

CHAPTER 104.

AN ACT IN RELATION TO PUBLIC SCHOOLS IN THE CITY OF
LAKE CITY.

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

SECTION 1. That the territory now embraced in the city of Lake City 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 Lake City 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 Lake City school district is hereby declared to be the successor of school district number four (4), of Wabashaw county, and all property and assets of said district number four (4) are transferred to, and all liabilities thereof are assumed and are to be paid by said Lake City school district.

SEC. 3. All 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.

SEC. 4. All special meetings of said Lake City 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.

SEC. 5. At the municipal election in the year one thousand eight hundred and seventy-seven (1877), 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, six (6) persons, being resident voters of the district, who shall be styled the board of education for Lake City school district. The term of office of said board shall be three (3) years, and until their successors are elected and qualified, except as hereinafter provided.

The persons so elected shall, within five (5) 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 one thousand eight hundred and seventy-seven (1877) shall, within seven (7) days after their election, meet and divide themselves into three classes in the following manner:

There shall be two (2) ballots numbered one (1), two (2) ballots numbered two (2), and two (2) ballots numbered three (3), placed in a proper receptacle, from which each director shall draw one (1) ballot; and those directors who shall draw ballots numbered one (1) shall remain in office one (1) year, and those directors who shall draw ballots numbered two (2) shall remain in office two (2) years, and those directors who shall draw ballots numbered three (3) shall remain in office three (3) years. And at each succeeding municipal election there shall be elected two (2) members of the board of education, one of whom shall be from the first (1st) ward and the other from the second (2d) ward of said city of Lake City.

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

SEC. 7. The board of education shall hold an annual meeting within seven (7) days after the said municipal meeting of said district, at which time they shall by ballot elect from their number, a president, a clerk; who shall be a clerk of the district, and a district treasurer, who shall hold their offices as such for one (1) year and until their successors are 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 their vacancy. *Provided*, that no member shall be removed, except by a concurrent vote of at least four (4) members of the board, and at a meeting of which he shall be duly notified.

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 Lake City school district, and all agreements, contracts, orders upon the treasurer for the payment of money and other official papers and records, shall be signed by the president and attested by the clerk. Five (5) 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 (4) 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 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 president shall vote with the other members on all questions requiring a vote; but in case of a tie, his vote shall be read but not counted. 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 of common schools for the State of Minnesota, and shall be entitled to compensation as therein provided.

The superintendent shall, in connection 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 the schools of said district, with regard to moral character, learning and 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 (1) 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 may prescribe. He shall superintend the grading of [the] schools and examinations for promotions, 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 as 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 school houses, rooms, lots, and sites for school houses, and to fence and to improve the same, and to build, enlarge, alter, improve and repair school houses upon lots and sites owned or leased, or set apart by said district for school purposes, and to sell and convey any school house 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 school houses, lots, sites and appurtenances, books, furniture, and all 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 re-examination, for satisfactory reasons, may revoke his certificate. They shall 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 have printed in the official newspaper of municipal government, at least eight (8) days before said annual municipal election, a 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 attended each school ; the average attendance during the 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 separately stated in the report ; the number of persons between five (5) and twenty-one (21) years of age residing in the district on the first (1st) day of the month immediately preceding the month in which the municipal election is held, and such other information as may be required by the board of education.

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.

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.

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.

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

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 number four (4), of Wabasha county, shall remain in

office, with all existing powers and authority, until the election and organization of said board of education.

Approved February 16, 1877.

CHAPTER 105.

AN ACT TO DETACH CERTAIN TERRITORY FROM SCHOOL DISTRICT NUMBER TWENTY-SEVEN (27), IN DAKOTA COUNTY, AND ATTACH THE SAME TO THE SCHOOL DISTRICT OF THE CITY OF HASTINGS, FOR SCHOOL PURPOSES.

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

SECTION 1. That the north-east quarter ($\frac{1}{4}$) of section two (2), in township one hundred and fourteen (114), range seventeen (17), be and the same is hereby detached from school district number twenty-seven (27), in Dakota county, and attached to the school district of the city of Hastings, in said county, for school purposes. And that the inhabitants of said territory shall have all the rights and privileges in the schools of said city, as the inhabitants thereof, and that said territory and the personal property of the residents thereon shall be subject to taxation in said city for school purposes, the same as the property in said city and of the residents thereof.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved January 20, 1877.