

**SCHOOL LAWS OF  
THE STATE OF  
WYOMING, 1919**

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School Laws of the State of Wyoming, 1919 by State Department of Education Wyoming

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**STATE DEPARTMENT OF EDUCATION WYOMING**

**SCHOOL LAWS OF  
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WYOMING, 1919**



# SCHOOL LAWS

OF THE

STATE OF WYOMING

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COMPILED UNDER THE DIRECTION OF  
STATE DEPARTMENT OF EDUCATION  
CHEYENNE, WYOMING

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# Constitutional Provisions

## ARTICLE VII. CONSTITUTION OF THE STATE OF WYOMING.

### Public Schools.

Section 1. The legislature shall provide for the establishment and maintenance of a complete and uniform system of public instruction, embracing free elementary schools of every needed kind and grade, a university with such technical and professional departments as the public good may require and the means of the State allow, and such other institutions as may be necessary.

### School Revenues.

Sec. 2. The following are declared to be perpetual funds for school purposes, of which the annual income only can be appropriated, to-wit: Such per centum as has been or may hereafter be granted by Congress on the sale of lands in this State; all moneys arising from the sale or lease of sections number sixteen and thirty-six in each township in the State, and the lands selected or that may be selected in lieu thereof; the proceeds of all lands that have been or may hereafter be granted to this State, where by the terms and conditions of the grant, the same are not to be otherwise appropriated; the net proceeds of lands and other property and effects that may come to the State by escheat or forfeiture, or from unclaimed dividends or distributive shares of the estates of deceased persons; all moneys, stocks, bonds, lands and other property now belonging to the common school fund.

### Other School Revenues.

Sec. 3. To the sources of revenue above mentioned shall be added all other grants, gifts and devises that have been or may hereafter be made to this State and not otherwise appropriated by the terms of the grant, gift or devise.

### Restriction in Use of Revenues.

Sec. 4. All moneys, stocks, bonds, lands and other property belonging to a county school fund, except such moneys and property as may be provided by law for current use in aid of public schools, shall belong to and be securely invested and sacredly preserved in the several counties as a county public school fund, the income of which shall be appropriated exclusively to the use and support of free public schools in the several counties of the State.

**Fines—Disposition Of.**

Sec. 5. All fines and penalties under general laws of the State shall belong to the public school fund of the respective counties and be paid over to the custodians of such funds for the current support of the public schools therein.

Sec. 6 (as amended by Amendment III, L. 1917). All funds belonging to the State for public school purposes, the interest and income of which only are to be used, shall be deemed trust funds in the care of the State, which shall keep them for the exclusive benefit of the public schools, and shall make good any losses that may in any manner occur, so that the same shall remain forever inviolate and undiminished. None of such funds shall ever be invested or loaned, except on the bonds issued by school districts, or county bonds of the State, or State securities of this State, or of the United States, or on first mortgages on farm lands or such other securities as may be authorized by law.

**Application of School Funds.**

Sec. 7. The income arising from the funds mentioned in the preceding section, together with all the rents of the unsold school lands and such other means as the legislature may provide, shall be exclusively applied to the support of free schools in every county in the State.

**Distribution of School Funds.**

Sec. 8. Provision shall be made by general law for the equitable distribution of such income among the several counties according to the number of children of school age in each, which several counties shall in like manner distribute the proportion of said fund by them received respectively to the several school districts embraced therein. But no appropriation shall be made from said fund to any district for the year in which a school has not been maintained for at least three months nor shall any portion of any public school fund ever be used to support or assist any private school, or any school, academy, seminary, college, or other institution of learning controlled by any church or sectarian organization or religious denomination whatsoever.

**Taxation for Schools.**

Sec. 9. The legislature shall make such further provision by taxation or otherwise, as with the income arising from the general school fund will create and maintain a thorough and efficient system of public schools adequate to the proper instruction of all the youth of the State, between the ages of six and twenty-one years, free of charge; and, in view of such provision so made, the legislature shall require that every child of sufficient physical and mental ability shall attend a public

school during the period between six and eighteen years for a time equivalent to three years, unless educated by other means.

**No Discrimination Between Pupils.**

Sec. 10. In none of the public schools so established and maintained shall distinction or discrimination be made on account of sex, race or color.

**Text Books.**

Sec. 11. Neither the legislature nor the Superintendent of Public Instruction shall have power to prescribe text books to be used in the public schools.

**Sectarianism Prohibited.**

Sec. 12. No sectarian instruction, qualifications or tests shall be imparted, exacted, applied or in any manner tolerated in the schools of any grade or character controlled by the State, nor shall attendance be required at any religious service therein, nor shall any sectarian tenets or doctrines be taught or favored in any public school or institution that may be established under this constitution.

**Land Commissioners.**

Sec. 13. The Governor, Secretary of State, State Treasurer and Superintendent of Public Instruction shall constitute a Board of Land Commissioners, which, under direction of the legislature, as limited by this constitution, shall have direction, control, leasing and disposal of the lands of the State granted, or which may be hereafter granted for the support and benefit of public schools, subject to the further limitations that the sale of all lands shall be at public auction, after such delay (not less than the time fixed by congress) in portions at proper intervals of time, and at such minimum prices (not less than the minimum fixed by congress) as to realize the largest possible proceeds.

**Supervision of Schools.**

Sec. 14. The general supervision of the public schools shall be entrusted to the State Superintendent of Public Instruction, whose powers and duties shall be prescribed by law.

**THE UNIVERSITY.**

**Establishment of University.**

Sec. 15. The establishment of the University of Wyoming is hereby confirmed, and said institution, with its several departments, is hereby declared to be the University of the State of Wyoming. All lands which have been heretofore granted or which may be granted hereafter by congress unto the university as such, or in aid of the instruction to be given in any



of its departments, with all other grants, donations, or devises for said university, or for any of its departments, shall vest in said university, and be exclusively used for the purposes for which they were granted, donated or devised. The said lands may be leased on terms approved by the land commissioners, but may not be sold on terms not approved by congress.

**Tuition Free.**

Sec. 16. The university shall be equally open to students of both sexes, irrespective of race or color; and, in order that the instruction furnished may be as nearly free as possible, any amount in addition to the income from its grants of lands and other sources above mentioned, necessary to its support and maintenance in a condition of full efficiency shall be raised by taxation or otherwise, under provisions of the legislature.

**Government of University.**

Sec. 17. The legislature shall provide by law for the management of the university, its lands and other property by a Board of Trustees, consisting of not less than seven members, to be appointed by the Governor by and with the advice and consent of the Senate, and the President of the university, and the Superintendent of Public Instruction, as members ex officio, as such having the right to speak, but not to vote. The duties and powers of the Trustees shall be prescribed by law.

# Statutory Provisions

## CHAPTER 1.

### STATE DEPARTMENT OF EDUCATION.

#### **Supervision of Public Schools.**

Section 1. The general supervision of the public schools shall be entrusted to the State Superintendent of Public Instruction, who shall administer the State system according to law for the best interests of the people and of the State, making such rules and regulations as may be necessary for the proper and effective administration of the same. Provided, That nothing in this Act or any Chapter thereof shall be construed to limit or contravene the functions and powers of the Board of Trustees of the University of Wyoming as hitherto established by law in conformity with the Constitution of the State of Wyoming and the Laws of the United States. [L. 1919, Chap. 127, Sec. 1.]

#### **Educational Matters Affecting Counties.**

Sec. 2. Educational matters affecting the county shall be under the supervision of the County Superintendent of Schools. [L. 1919, Chap. 127, Sec. 2.]

#### **Educational Matters Affecting School Districts.**

Sec. 3. Educational matters affecting the school district shall be under the care of the District Board of School Trustees. [L. 1919, Chap. 127, Sec. 3.]

#### **State Board of Education.**

Sec. 4. There shall be a State Board of Education to be composed of seven members, at least two of whom shall be persons actively engaged in educational work. The State Superintendent of Public Instruction shall be ex-officio a member of such Board and shall have the right to vote. The other six members of said Board shall be appointed from among the citizens of the State in such a manner that the different parts of the State shall be represented, and not more than four members of such Board shall be from one political party, and the members shall hold office from the first April succeeding their appointment for a term of six years, provided that the length of the term of the first regular appointees under this section shall be as follows: Two members shall be appointed for two years, two for four years, two for six years, but thereafter the

term of each member shall be six years. They shall be appointed by the State Superintendent of Public Instruction with the approval of the Governor, and shall be appointed solely because of their character and fitness. All members of the Board shall be persons of mature years, known for their integrity, culture, public spirit, business ability, and interest in public education. Vacancies shall be filled by the State Superintendent of Public Instruction with the approval of the Governor and shall be for the unexpired term. All members shall be eligible to reappointment unless otherwise disqualified by the provisions of this Act. Members of the Board may be removed by the State Superintendent of Public Instruction with the approval of the Governor for immorality, misconduct, neglect of duty, or incompetency. The Board shall meet semi-annually on the second Monday in April and October. The first meeting of each year shall be for the purpose of organization, at which a chairman shall be elected, but the Commissioner of Education shall act as secretary. Special meetings may be held as often as the duties of the Board require and the Board shall meet at the call of the State Superintendent of Public Instruction or the Governor whenever in the opinion of these officials an emergency exists. [L. 1919, Chap. 127, Sec. 4.]

#### **Duties of State Superintendent of Public Instruction.**

Sec. 5. The State Superintendent of Public Instruction shall exercise general control and supervision of the public schools and the educational interests of the State. He shall consult with and advise through the Commissioner of Education, with Boards of Education, County and City Superintendents, Supervisors, Principals, Teachers, and other such school officers and citizens, and seek in every way to develop public sentiment in support of progressive education. [L. 1919, Chap. 127, Sec. 5.]

#### **Interpretation of School Laws.**

Sec. 6. The State Superintendent of Public Instruction shall explain the true intent and meaning of the school laws and of rules and regulations of the State Board of Education and shall decide without expense to the parties concerned all controversies and disputes involving the administration of the public school system and his decisions shall hold until revoked by court of competent jurisdiction. He shall have authority to administer oaths and examine under oath any witnesses on any matter pertaining to public schools in any part of the State. He shall have power to enforce all provisions of this Act and of the rules and regulations of the State Board of Education. [L. 1919, Chap. 127, Sec. 6.]