

in any manner to the School Department of said city and county. All contracts in violation of this section are declared void, and any Director or Superintendent violating or aiding in the violation of the provisions of this section shall be deemed guilty of a misdemeanor.

SEC. 7. No teacher shall be employed in any of the Public Schools without having a certificate issued under the provisions of this act. For the purpose of granting the certificates required, the Board of Education, either as a body, or by committee, or by the Superintendent, shall hold examinations of teachers. No certificate shall be issued except to a person who shall have passed a satisfactory examination in such branches as the Board may require, and shall have given evidence of good moral character, ability, and fitness to teach. The said certificate shall be in force for two years; *provided*, that the person to whom it is granted is continuously employed in the schools in teaching.

SEC. 8. The Board may, in its discretion, renew, without reëxamination, the certificate of any person so employed. It shall have power to revoke the certificate of any teacher upon evidence of immoral or unprofessional conduct; and any School Director, with the consent and advice of the Superintendent, may, for good and sufficient cause, provisionally withdraw the certificate of any teacher employed in the schools of his district until the next regular meeting of the Board.

SEC. 9. The Superintendent of Public Schools of the City and County of San Francisco is hereby declared and constituted *ex officio* a member of the Board of Education, without the right to vote.

SEC. 10. The said Superintendent is hereby authorized to appoint a Clerk, subject to the approval of the Board of Education, who shall act as Secretary of the Board, and who shall be paid a salary, to be fixed by the said Board, not to exceed the sum of one hundred and fifty dollars per month. The said Clerk shall be subject to removal at the pleasure of the Superintendent, and shall perform such duties as may be required of him by the Board or the Superintendent.

SEC. 11. The Superintendent shall report to the Board of Education, annually, on or before the twentieth day of June, and at such other times as they may require, all matters pertaining to the expenditures, income, and condition and progress of the Public Schools of said city and county, during the preceding year, with such recommendations as he may deem proper.

SEC. 12. It shall be the duty of the Superintendent to visit and examine each school at least once in three months; to observe and cause to be observed such general rules for the regulation, government, and instruction of the schools, not inconsistent with the laws of the State, as may be established by the Board of Education; to attend the session of the Board, and inform them at each session of the condition of the Public Schools, School-Houses, School Funds, and other matters connected therewith, and to recommend such measures as he may deem necessary for the advancement of education in the city and county. He shall acquaint himself with all the laws, rules, and regulations governing the Public Schools in said city and county, and the judicial decisions thereon, and give advice on subjects connected with the Public Schools gratuitously, to officers, teachers, pupils, and their parents and guardians.

SEC. 13. Any vacancy in the office of School Director shall be filled by appointment by the Superintendent, by and with the consent of a majority of the School Directors then in office; and such appointees shall hold office, respectively, until the municipal election next ensuing, and the election and qualification of their successors in office. But no such appointment shall be valid, unless the appointee be at the time of his appointment an elector in the district wherein the vacancy occurred.

SEC. 14. In case of a vacancy in the office of Superintendent, the Board of Education may appoint a person to fill the vacancy until the regular election then next following, when the office shall be filled by election of the people.

SEC. 15. The School Fund* of the City and County of San Francisco shall consist of all moneys received from the State School Fund; of all moneys arising from taxes which shall be levied annually by the Board of Supervisors of said city and county for school purposes; of all moneys arising from the sale, rent, or exchange of any school property; and of such other moneys as may, from any source whatever, be paid into said School Fund; which fund shall be kept separate and distinct from all other moneys, and shall only be used for school purposes under the provisions of this act, and for the payment of the interest and redemption of the principal of the school bonds, according to law. No fees or commissions shall be allowed or paid for assessing, collecting, keeping, or disbursing any school moneys; and if, at the end of any fiscal year, any surplus remains in the School Fund, such surplus money shall be carried forward to the School Fund of the next fiscal year, and shall not be, for any purpose whatever, diverted or withdrawn from said fund, except under the provisions of this act.

* The Act of March 5, 1864, authorizes the transfer of \$60,000 from the General to the School Fund for the purchase of lots and the erection of school-houses, at such points as may be selected by the Board of Education; and the Act of April 4th, 1864, empowers the transfer of the City and County Hospital Building to the Board of Education whenever the same shall not be required for a hospital.