

**GENERAL SCHOOL LAWS OF THE
STATE OF NEW YORK. PREPARED
BY THE SUPERINTENDENT OF
PUBLIC INSTRUCTION, PURSUANT
TO CHAPTER 252, LAWS OF 1878**

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General School Laws of the State of New York. Prepared by the Superintendent of Public Instruction, Pursuant to Chapter 252, Laws of 1878 by Anonymous

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ANONYMOUS

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STATE OF NEW YORK. PREPARED
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TO CHAPTER 252, LAWS OF 1878**

UNIV. OF
CALIFORNIA
GENERAL SCHOOL LAWS

OF THE

STATE OF NEW YORK.

PREPARED BY THE

SUPERINTENDENT OF PUBLIC INSTRUCTION

PURSUANT TO CHAPTER 352, LAWS OF 1878.

ALBANY.

WEED, PARSONS AND COMPANY, PRINTERS.

1878.

SCHOOL LAW.

CHAP. 555.

AN ACT to revise and consolidate the General Acts relating to Public Instruction.

Passed May 2, 1864; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

TITLE I.

OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION,
HIS ELECTION AND GENERAL POWERS AND DUTIES.

SECTION 1. The office of state superintendent of public instruction is continued, and the term of said office shall be three years, commencing on a day after an election thereto, and continuing until a successor shall have been duly elected. Such superintendent shall be elected by joint ballot of the senate and assembly, on the first Tuesday of April, one thousand eight hundred and sixty-five, and on the first Tuesday of April next after the occurrence of any vacancy in the office.

State superintendent:
his election
and term of
office.

70
VINTU
ASSOCIATION

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ACT RELATING TO

- Deputy superintendent.** § 2. He shall appoint a deputy ; and, in case of a vacancy in the office of superintendent, the deputy may perform all the duties of the office until the day after the day hereinbefore fixed for an election by the senate and assembly. In case the office of both superintendent and deputy shall be vacant, the governor shall appoint some person to fill the office, until the superintendent shall be elected and assume it.
- Vacancy.**
- Office in state hall.** § 3. The superintendent's office shall continue to be in the state hall, and maintained at the expense of the state.
- Salary.** *§ 4. His salary shall be five thousand dollars a year, payable quarterly, by the treasurer, on the warrant of the comptroller.
- Clerk hire.** †§ 5. He may appoint as many clerks as he may deem necessary, but the compensation of such clerks shall not exceed in the aggregate the sum of nine thousand dollars in any one year, and shall be payable monthly by the treasurer, on the warrant of the comptroller, and the certificate of the superintendent.
- Seal.** § 6. The seal of the superintendent, of which a description and impression are now on file in the office of the secretary of state, shall continue to be his official seal, and when necessary may be renewed from time to time. Copies of all papers deposited or filed in the superintendent's office, and of all acts, orders and decisions made by him, and of the drafts or machine copies of his official letters, may be authenticated under the said seal, and when so authenticated, shall be evidence equally with and in like manner as the originals.
- Superintendent's ex-officio duties.** ‡§ 7. The superintendent shall be ex-officio a trustee of Cornell University and of the New York State Asylum for Idiots, and a Regent of the University of the State of New York. He shall also have general supervision over the State normal schools at Brockport, Buffalo, Cortland, Fredonia, Geneseo, Oswego and Potsdam, and over any other State normal schools which may hereafter be established ; and he shall provide for the education of

* As amended by sec. 1, chap. 567, Laws of 1875.

† As amended by sec. 2, chap. 567, Laws of 1875.

‡ As amended by sec. 3, chap. 567, Laws of 1875.

the Indian children of the state, as required by chapter seventy-one of the laws of eighteen hundred and fifty-six.

§ 8. The institution for the instruction of the deaf and dumb, the New York institution for the blind, and all other similar institutions, incorporated, or that may be hereafter incorporated, shall be subject to the visitation of the superintendent of public instruction, and it shall be his duty :

Institution for deaf and dumb, blind, etc.

1. To inquire, from time to time, into the expenditures of each institution, and the systems of instruction pursued therein, respectively.

2. To visit and inspect the schools belonging thereto, and the lodgings and accommodations of the pupils.

3. To ascertain, by a comparison with other similar institutions, whether any improvements in instruction and discipline can be made ; and for that purpose to appoint, from time to time, suitable persons to visit the schools.

4. To suggest to the directors of such institution and to the legislature such improvements as he shall judge expedient.

5. To make an annual report to the legislature on all the matters before enumerated, and particularly as to the condition of the schools, the improvement of the pupils, and their treatment in respect to board and lodging.

Superintendent to report annually.

*§ 9. All deaf and dumb persons resident in this state, between the ages of twelve and twenty-five years, whose parent or parents, or, if an orphan, whose nearest friend shall have been resident in this state for three years immediately preceding the application, shall be eligible to appointment as state pupils, in one of the deaf and dumb institutions of this state, authorized by law to receive such pupils ; and all blind persons of suitable age and similar qualifications shall be eligible to appointment to the institutions for the blind in the city of New York, or in the village of Batavia, as follows : All such as are residents of the counties of New York, Kings, Queens, Suffolk and Richmond, shall be sent to the

Terms of admission.

*As amended by sec. 4, chap. 567, Laws of 1875.

institution for the blind in the city of New York; those who reside in other counties of the state shall be sent to the institution for the blind in the village of Batavia. All such appointments with the exception of those to the institution for the blind in the village of Batavia shall be made by the superintendent of public instruction upon application, and in those cases in which, in his opinion, the parents or guardians of the applicants are able to bear a portion of the expense, he may impose conditions whereby some proportionate share of the expense of educating and clothing such pupils shall be paid by their parents, guardians or friends, in such manner and at such times as the superintendent shall designate, which conditions he may modify from time to time, if he shall deem it expedient to do so.

State pupils; so-
accommoda-
tion, compen-
sation,
etc.

§ 10. Each pupil so received into either of the institutions aforesaid shall be provided with board, lodging and tuition; and the directors of the institution shall receive for each pupil so provided for, the sum of dollars per annum, in quarterly payments, to be paid by the treasurer of the state, on the warrant of the comptroller, to the treasurer of said institution, on his presenting a bill showing the actual time and number of such pupils attending the institution, and which bill shall be signed by the president and secretary of the institution, and verified by their oaths. The regular term of instruction for such pupils shall be five years; but the superintendent of public instruction may, in his discretion, extend the term of any pupil for a period not exceeding three years. The pupils provided for in this and the preceding section of this title shall be designated state pupils; and all the existing provisions of law applicable to state pupils now in said institutions shall apply to pupils herein provided for.

Term of in-
struction.

§ 11. The superintendent of public instruction may make such regulations and give such directions to parents and guardians, in relation to the admission of pupils into either of the above named institutions, as will prevent pupils entering the same at irregular periods.

§ 12. The superintendent may, in his discretion, appoint persons to visit and examine all or any of the common schools in the county wherein such persons reside, and to report to him all such matters respecting their condition and management, and the means of improving them, as he shall prescribe; but no allowance or compensation shall be made to such visitors for their services or expenses.

School
visitor.

§ 13. So often as he can, consistently with his other duties, he shall visit such of the common schools of the state as he shall see fit, and inquire into their course of instruction, management and discipline, and advise and encourage the pupils, teachers and officers thereof.

Superin-
tendent to
visit the
common
schools.

§ 14. He shall submit to the legislature an annual report containing:

Annual
report.

1. A statement of the condition of the common schools of the state, and of all other schools and institutions under his supervision, and subject to his visitation as superintendent.

2. Estimates and accounts of expenditures of the school moneys, and a statement of the apportionment of school moneys made by him.

3. All such matters relating to his office, and all such plans and suggestions for the improvement of the schools and the advancement of public instruction in the state, as he shall deem expedient.

*§ 15. He may grant under his hand and seal of office a certificate of qualification to teach, and may revoke the same. While unrevoked, such certificate shall be conclusive evidence that the person to whom it was granted was qualified by moral character, learning and ability, to teach any common school in the state. Such certificate may be granted to him only upon examination. He shall determine the manner in which such examination shall be conducted, and may designate proper persons to conduct the same, and report the result to him. He may also appoint times and places for holding such examinations, at least once in each year, and cause due notice thereof to be given. He may also issue temporary licenses to teach, limited

State cer-
tificate.

*As amended by sec. 5, chap. 567, Laws of 1875.

to any school commissioner district or school district, and for a period not exceeding six months, whenever, in his judgment, it may be necessary or expedient for him to do so.

May annul certificates.

§ 16. Upon cause shown to his satisfaction, he may annul any certificate of qualification granted to a teacher by a school commissioner, or declare any diploma issued by the state normal school ineffective and null as a qualification to teach a common school within this state, and he may reconsider and reverse his action in any such matter.

Lists of persons holding state certificates and normal school diplomas.

§ 17. He shall prepare and keep in his office alphabetical lists of all persons who have received or shall receive, certificates of qualification from himself, or diplomas of the state normal school, with the dates thereof, and shall note thereon all annulments and reversals of such certificates and diplomas, with the date and causes thereof, together with such other particulars as he may deem expedient.

Superintendent may remove school commissioners.

§ 18. Whenever it shall be proven, to his satisfaction, that any school commissioner, or other school officer, has been guilty of any willful violation or neglect of duty under this act, or any other act pertaining to common schools, or of willfully disobeying any decision, order or regulation of the superintendent, the superintendent may, by an order under his hand and seal, which order shall be recorded in his office, remove such school commissioner or other school officer from his office.

Shall prepare registers, blanks, etc.

§ 19. He shall prepare suitable registers, blanks, forms and regulations for making all reports and conducting all necessary business under this act, and shall cause the same, with such information and instructions as he shall deem conducive to the proper organization and government of the common schools and the due execution of their duties by school officers, to be transmitted to the officers and persons intrusted with the execution of the same.