

CHAPTER XIV.

An Act in relation to Public Schools in the city of Red Wing.

- SECTION 1.** What to constitute said School District.
2. Transfer of all property and assets of School District number one, Goodhue county, to said Red Wing School District.
 3. How annual or special meetings are to be called.
 4. Where meetings may be held.
 5. The Board of Education, how chosen—term of office—oath of office.
 6. Vacancies, how filled.
 7. Officers of the Board, how elected—term of office—compensation of clerk—to elect School Superintendent.
 8. Power of Board of Education—quorum.
 9. Duties of President of Board—duties of clerk of Board—duties of Treasurer of Board—duties of School Superintendent.
 10. Board of Education may establish as many public schools as they shall deem requisite.
 11. To have safe keeping and control of school houses, lots, appurtenances, etc., of the district—to contract and employ all teachers—qualifications of teachers—to make report—what to contain.
 12. Manner of levying and collecting special taxes.
 13. Duty of Clerk when legal proceedings instituted against said Board.
 14. Special notices to be served when required.
 15. Repeal of acts inconsistent with this act.
 16. To be deemed a public act—when act to take effect.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That the territory now embraced in the city of Red Wing is hereby incorporated as a school district for the regulation and management of the public schools in said district, and shall be under the direction and control of a board of education, and shall have the powers and be subject to the liabilities and limitations contained in this act. Said district shall be known and described as Red Wing school district, and shall not be subject to division or alteration by officers having jurisdiction of the formation and change of school districts.

SEC. 2. That said Red Wing school district is hereby declared to be the successor of School District No. one of Goodhue county, and all property and assets of said district number one are transferred to, and

What to constitute
said school district

All property of
school district
No. 1 transferred to
said district

all liabilities thereof are assumed and are to be paid by, said Red Wing School District.

SEC. 3. All annual and special meetings of the district, for the choice of officers or the transaction of business, shall be called, noticed and held in pursuance of the general laws for common schools in the State of Minnesota, and all reports and other acts required by the said general laws, shall be done in accordance therewith; except as herein otherwise provided.

How annual or special meetings to be called

SEC. 4. All annual and special meetings of said Red Wing School District, and all meetings of the board of education, shall be held at such school-house in said district as the board may direct.

Where meetings may be held

SEC. 5. At the annual meeting of said district, in the year 1864, for the purpose of carrying the provisions of this act into effect, there shall be chosen by ballot, by the legal voters of the district, nine persons being resident voters of the district, who shall be styled "The Board of Education for Red Wing School District." The term of office of said board shall be three years, and until their successors are elected and qualified, except as hereinafter provided. The persons so elected shall, within five days after their election, file in the office of the clerk of said district, their several oaths to support the constitution of the United States and the constitution of the State of Minnesota, and that they will discharge their duties as members of the board of education for said district to the best of their ability; *Provided*, That the board of education, elected in 1864, shall, within seven days after their election, meet and divide themselves into three classes in the following manner:

Board of education, how chosen—term of office—oath of office

There shall be three ballots numbered one; three ballots numbered two; and three ballots numbered three, placed in a proper receptacle, from which each director shall draw one ballot; and those directors who shall draw ballots numbered one, shall remain in office one year, and those directors who shall draw ballots numbered two, shall remain in office two years, and those directors who shall draw ballots numbered three, shall remain in office three years; and at each succeeding annual meeting of the district, there shall be elected three members of the board of education.

Vacancies, how filled

SEC. 6. Vacancies occurring in said board of education, shall be filled by the board, such appointee to hold his office until the next annual meeting of the district, at which annual meeting there shall be elected a member of said board to fill the balance of such unexpired term.

Officers of board how elected—term of office—compensation of clerk

SEC. 7. The board of education shall hold an annual meeting within seven days after the annual meeting of said district, at which time they shall, by ballot, elect from their number a president, a clerk, who shall also be clerk of the district, and a district treasurer, who shall hold their offices, as such, for one year; and until their successors shall be elected and qualified. The members of the board shall perform their duties without compensation, except that the clerk shall receive such compensation as shall be fixed by the board. The board of education shall also elect, by ballot, a school superintendent, who shall hold his office during the pleasure of the board, and shall receive such compensation as may be fixed by the board. The superintendent shall be, ex officio, an honorary member of the board of education, but not entitled to a vote therein. The board may, for satisfactory reasons, remove any member or officer of the board and fill the vacancy. *Provided*, That no member shall be removed except by a concurrent vote of, at least, six members of the board, and at a meeting of which he shall have been duly notified.

Power of board of education—quorum

SEC. 8. The board of education, elected, qualified, and organized as hereinbefore provided, shall be clothed with all the powers and duties of a district board, under the general school law of the State of Minnesota, and such other powers as may be conferred on them by the provisions of this act. They shall transact the business of the district in the name and style of the "Board of Education" for the Red Wing school district, and all agreements, contracts, orders upon the treasurer for the payment of money, and other official papers and record, shall be signed by the president and attested by the clerk. Five members shall constitute a quorum necessary for the transaction of business, except in case of the trial and expulsion of a member. *Provided*, That at least four affirmative

votes shall be necessary to the adoption of any measure.

SEC. 9. The president and clerk shall file in the office of the clerk of the district, their written acceptance of office as such. The president shall preside at the meetings of the board, when present, and shall perform such other duties as the board may prescribe, and, in case of his absence, the board shall elect a president pro tem. The clerk shall faithfully discharge all the duties imposed by the general laws of the State of Minnesota upon district clerks; he shall attend all meetings of the board of education, keeping a record of all their doings, and shall perform such other duties as the board may prescribe. The treasurer shall file his official bond, and shall faithfully perform all the duties as prescribed for, and imposed upon treasurers of school districts by the general laws for common schools in the State of Minnesota, and shall be entitled to compensation as therein provided. The superintendent shall, in connexion with the board, hold a public examination on the last Saturdays in April and October, in each year, and at such other times as the board shall prescribe, of all persons making application to teach in the schools of said district, with regard to moral character, learning, ability and aptitude to teach; and all persons found by the board suitably qualified, shall receive a certificate of such qualification over the official signature of the president and the clerk, countersigned by the superintendent, such certificate shall be valid for one year from its date, unless sooner revoked. The superintendent shall visit the schools of the district and report their condition to the board, as often as the board shall prescribe; he shall superintend the grading of the schools and examinations for promotion, and shall perform such other duties as the board shall prescribe.

SEC. 10. The board of education shall have power and it shall be their duty, to establish and organize such and so many public schools in said district, having due regard to the convenience of the scholars and inhabitants thereof as they shall deem requisite and expedient, and to alter and discontinue the same; to purchase or hire sufficient schoolhouses, rooms, lots and

Duty of president
of board

Duty of clerk of
board

Duty of treasurer
of board

Duty of school su-
perintendent

Board to establish
public schools

sites for schoolhouses, and to fence and improve the same, and to build, enlarge, alter, improve and repair schoolhouses upon lots or sites, owned, or leased, or set apart, by said district for school purposes, and to sell and convey any schoolhouse or lot; *Provided, always,* That the board shall not purchase nor sell any lot or building, or build any house, until the legal voters of the district shall authorize the same at an annual or special meeting of the district.

SEC. 11. The board of education shall have the custody, safe keeping and control of the schoolhouses, lots, sites and appurtenances, books, furniture and all other school property belonging to the district; shall contract with and employ all teachers in the public schools of the district, and at their pleasure remove them; *Provided,* That no teacher shall be employed until he shall have been examined by, and received the certificate of the board; may summon for re-examination any teacher, and, after such examination, for satisfactory reasons may revoke his certificate; they shall also have power, and it shall be their duty, to make such reports as may be called for by the State Superintendent; to pay the wages of teachers, to defray the necessary contingent expenses of the board, including the salaries of the clerk and the superintendent; to have in all respects the control and management of the public schools of the district, with the power to adopt, alter and repeal rules and regulations for their organization, grading and government; for the instruction and discipline of pupils, their admission, suspension and expulsion, and their transfer from one school or grade to another; to decide upon the text books to be used, and, generally, to promote their good order, prosperity, and public utility; to make all necessary by-laws for the government and manner of transacting the business of the board, its officers and committees, and for conducting and regulating the schools, and to alter and repeal the same, as they may deem expedient; to prepare and present to the annual meeting of the district a written report of the number and grade of the schools, the length of time the schools have been taught during the preceding year; the number of male and female pupils who have

To have safe keeping of school houses, appurtenances, etc.—to employ all teachers—qualifications of teachers

attended each school, the average attendance during each session, the amount of public money received, the amount of special tax levied and the amount realized, the amount of moneys received from all sources and whence derived, the manner in which all moneys have been expended—all moneys devoted to special purposes being stated separately in the report; the number of persons between five and twenty-one years of age residing in the district on the first day of the month immediately preceding the month in which the annual meeting of the district is held, and such other information as may be required by the board of education or by the annual meeting of the district.

To make report—
what to contain

SEC. 12. The district shall be governed by the general school law of the State, in the manner of levying and collecting special taxes, and in all other matters not provided for in this act, and not inconsistent therewith.

Manner of levying
and collecting special
taxes

SEC. 13. In all legal proceedings against the board of education, the process shall be served upon the clerk of the board, and whenever such suit or proceedings shall be commenced, it shall be the duty of the clerk to forthwith notify the president of the board, and at the next meeting of the board thereafter, he shall communicate all information he may have in relation to such suit or proceeding.

Duty of clerk when
legal proceedings
instituted against
said board

SEC. 14. In all cases where, by the general school laws of this State, special notice of the object of a school meeting is required, like notice shall be given under this act.

Notices to be served
when required

SEC. 15. All acts or parts of acts contained in the charter of the city of Red Wing, or elsewhere, inconsistent with this act, are, so far as they affect said school district, hereby repealed.

Repeal of inconsis-
tent acts

SEC. 16. This act shall be deemed a public act, and shall take effect and be in force from and after its passage. *Provided, however,* That the present board of trustees and other officers of School District No. one, of Goodhue county, shall remain in office with all existing powers and authority, until the election and organization of said board of education.

Declared to be a
public act

Approved March 1, 1864.