

offered shall be delivered to the Superintendent of Public Schools, and said Board shall in open session, open, examine and publicly declare the same, and award the contract to the lowest responsible bidder: *provided*, said Board may reject any and all bids should they deem it for the public good, and also the bid of any party who may have proved delinquent or unfaithful in any former contract with said city and county or said board, and cause a republication of the notice for proposals as above specified.—[Amended March 12, 1864.]

SEC. 6. No School Director or Superintendent shall be interested in any contract pertaining 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 certificates 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 re-examination, 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 the 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 two hundred dollars per month.—[Amendment, Act April 2, 1870.] 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 sessions 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 of the district wherein the vacancy occurred. [Amendment. See Supplemental Act VI, page 814.]

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.

*The Act of April 2, 1870, establishes and defines the powers and duties of the Secretary as follows:

SEC. 1. The Secretary of the Board of Education of said city and county of San Francisco shall have power to administer oaths and affirmations concerning any demand upon the treasury payable out of the School Fund, or other matters brought before the School Department for investigation.

SEC. 2. The said Secretary shall be paid a salary, to be fixed by the Board of Education, not to exceed the sum of two hundred dollars per month, in lieu of any salary now paid, payable in the same manner and out of the same fund as the Superintendent of Common Schools for the city and county of San Francisco is paid.

*The California School Law, April 4, 1870, Sec. 27 authorizes each County Superintendent to appoint a deputy who may exercise all the functions of County Superintendent, but shall draw no salary from the Public School Fund, and that the deputy for the city and county of San Francisco may receive such compensation as may be allowed by the Board of Education of said city and county, and be paid out of the same fund out of which the Superintendent is paid.