion of the general fund, but no money, either from the general or special fund, shall be paid out of the county treasury on account of such district until a school shall have been begun therein in good faith.

Establish a union high school.

Call a meeting of the board. Notice.

High school committee.

SEC. 33. Whenever the school boards of two (2) or more contiguous school districts shall each deem it advisable to establish a union high school, the County Superintendent shall, at the request of two (2) of the secretaries of the boards, call a meeting of the boards interested by giving personal notice to each member, which meeting shall elect by ballot from among the members of said boards, if a majority of the members of each board are present, a committee of three (3), to be known as the High School Committee of such union school. The County Superintendent shall be, *ex*

officio, an additional member of said committee and shall preside at the meetings thereof. There shall be elected a secretary of such committee, and if need be a treasurer. Elect a secretary and treasurer.

In any case in which the county seat of any county shall all be included in one school district, the board of such school district shall have the same powers of establishing and organizing a high school as are hereby given to the board of two or more contiguous school districts, and in such case the High School Committee shall be the board of such school district, or such three members as they may select. High schools formed under the provisions of this section shall be open to children from all districts of the county in which they are so formed, provided such children are qualified, as hereinafter provided. Organize a high school.

High schools open to children from all districts of the county.

SEC. 34. The members of said High School Committee shall hold the office for and during the term they are members of their respective Boards. All vacancies in said committee, other than such as are caused by the expiration of the term of office, shall be filled by the School Board of which the person so vacating was a member. The Secretary shall be elected annually, and may receive such compensation as the committee shall deem proper to allow. Tenure of office.

Vacancies.

Secretaries.

SEC. 35. The regular meetings of the High School Committee shall be held on the first Saturday of March, June, September and December of each year, and special meetings may be held at any time upon the call of the County Superintendent, or of two members of the committee. Regular meetings; special meetings.

SEC. 36. Said committee shall exercise all the powers and perform all the duties, with reference to said High School, that are accorded to and required of School Boards throughout the State, as provided in section fifty (50) [51] of this act, and shall have power to establish and prescribe the qualifications and manner of examination for admittance to the High School. Powers and duties of committee.

After establishment it shall be maintained.

How maintained

After first year to be rated as a separate district.

Draw its quota for attendance.

Deficit made up.

Maintained forty weeks each year.

Children qualified to pass the examination.

Who shall elect members of committee.

Each district a body corporate.

SEC. 37. After the first establishment of such a High School, it shall be maintained until the then next regular apportionment of the county school fund, as follows: Each district, *which shall have any children attending such High School*, shall draw from its school fund, and cause to be placed to the credit of High School fund, such part of the whole expenses as shall be proportioned to the number of pupils attendant at such High School from such district; *Provided it is with the approval of the directors of said district.* After the first year, or part of a year, so as above provided for, the said High School shall, so far as practicable, be rated as a separate district. It shall be entitled to draw from the general, State and county funds its quota for attendance, as provided by section seventy-two (72) of this act, and the deficit shall be made up from the several district funds in proportion to number of pupils from each district who attended said High School during the then past year.

SEC. 38. The High School may be maintained during forty (40) weeks in each year, and shall be free to all children in the county who are qualified for admission according to the requirements prescribed by the committee, and all children in the county who are so qualified, and who can pass the examinations prescribed by the committee, shall be entitled as of right to attend said High School.

SEC. 39. Every district in the county which contributes to the support and patronage of said High School, shall, by its Board of Directors, be entitled to a voice in the election of members of the committee.

SCHOOL DISTRICTS, OFFICERS AND ELECTIONS.

SEC. 40. Each regularly organized School District heretofore formed, or that may be formed, as provided in this chapter, is hereby declared to be a body cor-

porate, by the name and style of School District No. . . . , in the county of , and State of Colorado, and in that name may hold property and be a party to suits and contracts, the same as municipal corporations in this State.

SEC. 41. There shall be elected in each School Dis-
 trict of the State, annually, and in the manner prescribed
 in section forty-four (44) of said chapter, a Board of
 Directors. The number of persons that shall constitute
 each Board of Directors shall be determined as follows:
 The School Districts shall be classified into first (1st),
 second (2d), and third (3d) classes; districts containing
 a school population of more than one thousand (1,000)
 shall be denominated districts of the first (1st) class;
 districts containing a school population of three hundred
 and fifty (350), and not exceeding one thousand (1,000),
 shall be denominated districts of the second (2d) class,
 and districts containing a school population of less than
 three hundred and fifty (350) shall be denominated
 districts of the third (3d) class. At the regular election
 in 1887, as provided in section forty-four (44) of said
 chapter, all districts of the first (1st) class shall elect,
 by ballot, one (1) director for three (3) years; and at the
 regular election in 1888, one (1) director for three (3)
 years and one (1) director for four (4) years; and at the
 regular election in 1889, one (1) director for four (4)
 years and one (1) director for five (5) years; and annu-
 ally thereafter there shall be elected one (1) director for
 five (5) years. All districts of the second and third
 classes shall elect one (1) president for three (3) years,
 one (1) secretary for two (2) years, and one (1) treasurer
 for one (1) year; and annually thereafter there shall be
 elected for three (3) years a person to fill the vacancy
 occurring; *Provided*, That this shall not apply to dis-
 tricts of the second and third classes already organized.
 School Boards of the first-class shall, at their first meet-

Annual election.

Classification.

Term of office.

Organization
of boards.

ing after their election, elect a president, who shall be a member of the board, a secretary, who may or may not be a member of the board, and a treasurer, who shall not be a member of the board, and who shall hold office for one year and until their successors are elected and qualified. In districts of the first and second classes the boards, after organization, shall exercise all the power given the electors of districts of the third class, as specified in section sixty-three (63) of said chapter.

Powers and
duties.

Present organi-
zation legalized.

SEC. 42. Every School District in the State, which now exercises the prerogatives of a School District, and the legality of whose organization has not been legally denied, and which has a Board of Directors, duly qualified according to law, and has exercised the rights and enjoyed the privileges of a legally and regularly established district for one year, shall be, and is hereby declared to be, a legal School District; and all District Officers shall hold office until their successors are qualified. When School Districts of the second (2d) class shall attain a school population of one thousand (1,000) or more, as shown by the annual census, at the next regular election thereafter, as provided in section forty-four (44) of this act, there shall be elected one (1) director for three (3) years, and one (1) director for four (4) years, and one (1) director for five (5) years, and annually thereafter one (1) director for five (5) years, as provided for in districts of the first (1st) class; and the persons so elected, together with the Directors whose official terms have not expired, shall constitute the new Board, which Board shall enter upon the duties prescribed by law for Boards of Directors of Districts of the first (1st) class.

Change from
second class
to first.

What constitutes
a district legally.

SEC. 43. All School Districts now formed, or which may hereafter be formed, which shall continue to exercise, undisputed, the prerogatives and enjoy the privi-

leges of a legally formed district, for the period of one year next succeeding the election of its officers, shall be deemed to be a legally formed district, and its legality shall not thereafter be questioned.

SEC. 44. The regular election for electing members Annual election. of School Boards shall be held annually in each district on the first Monday in May, at which time it shall be lawful to transact any business pertaining to schools and school interests. The Secretary of each School Notice. Board shall cause written or printed notices to be posted, specifying the day and the place of such election, and the time during which the ballot-box shall be kept Ballot box open three hours. open, not less, however, than three hours, and further specifying at what hour any other business shall be transacted. Said notices shall be posted in at least three public places in the district, one of which shall be the school-house, if there be one, at least six days previous to the time of election; and in districts of the first-class said notice shall be published weekly for the four weeks next preceding such election, in some newspaper published in the district, and if there be no paper published in such district, then in a paper published in an adjoining district. If the Secretary fail to give such notice, then any two (2) legal voters residing in the district may Notice by two voters. give such notice over their own names, and such election may be held after the day fixed by this act for such election. All elections shall be by ballot, and in the All elections by ballot. absence of a notice specifying the hour, the ballot-box shall be opened at nine (9) o'clock a. m., and closed at four (4) p. m.

SEC. 45. Every elector legally qualified to vote at a Who are voters. general election, having been a resident of the School District for thirty (30) days next preceding the day of election, shall be entitled to a vote; *Provided*, That no person shall be denied the right to vote at any School

Sex no disqualification.	District election, or to hold any School District office on account of sex. Any person offering to vote may be
Challenge.	challenged by any legally qualified elector of the district; and any one of the Judges of Election shall thereupon administer the person challenged an oath, as follows: "You do swear (or affirm) that you are a citizen
Oath.	of the United States, or that you have declared your intention to become such; that you have resided in this State of Colorado six months immediately preceding this election; that you are twenty-one years of age; that you have resided in this district thirty days next preceding this election, and that you have not voted at this election, so help you God (or under the pains and penalties of perjury)." If he shall refuse to take such oath or affirmation, his vote shall be rejected. Any person guilty of voting illegally shall be punished as provided in the general election law of this State. The President, Secretary and Treasurer of the District School Board shall act as judges of the election, and should any of them be absent at the opening of the polls, the electors present shall appoint a legal voter to fill the vacancy; <i>Provided, however,</i> That at all elections held for voting upon a proposition to create or contract a debt by loan for the purpose of erecting or furnishing school buildings, or purchasing school grounds, only such qualified electors of the district shall vote thereat, as shall have paid a school tax in such district in the year next preceding such election.
Judges of election.	
Counting the votes.	SEC. 46. Immediately after the closing of the polls the judges shall proceed to count the votes, and the person or persons qualified to be elected who shall receive the largest number of votes, shall be declared elected. If, for any cause, no election be held at the regular time, or if, upon counting the votes, there be a tie vote
Tie vote.	for any one or more of the offices, a special election shall be called by the Board within ten (10) days, and
Special election.	

notice thereof given, as required in section forty-four (44) of this act. A failure to give the prescribed notice of such special election shall render the election void.

Failure to give notice voids the election.

SEC. 47. The Directors shall each, within twenty (20) days after his or her election, appear before some officer authorized to administer oaths, and take oath that he or she will faithfully perform the duties of his or her office required by law, which oath shall be filed with the County Superintendent; and, in case of failure so to qualify, his or her office shall be deemed vacant, and the County Superintendent shall appoint a suitable person, who shall qualify immediately. If the amount of money liable to come into the hands of the Treasurer, in the discharge of his official duties, exceed twenty dollars at any one time, he shall be required to give bond in double the amount of money liable to come into his hands, said bond to be approved by, and filed with, the County Superintendent. The Directors elect shall take office immediately after qualifying, as aforesaid; *Provided*, That any District Treasurer, who shall refuse to give bond as above, when required to do so by the other members of the Board, shall be disqualified from receiving any money on district account until a satisfactory bond is executed. The oath of office required in this section may be administered by a President of a School Board; and it is hereby made the duty of the District Treasurer of all first-class districts to publish, semi-annually, in some newspaper published within the county wherein such district may be located, a complete and full report of all receipts and expenditures of the said district's funds.

Oath of office.

Where filed.

Vacancy, how filled.

Treasurer's bond.

SEC. 48. Any School Board shall have power to make such by-laws for their own government and for the government of the public schools under their charge, as they may deem expedient, not inconsistent with the

By-laws by the board.

Vacancies in
districts of
first class.

provisions of this act, or the instructions of the Superintendent of Public Instruction. District Boards of the first-class shall also have power to fill any vacancy which may occur in the Board, until the regular election, at which time the vacancy shall be filled for the unexpired term.

Hold real estate.

SEC. 49. It shall be lawful for any School District in this State to take and hold, under the provisions of chapter thirty-one of the Revised Statutes, so much real estate as may be necessary for the location and construction of a school-house and convenient use of the school; *Provided*, That the real estate so taken, otherwise than by the consent of the owner thereof, shall not exceed one acre.

Regular
meetings.

SEC. 50. The regular meeting of each Board shall be held on the last Saturday of March, June, September and December. The Board may, however, hold such

Special meetings

other regular, special or adjourned meetings as they may from time to time determine, or as may be specified in their by-laws.

Powers and
duties of boards.

SEC. 51. Every School Board, unless otherwise especially provided by law, shall have power, and it shall be their duty:

Employment
and discharge
of teachers, etc.

First—To employ or discharge teachers, mechanics or laborers, and to fix and order paid their wages; to determine the rate of tuition for non-resident pupils, and to fix the compensation to be allowed the Secretary for the time necessarily spent in the service of the district, as required by law, or as directed by the Board; *Provided*, It shall be unlawful to pay any other member of the Board, from the District Funds, for his services as a member of such Board.

Compensation
of same.

Fix course of
study.

Second—To enforce the rules and general regulations of the State Superintendent, to fix the course of study, the exercises and the kind of Text Books to be used;

Text books.

Provided, That but one kind of Text Book of the same grade or branch of study shall be used in the same department of a school, and that after the adoption of any book, it shall not be changed in less than four years, unless the price thereof shall be unwarrantably advanced, or the mechanical quality lowered, or the supply stopped.

One kind in same branch.

Not changed in less than four years.

Third—To provide for school furniture, and for every- thing needed in the school-house, or for the use of the School Board.

School furniture.

Fourth—To rent, repair and insure school-houses.

Houses.

Fifth—To build or remove school houses, and to purchase or sell school lots, when directed by a vote of the district so to do.

To build or remove.

Sixth—To hold in trust for their district all real or personal property for the benefit of the school thereof.

Seventh—To suspend or expel pupils from school, who refuse to obey the rules thereof, and to exclude from school children under six years of age.

Suspend or expel pupils.

Eighth—To determine the number of teachers that shall be employed, and length of time over and above three (3) months that the school shall be kept; to fix the time for the opening or closing of schools, and for the dismissal of primary pupils before the regular time for closing of schools.

Number of teachers.

Length of school and school hours

Ninth—To provide books for indigent children, on the written statement of the teachers that the parents of such children are not able to purchase them, and to furnish free Text Books for the use of all pupils, when authorized to do so by a majority vote of the district, as expressed at any regular or special meeting.

Indigent children.

Tenth—To require all pupils to be furnished with the proper and suitable books as a condition of membership in school.

Immoral books.

Eleventh—To exclude from school and school libraries all books, tracts, papers and other publications of an immoral or pernicious tendency.

Twelfth—To require teachers to conform to the law.

Annual report.

Thirteenth—To make an annual report, as required by law, to the County Superintendent, on or before the first day of August of each year, in the manner and form and on the blanks prescribed and furnished by the Superintendent of Public Instruction.

Fourteenth—To make a report directly to the State Superintendent, whenever instructed by him so to do.

Admit pupils from adjoining districts.

Fifteenth—Whenever a pupil resident in one district desires to attend school in another district, such pupil shall be permitted to do so; *Provided*, That the Board may refuse to admit pupils from other districts upon the ground of insufficient room.

Board may establish high school

SEC. 52. The School Board of districts of the first and second classes shall have the power to establish a separate High School whenever they shall deem it expedient or necessary, and shall have power to determine the qualifications for admission to such schools, and shall exercise all the powers with reference to such High School which are accorded to them in relation to the schools of lower grade; *Provided*, That no School Board shall build or lease any building especially for such High School, unless authorized to do so by a vote of the district, as provided in section sixty-two (62) [63] of this act.

No building without vote of the district.

Duties of president.

SEC. 53. The President, when present, shall preside at all meetings of the Board and of the district, shall sign all orders on the County Treasurer for the payment of money; *Provided*, That no orders shall be drawn upon the County Treasurer except in favor of parties to whom the district has become lawfully indebted. He

shall appear in behalf of his district in all suits brought by or against the same, but when he is individually interested, this duty shall be performed by the Secretary, and in the absence of the President, the Secretary shall preside at Board and District meetings. Absence from the district of any school officer, when prolonged beyond thirty days, may be held to work a vacancy in said office, which may be filled according to law.

SEC. 54. Before entering upon the duties of his office, the secretary shall execute a bond, with two sureties, in the penal sum of five hundred (500) dollars in districts of the first and second classes, and the penal sum of one hundred (100) dollars in districts of the third class, conditioned upon the faithful discharge of his official duties and the delivery of all district property pertaining to his office over to his successor, within ten days after a demand is made for the same by a qualified successor, said bond to be approved by and filed with the county superintendent. The secretary shall record all proceedings of the board and of district meetings in a book, or books, kept for that purpose; shall preserve copies of all reports made to the State or County Superintendents; shall file all papers transmitted to him by other school officers pertaining to the business of the district; shall draw and countersign all warrants or orders issued by the board; shall keep a register or stub of all orders drawn, showing the number of the order, date, amount, in whose favor and for what purpose drawn. Immediately after the election of one or more directors according to law, he shall transmit to the County Superintendent a statement giving the name and post-office address of the president, secretary and treasurer, respectively, of the boards of directors. Between the tenth day of April and the first day of May, in each year, the secretary, or some person authorized by him, shall take a census of all persons over six

Vacancy in school board.

Secretary shall give bonds.

Deliver to successor in office all property.

Bond to be approved
Secretary to record all proceedings.

Preserve copies.

File all papers transmitted to him.

Countersign warrants.

Keep register of all orders drawn.

Transmit a statement.

Take census.

Bona fide residents.

Census shall be sworn to as correct.

List shall be forwarded to county superintendent

A copy.

List to be examined and compared by county superintendent.

Additional statistics.

Blind and deaf mutes.

years and under twenty-one years of age who were *bona fide* residents of the district on the tenth day of April aforesaid. The names so listed shall be arranged alphabetically, and be so classified as to distinguish between male and female. The census list shall be sworn to as correct by the person taking the same, and, if such person be other than the secretary, shall be certified by the secretary, and shall be forwarded to the county superintendent *on or before the first day of June* of the current school year. In districts of first and second classes a copy shall be delivered to the principal teacher, or Superintendent of the district, and in all cases a copy shall be retained in the office of the secretary.

SEC. 55. The census list of the several districts shall be carefully examined and compared by the County Superintendent, and if the name of the same person be found upon more than one list, he shall strike said name from all lists except that of the district in which such person was residing in good faith on the tenth day of April aforesaid. The residence of an unmarried person of school age shall, in all cases, be held to be identical with the *bona fide* residence of the parent or guardian of such person; *Provided*, That such parent or guardian be a resident of the State. If the County Superintendent find upon any census list the names of any persons who he believes were not residents in good faith of such district as aforesaid, he shall notify the Secretary certifying the list, and, if said Secretary shall not establish the correctness of the list within fifteen (15) days after such notification, such names shall be stricken from the list. At the time of taking the annual census, the Secretary shall use reasonable diligence to ascertain the number of blind and deaf mute persons resident in the district, between the ages of four (4) and twenty-two (22) years, with the name and post-office address of each.

Said items shall be embodied in his annual report to the County Superintendent.

SEC. 56. The Secretary shall keep an accurate account of the expenses incurred by the district, and shall present the same to the Board whenever called upon. He shall give the required notice of all regular and special meetings, as herein authorized. On or before the first day of August of each year he shall make out and file in the office of the County Superintendent a report of the affairs in his district. Said report shall be made upon blanks prepared by the Superintendent of Public Instruction containing such items of information as the said Superintendent shall require, including the following, viz:

First—The number of persons, male and female, each, in his district between the ages of six (6) and twenty-one (21) years.

Second—The number of schools and the branches taught in each.

Third—The number of pupils in each school.

Fourth—The number of teachers employed in each school, and the compensation of each per month.

Fifth—The number of days the school was taught during the year then past, and by whom.

Sixth—The number of pupils enrolled during the year; the average daily attendance.

Seventh—The average cost of school per month for each pupil, based upon the total enrollment, and also the average cost based upon the average daily attendance. In estimating these averages, the Secretary shall take account of the teachers' wages, all current expenses, and six per cent. interest upon a fair valuation of all property belonging to the district.

Eighth—Text books used in each school.

Ninth—The number of volumes in the library of each school.

Tenth—The aggregate amount paid teachers during the year, and the average monthly pay of teachers.

Eleventh—The number of public school-houses, and the estimated value of each.

Twelfth—The amount raised by tax in the district during the year for school library.

Thirteenth—The amount raised by subscription, or by other means than tax.

Fourteenth—The amount of special tax levied for the support of schools, and for buildings, sites and furniture.

Fifteenth—The amount of money on hand at the beginning of the year then past.

Sixteenth—The amount of money received from all other sources than those herein specified.

Forfeit for failure

Should the Secretary fail to file his report, as above directed, he shall forfeit the sum of one hundred (100) dollars, and shall make good all losses resulting to the district from such failure.

Render statement to board.

SEC. 57. The Secretary shall render a statement of the condition of the finances, as shown by the books, at any time when required by the School Board, and his books shall always be open for inspection.

Books always open.

Duties of treasurer.

SEC. 58. It shall be the duty of the Treasurer to countersign all warrants drawn by the President and Secretary on the County Treasurer, in favor of parties to whom the District has become lawfully indebted, and to keep an account of the same. He shall take charge of all moneys received by him on account of the District from the County Treasurer, as provided in sections

ninety-one and ninety-two of this act, and pay out the same as therein provided. He shall render a statement of the finances of the District, as shown by the records of his office at the close of each school year, and at any other time when required by the Board. For a failure to perform any of the duties of his office when directed Penalty. by the Board, or for refusing or neglecting to deliver to his legally qualified successor all moneys, books or other District property in his possession or care, within ten days after the same shall have been demanded by such successor, he shall be liable on his bond, and shall make good all loss resulting to the District from such failure or neglect.

SEC. 59. No Superintendent or District Officer shall Neglect of Duty a misdemeanor. receive any compensation, who has neglected or refused to perform any duty required by law, and any District Officer so neglecting or refusing, when specially directed by a majority of the District Board, shall be deemed guilty of a misdemeanor, and it shall be deemed a violation of law for any person to draw or sign a warrant for the payment of such delinquent officer, and any person so signing a warrant shall be liable in double the amount of such warrant.

TEACHERS.

SEC. 60. No District Board shall employ any person Shall not teach without certificate. to teach in any of the public schools of the State, unless such person shall have a license to teach, issued from the proper District, County or State authority, and in full force at the date of employment; and any teacher, who shall commence teaching in any such school without such license, shall forfeit all claim to compensation Forfeit. out of the school fund for the term so teaching without such license. And if a teacher's license shall expire by its own limitation within a term of employment, such Expiration of certificate not to stop school. expiration shall not have the effect to stop the school, or

stop the teacher's pay; *Provided*, That a teacher whose certificate so expires, if the term of school for which such teacher is employed extends more than one month after such expiration, shall secure a new certificate, or a renewal of the old one held while the same is in force, *And, provided, further*, That a certificate shall not be required of persons employed to teach either music, drawing, or modern languages only. No teacher shall be dismissed without good cause shown, and such teacher shall be entitled to receive pay for services rendered.

Not dismissed
without cause.

Report.

SEC. 61. It shall be the duty of the teacher of every public school in this State to keep, in a neat and business-like manner, a daily register in such form and upon such blanks as shall be prepared by the Superintendent of Public Instruction. At the close of each term of school, not to exceed four months, the teacher shall fill the summary in such register, and, in ungraded schools, file the register with the Secretary of the district, who shall preserve the same; in graded schools the register aforesaid shall be filed with the Principal or Superintendent of the district, in which case said Principal or Superintendent shall make an abstract of the summaries of all such registers upon blanks prepared by the Superintendent of Public Instruction, and file the same with the Secretary, which shall also be preserved. The Teacher, Principal or Superintendent, as the case may be, who is in charge of the last term of school in any school year, shall file with the Secretary a summary of the statistics for the year, as shown by the summarized reports of all the terms during the year. The principal teacher of every public school, within one week after the beginning of each term, shall notify the County Superintendent of the date of such beginning and the proposed length of the term. Nothing in this section shall be construed to prohibit any district board from requiring teachers, principals

Report to the
secretary.

Shall notify
county superin-
tendent of
commencement
and close.

and superintendents to keep any additional registers and records of statistics which such board may deem desirable. Until the registers, summaries and abstracts herein above described have been filed as aforesaid, it shall be Penalty. unlawful for the officers of any district to draw a warrant for the last month's salary of any teacher, principal or superintendent whose duty it is to make and file such register, summary or abstract. All blanks required in the execution of this section shall be supplied by the Superintendent of Public Instruction to County Superintendents, and by them to district secretaries.

SPECIAL DISTRICT MEETINGS.

SEC. 62. In any district of the third class, the Board of Directors may at any time call a special meeting of the electors of such district, for any of the purposes specified in section sixty-two (62) [sixty-three] of this act, and it shall be their duty to call such meeting, if petitioned so to do by ten (10) legal voters of the district. Notices, specifying the time, place and object of such meeting, shall be posted in three (3) public places, one of which shall be at the place of meeting, at least twenty (20) days prior to the time of holding such meeting. Directors to call in third class districts.
Ten voters may petition.
Notice.
Items.
Twenty days.

SEC. 63. The qualified electors of districts of the third class, when assembled at any regular or special meeting shall have power: Powers of electors.

First—To appoint a chairman and secretary in the absence of the regular officers. Items.

Second—To adjourn from time to time, as occasion may require.

Third—To fix the site for each school-house, taking into consideration in doing so the wants and necessities of the people of each portion of the district.

Fourth—To order such tax on taxable property of the district as the meeting shall deem sufficient for any of the following purposes: To pay teachers; to purchase or lease a suitable site for a school-house or school-houses; to build, rent or purchase a school-house or school-houses and to keep in repair and furnish the same with the necessary fuel and appendages; for procuring libraries for the schools, books and stationery for the use of the Board and District meetings, and to defray all other contingent expenses of the district.

Fifth—To direct the sale or other disposition to be made of any school-house, or the site thereof, and of such other property, real or personal, as may belong to the district, and to direct the manner in which the proceeds arising therefrom shall be applied.

Sixth—To transact generally such business as may tend to promote the cause of education, in accordance with the provisions of this act.

Seventh—To adopt any rules of order for the government of district meetings not incompatible with the provisions of this act, and to alter and change the same from time to time, as occasion may require.

SEC. 64. The County Commissioners shall, at the time of levying the tax for county purposes, cause to be levied a tax for the support of schools within the county, of not less than two (2) mills on the dollar, and not more than five (5) mills on the dollar, of the assessed value of all the taxable property, real and personal, within the county, which tax shall be collected by the County Treasurer at the same time, and in the same manner, as State and county taxes are collected, except that it shall be receivable only in cash.

SEC. 65. No County Clerk, or other person, who shall make out the tax-list or assessment roll of any county, shall omit or neglect to levy said tax of two (2).

County
commissioners
shall levy taxes.

Two to five
mills.

Treasurer
shall collect.

County clerk
must levy with
or without
order of
commissioners.

mills, as aforesaid, by reason of the omission of the Board of County Commissioners to pass a resolution for that purpose. Failure to levy a tax of at least two (2) mills, as above specified, shall be deemed a violation of the law, and the person or persons through whose neglect or refusal the failure so to levy shall occur, shall forfeit the sum of one hundred (100) dollars each, and be liable for all damages resulting from such neglect or failure. Forfeit for failure to levy.

SEC. 66. The County Treasurer shall, on or before the first day of January, April, July and October of each year, certify the amount of said tax which shall have been collected; and the amount of any other county school money then in the County Treasury, to the County Superintendent, and shall render him a statement of the amount uncollected. The amount unpaid shall be collected at any subsequent time as delinquent taxes are collected, and shall be certified to the County Superintendent, as aforesaid. Should the Treasurer fail at any time to pay over the tax, as herein provided, he shall forfeit the sum of one hundred (100) dollars, and double damages, to be collected on his official bond; suit to be brought by the County Superintendent, for the benefit of his County [School Fund]. County treasurer to certify amount collected to county superintendent quarterly. Delinquent taxes. Forfeit and damage.

SEC. 67. On or before the day designated by law for the Commissioners of each county to levy the requisite taxes for the then ensuing year, the School Board in each District shall certify to the County Commissioners the number of mills per dollar which it is necessary to levy on the taxable property of the District, to raise a special fund for any of the purposes specified in section fifty-one of this chapter, and the County Commissioners shall cause the same to be levied at the same time that other taxes are levied, and the amount of such special tax which shall be assessed to each taxpayer of such District shall be placed in a separate column of the tax School boards to county commissioners.

book, which shall be headed "Special School Tax;"

Fifteen mills tax
by districts of
the third class.

Separate column
for each district.

Provided, That a School Board of a District of the third class shall not certify, as above, to a higher rate than fifteen mills per dollar. There shall also be a column in said tax-book in which shall be designated the number of the School District in which the property is listed. This tax shall be collected in cash only, and placed to the credit of the proper District as fast as collected, and the amount placed to the credit of each District shall be reported to the Secretary of such District at the end of every month, and shall be subject to the order of the District Board. It is hereby made the duty of the County Assessor and County Treasurer to so arrange their tax schedules and books as to conform to the above provisions; *Provided*, That the County Assessor shall list all property, both real and personal, in the School District in which the same may be on the first day of May; *And, provided, further*, That the Board of any District may order the levy of not to exceed one-tenth of one mill, the proceeds of which shall be used exclusively in the purchase of books for a library, to be open to the public, under such rules as the District Board may deem needful for the proper care of the said library.

Duties of the
assessor and
county treasurer.

Where prop-
erty is listed.

Library tax.

County treasurer
to keep an
account with
each district.

SEC. 68. It shall be the duty of the County Treasurer to open and keep separate accounts with each School District in his county, and hold the funds of each District, subject to the legal warrants of the President, as provided by section fifty-three of this chapter. If the legal warrant of any School District in his county be presented to the County Treasurer when there are no funds in his hands to the credit of the District Fund against which the warrant is drawn, he shall endorse such warrant "No Funds," and said warrant shall draw interest from the date of such endorsement at the same rate as county warrants in like condition. The Treasurer shall keep a list of all warrants so endorsed, and

shall pay them whenever there is sufficient money to the credit of the proper fund in the order of such endorsement. The interest on such warrants shall stop when the Treasurer shall give notice that he has funds to pay the same; *Provided*, It shall not be lawful for the officers of any District to issue warrants at any time in an amount in excess of the tax levy for the current year.

PENAL FUND.

SEC. 69. All fines, penalties and forfeitures provided by this act may be recovered by action of debt, in the name of The People of the State of Colorado, for the use of the proper School District or county, and shall, when they accrue, belong to the respective Districts, or counties, in which the same may have been incurred; and the County Treasurers, for their counties, are hereby authorized to receive and cause to be placed to the proper credit such forfeitures. Except as otherwise provided by law, all sums of money derived from fines imposed for violation of orders of injunction, mandamus and other like writs, or for contempt of court, shall be paid into the school fund of the county wherein the contempt or such violation was committed; and the clear proceeds of all fines collected within the several counties of the State for breach of the penal laws, and all funds arising from the sale of lost goods and estrays shall be paid over in cash by the person collecting the same, within twenty (20) days after the collection, to the County Treasurer of the county in which the same have accrued, and shall be by him credited to the general county school fund. He shall indicate in such entry the source from which such money was derived. Any officer, or person, collecting or receiving any such fines, forfeitures or other moneys, and refusing and [or] failing to pay over the same, as required by law, shall forfeit double the amount so withheld, and interest thereon at the rate of five (5) Fines under this law. Contempt of court. Penal fines. Estray. Forfeiture for failure to pay over.

County superintendent to look after fines, etc.

per cent. per month during the time of so withholding the same; and it shall be a special duty of the County Superintendent of Schools to supervise and see that the provisions of this section are fully complied with, and report thereon to the County Commissioners semi-annually, or oftener, if required by them.

Reconsideration.

SEC. 70. It shall not be lawful for a district or a district board to reconsider the question of the levy of a special tax after the same has been certified to the County Commissioners, nor shall said Commissioners be charged with any discretion in the matter of such levy further than to ascertain if the law has been obeyed.

What funds may not be used for building.

SEC. 71. It shall be illegal for any school board to appropriate or cause to be used any money belonging to the general school fund, for the purpose of building, furnishing or erecting additions to any school-house, or for the purchase or improvement of any school-house, site or lot; *Provided*, That if any portion of the aforesaid School Fund remains to the credit of any district after the payment of all expenses necessary to the support of a public school for a period of ten months in any one year, in said district, it shall be lawful for the District Board to use such balance for any of the purposes provided for in section fifty-one of this chapter.

Balance after ten months' school.

APPORTIONMENT OF SCHOOL FUND.

July apportionment.

SEC. 72. In apportioning the General Fund, as directed in section nineteen of this chapter, the County Superintendent shall base the July apportionment, in each year, on the census lists and reports of the secretaries of the several districts for the school year next preceding, and he shall base all apportionments on said lists and reports for a period of one year, except in the case of the apportionment to new districts, as provided in section thirty-two of this chapter.

SEC. 73. The County Superintendent shall apportion the funds aforesaid among the districts entitled to the same, according to the number of persons of school age, as shown by the census lists and reports of the several districts for the school year immediately preceding, as provided in section seventy-two.

SEC. 74. Whenever a District Secretary fails to file his annual report and census list with the County Superintendent, according to law, thereby rendering it impossible for the said Superintendent to apportion to such district any part of the General Fund for the ensuing year, if it can be shown to the satisfaction of the Superintendent of Public Instruction that such report and census list were prepared and reasonable diligence used to place the same in the hands of the County Superintendent, and that such report and census list failed to reach said Superintendent by reason of some accident or extraordinary occurrence; and if it be further shown that a public school was maintained in such District for not less than the minimum time required by the State Constitution; and if it be also shown that duplicates of the missing papers have been placed in the hands of the County Superintendent, or in his office, then the Superintendent of Public Instruction shall direct the County Superintendent to apportion to such District its *per capita* share of the General Fund distributed during the remainder of the year, as provided in section seventy-two.

SEC. 75. Any school district failing to maintain a public school at least three months of any school year, shall not be entitled to receive any portion of the school fund for that year.

Apportioned according to census.

Forfeiture referred to state superintendent.

No district entitled to money unless it has a school at least sixty days, holidays included.

SCHOOLS.

Public school.

SEC. 76. A public school is hereby defined to be a school that derives its support entirely, or in part, from moneys raised by a general State, county or district tax.

Public schools open for all children between the ages of 6 and 21 years.

SEC. 77. Every public school, except high schools, shall be open for the admission of all children between the ages of six (6) and twenty-one (21) years residing in that school district during at least *four* school months in each year, and the school board shall have power to admit adults, and children not residing in the district, if they see fit so to do, and to fix the terms of such admission.

School taught in the English language.

SEC. 78. The public schools of this State shall be taught in the English language, and the school boards shall provide to have taught in such schools the branches specified in section fifteen of said chapter, and such other branches of learning in [and] other languages as they may deem expedient, including hygiene with special reference to the effects of alcoholic stimulants and narcotics upon the human body; and whenever the parents or guardians of twenty or more children of school age shall so demand, the Board of such School District may procure efficient instructors and introduce the German and Spanish languages, or either of them, and gymnastics, as a branch of study into such school; and said District Board may, upon like demand of the parents and guardians of children of school age, procure efficient instructors to teach the branches specified in said section fifteen, in the German and Spanish languages, or in either of such languages as said Board may direct.

German and Spanish taught by request.

School year.

SEC. 79. The school year shall begin on the first day of July and end on the thirtieth day of June. A school month shall be four weeks, a school week five days, and a school day shall not exceed six hours, excluding the time of intermission at noon. The term

Month.

Day.

“National Holidays,” in this chapter, shall be construed to mean Thanksgiving Day, Christmas Day, New Year’s Day, Washington’s Birthday, Decoration Day, Labor Day and the Fourth day of July. Legal holidays.

SEC. 80. A school census is hereby defined to be a census embracing all persons between the ages of six and twenty-one years. School age is hereby defined to be any age over six and under twenty-one years. School census.
School age.

TEACHERS’ NORMAL INSTITUTES.

SEC. 81. For the purpose of organizing and maintaining Teachers’ Normal Institutes, the State shall be divided into the following Institute Districts; viz: The counties of Larimer, Boulder, Weld, Logan, Washington, Routt and Grand to constitute Normal District No. one (1). The counties of Arapahoe, Jefferson, Gilpin, Clear Creek, Douglas and Elbert to constitute Normal District No. two (2). The counties of El Paso, Pueblo, Fremont, Custer, Huerfano, Las Animas and Bent to constitute Normal District No. three (3). The counties of Lake, Park, Chaffee, Summit, Garfield, Pitkin and Eagle to constitute Normal District No. four (4). The counties of Gunnison, Ouray, Hinsdale, Montrose, Delta, Mesa and San Miguel to constitute Normal District No. five (5). The counties of Saguache, Rio Grande, Conejos, Costilla, Archuleta, La Plata, San Juan and Dolores to constitute Normal District No. six (6); *Provided*, That new counties formed within the limits of any Institute District shall be a part of said district. A Normal Institute for the instruction of teachers and those desiring to teach may be held annually, for a term of not less than two weeks in each Normal District of the State. The County Superintendents of each Institute District shall annually select three of their number as an executive committee, who, with the advice and consent of the Superintendent of Public Institute held not less than two weeks annually.
Executive committee.

Instruction, shall determine the time and place of holding such Normal Institute, and shall select a conductor and instructors for the same. To defray the expenses of said Institute, the executive committee shall require the payment of one dollar registration fee for each person attending the Normal Institute, and each County Superintendent is hereby authorized to add five per cent. to the average standing in examination of teachers who shall attend the Normal Institute from his county. When a Normal Institute of not less than two weeks is held in any Institute District of the State, the executive committee in charge shall certify to the Boards of County Commissioners of the several counties within the district the number and names of the persons attending said Institute from their respective counties, and it shall be the duty of the Board of County Commissioners of the county where such persons belong, to appropriate the sum of one dollar for each person so certified. The funds arising from registration fees and appropriations of County Commissioners shall be designated the "Normal Institute Fund," and some County Treasurer, whom a majority of the County Superintendents of the district shall designate, shall be the custodian of said fund. The executive committee shall, at the close of each Institute, transmit to said custodian all funds received by it, as provided in this section, together with the name of each person paying a registration fee. The executive committee shall also report to the several Boards of County Commissioners in the district, the name and address of the custodian of the "Normal Institute Fund." On the receipt of such notice the several Boards of County Commissioners shall issue warrants for the appropriations provided in this section, payable to the said custodian. It shall be the duty of the Superintendent of Public Instruction, annually, when the executive committee of any Normal

Expenses, how met.

Registration fee.

Appropriation by counties.

Custodian of fund.

State aid.

Institute District shall certify that not less than twenty persons have paid the registration fee, and have received instruction during the session of the Institute, to certify the same to the Auditor of State, who shall forward to the custodian of the "Normal Institute Fund" of such district a warrant on the State Treasurer for the sum of fifty dollars, to be paid out of any money appropriated for that purpose. All disbursements of the "Normal Institute Fund" shall be upon the order of the executive committee, and no order shall be drawn on said fund except for claims approved by said committee for services rendered and expenses incurred in connection with the Normal Institute. It shall be unlawful to pay any one from the Institute Fund for services as conductor or instructor of such Institute, who does not hold a certificate of qualification for such work, issued by the State Board of Education, upon the recommendation of the State Board of Examiners.

Conductors and
instructors.

APPEALS.

SEC. 82. Any person aggrieved by any decision or order of the District Board of Directors, in matter of law or fact, may, within thirty days after the rendition of such decision, or making of such order, appeal therefrom to the County Superintendent of the proper county.

Made within
thirty days.

To county
superintendent.

SEC. 83. The basis of the proceeding shall be an affidavit, filed by the party aggrieved, with the County Superintendent, within the time for taking the appeal.

By affidavit.

SEC. 84. The affidavit shall set forth the errors complained of, in a plain and concise manner.

Set forth errors.

SEC. 85. The County Superintendent shall, within five days after the filing of such affidavit in his office, notify the secretary of the proper district, in writing, of the taking of such appeal, and the latter shall, within ten days after being thus notified, file in the office of the

Notify secretary
within five days

Transcript filed
within ten days.

County Superintendent a complete transcript of the record and proceedings relating to the decision complained of, which shall be certified to be correct by the secretary.

Notify all parties

SEC. 86. After the filing of the transcript, aforesaid, in his office, he shall notify, in writing, all persons adversely interested, of the time and place where the matter of the appeal will be heard by him.

Hear testimony
and make
decisions.

SEC. 87. At the time thus fixed for hearing, he shall hear testimony for either party, and for that purpose may administer oaths, if necessary, and he shall make such decision as may be just and equitable, which shall be final, unless appealed from, as hereinafter provided.

Any persons
aggrieved by any
order of county
superintendent
may appeal.

SEC. 88. Any person or *district board* aggrieved by any decision or order of the County Superintendent, in matter of law or fact, may, within thirty days after the rendition of such decision or making of such order, appeal therefrom to the State Board of Education, in the same manner as provided in this act for taking appeals from the District Board to the County Superintendent, as nearly as applicable. In case of an appeal, where a trial has been had before the County Superintendent and a decision rendered, the State Board shall examine a transcript of such proceeding and render a decision therefrom, but no new testimony shall be admitted. In other cases of appeal the board may require of the parties such papers and documents as may be thought necessary, and the board shall have power to administer oaths through its president. The decision of the board, or a majority of said board, shall be rendered by the president, and such decision, when made, shall be final. When an applicant for a certificate at a regular examination shall feel aggrieved at the decision of the County Superintendent, and shall appeal to the State Board, the questions used and the answers given shall be examined by the board, and if the decision of the County

In case of appeal,
state board shall
examine trans-
cript of proceed-
ings and decide

Other cases of
appeal.
Require papers
and documents.

Administer oath.
Decision of
board shall be
final.

Applicant for
certificate feels
aggrieved.

May appeal.

Questions and
answers
examined.

Superintendent be reversed, the State Board shall issue to the appellant a certificate of such grade as the answers shall warrant; *Provided*, That a good moral character and success as a teacher be shown.

Decision reversed.
State board shall issue a certificate

SEC. 89. Nothing in this act shall be so construed as to authorize either the County Superintendent or the State Board to render a judgment for money; neither shall they be allowed any other compensation than is allowed by law. All necessary postage must first be paid by the party aggrieved.

No judgment for money rendered.

SCHOOL DISTRICT BONDS.

SEC. 90. On the petition of twenty legal voters of any school District, the Secretary of said district shall give notice, not less than twenty days before any regular or special meeting held under the provisions of this chapter, that the question of contracting a bonded debt for the purpose of erecting and furnishing school buildings, or purchasing ground, or for funding floating debts, will be submitted to such qualified voters of the district as have paid a school tax therein in the year next preceding the said meeting; *Provided*, That it shall be lawful for districts of the first and second class to hold special meetings for this purpose, in the same manner as is provided in this chapter for districts of the third class. Any person offering to vote may be challenged by any legally qualified elector of the district, and any one of the judges of election shall thereupon administer the person challenged an oath, as follows: "You do swear (or affirm) that you are a citizen of the United States, or that you have declared your intention to become such; that you have resided in the State of Colorado six months immediately preceding this election; that you are twenty-one years of age; that you have resided in this district thirty days next preceding this election; and that you have paid a school tax within this School District

Notice given on petition of twenty voters.

Vote may be taken at any regular or special meeting.

None are voters except such as have paid school tax

Oath.

during the past year, and that you have not voted at this election, so help you God (or under the pains and penalties of perjury).” If he shall refuse to take such oath or affirmation, his vote shall be rejected. The electors aforesaid shall first agree, by a majority vote, on the amount of indebtedness to be created, if any (but in no case shall the aggregate amount of bonded indebtedness of any School District exceed three and one-half per cent. of the assessed value of the property of such district), and shall then proceed to vote by ballot “For the bonds,” or “Against the bonds,” and the ballot box for this purpose shall be kept open, as provided in section forty-four (44) of this act; and if it appear that a majority of all the votes cast are “For the bonds,” the Board of Directors, as soon as practicable, shall issue coupon bonds of the district, bearing interest not exceeding eight per cent. per annum, payable semi-annually, and redeemable at the pleasure of the district, after five years, and payable fifteen years from date, the principal and interest payable at the office of the Treasurer of the county in which the said district may be situated, or the interest may be made payable in the City of New York, at the option of the holders thereof, and the cancelled coupons shall be at the disposal of the District Board.

SEC. 91. Whenever any School District shall issue bonds under the provisions of this act, all such bonds shall, previous to being negotiable, be presented to the Recorder of the county, to be duly registered by him in a book kept for that purpose in his office, noting the School District, amount, time of payment and rate of interest, and all such bonds shall state on their face that they are issued under the provisions of this act.

SEC. 92. Whenever any School District shall issue bonds under the provisions of this act, it shall be the duty of the Board of Commissioners of the county in

Not to exceed
3½ per cent. of
valuation.

Vote by ballot.

Interest not to
exceed eight
per cent.

Redeemable at
pleasure of
district.

Payable at
county treas-
urer's office or
in New York.

Registered in
county record-
er's office.

County com-
missioners levy
all bond taxes.

which said district may be situated, to levy and assess a special tax on all the taxable property of such district in amount sufficient to pay the interest coupons thereon, when the same shall become due according to their tenor and effect, and the County Treasurer shall collect the same as other taxes are collected, in cash only, keeping the same separate from other funds received by him; and if there shall be any surplus after paying [the coupons and] the expenses of collecting such special tax, the Treasurer, shall, without delay, pass the same to the credit of such school district, and such fund so passed to the credit of the district shall be subject to the disposal of the Board of Directors. And after the expiration of five years next after the issue of such bonds, and annually thereafter until the full payment of said bonds, the County Commissioners shall provide by taxation, and shall collect at least ten per centum and not more than twenty per centum of the principal of such bonds, which amount shall be assessed and collected the same as the tax for the payment of the interest coupons, and when collected shall be turned over to the Treasurer, of such School District, such money to be used only in the payment of such bonds, in manner as follows: The Treasurer of such School District, immediately after receiving the money as aforesaid, shall advertise in some newspaper published in his county, if there be any, for four successive weeks, that, on a certain day named in the advertisement, he will pay certain of the District bonds, said bonds to be described in the advertisement by number and amount, and the advertisement shall further state that after the day so fixed for payment the interest on the bonds described as aforesaid shall cease and determine. The said payment shall be made in the office and in the presence of the Treasurer of the county, who shall cancel the bonds redeemed, and a minute of such cancellation shall be made on the books

Surplus to go
to district.

Taxes for
principal.

Manner of
payment.

At county treas-
urer's office.

of the County Recorder, after which they shall be at the disposal of the District Board. The provisions of this section for levying and collecting taxes, and for the payment of interest coupons, shall be applicable to all School Districts that have issued bonds under the provisions of the laws of the Territory of Colorado.

Bonds issued
under territorial
laws.

Manner of
redeeming bonds
issued under
territorial laws.

Shall not pay
over five per
cent. premium.

Invest balance
in United States
bonds.

SEC. 93. In all Districts that have issued bonds under the provisions of the laws of the Territory of Colorado, the Treasurer of the District, immediately after receiving the annual installment of the fund for the redemption of said bonds, as provided in section ninety-one (91) [ninety-two], shall go into the market, and, at the lowest price for which he can obtain such bonds, shall use such fund in the retiring of such bonds to the extent of such fund; *Provided*, That the said Treasurer shall not pay more than five per cent. premium on any bonds of his District, and any balance of said funds remaining in the hands of said Treasurer shall be invested, as nearly as possible, in United States bonds or State bonds of Colorado.

Bonds deposited
in some bank.

Interest
appropriated.

Bonds sold.

SEC. 94. All United States or State bonds, which may come into the hands of any District Treasurer, under the provisions of this act, shall be duly recorded in the books of the District and deposited in the safety vault of some bank within the State, selected by the District Board. The interest coupons of said bonds shall be duly collected by the District Treasurer, and the proceeds turned over to the County Treasurer, to be used in the payment of the interest coupons of the bonds of such District, and the annual tax for the payment of the interest on said District bonds shall be proportionately lessened. Said United States or State bonds shall be sold by the District Board at the best market rates, and the proceeds thereof used to redeem the bonds of the District, when the same become due, or when they can be bought at not to exceed five per cent. premium.

SEC. 95. No change in the boundary lines of such School District shall release the taxable real estate of the District from assessment and levy of taxes to pay the interest and principal of such bonds, and if there shall be any change of the lines of such School District, so as to leave any portion of the taxable real estate of the District, out of the District, which was subject to taxation in the District at the time of the issue of such bonds, the assessment and levy for principal and interest of such bonds, shall be made on such property as if it were still within the District, and if there shall be any change of the lines of such School District, so as to annex any taxable real estate, after the issue of such bonds, the real estate so annexed shall thereafter be subject to the assessment and levy for principal and interest of such bonds.

No change in boundary lines releases any property from bond tax.

Property added to the district liable for tax.

SEC. 96. The Treasurer of the county shall receive the same compensation for the collection of such special taxes as he does for other school taxes.

Compensation of county treasurer.

SEC. 97. All such bonds so issued shall be signed by the president of the board of directors, and shall have the seal of the district attached, and shall be countersigned by the County Treasurer.

Bonds sealed and countersigned.

SEC. 98. An act entitled "An act concerning school bonds," approved January 29, 1872, and all acts amendatory thereto; also, an act entitled "An act to amend, revise and consolidate the acts relating to public schools," approved February 11, 1876, and all other general laws inconsistent with this act, are hereby repealed.

Repealing clause

SEC. 99. It shall be lawful for the board of directors of any School District which has a bonded indebtedness to refund the same, with the consent of the bond owners, in bonds bearing a less rate of interest than the bonds so refunded, and running for a longer time; *Provided*, That in case bonds become due, and the owners do not

Bonds refunded with consent of owner.

New bonds may be issued for payment of bonds due.

Can not be sold for less than 98 per cent. of par value.

Interest not to exceed eight per cent.

Time not to exceed ten to twenty years.

Method of procedure same as under the laws of 1887.

Levy for the redemption of bonds.

Vote of the people.

consent to a refunding of the same, it shall be lawful for the board of directors to issue and sell new bonds for the payment of the bonds then due; *Provided, further,* That such new bonds thus issued shall not be sold at a less price than 98 per cent. of their par value. The bonds issued to take up and replace the district bonds which are to be refunded, and the bonds issued for the payment of bonds due, shall bear interest at such rate as said school board may determine, not to exceed eight per cent. per annum, and shall be redeemable at the pleasure of the district board, in not to exceed ten years, and payable in not to exceed twenty years from the date thereof, and the date after which said new bonds are redeemable shall be plainly written or printed on the face thereof.

SEC. 100. All the provisions of the laws of the State of Colorado, now existing, relating to the duties of district and county officers in the issue and payment of the district bonds, and relating to the assessment and collection of taxes for the payment of the interest and principal of school district bonds, shall be held to apply equally and in like manner to all matters pertaining to the issue and payment of bonds issued under the provisions of this act, except that the time when taxes shall be levied and collected for the payment of the principal of said bonds shall be as hereinafter provided.

SEC. 101. At the time provided by law for the levying of county taxes in the year next preceding the date at which the first installment of said bonds shall mature, and every year thereafter until the whole amount of said bonds shall be redeemed, the Board of County Commissioners, of any county in which bonds shall have been issued under the provisions of this act, shall levy a tax sufficient to pay not less than ten *per centum* nor more than twenty *per centum* of the principal of

said bonds, and the County Treasurer shall collect the same as other taxes are collected, and shall pay the amount so collected to the District Treasurer as is now provided by law.

SEC. 102. *Provided, however,* That no bonds shall be issued under the provisions of this act until the question of refunding shall first have been submitted to, and approved by, the qualified voters of the district, as is now, or may be, provided by law, except that the electors shall vote "For refunding," or "Against refunding," instead of "For the bonds," or "Against the bonds."

AN ACT

TO PROVIDE FOR THE STUDY OF THE NATURE OF ALCOHOLIC DRINKS AND NARCOTICS, AND THEIR EFFECTS UPON THE HUMAN SYSTEM.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. That the nature of alcoholic drinks and narcotics, and special instructions as to their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in the public schools of the State, and shall be studied and taught as thoroughly and in the same manner as other like required branches are in said schools, by the use of text books, designated by the Board of Directors of the respective School Districts, in the hands of pupils where other branches are thus studied in said schools, and by all pupils in all said schools throughout the State.

*Taught in the
public schools.*

SEC. 2. That it shall be the duty of the proper officers in control of any school, described in the foregoing section, to enforce the provisions of this act, and any

Duty of officers.

Failure or
neglect.

Removed from
office.

such officer, School Director, committee, Superintendent or teacher, who shall refuse, fail or neglect to comply with the requirements of this act, or shall neglect, refuse or fail or [to] make proper provisions for the instruction required, and in the manner specified by the first section of this act, for all pupils in each and every school under his or her jurisdiction, shall be removed from office, and the vacancy filled as in other cases. ,

AN ACT

RELATING TO THE REPORTS OF THE OFFICERS OF STATE EDUCATIONAL AND REFORMATORY INSTITUTIONS.

Be it enacted by the General Assembly of the State of Colorado.

Biennial report.

Reports contain.

SECTION 1. It shall be the duty of the President of the State University, the President of the State School of Mines, the President of the State Agricultural College, and the Principal of the Mute and Blind Institute, to make a biennial report to the Superintendent of Public Instruction, on or before the first day of December of each year preceding the meeting of the General Assembly. These reports shall contain a history of the institutions reported for the two years; shall show the number of professors and teachers employed and the salaries of each, the number of students in attendance each term, the number in each of the several departments, and any other items concerning the educational and financial condition of the respective institutions which the officers making the reports shall deem to be of public interest.

Shall be
published.

SEC. 2. It shall be the duty of the Superintendent of Public Instruction to publish the reports made in

pursuance of this act, with his biennial report to the Governor; *Provided*, That he shall not publish more than ten printed pages for each institution.

AN ACT

TO ESTABLISH ARBOR DAY.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. The third Friday in April of each year shall be set apart and known as "Arbor Day," to be observed by the people of this State in the planting of forest trees, for the benefit and adornment of public and private grounds, places and ways, and in such other efforts and undertakings as shall be in harmony with the general character of the day so established; *Provided*, That the actual planting of trees may be done on the day designated, or at such other most convenient time as may best conform to local climatic conditions, such other time to be designated, and due notice thereof given, by the several County Superintendents of schools for their respective counties.

Third Friday in April.

Proviso.

SEC. 2. The day, as above designated, shall be a holiday in all public schools of the State, and school officers and teachers are required to have the schools under their respective charge observe the day by planting of trees, or other appropriate exercises.

Shall be a holiday.

Officers and teachers required to observe the day

SEC. 3. Annually, at the proper season, the Governor shall issue a proclamation, calling the attention of the people to the provisions of this act, and recommending and enjoining its due observance. The Superintendent of Public Instruction, and the respective County Superintendents of schools, shall also promote, by all

Governor shall issue proclamation.

proper means, the observance of the day; and the said
 Annual reports. County Superintendents of schools, shall make annual
 reports to the State Forest Commissioner of the action
 taken in this behalf in their respective counties.

AN ACT

TO SECURE TO CHILDREN THE BENEFIT OF ELEMENTARY
 EDUCATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION I. That it shall be unlawful for any per-
 son, persons or corporation to employ any child under
 the age of fourteen years to labor in any business what-
 ever during the school hours of any school day, of the
 school term of the public school, in the school district
 where such child is, unless such child shall have at-
 tended some public or private day school where instruc-
 tion was given by a teacher qualified to instruct in those
 branches required to be taught in the public school of
 the State of Colorado, or shall have been regularly in-
 structed at home in such branches, by some person qual-
 ified to instruct in the same, at least twelve weeks in
 each year, eight weeks at least of which shall be con-
 secutive, and shall, at the time of such employment,
 deliver to the employer a certificate in writing, signed
 by the teacher, certifying to such attendance or instruc-
 tion; and any person, persons or corporation who shall
 employ any child contrary to the provisions of this sec-
 tion shall, upon conviction, be deemed guilty of a mis-
 demeanor, and fined in a sum not less than twenty-five
 (25) dollars nor more than fifty (50) dollars; and all fines
 so collected shall be paid into the county treasury, and

Unlawful to em-
 ploy any child
 under 14 years of
 age to labor dur-
 ing school hours.

Unless such
 child has
 attended private
 school.

By person quali-
 fied to instruct.

Certificate.

Guilty of
 misdemeanor.

Fined \$25.
 Paid into the
 county treasury.

placed to the credit of the school district in which the offense occurs.

SEC. 2. Every parent or guardian, or other person in the State of Colorado, having control of any child or children between the ages of eight (8) and fourteen (14) shall be required to send such child or children to a public school, or private school taught by a competent instructor, for a period of at least twelve (12) weeks in each year, at least eight weeks of which time shall be consecutive, unless such child or children are excused from such attendance by the board of the school district in which such parent, guardian or person having control resides, upon its being shown to their satisfaction that such child's bodily or mental condition has been such as to prevent attendance at school, or application to study for the period required; *Provided*, That if such parent or guardian is not able, by reason of poverty, to properly clothe any such child, it shall be the duty of the school board of the proper district, upon the fact being shown to their satisfaction, to furnish the necessary clothing and pay for the same out of the school fund of such district, by warrant drawn as in other cases, or that such child or children are taught at home in such branches as are usually taught in the public schools, subject to the same examination as other pupils of the district in which the child resides; or that there is no school taught within two miles by the nearest traveled road.

Every parent or guardian required to send child to school.

Consecutive 12 weeks in each year.

Unless excused.

Mental condition

Proviso.

School board to furnish necessary clothing.

Pay for the same out of the school funds of the district.

SEC. 3. Any parent, guardian or other person failing to comply with the provisions of section two of this act shall, upon conviction, be deemed guilty of a misdemeanor, and fined in a sum not less than five nor more than twenty-five dollars for each offense; and all fines so collected shall be paid into the county treasury and placed to the credit of the school district in which the offense occurs.

Any person failing to comply shall be deemed guilty of a misdemeanor.

Fine.

Credit of school district.

Inquire into all cases of neglect.

Prosecution of any offense.

Within ten days.

Unless the person is excused.

Misdemeanor.

Fined.

Prosecuted.

SEC. 4. It shall be the duty of any school director of the district to inquire into all cases of neglect of the duty prescribed in this act, and ascertain from the person neglecting, the reason, if any, therefor; and he shall forthwith proceed to secure the prosecution of any offense occurring under this act; and any director neglecting to secure such prosecution for such offense, within ten days after a written notice has been served on him by any tax-payer in said district, unless the person so complained of shall be excused by the district board of education for the reasons hereinbefore stated, shall, upon conviction, be deemed guilty of a misdemeanor, and fined in a sum not less than ten nor more than fifty dollars; and such fine, when collected, shall be paid into the county treasury and placed to the credit of the school district in which the offense occurs. All actions for offenses committed under this act shall be prosecuted for in the name of The State of Colorado.

Malicious prosecution.

SEC. 5. That upon the trial of any offense as charged herein, before any court of competent jurisdiction, if it shall be determined that such prosecution was malicious, then the costs in such case shall be adjudged against the complainant and collected as fines in other cases.

Equivalent.

SEC. 6. 'Two weeks' attendance, at half time or night school, shall be considered within the meaning of the article equivalent to an attendance of one week at a day school.

AN ACT

TO PROVIDE FOR THE COMPILATION AND PRINTING IN PAMPHLET FORM OF THE LAWS RELATING TO SCHOOLS, IN THE ENGLISH AND SPANISH LANGUAGES, AND FOR THE DISTRIBUTION OF THE SAME.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. That immediately after the adjournment of the Seventh General Assembly, the Superintendent of Public Instruction shall make a compilation of all laws relating to schools in this State, and that the same shall be printed in pamphlet form by the Public Printer, as provided in section two (2) of this act.

Superintendent of public instruction to compile all school laws. Printed.

SEC. 2. There shall be printed in the English language five thousand copies of said compilation of laws, and in the Spanish language one thousand copies, which shall be distributed among the school officers of this State by the Superintendent of Public Instruction, by giving each school officer one copy.

5,000 copies in the English language.

1,000 copies in the Spanish language.

AN ACT

TO ESTABLISH, GOVERN AND MAINTAIN A STATE NORMAL SCHOOL.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. A State Normal School is hereby established at or near the city of Greeley, in the county of Weld and State of Colorado, the purpose of which shall be instruction in the science and art of teaching, with the aid of a suitable practice department, and in such branches of knowledge as shall qualify teachers for their profession; *Provided*, That a donation shall be made of a site for said State Normal School, consisting of forty

Establishment of a state normal school.

Provido.

Donation of 40
acres of ground
for site.
Plans and
specifications.

acres of land, with a building erected thereon, according to plans and specifications furnished by the State Board of Education, and to cost not less than twenty-five thousand dollars, ten thousand dollars of which shall be paid by the State, as hereinafter provided.

School to be
under control of
board of six
trustees.

SEC. 2. Said school shall be under the control of a board of six trustees; the said board shall be and is hereby declared a body corporate by the name and style of "The Trustees of the State Normal School," and as such and by its said name may hold property for the use of said school, be party to all suits and contracts, and do all things thereto lawfully appertaining, in like manner as municipal corporations of this State. The said trustees and their successors in office shall have perpetual succession, shall have a common seal, and may make by-laws and regulations for the well ordering and government of the said corporation and its business not repugnant to the Constitution and laws of the State.

May hold prop-
erty, be party to
suits, etc.

May make
by-laws, etc.

Governor shall
appoint six
trustees.

SEC. 3. The Governor shall, upon the approval of this act, appoint, by the advice and with the consent of the Senate, the six trustees mentioned and provided in this act, two of whom shall be appointed for the term of two years, two for the term of four years and two for the term of six years. Their terms of office shall begin from their appointment and qualification, and shall continue for the period for which they shall be so appointed, and until their successors are appointed and qualified.

Terms of office.

Every two years
two trustees are
to be appointed.

Every two years after the first appointment aforesaid, two trustees shall be appointed in like manner to succeed those whose terms are first thereafter to expire. Every trustee so appointed shall take and subscribe the oath of office prescribed by the Constitution of this State before entering upon the duties of his office, which oath shall be placed and kept on file in the office of the Secretary of State. The Superintendent of Public Instruc-

Oath of office.

Kept on file.

tion shall be, *ex-officio*, a member of the board of trustees of the said State Normal School.

SEC. 4. Said Normal School is hereby constituted an integral part of the public school system of this State, and shall stand upon the same basis as to apportionment of State school funds as union high schools, and shall be subject as such to the general supervisory powers vested by the Constitution in the State Board of Education.

Is constituted an integral part of the public school system.
Apportionment of school funds.

SEC. 5. Subject to the constitutional powers of the State Board of Education, the trustees of the State Normal School shall have the general supervision of the State Normal School, and the control and direction of its funds and the appropriations therefor. They shall have power to appoint a faculty, consisting of a principal and assistant principal, and such other professors as may be required therein; they may also appoint such assistant teachers as are found necessary. They shall also have power to remove said principal or assistant principal, or any professor, teacher or employé in or about said school, and to appoint or employ another or others instead; to fix the salaries of each and to prescribe their several duties. They shall, with the advice and consent of the faculty, prescribe the various books to be used in said school, the courses of study and instruction, which in no case shall cover a period of less than three years, and shall make all needful rules, regulations and by-laws for the good government and management of the same.

Trustees have general supervision, control and direction of its funds

Have power to appoint a faculty

Assistant teachers.
Power to remove principal, assistants and employes.

Fix salaries and prescribe their duties.

Books, courses of study and instruction

Rules, regulations and by-laws

SEC. 6. Said board of trustees shall also have power, and it shall be their duty from time to time, as means shall be provided and placed at their disposal, to provide suitable grounds and buildings, either by donation, purchase or lease, for the use of said school, and, in their discretion, shall also provide all proper and needful appa-

Provide suitable grounds and buildings.

Needful apparatus, books, articles and things for teaching and illustrating the branches of study authorized in said school.

Qualifications for admission. SEC. 7. The said board of trustees shall prescribe the qualifications for admission of students to said Normal School. Every applicant for admission shall undergo an examination by the faculty of said school, and if it shall appear that such applicant is not a person of good moral character, or fails to pass such examination, such applicant shall be rejected. Each applicant, except as hereafter provided, shall, prior to his or her admission, also sign and file with the board of trustees a declaration to engage in the business of teaching in the public schools of this State.

Examination by faculty.

Not a person of good moral character.

Shall be rejected

File a declaration

Open to all persons residents of this state. SEC. 8. The State Normal School shall be open, subject to its regulations, to all persons resident in this State, sixteen years of age and upward, without charge for tuition; and to other persons under such regulations as the board of trustees may prescribe, upon payment of a rate of tuition to be fixed by said board, and without the aforesaid declaration of intention to teach in the public schools of this State; said board of trustees shall also fix the fees for admission of pupils to the practice department of said Normal School.

Open to other persons upon payment of tuition.

Fees for admission to practice department.

Election of officers every year. SEC. 9. The board of trustees shall elect from among their number, at the first and every succeeding annual meeting of said board, a president, who shall preside at all meetings and perform such duties as are incumbent upon such office. The board shall also elect a secretary, who shall not be a member of the board, and who shall hold office for the term of one year, and until his successor shall be elected and qualified. The said secretary shall give bond, in a sum to be fixed by the Superintendent of Public Instruction, for the faithful handling and true accounting and delivery of all moneys and property of said school coming to his hands or control, which

President.

Secretary.

Secretary shall give bond.

bond shall be filed with the Secretary of State, after approval of the sureties thereon by the said board of trustees. No secretary elected as aforesaid shall receive into his possession or control any money or property of said Normal School until after he shall have executed his bond and the same shall have been approved and filed as aforesaid. The State Treasurer shall be, *ex-officio*, treasurer of the State Normal School.

Bond filed.

Secretary can not receive money or property of school until bond is executed.

Ex-officio treasurer.

SEC. 10. The State Normal School is authorized to grant diplomas to such students as shall have completed the full course of instruction in said Normal School, shall have been recommended by the faculty and shall have passed a final examination upon the branches embraced in the prescribed course of study; such examination to be conducted by the examining board, consisting of the State Superintendent of Public Instruction, a County Superintendent of schools within the State, appointed for the purpose by the Governor, and the principal of said school. Such diploma, when signed by the members of said examining board and the president and secretary of the board of trustees, shall be evidence that the receiver thereof is a graduate of the State Normal School, and entitled to all the honors and privileges of such graduates.

Grant diplomas to students.

Passed final examination.

Examination conducted by examining board

Graduate of state normal school.

SEC. 11. The said diploma shall license the receiver thereof to teach in any of the public schools of this State, when a certified copy thereof shall have been filed in the office of the County Superintendent of Schools in the county wherein such graduate is teaching or proposes to teach. Such license may be annulled by the State Superintendent of Public Instruction, who shall give immediate notice thereof to the several County Superintendents of the State, and such license may be suspended in any county by the Superintendent of Schools for such county, pending the action of the Superintendent of Public Instruction.

Diploma shall license receiver to teach.

May be annulled

Give notice.

May be suspended in any county.

No fee shall be charged.

SEC. 12. No fee shall be charged or received for any diploma or certificate authorized by this act.

Trustees to receive \$5 per day.

SEC. 13. The trustees of said Normal School shall be entitled to receive five dollars per day and their necessary traveling expenses, when actually employed in the performance of their duties as such trustees.

Trustees have power to receive, demand and hold money or property.

SEC. 14. The board of trustees of the said Normal School shall have power to receive, demand and hold for the uses and purposes of said school such money, lands or other property as may be donated or devised for or thereto, and to apply the same, within the powers conferred by law, in such manner as shall best subserve the interests and objects of said Normal School.

Apply the same.

Funds and revenues for establishment and maintenance of school shall be appropriated.

SEC. 15. The funds and revenues for the establishment and maintenance of said Normal School, for the payment of its officers, teachers and employes, and for all purposes incident thereto or necessary for the proper founding, continuance and successful conduct thereof, shall be appropriated and apportioned in such manner as the General Assembly shall by law provide.

Trustees shall file a report by August 1 each year.

SEC. 16. The trustees of the State Normal School shall make and file with the State Board of Education, on or before the first day of August in each year, a report of the affairs and conduct of said Normal School during the year last preceding such report. Said annual report shall be made upon blanks prepared by the Superintendent of Public Instruction, and shall include the following, viz:

Annual report made upon blanks prepared by superintendent of public instruction.

Number of students, age, sex, etc.

First—The number of students enrolled during the preceding year, their sex, age, residence and place of birth.

Attendance.

Second—The attendance each day; the average attendance for each week and term, and during the year; the number of days the school was taught in the year.

Third—The full curriculum of instruction in said school; the classification and departments thereof; the branches taught; time devoted to each; text books and apparatus in use; number of books in the library; requirements for admissions and graduation, with dates and requirements for examinations.

Curriculum of instruction.

Fourth—The number of students in each department and class; number of diplomas granted, and to whom; number, names and residence of graduates; number of suspensions and expulsions, and cause of same.

Number of students in each department and class.

Fifth—The names and number of teachers in each class and department; length of time each has been employed, and salary paid to each.

Names and number of teachers.

Sixth—Names, individual employment and number of all other employes in and about the school, with rate and amount of wages paid to each.

Names of employes and wages paid each.

Seventh—A full financial statement, classified and itemized, of the business department of the school and corporation, covering receipts and expenditures from and by all sources, and in such form as to show the average cost of the school per month for each pupil, and in gross for the year; cash on hand or deficit at the beginning and end of year.

Financial statement classified and itemized.

Eighth—An estimate of necessary expenditures, ordinary and special, for the next ensuing year.

Estimate of expenditures for next ensuing year.

Ninth—Such other particulars as the said board of education may require, necessary to a fair and complete showing and fair understanding of all the affairs of said Normal School.

Said report shall be signed by the president and secretary of the said board of trustees, and verified by the oath of one or more of their number.

Report shall be signed by president.

Verified by oath.

SEC. 17. There is hereby appropriated, out of any moneys not otherwise appropriated, belonging to the

\$20,000 appropriated for the completion and

furnishing of
school buildings.

general fund, the sum of twenty thousand (20,000) dollars, ten thousand (10,000) dollars for the completion of the school building and ten thousand (10,000) dollars for the purpose of furnishing the said Normal School building hereinbefore provided for, and for the purpose of carrying on the said school during the year 1890; *Provided*, That said appropriation shall not be available until the site mentioned in section one of this act shall have been donated, as therein provided, and shall be drawn only upon the order of the board of trustees of the State Normal School, approved by the State Board of Education.

Proviso.

BLANK FORMS

FOR THE USE OF

SCHOOL OFFICERS AND TEACHERS.

NO. I.—FORM OF OATH OF SCHOOL OFFICERS.

(See Sections 13, 22 and 47.)

STATE OF COLORADO, }
COUNTY OF }

I, ..., do solemnly swear (or affirm) that I will faithfully perform the duties of of School District No., in the County of, to the best of my skill and ability; and that I will carefully keep and preserve all records, books and other property of the said district that may come into my hands, and deliver the same to my lawful successor in office; and, further, that I will support the Constitution of the United States, and the Constitution of this State, and the Laws of this State, made in pursuance thereof; so help me God.

C . . . D , [SEAL]

Subscribed and sworn to before me this day of, 188 .

E . . . F

REMARKS.—The foregoing oath should be taken before a County Superintendent, Notary Public, Justice of the Peace, or some officer duly authorized by law to administer oaths; and the County Superintendent's oath should be filed with the County Clerk within thirty days after his election, and the oath of District Officers should be filed with the County Superintendents within thirty days after their election.

NO. 2.—FORM OF COUNTY SUPERINTENDENT'S BOND.

(See Section 13.)

Know all Men by these Presents, That we, A . . . B . . . , C . . . D . . . , and E . . . F . . . , of the County of . . . , and State of Colorado, are held and firmly bound unto The People of the State of Colorado, in the full and just sum of . . . dollars, lawful money of the United States, to which payment, well and truly to be made, we bind ourselves jointly and severally, our joint and several heirs, executors and administrators, firmly by these presents.

In Witness Whereof, We have hereunto set our hands and seals this . . . day of . . . , A. D., 188 . . .

The condition of the foregoing obligation is such, That, Whereas, the above bounden A . . . B . . . was, on the . . day of . . . , A. D., 188 . . , duly elected (or appointed, if that be the case) County Superintendent of Schools of the county aforesaid, for the term of . . . ;

Now, Therefore, If the said A . . . B . . . shall faithfully perform all the duties of said office according to the laws which now are, or may hereafter be in force, and shall render a just and true account of all money or other property which may come into his hands or under his control as Superintendent of the Schools of said county, and shall deliver over to his successor in office all moneys, books, papers and property in his hands as such County Superintendent, then this obligation shall be void; otherwise it shall remain in full force.

A . . . B [SEAL]
C . . . D [SEAL]
E . . . F [SEAL]

Signed, sealed and delivered in the presence of

L . . . M
O . . . P

REMARKS.—The penal sum named in the bond is to be fixed by the Board of County Commissioners, but in no case shall the sum be less than \$2,000.

NO. 3.—FORM OF A PETITION OF PARENTS AND GUARDIANS WHO DESIRE TO FORM A NEW DISTRICT FROM PARTS OF ONE OR MORE OLD ONES.

(See Section 27.)

To ,

County Superintendent of Schools, . . . County.

We, the undersigned, residents of district (or districts) No. . . , respectfully represent that we desire to form a new district, with boundaries as follows, viz: [Here describe the proposed bounds, following government lines as far as practicable.] We further declare that, collectively, we are the parents or guardians of at least ten children of school age, and we hereby certify that the list of names of persons of school age which is attached to and made a part of this petition, is a correct list of all such persons residing in the proposed district.

NAME.	NAME.

BLANK FORMS FOR THE USE OF
NAMES OF PERSONS OF SCHOOL AGE.

--	--

REMARKS.—Give post-office address of some or all signers. The list of children should be carefully filled up by some person interested in the change before the paper is circulated for signatures.

NO. 4.—FORM OF ORDER DIRECTING A PETITIONER
TO GIVE NOTICE OF THE FORMATION OF A NEW
DISTRICT.

(See Section 27.)

OFFICE OF
COUNTY SUPERINTENDENT OF SCHOOLS, }
 COUNTY, COLORADO. }

To C D :

You are hereby notified that I have received a petition signed by yourself and others, informing me that you desire to form a new School District of the territory described as follows, to-wit: [*Description as above.*] In order that the wishes of the residents of said proposed

district may be ascertained, you will please notify, by personal service as far as convenient, each elector residing therein, and also post notices in three public places (one of which shall be the place of meeting) that such a petition has been made, and that a meeting will be held, naming the time and place of such meeting, to determine whether such district shall be formed. You will, also, please notify me by mail of the time and place of such meeting.

Respectfully yours,

.

County Superintendent.

REMARKS.—In the formation of a new district, every step should be strictly in accordance with the law.

The notices posted should contain a clear description of the proposed district.

NO. 5.—FORM OF NOTICE FOR A MEETING TO ORGANIZE A NEW DISTRICT.

SCHOOL DISTRICT MEETING.

To all whom it may concern:

WHEREAS, It is proposed to organize a new school district of that part of county, described as follows, to wit: [*Description.*] Notice is hereby given, as per direction of the County Superintendent of Public Schools of said county, that a meeting of the electors residing within the boundaries aforesaid will be held at, on the . . day of, A. D. 188 . . , at . . o'clock . . M., when a vote will be taken by ballot, on the question whether or not the proposed district shall be organized. If the vote shall be in the affirmative, a Board of Directors will then be elected.

By order of, County Superintendent of Schools.

Dated, 188 C D

REMARKS.—After the organization, a copy of the notice and of the proceedings of the meeting should be sent to the County Superintendent.

The ballot box should be kept open long enough to give every elector an opportunity to vote—never less than three hours.

If the proceedings were in accordance with the law, the County Superintendent should number and record the district, and notify the Secretary of his action.

NO. 6.—FORM OF BOND TO BE GIVEN BY THE SECRETARY OR TREASURER OF EACH SCHOOL DISTRICT.

(See section 47.)

STATE OF COLORADO, }
COUNTY OF } ss.

Know all men by these presents, That we, A B, principal, and C D and E F, sureties, are held and firmly bound unto School District No. . . ., in the county of, State of Colorado, in the full sum of dollars, lawful money of the United States, to which payment, well and truly to be made, we bind ourselves jointly and severally, our joint and several heirs, executors and administrators, firmly by these presents.

In Witness Whereof, We have hereunto set our hands and seals this . . . day of, A. D. 188 . .

The condition of the foregoing obligations is such, That, Whereas, the above bounden A B was, on the day of, A. D. 188 . .,

duly elected (or appointed) Secretary (or Treasurer) of School District No . . . , in the county of , and State of Colorado, for the term of

Now, therefore, If the said A . . . B . . . shall faithfully discharge all the duties of said office, according to the laws which now are, or which may hereafter be in force, and shall faithfully apply all moneys which may come into his hands by virtue of said office, and shall deliver over to his successor in office all moneys, books, papers and property in his hands as said officer, within ten days after the same shall have been demanded by such successor, then this obligation shall be void; otherwise it shall remain in full force.

A . . . B , [SEAL]
C . . . D , [SEAL]
E . . . F , [SEAL]

Signed, sealed and delivered in presence of

L . . . M
X . . . Y

REMARKS.—The penal sum named in the above bond should be *at least twice the amount* likely to be in the hands of the officer at any one time during his term of office.

The bond must be filed with the County Superintendent.

NO. 7.—FORM OF REQUEST TO BE MADE BY TEN LEGAL VOTERS OF A DISTRICT, TO THE BOARD OF DIRECTORS, FOR THE CALLING OF A SPECIAL MEETING.

(See Section 62.)

*To the Board of Directors of School District No . . . , in
: : : : : County, Colorado:*

The undersigned, legal voters of School District No. . . . , in county, Colorado, request you to

call a special meeting of said District for the purpose of

Dated this . . . day of, A. D. 188 . .

A . . .	B
C . . .	D
E . . .	F
G . . .	H
L . . .	M
O . . .	P
Q . . .	R
S . . .	T
U . . .	V
W . . .	X

NO. 8.—FORM OF NOTICE OF SPECIAL MEETING.

(See Sections 62 and 63.)

NOTICE.—A special meeting of the legal voters of School District No . . . , in the County of, called on the written request of ten legal voters (or called by the District Board, as the case may be), will be held at (the District School House or other place) on the . . day of, 188 . ., at . . o'clock (P. M.), for the purpose of (here specify every item of business that is to be brought before the meeting).

A B

Secretary.

Posted, 188 . .

REMARKS.—This notice must be given at least twenty days previous to the meeting, and a copy should be posted up in three different public places within the District, and a copy furnished to the teachers of each school in the District, to be read once in the presence of the pupils.

Business not specified in this notice can never be lawfully transacted at such special meeting.

NO. 9.—FORM OF NOTICE OF ANNUAL MEETING.

(See Section 44.)

Notice is hereby given, That the annual meeting of the legal voters of School District No. . . . , in the county of, will be held (at the school-house or other place) on Monday, the day of May, 188 . . . , for the purpose of electing (one or more) Directors, as provided by law.

The ballot-box will be opened at the hour of M., and close at the hour of M., and at M. the meeting will be organized for the transaction of any other business pertaining to school interests that may be brought before it.

*Secretary School District No. . . . ,
County of*

Posted April, 188 . . .

REMARKS.—The Secretary of the district should give at least six days' previous notice of the regular meetings of the district (see section 44), and should post the notices and furnish a copy to the teachers in the same manner as for special meetings.

NO. 10.—FORM FOR RECORDING PROCEEDINGS OF A MEETING HELD FOR THE PURPOSE OF ORGANIZING A NEW SCHOOL DISTRICT.

(See Sections 27 and 28.)

On the day of, 188 . . . , of which the following is a true copy, was made to X Y, County Superintendent of Public Schools of county, to wit: [*Here copy the petition.*] Whereupon the said County Superintendent issued an order, of which the following is a copy, to wit: [*Here insert a copy of the order.*] In obedience to

which order the following notice was posted, as required by section twenty-seven of the School Law, to wit: [*Here insert a copy of the notice.*]

In pursuance of the above notice, the electors of the proposed new School District assembled at at . . o'clock . . M. The meeting was called to order by A . . . B . . . , and, on motion, C . . . D . . . was elected Chairman, and E . . . F . . . Secretary. On motion, G . . . H . . . was elected to act with the Chairman and Secretary as judges of the election. On motion of K . . L . . , the electors began to vote by ballot upon the question of forming a new School District. The ballot box remained open for the reception of votes from . . o'clock, . . M, until . . o'clock . . M. Upon counting the ballots, it was found that . . ballots were cast, of which . . . were in favor of the organization and . . against.

On motion of J K , the meeting proceeded to elect, by ballot, a Board of Directors. The following are the names of the persons voting: [*Here record the names of the persons voting.*] The ballot resulted in the election of C . . . D . . . President, E . . . F . . . Secretary, and G . . . H . . . Treasurer, etc., etc.

On motion of C D the meeting adjourned *sine die*.

C . . . D ,
Chairman.

Attest: E . . . F ,
Secretary.

REMARKS.—A copy of the proceedings should be sent to the County Superintendent, together with the certificate of some elector, that the notice of the meeting was posted in three public places, as required by law. The person who posted the notice, unless absent, should sign the certificate of posting.

If the District be formed from unorganized territory, the Secretary must send with this report a certified list of the names of persons of school age residing in the District.

A permanent record of the proceedings should be made in the Secretary's book.

NO. II.—FORM FOR RECORDING PROCEEDINGS OF A
REGULAR OR SPECIAL MEETING OF THE DISTRICT.

., 188 . .
The regular (or special, as the case may be,) meeting of School District No. . . . , in . . . county, Colorado, convened at , at . . o'clock (P. M.), pursuant to previous notice given by the District Secretary.

The meeting was called to order by the President.

The Secretary being absent, on motion of Mr. A . . . ,
C . . . D . . . was elected Secretary *pro tem*.

Mr. S moved that a tax of two mills on the dollar be voted for the purpose of building a school-house for the District.

Mr. F . . . moved to amend by striking out "two" and inserting "five," which was agreed to, and the motion as amended was decided in the affirmative.

Mr. D moved that a tax of one mill on the dollar be levied for the purpose of defraying the contingent expenses of the District.

Motion carried.

On motion of Mr. F , the meeting adjourned
sine die.

L M,
President.

Attest: C . . . D,
Secretary.

REMARKS.—Forms 10 and 11 are given with a view of assisting the inexperienced. Persons familiar with such duties may vary the form as they deem best, the essential point being that the proceedings are *accurately recorded*.

Much depends on the record of the proceedings of the District meeting, and hence it should be correctly made and carefully preserved.

Under the law the voting of a tax for any purpose must be, in each year, "On or before the day designated by law for the County Commissioners to levy the requisite taxes for the then ensuing year," and School Boards certify the same to the County Commissioners.

NO. 12.—FORM OF COUNTY SUPERINTENDENT'S NOTICE
OF APPORTIONMENT TO THE DISTRICT SECRETARY.

OFFICE OF
COUNTY SUPERINTENDENT OF SCHOOLS, }
. COUNTY, COLORADO.

To A B,
Secretary of School District No . . ,
in County:

You are hereby notified that I have this day apportioned to your District the sum of dollars, of the General School Fund, which amount has been placed to the credit of your District on the books of the County Treasurer.

.
County Superintendent.

REMARKS.—This notice should be sent immediately after each apportionment.

CONTRACT BETWEEN DIRECTORS AND TEACHER.

This contract, made the day of
18 . . , between and the Board of Directors
of School District No . . , in the county of,
State of Colorado;

Witnesseth, That the said , who holds
a legal certificate to teach in the public schools of said
county, in full force and effect, hereby agrees to teach
the public school in said district for the term of
months, commencing on the day of,
18 . . , and well and faithfully to perform the duties of
teacher in said school, according to law and the rules
legally established for the government thereof, including
the exercise of due diligence in the preservation of school
buildings, grounds, furniture, apparatus, books and other
school property.

In consideration of said services, properly rendered,
the said directors, in behalf of said school district, agree
to pay the said monthly the sum of
dollars per school month.

Done at a legally convened meeting this day
of 18 . .

. [SEAL]
Teacher.
. [SEAL]
. [SEAL]
. [SEAL]

Directors of School District No
. County, Colorado.

RECORDS AND REPORTS.

The Superintendent of Public Instruction will furnish to County Superintendents such blank books and registers as may be needed by school officers and teachers in the discharge of their duties. The report of each district should be accurately made out and promptly filed with the County Superintendent; otherwise the Secretary is to forfeit the sum of *one hundred dollars*, and to make good *all losses* resulting to the district from such failure. By his neglect to file it as required, the district may lose its share of the county school money, apportioned by the County Superintendent. The Secretary should preserve a copy of all the reports made to the County Superintendent.

To ascertain the average compensation of *male* teachers per month, divide the aggregate amount paid them (male teachers) for teaching during the year, as shown by the books of the District Treasurer, by the whole number of male teachers, and the result by the number of months the school has been taught, which can be determined from the teacher's register. For instance: Three male teachers have been paid the aggregate sum of eighteen hundred dollars for teaching eight months, being an average of six hundred dollars, which divide by the number of months, and we have seventy-five dollars as the average per month. Make a similar computation for female teachers; or, if the blank for names and monthly salary of teachers in the Annual District Report be properly filled, the average monthly salary can be found more readily by the method there given. To ascertain the average cost of tuition for each pupil per month, add to the current expenses of the school the interest, at six per cent. per annum, on the value of the school property owned by the district;

divide the whole amount by the average daily attendance, and the result by the number of months the school has been taught.

To ascertain the average attendance of male pupils, divide the sum of the days they have been present by the number of days the school has been taught. For instance: The teacher's registers show to have been present one hundred and twenty male pupils, and the school has been taught ninety days, they have been present from seventy to ninety days each, and the sum total of the days they have been present is ten thousand two hundred and sixty (instead of ten thousand eight hundred, as it would have been if they had all *attended regularly*), which divided by ninety, the number of days the school has been taught, and the result is one hundred and fourteen as the *average attendance*, one hundred and twenty being the number enrolled. Make a similar computation for female pupils.

The Superintendent of Public Instruction will also furnish the County Superintendents with blanks for their annual reports.

Unless these reports are accurate and complete, they afford but little satisfaction. If the teacher's daily register is properly kept, and the monthly statement or term report is regularly transmitted to the District Secretary, there can be no difficulty in making a correct annual report.

INDEX.

A

ACCOUNT—

	SEC.	PAGE
Of district expenses to be kept by Secretary	56	40
Of receipts and expenses, kept by Treasurer	58	42
With each district, kept by County Treasurer	68	48

ADJOURNMENT—

Of school boards	50	36
Of district meetings	63	45

AFFIDAVIT—

Of County Superintendent to bill	25	22
Of Secretary to census list	54	39
In case of appeals	83, 84, 85	55

AGENCY—

Of children entitled to attend public school	77, 80	51, 52
--	--------	--------

ALTERATION—

Of districts	29	25
------------------------	----	----

ANNUAL, DISTRICT MEETING—

When to be held	44	32
What business may be transacted	44, 63	32, 45
Notice of by Secretary, or two voters	44	32

ANNUAL, REPORT—

Of County Superintendent to State Superintendent	18	19
Of County Superintendent to County Commissioners	20	20
Of District Secretary	51, 56	37, 40
Of teacher	61	43

APPEALS—

To County Superintendents	82	54
Must be taken within thirty days	82	55
Based upon affidavit of party aggrieved	83	55
Adverse parties notified in writing	86	55
County Superintendent may hear testimony and administer oaths	87	55
To State Board	88	55

APPOINTMENTS—

Of County Superintendents in case of vacancy	14	16
Of District Director, by County Superintendent	47	34

	SEC.	PAGE
Of District Director, by the Board in districts of first class.	48	35
Of time and place of teachers' institute	81	53
APPORTIONMENTS OF SCHOOL FUNDS—		
By Superintendent of Public Instruction	11	15
By County Superintendent	19, 73	20, 50
Arbor Day		65
ASSESSOR OF COUNTY—		
Schedules and books	67	47
Shall list property, when	67	47
ASSISTANT LIBRARIAN—		
Appointment and duties	12	16
AVERAGES—		
Method of obtaining		79, 80
B		
BOARD OF EDUCATION—		
Who constitute	1	11
Meetings and powers of	2	11
Diplomas, issued by	3	11
Diplomas, revoked by	5	12
BOARD OF DIRECTORS—		
How elected in new districts	28	24
Their number in districts of different classes	41	39
Organization in districts of first class	41	31
Powers of districts of first and second classes	41	31
When and how elected, annually	44	32
Act as judges of election	45	33
Qualify within twenty days	47	34
Vacancy, how filled	47	34
Vacancy, how filled in districts of first class	48	35
Meetings of	50	36
Powers and duties of	51	36
May establish High School	52	38
Issue bonds	90	56
Select depository for bonds	94	60
BONDS OF OFFICERS--		
Of Superintendent of Public Instruction	7	12
Of County Superintendent	13	16
Of District Treasurer	47	34
BONDS OF SCHOOL DISTRICTS—		
Taxpayers only can vote on question	90	56
Limit of bonded indebtedness	90	57
Redeemable at pleasure of district, and payable in fifteen years	90	57
Registered by County Recorder	91	58

INDEX.

95

	SEC.	PAGE
Signed, sealed, etc	97	61
Taxes for, levied by County Commissioners	92	58
How and where paid	92	58
Issued under Territorial law	92, 93	58, 59
Sinking fund invested in United States bonds	93	59
United States bonds, how held and sold	94	60
Refunding	99	61
 BOOKS—		
County Superintendents	20	20
Blank books, furnished by county	25	22
Text books, when changed, etc	51	36
Immoral books	51	37
Record books, kept by Secretary	54	39
Registry books, kept by teacher	61	43
 BOUNDARY—		
County Superintendent to ascertain, etc	24	21
Specified in petition	27	23
No change releases property from taxation, etc	95	60
 C		
CERTIFICATES—		
Given by County Superintendent	15	17
Grades, etc	16	18
No person can teach without	160	43
 CHALLENGE—		
Of voters	45, 90	33, 57
 CENSUS—		
When and by whom taken	54	39
Corrected by County Superintendent	55	40
Defined	80	52
 CITIES—		
Shall not be divided	28	25
 CLERK OF COUNTY—		
File bond of County Superintendent	13	16
Shall not omit levy	65	46
Register bonds	91	58
Record cancellation of same	92	59
Compulsory Education		66
 COPY—		
Certified by Superintendent of Public Instruction	8	13
Retained by County Superintendent	18	19
Of reports kept by Secretary	54	39

	SEC.	PAGE
CONSTITUTION—		
Article IX. on education	"	5.
COMPENSATION—		
Of County Superintendent	25	22
Of teachers and officers, fixed by the Board	51	36
Of County Treasurer, for collecting bond tax	96	60.
COUNTY COMMISSIONERS—		
Appoint County Superintendent, when	14	16
Pay County Superintendent, when	25	22
Levy county school tax	64	46
Levy special school tax	67, 70	47, 49.
Require report of fines, etc.	69	48
Levy all bond taxes	92	58
D		
DEBT—		
Amount voted by district, limit, etc.	90	57
DECISION—		
Of District Board, appealed from	82	54
Of County Superintendent, appealed from	88	55
Of State Board, final	88	56
DELINQUENT TAXES—		
Amount reported, etc.	66	46
DIPLOMAS—		
To whom and by whom issued	3	11
Revoked	5	12
DISTRICTS—		
New, how formed	27, 28	23, 24
Limits in forming	28	24
Contiguous, united	29	25
When entitled to money	30	26
Joint	31	27
Entitled to just share of credits	32	27
Classified	41	31
Body corporate	40	30
Declared legal	42	32
Legality should not be questioned	43	32
Separate accounts kept by County Treasurer	68	48
DIRECTORS—		
Of new districts, first elected	28	24
Number, how determined	41	30.

INDEX.

97

	SEC.	PAGE
Powers and duties in districts of first and second class . . .	41	31
Annual election	44	32
Vacancies, how filled	47	34
Vacancies, how filled in first class	48	35
Meetings	50	36
Powers and duties	51	36
Issue bonds	90	57
Select depository	94	60

DIVISION—

Of school districts	28	24
Of cities and towns	28	24
Of school moneys	32	27

E

EDUCATION—

Constitutional provisions in relation to		5
--	--	---

ELECTORS—

Qualifications of	45	33
Their powers, when assembled	63	45
Qualifications for voting bonds	90	56

ELECTION—

In new district	28	24
Annual	44	32

EXAMINATION OF TEACHERS—

By State Board	3	11
By County Superintendent	15	17
No certificate without	16	18

EXPEL—

Pupils from school	51	37
------------------------------	----	----

F

FINES, FORFEITURES, ETC.—

Of County Superintendent for neglect, etc	21	21
Of District Secretary	56	42
Of District Treasurer	58	42
Of County officers, for failure to levy tax	65	46
For failure to pay over money	66, 69	46, 48
Penal, etc.	69	48
13		

FORMS—

	SEC.	PAGE
Oath of school officers	1	67
County Superintendent's bond	2	68
Petition to form a new district	3	69
Notice of formation of a new district	4	70
Notice of meeting for organization	5	71
Bond of District Treasurer or Secretary	6	72
Request for special meeting	7	73
Notice of special meeting	8	74
Notice of annual meeting	9	75
Record of meeting for organization	10	75
Record of regular or special meetings	11	77
Notification by County Superintendent	12	78
Teacher's contract	.	89

FUNDS—

	SEC.	
State, how apportioned	11	15
County, when apportioned	19	20
County, levied annually	64	46
Special	67, 70	47, 49
Penal	69	48
How used	71	49
Apportionment of county	72, 73	50
What districts are entitled to	75	51
For redemption of bonds	93	59

G

GOVERNMENT OF SCHOOLS—

Rules and regulations for, made by district board	52	38
---	----	----

GENERAL PROVISIONS—

A public school defined, etc.	76	51
Schools must be taught in the English language	78	51
School year, month, week and day, defined	79	52

H

HIGH SCHOOLS—

Union, how established	33	28
Vacancies in committee	34	29
Meetings of committee	35	29
Powers and duties of committee	36	29
How supported	37	29
To whom free	38	30
Districts represented on the committee	39	30
Established by district board, when	52	38

I

INTEREST—

	SEC.	PAGE
On bonds, not to exceed 8 per cent	90	57
May be paid in New York	90	58
County Commissioners must levy tax for	92	58
On United States bonds.	94	60

INSTITUTES—NORMAL—

District boundaries	81	52
How organized and conducted	81	53

J

JOINT DISTRICTS—

How formed.	31	27
---------------------	----	----

JUDGMENTS—

Not rendered for money	89	56
----------------------------------	----	----

L

LAWS—

Compiling of		69
------------------------	--	----

LIBRARIES—

School Board may levy tax for	67	48
---	----	----

M

MEETINGS—

Of State Board	2	11
Of districts for organization	28	24
Of High School Committee	35	29
Annual	44	32
Of School Boards	50	36
Special	62	44

MISDEMEANOR—

For refusing to perform duty	59	43
--	----	----

N

NOTICE—

Thirty days before revoking a diploma	5	12
Of examination of teachers.	15	17
Of meeting for organization	27	23
Of annual meeting	44	32
Two voters may give	44	32

	SEC.	PAGE
Of special meeting	62	44
Of teachers' institutes	81	52
Before voting bonds	90	56
Of payment of bonds	92	59

O

OATH—

Of Superintendent of Public Instruction	6	12
Of County Superintendent	14	16
Of challenged voters	45	33
Of directors	47	34

P

PENALTY—

Of Superintendent of Public Instruction	7	12
Of County Superintendent	13	16
Neglect of duty	21	21
District Secretary	56	42
District Treasurer	58	42
County Clerk, for failure to levy tax	65	46
General provisions concerning	69	48

PUPILS—

Age of	77	51
May be expelled	51	37
Admitted from adjoining districts	51	38

PRESIDENT—

Duties of	53	38
---------------------	----	----

Q

QUALIFICATIONS—

Of teachers	15	17
Of voters	45	33
Of pupils for high schools	38	30

R

RECORDS—

Of County Superintendents	16, 20	18, 20
Of district boundaries	24	21
Of District Secretary	56	40
Of teacher	61	43

REGISTER—

	SEC.	PAGE
Kept by teacher.	61	43
Of bonds by County Recorder.	91	58
Of United States bonds by Secretary	94	60

REPAIR SCHOOL-HOUSES—

By Directors	51	36
By vote of the people.	63	45

REPORT—

Of Superintendent of Public Instruction.	10	14
Of County Superintendent, to same	18	19
To County Commissioners	20	20
By District Secretary	56	40
By Teachers	61	44
By County Treasurer, quarterly	66	46

S

SCHOOL—

Normal	.	69
Definition of.	76	51
General provisions concerning.	76, 80	51, 52

SCHOOL, DISTRICTS—See "DISTRICT."

SCHOOL-HOUSES—

Built by the Board on order of the district	51	36
Built, repaired, etc., by vote of the district	63	45
Site for school-house	49	35

SCHOOL, MONEY—

Withheld by the Constitution	2	5
Withheld by law	75	51
Apportioned by Superintendent of Public Instruction	11	15
Apportioned by County Superintendent.	72, 73	50
How derived, see "FUND."		

SUPERINTENDENT OF PUBLIC INSTRUCTION—

Duties, etc.	6-12	12-16
----------------------	------	-------

SUPERINTENDENT OF SCHOOLS (COUNTY)—

Duties, etc.	13, 25	16, 22
----------------------	--------	--------

T

TAXES—

County school, levied by Commissioners	64	46
Special school fund	67	47
For interest and principal on bonds	92	58

TEACHERS—

Not to teach without certificate	60	43
To make reports and keep register	61	43
Last one of the year to make annual report	61	44

TREASURER—

Of county, to keep separate accounts	26	22
Of county, to report quarterly	66	46
Of county, to arrange tax-books	67	47
Of county, receives fines, etc	69	48
Of county, pays interest on bonds	92	58
Of county, collects bond taxes	92	58
Of district, duties	47	34
Of district, duties concerning bonds	92	58

TUITION—

Of non-resident pupils	51	36
----------------------------------	----	----

V

VACANCY—

County Superintendent	14	16
District Board	47	34
District Board, in districts of first class	48	35

THE SCHOOL LAW
OF THE
STATE OF COLORADO

AS AMENDED TO DATE.

1891.



State Historical Society
OF WISCONSIN
MADISON - WIS.

COLORADO SPRINGS, COLO.:
THE GAZETTE PRINTING COMPANY, STATE PRINTERS,
1891.



THE SCHOOL LAW
OF THE
STATE OF COLORADO

AS AMENDED TO DATE.

1891.



COLORADO SPRINGS, COLO.:
THE GAZETTE PRINTING COMPANY, STATE PRINTERS.
1891.

THIS PAMPHLET IS STATE PROPERTY.

School officers on retiring from office should deliver this book, with all other papers and documents of an official character, to their successors in office.

EH MAY 5-06

PREFACE.

The contents of this pamphlet include:

Sections 7 and 14 of the Enabling Act;

Sections 1 and 6 of Article VII.; Article IX.; Section 5 of Article X.; Sections 1, 2 and 7 of Article XI.; Sections 8, 9 and 10 of Article XIV. of the State Constitution;

The School Law of the State, as amended to date;

The law of public contracts;

The law relating to the study of the nature of alcoholic stimulants;

The law concerning the reports of State Educational Institutions;

The law establishing Arbor Day;

The law relating to compulsory education;

The law organizing a State Normal School;

The law authorizing the levy of a State tax for certain State Educational Institutions;

The law providing for the payment of school orders;

Sections 1, 14, 25 and 26 of an act to provide for the payment of salaries to certain officers;

The law authorizing school districts to purchase flags for school buildings;

Blank forms for the use of school officers and teachers.

This edition of the School Law is issued under authority granted by Section 3004, Revised Statutes of 1883.

NATHAN B. COY,
Superintendent of Public Instruction.

SECTIONS VII. AND XIV. OF THE ENABLING ACT.

SECTION 7. The sections numbered sixteen and thirty-six in every township, and where such sections have been sold or otherwise disposed of by any act of congress, other lands equivalent thereto in legal subdivisions of not more than one quarter-section, and as contiguous as may be, are hereby granted to said State for the support of common schools.

SECTION 14. That the two sections of land in each township herein granted for the support of common schools, shall be disposed of only at public sale and at a price not less than two dollars and fifty cents per acre, the proceeds to constitute a permanent school fund, the interest of which to be expended in the support of common schools.

SELECTIONS

FROM THE

CONSTITUTION OF THE STATE OF COLORADO,

TOUCHING PUBLIC SCHOOLS AND SCHOOL OFFICERS.

ARTICLE VII.

SUFFRAGE AND ELECTIONS.

SECTION 1. Every male person over the age of twenty-one years, possessing the following qualifications, shall be entitled to vote at all elections:

First—He shall be a citizen of the United States, or, not being a citizen of the United States, he shall have declared his intention, according to law, to become such citizen, not less than four months before he offers to vote.

Second—He shall have resided in the State six months immediately preceding the election at which he offers to vote, and in the county, city, town, ward or precinct, such time as may be prescribed by law; *provided*, that no person shall be denied the right to vote at any school district election, nor to hold any school district office, on account of sex.

* * * * *

SEC. 6. No person except a qualified elector shall be elected or appointed to any civil or military office in the State.

ARTICLE IX.

EDUCATION.

SECTION 1. The general supervision of the public schools of the State shall be vested in a board of education, whose powers and duties shall be prescribed by law; the Superintendent of Public Instruction, the Secretary of State and Attorney General shall constitute the board, of which the Superintendent of Public Instruction shall be president.

SEC. 2. The general assembly shall, as soon as practicable, provide for the establishment and maintenance of a thorough and uniform system of free public schools throughout the State, wherein all residents of the State between the ages of six and twenty-one years may be educated gratuitously. One or more public schools shall be maintained in each school district within the State, at least three months in each year; any school district failing to have such school shall not be entitled to receive any portion of the school fund for that year.

SEC. 3. The public school fund of the State shall forever remain inviolate and intact; the interest thereon only shall be expended in the maintenance of the schools of the State, and shall be distributed amongst the several counties and school districts of the State, in such manner as may be prescribed by law. No part of this fund, principal or interest, shall ever be transferred to any other fund, or used or appropriated, except as herein provided. The State Treasurer shall be the custodian of this fund, and the same shall be securely and profitably invested, as may be by law directed. The State shall supply all losses thereof that may in any manner occur.

SEC. 4. Each county treasurer shall collect all school funds belonging to his county, and the several school districts therein, and disburse the same to the proper districts, upon warrants drawn by the county superintendent, or by the proper district authorities, as may be provided by law.

SEC. 5. The public school fund of the State shall consist of the proceeds of such lands as have heretofore been, or may hereafter be, granted to the State by the general government for educational purposes; all estates that may escheat to the State; also, all other grants, gifts or devises that may be made to this State for educational purposes.

SEC. 6. There shall be a county superintendent of schools in each county, whose term of office shall be two years, and whose duties, qualifications and compensation shall be prescribed by law. He shall be *ex officio* commissioner of lands within his county, and shall discharge the duties of said office under the direction of the State Board of Land Commissioners, as directed by law.

SEC. 7. Neither the general assembly, nor any county, city, town, township, school district or other public corporation, shall ever make any appropriation, or pay from any public fund or moneys whatever, anything in aid of any

church or sectarian society, or for any sectarian purpose, or to help support or sustain any school, academy, seminary, college, university or other literary or scientific institution, controlled by any church or sectarian denomination whatsoever; nor shall any grant or donation of land, money, or other personal property, ever be made by the State, or any such public corporation, to any church or for any sectarian purpose.

SEC. 8. No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the State, either as teacher or student; and no teacher or student of any such institution shall ever be required to attend, or participate in, any religious service whatever. No sectarian tenets or doctrines shall ever be taught in the public schools, nor shall any distinction or classification of pupils be made on account of race or color.

SEC. 9. The Governor, Superintendent of Public Instruction, Secretary of State and Attorney General shall constitute the State Board of Land Commissioners, who shall have the direction, control, and disposition of the public lands of the State, under such regulations as may be prescribed by law.

SEC. 10. It shall be the duty of the State Board of Land Commissioners to provide for the location, protection, sale, or other disposition of all the lands heretofore, or which may hereafter, be granted to the State by the general government, under such regulations as may be prescribed by law; and in such manner as will secure the maximum possible amount therefor. No law shall ever be passed by the general assembly granting any privileges to persons who may have settled upon any such public lands subsequent to the survey thereof by the general government, by which the amount to be derived by the sale, or other disposition, of such lands, shall be diminished, directly or indirectly. The general assembly shall, at the earliest practicable period, provide by law that the several grants of land made by congress to the State shall be judiciously located and carefully preserved and held in trust, subject to disposal, for the use and benefit of the respective objects for which said grants of land were made, and the general assembly shall provide for the sale of said lands from time to time, and for the faithful application of the proceeds thereof, in accordance with the terms of said grant.

SEC. 11. The general assembly may require, by law, that every child of sufficient mental and physical ability, shall attend the public school, during the period between the ages of six and eighteen years, for a time equivalent to three years, unless educated by other means.

SEC. 12. There shall be elected by the qualified electors of the State, at the first general election under this constitution, six regents of the university, who shall, immediately after their election, be so classified by lot, that two shall hold their office for the term of two years, two for four years, and two for six years; and every two years after the first election, there shall be elected two regents of the university, whose term of office shall be six years. The regents thus elected, and their successors, shall constitute a body corporate, to be known by the name and style of "The Regents of the University of Colorado."

SEC. 13. The regents of the university shall, at their first meeting, or as soon thereafter as practicable, elect a president of the university, who shall hold his office until removed by the Board of Regents for cause; he shall be *ex officio* a member of the board, with the privilege of speaking, but not of voting, except in cases of a tie; he shall preside at the meetings of the board, and be the principal executive officer of the university, and a member of the faculty thereof.

SEC. 14. The Board of Regents shall have the general supervision of the university, and the exclusive control and direction of all funds of, and appropriations to the university.

SEC. 15. The general assembly shall, by law, provide for organization of school districts of convenient size, in each of which shall be established a board of education, to consist of three or more directors, to be elected by the qualified electors of the district. Said directors shall have control of instruction in the public schools of their respective districts.

SEC. 16. Neither the general assembly nor the State Board of Education shall have power to prescribe text books to be used in the public schools.

ARTICLE X.

SECTION 5. Lots, with the buildings thereon, if said buildings are used solely and exclusively for religious worship, for schools, or for strictly charitable purposes, also

cemeteries not used or held for private or corporate profit, shall be exempt from taxation, unless otherwise provided by general law.

ARTICLE XI.

PUBLIC INDEBTEDNESS.

SECTION 1. Neither the State, nor any county, city, town, township or school district, shall lend or pledge the credit or faith thereof, directly or indirectly, in any manner to, or in aid of, any person, company or corporation, public or private, for any amount or for any purpose whatever, or become responsible for any debt, contract or liability of any person, company or corporation, public or private, in or out of the State.

SEC. 2. Neither the State nor any county, city, town, township or school district shall make any donation or grant to, or in aid of, or become a subscriber to, or shareholder in, any corporation or company, or a joint owner with any person, company or corporation, public or private, in or out of the State, except as to such ownership as may accrue to the State by escheat, or by forfeiture, by operation or provision of law; and except as to such ownership as may accrue to the State, or to any county, city, town, township or school district, or to either or any of them, jointly with any person, company or corporation, by forfeiture or sale of real estate for non-payment of taxes, or by donation or devise for public use, or by purchase by or on behalf of any or either of them, jointly with any or either of them, under execution in cases of fines, penalties or forfeiture of recognizance, breach of condition of official bond, or of bond to secure public moneys, or the performance of any contract in which they or any of them may be jointly or severally interested.

* * * * *

SEC. 7. No debt by loan in any form shall be contracted by any school district for the purpose of erecting and furnishing school buildings, or purchasing grounds, unless the proposition to create such debt shall first be submitted to such qualified electors of the districts as shall have paid a school tax therein, in the year next preceding such election, and a majority of those voting thereon shall vote in favor of incurring such debt.

ARTICLE XIV.

SECTION 8. There shall be elected in each county, on the first Tuesday of October, in the year one thousand

eight hundred and seventy-seven, and every alternate year forever thereafter, one county clerk, who shall be *ex officio* recorder of deeds and clerk of the board of county commissioners; one sheriff; one coroner; one treasurer, who shall be collector of taxes; one county superintendent of schools; one county surveyor, and one county assessor.

SEC. 9. In case of a vacancy occurring in the office of county commissioner, the Governor shall fill the same by appointment; and in the case of a vacancy in any other county office, or in any precinct office, the board of county commissioners shall fill the same by appointment; and the person appointed shall hold the office until the next general election, or until the vacancy be filled by election according to law.

SEC. 10. No person shall be eligible to any county office unless he be a qualified elector; nor unless he shall have resided in the county one year preceding his election.

AN ACT

TO ESTABLISH AND MAINTAIN A SYSTEM OF FREE SCHOOLS, APPROVED MARCH 20, 1877, AS AMENDED BY THE SECOND, THIRD, FOURTH, SIXTH, SEVENTH AND EIGHTH GENERAL ASSEMBLIES.

Be it enacted by the General Assembly of the State of Colorado:

STATE BOARD OF EDUCATION.

SECTION 1. The Superintendent of Public Instruction, the Secretary of State and Attorney General, shall constitute a State Board of Education, of which the Superintendent of Public Instruction shall be president.

SEC. 2. The State Board of Education shall meet at the State capitol on the last Saturday in December in each year, and at such other times and places as may by them be deemed necessary, and shall have power to adopt any rules and regulations not inconsistent with law, for its own government, and for the government of public schools.

SEC. 3. The State Board of Education is hereby authorized to grant State diplomas to such teachers as may be found to possess the requisite scholarship and culture, and who may also exhibit satisfactory evidence of an unexceptional moral character, and whose eminent professional ability has been established by not less than two

State board,
how consti-
tuted.

Meetings and
powers.

State diplomas,
to whom issued.

years' successful teaching in the public schools of this State. Such diplomas shall supersede the necessity of any and all other examinations of persons holding the same, by county, city or local examiners, and shall be valid in any county, city, town or district in the State, unless revoked by the State Board of Education.

SEC. 4. But State diplomas shall only be granted upon public examination, of which due notice shall be given, in such branches and upon such terms, and by such examiners as the Superintendent of Public Instruction, the President of the State University, the President of the State Agricultural College and the President of the State School of Mines may prescribe; *Provided*, That the State Board of Education may, upon the recommendation of the State Board of Examiners, grant State diplomas without examination to persons who, in addition to good moral character and scholarly attainments, have rendered eminent services in the educational work of the State for a period of not less than five years. Examination for state diplomas.

SEC. 5. The State Board of Education may at any time revoke a State diploma, upon satisfactory evidence that the holder thereof has become unworthy of the same; *Provided*, That, before revoking any such diploma, the holder thereof shall have at least thirty days' notice to appear before the State board, and refute any charges brought against him. How revoked.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

SEC. 6. At the general election, to be held in the year of our Lord one thousand eight hundred and seventy-eight, and every two years thereafter, a State Superintendent of Public Instruction shall be elected by the qualified electors of the State, who shall hold office for a term of two years from the second Tuesday of January next after his election, and until his successor is duly elected and qualified. When elected.

SEC. 7. Before entering upon his duties he shall take and subscribe the oath of office prescribed by the constitution, and shall also execute a bond in the penalty of five thousand dollars, payable to the State of Colorado, with sureties to be approved by the State Auditor, conditioned upon the faithful discharge of his official duties, and the delivery to his successor of all books, papers and documents and other property belonging to the office. Said Tenure of office.

Oath and bond.

bond and oath shall be deposited with the Secretary of State.

Keep office,
where.

Duties.

Decisions
touching
school laws.

Prepare ques-
tions for
teachers'
examination.

SEC. 8. He shall have an office at the seat of government, where shall be kept an official seal, and all books and papers appertaining to the business of his office. He shall file all papers, reports and public documents transmitted to him by the school officers of the several counties, each year separately, and hold the same in readiness to be exhibited to the Governor, or to any committee of either house of the general assembly. Copies of all papers filed in his office, and his official acts, may be certified by him, and when so certified, shall be evidence equally and in like manner as the original papers. He shall decide all points touching the construction of the school laws, which may be submitted to him in writing by any school officer, teacher or other person in the State, and his decision shall be held to be correct and final until set aside by a court of competent jurisdiction, or by subsequent legislation; and said decisions, correspondence and instructions may be communicated through the columns of any regularly published periodical that is devoted to the interests of education. He shall prepare lists of questions for the use of county superintendents at the quarterly examination of teachers, and make such suggestions concerning their use as shall tend to secure uniform examinations in the different counties; and he may call to his aid, in the preparation of said questions, such assistance as he may deem proper.

Furnish
blanks, etc.

Such supplies
to be charged
to counties and
deducted from
state fund.

SEC. 9. He shall have a general supervision of all the county superintendents and of the public schools of the State. He shall prepare, have printed and furnish to teachers and all officers charged with the administration of the laws relating to public schools, such blanks, forms, registers and books as may be necessary to the discharge of their duties; but he shall not copyright such forms, nor be directly nor indirectly compensated by reason of the sale thereof. All registers and blank books so furnished for the use of teachers and school officers, shall be charged to the respective counties at cost, and the county superintendent of schools shall receipt for and distribute the same among the districts of his county as they may require; and the amount so charged against each county shall be deducted from the amount apportioned to such county at the semi-annual apportionment of the State school fund; and the Superintendent of Public Instruction shall

certify to the State Treasurer the aggregate amount of such deductions, and the Treasurer shall thereupon transfer said amount from the school fund, subject to apportionment, to the general fund. The Superintendent of Public Instruction shall have the laws relating to public schools printed in pamphlet form, and annexed thereto forms for making reports and conducting school business, and shall supply school officers, school libraries and State libraries with a copy each. Said printing to be paid for out of the printing fund, on warrant of the Auditor, on bills approved by the Superintendent of Public Instruction, and attested by the Secretary of State.

SEC. 10. He shall, on or before the tenth day of December, in every year preceding that in which shall be held a regular session of the general assembly, report to the Governor the condition of the public schools, the amount of State school fund apportioned, and sources from which derived, with such suggestions and recommendations relating to the affairs of his office as he may think proper to communicate. It shall be his duty to visit annually such counties in the State as most need his personal attendance, and all counties, if practicable, for the purpose of inspecting the schools, awakening and guiding public sentiment in relation to the practical interests of education, and diffusing as widely as possible, by public addresses and personal communication with school teachers and parents, a knowledge of existing defects and of desirable improvements in the government and instruction of the schools: and he shall open such correspondence as may enable him to obtain all necessary information relating to the system of public schools in other States; and he shall receive out of the State treasury, for actual necessary traveling expenses and other expenses while traveling on the business of the department, not exceeding five hundred dollars per annum, for which he shall render an itemized bill to the Auditor of State, who is hereby authorized to draw his warrant therefor; and an office, fuel, furniture, postage, books, stationery, and other contingent expenses pertaining to his office, shall be furnished in the same manner as those of the other departments of the State government.

SEC. 11. It shall be the duty of the State Auditor to notify the Superintendent of Public Instruction of the amount of money in the State treasury to the credit of the Public School Income Fund, on the thirtieth days of June

Publication of
school law.

Biennial
report.

Visit each
county, for
what purpose.

Corre-
spondence.

Traveling
expenses.

Contingent
expenses.

State fund
distributed,
when.

and December in each year. Within fifteen days after receiving such notification, the Superintendent of Public Instruction shall apportion said fund among the several counties of the State, from which reports have been received by said Superintendent, as provided in this act, in proportion to the school population as shown by the report of each county for the year next preceding such apportionment, making such deductions as are provided in section 9 of said chapter. And the Superintendent of Public Instruction shall certify said apportionment to the State Auditor, and upon such certificate the Auditor shall draw his warrant on the State Treasurer in favor of the county treasurer of each county, for the amount due said county. The Superintendent shall also certify to the superintendent of each county the amount apportioned to such county.

Notify different officers.

Assistant librarian.

SEC. 12. He may employ an assistant librarian, who shall have charge of the State library, under such regulations as may be prescribed by the State Librarian, or by law. Said assistant shall receive the annual salary of one thousand (\$1,000) dollars for his services.

COUNTY SUPERINTENDENT.

When elected.

SEC. 13. There shall be elected in each county, at the general election in the year one thousand eight hundred and seventy-seven, and biennially thereafter, a county superintendent of public schools, who shall take office on the second Tuesday of January next succeeding that on which such election shall be held. He shall hold his office for two years, and until his successor shall be elected and qualified. Before entering upon the duties of his office he shall take the oath prescribed by the constitution, and execute a bond payable to The People of the State of Colorado, with two or more sureties, to be approved by the board of county commissioners, in penalty of not less than two thousand dollars, to be increased at the discretion of said board, conditioned upon the faithful performance of the duties of his office and the delivery of all moneys and property as such superintendent to his successors, which bond shall be filed in the office of the county clerk.

Term of office.

Oath and bond.

Failure to qualify.

County commissioners fill vacancy.

SEC. 14. Should the superintendent elect fail to qualify as aforesaid, or should there occur a vacancy in said office, the board of county commissioners shall, at their next meeting after such vacancy or failure to qualify occurs, appoint an eligible and suitable person, who shall qualify

within ten days after his appointment, and who shall continue in office until the next general election thereafter. Should such appointee fail to qualify, as aforesaid, another appointment shall be made in the same manner, until the vacancy shall be filled by appointment or election.

SEC. 15. On the last Friday of February, May, August ^{Quarterly examination.} and November, in each year, he shall meet all persons desirous of passing an examination as teachers, in some suitable room at the county seat, notice of which shall be given in some newspaper in the county, or in case there is no paper published in the county, he shall give such notice as may by him be deemed necessary; at which time he shall examine all such applicants in orthography, reading, ^{Topics.} writing, arithmetic, English grammar, geography, the history of the United States, including the constitution of the United States, physiology, laws of health, the elements of the natural sciences, theory and practice of teaching, and the school law of the State; *Provided*, That, if attendance upon the examination at the county seat work a great hardship to one or more teachers in the county, he may provide for such teacher or teachers to take the examination at some convenient place under the direction of a deputy, who shall transmit to the county superintendent the written answers of each applicant as soon as the examination is completed. Such deputy shall receive the sum of five dollars (\$5) per day for conducting such examinations, when such services are certified to the county commissioners by the county superintendent. If the applicant is to teach in a school of high grade, the examination shall extend to such additional branches of study as are to be pursued in such school. If satisfied of the competency to teach, and of the good, moral character of the applicant, he shall give such applicant a certificate as ^{Certificates.} provided in the following section, but he shall not issue a certificate, except a temporary one, unless the applicant be examined at the regular quarterly examination.

SEC. 16. The certificates issued by the county superintendents shall be of three grades, distinguished as first, second and third. The first grade certificate shall be valid for two years; the second grade for one year; the third grade for six months. A county superintendent may ^{Grades of certificates.} renew a certificate of the first grade by endorsing such ^{Renewals.} renewal thereon, and may revoke certificates of any grade at any time, for immorality, incompetency or other just cause. It shall be deemed a violation of law to grant a

certificate of either of the above named grades without requiring the applicant to pass a thorough and satisfactory examination in such branches, and at such times as are specified in section 15 of this act, and in all such examinations the questions prepared by the Superintendent of Public Instruction shall be used; *Provided, however,* That a certificate of the third grade shall not be refused because of the failure of the applicant in the elements of the natural sciences. The superintendent may, however, upon satisfactory evidence of competency, issue a temporary certificate, which shall be valid only until the next regular examination, at which time the holder of such temporary certificate shall appear for a complete examination, as aforesaid. It shall not be lawful to renew a temporary certificate, nor to grant a second one to the same person. The superintendent shall keep an official record, in a suitable book, of the persons so examined, containing the name, age, nationality, date of examination, and grade of certificate issued; he shall also retain for six months the written answers of all applicants at the regular examinations, and hold the same subject to the order of the State Board of Education; *And, provided, further,* That in school districts of the first class, the examination of teachers to fill vacancies may be conducted by the school boards of such districts, and a teacher thus examined and employed by a district of the first class shall not be required to hold a certificate from the county superintendent while teaching in such district. A county superintendent may, upon the application of a teacher holding a first grade certificate received at a regular examination in another county in the State, and in full force at the time, issue to said teacher a certificate of like grade, if satisfied of his or her ability to teach; *Provided,* That such certificate shall not show the standing in each branch, nor be subject to renewal, but shall show the condition upon which it is issued. In case a certificate is revoked or refused, at a regular examination, by the county superintendent, the right of appeal to the State Board of Education shall not be denied the teacher or applicant, if said appeal be taken within thirty days from date of notice of such revocation or refusal.

SEC. 17. If for any cause the superintendent is unable to attend to the duties of his office, he may appoint a deputy, who shall take the usual oath or affirmation of office, and who may exercise all the functions of county superin-

tendent, but such deputy shall draw no salary from the public fund; *Provided*, That the superintendent may receive a *per diem* for the service of such deputy.

SEC. 18. On the first Tuesday of September, in each year, the county superintendent shall make a report to the Superintendent of Public Instruction for the school year ending June thirtieth next preceding, which report shall contain an abstract of the reports made to him by the district secretaries, and such other matters as the Superintendent of Public Instruction may direct, and shall be in such form and upon such blanks as the Superintendent of Public Instruction shall furnish. The county superintendent shall retain a copy of all such reports and file the same in his office.

Reports.

Items.

Retain copy.

SEC. 19. The county superintendent shall apportion the general school fund of the county among the several school districts in accordance with the provision of sections seventy-two and seventy-three of this chapter, quarterly, to-wit: On the first Monday in January, April, July and October, in each year, and he may apportion the same at other times if there be sufficient money in the treasury to require it. He shall certify each apportionment promptly to the county treasurer, and shall also notify the secretary of each district of the amount placed to the credit of his district.

Apportionment, when.

Notify officers.

SEC. 20. It shall be the duty of the county superintendent to exercise a careful supervision over the schools of his county, to visit each school at least once during each quarter it is in session, to see that all the provisions of this act are observed and followed by teachers and school officers; to examine the accounts of the district officers to see if such accounts are properly kept, and all district funds properly accounted for; to keep, in a good and substantial bound book, a record of his official acts, and of all other matters required by law to be recorded; to obey the legal instructions and decisions of the Superintendent of Public Instruction. He shall also keep a record of the registers, record books and order books furnished to the several districts of his county; and it shall be his duty to hold county teachers' associations whenever, in his judgment, the interests of the school work demand it; the records of the county superintendent's office shall be open to the inspection of any citizen of the county, and within one week from the close of each school year he shall publish in some newspaper published in the county, if there

Visitation.

Examine district accounts.

Hold county teachers' associations.

Publication of apportionments. be such a paper, a statement of the apportionment of school funds for the year preceding.

Neglect of duty.

SEC. 21. If the county superintendent fails to make a full and correct report to the Superintendent of Public Instruction, as provided by law, and shall, after written request or notice from the Superintendent of Public Instruction, or from the board of county commissioners, delay more than ten (10) days after the service of such notice to make such report, he shall forfeit the sum of one hundred dollars, which sum the board of county commissioners may deduct from any money due him; said forfeit may, however, be recovered by suit, upon his official bond.

Forfeiture for same.

May administer oaths.

SEC. 22. The county superintendent shall have power, and is hereby authorized, to administer oaths and affirmations to school directors, teachers and all other persons in official matters relating to schools; but shall receive no fee for so doing.

Fill vacancies in district boards.

SEC. 23. The county superintendent shall appoint directors for any district which fails to elect, as provided in section forty-four, and shall fill vacancies that may occur in any board of directors by reason of death, removal from office or from the district, resignation, or otherwise, except in boards of directors of districts of the first class, and the officers so appointed shall hold office only until the ensuing regular election.

Ascertain boundaries of districts.

SEC. 24. It shall be the duty of the county superintendent to ascertain the boundaries of each school district in his county, and to make and keep a record of the same in a suitable bound book, which record shall show definitely the boundaries of each district. In case the boundaries are found to be conflicting or incorrectly described, he shall harmonize the same and make a report of such action to the board of school directors whose districts are affected thereby. District officers shall have access to such records for the purpose of examination, making copies, or for other legitimate purposes. The county superintendent shall prepare, or have prepared, a map of the county, showing the correct boundaries of the districts.

Salary.

SEC. 25. For the time necessarily spent in the discharge of his duty he shall receive five (5) dollars per day, and fifteen (15) cents for each mile necessarily traveled one way. He shall, as far as practicable, render an itemized bill of his services and mileage, each month or quarter, to the board of county commissioners, and

Bill for same.

shall make oath that the bill is just and correct; whereupon the county commissioners shall order a warrant on the county treasurer, payable from the general county fund; *Provided*, That the annual salary so received shall in no case exceed one hundred dollars for each regularly organized public school in the county. The commissioners shall provide him with a suitable office at the county seat, and all necessary blank books, stationery, postage, expressage and other expenses of his office, not otherwise provided for, which last mentioned expenses shall be paid for from the county fund. He shall keep his office open for the transaction of official business such days each week as the duties of the office may require.

Limit.

Books, etc.,
furnished by
county.Keep his office
open.

SEC. 26. It is hereby made the duty of the county treasurer in each county, to keep a separate account with each school district in his county, to place to the credit of each the amount of money as certified to by the county superintendent, as provided in section nineteen, and to pay over the money so collected, upon the presentation of the legally-drawn warrants or order of the district officers entitled to draw the same; *Provided*, That if the county superintendent shall notify the county treasurer, in writing, that there has been a failure on the part of any board of directors to comply with the law, and that said money should be withheld from said board of directors, he shall retain the same until further notice from the county superintendent. On or before the fifth day of July in each year, he shall render, to the county superintendent of schools, a statement of the receipts and disbursements on account of the several districts, of all the school funds which have passed through his hands during the school year next preceding; and at the same time he shall render to each district secretary a statement of receipts and disbursements of such district. All money which shall become forfeited by any district shall be put into the General School Fund, and re-appropriated as other moneys.

Duties of
county
treasurers.Not to pay
over funds in
certain cases.Treasurers'
reports.

ORGANIZATION OF DISTRICTS, ETC.

SEC. 27. For the purpose of organizing a new district out of a portion of one or more old districts, the parents of at least ten children of school age residing within the limits of the proposed new district shall petition the county superintendent, in writing, which petition shall describe the boundaries of the proposed district, and the names of all children of school age residing in such proposed district at the date of said petition; and said list of

Division
of districts.

List of names. names shall be held to be the census list of said district until the next regular census shall be taken, and if any names are found on said list, and also on other census lists for the current year, if the county superintendent is satisfied that the children so named are *bona fide* residents of the proposed district, he shall strike such names from the lists of the old districts, when the organization of the new district is complete. If, in the judgment of the county superintendent, the school interest of the districts affected by the proposed change, will be best promoted by said change, he shall direct some one of the petitioners who is a legal voter, to notify each elector residing within the district so to be formed, by personal service as far as convenient, and to post a notice in three public places in said new district, that such petition has been made, and that a meeting will be held, naming the time and place for such meeting, to determine the question of the proposed organization. People living upon unorganized territory may organize themselves into a school district at any time, without a petition, if a majority of the legal voters residing within the proposed district shall so decide at a meeting, of which reasonable notice has been given to all resident voters, and which meeting shall be conducted as is now provided by law for the organization of new districts; *Provided*, That, in addition to the copy of the proceedings now required by law, the secretary shall also transmit to the county superintendent a certified list of all children of school age who are residents in good faith in said district at the date of the organization, which list shall be held to be the census list of said district until the next regular school census.

Notice of meeting.

New districts from unorganized territory.

Census list.

Qualified electors of new school districts shall organize.

Only qualified electors entitled to vote.

Vote taken.

Proceed to elect by ballot a board of directors.

SEC. 28. The qualified electors of such proposed new district, when assembled in accordance with the notice above required, shall organize by electing a chairman and secretary. Every legally qualified elector, and none other, shall be entitled to vote at such meeting. After the organization of such meeting, as above mentioned, a vote shall be taken by ballot on the question whether or not the proposed district shall be organized. Those in favor of organization shall vote "Yes," and those opposed "No." If two-thirds of the legal voters so voting are found to be in favor of such organization, and not otherwise, the meeting shall proceed to elect by ballot a board of directors of said district, who shall hold office until the ensuing regular election, as provided in section forty-four

(44) of this act. The secretary of said meeting shall immediately transmit to the county superintendent a copy of the proceedings of the meeting, upon receipt of which, if the proceedings are found to have been in accordance with law, he shall establish and number such district and enter a record of the same, and of the proceedings of the meetings, as provided in section twenty-four (24) of this act; *Provided*, If such organization of a new district works great hardships to any head of a family, a statement of the facts may be submitted to the superintendent and two disinterested persons, one to be named by the superintendent and one by the person affected, and if in their judgment good cause be shown for the transfer, he may be transferred to another district; *Provided, further*, That no district shall hereafter be divided for the purpose of forming a new district, unless it contains an area of more than nine square miles; nor shall a district be divided if by so doing the remainder of the district shall be found to contain less than fifteen persons of school age, and when practicable the district shall conform to government lines; *Provided, also*, That no city or town shall hereafter be divided into two or more districts, and districts of the first class shall not be divided except upon a vote of the electors of the district, submitted at an annual election, and a majority of all the votes cast being in favor of such division.

Transmit a copy of proceedings.

Shall establish and number such district.

Proviso.

Hardship to head of family.

Transferred to another district.

Proviso.

Contains an area of nine square miles.

15 persons.

Proviso.

District of first class shall not be divided, except by vote of electors of district.

SEC. 29. Two or more contiguous districts may be united into one district. For the purpose of effecting such union, each district shall, at a special meeting legally called for the purpose, determine by ballot whether or not a majority of the legal voters assembled are in favor of such union. Those in favor will vote "Yes," and those opposed "No." If a majority of the voters present, in each district, vote in favor of a union, a union meeting shall be called by giving at least ten days' public notice, at which meeting the organization shall be perfected by the election of officers and other necessary proceedings, in the same manner as provided for the organization of districts in section twenty-eight (28) of this chapter. Upon receiving notice from the county superintendent, of such union of districts, it shall be the duty of the county treasurer to transfer all funds belonging to said districts to the credit of the new district thus formed. A portion of unorganized territory may be annexed to a school district; or a portion of one district may be detached from

Union of districts.

Meeting called.
10 days' notice.

Annexation.

said district and annexed to a contiguous district, by the county superintendent, upon petition, in either case, of a majority of the legal voters resident within the territory to be so annexed, subject always to the limitation provided in section twenty-eight.

Must establish school before money is paid over; may become void in six months.

SEC. 30. No new district, formed as provided in sections twenty-seven (27) and twenty-eight (28) of this chapter, shall be entitled to any portion of the public school money until a school has actually commenced therein, and unless within six (6) months from the establishment of such district a school be opened and maintained as required by law, the action making such district shall be void, and all actions had by such district, acting as a body corporate, shall cease and determine, and all taxes which may have been levied in the old district or districts out of which the new one was formed, shall be valid and binding upon the real and personal property of the new district, the same as if said new district had never been organized; *Provided*, That the county superintendent may, for good cause, extend the said six (6) months to eight (8) months, said time of limitation shall begin to run from the time of the meeting at which it was voted to organize the district; whenever any district shall, for the period of one year, fail to maintain a school and keep up its organization of officers, and to make annual report as required by law, the county superintendent may declare such district annulled, and annex its territory to adjoining district or districts.

County superintendent may extend time.

Annulled for failure.

Joint districts; how formed.

SEC. 31. A joint school district may be formed from territory belonging to two or more contiguous counties. For the purpose of organizing a joint district, the same preliminary steps shall be taken, and the same course pursued as is provided for the organization of other districts, in sections twenty-seven (27) and twenty-eight (28). Such district shall be designated as "Joint District No., of the counties of and and shall be so numbered that it shall have the same number in all the counties from which it is formed." The petition required by section twenty-seven (27) shall be made to each county superintendent interested, who shall unite in forming such districts; *Provided*, That the school census, the record of attendance at school, the assessing of property, the collection of taxes, and all other acts which from their nature should be separately kept, or done, shall be kept and done, and the reports thereof made, as

Petition.

Reports separate.

if each portion of said joint district belonging to each county were an entire district in the respective counties. The teachers of such joint district shall have a certificate from the superintendent of the county in which the school house is located. No joint district shall be annulled except by the consent of the county superintendents of the counties in which such district is located; *Provided*, That when any joint district desires to be annulled for the purpose of forming separate districts, it shall require a majority vote of the voters constituting said joint district, at a meeting called for such purpose.

Teachers' certificate.

How annulled.

SEC. 32. When a new district is formed from one or more old ones, the school funds remaining to the credit of the district, after providing for all outstanding debts excepting debts incurred for building and furnishing school houses, shall be divided as follows: The basis of division for the school fund shall be the school population, as shown by the last school census before the division of the district or districts occurred, and shall apply to such funds as remain to the credit of said old district or districts at the time of the organization of said new district, and each district shall receive funds in proportion to its per cent. of the said census. In case of division, each district shall own and hold all permanent property, such as sites, school-houses and furniture situated within its boundaries. All division of funds under this provision shall be made by the county superintendent, and when there are unpaid special taxes on the county tax-book, belonging to a district at the date of its division, the county treasurer, upon being notified of such division by the county superintendent, shall retain all money received in payment of said special tax until the same shall be apportioned by the county superintendent, whose duty it shall be to apportion said money monthly, between the fractions of the divided district, according to the location of the property on which said tax was levied. At the first apportionment after the organization of a new district, the county superintendent shall apportion to such district its *per capita* proportion of the general fund, but no money, either from the general or special fund, shall be paid out of the county treasury on account of such district until a school shall have been begun therein in good faith.

When new district is formed from one or more old ones, school funds shall be divided.

Each district shall receive funds.

Shall own and hold permanent property.

County treasurer to retain funds until the same are apportioned.

County superintendent to apportion money.

Can not apportion until school has commenced in good faith.

SEC. 33. Whenever the school boards of two (2) or more contiguous school districts shall each deem it advisable to establish a union high school, the county superin-

Establish a union high school.

Call a meeting
of the board.
Notice.

High school
committee.

Elect a secre-
tary and
treasurer.

Organize a
high school.

High schools
open to chil-
dren from all
districts of the
county.

Tennre
of office.

Vacancies.

Secretaries.

Regular meet-
ings; special
meetings.

Powers and
duties of com-
mittee.

After establish-
ment it shall be
maintained.

tendent shall, at the request of two (2) of the secretaries of the boards, call a meeting of the boards interested by giving personal notice to each member, which meeting shall elect by ballot from among the members of said boards, if a majority of the members of each board are present, a committee of three (3), to be known as the High School Committee of such union school. The county superintendent shall be, *ex officio*, an additional member of said committee and shall preside at the meetings thereof. There shall be elected a secretary of such committee, and if need be a treasurer. In any case in which the county seat of any county shall all be included in one school district, the board of such school district shall have the same powers of establishing and organizing a high school as are hereby given to the board of two or more contiguous school districts, and in such case the high school committee shall be the board of such school district, or such three members as they may select. High schools formed under the provisions of this section shall be open to children from all districts of the county in which they are so formed; *Provided*, Such children are qualified, as hereinafter provided.

SEC. 34. The members of said high school committee shall hold the office for and during the term they are members of their respective boards. All vacancies in said committee, other than such as are caused by the expiration of the term of office, shall be filled by the school board of which the person so vacating was a member. The secretary shall be elected annually, and may receive such compensation as the committee shall deem proper to allow.

SEC. 35. The regular meetings of the high school committee shall be held on the first Saturday of March, June, September and December of each year, and special meetings may be held at any time upon the call of the county superintendent, or of two members of the committee.

SEC. 36. Said committee shall exercise all the powers and perform all the duties, with reference to said high school, that are accorded to and required of school boards throughout the State, as provided in section fifty (50) [51] of this act, and shall have power to establish and prescribe the qualifications and manner of examination for admittance to the high school.

SEC. 37. After the first establishment of such a high school, it shall be maintained until the then next regular

apportionment of the county school fund, as follows: Each district, which shall have any children attending such high school, shall draw from its school fund, and cause to be placed to the credit of high school fund, such part of the whole expenses as shall be proportioned to the number of pupils attendant at such high school from such district; *Provided*, It is with the approval of the directors of said district. After the first year, or part of a year, so as above provided for, the said high school shall, so far as practicable, be rated as a separate district. It shall be entitled to draw from the general, State and county funds its quota for attendance, as provided by section seventy-two (72) of this act, and the deficit shall be made up from the several district funds in proportion to number of pupils from each district who attended said high school during the then past year.

How maintained.

After first year to be rated as a separate district.

Draw its quota for attendance.

Deficit made up.

SEC. 38. The high school may be maintained during forty (40) weeks in each year, and shall be free to all children in the county who are qualified for admission according to the requirements prescribed by the committee, and all children in the county who are so qualified, and who can pass the examinations prescribed by the committee, shall be entitled as of right to attend said high school.

May be maintained forty weeks each year.

Children qualified to pass the examination.

SEC. 39. Every district in the county which contributes to the support and patronage of said high school, shall, by its board of directors, be entitled to a voice in the election of members of the committee.

Who shall elect members of committee.

SCHOOL DISTRICTS, OFFICERS AND ELECTIONS.

SEC. 40. Each regularly organized school district heretofore formed, or that may be formed, as provided in this chapter, is hereby declared to be a body corporate, by the name and style of school district No. -----, in the county of -----, and State of Colorado, and in that name may hold property and be a party to suits and contracts, the same as municipal corporations in this State.

Each district a body corporate.

SEC. 41. There shall be elected in each school district of the State, annually, and in the manner prescribed in section forty-four (44) of said chapter, a board of directors. The number of persons that shall constitute each board of directors shall be determined as follows: The school districts shall be classified into first (1st), second (2d), and third (3d) classes; districts containing a school population of more than one thousand (1,000) shall be denomi-

Annual election.

Classification.

1st class.

2d class.	nated districts of the first (1st) class; districts containing a school population of three hundred and fifty (350), and not exceeding one thousand (1,000), shall be denominated
3d class.	districts of the second (2d) class, and districts containing a school population of less than three hundred and fifty (350) shall be denominated districts of the third (3d) class. At the regular election in 1887, as provided in section forty-four (44) of said chapter, all districts of the
Term of office.	first (1st) class shall elect, by ballot, one (1) director for three (3) years; and at the regular election in 1888, one (1) director for three (3) years and one (1) director for four (4) years; and at the regular election in 1889, one (1) director for four (4) years and one (1) director for five (5) years; and annually thereafter there shall be elected one (1) director for five (5) years. All districts of the second and third classes shall elect one (1) president for three (3) years, one (1) secretary for two (2) years, and one (1) treasurer for one (1) year; and annually thereafter there shall be elected for three (3) years a person to fill the vacancy occurring; <i>Provided</i> , That this shall not apply to districts of the second and third classes already
Organization of boards.	organized. School boards of the first class shall, at their first meeting after their election, elect a president, who shall be a member of the board, a secretary, who may or may not be a member of the board, and a treasurer, who shall not be a member of the board, and who shall hold office for one year and until their successors are elected and qualified. In districts of the first and second classes the boards, after organization, shall exercise all the power given the electors of districts of the third class, as specified in section sixty-three (63) of said chapter.
Powers and duties.	

Present organization legalized.

SEC. 42. Every school district in the State, which now exercises the prerogatives of a school district, and the legality of whose organization has not been legally denied, and which has a board of directors, duly qualified according to law, and has exercised the rights and enjoyed the privileges of a legally and regularly established district for one year, shall be, and is hereby declared to be, a legal school district; and all district officers shall hold office until their successors are qualified. When school districts of the second (2d) class shall attain a school population of one thousand (1,000) or more, as shown by the annual census, at the next regular election thereafter, as provided in section forty-four (44) of this act, there shall be elected one (1) director for three (3) years, and one (1) director for

Change from second class to first.

four (4) years, and one (1) director for five (5) years, and annually thereafter one (1) director for five (5) years, as provided for in districts of the first (1st) class; and the persons so elected, together with the directors whose official terms have not expired, shall constitute the new board, which board shall enter upon the duties prescribed by law for boards of directors of districts of the first (1st) class.

SEC. 43. All school districts now formed, or which may hereafter be formed, which shall continue to exercise, undisputed, the prerogatives and enjoy the privileges of a legally formed district, for the period of one year next succeeding the election of its officers, shall be deemed to be a legally formed district, and its legality shall not thereafter be questioned. What legally constitutes a district.

SEC. 44. The regular election for electing members of school boards shall be held annually in each district on the first Monday in May at which time it shall be lawful to transact any business pertaining to schools and school interests. The secretary of each school board shall cause written or printed notices to be posted, specifying the day and the place or places of such election, and the time during which the ballot-box or boxes shall be kept open, not less, however, than three hours, and further specifying at what hour and place any other business shall be transacted. Said notices shall be posted in at least three public places in the district, one of which shall be the school house, if there be one, at least six days previous to the time of election; and in districts of the first class said notice shall be published weekly for the four weeks next preceding such election, in some newspaper published in the district, and if there be no paper published in such district, then in a paper published in an adjoining district. If the secretary fail to give such notice, then any two (2) legal voters residing in the district may give such notice over their own names, and such election may be held after the day fixed by this act for such election. All elections shall be by ballot, and in the absence of a notice specifying the hour, the ballot-box shall be opened at nine (9) o'clock, A. M., and closed at four (4) P. M. In districts of the first class, the school boards may order more than one voting place in the district, fix the voting places and the limits of the voting precincts, and appoint three (3) judges and necessary clerks for each voting place, in addition to those provided for in Section 45. Annual election.
Notice.
Ballot box open three hours.
Notice by two voters.
All elections by ballot.
More than one voting place in 1st class districts.
Judges and clerks.

Who are voters.	SEC. 45. Every elector legally qualified to vote at a general election, having been a resident of the school district for thirty (30) days next preceding the day of election, shall be entitled to a vote; <i>Provided</i>, That no person shall be denied the right to vote at any school district election, or to hold any school district office on account of sex. Any person offering to vote may be challenged by any legally qualified elector of the district; and any one of the judges of election shall thereupon administer the person challenged an oath as follows: "You do swear (or affirm) that you are a citizen of the United States, or that you have declared your intention to become such; that you have resided in this State of Colorado six months immediately preceding this election; that you are twenty-one years of age; that you have resided in this district thirty days next preceding this election and that you have not voted at this election, so help you God (or under the pains and penalties of perjury)." If he shall refuse to take such oath or affirmation, his vote shall be rejected. Any person guilty of voting illegally shall be punished as provided in the general election law of this State. The president, secretary and treasurer of the district school board shall act as judges of the election except as otherwise provided in Section 44, and should any of the judges be absent at the opening of the polls, the electors present shall appoint a legal voter to fill the vacancy; <i>Provided, however</i>, That at all elections held for voting upon a proposition to create or contract a debt by loan for the purpose of erecting or furnishing school buildings, or purchasing school grounds, only such qualified electors of the district shall vote thereat as shall have paid a school tax in such district for the year next preceding such election.
Sex no disqualification.	
Challenge.	
Oath.	
Judges of election.	
Counting the votes.	SEC. 46. Immediately after the closing of the polls, the judges shall meet at one of the voting places as shall have been previously designated by the school board, and shall proceed to count the votes, and the person or persons qualified to be elected who shall receive the largest number of votes, shall be declared elected, and a report of the said election signed by the judges shall be transmitted to the school board. If, for any cause, no election be held at the regular time, or if, upon counting the votes, there be a tie vote for any one or more of the offices, a special election shall be called by the board within ten (10) days, and notice thereof given, as required in Section 44 of this
Tie vote. Special election.	

act. A failure to give the prescribed notice of such special election shall render the election void.

The general provisions of Sections 44, 45, 46, shall be applicable to all school elections, whether general or special, or for whatever purpose held.

SEC. 47. The directors shall each, within twenty (20) Oath of office. days after his or her election, appear before some officer authorized to administer oaths, and take oath that he or she will faithfully perform the duties of his or her office required by law, which oath shall be filed with the county Where filed. superintendent; and, in case of failure so to qualify, his Vacancy, how filled. or her office shall be deemed vacant, and the county superintendent shall appoint a suitable person, who shall qualify immediately. If the amount of money liable to come into the hands of the treasurer, in the discharge of his official duties, exceed twenty dollars at any one time, he shall be required to give bond in double the amount of Treasurer's bond. money liable to come into his hands, said bond to be approved by, and filed with, the county superintendent. The directors elect shall take office immediately after qualifying, as aforesaid; *Provided*, That any district treasurer, who shall refuse to give bond as above, when required to do so by the other members of the board, shall be disqualified from receiving any money on district account until a satisfactory bond is executed. The oath of office required in this section may be administered by a president of a school board; and it is hereby made the duty of the district treasurer of all first-class districts to publish, semi-annually, in some newspaper published within the county wherein such district may be located, a complete and full report of all receipts and expenditures of the said district's funds.

SEC. 48. Any school board shall have power to make By-laws by the board. such by-laws for their own government and for the government of the public schools under their charge, as they may deem expedient, not inconsistent with the provisions of this act, or the instructions of the Superintendent of Public Instruction. District boards of the first class shall also have power to fill any vacancy which may occur in Vacancies in districts of first class. the board, until the regular election, at which time the vacancy shall be filled for the unexpired term.

SEC. 49. It shall be lawful for any school district in this State to take and hold, under the provisions of chapter thirty-one of the Revised Statutes, so much real estate Hold real estate. as may be necessary for the location and construction of

a school-house and convenient use of the school; *Provided*, That the real estate so taken, otherwise than by the consent of the owner thereof, shall not exceed one acre.

Regular meetings.

Special meetings.

SEC. 50. The regular meeting of each board shall be held on the last Saturday of March, June, September and December. The board may, however, hold such other regular, special or adjourned meetings as they may from time to time determine, or as may be specified in their by-laws.

Powers and duties of boards.

SEC. 51. Every school board, unless otherwise especially provided by law, shall have power, and it shall be their duty:

Employment and discharge of teachers, etc.

Compensation of secretary.

First—To employ or discharge teachers, mechanics or laborers, and to fix and order paid their wages; to determine the rate of tuition for non-resident pupils, and to fix the compensation to be allowed the secretary for the time necessarily spent in the service of the district, as required by law, or as directed by the board; *Provided*, It shall be unlawful to pay any other member of the board, from the district funds, for his services as a member of such board.

Fix course of study.

Text books.

One kind in same branch.

Not changed in less than four years.

School furniture.

Second—To enforce the rules and general regulations of the State Superintendent, to fix the course of study, the exercises and the kind of text books to be used; *Provided*, That but one kind of text-book of the same grade or branch of study shall be used in the same department of a school, and that after the adoption of any book, it shall not be changed in less than four years, unless the price thereof shall be unwarrantably advanced, or the mechanical quality lowered, or the supply stopped.

Third—To provide for school furniture, and for everything needed in the school-house, or for the use of the school board.

Houses.

Fourth—To rent, repair and insure school-houses.

To build or remove.

Fifth—To build or remove school-houses, and to purchase or sell school lots, when directed by a vote of the district so to do.

Sixth—To hold in trust for their district all real or personal property for the benefit of the school thereof.

Suspend or expel pupils.

Seventh—To suspend or expel pupils from school, who refuse to obey the rules thereof, and to exclude from school children under six years of age.

Eighth—To determine the number of teachers that shall be employed, and length of time over and above three (3) months that the school shall be kept; to fix the time for the opening or closing of schools, and for the dismissal of primary pupils before the regular time for closing of schools. Number of teachers.
Length of school and school hours.

Ninth—To provide books for indigent children, on the written statement of the teachers that the parents of such children are not able to purchase them, and to furnish free text-books for the use of all pupils, when authorized to do so by a majority vote of the district, as expressed at any regular or special meeting. Indigent children.

Tenth—To require all pupils to be furnished with the proper and suitable books as a condition of membership in school. Books.

Eleventh—To exclude from school and school libraries all books, tracts, papers and other publications of an immoral or pernicious tendency. Immoral books.

Twelfth—To require teachers to conform to the law.

Thirteenth—To make an annual report, as required by law, to the county superintendent, on or before the first day of August of each year, in the manner and form and on the blanks prescribed and furnished by the Superintendent of Public Instruction. Annual report.

Fourteenth—To make a report directly to the State Superintendent, whenever instructed by him so to do. Report to state superintendent.

Fifteenth—Whenever a pupil resident in one district desires to attend school in another district, such pupil shall be permitted to do so; *Provided*, That the board may refuse to admit pupils from other districts upon the ground of insufficient room. Admit pupils from adjoining districts.

SEC. 52. The school board of districts of the first and second classes shall have the power to establish a separate high school whenever they shall deem it expedient or necessary, and shall have power to determine the qualifications for admission to such schools, and shall exercise all the powers with reference to such high school which are accorded to them in relation to the schools of lower grade; *Provided*, That no school board shall build or lease any building especially for such high school, unless authorized to do so by a vote of the district, as provided in section sixty-two (62) [63] of this act. Board may establish high school.
No building without vote of the district.

SEC. 53. The president, when present, shall preside at all meetings of the board and of the district, shall Duties of president.

sign all orders on the county treasurer for the payment of money; *Provided*, That no orders shall be drawn upon the county treasurer except in favor of parties to whom the district has become lawfully indebted. He shall appear in behalf of his district in all suits brought by or against the same, but when he is individually interested, this duty shall be performed by the secretary, and in the absence of the president, the secretary shall preside at board and district meetings. Absence from the district of any school officer, when prolonged beyond thirty days, may be held to work a vacancy in said office, which may be filled according to law.

Vacancy in
school board.

Secretary shall
give bonds.

Deliver to suc-
cessor in office
all property.

Bond to be
approved.
Secretary to
record all
proceedings.
Preserve
copies.

File all papers
transmitted to
him.

Countersign
warrants.

Keep register
of all orders
drawn.

Transmit a
statement.

Take census.

Bona fide
residents.

Census shall
be sworn to
as correct.

SEC. 54. Before entering upon the duties of his office, the secretary shall execute a bond, with two sureties, in the penal sum of five hundred (500) dollars in districts of the first and second classes, and the penal sum of one hundred (100) dollars in districts of the third class, conditioned upon the faithful discharge of his official duties and the delivery of all district property pertaining to his office over to his successor, within ten days after a demand is made for the same by a qualified successor, said bond to be approved by and filed with the county superintendent. The secretary shall record all proceedings of the board and of district meetings in a book, or books, kept for that purpose; shall preserve copies of all reports made to the State or county superintendents; shall file all papers transmitted to him by other school officers pertaining to the business of the district; shall draw and countersign all warrants or orders issued by the board; shall keep a register or stub of all orders drawn, showing the number of the order, date, amount, in whose favor and for what purpose drawn. Immediately after the election of one or more directors according to law, he shall transmit to the county superintendent a statement giving the name and postoffice address of the president, secretary and treasurer, respectively, of the boards of directors. Between the tenth day of April and the first day of May, in each year, the secretary, or some person authorized by him, shall take a census of all persons over six years and under twenty-one years of age who were *bona fide* residents of the district on the tenth day of April aforesaid. The names so listed shall be arranged alphabetically, and be so classified as to distinguish between male and female. The census list shall be sworn to as correct by the person taking the same, and, if such person be other than the secretary, shall be certified by

the secretary, and shall be forwarded to the county superintendent on or before the first day of June of the current school year. In districts of first and second classes a copy shall be delivered to the principal teacher, or superintendent of the district, and in all cases a copy shall be retained in the office of the secretary.

List shall be forwarded to county superintendent. A copy.

SEC. 55. The census list of the several districts shall be carefully examined and compared by the county superintendent, and if the name of the same person be found upon more than one list, he shall strike said name from all lists except that of the district in which such person was residing in good faith on the tenth day of April aforesaid. The residence of an unmarried person of school age shall, in all cases, be held to be identical with the *bona fide* residence of the parent or guardian of such person; *Provided*, That such parent or guardian be a resident of the State. If the county superintendent find upon any census list the names of any persons who he believes were not residents in good faith of such district as aforesaid, he shall notify the secretary certifying the list, and, if said secretary shall not establish the correctness of the list within fifteen (15) days after such notification, such names shall be stricken from the list. At the time of taking the annual census, the secretary shall use reasonable diligence to ascertain the number of blind and deaf mute persons resident in the district, between the ages of four (4) and twenty-two (22) years, with the name and post-office address of each. Said items shall be embodied in his annual report to the county superintendent.

List to be examined and compared by county superintendent.

Residence of unmarried persons.

Additional statistics.

Blind and deaf mutes.

SEC. 56. The secretary shall keep an accurate account of the expenses incurred by the district, and shall present the same to the board whenever called upon. He shall give the required notice of all regular and special meetings, as herein authorized. On or before the first day of August of each year he shall make out and file in the office of the county superintendent a report of the affairs in his district. Said report shall be made upon blanks prepared by the Superintendent of Public Instruction containing such items of information as the said Superintendent shall require, including the following, viz:

Secretary's duties.

Give notice

Annual report.

First—The number of persons, male and female, each, in his district between the ages of six (6) and twenty-one (21) years.

Items.

Second—The number of schools and the branches taught in each.

Third—The number of pupils in each school.

Fourth—The number of teachers employed in each school, and the compensation of each per month.

Fifth—The number of days the school was taught during the year then past, and by whom.

Sixth—The number of pupils enrolled during the year; the average daily attendance.

Seventh—The average cost of school per month for each pupil, based upon the total enrollment, and also the average cost based upon the average daily attendance. In estimating these averages, the secretary shall take account of the teachers' wages, all current expenses, and six per cent. interest upon a fair valuation of all property belonging to the district.

Eighth—Text books used in each school.

Ninth—The number of volumes in the library of each school.

Tenth—The aggregate amount paid teachers during the year, and the average monthly pay of teachers.

Eleventh—The number of public school-houses, and the estimated value of each.

Twelfth—The amount raised by tax in the district during the year for school library.

Thirteenth—The amount raised by subscription, or by other means than tax.

Fourteenth—The amount of special tax levied for the support of schools, and for buildings, sites and furniture.

Fifteenth—The amount of money on hand at the beginning of the year then past.

Sixteenth—The amount of money received from all other sources than those herein specified.

Forfeit for failure.

Should the secretary fail to file his report, as above directed, he shall forfeit the sum of one hundred (100) dollars, and shall make good all losses resulting to the district from such failure.

Render statement to board.

Books always open.

SEC. 57. The secretary shall render a statement of the condition of the finances, as shown by the books, at any time when required by the school board, and his books shall always be open for inspection.

Duties of treasurer.

SEC. 58. It shall be the duty of the treasurer to countersign all warrants drawn by the president and secretary on the county treasurer, in favor of parties to whom the

district has become lawfully indebted, and to keep an account of the same. He shall take charge of all moneys received by him on account of the district from the county treasurer, as provided in sections ninety-one and ninety-two of this act, and pay out the same as therein provided. He shall render a statement of the finances of the district, as shown by the records of his office at the close of each school year, and at any other time when required by the board. For a failure to perform any of the duties of his office when directed by the board, or for refusing or neglecting to deliver to his legally qualified successor all moneys, books or other district property in his possession or care, within ten days after the same shall have been demanded by such successor, he shall be liable on his bond, and shall make good all loss resulting to the district from such failure or neglect. Penalty.

SEC. 59. No superintendent or district officer shall receive any compensation, who has neglected or refused to perform any duty required by law, and any district officer so neglecting or refusing, when specially directed by a majority of the district board, shall be deemed guilty of a misdemeanor, and it shall be deemed a violation of law for any person to draw or sign a warrant for the payment of such delinquent officer, and any person so signing a warrant shall be liable in double the amount of such warrant. Neglect of duty a misdemeanor.

TEACHERS.

SEC. 60. No district board shall employ any person to teach in any of the public schools of the State, unless such person shall have a license to teach, issued from the proper district, county or state authority, and in full force at the date of employment; and any teacher, who shall commence teaching in any such school without such license, shall forfeit all claim to compensation out of the school fund for the term so teaching without such license. And if a teacher's license shall expire by its own limitation within a term of employment, such expiration shall not have the effect to stop the school, or stop the teacher's pay; *Provided*, That a teacher whose certificate so expires, if the term of school for which such teacher is employed extends more than one month after such expiration, shall secure a new certificate, or a renewal of the old one held while the same is in force, *And, provided, further*, That a certificate shall not be required of persons employed to teach either music, drawing, or modern languages only. No Shall not teach without certificate. Forfeit. Expiration of certificate not to stop school.

Not dismissed
without cause.

teacher shall be dismissed without good cause shown, and such teacher shall be entitled to receive pay for services rendered.

Daily register.

Report to the
secretary.

Shall notify
county super-
intendent of
commence-
ment and close.

Blanks.

SEC. 61. It shall be the duty of the teacher of every public school in this State to keep, in a neat and business-like manner, a daily register in such form and upon such blanks as shall be prepared by the Superintendent of Public Instruction. At the close of each term of school, not to exceed four months, the teacher shall fill the summary in such register, and, in ungraded schools, file the register with the secretary of the district, who shall preserve the same; in graded schools the register aforesaid shall be filed with the principal or superintendent of the district, in which case said principal or superintendent shall make an abstract of the summaries of all such registers upon blanks prepared by the Superintendent of Public Instruction, and file the same with the secretary, which shall also be preserved. The teacher, principal or superintendent, as the case may be, who is in charge of the last term of school in any school year, shall file with the secretary a summary of the statistics for the year, as shown by the summarized reports of all the terms during the year. The principal teacher of every public school, within one week after the beginning of each term, shall notify the county superintendent of the date of such beginning and the proposed length of the term. Nothing in this section shall be construed to prohibit any district board from requiring teachers, principals and superintendents to keep any additional registers and records of statistics which such board may deem desirable. Until the registers, summaries and abstracts herein above described have been filed as aforesaid, it shall be unlawful for the officers of any district to draw a warrant for the last month's salary of any teacher, principal or superintendent whose duty it is to make and file such register, summary or abstract. All blanks required in the execution of this section shall be supplied by the Superintendent of Public Instruction to county superintendents, and by them to district secretaries.

SPECIAL DISTRICT MEETINGS.

Directors to
call in third
class districts.

SEC. 62. In any district of the third class, the board of directors may at any time call a special meeting of the electors of such district, for any of the purposes specified in section sixty-two (62) [sixty-three] of this act, and it

shall be their duty to call such meeting, if petitioned so to do, by ten (10) legal voters of the district. Notices, specifying the time, place and object of such meeting, shall be posted in three (3) public places, one of which shall be at the place of meeting, at least twenty (20) days prior to the time of holding such meeting.

Ten voters
may petition.
Notice.
Items.

Twenty days.

SEC. 63. The qualified electors of districts of the third class, when assembled at any regular or special meeting shall have power:

Powers of
electors.

First—To appoint a chairman and secretary in the absence of the regular officers.

Items.

Second—To adjourn from time to time, as occasion may require.

Third—To fix the site for each school-house, taking into consideration in doing so the wants and necessities of the people of each portion of the district.

Fourth—To order such tax on taxable property of the district as the meeting shall deem sufficient for any of the following purposes: To pay teachers; to purchase or lease a suitable site for a school-house or school-houses; to build, rent or purchase a school-house or school-houses and to keep in repair and furnish the same with the necessary fuel and appendages; for procuring libraries for the schools, books and stationery for the use of the board and district meetings, and to defray all other contingent expenses of the district.

Fifth—To direct the sale or other disposition to be made of any school-house, or the site thereof, and of such other property, real or personal, as may belong to the district, and to direct the manner in which the proceeds arising therefrom shall be applied.

Sixth—To transact generally such business as may tend to promote the cause of education, in accordance with the provisions of this act.

Seventh—To adopt any rules of order for the government of district meetings not incompatible with the provisions of this act, and to alter and change the same from time to time, as occasion may require.

SEC. 64. The county commissioners shall, at the time of levying the tax for county purposes, cause to be levied a tax for the support of the schools within the county, of not less than two (2) mills on the dollar, of the assessed value of all taxable property, real and personal, within the

County com-
missioners
shall levy tax.

Not less
than 2 mills.

Treasurer
shall collect.

County super-
intendent
certify to
county com-
missioners.

Basis.

Special tax for
other expenses.

Not to exceed
five mills.

County clerk
must levy with
or without
order of
commissioners.

Forfeit for
failure to levy.

County treas-
urer to certify
amount
collected to
county super-
intendent
quarterly.

Delinquent
taxes.

county, which tax shall be collected by the county treasurer at the same time, and in the same manner, as state and county taxes are collected, except that it shall be receivable only in cash. It is hereby made the duty of the county superintendent of schools to certify to the board of county commissioners at this time the amount of money needed *per capita*, to enable each school district in the county to maintain a public school four (4) months in each year, as required by law. In making his estimate, the county superintendent shall not take into consideration districts whose school population shall be less than fifteen (15), as shown by the school census preceding the time of making the levy. He shall use as a basis for making his estimate the sum of forty (40) dollars per month for the teacher's salary. All other expenses of the school must be provided for by the board of directors by special tax. It is hereby made the duty of the county commissioners to increase the minimum rate of two (2) mills, to what shall be required for the purpose as stated as above; *Provided*, That such tax levy shall in no case exceed five (5) mills; *Provided further*, If any school district shall fail to certify a special tax for other expenses of the district necessary to maintaining a public school each year, as provided for in Section 77, the county commissioners shall cause the same to be levied.

SEC. 65. No county clerk, or other person, who shall make out the tax-list or assessment roll of any county, shall omit or neglect to levy said tax of two (2) mills, as aforesaid, by reason of the omission of the board of county commissioners to pass a resolution for that purpose. Failure to levy a tax of at least two (2) mills, as above specified, shall be deemed a violation of the law, and the person or persons through whose neglect or refusal the failure so to levy shall occur, shall forfeit the sum of one hundred (100) dollars each, and be liable for all damages resulting from such neglect or failure.

SEC. 66. The county treasurer shall, on or before the first day of January, April, July and October of each year, certify the amount of said tax which shall have been collected, and the amount of any other county school money then in the county treasury, to the county superintendent, and shall render him a statement of the amount uncollected. The amount unpaid shall be collected at any subsequent time as delinquent taxes are collected, and shall be certified to the county superintendent, as aforesaid.

Should the treasurer fail at any time to pay over the tax, as herein provided, he shall forfeit the sum of one hundred (100) dollars, and double damages, to be collected on his official bond; suit to be brought by the county superintendent, for the benefit of his county [school fund]. Forfeit and damage.

SEC. 67. On or before the day designated by law for the commissioners of each county to levy the requisite taxes for the then ensuing year, the school board in each district shall certify to the county commissioners the number of mills per dollar which it is necessary to levy on the taxable property of the district, to raise a special fund for any of the purposes specified in section fifty-one of this chapter, and the county commissioners shall cause the same to be levied at the same time that other taxes are levied, and the amount of such special tax which shall be assessed to each taxpayer of such district shall be placed in a separate column of the tax-book, which shall be headed "Special School Tax;" *Provided*, That a school board of a district of the third class shall not certify, as above, to a higher rate than fifteen mills per dollar. There shall also be a column in said tax-book in which shall be designated the number of the school district in which the property is listed. This tax shall be collected in cash only, and placed to the credit of the proper district as fast as collected, and the amount placed to the credit of each district shall be reported to the secretary of such district at the end of every month, and shall be subject to the order of the district board. It is hereby made the duty of the county assessor and county treasurer to so arrange their tax schedules and books as to conform to the above provisions; *Provided*, That the county assessor shall list all property, both real and personal, in the school district in which the same may be on the first day of May; *And, provided, further*, That the board of any district may order the levy of not to exceed one-tenth of one mill, the proceeds of which shall be used exclusively in the purchase of books for a library, to be open to the public, under such rules as the district board may deem needful for the proper care of the said library. School boards to county commissioners.
Fifteen mills tax by districts of the third class.
Separate column for each district.
Duties of the assessor and county treasurer.
Where property is listed.
Library tax.

SEC. 68. It shall be the duty of the county treasurer to open and keep separate accounts with each school district in his county, and hold the funds of each district, subject to the legal warrants of the president, as provided by section fifty-three of this chapter. If the legal warrant of any school district in his county be presented to the County treasurer to keep an account with each district.

No funds.

county treasurer when there are no funds in his hands to the credit of the district fund against which the warrant is drawn, he shall endorse such warrant "No funds," and said warrant shall draw interest from the date of such endorsement at the same rate as county warrants in like condition. The treasurer shall keep a list of all warrants so endorsed, and shall pay them whenever there is sufficient money to the credit of the proper fund in the order of such endorsement. The interest on such warrants shall stop when the treasurer shall give notice that he has funds to pay the same; *Provided*, It shall not be lawful for the officers of any district to issue warrants at any time in an amount in excess of the tax levy for the current year.

Interest on
warrants stops.

PENAL FUND.

Fines under
this law.

SEC. 69. All fines, penalties and forfeitures provided by this act may be recovered by action of debt, in the name of The People of the State of Colorado, for the use of the proper school district or county, and shall, when they accrue, belong to the respective districts, or counties, in which the same may have been incurred; and the county treasurers, for their counties, are hereby authorized to receive and cause to be placed to the proper credit such forfeitures. Except as otherwise provided by law, all sums of money derived from fines imposed for violation of orders of injunction, mandamus and other like writs, or for contempt of court, shall be paid into the school fund of the county wherein the contempt or such violation was committed; and the clear proceeds of all fines collected within the several counties of the State for breach of the penal laws, and all funds arising from the sale of lost goods and estrays shall be paid over in cash by the person collecting the same, within twenty (20) days after the collection, to the county treasurer of the county in which the same have accrued, and shall be by him credited to the general county school fund. He shall indicate in such entry the source from which such money was derived. Any officer, or person, collecting or receiving any such fines, forfeitures or other moneys, and refusing and [or] failing to pay over the same, as required by law, shall forfeit double the amount so withheld, and interest thereon at the rate of five (5) per cent. per month during the time of so withholding the same; and it shall be a special duty of the county superintendent of schools to supervise and see that the provisions of this section are fully complied

Contempt
of court.

Penal fines.

Estray.

Forfeiture
for failure
to pay over.

County super-
intendent to
look after
fines, etc.

with, and report thereon to the county commissioners semi-annually, or oftener, if required by them.

SEC. 70. It shall not be lawful for a district or a district board to reconsider the question of the levy of a special tax after the same has been certified to the county commissioners, nor shall said commissioners be charged with any discretion in the matter of such levy further than to ascertain if the law has been obeyed. Reconsideration.

SEC. 71. It shall be illegal for any school board to appropriate or cause to be used any money belonging to the general school fund, for the purpose of building, furnishing or erecting additions to any school-house, or for the purchase or improvement of any school-house, site or lot; *Provided*, That if any portion of the aforesaid school fund remains to the credit of any district after the payment of all expenses necessary to the support of a public school for a period of ten months in any one year, in said district, it shall be lawful for the district board to use such balance for any of the purposes provided for in section fifty-one of this chapter. What funds may not be used for building.
Balance, after ten months' school.

APPORTIONMENT OF SCHOOL FUND.

SEC. 72. In apportioning the general fund, as directed in section nineteen of this chapter, the county superintendent shall base the July apportionment, in each year, on the census lists and reports of the secretaries of the several districts for the school year next preceding, and he shall base all apportionments on said lists and reports for a period of one year, except in the case of the apportionment to new districts, as provided in section thirty-two of this chapter. July apportionment.

SEC. 73. The county superintendent shall apportion the funds aforesaid among the districts entitled to the same, according to the number of persons of school age, as shown by the census lists and reports of the several districts for the school year immediately preceding, as provided in section seventy-two. Apportioned according to census.

SEC. 74. Whenever a district secretary fails to file his annual report and census list with the county superintendent, according to law, thereby rendering it impossible for the said superintendent to apportion to such district any part of the general fund for the ensuing year, if it can be shown to the satisfaction of the Superintendent of Public Instruction that such report and census list were prepared and reasonable diligence used to place the same in the Forfeiture referred to state superintendent.

hands of the county superintendent, and that such report and census list failed to reach said superintendent by reason of some accident or extraordinary occurrence; and if it be further shown that a public school was maintained in such district for not less than the minimum time required by the State constitution; and if it be also shown that duplicates of the missing papers have been placed in the hands of the county superintendent, or in his office, then the Superintendent of Public Instruction shall direct the county superintendent to apportion to such district its *per capita* share of the general fund distributed during the remainder of the year, as provided in section seventy-two.

No district entitled to money unless it has a school at least sixty days, holidays included.

SEC. 75. Any school district failing to maintain a public school at least three months of any school year, shall not be entitled to receive any portion of the school fund for that year.

SCHOOLS.

Public school.

SEC. 76. A public school is hereby defined to be a school that derives its support entirely, or in part, from moneys raised by a general State, county or district tax.

Public schools open for all children between the ages of six and 21 years.

SEC. 77. Every public school, except high schools, shall be open for the admission of all children between the ages of six (6) and twenty-one (21) years residing in that school district during at least *four* school months in each year, and the school board shall have power to admit adults, and children not residing in the district, if they see fit so to do, and to fix the terms of such admission.

School taught in the English language.

SEC. 78. The public schools of this State shall be taught in the English language, and the school boards shall provide to have taught in such schools the branches specified in section fifteen of said chapter, and such other branches of learning in [and] other languages as they may deem expedient, including hygiene with special reference to the effects of alcoholic stimulants and narcotics upon the human body; and whenever the parents or guardians of twenty or more children of school age shall so demand, the board of such school district may procure efficient instructors and introduce the German and Spanish languages, or either of them, and gymnastics, as a branch of study into such school; and said district board may, upon like demand of the parents and guardians of children of school age, procure efficient instructors to teach the branches specified in said section fifteen, in the German

German and Spanish taught by request.

and Spanish languages, or in either of such languages as said board may direct.

SEC. 79. The school year shall begin on the first day of July and end on the thirtieth day of June. A school month shall be four weeks, a school week five days, and a school day shall not exceed six hours, excluding the time of intermission at noon. The term "National Holidays," in this chapter, shall be construed to mean Thanksgiving Day, Christmas Day, New Year's Day, Washington's Birthday, Decoration Day, Labor Day and the Fourth day of July. Election day in November. (See election law of 1891.)

SEC. 80. A school census is hereby defined to be a census embracing all persons between the ages of six and twenty-one years. School age is hereby defined to be any age over six and under twenty-one years.

TEACHERS' NORMAL INSTITUTES.

SEC. 81. For the purpose of organizing and maintaining teachers' normal institutes, the State shall be divided into the following institute districts viz: The counties of Sedgwick, Phillips, Logan, Yuma, Washington and Morgan to constitute normal district No. one (1). The counties of Weld, Larimer and Boulder to constitute normal district No. two (2). The county of Arapahoe to constitute normal district No. three (3). The counties of Gilpin, Clear Creek and Jefferson to constitute normal district No. four (4). The counties of Douglas, Elbert and El Paso to constitute normal district No. five (5). The counties of Kit Carson, Lincoln and Cheyenne to constitute normal district No. six (6). The counties of Fremont, Custer and Pueblo to constitute normal district No. seven (7). The counties of Kiowa, Otero, Bent, Prowers and Baca to constitute normal district No. eight (8). The counties of Huerfano and Las Animas to constitute normal district No. nine (9). The counties of Saguache, Costilla, Conejos and Rio Grande to constitute normal district No. ten (10). The counties of La Plata, Montezuma, Archuleta, Dolores and San Juan to constitute normal district No. eleven (11). The counties of San Miguel, Ouray, Hinsdale, Mesa, Delta, Montrose and Gunnison to constitute normal district No. twelve (12). The counties of Chaffee, Lake, Park, Pitkin, Eagle, Summit, Garfield, Routt, Rio Blanco and Grand to constitute normal district No. thirteen (13). *Provided*, That new counties formed within the limits of any institute district

shall be a part of said district. A normal institute for the instruction of teachers and those desiring to teach may be held annually for a term of not less than two weeks in each normal district of the State. The county superintendents of each institute district shall annually select not more than three of their number as an executive committee, who, with the advice and consent of the Superintendent of Public Instruction and the president of the State Normal School, shall determine the time and place of holding such normal institute, and shall select a conductor and instructor for the same. To defray the expense of said institute the executive committee shall require the payment of one dollar registration fee for each person attending the normal institute, and each county superintendent is hereby authorized to add five per cent. to the average standing in examination of teachers who shall attend the normal institute from his county. When a normal institute of not less than two weeks is held in any institute district of the State the executive committee in charge shall certify to the boards of county commissioners of the several counties within the district the number and names of the persons attending said institute from their respective counties, and it shall be the duty of the board of county commissioners of the county where such persons belong to appropriate the sum of two dollars for each person so certified. The funds arising from registration fees and appropriations of county commissioners shall be designated the "Normal institute fund," and some county treasurer, whom a majority of the county superintendents of the district shall designate, shall be the custodian of said funds. The executive committee shall, at the close of each institute, transmit to said custodian all funds received by it as provided in this section together with the name of each person paying a registration fee. The executive committee shall also report to the several boards of county commissioners in the district the name and address of the custodian of the "Normal institute fund." On the receipt of such notice the several boards of county commissioners shall issue warrants for the appropriations provided in this section, payable to the said custodian. It shall be the duty of the Superintendent of Public Instruction, annually, when the executive committee of any normal institute district shall certify that not less than twenty persons have paid the registration fee, and have received instructions during the session of the institute, to certify the same to the Auditor of State, who shall forward to the custodian of

Held annually.

Executive committee.

One dollar registration fee.

Five per cent. added to standing.

County commissioners to appropriate \$2 for each person attending.

Normal institute fund.

Custodian.

Appropriations payable to custodian.

the "Normal institute fund" of such district a warrant on the State Treasurer for the sum of fifty dollars, to be paid out of any money appropriated for that purpose. All disbursements of the "Normal institute fund" shall be upon the order of the executive committee, and no order shall be drawn on said fund except for claims approved by said committee for services rendered and expenses incurred in connection with the normal institute. It shall be unlawful to pay any one from the institute fund for services as conductor or instructor of such institute, who does not hold a certificate or qualification for such work, issued by the State Board of Education, upon the recommendation of the State Board of Examiners; *Provided*, That a member of the State Normal School faculty shall be *ex officio* a conductor of normal institutes.

Auditor to draw warrant on state treasurer for \$50.

All disbursements by order of executive committee.

Qualifications of conductor or instructor.

APPEALS.

SEC. 82. Any person aggrieved by any decision or order of the district board of directors, in matter of law or fact, may, within thirty days after the rendition of such decision, or making of such order, appeal therefrom to the county superintendent of the proper county.

Made within thirty days.

To county superintendent.

SEC. 83. The basis of the proceeding shall be an affidavit, filed by the party aggrieved, with the county superintendent, within the time for taking the appeal.

By affidavit.

SEC. 84. The affidavit shall set forth the errors complained of, in a plain and concise manner.

Set forth errors.

SEC. 85. The county superintendent shall, within five days after the filing of such affidavit in his office, notify the secretary of the proper district, in writing, of the taking of such appeal, and the latter shall, within ten days after being thus notified, file in the office of the county superintendent a complete transcript of the record and proceedings relating to the decision complained of, which shall be certified to be correct by the secretary.

Notify secretary within five days.

Transcript filed within ten days.

SEC. 86. After the filing of the transcript, aforesaid, in his office, he shall notify, in writing, all persons adversely interested, of the time and place where the matter of the appeal will be heard by him.

Notify all parties.

SEC. 87. At the time thus fixed for hearing, he shall hear testimony for either party, and for that purpose may administer oaths, if necessary, and he shall make such decision as may be just and equitable, which shall be final, unless appealed from, as hereinafter provided.

Hear testimony and make decisions.

Any persons aggrieved by any order of county superintendent may appeal.

In case of appeal, state board shall examine transcript of proceedings and decide.

Other cases of appeal.

Require papers and documents.

Administer oath.

Decision of board shall be final.

Applicant for certificate aggrieved, may appeal.

Questions and answers examined.

Decision reversed.

State board shall issue a certificate.

No judgment for money rendered.

Notice given on petition of twenty voters.

Vote may be taken at any regular or special meeting.

None are voters except such as have paid school tax.

SEC. 88. Any person or district board aggrieved by any decision or order of the county superintendent, in matter of law or fact, may, within thirty days after the rendition of such decision or making of such order, appeal therefrom to the State Board of Education, in the same manner as provided in this act for taking appeals from the district board to the county superintendent, as nearly as applicable. In case of an appeal, where a trial has been had before the county superintendent and a decision rendered, the State board shall examine a transcript of such proceeding and render a decision therefrom, but no new testimony shall be admitted. In other cases of appeal the board may require of the parties such papers and documents as may be thought necessary, and the board shall have power to administer oaths through its president. The decision of the board, or a majority of said board, shall be rendered by the president, and such decision, when made, shall be final. When an applicant for a certificate at a regular examination shall feel aggrieved at the decision of the county superintendent, and shall appeal to the State board, the questions used and the answers given shall be examined by the board, and if the decision of the county superintendent be reversed, the State board shall issue to the appellant a certificate of such grade as the answers shall warrant; *Provided*, That a good moral character and success as a teacher be shown.

SEC. 89. Nothing in this act shall be so construed as to authorize either the county superintendent or the State board to render a judgment for money; neither shall they be allowed any other compensation than is allowed by law. All necessary postage must first be paid by the party aggrieved.

SCHOOL DISTRICT BONDS.

SEC. 90. On the petition of twenty legal voters of any school district, the secretary of said district shall give notice not less than twenty days before any regular or special meeting held under the provisions of this chapter, that the question of contracting a bonded debt for the purpose of erecting and furnishing school buildings, or purchasing ground, or for funding floating debts, will be submitted to such qualified voters of the district as have paid a school tax therein in the year next preceding the said meeting; *Provided*, That it shall be lawful for districts of the first and second class to hold special meetings for this purpose, in the same manner as is provided in this chapter

for districts of the third class. Any person offering to vote may be challenged by any legally qualified elector of the district, and any one of the judges of election shall thereupon administer the person challenged an oath, as follows: "You do swear (or affirm) that you are a citizen Oath. of the United States, or that you have declared your intention to become such; that you have resided in the State of Colorado six months immediately preceding this election; that you are twenty-one years of age; that you have resided in this district thirty days next preceding this election; and that you have paid a school tax within this school district during the past year, and that you have not voted at this election, so help you God (or under the pains and penalties of perjury)." If he shall refuse to take such oath or affirmation, his vote shall be rejected. The electors aforesaid shall first agree, by a majority vote, on the amount of indebtedness to be created, if any (but in no case shall the aggregate amount of bonded indebtedness Not to exceed 3½ per cent. of valuation. of any school district exceed three and one-half per cent. of the assessed value of the property of such district), and shall then proceed to vote by ballot "For the bonds," Vote by ballot. or "Against the bonds," and the ballot box for this purpose shall be kept open, as provided in section forty-four (44) of this act; and if it appear that a majority of all the votes cast are "For the bonds," the board of directors, as soon as practicable, shall issue coupon bonds of the district, bearing interest not exceeding eight per cent. per annum, Interest not to exceed eight per cent. payable semi-annually, and redeemable at the pleasure of the district, after five years, and payable fifteen years from date, the principal and interest payable at the office of the treasurer of the county in which the said district may be situated, or the interest may be made payable in the city of New York, at the option of the holders thereof, and the cancelled coupons shall be at the disposal of the district board. Redeemable at pleasure of district. Payable at county treasurer's office or in New York.

SEC. 91. Whenever any school district shall issue bonds under the provisions of this act, all such bonds shall, previous to being negotiable, be presented to the recorder of the county, to be duly registered by him in a book kept for that purpose in his office, noting the school district, amount, time of payment and rate of interest, and all such bonds shall state on their face that they are issued under the provisions of this act. Registered in county recorder's office.

SEC. 92. Whenever any school district shall issue bonds under the provisions of this act, it shall be the County commissioners levy all bond taxes.

duty of the board of commissioners of the county in which said district may be situated, to levy and assess a special tax on all the taxable property of such district in amount sufficient to pay the interest coupons thereon, when the same shall become due according to their tenor and effect, and the county treasurer shall collect the same as other taxes are collected, in cash only, keeping the same separate from other funds received by him; and if there shall be any surplus after paying [the coupons and] the expenses of collecting such special tax, the treasurer, shall, without delay, pass the same to the credit of such school district, and such fund so passed to the credit of the district shall be subject to the disposal of the board of directors. And after the expiration of five years next after the issue of such bonds, and annually thereafter until the full payment of said bonds, the county commissioners shall provide by taxation, and shall collect at least ten per centum and not more than twenty per centum of the principal of such bonds, which amount shall be assessed and collected the same as the tax for the payment of the interest coupons, and when collected shall be turned over to the treasurer, of such school district, such money to be used only in the payment of such bonds, in manner as follows: The treasurer of such school district, immediately after receiving the money as aforesaid, shall advertise in some newspaper published in his county, if there be any, for four successive weeks, that, on a certain day named in the advertisement, he will pay certain of the district bonds, said bonds to be described in the advertisement by number and amount, and the advertisement shall further state that after the day so fixed for payment the interest on the bonds described as aforesaid shall cease and determine. The said payment shall be made in the office and in the presence of the treasurer of the county, who shall cancel the bonds redeemed, and a minute of such cancellation shall be made on the books of the county recorder, after which they shall be at the disposal of the district board. The provisions of this section for levying and collecting taxes, and for the payment of interest coupons, shall be applicable to all school districts that have issued bonds under the provisions of the laws of the Territory of Colorado.

Surplus to go to district.

Taxes for principal.

Manner of payment.

At county treasurer's office.

Bonds issued under territorial laws.

Manner of redeeming bonds issued under territorial laws.

SEC. 93. In all districts that have issued bonds under the provisions of the laws of the Territory of Colorado, the treasurer of the district, immediately after receiving

the annual installment of the fund for the redemption of said bonds, as provided in section ninety-one (91) [ninety-two], shall go into the market, and, at the lowest price for which he can obtain such bonds, shall use such fund in the retiring of such bonds to the extent of such fund:

Provided, That the said treasurer shall not pay more than five per cent. premium on any bonds of his district, and any balance of said funds remaining in the hands of said treasurer shall be invested, as nearly as possible, in United States bonds or State bonds of Colorado.

Shall not pay over five per cent. premium.
Invest balance in United States bonds.

SEC. 94. All United States or State bonds, which may come into the hands of any district treasurer, under the provisions of this act, shall be duly recorded in the books of the district and deposited in the safety vault of some bank within the State, selected by the district board. The interest coupons of said bonds shall be duly collected by the district treasurer, and the proceeds turned over to the county treasurer, to be used in the payment of the interest coupons of the bonds of such district, and the annual tax for the payment of the interest on said district bonds shall be proportionately lessened. Said United States or State bonds shall be sold by the district board at the best market rates, and the proceeds thereof used to redeem the bonds of the district, when the same become due, or when they can be bought at not to exceed five per cent. premium.

Bonds deposited in some bank.
Interest appropriated.

Bonds sold.

SEC. 95. No change in the boundary lines of such school district shall release the taxable real estate of the district from assessment and levy of taxes to pay the interest and principal of such bonds, and if there shall be any change of the lines of such school district, so as to leave any portion of the taxable real estate of the district, out of the district, which was subject to taxation in the district at the time of the issue of such bonds, the assessment and levy for principal and interest of such bonds, shall be made on such property as if it were still within the district, and if there shall be any change of the lines of such school district, so as to annex any taxable real estate, after the issue of such bonds, the real estate so annexed shall thereafter be subject to the assessment and levy for principal and interest of such bonds.

No change in boundary lines releases any property from bond tax.

Property added to the district liable for tax.

SEC. 96. The treasurer of the county shall receive the same compensation for the collection of such special taxes as he does for other school taxes.

Compensation of county treasurer.

Bonds sealed
and counter-
signed.

SEC. 97. All such bonds so issued shall be signed by the president of the board of directors, and shall have the seal of the district attached, and shall be countersigned by the county treasurer.

Repealing
clause.

SEC. 98. An act entitled "An act concerning school bonds," approved January 29, 1872, and all acts amendatory thereto; also, an act entitled "An act to amend, revise and consolidate the acts relating to public schools," approved February 11, 1876, and all other general laws inconsistent with this act, are hereby repealed.

Bonds refunded
with consent
of owner.

SEC. 99. It shall be lawful for the board of directors of any school district which has a bonded indebtedness to refund the same, with the consent of the bond owners, in bonds bearing a less rate of interest than the bonds so refunded, and running for a longer time; *Provided*, That in case bonds become due, and the owners do not consent to a refunding of the same, it shall be lawful for the board of directors to issue and sell new bonds for the payment of the bonds then due; *Provided, further*, That such new bonds thus issued shall not be sold at a less price than 98 per cent. of their par value. The bonds issued to take up and replace the district bonds which are to be refunded, and the bonds issued for the payment of bonds due, shall bear interest at such rate as said school board may determine, not to exceed eight per cent. per annum, and shall be redeemable at the pleasure of the district board, in not to exceed ten years, and payable in not to exceed twenty years from the date thereof, and the date after which said new bonds are redeemable shall be plainly written or printed on the face thereof.

New bonds
may be issued
for payment
of bonds due.

Can not be sold
for less than
98 per cent. of
par value.

Interest not to
exceed eight
per cent.

Time not to
exceed ten to
twenty years.

Method of pro-
cedure same as
under the laws
of 1887.

SEC. 100. All the provisions of the laws of the State of Colorado, now existing, relating to the duties of district and county officers in the issue and payment of the district bonds, and relating to the assessment and collection of taxes for the payment of the interest and principal of school district bonds, shall be held to apply equally and in like manner to all matters pertaining to the issue and payment of bonds issued under the provisions of this act, except that the time when taxes shall be levied and collected for the payment of the principal of said bonds shall be as hereinafter provided.

Levy for the
redemption
of bonds.

SEC. 101. At the time provided by law for the levying of county taxes in the year next preceding the date at which the first installment of said bonds shall mature, and

every year thereafter until the whole amount of said bonds shall be redeemed, the board of county commissioners, of any county in which bonds shall have been issued under the provisions of this act, shall levy a tax sufficient to pay not less than ten *per centum* nor more than twenty *per centum* of the principal of said bonds, and the county treasurer shall collect the same as other taxes are collected, and shall pay the amount so collected to the district treasurer as is now provided by law.

SEC. 102. *Provided, however,* That no bonds shall be issued under the provisions of this act until the question of refunding shall first have been submitted to, and approved by, the qualified voters of the district, as is now, or may be, provided by law, except that the electors shall vote "For refunding," or "Against refunding," instead of "For the bonds," or "Against the bonds."

Vote of the people.

CHAPTER LXXXVIII., REVISED STATUTES.

PUBLIC CONTRACTS.

AN ACT TO PREVENT FRAUDS IN THE LETTING OF PUBLIC CONTRACTS.
APPROVED FEBRUARY 3, 1872.

SECTION 1. Whenever any officer of this State or of any county, city, town, or school district therein, shall be charged with the duty of making any contract for, or on behalf of this State, or of any county, city, town, or school district therein, shall be obliged to pay any sum of money to any person whomsoever, and whenever any such officer, as a member of any board of auditors, commissioners, or directors, or otherwise, shall have any vote or voice in awarding any such contract, it shall not be lawful for any such officer to become in any manner bound for the fulfillment of such contract, or to take or receive any part or portion of the money specified in such contract, or to be in any way, manner or degree interested in such contract, excepting in his official representative capacity.

No officer letting contract shall have interest therein.

SEC. 2. Whosoever shall offend against the provisions of this act shall be imprisoned not exceeding six months, and fined not exceeding two thousand dollars, and shall be removed from office.

Penalty.

AN ACT

TO PROVIDE FOR THE STUDY OF THE NATURE OF ALCOHOLIC DRINKS AND NARCOTICS, AND THEIR EFFECTS UPON THE HUMAN SYSTEM. APPROVED APRIL 4, 1887.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. That the nature of alcoholic drinks and narcotics, and special instructions as to their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in the public schools of the State, and shall be studied and taught as thoroughly and in the same manner as other like required branches are in said schools, by the use of text books, designated by the board of directors of the respective school districts, in the hands of pupils where other branches are thus studied in said schools, and by all pupils in all said schools throughout the State.

Taught in the
public schools,

Duty of officers,

Failure or
neglect,

Removed
from office,

SEC. 2. That it shall be the duty of the proper officers in control of any school, described in the foregoing section, to enforce the provisions of this act, and any such officer, school director, committee, superintendent or teacher, who shall refuse, fail or neglect to comply with the requirements of this act, or shall neglect, refuse or fail or [to] make proper provisions for the instruction required, and in the manner specified by the first section of this act, for all pupils in each and every school under his or her jurisdiction, shall be removed from office, and the vacancy filled as in other cases.

AN ACT

RELATING TO THE REPORTS OF THE OFFICERS OF STATE EDUCATIONAL AND REFORMATORY INSTITUTIONS. APPROVED FEB. 11, 1881.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. It shall be the duty of the President of the State University, the President of the State School of Mines, the President of the State Agricultural College, and the Principal of the Mute and Blind Institute, to make a biennial report to the Superintendent of Public Instruction, on or before the first day of December of each year preceding the meeting of the general assembly. These reports shall contain a history of the institutions

Biennial
report,

Reports
contain,

reported for the two years; shall show the number of professors and teachers employed and the salaries of each, the number of students in attendance each term, the number in each of the several departments, and any other items concerning the educational and financial condition of the respective institutions which the officers making the reports shall deem to be of public interest.

SEC. 2. It shall be the duty of the Superintendent of Public Instruction to publish the reports made in pursu-^{Shall be published.}ance of this act, with his biennial report to the governor; *Provided*, That he shall not publish more than ten printed pages for each institution.

AN ACT

TO ESTABLISH ARBOR DAY. APPROVED MARCH 22, 1889.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. The third Friday in April of each year shall be set apart and known as "Arbor Day," to be^{Third Friday in April.} observed by the people of this State in the planting of forest trees, for the benefit and adornment of public and private grounds, places and ways, and in such other efforts and undertakings as shall be in harmony with the general character of the day so established; *Provided*, That the^{Provided.} actual planting of trees may be done on the day designated, or at such other most convenient time as may best conform to local climatic conditions, such other time to be designated, and due notice thereof given, by the several county superintendents of schools for their respective counties.

SEC. 2. The day, as above designated, shall be a holiday^{Shall be a holiday.} in all public schools of the State, and school officers and teachers are required to have the schools under their^{Officers and teachers required to observe the day.} respective charge observe the day by planting of trees, or other appropriate exercises.

SEC. 3. Annually, at the proper season, the Governor shall issue a proclamation, calling the attention of the people to the provisions of this act, and recommending and enjoining its due observance. The Superintendent of Public Instruction, and the respective county superintendents of schools, shall also promote, by all proper^{Governor shall issue proclamation.}

Annual reports. means, the observance of the day; and the said county superintendents of schools, shall make annual reports to the State Forest Commissioner of the action taken in this behalf in their respective counties.

AN ACT

TO SECURE TO CHILDREN THE BENEFIT OF ELEMENTARY EDUCATION.
APPROVED APRIL 18, 1889.

Be it enacted by the General Assembly of the State of Colorado:

Unlawful to employ any child under 14 years of age to labor during school hours.

Unless such child has attended private school.

Certificate.

Guilty of misdemeanor.

Fined \$25.

Paid into the county treasury.

Every parent or guardian required to send child to school.

12 weeks in each year.

Unless excused.

SECTION 1. That it shall be unlawful for any person, persons or corporation to employ any child under the age of fourteen years to labor in any business whatever during the school hours of any school day, of the school term of the public school, in the school district where such child is, unless such child shall have attended some public or private day school where instruction was given by a teacher qualified to instruct in those branches required to be taught in the public school of the State of Colorado, or shall have been regularly instructed at home in such branches, by some person qualified to instruct in the same, at least twelve weeks in each year, eight weeks at least of which shall be consecutive, and shall, at the time of such employment, deliver to the employer a certificate in writing, signed by the teacher, certifying to such attendance or instruction; and any person, persons or corporation who shall employ any child contrary to the provisions of this section shall, upon conviction, be deemed guilty of a misdemeanor, and fined in a sum not less than twenty-five (25) dollars nor more than fifty (50) dollars; and all fines so collected shall be paid into the county treasury, and placed to the credit of the school district in which the offense occurs.

SEC. 2. Every parent or guardian, or other person in the State of Colorado, having control of any child or children between the ages of eight (8) and fourteen (14) shall be required to send such child or children to a public school, or private school taught by a competent instructor, for a period of at least twelve (12) weeks in each year, at least eight weeks of which time shall be consecutive, unless such child or children are excused from such attendance by the board of the school district in which such

parent, guardian or person having control resides, upon its being shown to their satisfaction that such child's bodily or mental condition has been such as to prevent attendance at school, or application to study for the period required; *Provided*, That if such parent or guardian is not able, by reason of poverty, to properly clothe any such child, it shall be the duty of the school board of the proper district, upon the fact being shown to their satisfaction, to furnish the necessary clothing and pay for the same out of the school fund of such district, by warrant drawn as in other cases, or that such child or children are taught at home in such branches as are usually taught in the public schools, subject to the same examination as other pupils of the district in which the child resides; or that there is no school taught within two miles by the nearest traveled road.

Mental condition.

Proviso.

School board to furnish necessary clothing.

Pay for the same out of the school funds of the district.

SEC. 3. Any parent, guardian or other person failing to comply with the provisions of section two of this act shall, upon conviction, be deemed guilty of a misdemeanor, and fined in a sum not less than five nor more than twenty-five dollars for each offense; and all fines so collected shall be paid into the county treasury and placed to the credit of the school district in which the offense occurs.

Any person failing to comply shall be deemed guilty of a misdemeanor. Fine.

Credit of school district.

SEC. 4. It shall be the duty of any school director of the district to inquire into all cases of neglect of the duty prescribed in this act, and ascertain from the person neglecting, the reason, if any, therefor; and he shall forthwith proceed to secure the prosecution of any offense occurring under this act; and any director neglecting to secure such prosecution for such offense, within ten days after a written notice has been served on him by any taxpayer in said district, unless the person so complained of shall be excused by the district board of education for the reasons hereinbefore stated, shall, upon conviction, be deemed guilty of a misdemeanor, and fined in a sum not less than ten nor more than fifty dollars; and such fine, when collected, shall be paid into the county treasury and placed to the credit of the school district in which the offense occurs. All actions for offenses committed under this act shall be prosecuted for in the name of The State of Colorado.

Inquire into all cases of neglect.

Prosecution of any offense.

Within ten days.

Unless the person is excused.

Misdemeanor.

Fined.

Prosecuted.

SEC. 5. That upon the trial of any offense as charged herein, before any court of competent jurisdiction, if it shall be determined that such prosecution was malicious,

Malicious prosecution.

then the costs in such case shall be adjudged against the complainant and collected as fines in other cases.

Equivalent.

SEC. 6. Two weeks' attendance, at half time or night school, shall be considered within the meaning of the article equivalent to an attendance of one week at a day school.

AN ACT

TO ESTABLISH, GOVERN AND MAINTAIN A STATE NORMAL SCHOOL.
APPROVED APRIL 1, 1889.

Be it enacted by the General Assembly of the State of Colorado:

Establishment
of a state nor-
mal school.

SECTION 1. A State Normal School is hereby established at or near the city of Greeley, in the county of Weld and State of Colorado, the purpose of which shall be instruction in the science and art of teaching, with the aid of a suitable practice department, and in such branches of knowledge as shall qualify teachers for their profession; *Provided*, That a donation shall be made of a site for said State Normal School, consisting of forty acres of land with a building erected thereon, according to plans and specifications furnished by the State Board of Education, and to cost not less than twenty-five thousand dollars, ten thousand dollars of which shall be paid by the State, as hereinafter provided.

Proviso.

Donation of 40
acres of ground
for site.

Plans and
specifications.

School to be
under control
of board of six
trustees.

SEC. 2. Said school shall be under the control of a board of six trustees; the said board shall be and is hereby declared a body corporate by the name and style of "The Trustees of the State Normal School," and as such and by its said name may hold property for the use of said school, be party to all suits and contracts, and do all things thereto lawfully appertaining, in like manner as municipal corporations of this State. The said trustees and their successors in office shall have perpetual succession, shall have a common seal, and may make by-laws and regulations for the well ordering and government of the said corporation and its business not repugnant to the constitution and laws of the State.

May hold
property, be
party to suits,
etc.

May make
by-laws, etc.

Governor shall
appoint six
trustees.

SEC. 3. The Governor shall, upon the approval of this act, appoint, by the advice and with the consent of the senate, the six trustees mentioned and provided in this act, two of whom shall be appointed for the term of two

years, two for the term of four years and two for the term of six years. Their terms of office shall begin from their appointment and qualification, and shall continue for the period for which they shall be so appointed, and until their successors are appointed and qualified. Every two years after the first appointment aforesaid, two trustees shall be appointed in like manner to succeed those whose terms are first thereafter to expire. Every trustee so appointed shall take and subscribe the oath of office prescribed by the constitution of this State before entering upon the duties of his office, which oath shall be placed and kept on file in the office of the Secretary of State. The Superintendent of Public Instruction shall be, *ex officio*, a member of the board of trustees of the said State Normal School.

Terms of office.

Every two years two trustees are to be appointed.

Oath of office.

Kept on file.

SEC. 4. Said normal school is hereby constituted an integral part of the public school system of this State, and shall stand upon the same basis as to apportionment of State school funds as union high schools, and shall be subject as such to the general supervisory powers vested by the constitution in the State Board of Education.

Is constituted an integral part of the public school system.

Apportionment of school funds.

SEC. 5. Subject to the constitutional powers of the State Board of Education, the Trustees of the State Normal School shall have the general supervision of the State Normal School, and the control and direction of its funds and the appropriations therefor. They shall have power to appoint a faculty, consisting of a principal and assistant principal, and such other professors as may be required therein; they may also appoint such assistant teachers as are found necessary. They shall also have power to remove said principal or assistant principal, or any professor, teacher or employe in or about said school, and to appoint or employ another or others instead; to fix the salaries of each and to prescribe their several duties. They shall, with the advice and consent of the faculty, prescribe the various books to be used in said school, the courses of study and instruction, which in no case shall cover a period of less than three years, and shall make all needful rules, regulations and by-laws for the good government and management of the same.

Trustees have general supervision, control and direction of its funds.

Have power to appoint a faculty.

Assistant teachers.

Power to remove principal, assistants and employes.

Fix salaries and prescribe their duties.

Books, courses of study and instruction.

Rules, regulations and by-laws.

SEC. 6. Said board of trustees shall also have power, and it shall be their duty from time to time, as means shall be provided and placed at their disposal, to provide suitable grounds and buildings, either by donation, purchase or lease, for the use of said school, and, in their dis-

Provide suitable grounds and buildings.

Needful apparatus, books, etc.

cretion, shall also provide all proper and needful apparatus, books, articles and things for teaching and illustrating the branches of study authorized in said school.

Qualifications for admission.

Examination by faculty.

File a declaration.

SEC. 7. The said board of trustees shall prescribe the qualifications for admission of students to said normal school. Every applicant for admission shall undergo an examination by the faculty of said school, and if it shall appear that such applicant is not a person of good moral character, or fails to pass such examination, such applicant shall be rejected. Each applicant, except as hereafter provided, shall, prior to his or her admission, also sign and file with the board of trustees a declaration to engage in the business of teaching in the public schools of this State.

Open to all persons residents of this state.

Open to other persons upon payment of tuition.

Fees for admission to practice department.

Election of officers every year.

President.

Secretary.

Secretary shall give bond.

Bond filed.

Secretary can not receive money or property of school until bond is executed.

Ex officio treasurer.

SEC. 8. The State Normal School shall be open, subject to its regulations, to all persons resident in this State, sixteen years of age and upward, without charge for tuition; and to other persons under such regulations as the board of trustees may prescribe, upon payment of a rate of tuition to be fixed by said board, and without the aforesaid declaration of intention to teach in the public schools of this State; said board of trustees shall also fix the fees for admission of pupils to the practice department of said normal school.

SEC. 9. The board of trustees shall elect from among their number, at the first and every succeeding annual meeting of said board, a president, who shall preside at all meetings and perform such duties as are incumbent upon such office. The board shall also elect a secretary, who shall not be a member of the board, and who shall hold office for the term of one year, and until his successor shall be elected and qualified. The said secretary shall give bond, in a sum to be fixed by the Superintendent of Public Instruction, for the faithful handling and true accounting and delivery of all moneys and property of said school coming to his hands or control, which bond shall be filed with the Secretary of State, after approval of the sureties thereon by the said board of trustees. No secretary elected as aforesaid shall receive into his possession or control any money or property of said normal school until after he shall have executed his bond and the same shall have been approved and filed as aforesaid. The State Treasurer shall be, *ex officio*, treasurer of the State Normal School.

SEC. 10. The State Normal School is authorized to grant diplomas to such students as shall have completed the full course of instruction in said normal school, shall have been recommended by the faculty and shall have passed a final examination upon the branches embraced in the prescribed course of study; such examination to be conducted by the examining board, consisting of the State Superintendent of Public Instruction, a county superintendent of schools within the State, appointed for the purpose by the Governor, and the principal of said school. Such diploma, when signed by the members of said examining board and the president and secretary of the board of trustees, shall be evidence that the receiver thereof is a graduate of the State Normal School, and entitled to all the honors and privileges of such graduates.

Grant diplomas to students.

Pass final examination.

Examination conducted by examining board.

Graduate of state normal school.

SEC. 11. The said diploma shall license the receiver thereof to teach in any of the public schools of this State, when a certified copy thereof shall have been filed in the office of the county superintendent of schools in the county wherein such graduate is teaching or proposes to teach. Such license may be annulled by the State Superintendent of Public Instruction, who shall give immediate notice thereof to the several county superintendents of the State, and such license may be suspended in any county by the superintendent of schools for such county, pending the action of the Superintendent of Public Instruction.

Diploma shall license receiver to teach.

May be annulled.

Give notice.

May be suspended in any county.

SEC. 12. No fee shall be charged or received for any diploma or certificate authorized by this act.

No fee shall be charged.

SEC. 13. The trustees of said normal school shall be entitled to receive five dollars per day and their necessary traveling expenses, when actually employed in the performance of their duties as such trustees.

Trustees to receive \$5 per day.

SEC. 14. The board of trustees of the said normal school shall have power to receive, demand and hold for the uses and purposes of said school such money, lands or other property as may be donated or devised for or thereto, and to apply the same, within the powers conferred by law, in such manner as shall best subserve the interests and objects of said normal school.

Trustees have power to receive, demand and hold money or property.

Apply the same.

SEC. 15. The funds and revenues for the establishment and maintenance of said normal school, for the payment of its officers, teachers and employes, and for all purposes incident thereto or necessary for the proper founding, shall be appropriated.

Funds and revenues for establishment and maintenance of school shall be appropriated.

continuance and successful conduct thereof, shall be appropriated and apportioned in such manner as the general assembly shall by law provide.

Trustees shall file a report by August 1, each year.

Annual report made upon blanks prepared by superintendent of public instruction.

Number of students, age, sex, etc.

Attendance.

Curriculum of instruction.

Number of students in each department and class.

Names and number of teachers.

Names of employes and wages paid each.

Financial statement classified and itemized.

Estimate of expenditures for next ensuing year.

SEC. 16. The Trustees of the State Normal School shall make and file with the State Board of Education, on or before the first day of August in each year, a report of the affairs and conduct of said normal school during the year last preceding such report. Said annual report shall be made upon blanks prepared by the Superintendent of Public Instruction, and shall include the following, viz:

First—The number of students enrolled during the preceding year, their sex, age, residence and place of birth.

Second—The attendance each day; the average attendance for each week and term, and during the year; the number of days the school was taught in the year.

Third—The full curriculum of instruction in said school; the classification and departments thereof; the branches taught; time devoted to each; text-books and apparatus in use; number of books in the library; requirements for admission and graduation, with dates and requirements for examinations.

Fourth—The number of students in each department and class; number of diplomas granted, and to whom; number, names and residence of graduates; number of suspensions and expulsions, and cause of same.

Fifth—The names and number of teachers in each class and department, length of time each has been employed, and salary paid to each.

Sixth—Names, individual employment and number of all other employes in and about the school, with rate and amount of wages paid to each.

Seventh—A full financial statement, classified and itemized, of the business department of the school and corporation, covering receipts and expenditures from and by all sources, and in such form as to show the average cost of the school per month for each pupil, and in gross for the year; cash on hand or deficit at the beginning and end of year.

Eighth—An estimate of necessary expenditures, ordinary and special, for the next ensuing year.

Ninth—Such other particulars as the said board of education may require, necessary to a fair and complete showing and fair understanding of all the affairs of said normal school.

Said report shall be signed by the president and secretary of the said board of trustees, and verified by the oath of one or more of their number.

Report shall be signed by president. Verified by oath.

SEC. 17. There is hereby appropriated, out of any moneys not otherwise appropriated, belonging to the general fund, the sum of twenty thousand (20,000) dollars, ten thousand (10,000) dollars for the completion of the school building and ten thousand (10,000) dollars for the purpose of furnishing the said normal school building hereinbefore provided for, and for the purpose of carrying on the said school during the year 1890; *Provided*, That said appropriation shall not be available until the site mentioned in section one of this act shall have been donated, as therein provided, and shall be drawn only upon the order of the board of trustees of the State Normal School, approved by the State Board of Education.

\$20,000 appropriated for the completion and furnishing of school buildings.

Proviso.

AN ACT

TO PROVIDE FOR THE ASSESSMENT, LEVY AND COLLECTION OF A STATE TAX, FOR THE SUPPORT AND MAINTENANCE OF CERTAIN STATE EDUCATIONAL INSTITUTIONS, MENTIONED THEREIN; TO DEFINE THE DUTIES OF THE COUNTY TREASURER IN CONNECTION THEREWITH; TO PROVIDE FOR THE ELECTION OF A TREASURER OF EACH OF SAID INSTITUTIONS, DEFINE HIS DUTIES AND TO REPEAL ALL ACTS AND PARTS OF ACTS INCONSISTENT THEREWITH. APPROVED MARCH 17th, 1891.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. There shall be assessed and levied annually upon all the taxable property in the State, taxes for the support and maintenance of certain State educational institutions, as follows: One-sixth of one mill on each dollar of the assessed valuation of the taxable property of the State for the use of the Agricultural College and to be known as the Agricultural College Fund; one-sixth of one mill on each dollar of the assessed valuation of the taxable property of the State for the use of the State School of Mines, to be known as the School of Mines Fund; one-sixth of one mill on each dollar of the assessed valuation of the taxable property of the State for the use of the State Normal School to be known as the Normal School Fund; one-sixth of one mill on each dollar of the assessed valuation of the taxable property of the State for the use of the Institute for Mute and Blind, to be known

State tax for certain educational institutions.

Agricultural college.

State school of mines.

State normal school.

Institute for mute and blind.

as the Mute and Blind Fund; such taxes shall be levied and collected at the same time and in the same manner provided by law for assessment and collection of other State taxes.

County treasurer shall keep separate accounts.

State auditor shall draw warrant in favor of treasurer of said institutions.

SEC. 2. It shall be the duty of every county treasurer in the State to keep separate account of all taxes collected in pursuance of this act, and transmit the same to the State Treasurer monthly as separate funds for the exclusive use of said State educational institutions and the State Auditor shall, upon the order of the president of the boards of trustees of such institutions, countersigned by the secretary, draw his warrant upon said funds in favor of the treasurer of the said institutions respectively. The taxes so collected and paid to the treasurers of the said institutions shall be applied exclusively to the support, use and benefit of the same for payment of salaries and expenses thereof, and the erection and completion of such buildings as shall be determined upon by the several boards of trustees.

Boards of trustees shall elect treasurer.

SEC. 3. The several boards of trustees of said institutions shall each elect a treasurer, who shall hold his office at the pleasure of the board. He shall keep a true account of all moneys received and paid out by him, and shall pay all warrants duly signed by the president and countersigned by the secretary of the board in their order of presentation; and before entering upon the duties of his office, as treasurer, he shall take and subscribe an oath that he will faithfully perform the duties of treasurer; and shall also give a bond in the penalty of not less than twenty-five thousand dollars, conditioned for the faithful discharge of his duties as treasurer; and that he will at all times keep and render a true account of all moneys and other valuables received by him as such treasurer, and of the disposition he has made of the same; and that he will at all times be ready to discharge himself of the trust and to deliver up when requested by said board, all moneys, notes, bonds and other valuables entrusted to him: which bond shall have two or more good securities, and shall be approved as to its form and the sufficiency of its sureties by the board of trustees and the Secretary of State, who shall endorse their approval on the same, and it shall be filed in the office of the Secretary of State. No member of the board of trustees of any of said institutions shall be eligible to the office of treasurer.

Oath.

Bond.

Approved by.

Filed with secretary of state.

SEC. 4. That general sections numbered 15, 16, 17, 18, 19 and 20, concerning the State Agricultural College; 2444, 2445, 2446, 2447 and 2448, concerning the Mute and Blind Institute; and 3108, 3109, 3110, 3111 and 3112 concerning the State School of Mines; of the General Statutes of the State of Colorado, together with all other acts and parts of acts inconsistent with the provisions of this act, be and the same are hereby repealed. ^{Repealing clause.}

SEC. 5. Whereas in the opinion of the general assembly ^{Emergency.} an emergency exists; therefore this act shall take effect and be in force from and after its passage.

AN ACT

TO PROVIDE FOR THE PAYMENT OF SCHOOL ORDERS BY THE COUNTY TREASURER, AS SOON AS THERE IS MONEY ON HAND FOR THE PAYMENT OF THE SAME. APPROVED MARCH 29, 1887.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. It shall be the duty of the county treasurer of each county in this State, when there are sufficient funds to the credit of any school district, or to the credit of any school fund of any such district, to pay in full the principal and interest of any orders which may be on such fund, in the order of their registration, and if at any time there shall be two hundred dollars in the hands of such treasurer, to the credit of any such fund, it shall be his duty to cause to be published in some newspaper published at the county seat of such county, for twenty days, a notice that certain school orders (describing same by numbers and amounts) will be paid upon presentation, and at the expiration of said twenty days' advertisement, such orders shall cease to bear interest.

AN ACT

TO PROVIDE FOR THE PAYMENT OF SALARIES TO CERTAIN OFFICERS, TO PROVIDE FOR THE DISPOSITION OF CERTAIN FEES, AND TO REPEAL ALL ACTS INCONSISTENT THEREWITH. APPROVED APRIL 6, 1891.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. For the purpose of providing for and regulating the compensation of county and other officers, the

Classification
of counties.

several counties of this State shall be classified with reference to population and divided into five classes, as follows: Arapahoe county shall be first class. El Paso and Pueblo counties shall be second class. Boulder, Lake, Larimer, Las Animas, Pitkin and Weld counties shall be third class. Chaffee, Clear Creek, Conejos, Costilla, Douglas, Eagle, Fremont, Garfield, Gilpin, Gunnison, Huerfano, Jefferson, La Plata, Logan, Mesa, Montrose, Otero, Ouray, Park, Rio Grande, Saguache and San Miguel counties shall be fourth class. Archuleta, Baca, Bent, Cheyenne, Custer, Delta, Dolores, Elbert, Grand, Hinsdale, Kiowa, Kit Carson, Lincoln, Montezuma, Morgan, Phillips, Prowers, Rio Blanco, Routt, San Juan, Sedgwick, Summit, Washington and Yuma counties shall be fifth class. The counties of the fourth class shall be divided into two divisions known as "A" and "B." The counties comprising division "A" shall be Chaffee, Clear Creek, Conejos, Fremont, Garfield, Gilpin, Huerfano, Jefferson, La Plata, Mesa, Otero and Ouray, and the counties comprising division "B" shall be Costilla, Douglas, Eagle, Gunnison, Logan, Montrose, Park, Rio Grande, Saguache and San Miguel.

* * * * *

Salary of
county super-
intendent.

In first class
counties.

In second
class counties.

In all other
counties.

SEC. 14. County superintendents of schools in the several counties of this State, shall receive the following compensation for their services to be paid quarterly out of the county treasury, to-wit: In counties of the first class, the sum of three thousand dollars per annum. In counties of the second class, the sum of twenty-five hundred dollars per annum. In counties of all other classes, the sum of five dollars per day, actually and necessarily employed for the county, and ten cents per mile for each mile actually and necessarily traveled in the performance of duty.

* * * * *

Apply to
officers here-
after elected.

Repealing
clause.

SEC. 25. This act shall not be construed to affect those now in office during their present term of office but shall apply to all officers hereafter elected or appointed.

SEC. 26. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

AN ACT

TO AUTHORIZE SCHOOL DIRECTORS TO PURCHASE AND DISPLAY UNITED STATES FLAGS UPON SCHOOL BUILDINGS. APPROVED MARCH 26, 1891.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. The school directors of the several school districts in this State may purchase or cause to be purchased a suitable American flag of standard bunting, not less than eight by twelve (8x12) feet in size, and they may erect and maintain or cause to be erected and maintained upon each public school building or the grounds belonging thereto, a suitable flag-staff with the necessary appliances for displaying said flags, and may cause said flag to be displayed upon said staff upon all National and State holidays, the first and last days of each school term; and such other occasions as such school directors shall prescribe.

School directors may purchase flag.

Displayed when.

SEC. 2. Every school within this State may have placed and kept in a conspicuous position in each department thereof at least one American flag of standard bunting, not less than three by five (3x5) feet in size.

Flag three by five feet in size.

SEC. 3. It shall be lawful for the school directors of each school district in this State to pay for said flags and staffs and to provide for the proper care and maintenance of the same, from any special school funds which they may have in their hands or which may be subject to their order, or to include the expense thereof in the next annual estimate for school expenses, or in any tax levy for school purposes; and the expense thereof for any public school shall be met by said directors or other officers charged with the duty of raising or appropriating any money for school purposes as any other necessary expenses or expenditures for school purposes are raised.

To be paid for by the directors.

SEC. 4. This act shall be held to apply to all institutions directly or indirectly under the control of the State of Colorado or any of its officers, and it shall be the duty of such officer or officers to see that this act is complied with.

Apply to all institutions under control of the state.

SEC. 5. Any person who shall wilfully injure, deface, or destroy any flag, flag-staff, or other materials placed in any room or building or upon any building or school grounds for the carrying out of this act, shall be deemed guilty of a misdemeanor and punished accordingly.

Misdemeanor to deface or destroy.

SEC. 6. It shall be the duty of the Superintendent of Public Instruction to publish this act in connection with the school law of this State.

To be published with school law.

BLANK FORMS

FOR THE USE OF

SCHOOL OFFICERS AND TEACHERS.

No. 1.—FORM OF OATH OF SCHOOL OFFICERS.

(See Sections 13, 22 and 47.)

STATE OF COLORADO, }
County of..... }

I,....., do solemnly swear (or affirm)
that I will faithfully perform the duties of.....
of School District No....., in the County of.....,
to the best of my skill and ability; and that I will care-
fully keep and preserve all records, books and other prop-
erty of the said district that may come into my hands,
and deliver the same to my lawful successor in office; and,
further, that I will support the Constitution of the United
States, and the Constitution of this State, and the Laws of
this State, made in pursuance thereof; so help me God.

C..... D..... [SEAL]

Subscribed and sworn to before me this.....
day of....., 189....

E..... F.....

REMARKS.—The foregoing oath should be taken before
a county superintendent, notary public, justice of the
peace, or some officer duly authorized by law to administer
oaths. The county superintendent's oath should be filed
with the county clerk within thirty days after his elec-
tion, and the oath of district officers should be filed with
the county superintendents within thirty days after their
election.

No. 2.—FORM OF COUNTY SUPERINTENDENT'S BOND.

(See Section 13.)

Know all Men by these Presents, That we, A.....
B....., C..... D....., and E..... F.....,
of the County of....., and State of Colorado, are
held and firmly bound unto The People of the State of

Colorado, in the full and just sum of.....dollars, lawful money of the United States, to which payment, well and truly to be made, we bind ourselves jointly and severally, our joint and several heirs, executors and administrators, firmly by these presents.

In Witness Whereof, We have hereunto set our hands and seal this.....day of....., A. D. 189....

The condition of the foregoing obligation is such, That, whereas, the above bounden A..... B..... was, on the.....day of....., A. D. 189...., duly elected (or appointed, if that be the case) County Superintendent of Schools of the county aforesaid, for the term of.....;

Now, Therefore, If the said A..... B..... shall faithfully perform all the duties of said office according to the laws which now are, or may hereafter be in force, and shall render a just and true account of all money or other property which may come into his hands or under his control as superintendent of the schools of said county, and shall deliver over to his successor in office all moneys, books, papers and property in his hands as such County Superintendent, then this obligation shall be void; otherwise it shall remain in full force.

A..... B..... [SEAL]

C..... D..... [SEAL]

E..... F..... [SEAL]

Signed, sealed and delivered in the presence of

L..... M.....

O..... P.....

REMARKS.—The penal sum named in the bond is to be fixed by the board of county commissioners, but in no case shall the sum be less than \$2,000.

No. 3.—FORM OF A PETITION OF PARENTS AND GUARDIANS WHO DESIRE TO FORM A NEW DISTRICT FROM PARTS OF ONE OR MORE OLD ONES.

(See Section 27.)

To.....,

County Superintendent of Schools,.....*County*:

We, the undersigned, residents of district (or districts) No....., respectfully represent that we desire to form a new district, with boundaries as follows, viz: [Here describe the proposed bounds, following government lines

as far as practicable.] We further declare that, collectively, we are the parents or guardians of at least ten children of school age, and we hereby certify that the list of names of persons of school age which is attached to and made a part of this petition, is a correct list of all such persons residing in the proposed district.

NAME.	NAME.

NAMES OF PERSONS OF SCHOOL AGE.	

REMARKS.—Give post-office address of some or all signers. The list of children should be carefully filled up by some person interested in the change before the paper is circulated for signatures.

No. 4.—FORM OF ORDER DIRECTING A PETITIONER TO GIVE NOTICE OF THE FORMATION OF A NEW DISTRICT.

(See Section 27.)

OFFICE OF
COUNTY SUPERINTENDENT OF SCHOOLS, }
-----COUNTY, COLORADO.

To C-----D-----:

You are hereby notified that I have received a petition signed by yourself and others, informing me that you desire to form a new school district of the territory described as follows, to-wit: [*Description as above.*] In order that the wishes of the residents of said proposed district may be ascertained, you will please notify, by personal service as far as convenient, each elector residing therein, and also post notices in three public places (one of which shall be the place of meeting) that such a petition has been made, and that a meeting will be held, naming the time and place of such meeting, to determine whether such district shall be formed. You will, also, please notify me by mail of the time and place of such meeting.

Respectfully yours,

-----,
County Superintendent.

REMARKS.—In the formation of a new district, every step should be strictly in accordance with the law.

The notices posted should contain a clear description of the proposed district.

No. 5.—FORM OF NOTICE FOR A MEETING TO ORGANIZE A NEW DISTRICT.

SCHOOL DISTRICT MEETING.

To all whom it may concern:

WHEREAS, It is proposed to organize a new school district of that part of-----county, described as follows, to-wit: [*Description.*] Notice is hereby given, as

per direction of the County Superintendent of Public Schools of said county, that a meeting of the electors residing within the boundaries aforesaid will be held at -----, on the ---- day of -----, A. D. 189----, at ----- o'clock ---- M., when a vote will be taken by ballot, on the question whether or not the proposed district shall be organized. If the vote shall be in the affirmative, a Board of Directors will then be elected.

By order of -----, County Superintendent of Schools.

C----- D-----

Dated -----, 189----

REMARKS.—After the organization, a copy of the notice and of the proceedings of the meeting should be sent to the county superintendent.

The ballot box should be kept open long enough to give every elector an opportunity to vote—never less than three hours.

If the proceedings were in accordance with the law, the county superintendent should number and record the district, and notify the secretary of his action.

No. 6.—FORM OF BOND TO BE GIVEN BY THE SECRETARY OR TREASURER OF EACH SCHOOL DISTRICT.

(See Section 47.)

STATE OF COLORADO, }
County of ----- } ss.

Know all men by these presents, That we, A----- B-----, principal, and C----- D-----, and E----- F-----, sureties, are held and firmly bound unto School District No.-----, in the county of -----, State of Colorado, in the full sum of ----- dollars, lawful money of the United States, to which payment, well and truly to be made, we bind ourselves jointly and severally, our joint and several heirs, executors and administrators, firmly by these presents.

In witness whereof, We have hereunto set our hands and seals this ----- day of -----, A. D. 189----

The condition of the foregoing obligations is such, That, whereas, the above bounden A----- B----- was, on the ----- day of -----, A. D. 189----, duly elected (or appointed) Secretary (or Treasurer) of School District No.-----, in the county of -----, and State of Colorado, for the term of -----

Now, therefore, If the said A-----B----- shall faithfully discharge all the duties of said office, according to the laws which now are, or which may hereafter be in force, and shall faithfully apply all moneys which may come into his hands by virtue of said office, and shall deliver over to his successor in office all moneys, books, papers and property in his hands as said officer, within ten days after the same shall have been demanded by such successor, then this obligation shall be void; otherwise it shall remain in full force.

A-----	B-----	[SEAL]
C-----	D-----	[SEAL]
E-----	F-----	[SEAL]

Signed, sealed and delivered in presence of

L-----	M-----
X-----	Y-----

REMARKS.—The penal sum named in the above bond should be *at least twice the amount* likely to be in the hands of the officer at any one time during his term of office.

The bond must be filed with the county superintendent.

No. 7.—FORM OF REQUEST TO BE MADE BY TEN LEGAL VOTERS OF A DISTRICT, TO THE BOARD OF DIRECTORS, FOR THE CALLING OF A SPECIAL MEETING.

(See Section 62.)

To the Board of Directors of School District No.-----, in
-----County, Colorado:

The undersigned, legal voters of School District No.-----, in-----county, Colorado, request you to call a special meeting of said district for the purpose of

Dated this-----day of-----, A. D. 189----

A-----	B-----
C-----	D-----
E-----	F-----
G-----	H-----
L-----	M-----
O-----	P-----
Q-----	R-----
S-----	T-----
U-----	V-----
W-----	X-----

No. 8.—FORM OF NOTICE OF SPECIAL MEETING.

(See Sections 62 and 63.)

NOTICE.—A special meeting of the legal voters of School District No. _____, in the County of _____, called on the written request of ten legal voters (or called by the district board, as the case may be), will be held at (the district school-house or other place) on the _____ day of _____, 189____, at _____ o'clock (P. M.), for the purpose of (here specify every item of business that is to be brought before the meeting.)

A. _____ B. _____

Secretary.

Posted _____, 189____

REMARKS.—This notice should be posted at least twenty days previous to the meeting, in three separate public places within the district, and a copy furnished to the teachers of each school in the district, to be read once in the presence of the pupils.

Business not specified in this notice can never be lawfully transacted at such special meeting.

No. 9.—FORM OF NOTICE OF ANNUAL MEETING.

(See Section 44.)

Notice is hereby given, That the annual meeting of the legal voters of School District No. _____, in the County of _____, will be held (at the school house or other place) on Monday, the _____ day of May, 189____, for the purpose of electing (one or more) directors, as provided by law.

The ballot-box will be opened at the hour of _____ M., and close at the hour of _____ M., and at _____ M. the meeting will be organized for the transaction of any other business pertaining to school interests that may be brought before it.

Secretary School District No. _____,

Posted April _____, 189____

County of _____

REMARKS.—The secretary of the district should give at least six days' previous notice of the regular meetings of the district (see Section 44), and should post the notices and furnish a copy to the teachers in the same manner as for special meetings.

No. 10.—FORM FOR RECORDING PROCEEDINGS OF A MEETING HELD FOR THE PURPOSE OF ORGANIZING A NEW SCHOOL DISTRICT.

(See Sections 27 and 28.)

-----, 189---

On the-----day of-----, 189--, a petition, of which the following is a true copy, was made to X-----Y-----, County Superintendent of Public Schools of-----county, to-wit: [*Here copy the petition.*] Whereupon the said County Superintendent issued an order, of which the following is a copy, to-wit: [*Here insert a copy of the order.*] In obedience to which order the following notice was posted, as required by section twenty-seven of the School Law, to-wit: [*Here insert a copy of the notice.*]

In pursuance of the above notice, the electors of the proposed new school district assembled at-----at-----o'clock-----M. The meeting was called to order by A-----B-----, and, on motion, C-----D-----was elected chairman, and E-----F-----secretary. On motion, G-----H-----was elected to act with the chairman and secretary as judges of the election. On motion of K-----L-----, the electors began to vote by ballot upon the question of forming a new school district. The ballot box remained open for the reception of votes from-----o'clock-----M., until-----o'clock-----M. Upon counting the ballots, it was found that-----ballots were cast, of which-----were in favor of the organization and-----against.

On motion of J-----K-----, the meeting proceeded to elect, by ballot, a Board of Directors. The following are the names of the persons voting: [*Here record the names of the persons voting.*] The ballot resulted in the election of C-----D-----president, E-----F-----secretary, and G-----H-----treasurer, etc., etc.

On motion of C-----D-----the meeting adjourned
sine die.

C-----D-----,

Attest: E-----F-----, *Chairman.*

Secretary.

REMARKS.—A copy of the proceedings should be sent to the county superintendent, together with the certificate of some elector, that the notice of the meeting was posted in three public places, as required by law. The person

who posted the notice should sign the certificate of posting.

If the district is formed from unorganized territory, the secretary must send with this report a certified list of the names of persons of school age residing in the district.

A permanent record of the proceedings should be made in the secretary's book.

No. 11.—FORM FOR RECORDING PROCEEDINGS OF A REGULAR
OR SPECIAL MEETING OF THE DISTRICT.

-----189----

The regular (or special, as the case may be,) meeting
of School District No.-----, in-----county,
Colorado, convened at-----, at-----o'clock (P. M.),
pursuant to previous notice given by the District Secretary.

The meeting was called to order by the President.

The Secretary being absent, on motion of Mr. A-----,
C-----D-----was elected Secretary *pro tem*.

Mr. S-----moved that a tax of two mills on the
dollar be voted for the purpose of building a school-house
for the district.

Mr. F-----moved to amend by striking out "two"
and inserting "five," which was agreed to, and the motion
as amended was decided in the affirmative.

Mr. D-----moved that a tax of one mill on the
dollar be levied for the purpose of defraying the contin-
gent expenses of the district.

Motion carried.

On motion of Mr. F-----, the meeting adjourned
sine die.

L-----M-----,

Attest: C-----D-----, *President*.

Secretary.

REMARKS.—Forms 10 and 11 are given with a view of
assisting the inexperienced. Persons familiar with such
duties may vary the form, provided that the proceedings
are *accurately recorded*.

Much depends on the record of the proceedings of the
district meeting; hence it should be correctly made and
carefully preserved.

Under the law, the voting of a tax for any purpose must
be, in each year, "On or before the day designated by law
for the county commissioners to levy the requisite taxes

for the then ensuing year," and school boards certify the same to the county commissioners.

No. 12.—FORM OF COUNTY SUPERINTENDENT'S NOTICE OF APPORTIONMENT TO THE DISTRICT SECRETARY.

OFFICE OF
COUNTY SUPERINTENDENT OF SCHOOLS, {
-----COUNTY, COLORADO. }

To A-----B-----,
Secretary of School District No.-----,
in-----County:

You are hereby notified that I have this day apportioned to your district the sum of-----dollars, of the General School Fund, which amount has been placed to the credit of your district on the books of the County Treasurer.

County Superintendent.

REMARKS.—This notice should be sent immediately after each apportionment.

CONTRACT BETWEEN DIRECTORS AND TEACHER.

This contract, made the-----day of-----,
18-----, between-----and the Board of Directors
of School District No.-----, in the county of-----,
State of Colorado;

Witnesseth, That the said-----, who holds
a legal certificate to teach in the public schools of said
county, in full force and effect, hereby agrees to teach the
public school in said district for the term of-----
months, commencing on the-----day of-----,
18-----, and well and faithfully to perform the duties of
teacher in said school, according to law and the rules
legally established for the government thereof, including
the exercise of due diligence in the preservation of school
buildings, grounds, furniture, apparatus, books and other
school property.

In consideration of said services, properly rendered, the said directors, in behalf of said school district, agree to pay the said ----- monthly the sum of ----- dollars per school month.

Done at a legally convened meeting this ----- day of ----- 18-----.

----- [SEAL]

Teacher.

----- [SEAL]

----- [SEAL]

----- [SEAL]

Directors of School District No.-----

----- *County, Colorado.*

INDEX.

INDEX TO CONSTITUTION.

B

BOARD OF EDUCATION—	ART.	SEC.
who shall constitute	IX.	1
BOARD OF LAND COMMISSIONERS—		
who shall constitute	IX.	9
duties; general provisions.	IX.	10

C

COMPULSORY EDUCATION—		
provisions concerning.....	IX.	11
COUNTY OFFICERS—		
election of.....	XIV.	8
vacancy in office, how filled.....	XIV.	9
qualifications.....	XIV.	10
COUNTY TREASURER—		
duties in relation to school funds of county	IX.	4
election of	XIV.	8
COUNTY SUPERINTENDENT—		
term of office; duties.....	IX.	6
ex officio land commissioner.....	IX.	6
election of	XIV.	8
vacancy in office, how filled	XIV.	9

D

DEBT—		
of school district by loan.....	XI.	7
contracted only by vote of electors.....	XI.	7

E

ELECTORS—		
qualifications of	VII.	1
sex no disqualification in school elections.....	VII.	1
qualified elector only eligible to civil or military office.....	VII.	6

F

FUNDS—PUBLIC SCHOOL OF THE STATE—		
interest only expended.....	IX.	3
how distributed among counties.....	IX.	3
cannot be transferred to other fund.....	IX.	3
custodian	IX.	3
how invested; loss, how supplied.....	IX.	3
from what derived.....	IX.	5
contribution to sectarian institutions prohibited.....	IX.	7

P

PUBLIC INDEBTEDNESS—	ART.	SEC.
restrictions concerning.....	XI.	1, 2
PUBLIC SCHOOLS—		
providing for establishment of.....	IX.	2
age of pupils who may attend.....	IX.	2
at least three months' school in each district.....	IX.	2

Q

QUALIFICATIONS—		
of electors.....	VII.	1
religious test or qualifications prohibited	IX.	8
of county officers.....	XIV.	10
of applicants for any civil or military office.....	VII.	6

R

REGENTS OF UNIVERSITY—		
election; terms of office; body corporate..	IX.	12
shall elect president.....	IX.	13
shall have control of funds of University ..	IX.	14

S

SCHOOL DISTRICTS—		
organization of; general provisions....	IX.	15
SUPERINTENDENT OF PUBLIC INSTRUCTION—		
president of State Board of Education.....	IX.	1
member of State Board of Land Commissioners	IX.	9

T

TAXATION—		
what property exempt.....	X.	5
TEXT BOOKS—		
prohibition in regard to.....	IX.	16

INDEX.

A

ACCOUNT—	SEC.	PAGE.
of district expenses to be kept by secretary.....	56	33
of warrants issued by district, kept by district treasurer....	58	34, 35
of each district to be kept separate by county treasurer.....	68	39
ACTS—		
to prevent frauds in the letting of public contracts.....		51
to provide for the study of the nature of alcoholic drinks, etc. . . .		52
relating to reports of the officers of State educational institu- tions.....		52, 53
to establish Arbor Day.....		53, 54
to secure to children the benefit of elementary education....		54-56
to establish, govern and maintain a State normal school.....		56-61
to provide for the assessment, levy and collection of a State tax for the support and maintenance of certain educa- tional institutions, etc.....		61-63
provide for the payment of school orders by county treas- urer, etc.....		63
provide for the payment of salaries to certain officers, etc....		63, 64
to authorize school directors to purchase flags.....		65
ACTS REPEALED—		
Sec. 98, page 50; sec. 4, page 63; sec. 26, page 64.		
ADJOURNMENT—		
school boards, adjourned meetings of.....	50	30
of district meetings.....	63	37
AFFIDAVIT—		
of county superintendent to bill.....	25	19
of secretary to census list.....	54	32
in case of appeals.....	83, 84, 85	45
AGE—		
of voter at school election.....	45	28
of persons included in school census.....	54	32
of deaf mutes included in school census.....	55	33
of children entitled to attend public school.....	77	42
school age defined.....	80	43
ALCOHOLIC DRINKS AND NARCOTICS—		
providing for the study of the nature and effects.....		52
ANNUAL MEETING—		
of state board of education.....	2	10
for election of members of school board.....	44	27
ANNUAL REPORT—		
of county superintendent to state superintendent.....	18	17
of school board to county superintendent.....	51	31
of county treasurer.....	26	19
of district secretary to county superintendent.....	56	33
of district treasurer.....	58	35
of teacher.....	61	36

APPEALS—	SEC.	PAGE.
from county superintendent to state board, by teacher.....	16	16
from district board to county superintendent.....	82	45
how taken; affidavit; time; notice to secretary.....	82-85	45
testimony; transcript; notice to parties.....	85-87	45
from county superintendent to state board.....	88	46
taken within thirty days; transcript.....	88	46
president of board may administer oath.....	88	46
decision of board final.....	88	46
by applicant for certificate of examination from decision of county superintendent to state board.....	88	46
questions and answers examined by board.....	88	46
state board may issue certificates.....	88	46
no judgment for money rendered.....	89	46
APPOINTMENTS—		
of county superintendent in case of vacancy.....	14	14
of district director by county superintendent.....	23, 47	18, 29
of members of high school committee.....	34	24
of judges and clerks of election in first-class districts.....	41	27
of district director, by board in first-class districts.....	48	29
of time and place of teachers' institutes.....	81	44
APPORTIONMENT OF SCHOOL FUNDS—		
by superintendent of public instruction.....	11	14
by county superintendent.....	19	17
by county superintendent of money received from special un- paid taxes due a district on date of its division, to be made monthly; basis of such division.....	32	23
first, after the organization of new district, per capita.....	32	23
in July; basis.....	72	41
basis of all apportionments.....	72	41
by county superintendents, according to census.....	73	41
by county superintendents, when district fails to report census.....	74	41
three months' school in each district, or no portion of school fund.....	75	42
ARBOR DAY—		
act establishing.....		54
ASSESSOR OF COUNTY—		
arrange schedules and books for special school levy.....	67	39
assess property in district found on first day of May.....	67	39
ASSISTANT LIBRARIAN—		
appointment; duties; salary.....	12	14
AVERAGES—		
method of obtaining.....	56	34
B		
BIENNIAL REPORT—		
of state superintendent, when made; contents.....	10, 2	13, 53
of president of State University to state superintendent.....	1	52
of president of State School of Mines to state superintendent	1	52
of president of State Agricultural College to state superin- tendent.....	1	52
of principal of the Mute and Blind Institute to state superin- tendent.....	1	52
BOARD OF DIRECTORS—See Directors.		

BOARD OF EDUCATION—	SEC.	PAGE.
who shall constitute.....	1	10
meeting and powers of.....	2	10
State diploma issued by.....	3	10
State diploma revoked by.....	5	11
shall not render judgment for money.....	89	46
appeal to, from county superintendent; how conducted.....	88	46
shall issue to teacher certificate upon reversal of county superintendent's decision.....	88	46
BONDS OF OFFICERS—See Official Bonds.		
BONDS—SCHOOL DISTRICT—		
meeting for purpose of voting on petition of 20 legal voters..	90	46
notice given 20 days before regular or special meeting.	90	46
taxpayers only can vote.....	90	46
first and second class districts may hold special meetings to vote	90	46, 47
challenge.....	90	47
oath of challenged voter.....	90	47
amount of indebtedness decided by majority vote.....	90	47
aggregate bonded indebtedness not to exceed 3½ per cent. of valuation.....	90	47
form of ballot.....	90	47
by whom issued.....	90	47
interest not to exceed 8 per cent	90	47
redeemable, when.....	90	47
payable, when	90	47
registered in county clerk's office before negotiated.....	91	47
interest paid, how; by whom.....	92	47, 48
principal, how paid.....	92	48
issued under Territorial laws.....	92	48
manner of redemption.....	92, 93	48, 49
change in boundary lines of district does not release property from bond tax.....	95	49
property added to district is liable to tax to pay bonds issued before such addition.....	95	49
shall be sealed, signed and countersigned.....	97	50
refunded with consent of owner.....	99	50
new, may be issued for payment of bonds due.....	99	50
new, issued in payment for bonds due, not to be sold less than 98 per cent. of par value.....	99	50
interest not to exceed eight per cent.....	99	50
when redeemable.....	99	50
question of refunding shall be submitted to electors before bonds are issued.....	102	51
BONDS—UNITED STATES AND STATE—		
owned by district; where deposited; shall be sold by district board to redeem district bonds.....	94	49
interest collected by district treasurer.	94	49
BOOKS—		
county superintendents.....	20	17
blank books furnished by county	25	19
text-books in schools not changed (proviso).....	51	30
furnished to indigent children.....	51	31
immoral books.....	51	31
record book of district secretary.....	54	32
register kept by teacher.....	61	36

	SEC.	PAGE.
BOUNDARY—		
of district; county superintendent to ascertain boundary.....	24	18
of proposed new district, specified in petition.....	27	19
change of, does not release property from bond tax.....	95	49
C		
CENSUS—		
of new districts.....	27	20
annual, when and by whom taken.....	54	32, 33
lists shall be forwarded to county superintendent.....	54	32, 33
certified to by secretary.....	54	32, 33
lists examined by county superintendent.....	55	33
of blind and deaf mutes.....	55	33
school census defined.....	80	43
CERTIFICATES—		
given by county superintendent.....	15, 16	15
temporary, how issued; conditions.....	15, 16	15
grades of ..	16	15
of like grade.....	16	16
first class, how renewed, revoked; cause.....	16	15
by whom issued in joint districts.....	31	23
expiration of, during term.....	60	35
how extended.....	60	35
what branches taught without.....	60	35
State board may issue in case of appeal.....	88	46
COMPENSATION—		
of deputy county superintendent.....	15, 17	15, 17
of county superintendent.....	25, 14	18, 64
of teachers and officers, fixed by board.....	51	30
of county treasurer for collecting special tax.....	96	49
COMPULSORY EDUCATION—		
act relating to.....		54-56
CORPORATION—		
school districts bodies corporate.....	40	25
COUNTY CLERK—		
file bond of county superintendent.....	13	14
shall not omit levy.....	65	38
shall keep register of school district bonds.....	91	47
record cancellation of redeemed bonds.....	92	48
COUNTY COMMISSIONERS—		
appoint county superintendent, when.....	14	14
pay county superintendent, when.....	25	18, 19
shall provide county superintendent with office, etc.....	25	19
levy county school tax.....	64	37
shall cause special tax to be levied when district fails to certify same.....	64	38
levy special school tax.....	67, 70	39, 41
require of county superintendent report of fines.....	69	40, 41
levy special tax to pay interest on bonds.....	92	48
levy special tax to pay bonds.....	92, 101	48, 50, 51
COUNTY SUPERINTENDENT— See Superintendent of County.		

D

DEBT—		
amount voted by district, limit.....	90	47

DECISION—	SEC.	PAGE.
of state superintendent	8	12
of district board, appealed from.....	82	45
of county superintendent, appealed from	88	46
of state board, final.....	88	46
 DELINQUENT TAXES—		
belonging to a district at date of its division.....	32	23
county treasurer shall report amount to county superintendent	66	38
 DIPLOMAS—STATE—		
to whom and by whom issued.....	3	10, 11
examination for, by whom; what branches.....	4	11
granted without examination, conditions.....	4	11
by whom revoked; cause	5	11
 DIRECTORS—BOARD OF—		
may examine teacher to fill vacancies in first-class districts..	16	16
vacancies in board, how filled	23, 47	18, 29
how elected in new districts.....	28	20
term of office	28	20
number in districts of different classes	41	25, 26
organization in districts of first class.....	41	26
powers of, in first and second-class districts	41	26
when changed from second to first-class district, who consti- tute the new board.....	42	26, 27
annual election of	41, 44	25, 27
act as judges of election.....	45	28
may order more than one voting place in first-class districts.	44	27
shall designate where votes shall be counted in first-class districts.....	46	28
shall qualify within twenty days; oath of office, where filed..	47	29
vacancies, how filled in first-class districts.....	48	29
power to make by-laws	48	29
may take and hold one acre for school site.....	49	29, 30
regular and special meetings, when held.....	50	30
 Powers and Duties—		
employ and discharge teachers.....	51	30
determine rate of tuition.....	51	30
determine pay of secretary	51	30
fix course of study.....	51	30
text-books	51	30
provide school house and furniture	51	30
hold real and personal property in trust.....	51	30
suspend and expel pupils	51	30
determine number of months of school.....	51	31
furnish books to indigent children.....	51	31
make annual report to county superintendent.....	51	31
may admit or refuse pupils from other districts	51	31
of first and second-class districts, may establish separate high schools	52	31
president shall preside at meetings of the board.....	53	31
when president is absent, secretary shall preside	53	32
thirty days' absence from district may work vacancy in office	53	32
duties of president	53	32
bond of secretary; amount in different districts	54	32
duties of secretary defined.....	54	32, 33
in third-class districts may call special meeting of electors at any time.....	62	36

DIRECTORS—BOARD OF—Continued.	SEC.	PAGE.
on the petition of ten voters shall call special meeting of electors.....	62	37
shall certify special tax for other school expenses of district.....	64	38
shall certify to county commissioners the amount of special tax.....	67	39
may order levy of one-tenth of a mill for library.....	67	39
shall not issue warrants in excess of levy.....	68	40
cannot reconsider levy of special tax.....	70	41
may appeal from decision of county superintendent.....	83	46
shall sell United States or State bonds to pay district bonds when due.....	94	49
may refund bonded indebtedness.....	99	50
may issue new bonds in payment of old.....	99	50
DISTRICT—		
New—how organized from a portion of one or more old.....	27	19
parents of at least ten children of school age shall petition county superintendent; petition shall describe boundaries.....	27	19
census list.....	27	19, 20
notice of division.....	27	20
from unorganized territory, how formed.....	27	20
census list of same.....	27	20
only legally qualified electors entitled to vote on question of organization; two-thirds vote of those voting required.....	28	20
elect board of directors by ballot.....	28	20
person may be transferred to another district, when, how.....	28	21
district cannot be divided unless it contains more than nine square miles. Division must be made so that not less than fifteen persons of school age be left in old district.....	28	21
first-class districts divided only on vote of electors.....	28	21
two or more contiguous districts, how united into one..	29	21
each district shall vote on question of union at special meeting.....	29	21
union meeting called upon ten days' notice.....	29	21
funds of each district transferred to new.....	29	21
unorganized territory may be annexed to district.....	29	21
a portion of one district annexed to contiguous district by county superintendent, on petition; how.....	29	21, 22
must establish school within six months.....	30	22
county superintendent may extend time to eight months	30	22
may be declared annulled by county superintendent on failure to maintain a school and keep up organization one year.....	30	22
when entitled to money.....	30	22
joint, from territory in two or more contiguous counties.....	31	22, 23
reports of each county separate.....	31	22, 23
how annulled.....	31	23
declared body corporate.....	40	25
classified.....	41	25, 26
legal school district defined.....	42, 43	26, 27
change from second to first class.....	42	26, 27
annual election; more than one voting place in first class....	44	27
county treasurer to keep separate accounts with each district.....	68	39
must maintain school three months or forfeit school fund....	75	42
bonds of, general provisions concerning.....	90-102	46-51
bonded indebtedness not to exceed 3½ per cent. of assessed valuation.....	90	47

DISTRICT—Continued.	SEC.	PAGE.
of first and second class may hold special meetings for purpose of voting bonds	90	46, 47
change in boundary lines does not release property from bond tax.....	95	49
property added to district is liable to tax to pay bonds issued before such addition	95	49

DIVISION—		
of school districts.....	27, 28, 32	19, 21, 23
district cannot be divided unless it contains more than nine square miles. Division must be made so that not less than fifteen persons of school age remain in old district	28	21
of cities and towns	28	21
of first-class districts.....	28	21
of school moneys	32	23

E

ELECTION—		
annual.....	44	27
judges and clerks of, appointed by board in first-class districts.....	44	27
notice of, how given	44	27
notice by two voters	44	27
ballot-box remain open; time	44	27
more than one voting place in first-class districts.....	44	27
judges of, who shall constitute.....	45	28
oath of challenged voter.....	45	28
tic vote.....	46	28
special election, how called.....	46	28
void if no notice be given	46	29
to vote bonds, how called; form of ballot.....	90	46, 47
to vote on refunding; form of ballot	102	51

ELECTORS—		
qualifications of.....	45	28
sex no disqualification.....	45	28
challenge	45	28
powers of, in third-class districts.....	63	37
qualifications of, to vote bonds.....	45, 90	28, 46, 47

EXAMINATION OF TEACHERS—		
by State board for State diploma.....	4	11
by county superintendent; in what branches.....	15	15
to fill vacancies in first-class districts; by whom conducted..	16	16

F

FINES AND FORFEITURES—		
of county superintendent, for neglect.....	21	18
of district secretary, failure to file report.....	56	34
of district treasurer, neglect of duty	58	35
of county officers, for failure to levy tax.....	65	38
of county treasurer, failure to pay over tax.....	66	39
for failure to pay over money	69	40
penalties, fines and forfeitures; how collected.....	69	40
general provisions regarding.....	69	40
of district, failing to maintain three months' school.....	75	42

FORMS—	NO.	PAGE.
oath of school officers.....	1	66
county superintendent's bond.....	2	66, 67
petition to form a new district.....	3	67, 68
notice of formation of a new district.....	4	69
notice of meeting for organization of district.....	5	69, 70
bond of district treasurer or secretary.....	6	70, 71
request for special meeting by ten legal voters.....	7	71
notice of special meeting	8	72
notice of annual meeting.....	9	72
record of meeting for organization.....	10	73
record of regular or special meetings.....	11	74
notification of apportionment by county superintendent.....	12	75
teacher's contract with directors.....		75, 76
FUNDS—	SEC.	PAGE.
public school income, how, when and by whom apportioned..	11	13, 14
county, how, when and by whom apportioned.....	19	17
district, how divided when new district is formed from one or more old.....	32	23
penal, paid to county treasurer; by him credited to general county school fund.....	69	40
general school, cannot be used for building purposes; pro- viso, ten months' school.....	74	41
general; July apportionment, basis of.....	72, 73	41
forfeiture of, by district, account of failure to report census list.....	74	41, 42
forfeiture of, by district; three months' school.....	75	42
Normal Institute, from what derived.....	81	44
custodian; how disbursed.....	81	44, 45
for redemption of bonds.....	93	48, 49
G		
GOVERNMENT OF SCHOOLS—		
rules and regulations for, made by district board.....	51	30, 31
H		
HIGH SCHOOLS—		
union, how established.....	33	23, 24
organized at county seat, how.....	33	24
committee, term of office; vacancies, how filled.....	34	21
secretary of committee, how elected; compensation.....	34	24
meetings of committee.....	35	24
powers and duties of committee.....	36	24
how maintained; funds.....	37	24, 25
deficit, how made up.....	37	25
rated as a separate school district.....	37	25
maintained forty weeks each year	38	25
free, to whom	38	25
what districts represented on committee.....	39	25
separate high schools, how, by whom and when established..	52	31
I		
INSTITUTE— See Normal Institutes.		
INTEREST—		
on bonds issued by district, not to exceed 8 per cent.....	90	47

INTEREST—Continued.	SEC.	PAGE.
where payable.....	90	47
on bonds issued by district.....	92	47, 48
county commissioners shall levy special tax to pay.....	92	47, 48
on U. S. bonds, collected by district treasurer.....	94	49

J

JOINT DISTRICT—		
how formed from two or more contiguous counties.....	31	22
numbered, how.....	31	22
petition made to each county superintendent interested.....	31	22
reports of each county separate.....	31	22, 23
census, when taken.....	31	22
property, where assessed.....	31	22
taxes, where and how collected.....	31	22
teachers' certificates, by whom issued.....	31	23
how annulled.....	31	23

JUDGES OF ELECTION—

in first-class districts appointed by school board, when more than one voting place.....	44	27
president, secretary and treasurer of school board shall act as.....	45	28
vacancy, how filled.....	45	28
shall administer oath to challenged voter.....	45, 90	28, 47
shall transmit report of election to school board.....	46	28

JUDGMENTS—

not rendered for money.....	89	46
-----------------------------	----	----

L

LAWS—See School Laws.

LEGAL HOLIDAYS.....	79	43
---------------------	----	----

LIBRARIES—

school board may levy tax for.....	67	39
------------------------------------	----	----

M

MEETINGS—

of state board.....	2	10
of districts for organization.....	27, 28, 29	20-22
of high school committee.....	35	24
of board of directors, regular.....	50	30
of school boards for purpose of organizing high schools.....	33	23, 24
annual, for election of members of school board.....	44	27
of electors in third-class districts called upon petition of ten voters, or by board.....	62	36, 37
of electors to vote on question of bonded indebtedness, how called.....	90	46

N

NORMAL INSTITUTES—

State divided into thirteen institute districts.....	81	43
classification of counties.....	81	43
held annually in each district.....	81	44
executive committee selected by county superintendents.....	81	44
registration fee.....	81	44
appropriation of two dollars by county commissioners for each person attending from their respective counties.....	81	44

NORMAL INSTITUTES—Continued.		
normal institute fund.....	81	44
State appropriation.....	81	45
qualifications of conductors and instructors.....	81	45
NOTICE—		
thirty days before revoking State diploma.....	5	11
to state superintendent by auditor.....	11	13
to county superintendents of apportionments by state superintendent.....	11	14
of examination of teachers.....	15	15
of meeting for union of two or more districts into one.....	29	21
of meeting for organization of new district.....	27	20
to boards of contiguous districts of meeting to establish union high school.....	33	23, 24
of annual election posted in three public places.....	44	27
by two voters.....	44	27
of special election; election void if not given.....	46	29
of meeting of electors in third-class districts.....	62	37
of district meeting to vote bonds.....	90	46
of payment of bonds.....	92	48
of teachers' institutes.....	81	44
O		
OATH—		
of superintendent of public instruction.....	7	11, 12
of county superintendent.....	13	14
of challenged voter (form).....	45	28
of directors of school districts.....	47	29
of voter at election for voting bonds (form).....	90	47
OFFICIAL BOND—		
of state superintendent of public instruction.....	7	11
amount; by whom approved, with whom deposited.....	7	11, 12
of county superintendent.....	13	14
amount; by whom approved, where filed.....	13	14
of treasurer of district.....	47	29
amount; where filed.....	47	29
of secretary of district.....	54	32
amount; by whom approved; conditions.....	54	32
P		
PRESIDENT OF SCHOOL BOARD—		
duties of.....	53	31, 32
PUBLIC CONTRACTS—		
act concerning.....		51
PUBLIC SCHOOL—		
defined.....	76	42
open for all children, 6 to 21 years old.....	77	42
open at least four months.....	77	42
taught in the English language.....	78	42
German and Spanish to be taught upon petition.....	78	42, 43
PUPILS—		
may be expelled or suspended by board.....	51	30
non-resident; tuition fixed by board.....	51	30
board may require pupils to be furnished with suitable books.....	51	31
admitted from adjoining districts.....	51	31
age of, may attend public schools.....	77	42

Q

QUALIFICATIONS—	SEC.	PAGE.
of applicants for State diploma.....	3, 4	10, 11
of teachers.....	15	15
of voters.....	45	23
of pupils for high schools.....	38	25
of voters to vote bonds.....	45, 90	28, 46, 47
QUARTERLY EXAMINATIONS—		
when, where, and how conducted.....	15	15

R

RECORDS--		
of county superintendents.....	16, 20	16, 17
of district boundaries.....	24	18
of district secretary.....	56	33
REGISTER—		
kept by teacher.....	61	36
of bonds, by county recorder.....	91	47
of United States bonds, by secretary.....	94	49
REPAIR SCHOOL HOUSES--		
by directors.....	51	30
by vote of the people.....	63	37
REPORT--		
of superintendent of public instruction.....	10	13
of county superintendent to same.....	18	17
to county commissioners.....	21	18
by district secretary.....	56	33, 34
by teachers.....	61	36
by county treasurer, quarterly.....	66	38

S

SALARY—		
of assistant librarian.....	12	14
of county superintendent.....	25, 14	18, 19, 64
of district secretary.....	51	30
SCHOOL AGE—See Age.		
SCHOOL—		
normal, act establishing.....		56-61
public, definition of.....	76	42
general provisions concerning.....	76-80	42, 43
SCHOOL DISTRICTS—See District.		
SCHOOL HOUSE—		
board may take and hold one acre for.....	49	29, 30
built by the board on order of the district.....	51	30
site selected by electors.....	63	37
SCHOOL LAWS—		
publication of, by superintendent of public instruction.....	9	13
to whom distributed; how paid for.....	9	13
SCHOOL SUPPLIES—		
by whom furnished.....	9	12
to whom and how charged.....	9	12

SCHOOL YEAR—	SEC.	PAGE
shall begin; end.....	79	43
SECRETARY OF SCHOOL BOARD—		
in second and third-class districts, when and how elected....	41	26
how elected; term of office.....	41	26
shall give notice of annual election.....	44	27
preside at meeting when president is absent.....	53	32
bond of; amount in first, second, and third-class districts; approved by whom.....	54	32
draw and countersign warrants	54	32
shall take census, or appoint deputy	54	32
shall ascertain number of blind and deaf mutes.....	55	33
shall keep account of district expenses.....	56	33, 34
give notice of meetings	56	33
make annual report; items to be included; failure to make report; forfeit.....	56	33, 34
books open for inspection of school board.....	57	34
shall file transcript of proceedings in appeal to county super- intendent within ten days.	85	45
shall give twenty days' notice of meeting to vote bonds	90	46
SUPERINTENDENT OF PUBLIC INSTRUCTION—		
when elected.....	6	11
term of office.....	6	11
oath and bond of.....	7	11
amount, and by whom approved.....	7	11
office, where; duties.....	8	12
decisions on school law (final) valid.....	8	12
supervision of county superintendents.....	9	12
publish school law.....	9	13
biennial report.....	10	13
visit schools in all counties annually, if practicable.....	10	13
traveling expenses, how paid.....	10	13
apportion State school fund.....	11	14
SUPERINTENDENT OF SCHOOLS—COUNTY—		
when elected.....	13	14
term of office.....	13	14
oath and bond.....	13	14
vacancy in office, how filled.....	14	14, 15
conduct quarterly examinations.....	15	15
may employ deputy to take examination.....	15	15
may revoke teacher's certificate; cause.....	16	15
shall keep record of persons examined.....	16	16
deputy.....	17	16
make annual report to superintendent of public instruction..	18	17
failure to make such report; penalty.....	21	18
shall apportion county school fund.....	19	17
duties	20	17, 18
may administer oaths.....	22	18
fill vacancies in district boards; exception.....	23	18
shall keep record of boundaries of districts.....	24	18
shall make map of each district.....	24	18
salary and fees.....	25, 14	18, 19, 64
office, where located.....	25	19
shall divide funds of a divided district.....	32	23
shall certify to county commissioners per capita necessary to maintain four months' school in each district.....	64	38

SUPERINTENDENT OF SCHOOLS—COUNTY—Continued.	SEC.	PAGE.
shall look after all fines.....	69	40
shall apportion fund according to census.....	73	41
in case of appeal, shall notify secretary of district board.....	85	45
shall set time for hearing appeal.....	86	45
notify all parties interested.....	86	45

T

TAXES—

county school, levied by commissioners; basis; limit.....	64	38
special tax for other expenses of district.....	64	38
special school fund.....	67	39
library tax.....	67	39
special tax levy cannot be reconsidered.....	70	41
special tax to pay interest on district bonds.....	92	47, 48
special tax to pay bonds.....	101	48, 50, 51
in joint districts, how collected... ..	31	22, 23
State, for support of certain educational institutions, one-sixth mill.		61

TEACHERS—

may appeal from county superintendent to state board.....	16	16
employed by whom.....	51	30
shall not teach without certificate; forfeit.. ..	60	35
expiration of certificate; effect.....	60	35
not dismissed without cause; shall receive pay for services rendered	60	36
shall keep register.....	61	36
shall notify county superintendent of beginning and close of term.....	61	36
not paid until register is filed with secretary.....	61	36

TREASURER—

of county, keep separate account with each district; report annually to county superintendent and district secretary concerning school funds.....	26	19
of district, bond, amount, where filed.....	47	29
of first-class district publish semi-annual report.....	47	29
of district, countersign warrants, make statement to board; penalty.....	58	34, 35
of county, shall collect county school tax.....	64	38
of county, shall certify amount of tax collected and uncollected to county superintendent, quarterly.....	66	38
of county, failure to pay over tax; forfeit, how collected.....	66	39
of county, shall keep an account with each school district....	68	39
of county, shall arrange tax-books, schedules, etc.....	67	39
of county, shall list all warrants endorsed "no funds".....	68	39, 40
of county, pay interest on bonds.....	92	48
of county, collect bond tax... ..	92	47, 48
of district, pay bonds; manner of payment.....	92	47, 48
of district, pay bonds issued under territorial laws; manner of payment; shall not pay more than five per cent. premium on territorial bonds.....	93	48, 49
of district, shall invest balance of funds in State or United States bonds	93	49
of district, shall collect interest on State and United States bonds.	94	49
of county, shall countersign district bonds.....	97	50
of State Normal School.....	3	62

TREASURER—Continued.	SEC.	PAGE.
of Agricultural College	3	62
of State School of Mines	3	62
of Institute for Mute and Blind	3	62

V

VACANCIES IN OFFICE—		
of county superintendent, how filled	14	14, 15
of boards of district directors, how filled	23, 47	18, 29
of members of high school committees, how filled	34	24
in boards of districts of first class, how filled	48	29
of school officer, when absent more than thirty days	53	32

VOTER—See Elector.

VOTING PLACE—		
more than one in first-class districts	44	27

W

WARRANTS—		
of district, by whom drawn	54	32
of district, countersigned by treasurer	58	34
of district, "no funds," registered by treasurer	68	39, 40
of district, issued in excess of tax levy	68	40
providing for payment of	1	63







LIBRARY OF CONGRESS



0 019 749 560 1