

crease of its rates asked for, it shall grant the application, otherwise it shall deny the application.

SEC. 4. Any railroad company that shall violate any of the provisions of either section one (1) or two (2), this act, shall be subject to a penalty of one hundred (100) dollars for each and every day such violation shall continue, to be recovered in a civil action brought in the name of the State of Minnesota by the attorney general.

Penalty for violation.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 27, 1899.

CHAPTER 101.

H. F. No. 257.

An act to provide for uniform state certificates for teachers in certain public schools in this state, and to repeal all laws inconsistent therewith.

Teachers' certificates, uniformity of.

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

SECTION 1. That the state superintendent of public instruction be authorized to issue state certificates of the following grades: A first grade certificate valid for not to exceed five (5) years, and a second grade certificate valid for not to exceed two (2) years. The requirements for first and second grade certificates shall include both scholastic and professional ability, and the regulations governing the examination for such certificates shall be prescribed by the state superintendent of public instruction. A complete certificate shall certify the scholastic and professional requirements, skill in teaching and moral character. The written answers for the scholastic examination hereinafter provided for shall be read and marked under the direction of the state superintendent of public instruction, and the markings for the professional requirements shall be given by the county superintendent, who shall also be the judge of skill in teaching and moral character of the applicant.

Grades of certificates.

Contents of certificate.

SEC. 2. The county superintendent may revoke any certificate for good cause. The county superintendent shall within ten (10) days after his decision to refuse to issue a certificate or to revoke one already issued, transmit a written statement to the person aggrieved, stating the grounds upon which he refused to grant a certificate, or upon which one already granted was revoked by him,

County superintendent may revoke for good cause; must state grounds therefor.

and a copy of such statement shall be forwarded to the state superintendent of public instruction. The person aggrieved, desiring to appeal from such decision, shall, within ten (10) days after receipt of such notice, serve a written notice of appeal from such decision on the state superintendent of public instruction, which notice shall specify the grounds upon which the appeal is taken.

First grade certificates valid in all counties.

Second grade valid in county where examination is held; may be made valid in other counties by indorsement of county superintendent.

Qualifications of teachers.

Third grade certificates, when granted.

State superintendent to prescribe regulations for renewal of.

Two examinations each year in every county.

SEC. 3. A complete first grade certificate certifying to scholastic requirements by the state superintendent and to professional requirements, skill in teaching and moral character by the county superintendent in whose county the examination is held, shall be valid in any county of the state. A complete second grade certificate for both scholastic and professional requirements, signed by the state superintendent and the county superintendent, as indicated above for a first grade certificate, shall be valid in the county in which the examination is held, and may be made valid in any county by the indorsement of the county superintendent of said county. No teacher shall be entitled to receive a certificate of any grade herein provided for who fails to give proper evidence of possessing a good moral character, and no teacher shall receive a complete first grade or second grade certificate who has not had successful experience in teaching for at least eight (8) months for a first grade, and five (5) months for a second grade, and who shall not be at least eighteen (18) years of age; *provided*, that the county superintendent may issue a limited second grade certificate, good for one (1) year, to applicants without experience not under seventeen (17) years of age, who have passed the scholastic examination given by the state department of public instruction. *It is further provided*, that the county superintendent may, when he deems it necessary, issue a third (3d) grade certificate upon his own examination, for a term of one (1) year, such third (3d) grade certificate to designate the district in which said certificate shall be valid, said certificate not to be renewable without examination. No teacher shall be entitled to receive a third (3d) grade certificate more than twice in the same county.

SEC. 4. The state superintendent of public instruction shall prescribe regulations for renewing first (1st) and second (2d) grade certificates, and for providing a fair review in the case of an appeal from the decision of a county superintendent.

SEC. 5. The superintendent of public instruction shall cause to be held at least two (2) examinations each year in every county of the state, at such convenient places as may be designated by the county superintendent thereof. The time for such examination shall be uniform throughout the state, and the examination shall be

conducted by the county superintendent of the county in which the examination is held or by persons appointed by him, strictly according to regulations prescribed by the department of public instruction designed to secure uniformity and fairness. An affidavit may be required of such examiner, certifying that the regulations regarding said examination have been fully observed; *provided*, that any county superintendent may, on his own examination, issue a certificate of any grade to applicants who present satisfactory proof that they were unable to be present at the public examination. Such certificates shall be valid only in a district specified on their face and until the time of the next succeeding public examination. Such public notice shall be given of the time and place and regulations governing the examination as the superintendent of public instruction may determine. The examinations shall be public and the teachers desiring to take the same may dismiss their schools for that purpose for a period not exceeding two (2) days in each year without loss of pay.

When and where held and how conducted.

Public notice to be given of time of holding examinations.

SEC. 6. Examinations for all certificates herein provided for shall be given in spelling, reading, penmanship, arithmetic, grammar, composition, geography, history of the United States, physiology and the practical facts of hygiene. In addition to the above branches all applicants for first (1st) grade certificates shall be examined in elementary algebra, plane geometry, physical geography, natural philosophy and civil government; *provided*, first, that the state superintendent may, in his regulations, designate equivalent subjects that may be taken in lieu of physical geography, natural philosophy and second, that all subjects in which the applicant passes plane geometry, at the option of the applicant; *provided*, second, that in all subjects in which the applicant passes an examination shall be designated in the certificate; *provided*, third, questions shall be submitted in music and drawing to such applicants as desire to receive a standing in these subjects; and *provided*, fourth, the state superintendent of public instruction may accept state high school certificates in any of the high school subjects, including the so-called senior common branches in lieu of an examination in such subjects, under such conditions as he may prescribe, providing that no standing of less than seventy-five (75) per cent. in such high school certificates shall be received.

Examinations, what to cover.

SEC. 7. An appeal may be taken from the decision of the county superintendent to the state superintendent of public instruction; and any applicant failing to pass the scholastic examination provided for herein may, upon ap-

Appeal from decision of county superintendent to state superintendent.

peal to the state superintendent, have his papers reviewed by the instructors in the corresponding branches at the state university, but such appeal must be taken within ten (10) days from the date of receipt of notice of such failure.

First and second grade certificates valid in grades below high school.

SEC. 8. Complete first and second grade certificates under this law shall be valid in all grades below the high school in any special or independent districts, unless boards of education of such districts shall, by formal action of said board, decide otherwise.

State superintendent may issue certificates without examination in certain cases.

SEC. 9. The state superintendent of public instruction may, in his discretion, issue certificates of qualification without examinations to persons who have taught in public schools of this state for five (5) or more years, upon their filing with said state superintendent of public instruction a written application, approved by the board of education or school trustees, together with the city superintendent or county superintendent under which said applicant shall have taught the greater part of five (5) years next preceding the date of application.

Expenses of county examinations to be paid by county.

SEC. 10. The local expenses for the examination here-in provided for in each county shall be paid by the county in which said examinations are held.

State superintendent's expenses, how paid.

The necessary expenses incurred by the superintendent of public instruction in carrying out the provisions of this act shall be paid from the appropriation made for conducting teachers' institutes in the same manner as other disbursements are made from said fund *provided*, that the amount paid out of said fund for said purpose, annually, shall not exceed the sum of two thousand five hundred (2,500) dollars.

C. 182, Laws 1895, repealed.

SEC. 11. Chapter one hundred and eighty-two (182) of the General Laws of one thousand eight hundred and ninety-five (1895), and sections three thousand seven hundred and forty-seven (3747) of the General Statutes of one thousand eight hundred and ninety-four (1894) and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed; *provided*, that nothing herein contained shall be construed to invalidate any certificate now in force.

SEC. 12. This act shall take effect and be in force from and after Aug. 1, 1899.

Approved March 27, 1899.