

**SCHOOL LAW OF CALIFORNIA,
RULES AND REGULATIONS OF THE
STATE BOARD OF EDUCATION,
AND THE CONSTITUTION OF THE
STATE OF CALIFORNIA**

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School Law of California, Rules and Regulations of the State Board of Education, and the Constitution of the State of California by Various

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VARIOUS

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SCHOOL LAW OF CALIFORNIA,
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RULES AND REGULATIONS

OF THE

State Board of Education,

AND THE

CONSTITUTION OF THE STATE OF CALIFORNIA.

ALSO,

NAMES OF CITY AND COUNTY SUPERINTENDENTS.

Published by the Department of Public Instruction for the Use of Schools.



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SCHOOL LAW OF CALIFORNIA.

EXTRACTS FROM POLITICAL CODE. PART III, TITLE III.

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1517. The State Board of Education consists of the Governor, the Superintendent of Public Instruction, and the Principal of the State Normal School. Board, how constituted.

1518. The Governor is the President, and the Superintendent of Public Instruction the Secretary of the Board. Organization of.

1519. A concurrence of a majority of all the members is necessary to the validity of any act of the Board.

1520. The Board meets at the call of the Secretary, and not less than twice in each year.

1521. The powers and duties of the Board are as follows:

First—To adopt rules and regulations not inconsistent with the laws of this State, for its own government, and for the government of the public schools and district school libraries.

Second—To recommend rules for the examination of teachers.

Third—To recommend the course of study in the public schools.

Fourth—To recommend a list of books for district school libraries.

Fifth—To grant:

1. Educational diplomas, valid for six years; and,
2. Life diplomas.

Sixth—To revoke, for immoral conduct, or evident unfitness for teaching, life diplomas, educational diplomas, and State certificates heretofore issued.

Seventh—To have done by the State Printer, or other officer having the management of the State printing, any printing required by it.

Eighth—To adopt and use, in the authentication of its acts, an official seal.

Ninth—To keep a record of its proceedings.

Tenth—State educational diplomas must be issued to such persons only as have held a first grade State, city, or county, or city and county, certificate for at least one year, and shall furnish satisfactory evidence of having been successfully engaged in teaching for at least five years. Every application for an educational diploma must be accompanied by a certified copy of a resolution adopted by a local or County Board of Education, recommending that the same be granted.

Eleventh—Life diplomas must be issued upon all and the same conditions as educational diplomas, except that the applicant must furnish satisfactory evidence of having been successfully engaged in teaching for at least ten years.

Twelfth—To designate some educational monthly journal as the official organ of the Department of Public Instruction. One copy of journal so designated shall be furnished by the County Superintendent to the Clerk of each Board of District Trustees, to be by him placed in the district library. The County Superintendent of Schools shall draw his warrant semi-annually in favor of the publishers of such school journal, and charge the same to the Library Fund of the district; *provided*, that the sum so drawn shall in no case exceed one dollar and fifty cents per annum for each school district.

1522. The actual traveling expenses of the members, incurred in attending the meetings of the Board, must be

audited by the Controller, and paid out of the General Fund in the State treasury.

1757. Every person receiving a life diploma must pay to the Board three dollars, to defray the expenses of issuing such diploma. Fees from persons receiving life diplomas.

ARTICLE II.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

SECTION 1532. General duties of Superintendent.
1533. Superintendent's report to Controller.

1532. It is the duty of the Superintendent of Public Instruction:

First—To superintend the public schools in this State. General duties of Superintendent.

Second—To report to the Governor, on or before the fifteenth of December preceding each regular session of the Legislature, a statement of the condition of the State Normal School, and other educational institutions supported by the State, and of the public schools.

Third—To accompany his report with tabular statements showing the number of school children in this State; the number attending public schools, and the average attendance; the number attending private schools, and the number not attending schools; the amount of State School Fund apportioned and sources from which derived; the amount raised by county and district taxes, or from other sources of revenue, for school purposes; and the amount expended for salaries of teachers and for building school houses.

Fourth—To apportion the State School Fund, and furnish the Controller, State Board of Examiners, and each County Treasurer and County Superintendent with an abstract of such apportionment.

Fifth—To draw his order on the Controller in favor of each County Treasurer for school moneys apportioned to the county.

Sixth—To prepare, have printed, and furnish all officers charged with the administration of the laws relating to public schools, and to teachers, such blank forms and books as may be necessary to the discharge of their duties, including blank teachers' certificates, to be used by County Boards of Education.

Seventh—To have the law relating to public schools printed in pamphlet form, and annex thereto forms for making reports and conducting school business, the course of study, rules and regulations, a list of library books, and such suggestions on school architecture as he may deem useful.

Eighth—To supply school officers and teachers, school libraries, and State libraries, with one copy each of the pamphlets mentioned in the preceding subdivisions.

Ninth—To visit the several orphan asylums to which State appropriations are made, and examine into the course of instruction therein.

General
duties of
Superin-
tendent.

Tenth—To visit the schools in the different counties and inquire into their condition; and the actual traveling expenses thus incurred, provided they do not exceed fifteen hundred dollars per annum, shall be allowed, audited, and paid out of the General Fund in the same manner as other claims are audited and paid.

Eleventh—To authenticate with his official seal all drafts or orders drawn on him, and all papers and writings issued from his office.

Twelfth—To have bound, at an annual expense of not more than one hundred dollars, all valuable school reports, journals, and documents in his office, or hereafter received by him, payable out of the State School Fund.

Thirteenth—To deliver over, at the expiration of his term of office, on demand, to his successor, all property, books, documents, maps, records, reports, and other papers belonging to his office, or which may have been received by him for the use of his office.

Fourteenth—He shall have power to call biennially a convention of County Superintendents, to assemble at such time and place as he shall deem most convenient, for the discussion of questions pertaining to the supervision and administration of the public schools, the laws relating thereto, and such other subjects affecting the welfare and interests of the public schools as shall properly be brought before it. It is hereby made the duty of all County Superintendents to attend and take part in the proceedings of such convention when it is called; and the actual traveling expenses of County Superintendents in going to and from the convention shall be allowed by the Board of Supervisors, and paid out of the same fund as the salary of the County Superintendent is paid.

Report to
Controller.

1533. The Superintendent of Public Instruction must report to the Controller, on or before the tenth day of August of each year, the total number of children in the State, between the ages of five and seventeen years, as shown by the latest reports of the School Superintendents on file in his office.

ARTICLE III.

SCHOOL SUPERINTENDENTS.

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 1552. When must engage in no other occupation, and salaries.
 1553. When Superintendents may be teachers.

1543. It is the duty of the County Superintendent of each county:

First—To superintend the schools of his county.

Second—To apportion the school moneys of each school district quarterly, and for that purpose he may require of the County Auditor a report of the amount of all school moneys on hand to the credit of the several school funds of the county not already apportioned, and it is hereby made the duty of the Auditor to furnish such report when so required; and whenever, at the close of the school year, any money has accumulated to the credit of a school district, by reason of a large census roll and small attendance, in excess of a reasonable amount required to maintain the schools six months in such district, the Superintendent of Schools shall apportion the same as other county school funds are apportioned. If, in any school district, there shall be an average attendance for three months of only five pupils or less, such district shall lapse, and the moneys in the treasury of the county belonging thereto shall be apportioned by the Superintendent of Schools among the other districts of his county in proportion to the number of census children between five and seventeen, in such district.

General
duties of
School
Superin-
tendents.

Third—On the order of the Board of Trustees, or Board of Education, to draw his requisition upon the County Auditor for all necessary expenses against the School Fund of any city, town, or district. The requisitions must be drawn in the order in which the orders therefor are filed in his office. Each requisition must specify the purpose for which it is drawn; but no requisition shall be drawn unless the money is in the fund to pay it; and no requisition shall be drawn upon the order of the Board of Trustees against the county fund of any district, except for teachers' salaries, unless such order is accompanied by an itemized bill showing the separate items, and the price of each, in payment for which the order is drawn; nor shall any requisition for teachers' salaries be drawn unless the order shall state the monthly salary of the teacher, and name the months for which such salary is due. Upon receipt of such requisition the Auditor shall draw his warrant upon the County Treasurer in favor of the parties, and for the amounts stated in such requisition.

Fourth—To keep open, to the inspection of the public, a register of requisitions, showing the fund upon which the requisition has been drawn, the number thereof, in whose favor, and for what service drawn, and also a receipt from the person to whom the requisition was delivered.

Fifth—To visit and examine each school in his county at least once in each year, and for every school not so visited the Board of Supervisors must, on proof thereof, deduct ten dollars from his salary.

Sixth—To preside over Teachers' Institutes held in his county, and to secure the attendance thereof of lecturers competent to instruct in the art of teaching; and to report to the County Board of Education the names of all teachers in the county who fail to attend regularly the sessions of the Institute; to enforce the course of study, the use of text-books, and the rules and regulations for the examination of teachers prescribed by the proper authority.

General
duties of
School
Superin-
tendents.

Seventh—Upon the order of the County Board of Education to issue temporary certificates, valid until the next regular meeting of the County Board of Education, to persons holding certificates of like grade granted in other counties, cities, or cities and counties, or upon any certificates or diplomas upon which County Boards are empowered to grant certificates without examination, as specified in section seventeen hundred and seventy-five; *provided*, that no person shall be entitled to receive such temporary certificate more than once.

Eighth—To distribute all laws, reports, circulars, instructions, and blanks which he may receive for the use of the school officers.

Ninth—To keep in his office the reports of the Superintendent of Public Instruction.

Tenth—To keep a record of his official acts, and of the proceedings of the County Board of Education, including a record of the standing, in each study, of all applicants examined.

Eleventh—To, except in incorporated cities and towns, pass upon and approve or reject plans for school houses.

Twelfth—To appoint Trustees to fill all vacancies created by failure to elect, or otherwise, to hold until the next annual election.

Thirteenth—To make reports, when directed by the Superintendent of Public Instruction, showing such matters relating to the public schools in his county as may be required of him.

Fourteenth—To preserve carefully all reports of school officers and teachers, and, at the close of his official term, deliver to his successor all records, books, documents, and papers belonging to the office, taking a receipt for the same, which shall be filed in the office of the County Clerk.

Fifteenth—The County Superintendent shall, unless otherwise provided by law, in the month of July in each year, grade each school; and a record thereof shall be made in a book, to be kept by the County Superintendent in his office for said purpose. And no teacher holding a certificate below the grade of said school shall be employed to teach the same. All schools shall be designated as primary and grammar.

Forfeiture
for failure
to report.

1544. If he fails to make a full and correct report, as required under the provisions of subdivision thirteen of section fifteen hundred and forty-three, at the time fixed by the Superintendent of Public Instruction, he forfeits one hundred dollars of his salary; and the Board of Supervisors, upon receiving from the Superintendent of Public Instruction notice of such failure, must deduct the amount forfeited from his salary.

May appoint
teachers and
open schools
when.

1545. He must, when there is sufficient money in the fund of any school district to maintain a free school therein for six months, if the Trustees fail to have such school kept, appoint a teacher, and open and keep such school, and may draw his requisition upon the County Auditor, who shall draw