

GENERAL SCHOOL LAWS

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General School Laws by George A. Prescott

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GEORGE A. PRESCOTT

**GENERAL
SCHOOL LAWS**

REVISION OF 1905

STATE OF MICHIGAN

GENERAL SCHOOL LAWS

WITH AN APPENDIX OF BLANK FORMS

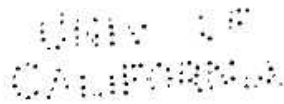
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COMP.

GENERAL
SCHOOL LAWS OF MICHIGAN.

CONSTITUTIONAL PROVISIONS.

ARTICLE VIII.

STATE OFFICERS.

(1.) SECTION 1. There shall be elected at each general biennial election a Secretary of State, a Superintendent of Public Instruction, a State Treasurer, a Commissioner of the Land Office, an Auditor General, and an Attorney General for the term of two years. They shall keep their offices at the seat of government and shall perform such duties as may be prescribed by law. State officers to be elected. Where to keep offices.

(2.) SEC. 2. Their term of office shall commence on the first day of January, one thousand eight hundred and fifty-three, and of every second year thereafter. Term of office.

(3.) SEC. 3. Whenever a vacancy shall occur in any of the State offices, the Governor shall fill the same by appointment, by and with the advice and consent of the Senate if in session. Vacancy, how filled.

ARTICLE XIII.

EDUCATION.

(4.) SECTION 1. The Superintendent of Public Instruction shall have the general supervision of public instruction, and his duties shall be prescribed by law. Duties of superintendent of public instruction.

(5.) SEC. 2. The proceeds from the sales of all lands that have been or hereafter may be granted by the United States to the State for educational purposes, and the proceeds of all School fund.

lands or other property given by individuals or appropriated by the State for like purposes, shall be and remain a perpetual fund, the interest and income of which, together with the rents of all such lands as may remain unsold, shall be inviolably appropriated and annually applied to the specific objects of the original gift, grant, or appropriation.

Escheats.

(6.) SEC. 3. All lands, the titles to which shall fail from a defect of heirs, shall escheat to the State; and the interest on the clear proceeds from the sales thereof shall be appropriated exclusively to the support of primary schools.

Free schools.

(7.) SEC. 4. The Legislature shall, within five years from the adoption of this constitution, provide for and establish a system of primary schools, whereby a school shall be kept without charge for tuition at least three months in each year in every school district in the State, and all instruction in said schools shall be conducted in the English language.

Instruction conducted in English language.
District schools.

(8.) SEC. 5. A school shall be maintained in each school district at least three months in each year. Any school district neglecting to maintain such school shall be deprived, for the ensuing year, of its proportion of the income of the primary school fund and of all funds arising from taxes for the support of schools.

When deprived of public money.

Election of regents of the university.

(9.) SEC. 6. There shall be elected in the year eighteen hundred and sixty-three, at the time of the election of a Justice of the Supreme Court, eight Regents of the University, two of whom shall hold their office for two years, two for four years, two for six years, and two for eight years. They shall enter upon the duties of their office on the first of January next succeeding their election. At every regular election of a Justice of the Supreme Court thereafter there shall be elected two Regents whose terms of office shall be eight years. When a vacancy shall occur in the office of Regent, it shall be filled by appointment of the Governor. The Regents thus elected shall constitute the Board of Regents of the University of Michigan.

Vacancy, how filled.

Regents a body corporate.

(10.) SEC. 7. The Regents of the University and their successors in office shall continue to constitute the body corporate, known by the name and title of "The Regents of the University of Michigan."

President of the university.

(11.) SEC. 8. The Regents of the University shall, at their first annual meeting, or as soon thereafter as may be, elect a president of the University, who shall be ex officio a member of their board, with the privilege of speaking, but not of voting. He shall preside at the meetings of the Regents and be the principal executive officer of the University. The Board of Regents shall have the general supervision of the University, and the direction and control of all expenditures from the University interest fund.

University interest fund.

State board of education.

(12.) SEC. 9. There shall be elected at the general election in the year one thousand eight hundred and fifty-two three members of the State Board of Education: one for two years,

one for four years, and one for six years; and at each succeeding biennial election there shall be elected one member of such board, who shall hold his office for six years. The Superintendent of Public Instruction shall be ex officio a member and secretary of such board. The board shall have the general supervision of the State Normal School, and their duties shall be prescribed by law.

Superintendent of public instruction a member.

(13.) Sec. 10. Institutions for the benefit of those inhabitants who are deaf, dumb, blind or insane, shall always be fostered and supported.

Asylums.

(14.) Sec. 11. The Legislature shall encourage the promotion of intellectual, scientific and agricultural improvement; and shall, as soon as practicable, provide for the establishment of an agricultural school. The Legislature may appropriate the twenty-two sections of salt spring lands now unappropriated, or the money arising from the sale of the same, where such lands have been already sold, and any land which may hereafter be granted or appropriated for such purpose, for the support and maintenance of such school, and may make the same a branch of the University, for instruction in agriculture and the natural sciences connected therewith, and place the same under the supervision of the Regents of the University.

Agricultural school.

(15.) Sec. 12. The Legislature shall also provide for the establishment of at least one library in each township and city, and all fines assessed and collected in the several counties and townships for any breach of the penal laws shall be exclusively applied to the support of such libraries, unless otherwise ordered by the township board of any township or the board of education of any city: Provided, That in no case shall such fines be used for other than library or school purposes.

Libraries.

Penal fines to be applied to.

Proviso.

ARTICLE XIV.

FINANCE AND TAXATION.

(16.) SECTION 1. All specific State taxes, except those received from the mining companies of the upper peninsula, shall be applied in paying the interest upon the primary school, university and other educational funds, and the interest and principal of the State debt, in the order herein recited, until the extinguishment of the State debt, other than the amounts due to educational funds, when such specific taxes shall be added to, and constitute a part of the primary school interest fund. The Legislature shall provide for an annual tax, sufficient with other resources, to pay the estimated expenses of the State government, the interest of the State debt, and such deficiency as may occur in the resources.

Specific taxes.

Tax for State expenses.

STATUTORY PROVISIONS.

THE PRIMARY SCHOOL SYSTEM.

An Act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act.

[Act 164, 1881.]

CHAPTER I.

THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

To have supervision of educational institutions.

Duty of.

Have supervision of normal training classes.

May examine and audit accounts, etc.

Require districts to maintain school.

When may request removal of certain officers.

File statement of charges.

(17.) § 4639. SECTION 1. The Superintendent of Public Instruction shall have general supervision of public instruction and of all State institutions other than the University that are essentially educational in their character, and it shall be his duty among other things to visit the University, the Agricultural College, the Institution for the Deaf and Dumb, the School for the Blind, the State Industrial School for Boys, the State Industrial Home for Girls, and the State Public School for Dependent and Neglected Children, and to meet with the governing boards of said institutions at least once in each year. He shall have supervision of all county normal training classes and may prescribe general rules for their management. In his supervision of the public schools it shall be his duty to require boards of education to observe the laws relating to schools and to compel such observance by appropriate legal proceedings instituted in courts of competent jurisdiction by direction of the Attorney General. He may examine and audit the official records and accounts of any school district and require corrections thereof when necessary. It shall be his duty to require all school districts to maintain school for at least the statutory period and to provide educational facilities for all children resident in such district. The Superintendent of Public Instruction may request the Governor to remove from office any county commissioner of schools or member of board of school examiners when he shall be satisfied from sufficient evidence submitted to him that said officer does not possess the qualifications required by law entitling him to hold the office, or when he is incompetent to execute properly the duties of his office, or has been guilty of official misconduct, or of wilful neglect of duty, or of drunkenness. In case said superintendent shall determine that the charges submitted to him are well founded he shall file with the Governor