

**GEORGIA SCHOOL
LAWS AND
DECISIONS**

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Georgia School Laws and Decisions by Various

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VARIOUS

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GEORGIA SCHOOL LAWS AND DECISIONS



UNIVERSITY
OF THE
UNIV. OF
CALIFORNIA

PUBLISHED BY THE
DEPARTMENT OF EDUCATION

M. L. BRITAIN,
STATE SUPERINTENDENT OF SCHOOLS

1914

PREFACE.

By reason of recent legislation many contradictions occur in the Georgia school laws. For instance, prior to 1910, a County Superintendent was required to have certain qualifications and was elected by the County Board of Education; later this legislation was modified in part and later still the election and qualifications of this official were further changed. This is also true with regard to other parts of our school system. If the General Assembly will authorize the codification or systematic and logical arrangement of these laws, it will be a pleasure for the State Department of Education in conjunction with the Attorney-General to do this work without expense or cost of any kind, and in the interest of the public, I ask for the passage of an act to this effect. The publication of a complete compilation of Georgia School Laws and Decisions without such a re-arrangement merely confuses even the lawyers, to say nothing of the officials and parents. For this reason it has been thought wise to publish extracts of our more important and most necessary educational legislation until the right is granted to arrange the laws changed, omit those practically repealed, and to print a complete and thorough school code.

Very truly,

M. L. BRITAIN,
State Superintendent of Schools.

STATE BOARD OF EDUCATION.

Members Ex-Officio.

The GOVERNOR, President.

The STATE SUPERINTENDENT OF SCHOOLS,
Secretary and Executive Agent.

Members By Appointment.

Hon. WALTER E. STEDD, Butler, Georgia.
Term ending September 5, 1917.

Prof. A. H. MOON, Baxley, Georgia.
Term ending September 5, 1917.

Dr. G. R. GLENN, Dahlonega, Georgia.
Term ending September 5, 1915.

Dr. T. J. WOOFER, Athens, Georgia.
Term ending September 5, 1915.

I.

STATE BOARD OF EDUCATION.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia and it is hereby enacted by the authority of the same, That there shall be a State Board of Education composed of six members, as follows: The Governor, the State Superintendent of Schools, and four other persons, who shall be appointed by the Governor of the State, two for two years and two for four years, their terms of office thereafter to be for four years each, or until their successors are appointed and qualified. At least three of said appointees shall be men of practical experience in teaching schools and of high standing in educational work, having at least three years practical experience as a teacher in the schools of Georgia, and being thoroughly conversant with the operation of rural schools. Should a vacancy occur at any time in said Board it shall be filled by the Governor; *provided*, That the nomination of the Governor for membership on the State Board of Education shall be subject to confirmation by the Senate; and *provided further*, That an appointment made when the Senate is not in session shall be effective until the Legislature convenes and acts on the appointment. No person who is now or has been connected with or employed by a school book publishing concern shall be eligible to membership on said State Board of Education, and if any person shall become so connected or employed after becoming a member of said Board his place on said Board shall become vacant.

Acts of
1911,
page 95.

SEC. 2. The said Board of Education shall take oaths of office and enter upon the discharge of their duties immediately after their appointment. They shall meet in the office of the State Superintendent of Schools. The Governor shall preside over their body as Chairman of the Board when it is practicable for him to be present; but when he can not be present, they shall select their Chairman and proceed with their business whenever a majority of the Board is present. The Board shall meet at least quarterly in regular session and at any other time when an emergency arises, and they shall be called together by the Governor of the State or State School Superintendent. The four appointees shall receive as compensation for their services \$250.00 per annum each, which shall be paid out of the State Treasury on the warrant of the Governor and be allowed their actual traveling ex-

Acts of
1911,
page 96.

TO VISIT
ANNOUNCE

penses in going and returning to their homes, upon submitting a sworn itemized statement, accompanied by proper vouchers and not otherwise. The total expenses for the four appointees shall not exceed \$100.

Acts of
1911,
page 96.

SEC. 3. The State Board of Education shall provide rules and regulations for the supervision of all schools in the State. They shall provide the course of study for all common and high schools of the State receiving State aid. They shall select and make out a list of text-books to be taught in said schools, which can be changed only every five years; unless the peculiar conditions of any county or community demand certain changes, in which case, the County Board, together, with the County Superintendent, shall make application to the State Board suggesting such changes and give their reasons therefor, whereupon if the said Board sees proper, their request shall be granted. Provided, This clause shall in no way effect the present State adoption of books. This Board of Education shall be the final court of appeal to hear and decide all matters which have been appealed from the State Superintendent of Schools. They shall determine the necessary office force of the State Superintendent of Schools, and shall fix the compensation of the same. Not however, to exceed \$1,800.00 per annum more than at present paid.

Acts of
1911,
page 97.

SEC. 4. Each county in the State shall constitute a school district and the public school funds shall be apportioned among the several districts by the State Board of Education as now provided by law. They shall also provide for normal instruction of teachers in each of the districts, either by institutes or otherwise. They shall have power to compel the attendance of teachers upon such normals and institutes, to provide penalties for non-attendance, to provide for the examination of the teachers of said State, and to grant licenses to those that are qualified who desire a State or special license.

Acts of
1887,
page 69.

SEC. 5. That the State Board of Education shall constitute an advisory body, with whom the State School Commissioner shall have the right to consult when he is in doubt as to his official duty and also a body in the nature of a court to which appeals shall be made from the decisions of the State School Commissioner upon any question touching the construction or administration of the school laws and the decision of the State Board, when rendered, shall be final and conclusive upon the matter in issue. Appeals to the State Board must be made through the County Commissioner in writing, and must distinctly set forth the question at law, as well as the facts, in the case upon which the appeal is taken. Upon any question involving the construc-

tion or administration of the school laws, the concurrence of a majority of the whole Board shall be necessary in order to give validity to the decision.

Additional Duties of State Board of Education.

As State Schoolbook Commission, State Board is required to select text-books for the common schools of the State.

SEC. 6. Be it further enacted, That no member of the State Board of Education or any appointees of said Board or any other person or persons that has the authority of selecting or in any way aiding in the selection of school books for the schools of Georgia shall not for themselves or any member of their respective families receive any gifts, compensation or remuneration of any kind from any schoolbook publishing house, corporations, individuals, or the agents or representatives of either, nor shall any person, publishing house or corporation engaged in publishing or the sale of school books offer to any of said board or their families or appointees any gift, compensation or remuneration, directly or indirectly. Any person violating the provisions of this section shall be guilty and punishable for a misdemeanor. Should any of the aforementioned publishing houses, corporations or persons engaged in publishing or selling school books offer to any of the aforementioned officers, their families or appointees any such compensation, remuneration or reward of any kind, it shall be their duty to report the same to the grand juries of their respective counties, and on failure or refusal to do so, they or either of them so failing or refusing shall be guilty and punishable for a misdemeanor, and such officers on conviction thereof shall be removed from office.

Acts of
1911,
page 107.

II.

STATE SUPERINTENDENT OF SCHOOLS.

Election—charged with administration of school law and superintendence of common school affairs.

Acts of
1887,
page 25.

SECTION 1. There shall be a State School Commissioner elected by the people at the same time and manner as the Governor and State-house officers are elected, whose term of office shall be two years and until his successor is elected and qualified. His office shall be at the seat of government and he shall be paid a salary not to exceed two thousand dollars (\$2,000) per annum. The General Assembly may substitute for the State School Commissioner such officer or officers as may be deemed necessary to perfect the system of public education.

Acts of
1894,
page 24.

cts of
1887,
page 69.

SEC. 2. He shall be charged with the administration of the school laws, and a general superintendence of the business relating to the common schools of the State. He shall prescribe suitable forms for the reports required of subordinate school officers and blanks for their guidance in transacting their official business and shall, from time to time, prepare and transmit to them such instruction as he may deem necessary for the faithful and efficient execution of the school laws, and by whatsoever is thus communicated to them shall they be bound to govern themselves in the discharge of their official duty; *provided nevertheless*, there shall always be an appeal from the State School Commissioner to the State Board of Education as hereinbefore enacted.

Some specific duties—Contents of Annual Report.

Acts of
1887,
page 69.

SEC. 3. That it shall be the duty of the State School Commissioner to visit, as often as possible, the several counties of the State for the purpose of examining into the administration of the school law in said counties, of counseling with school officers, of delivering popular addresses, of inspecting school operations, and of doing such other acts as he may deem subservient to the interest of popular education.

Acts of
1887,
page 70.

SEC. 4. The State School Commissioner shall see that the proper actions provided by law are brought against all officers and agents of the system, who are liable to the same, for misappropriation of the school fund or other cause.