

# Laws Affecting School Libraries

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## Foreword

**L**EGISLATION relating to school libraries comprises an important part of State laws pertaining to the field of public education. For this reason the United States Office of Education has issued from time to time publications which contain information on the subject. Chapters of the Biennial Survey of Education on educational legislation and on library activities, published since 1918, give some consideration to the laws affecting school libraries. Noteworthy among the publications are a special report on *Public Libraries in the United States of America* (1876) and a *Digest of State Laws Relating to Education* by William R. Hood (1915). However, each of these publications is now out of print and available only in certain libraries.

The growing importance of library service to schools and numerous changes in legislation in this field have created a demand for a publication dealing exclusively with the subject of legislation as it relates to school libraries. This bulletin has been prepared to meet this demand. It is hoped that the information contained herein may be helpful to those who are responsible for recommending legislation in the various States that will stimulate more effective library service for schools.

The Office appreciates the contributions made by the chief State school officers in verifying the State digests which comprise part II of the bulletin.

BESS GOODYKOONTZ,  
*Assistant U. S. Commissioner of Education.*

## Introduction

**T**HE LIBRARY is recognized as one of the important services of the modern school. To fulfill its function properly, it must have an adequate and appropriate collection of books and other printed materials. It must be administered by a librarian not only skilled in library techniques but also thoroughly aware of the philosophy, the objectives, and the educational program of the school. Furthermore, it must have the financial support necessary to carry on its operations effectively.

The meeting of these requirements normally involves either some administrative regulations or express legislation. In the former case, the power which establishes the school library and keeps it operating is based on implied authorization in a general law; in the latter it is a legal provision specifically directed at school libraries.

### **Purpose and Scope of Study**

This study is limited strictly to a consideration of express legislation; and administrative regulations or practice have been excluded from its scope, except in a few cases where their inclusion as a note has been necessary for clarification of a point. Moreover, no attempt has been made to evaluate the laws affecting libraries, but to present them as found in the statutes.

The purpose of this study is to aid school boards, administrators, teachers, librarians, and planning boards who may wish to know what specific legislation affecting school libraries is in force, which States have enacted it, and what are the main points covered by the laws.

What are the legal specifications regarding the establishment of school libraries? What legal provisions are in force regarding financial support, certification of librarians, approval of books, and the relationships with other agencies? These are some of the questions, frequently asked of the United States Office of Education, which this bulletin may help to answer.

### **Sources of Data and Method**

For the study, the sources of data have been the consolidated statutes of the various States, the session laws, the school laws, reports and other publications of State departments of education, and correspondence with State school officials. It was necessary to use the consolidated statutes, since not all the school laws contain the provisions relating to public libraries.

The method used was first to digest in summary form all legislation that could be found on the specific subject. After entries under "libraries" in the indexes had been exhausted, a search was made of the laws on the powers and duties of State and county school officials and officials of the various types of school districts, in order to find

any provisions expressly affecting school libraries. The same technique was employed in tracing possible school services in public library laws.

The classification of the material under common headings was the second step in the procedure. The following headings, which were decided upon after considerable experimentation and a number of conferences, form the first divisions around which the subject matter for each State digest is organized:

1. Procedures for establishment.
2. Financial support.
3. Administration and supervision.
4. Books.
5. Librarians.
6. Relationships with State library agencies.
7. Relationships with public libraries.

A second division of the material in the State digests has been made under "district," "county," and "State," since in most of the States school organization and administration follow those units. Notes have been made whenever there are exceptions to this classification. For the purpose of this study, the District of Columbia was considered as a State.

The third step was to send the State digests to the chief State school officers with the request that they be checked for any inaccuracies and omissions, and returned to the Office. All of the digests were verified, returned, and necessary corrections were made as suggested.

The bulletin is in two parts. The first part consists of summary tables which show the express legal provisions affecting school libraries and also the States in which they are in effect. Part II contains the digests for each State as verified by the State officers. In using these digests, it is well to remember that school library legislation must be considered in the light of laws affecting the whole school program.

# PART I

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Part I  
Summary of School Library Legislation  
for all States

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## Summary of School Library Legislation for All States

**T**HIS SECTION of the bulletin contains summary tables showing the various express legal provisions that affect school libraries. In using these tables, the reader may find it desirable to consult the State digests which form part II.

### Procedures for Establishment

As may be seen from table 1, laws in 21 States have expressly provided for the establishment of school libraries. They do this even though in some instances no legal provision has been made for the support of these libraries after they are established. The laws of 7 of the 21 States—Idaho, New Jersey, New York, Pennsylvania, South Carolina, Tennessee, and Washington—give the establishment of libraries as a purpose or one of the purposes for providing financial support. (See table 2, column 8.)

The type of districts or schools affected in the 21 States are given in column 2 of table 1. In order to avoid misinterpretation, the terms used in the law are enclosed in quotation marks; as for example, "any," "every," "third class."

The question of compulsory or optional legislation regarding establishment is important, but the interpretation of the phrasology is frequently difficult and sometimes can be made only in the light of the general school laws and upon court decisions. Accordingly in column 3, no attempt at interpretation has been made, but instead the exact phrasing of the law has been indicated by means of quotation marks; as for example, "Must provide" libraries, "Authorized" to furnish libraries, and "May establish and maintain" libraries. The laws in 9 of the 21 States contained in table 1 provide also for the maintenance of school libraries as well as the establishment.

Of the 26 types of districts or schools in the 21 States (columns 2 and 4), legal responsibility for the establishment of school libraries rests with the governing body of the local school district in the following instances: Arizona, California (district and city boards of education), Florida, Idaho, Illinois (5 types of districts), Michigan (2 types of districts), New York ("city" school districts), Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee (county boards of education), Utah, West Virginia. In 3 cases the responsibility for the establishment of school libraries rests with the State or county chief school officer—Rhode Island, Washington, and Wisconsin; in 3 others with the school district—Delaware, Minnesota, and New Jersey; and in the following 3 with the inhabitants—Maryland, New York ("Any" school district), and Tennessee ("any" public school).

In this discussion it is reasonable to infer that any school district may provide library service for schools through general legal powers

over education vested in governing bodies of school districts. For example, the authorization "to do all things necessary for the best interests of the school" could be construed as allowing them to do this. However, as a matter of practice it is well known that many school districts are unable to do so because of lack of funds.

Table 1.—Legal provisions for the establishment of school libraries in 21 States

State	Districts or schools affected	Establishment, compulsory or optional	Agencies or persons responsible for establishment
Arizona	"Any" school district	"May establish and maintain" district libraries.	Board of trustees.
California	(a) "District" board of trustees	"May" maintain libraries	District board of education.
Delaware	(b) "City" board of education	do	City board of education.
Florida	District with 4-year high school	"Must provide" libraries	School district.
Idaho	County school district	"Authorized and empowered to establish and maintain" adequate libraries and library services.	County board of public instruction.
Illinois	"Every school district" except independent and joint independent Class A districts.	"Shall spend funds" for establishment and maintenance of school libraries.	School district trustees.
	(a) District with fewer than 1,000 inhabitants and not governed by special act.	"Authorized" to furnish libraries	Board of directors.
	(b) District between 1,000 and 100,000 inhabitants and not governed by special acts.	"Shall have the power and it shall be their duty" to furnish libraries.	Board of education.
	(c) Community consolidated school district.	do	Do.
	(d) Township high-school district	do	Board of directors.
	(e) Special charter district	do	Do.
Maryland	"Each school house district"	"Ought to be established"	People of "school house district."

1 Limited to States in which laws expressly provide that libraries shall be established.



Table 1.—Legal provisions for the establishment of school libraries in 21 States—Continued

State	Districts or schools affected	Establishment, compulsory or optional	Agencies or persons responsible for establishment
1	2	3	4
Michigan	(a) "Township" school district..... (b) "Third class" school district.....	"Authorized to establish and maintain" a district library. "Authorized to establish and maintain" or "continue" a library. "May provide" library facilities..... Compulsory if district wishes to receive State grant.	Board of education. Do.
Minnesota New Jersey	"Any" school district..... "Any public school" in district that has raised funds for establishment of school library.	Compulsory if district wishes to receive State grant.	School district. Do.
New York	(a) "Any" school district..... (b) "City" school district.....	"Authorized to vote a tax for the establishment and maintenance" of a school library. "Authorized to establish and maintain libraries."	Inhabitants of the district when duly assembled. Board of education.
Ohio	"Any" school district.....	"May provide for the establishment, control, and maintenance" of a school library or libraries.	Do.
Pennsylvania Rhode Island	"Every" school district.....	"May establish and maintain" libraries..... See column 4.....	Board of school directors. State director of education "shall assist in establishment" of school libraries. County board of education.
South Carolina	"A public school".....	Compulsory if State wishes to secure county and State grants for establishment of a library.	

South Dakota	"Any" school district	"Shall have power to provide and maintain" an adequate supply of library school books.	Board of education.
Tennessee	(a) "Any public school"	Compulsory if school wishes to receive State grant.	Patrons and friends of school.
	(b) County school district	"May use" State library fund for establishment of a system of county circulating libraries.	County board of education.
Utah <sup>1</sup>	"Every" board of education	"Shall have power to establish" school libraries.	Board of education.
Washington		County commissioners may levy tax for establishment of circulating school library.	County superintendent of common schools.
West Virginia	"Every" school district	"May provide" libraries.	County board of education.
Wisconsin	See column 4	See column 4	State superintendent "shall aid in promoting the establishment, maintenance and control" of school libraries.

<sup>1</sup> State board of education shall promote the establishment of libraries throughout the State.

**Financial support**

Laws in 33 States (listed in column 1 of table 2) expressly provide financial support for school libraries. The types of districts or schools affected in the 33 States are given in column 2 of table 2. In order to avoid misinterpretation in listing these districts and schools, the plan used in column 2 of table 1 is followed here, namely, to enclose in quotation marks the terms used in the law.

One very important point about the laws relating to financial support for school libraries is whether they are compulsory or optional. Owing to the difficulty of determining this from the phraseology, the attempt to do so has not been made, and instead, the exact wording of the law has been given, just as in the case of table 1, column 3. Whether the phrase, "duty of trustees" to apportion money to libraries should be interpreted as compulsory and whether "authorized" to approve the purchase of library books should be interpreted as optional is often a matter which only a court decision or a ruling of an attorney general can decide.

The sources of funds for financial support of school libraries, as provided by law, have been placed in three categories—district, county, and State (columns 4, 5 and 6, table 2). In some instances it is difficult to determine the source because of the overlapping of funds. For example, the laws of Iowa provide that the money withheld by the county auditor for school libraries shall be taken from the "apportionment" of the several school districts. The "apportionment" referred to comes from three sources: The proceeds of the county-wide property tax, the interest on the State permanent school fund which is distributed through counties, and the proceeds of fines from violations of State penal laws. In this case the source was designated as State and the explanation made under a note in the State digest. (See Iowa digest, p. 72.) Iowa has also another source of funds for school libraries which is the "general school fund" of the district. This is undoubtedly made up of funds from district, county, and State sources, but was designated as district.

An examination of columns 4, 5, and 6 of table 2, shows that in the following 12 States the source of funds appears to be district only:

Arizona	Kansas	New York	Pennsylvania
Colorado	Missouri	North Dakota	Vermont
Idaho	Nebraska	Ohio	Wyoming

In 4 States it is county only—Nevada, South Dakota, Washington, and West Virginia; in 3, State only—California, Louisiana, and North Carolina. It is from both district and county in 4 States—Michigan, Mississippi, Montana, and Oregon; district and State in 7—Connecticut, Iowa, Maryland, Minnesota, New Jersey, Tennessee; and Wisconsin; district, county, and State in 2—South Carolina and Virginia; and county and State in 1—Florida.

An examination of columns 3, 4, 5, 6, and 7 of table 2 shows that in 8 States—Connecticut, Maryland, Minnesota, Mississippi, New Jersey, South Carolina, Tennessee, and Virginia—county or State grants or both for school libraries are dependent upon the receipt of funds from district or local schools. The maximum yearly amount of these grants is given in column 7, table 2. The maximum yearly amount of grants for the remaining States is noted in the same column.

The purpose for which school library funds may be spent is given in column 8, table 2. In some instances expenditures may be made for purposes other than library books or services. School apparatus is included in California and Michigan; suitable educational material in Connecticut; dictionaries and books for teaching vocal music, maps, charts, and apparatus in Iowa; and books confined largely to curricular subjects in Kansas.

The purpose of column 9 in table 2 is to show upon what conditions the grants are contingent. The one most frequently mentioned is that books shall be selected from a list approved by State educational boards or the State's chief school officer or the State library agency.

Table 2.—Legal provisions for financial

State	Districts or schools affected	Financial support, compulsory or optional	Sources of funds	
			District	County
1	2	3	4	5
Arizona.....	(a) "Trustees of school districts."  (b) "Trustees of any school district or city board of education."	"Authorized" to purchase library books.  "May expend" funds for services of public libraries.	Funds of district.....  Portion of total annual budget of district.	
California....	(a) Districts not governed by boards of education.  (b) City or city and county school districts.	Library fund "shall be apportioned" to district.  .....do.....		
Colorado.....	"Any" school board.	"May include" item for purchase of library books.	Special fund raised by levy on taxable property of district.	
Connecticut...	"Towns or school districts."	Compulsory if "towns or school districts" wish to receive State grants.	Funds of "towns or school districts" raised by taxation.	
Florida.....	County school district.	(a) County board of education "shall have power" to spend funds for library services. (b) State superintendent may allocate portion of State textbook fund to libraries.		County general school fund.
Idaho.....	"Every school district" except independent and joint independent Class A districts.	"Duty of trustees" to apply a portion of moneys apportioned to district for library.	A portion of moneys apportioned to the district for library.	

SUMMARY

support for school libraries in 33 States

Sources of funds	Yearly amount	Purpose	Principal conditions under which support is granted
State			
1	2	3	4
		Library books.	
	Not to exceed 3 percent of total annual budget of the district.	Services by contract with county or other public library.	
Library fund is taken from moneys apportioned to the elementary schools of the State from the State general school fund.	Not less than \$25 nor more than \$50 for each teacher allowed under the provisions for the apportionment of State elementary school funds.	School apparatus and books for a school library, including books of supplementary work.	Apparatus and books must be selected from lists adopted by county, or city or city and county boards of education.
do.....	Not less than 40 cents nor more than \$1 for each pupil in average daily attendance in the elementary schools.	do.....	
	Not to exceed one-tenth of one mill on the taxable property of the district.	Books for a library.	Fund shall be used for purpose specified and library shall be open to public.
State appropriation for school libraries.	"Towns or school districts" must spend twice the amount for which claim for State grant is made. State grant shall not exceed \$10 for each 1-teacher school nor \$5 for each 100 pupils, or fraction thereof, registered in all other public schools.	"A school library or other suitable educational materials."	State Board of Education shall make rules for the arrangement, use, and safe keeping of libraries.
		Books, mobile and other library services.	Books and library services must meet standards approved by State Board of Education.
State textbook fund....	Not to exceed 75 percent of the unused portion of credit of State textbook fund allocated to the county.	Books for public-school library use in the county.	Books must meet standards approved by State Board of Education.
	At least 3 percent of moneys apportioned to district for library.	Maintenance and establishment of a school library.	Books shall be selected from a list approved by State Board of Education and they shall be loaned to residents of district.

Table 2.—Legal provisions for financial support

State	Districts or schools affected	Financial support, compulsory or optional	Sources of funds	
			District	County
1	2	3	4	5
Iowa	"Each school corporation."	"May purchase" library books.	General school fund of the district.	
Kansas	"Each school district."	"Shall expend" fund set aside for library books.	General funds in possession of school district.	
Louisiana	"School children of the State."	"Shall be expended" for library books.		
Maryland	County school district.	Compulsory if "schoolhouse district" wishes to receive State fund.	Money raised by people of "schoolhouse district."	
Michigan	(a) "Township" school district.	"Empowered" to vote tax for library.	Funds raised by tax.	Proceeds of fines for breach of State penal laws paid into county treasury are apportioned to townships, districts, or cities entitled to receive the same.
	(b) "County" school district.	"Authorized to approve purchase" of library books.	District funds.	do.
	(c) Second-class school district.	"Shall receive" funds devoted by law for libraries.	Funds devoted by law to maintain district or school libraries.	do.
	(d) Third-class school district.	"May purchase" books and apparatus for libraries.	District funds.	do.

for school libraries in 33 States—Continued

Sources of funds	Yearly amount	Purpose	Principal conditions under which support is granted
State			
6	7	8	9
Money withheld by the county auditor from State apportionment for library fund (derived from State and county sources).	(a) From the general school fund of the district; not to exceed \$200 for each school building in school corporation.  (b) From State apportionment; 15 cents for each person of school age residing in each school corporation.	Dictionaries, library books, including books for teaching vocal music, maps, charts, and apparatus.  Books.....	Books may be loaned to residents of district.
	Not less than \$5 for each teacher employed.	Books, confined to works of arithmetic, geography, history, literature, biography, travels, science, and two monthly school journals—one for primary grades and the other for more advanced and general needs.	Money shall be used for no purpose other than that stated in the law; books shall be approved by State superintendent.
Severance tax.....		Library books.....	Books shall be distributed to schools through State Board of Education.
State school (fund money paid through county school commissioners).	\$10 from "schoolhouse district" and \$10 from State.	School district libraries.	Books shall be selected from list furnished by State Board of Education.
		Library.....	Money received from penal fines must be used for libraries and for no other purposes; and library books must be selected from list prepared by State superintendent (in cooperation with State librarian).
		Library books.....	Do.
		School libraries.....	Do.
		Books and apparatus for libraries.	Do.

Table 2.—Legal provisions for financial support

State	Districts or schools affected	Financial support, compulsory or optional	Sources of funds	
			District	County
1	2	3	4	5
Minnesota.....	"Any" school district or unorganized territory.	Compulsory if district wishes to receive State grant.	Funds voted by district.	.....
Mississippi.....	"Any free public school."	Compulsory if school wishes to receive county grant.	Funds raised by subscription or otherwise.	Common school fund of the county.
Missouri.....	Districts governed by boards of directors.	"Shall set aside funds" for library books.	Levy for incidental purposes of district.	.....
Montana.....	(a) "Third class" school districts.	Must expend library fund.	District may add donations to library fund.	Library fund is taken from general school fund of the county apportioned to district.
	(b) "First and second class" school districts.	do.....	do.....	do.....
Nebraska.....	"Every" school district:	"Shall set aside" funds for library fund.	A portion of the general fund of the district.	.....

## for school libraries in 33 States—Continued

Sources of funds	Yearly amount	Purpose	Principal conditions under which support is granted
State			
6	7	8	9
Appropriation for purchase of library books	Maximum State grant: 50 cents per pupil in average daily attendance during preceding year for 500 pupils, and 25 cents per additional pupil in average daily attendance during preceding year.	Library books	State grant shall not exceed one-half the amount expended by local district for 500 pupils, nor one-fourth of the amount expended by such district for additional pupils; books must be purchased from list prepared by State Department of Education.
	(a) District—Not less than \$10 per school.	School library	No school shall receive a second donation from the county school library fund so long as there are new applications from schools that have not been supplied. Do.
	(b) County—Not more than \$5 per school; total county expenditure must not exceed \$250.	do	
	Not less than 5 nor more than 20 cents per pupil enrolled in the district.	School libraries, supplementary and reference books.	First 100 books must be selected from list recommended by State Library Board; said board shall contract with publishers to furnish books at lowest cost.
	Not less than 5 nor more than 10 percent of apportioned fund up to \$50.  Not to exceed \$50 for every 500 children or major fraction thereof, between the ages of 6 and 21 years.	Books for a school library, including books for supplementary work.  do	Books must be selected from lists approved by State superintendent; library shall be available to residents of community. Do.
	\$5 per teacher employed within the school district.	Books, other than textbooks, suitable for a school library.	District exempt from payment if \$5 per teacher or more is raised by entertainment and paid into library fund; excesses for any 1 year may be deducted from expenditure for succeeding years. School officials may declare law inoperative if there is in school district a public library with an annual budget of not less than \$300.

Table 2.—Legal provisions for financial support

State	Districts or schools affected	Financial support, compulsory or optional	Sources of funds	
			District	County
1	2	3	4	5
Nevada	"Each" school district.	"Trustees shall expend" library fund.		County school fund due the district.
New Jersey	"Any" public school in a school district that has raised funds for school library.	Compulsory if district wishes to receive State grant.	Funds raised by special district tax subscription, or entertainment.	
New York	(a) "Any" school district.	Inhabitants "may vote tax" for school library.	Tax voted by district.	
	(b) "Union free" school district. (c) "City and school district."	"Authorized" to insure school library. "Authorized" to raise money by tax	Money raised by tax	
North Carolina	All school districts	Libraries among the items named in State appropriation act for public-school support.		

for school libraries in 33 States—Continued

Sources of funds		Yearly amount	Purpose	Principal conditions under which support is granted
State				
0		1	2	3
		Not less than \$5 per teacher per district.	Library books	Books shall be approved by State superintendent (except for districts of first class). If a district fails to expend required amount, State superintendent may deduct from next annual apportionment of county school fund due the district such part of fund as district has failed to expend for library books.
Appropriation for school libraries.	(a) District—\$20 for establishment and \$10 for maintenance.  (b) State—\$20 for establishment and \$10 for maintenance if like amounts are raised by district.		Establishment and maintenance of school library or for books of reference, school apparatus, or educational works of art.  do.	Books shall be approved by State public library commission.  Do.
			Establishment and maintenance of school library books and insurance of library.	Commissioner of education authorized to withhold public-school moneys from city or district which uses library moneys for any purpose other than that for which they are provided.
			Insurance of library.	Do.
			Starting, extending, or caring for school library.	Do.
(a) Appropriation for public school support. (b) Appropriation for State Textbook Commission.			Libraries.  Purchase or rental of library books.	State Board of Education shall make rules regarding purchase or rental of library books furnished by State Textbook Commission.

Table 2.—Legal provisions for financial support

State	Districts or schools affected	Financial support, compulsory or optional	Sources of funds	
			District	County
1	2	3	4	5
North Dakota.	"Each" school of the district.	"Shall appropriate and expend" money for library books.	Appropriation from district funds.	
Ohio.....	"Any" school district.	May contract for library service.	Tax levied by district.	
Oregon.....	(a) "District school boards."  (b) Districts in counties of fewer than 100,000 inhabitants.	"Shall furnish" library books and other materials named in law.  "County commissioners required to levy" tax for general school library fund of county.	A portion of the common school fund.	Tax on all taxable property of county, to be known as general school library fund.
Pennsylvania.	"Any" school district.	May establish and maintain libraries.	Funds raised by taxation.	
South Carolina	"A public school"	(a) Compulsory if district wishes to secure county and State aid.  (b) "May purchase and rent" library books from State Textbook Commission.	Funds raised by friends and patrons of a public school.  District funds for purchase of library books rented from State Textbook Commission.	County funds to match funds raised by friends and patrons of a public school.  County funds for purchase of library books rented from State Textbook Commission.
South Dakota.	"Any" school district.	County treasurer shall withhold library fund.		Library fund withheld from "interest and income" fund, apportioned to county or other income for school.
Tennessee.....	"Any public school"	Compulsory if school wishes to receive State funds.	Funds raised by private subscription or otherwise by friends and patrons of a public school.	

## for school libraries in 33 States—Continued

Source of funds	Yearly amount	Purpose	Principal conditions under which support is granted
State			
6	7	8	9
	Not less than \$10 nor more than \$25 for each school in the district until total number of volumes reaches 200, then \$5 until 300 volumes are reached; after that up-keep.	School library.....	State superintendent shall make rules for care of library.
		Contract with public library.	District board of education shall pay all or part of expenses, including salaries of school librarians.
		Library books.....	
	Not less than 10 cents per capita for each child in the county between 4 and 20 years.	Library purposes .....	Books must be purchased and distributed through State library.
	Not exceeding one mill on the dollar of total valuation of taxable property of school district.	Support and maintenance of public-school library.	
State appropriation for school libraries.	Not less than \$5 nor more than \$25 per school to be matched by county and State; also \$12.50 for bookcase—to be matched by State.	Establishment and enlargement of a library or purchase of supplementary readers; also purchase of bookcase.	Books purchased with State and county aid shall be selected from list furnished by library committee.
		Rental or purchase of library books.	Books secured from State Textbook Commission shall be selected from list approved by commission.
	10 cents for each child of school age residing in the county.	Library books.....	Books must be selected from list prepared by State superintendent.
Appropriation for State aid for school libraries.	\$10 or more per school; State grant not to exceed \$40 per school.	Establishment and maintenance of a school library, or establishment of system of county circulating libraries.	State Board of Education must adopt list of books and arrange for purchase of books adopted at lowest possible price.

Table 2.—Legal provisions for financial support

State	Districts or schools affected	Financial support, compulsory or optional	Sources of funds	
			District	County
1	2	3	4	5
Vermont	All districts	Compulsory if district borrows books from State Library Commission.	Funds of towns and incorporated school districts.	
Virginia	Any public school	Compulsory if school wishes to share in county and State aid.	Fund raised by patrons and friends of public school in 24 city school districts.	Fund raised by patrons and friends of public school in the 100 county school districts.
Washington	(a) School district in cities of second and third classes. (b) Districts administered by county superintendents.	Shall be the duty to pay for libraries and other materials. County "may levy tax" for county circulating libraries.		Tax levied by county commissioners.
West Virginia	County school district.	"May provide" libraries.		Funds of county school districts.
Wisconsin	"Towns, villages, and cities of the fourth class".	"Shall be expended" for library books.	School district treasury (rebinding of books only).	
Wyoming	Qualified electors of the district, when assembled.	"Shall have power" to vote such sum of money as the meeting shall deem sufficient "for procuring libraries for the schools".	General funds of the district.	

for school libraries in 33 States—Continued

Sources of funds	Yearly amount	Purpose	Principal conditions under which support is granted
State			
6	7	8	9
		Transportation of traveling libraries loaned by free public library commission.	
State appropriation for "unit libraries".	\$15 or more from schools, \$15 from county or city board of education, and \$30 from State.	"Unit libraries".....	"Unit libraries" shall be purchased and cared for under rules adopted by the State Board of Education.
		Libraries and other materials.	
	For county circulating libraries not to exceed one-tenth of one mill on each dollar of assessed valuation of said county.	Establishment of county circulating libraries.	Books must be recommended by State Board of Education.
		Library books, book-cases.	
Common school fund income.	(a) For rebinding of books—20 cents for each person of school age in the district for the first year and not to exceed 10 cents for each succeeding year. (b) From common school fund income—20 cents for each person of school age residing in the district.	Rebinding of school district library books.  Library books.....	State superintendent shall contract with dealers for supplying books purchased with funds set aside from common school fund income.
		Libraries for the schools.	

Table 3.—Legal duties of district, county, and State officers relating to the administration and supervision of school libraries in 29 States

State	District officers	County officers	State officers
1	2	3	4
Arizona-----	Board of trustees shall have control of libraries, enforce rules and, when requested, make reports; may provide for community service.	County superintendent may request reports from trustees.	State superintendent shall supply county superintendents with blanks for reports to be made by trustees.
Arkansas-----	-----	-----	Library commission may cooperate with State Board of Education in formulation of rules, such rules to be promulgated through the State commissioner of education.
California-----	School district trustees and city boards of education shall be responsible for care of library, cause ownership marks to be placed in books, and make rules in addition to and not inconsistent with those made by State Board of Education, collect fines, and open library to residents of district.	County superintendent must approve orders for library books drawn on State library fund by school trustees.	State Board of Education shall make rules for administration of school district libraries.

SUMMARY

<p>Colorado-----</p>	<p>(a) School district board makes rules for community use of libraries. (b) Secretary of school board makes report of library to county superintendent.</p>	<p>-----</p>	<p>State superintendent prepares blanks for reports of libraries made by secretary of district school board.</p>
<p>Connecticut-----</p>	<p>(a) "The town" [Appropriate town officials] files with secretary of State Board of Education, statement of expenditures of State grant for libraries. (b) Board of education makes rules for management of library.</p>	<p>-----</p>	<p>Secretary of State Board of Education provides for payment of State aid for libraries to treasurers of town or school districts.</p>
<p>Delaware-----</p>	<p>District library commission of a school district public library shall make reports and recommendations to board of education or school committee.</p>	<p>-----</p>	<p>(a) State Board of Education shall prescribe library standards for approved high schools. (b) Committee on traveling libraries of State Federation of Women's Clubs shall prescribe rules for use of books purchased with funds tendered clubs by legislation; also report on expenditures to libraries.</p>
<p>Florida-----</p>	<p>-----</p>	<p>County superintendent must recommend to county board of education purchase of books and services and also the plans for establishing and maintaining libraries.</p>	<p>State Board of Education must approve standards of library services provided by county boards of education; also regulations governing circulating libraries.</p>

Table 3.—Legal duties of district, county, and State officers relating to the administration and supervision of school libraries in 29 States—Continued

State	District officers	County officers	State officers
1	2	3	4
Idaho.....	Trustees of every district except independent and Class A independent districts make rules, keep records and report annually to county superintendent on condition of library.	-----	
Iowa.....	Board of directors of each school corporation shall have supervision of books, distribute them among schools, keep library in school-house, and may loan books to community.	County board of education shall expend library fund for books, and distribute books to schools and may provide for county circulating library.	(a) State Board of Educational Examiners and Board of School Directors required to prescribe rules for loan of school district library books. (b) State superintendent shall prescribe library standards.
Kansas.....	"School district board or board of education of each school district" shall have power to make rules regarding management of library and inquire into matters of library on visits to schools.	-----	

Michigan.....

- (a) "Board" of education of township school district shall provide for care and management of library
- (b) Board of education of second-class school districts shall administer expenditure of school library fund.
- (c) Board of education of third-class school district may purchase books and apparatus for libraries.

State superintendent may prepare and print rules for the management of township and district libraries.

Minnesota.....

- (a) School board of "any" school district may make rules for use and management of the library.
- (b) "Voters of common school districts" when assembled at annual or special meetings may make rules for use and management of the library.

State Board of Education formulates standards for school district library facilities.

Mississippi.....

Trustees of municipal separate school districts enforce rules prescribed for government of libraries (named as one of duties).

County superintendent shall make reports biennially to State superintendent and appoint a county library commission which shall make rules for governing library.

Table 3.—Legal duties of district, county, and State officers relating to the administration and supervision of school libraries in 29 States—Continued

State	District officers	County officers	State officers
1	2	3	4
Montana-----	Board of trustees shall make rules for government of library (not inconsistent with rules made by State superintendent); and shall report annually to the county superintendent.	County superintendent shall inspect library on visits to school and make suggestions as to its care.	State superintendent shall formulate regulations and furnish county superintendents blanks for statistical information (named as one of duties).
Nebraska-----	School boards or trustees shall prescribe rules for use of library.	-----	-----
Nevada-----	-----	-----	Deputy superintendents inspect libraries (named as one of duties).
New Jersey-----	-----	-----	Public Library Commission shall adopt rules for the management of libraries purchased in part by State funds; may consolidate libraries of a school district.
New York-----	Trustees or boards of education shall keep library in schoolhouse and may permit use by public when there is no free library.	-----	Commissioner of education shall prescribe rules regulating management of libraries, use by residents, and reports of school libraries.

<p>North Dakota-----</p>	<p>District school board shall make rules governing care and use of library and report library statistics annually to county superintendent; may also arrange library exchanges with other districts.</p>	<p>County superintendent authorized to certify to secretary of State number of Blue Books needed for school libraries and is held responsible for distribution of such books.</p>	<p>State superintendent may make rules for care of library and furnish county superintendent blanks for statistical data.</p>
<p>Oregon-----</p>	<p>Board of directors shall have supervision of all books purchased from general school library fund and make equitable distribution to schools.</p>	<p>County superintendent apportions general school library fund to districts of county and notifies State librarian of money apportioned.</p>	<p>State library prescribes rules for control and management of school libraries purchased from general school library fund.</p>
<p>Pennsylvania-----</p>	<p>(a) Directors of second- and third-class school districts may manage library or determine board responsible for management. (b) Board of school directors of any school district approve rules made by library trustees of school district. (c) Director of any school district maintaining a public-school library may permit use of public-school library by other residents of district.</p>	<p></p>	<p></p>
<p>Rhode Island-----</p>	<p>School committee shall make provision for inspection of school library.</p>	<p></p>	<p></p>

Table 3.—Legal duties of district, county, and State officers relating to the administration and supervision of school libraries in 29 States—Continued

State	District officers	County officers	State officers
South Carolina	-----	County superintendent is responsible for administrative machinery in securing county and State funds to match funds raised locally for school libraries and bookcases.	State Textbook Commission authorized to furnish library books on rental basis.
South Dakota	(a) Board of Education of any school district shall prescribe rules governing library books. (b) Clerk of the school board shall have care of books, report library statistics to the county superintendent, and lend books to community.	County library board shall purchase books; is also authorized to organize circuits for circulation of library books.	State superintendent authorized to require library statistics from clerks of school boards and prescribe regulations for lending books.
Tennessee	-----	(a) County superintendent is responsible for administrative machinery involved in securing State funds to match funds raised locally for libraries. (b) County board of education may establish county system of circulating libraries.	(a) Comptroller of Treasury shall administer expenditure of State fund for libraries. (b) State Board of Education shall make and publish rules for school libraries. (c) State Department of Education is authorized to supervise and develop libraries in public schools through its library division.

<p>Virginia.....</p>	<p>Clerk of city board of education receives money raised by patrons of schools in cities for "unit libraries."</p>	<p>Clerk of county board of education receives money raised by patrons of schools in counties for "unit libraries."</p>	<p>State Board of Education shall purchase "unit libraries" and adopt rules for their care.</p>
<p>Washington.....</p>	<p>-----</p>	<p>County superintendent may establish circulating libraries for common schools of county.</p>	<p>-----</p>
<p>West Virginia.....</p>	<p>-----</p>	<p>County board of education may make rules for community use of libraries during vacation.</p>	<p>-----</p>
<p>Wisconsin.....</p>	<p>District and city superintendents shall provide for expenditures of money for library books and shall supply statistical data.</p>	<p>(a) County treasurer shall apportion State library fund. (b) County superintendent of schools shall purchase and distribute library books; may also arrange for exchange of library books.</p>	<p>State superintendent shall prescribe rules for the management of school libraries and receive bids and make contracts with dealers for purchase of books.</p>

### Administration and Supervision

Table 3 gives the legal duties of district, county, and State school officers relating to the administration and supervision of school libraries in 29 States, which are listed in column 1.

Titles of boards and school officials are given in column 2 of table 3 for the various types of districts. It should be noted that in Minnesota the voters of common school districts, when duly assembled, are the administrative body. The general duties of school officials are to formulate and enforce rules for the management and care of libraries, make reports, provide for community use of books when this is permitted by law, administer expenditures of school library funds, purchase library books and in some instances distribute them to schools (column 2, table 3).

County boards of education and the county's chief school officer are generally given responsibility for seeing to it that the specified library duties are performed in counties (see column 3, table 3). In 4 of the States listed—Florida, South Carolina, Tennessee, and West Virginia—the county is the unit for school administration. The county library board in South Dakota is composed of the county superintendent, county auditor, State's attorney, superintendent of schools in independent districts, and principals of schools employing more than one teacher (see South Dakota digest, p. 118). The general administrative duties of county school boards and officials are similar to those of district boards and officials (see column 3, table 3).

On the State level, the chief school officer or State board of education is usually responsible for the State administrative duties relating to school libraries. The State library agency is named in 2 States—New Jersey and Oregon—and in another State—Arkansas—it cooperates with the Board of Education and commissioner of education in formulating rules for the administration of school libraries (column 4, table 3).

The general duties performed by these boards and officials are: Requiring statistical data from district and county officials; making rules for the management and control of school libraries; prescribing library standards; and administering expenditures of funds for libraries. In 1 State—Tennessee—the law provides that the State Department of Education is authorized to supervise and develop libraries in public schools through its library division (see column 4, table 3).

### Books—Their Selection, Care, and Use

Laws expressly providing for the selection, care, and use of school library books are found in 41 States. Provisions for these States are summarized in table 4.

In the matter of the selection of books, the table shows that the laws not only designate the agency or official responsible for the approval, but also specify definitely what types of books are to be excluded. Approval is vested for the most part in the State board of education or the State chief school officer, 21 of the 41 States having laws to this effect. The State library agency is responsible in 5 States, but in 1 of the 5 States—Indiana—the library agency is under the administrative control of the State's chief school officer. In 1 State—Michigan—the State educational and library agencies share the responsibility for approval of books. Local authorities are given the power to approve books in only 6 instances (see columns 2, 3, and 4 of table 4).

The types of books that are excluded by law are indicated in columns 9, 10, and 11 of table 4. Immoral or obscene books are the types barred in most cases—18 of the 41 States having laws to this effect. Sectarian books are named in 9 States and partisan in 4 as reasons for exclusion.

Laws relating to the care of school library books contain provisions about the place where they shall be housed, about supplying book-cases, and about the detention and mutilation of books. The laws in 11 States require that they shall be housed in the schoolhouse, and in 5 that cases shall be provided. The detention of books is forbidden in 9 States and their mutilation in 12 States; in both instances these laws expressly apply to school libraries or to libraries in "educational institutions." The laws of 8 States provide that school library books may be used by the residents of the district (column 12, table 4). The 18 footnotes to table 4 indicate that there is little uniformity in the legal provisions.

Table 4.—Laws relating to the selection, care, and use of school library books

State	Books shall be approved by—			Books shall be housed in school-house	Cases shall be provided	Detention of books forbidden	Mutilation of books forbidden	Types of books excluded			Use of books by residents of district permitted
	Local educational board or school officer	State board of education or chief State school officer	State library agency					Immoral or obscene	Partisan	Sectional	
1	3	3	4	5	6	7	8	9	10	11	12
Alabama											X
Arizona				X		X			X	X	X
Arkansas						X			X	X	X <sup>3</sup>
California	X <sup>1</sup>										
Colorado								X			
Connecticut	X					X					
Delaware			X <sup>3</sup>	X <sup>4</sup>			X				
District of Columbia											X
Florida		X									
Georgia											X <sup>3</sup>
Idaho		X <sup>1</sup>		X	X						
Illinois											
Indiana			X				X				
Iowa		X <sup>10</sup>		X			X				X
Kansas		X									



Table 4.—Laws relating to the selection, care, and use of school library books—Continued

State	Books shall be approved by—			Books shall be housed in school-house	Cases shall be provided	Detention of books forbidden	Mutilation of books forbidden	Types of books excluded			Use of books by residents of district permitted	
	Local educational board or school officer	State board of education or chief of State school officer	State library agency					Immoral or obscene	Partisan	Sectarian		
1	2	3	4	5	6	7	8	9	10	11	12	
Tennessee.....												
Texas.....		X 1				X	X					
Utah.....												
Vermont.....						X	X					
Virginia.....												
Washington.....		X 11				X	X					
West Virginia.....		X 11 12				X	X					
Wisconsin.....		X 1		X 11						X	X 13	
Wyoming.....				X 11								
Total.....	6	21	5	11	5	9	12	18	4	9	8	

1 Prepare, adopt, or furnish list.  
 2 "Shall" be loaned to residents of district.  
 3 Applies to school district controlled libraries.  
 4 "May" be housed in schoolhouse.  
 5 State Board of Educational Examiners.  
 6 And indel.  
 7 State Superintendent and librarian.  
 8 State Department of Education.  
 9 County Library Commission.  
 10 State Library Board.  
 11 Public library books may be housed in schoolhouse on approval of school board.  
 12 Applies to books furnished by State Textbook Commission.  
 13 May be loaned to residents of other districts.  
 14 Or library trustees.  
 15 Books furnished by State School Book Commission selected from list furnished by a library committee, appointed by State superintendent.  
 16 Applies to independent districts.  
 17 Applies to books selected for county circulating libraries.  
 18 Does not apply to high schools. Books not on State list may be selected on written approval of State superintendent.



## Legal Provisions for School Librarians

There are 19 States in which legislation for school librarians is expressly stated. These States and their provisions are given in table 5.

Provisions for appointment are authorized in 14 States (column 2, table 5). The laws specifically provide for the certification of school librarians in 9 States (column 3, table 5). It must not be inferred from this that there is no provision for their certification in the remaining States, because in practically all of the States, certification is possible by reason of broad and general certifying powers vested by law in State school officers. The general trend in legislation relative to the certification of school librarians is the same as that for teachers, namely, to give State certifying authorities power to establish regulations for the certification of such librarians rather than fix them by statute.

In order to determine the number of States in which certifying authorities have adopted regulations for the certification of librarians the United States Office of Education, in connection with this study, asked for such information from State departments of education in the spring of 1939. The replies show that the following 31 States (including the District of Columbia) have adopted such regulations:

Alabama	Indiana	New Hampshire	Pennsylvania
California	Iowa	New Jersey	South Carolina
Connecticut	Kentucky	New York	South Dakota
Delaware	Louisiana	North Carolina	Utah
District of Columbia	Maine	North Dakota	Virginia
Florida	Michigan	Ohio	Washington
Georgia	Minnesota	Oklahoma	West Virginia
	Mississippi	Oregon	Wisconsin

Two other States—Kansas and Tennessee—have taken steps in that direction. This subject of the adoption of regulations for the certification of school librarians is discussed more fully in a recent article in *School Life*, the official organ of the United States Office of Education.<sup>1</sup>

School librarians are required by law to make records and reports in 6 States as indicated in column 4 of table 5. Salary provisions are specified in only 3 States (column 5, table 5). The legal situation relative to salaries is similar to that for teachers, namely, to give local or State boards of education authority to adopt salary schedules rather than fix them by statutes. Teacher status is expressly conferred by law in only 4 States (column 8, table 5) but here again the practice is to regard school librarians as teachers if their qualifications are similar to those for teachers.

<sup>1</sup> Lathrop, Edith A. Certification of School Librarians. *School Life*, 25: 239, 256, May 1940.

The laws of 5 States specify that a school officer shall act as librarian and those of 8 that the teacher shall be the librarian (columns 6 and 7, table 5). In this connection it should be remembered that these laws were enacted for the purpose of making someone responsible for the care of library books in isolated rural schools. Since there are approximately, 122,000 1-teacher and 25,000 2-teacher schools situated in rural communities, this law is of considerable significance.

Table 5.—Provisions of State laws regarding school librarians in 19 States

State	Appointment authorized	Certification	Records and reports required	Salary	School officer acts as librarian	Teacher acts as librarian	Teacher status conferred
1	2	3	4	5	6	7	8
Arizona.....	X					X <sup>1</sup>	
California.....	X	X <sup>2</sup>				X <sup>1</sup>	X
District of Columbia.....				X			
Florida.....		X <sup>2</sup>					X
Iowa.....	X		X		X <sup>4</sup>	X <sup>5</sup>	
Kansas.....	X				X <sup>6</sup>		
Maryland.....						X	
Michigan.....	X			X			
Minnesota.....	X	X <sup>7</sup>					X <sup>8</sup>
Mississippi.....	X <sup>9</sup>						
New York.....	X <sup>10</sup>	X <sup>11</sup>	X <sup>12</sup>	X <sup>13</sup>		X <sup>10</sup>	
North Dakota.....	X <sup>14</sup>				X <sup>14</sup>		
Oklahoma.....	X <sup>15</sup>	X <sup>16</sup>					
Oregon.....	X <sup>17</sup>	X <sup>18</sup>	X			X <sup>5</sup>	
Pennsylvania.....	X		X <sup>19</sup>				
South Dakota.....			X <sup>20</sup>		X	X <sup>5</sup>	
Tennessee.....		X <sup>21</sup>					
West Virginia.....	X <sup>22</sup>	X <sup>21</sup>					
Wisconsin.....	X	X <sup>23</sup>	X <sup>24</sup>		X <sup>25</sup>	X <sup>25</sup>	X
<b>Total.....</b>	<b>14</b>	<b>9</b>	<b>6</b>	<b>3</b>	<b>5</b>	<b>8</b>	<b>4</b>

<sup>1</sup> Or other qualified person.

<sup>2</sup> State Board of Education shall prescribe rules upon which county and city and county boards of education may grant certificates "to act as school librarians."

<sup>3</sup> Librarians shall hold certificate required by law and regulations of State Board of Education for type of service rendered.

<sup>4</sup> The secretary in independent districts and director in subdistricts in school townships.

<sup>5</sup> When school is in session.

<sup>6</sup> Unless some other competent person who is a resident of the district shall be appointed.

<sup>7</sup> Applies to holder of high-school standard special certificate qualified "to act as school librarian."

<sup>8</sup> Word "teacher" as used in teacher-retirement act includes librarian.

<sup>9</sup> Applies to municipal separate school districts.

<sup>10</sup> No trustee shall act as librarian; boards of education in city or union free high school district, maintaining a high school, may appoint public librarian to give part time to school library—if librarian is not ap-

## Relationship of State Library Extension Agency to School Libraries

In every State, some State library agency or unit has been charged by law with the function of improving library service and of extending it to areas now without it. Several States, it is true, have not appropriated the necessary funds for their operation, but the authorization for the establishment of such agencies exists nevertheless. Although these agencies are thought of primarily in connection with public library service, table 6 shows that 42 States have specified legally for these agencies certain services to or relationships with the schools.

The instances in which the administrative control of the library agency is vested in school authorities are indicated in columns 2 and 3 of table 6. From these columns it will be seen that of the 43 States, 3 vest legal control in the State board of education and 10 vest it in the State's chief school officer. In 9 of the latter 10 cases, as indicated in footnote 3 to table 6, control is vested in the State's chief school officer by virtue of his position as head of the department of education.

The connection which the chief State school officer has with the governing board of the library agency constitutes a significant relationship. The instances of this relationship are shown in columns 4 and 5 of table 6. In 2 States he is the presiding officer of the board and in 1, its secretary (column 4, table 6). In 13 other States he is a member; in 1 of the 13 States—South Carolina—he is not only an ex officio member but recommends the appointment of all members; and in another—Arkansas—he is not a member but recommends the appointment of one member (column 5, table 6).

pointed, teacher of English shall be librarian. If librarian is not appointed in other district, teacher shall act as librarian.

<sup>11</sup> Superintendent of schools of a city authorized to issue licenses to school librarians in accordance with regulations of board of education.

<sup>12</sup> Commissioner of education shall prescribe rules for submission of reports.

<sup>13</sup> Board of education in city or union free school district authorized to fix salaries; law specifies salary schedule for library assistants in cities of the first class.

<sup>14</sup> School district board may appoint suitable person, including one of their own number.

<sup>15</sup> Applies to employment of head librarians in cities of the first class.

<sup>16</sup> Applies to cities of the first class; the Oklahoma Library Commission acts as a board of examiners and grants certificates according to the educational qualifications of the candidate.

<sup>17</sup> County superintendent shall appoint.

<sup>18</sup> State superintendent may issue certificate.

<sup>19</sup> Shall, when requested, make reports to State librarian and State superintendent.

<sup>20</sup> Keep a record of books received from county library board and report library statistics to State superintendent.

<sup>21</sup> State Board of Education shall issue certificates and set up standards for requirements.

<sup>22</sup> County boards of education authorized to appoint a librarian during vacation; applies to schools with libraries of 50 volumes or more.

<sup>23</sup> Librarian must meet standards prescribed by State superintendent and must possess the qualifications required by law for employment as a teacher. In cities of the first class librarians who met prescribed standards when employed and have had not less than 1 year's experience as a teacher or librarian shall be given teacher status.

<sup>24</sup> Blanks for reports shall be supplied by county, district, or city superintendents.

<sup>25</sup> When school is not in session, school clerk shall act as librarian if school board has not appointed a teacher to act in said capacity.

The library extension agency's services to schools, as specified by law, are noted in columns 6 to 13. One of the advisory services (columns 6, 7, and 8) most frequently mentioned in the laws is that of giving "advice on establishment, maintenance, and management." Another is advice on library techniques, which includes processing books, cataloging, and classification. Book loans is another service that is frequently included in laws specifically. It should be observed that there is considerable overlapping in the terms used by the law-makers in specifying the services to be performed, but the list as given is indicative of the present situation.

Besides the services enumerated in table 6, New Jersey has a law giving the library commission power to consolidate school libraries (*see New Jersey digest, p. 96*); Michigan stipulates that the State Board of Libraries shall undertake research studies and shall make the resultant findings available to all public-school libraries within the State (*see Michigan digest, p. 81*); Nevada requires its State library to furnish an author-subject catalog of its miscellaneous collection to every school library (*see Nevada digest, p. 93*).

Table 6.—*Laws affecting relationship of State library extension agencies to school libraries*

State	Administration		Services specified															
	Control vested in—		Ex officio relationships of State's chief school officer to governing board of library agency		1	2	3	4	5	6	7	8	9	10	11	12	13	
	State Board of Education	State's chief school officer	Officer of board	Member														Advice on establishment, maintenance, and management
Alabama																		
Arkansas																		
California			X <sup>3</sup>		(2)				X	X	X			X	X <sup>1</sup>			
Colorado			X <sup>3</sup>															
Connecticut	X								X	X	X			X <sup>4</sup>				
Delaware																		
Florida									X	X	X							X <sup>5</sup>
Georgia																		
Idaho																		
Illinois							X <sup>7</sup>							X <sup>6</sup>	X <sup>8</sup>	X <sup>9</sup>	X <sup>10</sup>	
Indiana																		
Iowa		X <sup>3</sup>							X	X	X							
Kentucky																		
Louisiana									X	X	X							X
Maine		X <sup>3</sup>							X	X	X				X <sup>11</sup>			X

See footnotes at end of table.

## LAWS AFFECTING SCHOOL LIBRARIES

Table 6.—Laws affecting relationship of State library extension agencies to school libraries—Continued

State	Administration		Ex officio relationships of State's chief school officer to governing board of library agency			Services specified										
	Control vested in—		State's chief school officer	Officer of board	Member	6	7	8	9	10	11	12	13			
	State Board of Education															
1	3	4														
Maryland						X	X									
Massachusetts			X			X	X									
Michigan			X			X	X									
Minnesota	X					X	X				X <sup>12</sup>					
Mississippi						X	X									
Missouri						X	X									
Montana					X	X	X									
Nebraska					X	X	X									
Nevada												X <sup>13</sup>				
New Hampshire												X				
New Jersey																
New Mexico					X				X							
New York																
North Carolina			X													
North Dakota					X								X			

	3	11	3	13	14	13	14	2	16	9	5	3
Ohio		X <sup>3 31</sup>	X <sup>16</sup>			X	X		X	X <sup>15</sup>		
Oklahoma				X	X	X	X		X			
Oregon				X	X	X	X		X			
Pennsylvania		X <sup>3</sup>										
Rhode Island					X <sup>16</sup>						X	
South Carolina				X <sup>17</sup>								
South Dakota			X <sup>14</sup>	X		X						
Tennessee		X <sup>3 16</sup>							X	X <sup>10</sup>		
Vermont				X					X			
Virginia	(2)											
Washington		X										
Wisconsin				X					X		X <sup>10</sup>	
<b>Total</b>	<b>3</b>	<b>11</b>	<b>3</b>	<b>13</b>	<b>14</b>	<b>13</b>	<b>14</b>	<b>2</b>	<b>16</b>	<b>9</b>	<b>5</b>	<b>3</b>

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- 1 Public library service division shall not affect administration and supervision of school libraries as carried on by State Department of Education or county and city boards of education, except by agreement.
- 2 Recommends appointment of one member.
- 3 As head of Department of Education.
- 4 Books and pictures.
- 5 School district controlled libraries over which commission has general supervision.
- 6 Public documents and records.
- 7 Secretary ex officio.
- 8 Cooperate with "management of public schools."
- 9 Books and other reading materials.
- 10 Assist in planning programs for rural school library service.
- 11 Rules made by library commission must be promulgated through State superintendent.

- 12 In preparation of book lists.
- 13 Books or other property.
- 14 Residing officer.
- 15 State Law Library Board.
- 16 Render aid to libraries which establish branch or visiting libraries in schools.
- 17 Ex officio member and recommends appointment of all members.
- 18 Supervision of libraries is one of the functions of the division of libraries in the State Department of Education.
- 19 Hold institutes.
- 20 In West Virginia, the State Library Commission shall give assistance, advice, and counsel to schools; types of services not specified.
- 21 A State library board is created in the department of education.
- 22 State board of education appoints the governing board of the State library.

### Relationships Between Schools and Public Libraries

The relationship between schools and the public libraries has been the subject of much discussion. In the recently published *Social Services and the Schools* by the Educational Policies Commission, this problem is considered at some length, and it has been treated also in other current literature. Table 7, with 37 States listed, shows the extent to which this relationship has been dealt with in express legislation.

The headings of the various columns and the footnotes, it is hoped, are self-explanatory, but there are some points to which attention might be called. One is, as shown in column 2, that school districts in 20 States are permitted to establish a public library and that in 4 others, some of which are included in the preceding figure, they may maintain a public library already established.

The matter of contractual relations, one of increasing importance, is indicated in columns 3 and 4. According to table 7, school districts in 19 States may contract with the county library for service; in 17 States, among which are some in the preceding figure, they may contract with other public libraries for service. It is interesting to note further that the lawmakers have specified in the case of 24 States the financial arrangements for the relationships (column 5). In 6 States—California, Minnesota, Montana, Nevada, South Dakota, and Wisconsin—the districts may transfer funds and books to the public library in return for service.

Since the membership of the governing body which formulates policies for joint services is a matter of importance, the extent to which the schools are represented on it has been analyzed in columns 6, 7, and 8 of table 7. In 6 instances, qualified as indicated by the footnotes, the local school board is legally designated as this governing body for joint service; in 7 others, the chief county school officer is a member of this governing board; and according to column 8, in 8 instances, either a school official or officials make appointments to the board. Column 9 shows that 7 States have express legislation making it permissible to have the public library housed in the school building.

It might be well to observe that as shown by the large number of footnotes to table 7, it is evident that no general pattern is being followed by the States in their legislation on the relationships between schools and public libraries.

Table 7.—*Laws affecting the relationships between schools and public libraries in 37 States*

State	School district may establish and maintain public library	School district may contract for library service with—		Financial arrangements specified	School representation on governing board for joint services				School building may house public library
		County library	Other public library		Local school board is governing board	Chief county school officer or other school officer member of board	School officials or officials make appointments to board	School building may house public library	
Alabama	X <sup>1</sup>	X <sup>2</sup>	X <sup>3</sup>	X					
Arizona		X	X						
California	X <sup>4</sup>	X	X						
Colorado		X	X						
Connecticut	X		X				X		
Delaware	X								
Florida		X <sup>5</sup>		X					X
Georgia	X <sup>6</sup>	X <sup>7</sup>	X <sup>8</sup>						X <sup>9</sup>
Idaho	X <sup>10</sup>								X <sup>11</sup>
Illinois			X <sup>12</sup>	X					X <sup>13</sup>
Indiana	X <sup>14</sup>								X <sup>15</sup>
Iowa		X <sup>16</sup>	X <sup>17</sup>						X <sup>18</sup>
Kansas		X <sup>19</sup>		X					
Kentucky		X <sup>20</sup>							
Kentucky		X <sup>21</sup>		X					X <sup>22</sup>
Michigan	X <sup>23</sup>	X		X					X <sup>24</sup>

See footnotes at end of table.

Table 7.—Laws affecting the relationships between schools and public libraries in 37 States—Continued

State	School district may establish and maintain public library		School district may contract for library service with		Financial arrangements specified	School representation on governing board for joint services			School building may house public library
	School district may establish and maintain public library	County library	Other public library	Local school board is governing board		Local school board is governing board	Chief county school officer or other school officer member of board	School official or officials make appointments	
Minnesota	X	X	X	X	X	X	X	X	X
Mississippi	X 19 20	X	X	X 10	X	X	X 20	X 10	X
Missouri	X	X	X 31		X	X			
Montana	X	X	X		X	X			
Nebraska	X	X 23	X		X	X	X 23	X	X
Nevada	X	X			X	X			X
New Jersey	X	X			X	X			X
New Mexico	X				X	X			X
New York	X		X		X	X			X
North Dakota	X				X	X	X 24		X
Ohio	X	X	X		X	X			X
Oregon	X	X	X 28		X	X			X
Pennsylvania	X	X	X		X	X			X
South Carolina	X	X	X		X	X			X
South Dakota	X	X	X		X	X	X 27		X
Utah	X 29		X 28		X	X			X
Vermont	(M)				X	X			X
Virginia	X				X	X			X
Washington	X 31		X		X	X			X
West Virginia	X				X	X			X



# PART 2

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Part II  
Digests of School Library Legislation  
for Each State

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## Digests of School Library Legislation for Each State

**D**IGESTS showing separately for each State legislation relating to school libraries in effect January 1, 1940, comprise this part of the bulletin. These digests have been approved by the chief State school officers of the respective States.

### Alabama

#### 1. Procedures for Establishment

- (a) *District* (includes the 44 independent city school systems)—Law silent.
- (b) *County* (includes the 67 county school systems)—Law silent.
- (c) *State*—Law silent. See 2 (c).

#### 2. Financial Support

- (a) *District*—Law silent.
- (b) *County*—Law silent.
- (c) *State*—Law silent.

**NOTE.**—State funds are expended for library books in accordance with rulings of the State board of Education (hereinafter called State board) regarding the administration of two State funds for public schools.

The first is the Minimum Program Fund which is apportioned to county and city school systems on the basis of need in relation to ability to pay. Approximately \$105 per white teacher unit and one-half that amount per Negro teacher unit are apportioned for current expenses other than teachers' salaries and transportation. County and city boards of education are authorized to use any part of this amount for school libraries. In addition, the State Board considers a school librarian a teacher if she holds a teacher's certificate, and appropriates funds for the payment of her salary according to the State salary schedule.

The second is the Free Text Book Fund for Elementary Public Schools. The State board has ruled that any surplus in this fund, after the first three grades have been supplied with textbooks, shall be spent for "reference" books (broadly interpreted as library books) for any of the elementary grades. During the 1939-40 school year the State Board expended this surplus amounting to approximately \$90,000 for library books which were distributed to city and county school systems on the basis of enrollment, the boards having previously expressed their preferences as to titles.

#### 3. Administration and Supervision—Law silent

#### 4. Books

- (a) *District*—Law silent.
- (b) *County*—Law silent.
- (c) *State*—Law silent.

**NOTE.**—The State Department of Education furnishes local boards of education library book lists which may or may not be used.

**5. Librarians**

- (a) *District*—Law silent.
- (b) *County*—Law silent.
- (c) *State*—Law silent.

NOTE.—The State superintendent of education upon approval of the State Board is authorized to prepare rules and regulations governing the training and certification of teachers. The State Department of Education reports that school librarians are certificated as teachers with library science indicated as a major or minor. (Correspondence Aug. 2, 1939.)

**6. Relationships With State Library Agencies**

- (a) *District*—Law silent.
- (b) *County*—Law silent.
- (c) *State*—The act creating a Public Library Service Division in the State Department of Archives and History "shall in no way affect the administration and supervision of public-school libraries which have been or may hereafter be established by aid through the State Department of Education, except by agreement, nor shall this act affect in any way the administration and supervision of public-school libraries under the control of any city or county board of education except by agreement; . . ."

**7. Relationships With Public Libraries**

- (a) *District*.—City boards of education may establish or aid in establishing and maintaining public libraries either separately or in connection with public schools.
- (b) *County*.—The Court of County Commissioners, the Board of Revenue, or other governing bodies of the Counties of this State, through their governing bodies, may establish and maintain or aid in establishing and maintaining free public libraries for the use of the citizens of the respective counties, either separately or in connection with public schools, and to that end may accept gifts, donations, and bequests of land, buildings, or money therefor, and may make appropriations from the county treasury in support thereof in such sums as they may deem proper.

"Any rural, town, or village school library, . . . may, on application of the district Library Board, to the County Library Board, affiliate such library with the county library, or with the free public library administering the county library, in accordance with rules fixed by the county Library Board or the free Public Library Board."

- (c) *State*—Law silent

ALABAMA SCHOOL CODE—1927, secs. 65-85 and 215; and  
GENERAL AND LOCAL LAWS AND JOINT RESOLUTIONS OF  
THE LEGISLATURE OF ALABAMA—1939, p. 297-98, 350-52,  
and 899-900.

**Arizona****1. Procedures for Establishment**

- (a) *District*—Board of trustees of any school district may establish and maintain district libraries.
- (b) *County*—Law silent.
- (c) *State*—Law silent.

## 2. Financial Support

- (a) *District*—Trustees of school districts authorized to purchase library books. Trustees of any school district or city board of education may expend not to exceed 3 percent of total annual budget for services by contract with county or other public libraries. See 7 (a).
- (b) *County*—Law silent.
- (c) *State*—Law silent.

## 3. Administration and Supervision

- (a) *District*.
  - (1) *Regulations*—Board of trustees shall have control of school district libraries; shall enforce rules prescribed for the government of such libraries; and shall, when requested to do so, report on the library to the county school superintendent.
  - (2) *Community service*—Residents of districts may use school district libraries by payment of fees and compliance with regulations prescribed by the boards.
  - (3) *Contract*—See 7 (a).
- (b) *County*—See 3 (a) (1).
- (c) *State*—State superintendent of public instruction shall supply county school superintendents blanks to be used by school district trustees in making reports on school district libraries.

## 4. Books

- (a) *District*
  - (1) *Selection*—Trustees shall purchase library books; but shall exclude from school libraries all books, publications, or papers of a sectarian, partisan, or denominational character.
  - (2) *Care*—School district library shall be housed in the schoolhouse. Willful detention of "any books, newspapers, . . . or other property belonging . . . to any public or incorporated library . . . or other educational institution" is a misdemeanor.
  - (3) *Use*—Residents of districts may use school district libraries. See 3 (a) (2).
- (b) *County*—Law silent.
- (c) *State*—Law silent.

## 5. Librarians

- (a) *District*—Board of school trustees may place school district library under the direct charge of a teacher or other qualified person.
- (b) *County*—Law silent.
- (c) *State*—Law silent.

*Note*—State Board of Education authorized to supervise and control the certification of teachers and prescribe rules and regulations therefor. No regulations have been prescribed for school librarians (Correspondence, State Department of Education, March 14, 1939).

## 6. Relationships With State Library Agencies—Law silent

**7. Relationships With Public Libraries—**

- (a) *District*—"The board of school trustees of any school district or city board of education may enter into a contract or agreement with the proper authorities of any county free library or other public library possessing facilities for rendering the desired service for the procurement of reference or other library books or the extension services of such library."
- (b) *County*—See preceding paragraph.
- (c) *State*—Law silent.

SCHOOL LAWS OF ARIZONA, 1931, secs. 989 and 1011;  
SESSION LAWS, ARIZONA, 1935, sec. 1058; and REVISED  
CODE OF ARIZONA, 1938, sec. 4847.

**Arkansas****1. Procedures for Establishment—Law silent****2. Financial Support—Law silent****3. Administration and Supervision**

- (a) *District*—Law silent.
- (b) *County*—Law silent.
- (c) *State*—State Library Commission "may cooperate with the State Board of Education in devising plans for the care of school libraries, in aiding teachers in their administration and in formulating rules and regulations for their use, such rules and regulations to be promulgated through the State commissioner of education."

**4. Books**

- (a) *District*—Law silent.
- (b) *County*—Law silent.
- (c) *State*—Arkansas Library Commission may operate a book service among schools. See 6 (c).

**5. Librarians**

- (a) *District*—Law silent.
- (b) *County*—Law silent.
- (c) *State*—Law silent.

NOTE.—State Board of Education shall prescribe rules and regulations for certifying qualified teachers. No regulations have been adopted for school librarians. ▽

**6. Relationships With State Library Agencies**

- (a) *District*—See (c).
- (b) *County*—Law silent.
- (c) *State*—Arkansas Library Commission shall be composed of five members appointed by the Governor, one of whom shall be selected from a list furnished by the State Commissioner of Education. The commission when requested to do so shall give advice to schools relative to methods of organization, selection and cataloging of books and other details of library management. It may operate a book service among schools and other institutions named in the law. See 3 (c).

## 7. Relationships With Public Libraries—Law silent

DIGEST OF STATUTES OF ARKANSAS, 1937, vol. I, secs. 2632, 2633, 2637 and vol. II, secs. 12290-12296; and SCHOOL LAWS ARKANSAS, 1937, sec. 11454.

## California

### 1. Procedures for Establishment

- (a) *District*—Libraries may be maintained under the control of the district board of trustees or city board of education.
- (b) *County*—County superintendent of schools (hereinafter called county superintendent) shall apportion money for libraries; he is also authorized to maintain a teachers' library. See 2 (c) (1) and (2).
- (c) *State*—Law silent

### 2. Financial Support

- (a) *District*—Trustees of districts not governed by boards of education may request that a portion of State elementary school fund be set aside as a library fund. See (c), first paragraph.

City and county superintendents may request that a portion of the State school fund apportioned to the county be set aside as a library fund. See (c), second paragraph.

- (b) *County*—Since the 1933 Amendment to Art. XIX of the State constitution there are no library funds available from county sources; however, State funds are apportioned by the county superintendent for libraries. (Correspondence, State Department of Education, April 4, 1940). See (c).
- (c) *State*

- (1) *Library fund*—Except in cities governed by boards of education, the superintendent of each county shall annually apportion to each school district, as a library fund, such sums as may be requested by the school trustees, but in no case shall the sums apportioned to any district be less than 25 nor more than 50 dollars for each teacher allowed under the provisions for the apportionment of the State general school fund to the elementary schools of the State. The amounts apportioned to the library fund of an elementary school district are taken from the amount apportioned to such district from the State general fund. If the school district trustees fail to file a request in writing for the library fund, the county superintendent shall apportion to each district not to exceed 50 dollars for each teacher allowed under the provisions for the apportionment of the State general school fund to the elementary schools of the State.

"The county superintendent of each county, or city and county" shall annually apportion to each city, or city and county, not divided into school districts" (applicable only to San Francisco County) as a library fund, such sums as may be requested by the board of education of such city, or city and county, but the amount so apportioned shall not be less than 40 cents nor more than one dollar for each pupil of average daily attendance in the elementary schools. The amount so apportioned shall be deducted from the State school fund apportioned to each city, or city and county, and credited to the library fund of each city, or city and county. If

city or city and county board of education fail to file request in writing for library fund, the city or city and county superintendent shall apportion to the library fund such amount, not in conflict with law, as he may deem advisable.

- (2) Teachers' library—The superintendent of each county, or city and county, is authorized to spend from unapportioned State elementary and high-school funds such amounts as may be necessary for the purchase of books and maintenance of a county teachers' library.

### 3. Administration and Supervision

#### (a) District

- (1) Library fund—See 2 (a).
- (2) Care—School trustees of a district maintaining its own library shall be held accountable for the proper care and preservation of the library, and shall have power to assess and collect fines, penalties, and fees of membership and to make all rules and regulations not provided by the State Board of Education and not inconsistent therewith.
- (3) Ownership marks—District board shall cause each book in the district library to be stamped in places specified in the law with ownership marks as follows: "Department of Public Instruction, State of California; \_\_\_\_\_ County, \_\_\_\_\_ District Library." If district library becomes a branch of county or city library, these provisions for stamping books shall not apply. See 7 (b).
- (4) Community service—Libraries controlled by district boards of trustees or city boards of education shall be open to the use of teachers, pupils, and all residents of the district; and whenever practicable such libraries shall be kept open during vacation and nonschool days.

#### (b) County

- (1) Library fund—See 2 (c) (1).
- (2) Approval of orders—County superintendents must approve orders for library books drawn on library fund by school district trustees in their respective counties; such orders must be accompanied by an itemized bill of the books and apparatus.

- (c) State—State Board of Education (hereinafter called State Board) shall make rules for the administration of the library. See (a) (2).

### 4. Books

#### (a) District

- (1) Selection and purchase—Boards of school trustees and city boards of education must expend the library fund, together with such moneys as may be added thereto by donation, in the purchase of school apparatus and books for a school library, including books for supplementary work. Such books and apparatus shall have been selected from list adopted by county or city and county boards of education. See 2 (a) and (c) (1).

Boards of school trustees and city boards of education have power to exclude from schools and school libraries all books, publications, or papers of a sectarian, partisan, or denominational character.

(2) *Care*—See 3 (a) (3).

Whoever wilfully detains a book or other property belonging to any public library or "educational institution" is guilty of a misdemeanor and shall be punished accordingly.

(3) *Use*—See 3 (a) (4).

(b) *County*—"County boards of education have power to adopt a list of books and apparatus for district school libraries."

(c) *State*—Law silent.

**5. Librarians**(a) *District*

(1) *Selection*—School trustees of a district maintaining its own library shall have power to appoint a teacher or other proper person librarian of the district library.

(2) *Duties*—The librarian appointed by school trustees (see preceding paragraph) shall manage the library as efficiently as possible, and whenever expedient request the advice and assistance of some person experienced in the art of managing libraries.

(3) *Teacher status*—No librarian shall be employed for more than two hours a day in any elementary or secondary school, unless such librarian holds a valid secondary school certificate or a special teacher's certificate in librarianship of proper grade granted in accordance with law. Such librarians when employed full time as librarians or serving full time, partly as librarians and partly as teachers, shall rank as teachers.

(b) *County*—County boards of education have power to grant special certificates "authorizing the holders to serve as a librarian or to teach in the schools of the county such branch or branches of learning and in such grades as are named in such certificate."

(c) *State*

(1) *Certification*—State Board shall have power and it shall be its duty to prescribe regulations established in accordance with law for the qualifications upon which county, and city and county boards of education may grant certificates "to act as school librarians." The minimum general standard for credentials for librarians shall be the same as other special credentials for like grade.

*NOTE*.—The State Board has prescribed regulations governing special secondary credentials in librarianship (Regulations Governing Granting of Credentials and Certificates for Public School Service in California. Sacramento, Calif., State Department of Education, Bulletin No. 12, 1935. p. 33).

(2) *Retirement*—With the exception of certain persons excluded from membership (Sec. 5.841, School Laws, 1937) the following persons shall be members of the retirement system—"Librarians employed full time in elementary and secondary schools, or who serve full time partly as librarians and partly as teachers."

**6. Relationships With State Library Agencies**

(a) *District*—Law silent

(b) *County*—Law silent

(c) *State*—State library a division of State Department of Education.

## 7. Relationships With Public Libraries

### (a) District

- (1) Contract—"In any city conducting a public library owned and managed by such city, the board of school trustees, or city board of education, of such city may enter into an arrangement with the governing body of the public library of said city similar to the arrangement" given in (b) County, first three paragraphs.
- (2) Public library—Any union high school library, district may establish, equip, and maintain a free public library, for the dissemination of a knowledge of the arts, sciences, and general literature, in accordance with the provisions stated in the law.

- (b) County—Whenever the county in which a district is situated shall maintain a county library, the board of trustees or city board of education may agree with the proper authorities of such county to make the school library a branch of the county library. If so agreed, the board of trustees or city board of education shall turn over books and other property of the school district to the county library, and shall annually transfer to such county library its library fund as soon as it is available. Said county library shall thereafter make such district library a branch of the county library, managed and maintained according to the rules and regulations established by the authorities of the county library.

The school district library fund transferred to the county library shall be used by the county library only for the acquisition of such books and other materials as may have been adopted by the body authorized to adopt courses of study for the school districts of the county and for the care and distribution of such books and other materials to school libraries which are branches of the county library. The county librarian may at his discretion dispose of books and other materials no longer fit for service and may with the approval of the county board of education dispose of any books or other materials no longer needed for the course of study."

The high-school board of any high-school district lying wholly or partly within a county maintaining a county free library shall have power to enter into a contract with the board of supervisors of said county, whereby said high-school district may secure the advantages of said county free library, upon such terms as may be fixed by upon the contract.

County superintendent of any county maintaining one or more elementary schools may, if the county maintains a county library, enter into agreement with the proper authorities of such county to establish a branch county library in each of such schools. Such agreement may provide for the payment by the county superintendent to the proper authorities for the use of the county library from the unapportioned county elementary school fund of such moneys as may be agreed upon, all moneys so transferred to be used solely by the county library authorities for the purchase of such books and other material as may have been adopted by the county board of education for the care and distribution of such books and other materials to school libraries which are branch county libraries. (This provision applies to emergency elementary schools which are maintained by the superintendent and not by a school district. Correspondence, State department of education, April 4, 1940.)

(c) *State*—Law silent

SCHOOL CODE OF THE STATE OF CALIFORNIA, 1937, secs. 2.1450, 5.130-5.139, 5.150, 5.460-5.461, 5.840 (c), 6.500-6.502, 6.510-6.512, 6.520-6.522, 6.530, 6.532-6.535, 6.540-6.544, 6.550-6.555, 6.560-6.562, 6.570-6.580; PENAL CODE OF CALIFORNIA, 1937, sec. 823 $\frac{1}{2}$ ; and LAWS OF 1939 RELATING TO THE CALIFORNIA PUBLIC SCHOOL SYSTEM, secs. 4.196 and 6.531.

## Colorado

### 1. Procedures for Establishment

- (a) *District*—Any school board may request county commissioners to make levy for special fund for books for a library. See 2 (a).  
 (b) *County*—See preceding paragraph.  
 (c) *State*—Law silent

### 2. Financial Support

- (a) *District*—Any school district board may include an item for the purchase of books for a library to be open to the public, in certified statement to county board of supervisors, showing amount which in the judgment of school board it is necessary to raise from taxable property of district to create a special fund for such purpose, provided the levy shall not exceed one-tenth of one mill on the taxable property of the district and the money so accruing therefrom shall be used for the purpose of such library and for no other purpose whatsoever.  
 (b) *County*—See preceding paragraph.  
 (c) *State*—Law silent

### 3. Administration and Supervision

- (a) *District*  
 (1) *Community service*—School district libraries established by special fund shall be open to the public under such rules as the district board may deem needful for the proper care of the library. See 2 (a).  
 (2) *Report*—The secretary of the school board is required to file a report annually with the county superintendent of public schools, which shall include "the number of volumes in the library of each school" and "the amount raised by tax in the district during the year for the school library."  
 (b) *County*—See preceding paragraph.  
 (c) *State*—Report mentioned in (a) (2) shall be made upon blanks prepared by the State superintendent of public instruction (hereinafter called State superintendent.)

### 4. Books

- (a) *District*  
 (1) *Selection*—"Every school board unless otherwise especially provided by law, shall have power and it shall be their duty . . . to exclude from school and school libraries, all books, tracts, papers, and other publications of an immoral or pernicious tendency."  
 (2) *Use*—School district libraries open to public. See 3 (a) (1).  
 (b) *County*—Law silent.  
 (c) *State*—State superintendent shall have laws relating to public schools printed in pamphlet form and annexed thereto forms for making reports and conducting school business and shall supply copies to school libraries.

## 5. Librarians

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—Law silent

NOTE—Special certificates to teach subjects and to perform duties authorized by boards of education, but not covered by certificates otherwise provided by law, may be issued by the State superintendent or by a county superintendent of public schools under rules and regulations to be prescribed by the State Board of Examiners. The State Department of Education reports that no requirements for special library certificates have yet been standardized by the State Board of Examiners, but that school librarians who are able to qualify for the Graduate Temporary Certificate secure this certificate, which is valid for teaching any subject in any school in the State of Colorado. (Correspondence, March 21, 1939.)

## 6. Relationships With State Library Agencies

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—All rights, powers, and duties of former Colorado Library Commission now exercised by the State library under the Department of Education. The State superintendent is ex-officio librarian for the State.

## 7. Relationships with Public Libraries

- (a) *District*—Governing body of a library of a school district wholly or partly within the county may contract with county library board for use of all or part of library's facilities on such terms as may be mutually agreed upon, which shall include service from such county library, but which shall not include, without proper consent of the reversioner, any such charge of use of its real estate as would cause its title or right in or to such real estate to be forfeited or in jeopardy of reversion, but having such reversioner's consent in proper care and when otherwise lawful so to do without or upon permission of its voters it may sell or convey any of its rights and interests in real estate or library to said board for such free county library purpose.
- (b) *County*—County superintendent of public schools ex officio a member of county library board. Said board may contract with any school district, wholly or partly within the county, for furnishing library service to the extent and upon such terms as may be agreed upon.
- (c) *State*—Law silent

SCHOOL LAWS OF THE STATE OF COLORADO, 1933, Secs. 171, 180, 259, 385; COLORADO STATUTES ANNOTATED, 1935, vol. 3, secs. 1-6; and SESSION LAWS, COLORADO, 1937, ch. 192.

## Connecticut

### 1. Procedures for Establishment

- (a) *District (towns and cities)*—Towns or school districts shall raise funds by taxation to supplement State grant for a school library or other suitable educational material. See 2 (a).
- (b) *County*—(No county unit for school and library purposes)
- (c) *State*—Law silent

## 2. Financial Support

- (a) *District (towns and cities)*—In order to participate in State grant for a "school library or other suitable educational materials," towns or school districts shall spend twice the amount for which a claim for State grant is filed.
- (b) *County*—(No county unit for school and library purposes)
- (c) *State*—The State shall reimburse each town or school district to the extent of one-half of the amounts raised by taxation and expended for "a school library or other suitable educational materials," provided the amount of the grant paid to a town or school district shall not exceed \$10 for each one-teacher school nor exceed \$5 for each 100 pupils, or fraction thereof, registered in all other public schools and provided each such town complies with certain procedures named in the law. See 3 (a) (1) and (c).

## 3. Administration and Supervision

- (a) *District (towns and cities)*
- (1) *State grant*—In order to receive State grant for a "school library or other suitable educational materials," the town shall during the fiscal year make application for such grant and shall file with the secretary of the State Board of Education (hereinafter called the State Board) a satisfactory statement of expenditure of twice the amount for which a claim for State grant is filed.
- (2) *Regulations*—Board of education "shall make rules for the arrangement, use, and safekeeping, within their respective jurisdiction, of the school libraries provided in part by the State . . ."
- (b) *County*—(No county unit for school and library purposes)
- (c) *State*—Upon the recommendation of the secretary of the State Board of Education (hereinafter called State Board), the comptroller shall draw his order upon the treasurer to reimburse each town or school district to the extent of one-half of the amount expended by said town or school district for "a school library or other suitable educational materials." Payment by the State shall be made to the treasurer of the town or school district, as the case may be.

## 4. Books

- (a) *District (towns and cities)*
- (1) *Selection*—Board of education shall approve the books selected for purchase in part by State funds. See 2 (a) and (c).
- (2) *Care*—Any person who shall wilfully detain any book, paper, magazine, pamphlet, manuscript, or other property belonging to a school or other public or incorporated library, for a period named in the law, shall be fined not more than \$100.
- (b) *County*—(No county unit for school and library purposes)
- (c) *State*—Connecticut State Library Committee authorized to assist teachers with their library problems and to loan books to schools. See 6 (c).

## 5. Librarians

- (a) *District (towns and cities)*—Law silent
- (b) *County*—(No county unit for school and library purposes)
- (c) *State*—Law silent

**NOTE.**—Certificates to teachers may be issued by town boards of examiners under such rules and regulations as the State Board of Education shall prescribe and by the State Board. Certificates issued by

State Board shall be accepted by local boards of education. The State Board has adopted regulations for the certification of school librarians, which includes training in library techniques. (Rules and Regulations Concerning State Teachers' Certificates, Department of Education, School document No. 2, Hartford, Conn., 1937. pp. 48-49.)

## 6. Relationships With State Library Agencies

- (a) *District (towns and cities)*—Law silent
- (b) *County*—(No county unit for school and library purposes)
- (c) *State*—The State Board shall annually appoint six persons who, with the commissioner of education, shall constitute the Connecticut Public Library Committee. The Committee shall extend aid to the teachers of any public school in selecting and cataloging books and in library management; and is authorized to loan books and pictures to schools.

## 7. Relationships With Public Libraries

- (a) *District (towns and cities)*
  - (1) *Public library*—Any incorporated school district may establish a public library, expend money for a site, and provide and maintain suitable rooms and buildings for such library or for any library which may be the property of any corporation without capital stock or for any public library that may have been established in such municipality, provided the use of such library shall be free to its inhabitants under such regulations as its directors or trustees may prescribe.
  - (2) *Contracts*—The directors or trustees of any free public library and any school district may make contracts for the use of the library by their respective residents. Such use shall consist in whole or in part of lending books, of establishing depositories or branch libraries, and of the transportation of books.  
School districts may raise funds for defraying the expense of contract or regional library service.
- (b) *County*—No county unit for school and library purposes)
- (c) *State*—Law silent.

LAWS RELATING TO EDUCATION, 1931, secs. 101, 158, 160-61, and 272; SUPPLEMENT TO LAWS RELATING TO EDUCATION (1931 edition) containing ADDITIONS AND AMENDMENTS MADE AT THE 1933, 1935 and 1937 SESSIONS OF THE GENERAL ASSEMBLY, sec. 271 (c) GENERAL STATUTES OF CONNECTICUT, 1929, vol. II, sec. 6077; and 1939 SUPPLEMENT TO THE GENERAL STATUTES, STATE OF CONNECTICUT, 1937, 1939, secs. 150 (e), 266 (e), 284 (e), 285 (e), and 287 (e).

## Delaware

### 1. Procedures for Establishment

- (a) *District*—School district must provide libraries for all 4-year high schools.  
*See 4 (a) (1).*
- (b) *County*—Law silent
- (c) *State*—Law silent

## 2. Financial Support

- (a) *District*—All 4-year high schools must have libraries. See 4 (a) (1).
- (b) *County*—Law silent.
- (c) *State*

- (1) **Public libraries.**—Whenever the Library Commission of the State of Delaware (hereinafter called State Library Commission) shall certify to the State treasurer that a school district has established a free public library and has raised not less than the minimum sum prescribed by law for the class to which the district belongs for the support and maintenance of said library, said treasurer shall pay to the district one-half the sum certified by the State Library Commission, provided the amount shall not in any one year be in excess of one-half of the maximum sum prescribed by law for the class to which the district belongs. See 7 (a).
- (2) **Traveling libraries.**—The State treasurer is authorized and directed to pay annually, out of any monies in his hands as such State treasurer, \$100 upon the order of the chairman of the "Committee on Traveling Libraries of the State Federation of Women's Clubs of Delaware," said amount to be used by the Committee for the exclusive purpose of purchasing books and cases to hold the same, and circulate them among the public schools of the State, under such rules as the Committee may deem proper. Members of the Committee shall receive no compensation for their services and shall make a report of the expenditures of said monies to the general assembly of the State at its biennial sessions.

## 3. Administration and Supervision

- (a) *District*—District library commission of any public library established by a school district shall make such reports and recommendations to the board of education or school committee of the district as it shall deem proper or advisable. See 7 (a).
- (b) *County*—Law silent
- (c) *State*
  - (1) **Inspection.**—State Board of Education shall prescribe rules and regulations "for an approved list of high schools of the State and determine the condition as to buildings, . . . library, laboratory . . ." which must be fulfilled in order that the high schools may secure the State support provided by law.
  - (2) **Regulations.**—Committee on Traveling Libraries of State Federation of Women's Clubs of Delaware shall prescribe rules for circulating among schools books purchased with funds tendered the clubs by the legislature; said Committee shall also make a report of expenditures to the legislature. See 2 (c).

## 4. Books

- (a) *District*
  - (1) **Selection.**—All 4-year high schools shall have a supplementary reading and reference library of at least 250 volumes.  
All sums paid by the State to school districts that have established public libraries shall be expended for books approved by the State Library Commission. See 2 (c).

- (2) Care—School district public library books may be housed in the schoolhouse. See 7 (a).

It is a misdemeanor subject to fine or imprisonment or both to wilfully injure any book, magazine, newspaper, or other property belonging to a library of any educational institution.

(b) *County*—Law silent

(c) *State*—See (a) (1).

## 5. Librarians

(a) *District*—Law silent

(b) *County*—Law silent

(c) *State*—Law silent

NOTE.—State Board of Education shall prescribe rules and regulations governing the qualifications and certification of teachers in all the public schools of the State. A school librarian's certificate is required for all full-time librarians. (Rules and Regulations for the Certification of Superintendents, Supervisors, Principals and Teachers, Dover, Del., Department of Public Instruction, 1938, p. 10).

## 6. Relationships With State Library Agencies

- (a) *District*—The State Library Commission shall have general supervision over all libraries in the State established and maintained by school districts. School district library commissioners shall also make reports at such times and embracing such matters as the State Library Commission shall order and direct.

(b) *County*—Law silent

(c) *State*—See (a).

## 7. Relationships With Public Libraries

- (a) *District*—Any school district is authorized and empowered to establish and maintain a free public library, with or without reading room, provided such establishment is approved at an election or funds for the maintenance and support of the library are guaranteed as provided by law. The general administration and supervision of such library shall be vested in a District Library Commission composed of 5 members appointed from the residents of the school district where such library is established by the resident judge of the Superior Court of the State of Delaware of the county in which the school district is located. Said Commission may with the consent of the board of education or the school committee use any schoolroom or rooms for housing the library.

(b) *County*—Law silent

(c) *State*—Law silent

SCHOOL LAWS STATE OF DELAWARE, 1939, 2630 (sec. 8)  
(d) (g) (j), 2681 (sec. 59) and ch. 34; also REVISED  
CODE OF DELAWARE 1935, 3989 (sec. 94)

## District of Columbia

The District of Columbia is a special Federal area over which Congress has exclusive jurisdiction. It has no local subdivisions comparable to districts and counties such as exist in most of the 48

States. Hence, the plan used in organizing the subject matter on school library legislation that has been followed in the States is not applicable to the District. Congressional legislation pertaining to libraries for the public schools of the District falls under only one of the seven main headings used in the State digests—Librarians. A summarization of the legislation follows:

### Librarians

(a) *Certification*—Law silent

NOTE.—Congress provides that the board of education shall appoint two boards of examiners—one for the white and one for the colored schools. These boards have prescribed qualifications for librarians in teachers colleges and senior high schools. (Boards of Examiners, Circular of Information Relating to Examinations for Teachers and Librarians. Washington, D. C., Public Schools of the District of Columbia, p. 24.)

(b) *Salary*

(1) "Group A—A basic salary of \$1,400 a year, with an annual increase in salary of \$100 for 8 years, or until a maximum salary of \$2,200 per year is reached."

(2) "Group B—A basic salary of \$2,300 per year, with an annual increase in salary of \$100 for 3 years, or until a maximum salary of \$2,600 per year is reached."

NOTE.—A rider on the congressional appropriation act of the District of Columbia for the fiscal year ending June 30, 1940, provides, "that the average of the salaries paid librarians in the public schools shall not exceed the average of the salaries paid employees performing the same grade of work in the Free Public Library."

COMPILATION OF LAWS AFFECTING THE PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA, 1804-1929, pp. 15, 34, and 41; and PUBLIC ACT NO. 176—76th CONGRESS.

## Florida

### 1. Procedures for Establishment

(a) *District*<sup>1</sup>—Law silent

(b) *County*<sup>1</sup>—Each county board of public instruction (hereinafter called county board) is authorized and empowered in its discretion to locate, establish, and maintain as essential to the instructional program, adequate libraries and library services in the public schools of the county which it serves.

County superintendent of public instruction (hereinafter called county superintendent) must recommend plans for establishing and maintaining school libraries. See 3 (b).

(c) *State*—State Board of Education (hereinafter called State Board) shall prescribe such rules for the establishment, government, preservation, and maintenance of public-school libraries as will insure to the public-school pupils of the State the best practicable library opportunities.

<sup>1</sup> The law provides that each county is the unit for the control, organization, and administration of schools. The special tax school districts referred to in the law as school districts are subdivisions of the county and said county unit for school purposes.

## 2. Financial Support

- (a) *District*<sup>1</sup>—District current school fund may be used for purchase of books and other library services. See following paragraph.
- (b) *County*<sup>1</sup>—Each county board shall have the power, upon requisition of the principal of a school and, when district current school funds are involved, with the approval of the trustees of the district, and upon the recommendation of the county superintendent to purchase, for each public school in the county, books and provide mobile and other library services. The costs of such services shall, except as otherwise provided herein, be defrayed out of available county general school funds, district current funds under certain legal limitations, or other funds available for such purposes. Provided nothing shall inhibit or limit the right of schools or other agencies to raise and expend money for school library books. See following paragraph.
- (c) *State*—The State superintendent of public instruction (hereinafter called State superintendent) shall allocate the State textbook apportionment under regulations of the State Board. If, by reason of careful textbook administration, a county school system shall have conserved a part of the credit in the State textbook fund, an amount not to exceed 75 percent of the unused portion of such credit, may on requisition to the State superintendent, be used for the requisition and purchase of books for public-school library use in the county.

NOTE.—The fund designated in the constitution as the county school fund is comprised of all State apportionable funds and all county current school funds which accrue to the credit of any county board.

## 3. Administration and Supervision

- (a) *District*<sup>1</sup>—Approval of district trustees required when district current funds are used for payment of books and other library services. Sec. 1060 (4), Florida School Laws indicates that it is the entire budget that is approved rather than specific requisitions. See 2 (b).
- (b) *County*<sup>1</sup>—County superintendent must recommend books and other library services purchased by county board; also plans for establishing and maintaining school libraries, or school libraries open to the public, and, in addition, such circulating or traveling libraries as are needed for the proper operation of the county school system. See 2 (b).
- (c) *State*—Books and library services provided by the county board must meet the library standards approved by the State Board for schools of comparable size, condition, and organization. Likewise in establishing mobile circulating libraries, county boards are subject to the regulations of the State Board.

In every school building where elementary or high-school or continuation elementary and high-school subjects are taught there must be provided the minimum library facilities prescribed by the State Board.

## 4. Books

- (a) *District*<sup>1</sup>—See 2 (b).
- (b) *County*<sup>1</sup>
  - (1) Selection—See 2 (b).
  - (2) Care—County boards shall provide such rules for book classification, distribution, accounting, preservation, and care as are in its opinion

<sup>1</sup> The law provides that each county is the unit for the control, organization, and administration of schools. The special tax school districts referred to in the law as school districts are subdivisions of the county and said county unit for school purposes.

necessary or desirable and as are consistent with State Board rules for the government, maintenance and preservation of public-school libraries. See 1 (c).

(3) Use—May be open to public. See 3 (b).

(c) *State*

(1) Selection—Books purchased by county boards must meet standards of State Board. See 3 (c).

(2) Publishers' Contracts—State Board must approve lists of library books submitted by Courses of Study Committee and enter into contract with publishers for purchase of said books at minimum cost.

## 5. Librarians

(a) *District*<sup>1</sup>—See following paragraph.

(b) *County*<sup>1</sup>—Library personnel shall be regarded as part of the instructional staff except as otherwise designated under regulations of the State Board. Only properly certificated school librarians shall be employed.

(c) *State*—School librarians employed by any public school of any county shall hold the certificate required by law and by regulations of the State Board in fulfilling the requirements of the law for the type of service rendered.

NOTE.—The Board has prescribed requirements for certification in special subjects or groups of subjects among which is library service (Certification of Teachers, State Department of Education, Tallahassee, Fla. 1939 p. 13).

## 6. Relationships With State Library Agencies

(a) *District*<sup>1</sup>—Law silent

(b) *County*<sup>1</sup>—Law silent

(c) *State*—State Library Board (board controlling State library) may upon request give assistance, advice, and counsel to all schools, as to the best means of establishing and administering libraries, selecting and cataloging books, and other details of library management.

## 7. Relationships With Public Libraries

(a) *District*<sup>1</sup>—Law silent

(b) *County*<sup>1</sup>—Each county board may make contracts or agreements with county or community groups for a cooperative program of library establishment, maintenance and use, and all such contracts and agreements shall provide that such cooperative school and county or school and community libraries shall be established on public-school property and shall continue under the supervision and control of said county board; and such parts of the costs therefor as may, by contract or agreement, be properly chargeable to such county board shall be defrayed out of the county general fund or, under limitations prescribed by law, other available funds.

(c) *State*—Law silent

FLORIDA SCHOOL LAWS, 1939, secs. 119 (2) (3) (4) (6) (7) (10) (14) (15) (16) 401, 423 (9) (d), 433 (9) (d), 514-15, 726-31, 734, 926 (14), and 1690.

<sup>1</sup> The law provides that each county is the unit for the control, organization, and administration of schools. The special tax school districts referred to in the law as school districts are subdivisions of the county and said county unit for school purposes.

## Georgia

### 1. Procedures for Establishment—Law silent

### 2. Financial Support

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—Law silent

**NOTE.**—The law provides that 3 percent of the taxes arising from the sale of malt beverages and wines shall be paid to the State Revenue Commission for enforcing the act and that the remainder shall be used by the State Board of Education (hereinafter called State Board) for the purpose of furnishing free textbooks to the children attending the common schools; and that any excess not needed for textbooks may be used by the State Board "for other school purposes." The State Department of Education reports that the Attorney General has ruled that library books are considered textbooks and that the State Board can set up such a sum as it sees fit for library books before "any excess" has accumulated. During the school year 1939-40 the State Board set aside \$150,000 for the purchase of both elementary and high-school library books on condition that county and independent school district boards match the amount allocated by the State Board. (Correspondence, State Department of Education, Dec. 21, 1939.)

### 3. Administration and Supervision—Law silent

### 4. Books

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—See 6 (c).

### 5. Librarians

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*  
Certification—Law silent

**NOTE.**—State Board shall provide for the certification and classification of teachers. It has set up subject-matter requirements in library science for teacher-librarians and librarians in high schools. (Certification of Teachers, 1939. Bulletin, State Department of Education, p. 12.)

### 6. Relationships With State Library Agencies

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—Such of the public schools of Georgia as maintain libraries and desire to receive them, shall be supplied, free of charge, by the State librarian with Colonial, Revolutionary, and Confederate records and public documents.

### 7. Relationships With Public Libraries

- (a) *District*—Law silent
- (b) *County*—Whenever the governing authorities of any political subdivision, other than municipal corporations, shall establish a public library therein, the county board of education shall, ex officio, constitute the library

board; provided that in the establishment or maintenance of a public library or public library service by contract or cooperative agreement between said political subdivisions, the agreement between the respective governing authorities of said political subdivisions may provide that the library board of a political subdivision already maintaining a public library or public library service may constitute the library board, or said agreement may provide as to the constituency and method of selection of said board.

(c) *State*—Law silent

CODE OF GEORGIA—1933, Constitution and sec. 101-210; Laws 1935, sec. 2; Extra session 1937-38, sec. 10; and School Laws 1937, sec. 3.

## Idaho

### 1. Procedures for Establishment

- (a) *District*—Trustees of every school district (except independent and joint independent Class A districts) shall spend funds for the establishment and maintenance of school libraries. *See 2 (a).*
- (b) *County*—Law silent.
- (c) *State*—Law silent.

### 2. Financial Support

- (a) *District*—Duty of trustees of every school district (except independent and joint independent Class A districts) to apply at least 3 percent of the moneys annually apportioned to the district to the maintenance and establishment of a school library.

NOTE.—It appears that the school moneys available to school districts are derived from district, county, and State sources.

- (b) *County*—Law silent.
- (c) *State*—Law silent.

### 3. Administration and Supervision

- (a) *District*
- (1) *Regulations*—Trustees of every district (except independent and joint independent Class A districts) empowered to make such rules and regulations in regard to the library as they may deem expedient.
  - (2) *Records*—Trustees of every district (except independent and joint independent Class A districts) must make a complete record of the books in the library and hold borrowers responsible for loss or damage. They shall also report annually to the county superintendent on the condition and status of the library.
- (b) *County*—See preceding paragraph.
- (c) *State*—Law silent.

### 4. Books

- (a) *District*
- (1) *Selection*—Trustees of all school districts shall exclude from schools and school libraries all books, papers, and catechisms of a sectarian nature. Trustees of all districts (except independent and joint independent Class A districts) shall select books purchased with money set aside for libraries from a list approved by the State Board of Education. *See 2 (a).*
  - (2) *Care*—Books purchased with money set aside for school libraries shall be "kept in a suitable case or cases at the schoolhouse." *See 2 (a).*

(3) Use—Books in school libraries established under provisions of 2 (a) "shall be loaned to pupils and patrons within the district for periods not exceeding 4 weeks at any one time."

(b) *County*—Law silent.

(c) *State*—See (a) (1).

### 5. Librarians—Law silent

NOTE.—State Board of Education and board of regents of the University of Idaho (hereinafter called State Board) have entire supervision and control of the certification of teachers. The State Department of Education reports that there are no special regulations for the certification of librarians. (Correspondence, April 23, 1939.)

### 6. Relationships With State Library Agencies

(a) *District*—Law silent.

(b) *County*—Law silent.

(c) *State*—State Board "shall supervise, govern, and direct the State Library Commission and adopt such regulations for its administration as may contribute to its efficiency in the service of the people and in promoting the educational welfare of the State."

State superintendent of public instruction is secretary ex officio of State Library Commission.

Said commission shall have management of the traveling library or libraries belonging to the State; shall cause said books to be distributed throughout the State; and shall cooperate with the "management of public schools" regarding the services.

### 7. Relationships With Public Libraries

(a) *District*—Trustees of a school district "in which is situated no incorporated town or village" are authorized under certain conditions named in the law to submit to the electors of said district the question of establishing a public library for the use of citizens of the district. If a majority of the electors vote in favor of such library, the trustees are authorized to levy annually upon all the taxable property of the district a tax of not exceeding one mill on the dollar valuation thereof for the establishment and maintenance of said library. In the management of the library the school trustees shall perform the same duties required of and have the same power and authority granted by the common council of a city or village to a public library board, and the treasurer of the board of trustees shall perform the duties of treasurer for the public library.

(b) *County*—Law silent.

(c) *State*—Law silent.

IDAHO CODE, 1932, Vol. 2, secs. 32-114 (1), (10) and (14), 32-615 (12) and (22), 32-2001, 32-2002 and 32-2102.

## Illinois

### 1. Procedures for Establishment

(a) *District*

(1) Fewer than 1,000 inhabitants and not governed by any special act—Board of directors authorized to furnish libraries.

- (2) Between 1,000 and 100,000 inhabitants and not governed by special acts, and such other districts as may hereafter attain such population—Board of education "shall have the power, and it shall be their duty"<sup>1</sup> to furnish libraries.
- (3) Cities exceeding 500,000 population. See 7 (a).
- (4) Community consolidated school—Board of education "shall have the power and it shall be their duty"<sup>1</sup> to furnish libraries.
- (5) Township high school—Board of directors "shall have the power and it shall be their duty"<sup>1</sup> to furnish libraries.
- (6) Special charter districts—Board of directors "shall have the power and it shall be their duty"<sup>1</sup> to furnish libraries.

(b) *County*—Law silent

(c) *State*—Law silent

## 2. Financial Support—Law silent

## 3. Administration and Supervision—Law silent

## 4. Books—Law silent

## 5. Librarians—Law silent

NOTE.—Certificates to teachers are granted by the following persons or boards: State superintendent of public instruction, State examining board, county superintendents of schools, and boards of education in cities having a population exceeding 200,000 inhabitants. According to information received from the State Department of Education, no State regulations have been adopted for the certification of librarians. (Correspondence, Dec. 7, 1938.)

## 6. Relationships With State Library Agencies

(a) *District*—Law silent

(b) *County*—Law silent

(c) *State*—The Illinois State Library shall help local groups develop a program by which library service can be arranged for in rural schools, be a clearing house in an administrative capacity for problems relating to the administration and functioning of school libraries and lend books and other reading materials to schools.

## 7. Relationships With Public Libraries

(a) *District*

(1) Township school districts—Trustees "may receive any gifts, grant, donation, or devise made for the use of any school or library or for any other school purpose, within their jurisdiction."

(2) Cities exceeding 500,000 inhabitants—Boards of education authorized "to make arrangements with the public or quasi-public libraries . . . for the purpose of extending the privilege of such libraries . . . to teachers and pupils of the public schools."

(b) *County*—Law silent

(c) *State*—Law silent

THE SCHOOL LAW OF ILLINOIS 1939, secs. 39, 115 (7), 127 (2), 136; and page 210 (1); also REVISED STATUTES OF ILLINOIS, ch. 128, secs. 12.4-12.8.

<sup>1</sup> Interpreted by the State Department of Education as "may."

## Indiana

### 1. Procedures for Establishment—Law silent

### 2. Financial Support

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—Law silent

NOTE.—The Indiana State school relief law gives the "Board of Department of Education" (formerly called State Board of Education) authority to establish regulations, standards, and policies controlling the distribution of the fund. The Board has provided that local school units may receive for any one year assistance for building up school libraries at not to exceed 50 cents per pupil enrolled. (Correspondence, Indiana State Department of Education, April 28, 1939.)

### 3. Administration and Supervision

- (a) *District*—See 7 (a) (1), (2), and (3).
- (b) *County*—See 7 (b) (1) and (2).
- (c) *State*—Law silent

### 4. Books

- (a) *District*—Persons convicted of mutilating books, magazines, and other property belonging "to any educational institution" in the State are subject to fine.
- (b) *County*—Law silent
- (c) *State*—The Indiana State Library shall "prepare lists of books suitable for public and school libraries together with the prices of such books," such lists to be furnished on request and free of charge to any library or school official or employee.

### 5. Librarians

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—Law silent

NOTE.—The licensing of all regular public-school employees is vested in the "Board of Department of Education." Licenses including some knowledge of library science are required of librarians employed in high schools with first-class and continuous commissions. (Licenses for Librarians. State Department of Education. Mimeographed.)

### 6. Relationships With State Library Agencies

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—The State library is authorized to perform the following services for schools: Give advice relative to the organization, maintenance, or administration of libraries; print lists and circulars of information; prepare book lists and perform such other services as may be considered proper for the best interests of the schools. See 4 (c).

NOTE.—The "State executive—administrative act" passed by the 1933 regular assembly created 8 executive and administrative divisions and empowered the Governor to transfer and retransfer existing administrative powers, duties, and functions to one or more of the 8 departments. One of the 8 departments was designated the Department of Education

and the State superintendent of public instruction was named as chief executive officer of this department. By executive order of the Governor the former State Library and Historical Department was transferred to the Department of Education.

## 7. Relationships With Public Libraries

### (a) District

- (1) Cities and incorporated towns without a free public library—Boards of school trustees and other boards authorized to take charge of public schools may establish free public libraries in connection with said cities or incorporated towns and provide for their care and management. In all cities between 4,000 and 4,500 population in which a public library has already been established under the library laws of the State and is supported in whole or in part by taxation, boards of school trustees or other boards authorized to take charge of the public schools shall have the power to take charge of the library if governing board of said library so agrees.
- (2) Cities from 100,000 to 300,000 population—The government of common schools in civil cities having a population of more than 100,000 inhabitants and less than 300,000, shall be vested in a board of school trustees. Such cities are declared to be school corporations for school purposes, separate and distinct from civil corporations of the same cities and shall be known as "school cities." Boards of school trustees in such cities are authorized to establish, own, and conduct free public libraries and branches thereof.
- (3) Cities of more than 300,000 population.—In each civil city having a population of more than 300,000 inhabitants there shall be established a common school corporation known as a "school city" whose duties shall be coextensive with the corporate boundaries of such civil city. The government and management of all common schools and common school libraries in such corporation is vested in a board of five school commissioners.

### (b) County

- (1) Establishment—County commissioners of any county in which there is no free public tax-supported library in any city or town of the county may levy a tax, under certain conditions named in the law, for the establishment of such a library. The administration of the library shall be vested in a county public library board of nine members, three of whom shall be appointed by the county superintendent of schools.
- (2) Maintenance—County commissioners may, under certain conditions named in the law, levy a tax to aid any public library in any city or town of the county whenever the board of said library files notice with the commissioners of such library's desire to make the library free to all of the residents of the county. If the tax is voted, the administration of such library shall be vested in a public library board of the county, two members of which shall be appointed by the county superintendent of schools.

### (c) State.—Law silent.

SCHOOL LAWS OF THE STATE OF INDIANA, secs. 27, 659, 1066, 1070, 1125 and ch. 13; SCHOOL LAWS ENACTED IN 1937—A SUPPLEMENT TO THE SCHOOL LAWS OF INDIANA 1935 EDITION—secs. 90-108; BALDWIN'S INDIANA STATUTES 1934—secs. 2511, 10321,

10324, 10325 and EXECUTIVE ORDER, Appendix, pp. 3635-3645, LAWS OF THE STATE OF INDIANA—PASSED AT THE 78TH REGULAR SESSION OF THE GENERAL ASSEMBLY 1933, ch. 4.

## Iowa

### 1. Procedures for Establishment

- (a) *District*—Board of directors authorized to buy library books. See 2 (a), first paragraph.
- (b) *County*—Law silent
- (c) *State*—Law silent

### 2. Financial Support

- (a) *District*—Board of directors of each school corporation may purchase from the general school fund dictionaries, library books, including books for the purpose of teaching vocal music, maps, charts, and apparatus for the use of schools thereof to an amount not exceeding \$200 in any 1 year for each school building under its charge.

Board of directors of any school corporation in which there is no free public library may levy not to exceed one-fourth of a mill on the dollar for library service by contract with a free public library. See 7 (a) (1).

- (b) *County*—The auditor of each county shall withhold annually from the money received from the apportionment of the several school districts, 15 cents for each person of school age residing in each school corporation, for the purchase of books.
- (c) *State*—Law silent

NOTE.—The "apportionment" referred to in the previous paragraph comes from three sources: The proceeds of the county-wide property tax levy, the interest on the State permanent school fund which is distributed through counties, and the proceeds of certain fines and forfeitures of violations of State penal laws.

### 3. Administration and Supervision

- (a) *District*
  - (1) *Distribution of books*—Board of directors of each school corporation shall have supervision of all books, and shall make an equitable distribution among the schools. See 2 (a) first paragraph.
  - (2) *Housing*—During the time school is in session, the library shall be placed in the schoolhouse.
  - (3) *Community service*—School library books may be loaned to teachers, pupils, and other residents of the district in accordance with rules and regulations prescribed by State Board of Educational Examiners and Board of Directors.
- (b) *County*
  - (1) *Distribution of books*—The county board of education shall expend all money withheld by the auditor for the library fund in the purchase of books, and shall distribute the books to the librarians among the several school districts in the proportion that the number of persons of school age living in the school district bears to the number of such persons living in the county.
  - (2) *County circulating library*—County board of education may expend the library fund, apportioned to schools that have been closed, for library books to be loaned to the schools of the county that remain

open as directed by the county board of education; county superintendent of schools shall be the custodian of such books and shall keep a record of the same.

(c) *State*

- (1) *Rules*—State Board of Educational Examiners and Board of School Directors required to prescribe rules and regulations for loaning library books
- (2) *Standards*—The superintendent of public instruction shall prescribe for standard schools the minimum requirements of teaching library

#### 4. Books

(a) *District*

- (1) *Selection*—A misdemeanor, punishable by imprisonment or fine, to introduce into a "school or place of education" obscene books or pictures.
- (2) *Care*—It shall be the duty of the secretary of the board of directors to keep in a record book, furnished by the board, a complete record of the books purchased and distributed by him.  
Books shall be kept in schoolhouse. See 3 (a) (2).
- (3) *Use*—Books may be loaned to residents of district. See 3 (a) (3).

(b) *County*

- (1) *Selection*—Copies of lists of books suitable for school district libraries shall be furnished county superintendents and members of county boards of education.
- (2) *Public documents*—County superintendents shall direct distribution within counties. See (c) (2).

(c) *State*

- (1) *Selection*—State Board of Educational Examiners shall prepare annually lists of books suitable for use in school district libraries and furnish copies of the same to the officials named in (b) (1).
- (2) *Public documents*—The State superintendent of printing shall distribute the Official Register to school libraries, through county superintendents of schools, to whom they shall be sent in bulk and who shall direct their distribution in their own counties.

#### 5. Librarians

(a) *District*

- (1) *Selection*—Unless the board of directors shall elect some other person, the secretary in independent districts and director in sub-districts in school townships shall act as librarian and shall receive and have custody of the books. During the periods that school is in session, the teacher shall be responsible to the district for the proper care and protection of the library.
- (2) *Duties*—Each librarian shall keep a complete record of the books in a record book furnished by the board.

(b) *County*

- (1) *Distribution of books*—County board of education shall distribute books purchased with the library fund withheld by county auditors to the librarians among the several school districts. See 3 (b) (1).

(c) *State*

- (1) *Certification*—State Board of Educational examiners authorized to issue special certificates valid for teaching the subject or subjects specified in the field or fields designated on the certificates.

NOTE.—Said Board has set up requirements for teacher-librarians in high schools. (Special Subject Certificates, Circular 62a, Des Moines, Iowa, Board of Educational Examiners, Mimeographed.)

## 6. Relationships With State Library Agencies

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—State superintendent of public instruction, is an ex-officio member of the board of trustees of the Iowa State Traveling Library, the Iowa State Department of History and Archives, the Iowa State Law Library, and the Iowa State Medical Library. The trustees shall operate traveling libraries and circulate books to schools and other institutions named in the law, free of cost except for transportation.

## 7. Relationships With Public Libraries

- (a) *District*
  - (1) *Contract*—Board of directors of any school corporation in which there is no free public library may contract with any free public library for the free use of such library by the residents of such school district, and pay such library the amount agreed therefor as provided by law. During the existence of said contract, the board of directors shall certify annually a tax sufficient to pay such library the consideration agreed upon, not exceeding one-fourth mill on the dollar of the taxable property of said district. During the existence of such contract, the school corporation shall be relieved from the requirements that the school treasurer withhold funds for library purposes. This law shall not apply in townships where a contract for other library facilities is in existence.

Contracts may be made between the board of trustees of any free public library and any school corporation or other governmental unit for its use by their respective residents. Such contracts by a county shall supersede all contracts between the library trustees and townships or school corporations outside of cities and towns. The methods of making the free public library available to the residents of the governmental unit with which the contract is made shall be accomplished by lending books on the same terms as to residents of the city or town in which such library is situated, by establishing book depositories, by transportation of books by wagon or other conveyances, and by the establishment of branch libraries. Such contracts shall provide for the rate of tax to be levied during the period of the contract and shall remain in force until terminated by a majority vote of the electors of the school corporation or other governmental unit.

- (b) *County*—  
Contract—See preceding paragraph.
- (c) *State*—Law silent.

CODE OF IOWA, 1939, ch. 221 and 234.1; also secs. 231, 3858.1, 4238, 4330, 4391, 5859-5861, and 13189.

## Kansas

### 1. Procedures for Establishment

- (a) *District*—See 2 (a).
- (b) *County*—Law silent
- (c) *State*—Law silent

## 2. Financial Support

- (a) *District*—"School-district board or board of education of each school district," shall expend annually from the general funds in its possession a sum of not less than 5 dollars; provided that in all schools employing more than one teacher the amount expended shall not be less than 5 dollars for each teacher employed.
- (b) *County*—Law silent
- (c) *State*—Law silent

## 3. Administration and Supervision

- (a) *District*—"School-district board or board of education of each school district" shall have power to make such rules and regulations regarding the management of the library as they shall deem best; they are further authorized to revise the rules from time to time as the necessities of the case require.

Officers of common school districts are authorized to make such rules and regulations relating to the district library as they deem proper; on their visits to schools they shall inquire into matters relating to the library and other facilities and make such suggestions as will promote the interest and efficiency of the school.

- (b) *County*—Law silent
- (c) *State*—Law silent

## 4. Books

- (a) *District*—Money derived as indicated in 2 (a), shall be used under the direction of the district board for purchasing a school-district library and for no other purpose. The board in the purchase of books "shall be confined to works of arithmetic, geography, history, literature, biography, travel, science, and two monthly school journals, one to meet the needs of the primary classes and the other the more advanced and general needs." The books selected shall be approved by the State superintendent of public instruction.

- (b) *County*—Law silent
- (c) *State*—See (a).

## 5. Librarians

- (a) *District*—The district clerk shall be the librarian, unless the board of directors shall appoint some other competent and suitable person who shall reside in the district and perform the duties of that office.
- (b) *County*—Law silent
- (c) *State*—Law silent

**NOTE.**—The State Board of Education is authorized to make rules and regulations regarding the certification of teachers. The Board does not require librarians to hold librarian's certificates. It has, however, gone on record as urging administrators of Class A high schools to meet not later than September 1, 1943 a requirement that high-school librarians have academic qualifications equivalent to those required of teachers in such schools, and that the qualifications of librarians include not fewer than 8 semester hours of college credit in library science. (Correspondence, State Board of Education, Dec. 17, 1938.)

## 6. Relationships With State Library Agencies—Law silent

**7. Relationships With Public Libraries**

- (a) *District*—Board of directors of a county library may contract with any school district in an adjacent county for the purpose of furnishing library service to said school district.
- (b) *County*—Law silent
- (c) *State*—Law silent

SCHOOL LAWS OF KANSAS, REV. 1937, sec. 100, 269, 280, 630, 631 and 632; GENERAL STATUTES OF KANSAS 1935, sec. 19-1704.

**Kentucky****1. Procedures for Establishment—Law silent****2. Financial Support—Law silent****3. Administration and Supervision—Law silent—See 6 (c).****4. Books**

- (a) *District*—"No books or other publications of a sectarian, infidel, or immoral character shall be used or distributed in any common school of the Commonwealth. . . ."
- (b) *County*—Law silent
- (c) *State*—See 6 (c).

**5. Librarians**

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—Law silent

NOTE.—The laws provide that the certification of all superintendents, principals, teachers, supervisors, attendance officers, and other administrative, supervising, or instructional employees shall be vested in the State Board of Education. Among the special certificates provided by the State Board of Education are certificates for full-time school librarians. (Organization and Administration of Teacher-Education. Educational Bulletin, Frankfort, Ky., State Department of Education, 5:42-43, January 1938.)

**6. Relationships With State Library Agencies**

- (a) *District*—See (c).
- (b) *County*—Law silent
- (c) *State*—The State Library Commission is authorized to give assistance, advice, and counsel to all schools and other agencies which may propose to establish libraries as to the best means of establishing and administering them, selecting and cataloging books, and other details of library management, and may send any of its members to aid in organizing such libraries or assist in the improvement of those already established.

**7. Relationships With Public Libraries**

- (a) *District*—See following paragraph
- (b) *County*

(1) *Contracts*—Fiscal courts of counties containing a population of over 200,000 wherein is located a city of the first class may contract with board of trustees of free public library of any such city for the pur-

pose of granting to the residents and schools of such county the same privileges afforded by such library to residents and schools in said city. The fiscal court is authorized to make such contracts and may appropriate annually a certain sum of money to the maintenance and support of such library to be paid out of the county levy funds in its hands.

- (2) County public library board—County superintendent of schools shall appoint two members, one of whom shall be a woman.
- (c) *State*—Law silent.

KENTUCKY COMMON SCHOOL LAWS 1934. SECS. 4363-11 and 4502-1; CARROLL'S KENTUCKY STATUTES ANNOTATED 1936—secs. 938d-1 and 2801c-1.

## Louisiana

### 1. Procedures for Establishment

- (a) *District*.—When the patrons and friends of "any individual school or grade of a free public school" in which a library has not been established raise the sum of \$10 for the establishment of a library, the parish board shall appropriate a like sum for the same purpose from the public-school funds. Likewise, if the patrons and friends of a school in which such a library has been established raise the sum of \$5 for its enlargement, the board shall appropriate not less than \$5 nor more than \$15 for the same purpose.<sup>1</sup>

*County (Parish)*<sup>2</sup>—See previous paragraph.

*State*—Law silent

### 2. Financial Support

- (a) *District*—See 1 (a).
- (b) *County (Parish)*<sup>2</sup>—See 1 (a).
- (c) *State*—One source of State revenue for the support of the public common schools of elementary and secondary grades in Louisiana is the severance tax. The Constitution says: "The residue of the severance tax fund of the State, after allowing funds and appropriations as provided for by the Constitution or laws of the State; which severance tax fund shall be devoted, after allowing such funds and appropriations, first, to supplying free school books; second, to supplying free school supplies, such as library books, pencils and ink, writing paper, pens, ink and the like, to the school children of the state . . ."

### 3. Administration and Supervision

- (a) *District*—See 1 (a).
- (b) *County (Parish)*<sup>2</sup>—See 1 (a).
- (c) *State*—See 6 (c).

### 4. Books

- (a) *District*—See 1 (a).
- (b) *County (Parish)*<sup>2</sup>—See 1 (a).
- (c) *State*—School library books furnished free to the school children of the State as provided in the Constitution shall be distributed to them through the State Board of Education. See 2 (c).

<sup>1</sup> Since with few exceptions the parish is the local district in Louisiana, the term "school" is used in the law.

<sup>2</sup> As the State Department of Education reports this law, which has not been repealed by the legislature, is inoperative, data regarding the administration of the funds, selection of books, and librarians are omitted in this digest. (Correspondence, State Department of Education, March 21, 1940.)

<sup>3</sup> The parish in Louisiana corresponds to the county in other States.

**5. Librarians**

- (a) *District*—See 1 (a).
- (b) *County (Parish)*<sup>1</sup>—See 1 (a).
- (c) *State*—Law silent

NOTE.—The Constitution provides that the State Board of Education shall prescribe the qualifications and provide for the certification of teachers of elementary, secondary, trade, normal, and collegiate schools. The State Board of Education has adopted requirements in library science for full- and part-time librarians in both white and Negro high schools. [Certification of teachers (White), 1938, Bulletin 370, p. 12-13, and Certification of teachers (Negro), 1939, Bulletin 397, p. 11-13. Baton Rouge, La., State Department of Education]

**6. Relationships With State Library Agencies**

- (a) *District*—See (c).
- (b) *County (Parish)*<sup>1</sup>—Law silent
- (c) *State*—The State Library Commission is authorized to give advice to all schools and other institutions named in the law regarding the best means of establishing and administering libraries, selecting and cataloging books, and other details of library management. It may send its members to assist in the improvement of libraries already established. It may also cooperate with the State Board of Education in devising plans for the care of school libraries, in aiding teachers in school library administration, and in formulating rules and regulations governing the use of such libraries. Such suggestions, rules, and regulations for school libraries are to be promulgated through the State superintendent of schools.

**7. Relationships With Public Libraries—Law silent**

FIFTEENTH COMPILATION OF SCHOOL LAWS, 1936—Constitution Art. XII, secs. 7 and 14, Act 202 of 1906, pp. 57-60, Act 155 of 1936, pp. 425-28; and GENERAL STATUTES OF THE STATE OF LOUISIANA, 1932. Vol. 2, sec. 4458.

**Maine****1. Procedures for Establishment—Law silent****2. Financial Support—Law silent****3. Administration and Supervision—Law silent****4. Books**

- (a) *District (Town, city, or plantation)*
  - (1) Selection—Persons found guilty of introducing obscene literature into a "school or place of education" are subject to fine and imprisonment.
  - (2) Care—Persons found guilty of wantonly defacing books or other property belonging to any "educational institution" are subject to fine or imprisonment.
- (b) *County*—(No county unit for school or library purposes)
- (c) *State*—See 6 (c).

<sup>1</sup> The parish in Louisiana corresponds to the county in other States.

### 5. Librarians—Law silent

NOTE.—The law requires that all persons employed to teach in any school under the supervision of any school board of any city, town, or plantation are required to hold certificates; and that the commissioner of education shall formulate rules and regulations necessary for carrying out the provisions of the law. Special certificates for librarians in secondary schools include training in library science. (State certification of teachers. Bulletin III, Augusta, Maine, State Department of Education, August 1935, pp. 20 and 32.)

### 6. Relationships With State Library Agencies

- (a) *District (Town, city, or plantation)*—Law silent
- (b) *County*—(No county unit for school or library purposes)
- (c) *State*—The Maine State Library shall give advice to all school, State, institutional, free, and public libraries as to the best means of establishing and administering libraries, selecting and cataloging books, and other details of library management, and may send its employees to aid in organizing such libraries or assist in the improvement of those already established. The department of education supervises the State library.

### 7. Relationships With Public Libraries—Law silent

LAWS RELATING TO PUBLIC SCHOOLS, 1935. sec. 157;  
REVISED STATUTES OF MAINE, 1930, ch. 4, sec. 14,  
and ch. 139, secs. 27 and 28; and the Laws of Maine,  
1921, ch. 216, art. 5, sec. 1.

## Maryland

### 1. Procedures for Establishment

- (a) *District*—"For the further encouragement of education, district libraries ought to be established in each schoolhouse district . . ." See 2 (a).<sup>1</sup>
- (b) *County*—Law silent
- (c) *State*—Law silent

### 2. Financial Support

- (a) *District*—For the purpose of assistance in the establishment of school district libraries, the people of the district may raise 10 dollars annually. The State Board of Education (hereinafter called State Board) has ruled that the district board of trustees shall cooperate with the principal teacher in raising funds to purchase library books if the school is not already well provided with this necessary equipment, and shall file an application with the county board of education for an appropriation of 10 dollars, when the school shall have raised an equal amount.
- (b) *County*—The sum of 10 dollars per annum is ordered to be paid by board of county school commissioners out of the State school fund, to any schoolhouse district, as library money, as long as people of the district raise the same amount annually.
- (c) *State*—See previous paragraph

### 3. Administration and Supervision

- (a) *District*—See 2 (a).<sup>1</sup>
- (b) *County*—See 2 (a).<sup>1</sup>
- (c) *State*—Law silent

<sup>1</sup> In Maryland, with the exception of the city of Baltimore, the county is the unit of school administration and there is no school administrative unit smaller than the county.

**4. Books***(a) District*<sup>1</sup>

(1) Selection—Books purchased with funds under the provisions stated in 2 (a) shall be selected by the board of district school trustees and teachers from a list to be furnished by the State Board. See 6 (c).

(2) Care—Persons convicted of feloniously stealing or maliciously mutilating any book or other property "of any public library or circulating library, or library belonging to the State of Maryland, or to any city or public body or incorporated institution," shall be punished by fine or imprisonment or both.

*(b) County—Law silent*

*(c) State*—The State board has ruled that a list of books suitable for public-school libraries shall be prepared and published by the State superintendent of public schools and shall be revised at least once every 3 years.

**5. Librarians**

*(a) District*<sup>1</sup>—School district libraries established under the conditions given in 2 FINANCIAL SUPPORT shall be "under the care of the teacher, as librarian."

*(b) County—Law silent**(c) State—Law silent,*

NOTE.—The law says that all persons employed as administrators, supervisors, or teachers in public schools must hold certificates issued by the State superintendent of schools, but any county may require as a condition of employment a higher standard for a certificate of similar kind and grade than is required by the State. The State Department of Education reports that there are no requirements for the certification of librarians. (Correspondence, Dec. 24, 1938.)

**6. Relationships With State Library Agencies***(a) District*<sup>1</sup>—See (c).*(b) County—Law silent*

*(c) State*—On January 1, 1923, all rights, powers, duties, obligations, and functions of the former Maryland Public Library Commission were conferred upon the State superintendent of schools. One of the duties of the former Commission was to give advice and counsel to all public-school libraries in the State as to the best means of establishing and maintaining them, selecting and cataloging books, and other details of library management.

**7. Relationships With Public Libraries—Law silent**

MARYLAND PUBLIC SCHOOL LAWS, 1927, secs. 83, 167 and 170 and By-laws 41 and 42; MARYLAND SCHOOL BULLETIN, JUNE 1931, vol. XII, no. 7, Supplement Containing 1929 and 1931 Additions to and Changes in the Public-School Laws and By-laws of Maryland Included in Article 77 of the Annotated Code of Public General Laws of 1924 and the Acts of Assembly of 1927, as Published by the State Board of Education in June 1927, sec. 99; and THE PUBLIC GENERAL LAWS OF MARYLAND, vol. 1, 1924, sec. 100.

<sup>1</sup> In Maryland, with the exception of the city of Baltimore, the county is the unit of school administration and there is no school administrative unit smaller than the county.

## Massachusetts

1. **Procedures for Establishment—Law silent**
2. **Financial Support—Law silent**
3. **Administration and Supervision—Law silent**
4. **Books**
  - (a) *District (towns and municipalities)*—Any person found guilty of introducing into a school or "place of education" obscene literature shall be fined or imprisoned or both.
  - (b) *County*—(No county unit for school and library purposes).
  - (c) *State*—Law silent

5. **Librarians—Law silent**

NOTE.—Certificates for teachers in State-aided high schools and for superintendents of schools in a superintendency union are the only two classes of certificates issued by the State Department of Education. In all other instances, local school committees are authorized by law to pass upon the qualifications of teachers and other school employees. The State Department of Education reports that the State of Massachusetts has not adopted regulations for the certification of librarians. (Correspondence, March 17, 1939.)

6. **Relationships With State Library Agencies**

- (a) *District (towns and municipalities)*—Law silent
- (b) *County*—(No county unit for school or library purposes)
- (c) *State*—The commissioner of education is authorized to organize in the Department of Education a division of public libraries.

7. **Relationships With Public Libraries—Law silent**

GENERAL LAWS OF MASSACHUSETTS RELATING TO EDUCATION 1932, secs. 5 and 38; and ANNOTATED LAWS OF MASSACHUSETTS vol. IX, 1933, ch. 272, sec. 28 (1936 Cumulative Supplement)

## Michigan

1. **Procedures for Establishment**

- (a) *District*
  - (1) *Township*—Boards of education of township school district authorized "to establish and maintain a district library and provide for its care and management."
  - (2) *County*—Boards of education of county school districts authorized to approve purchase of library books. See 2 (a) (2).
  - (3) *Second class*—Boards of education authorized to receive funds "devoted by law to the maintenance of district or school libraries." See 2 (a) (3).
  - (4) *Third class*—Board of education of district of the third class authorized to "establish and maintain or continue a library or museum, which institutions may be separately operated if desired, for the public schools of the district, if it shall deem advisable to do so, and to provide for its or their care and management."
- (b) *County*—See (a) (2).
- (c) *State*—Law silent

## 2. Financial Support

### (a) District

- (1) Township—Boards of education of township school districts empowered "to vote such taxes as may be necessary for the regular running expenses of the school, which shall include . . . library . . ."
- (2) County—Boards of education of county school districts authorized to approve the purchase of library books for all school libraries and of all apparatus in school districts not employing a superintendent of schools.
- (3) Second class—Boards of education of school districts of the second class "shall receive the funds devoted by law to the maintenance of the district or school libraries and shall devote the same to that purpose, and may delegate the expenditure of such library funds to such executive body as may be constituted by law for the management of the public or school libraries within the city."
- (4) Third class—Boards of education may purchase books and apparatus for libraries and museums which they may establish. *See 1 (a) (4).*

### (b) County—*See (a) (2) and following paragraph.*

(c) ~~See~~ The proceeds of all fines for any breach of the penal laws of this State when collected in any county and paid into the county treasury, together with all moneys heretofore collected and paid into said treasury on account of such fines and not already apportioned, shall be apportioned by the county treasurer in accordance with the directions of the superintendent of public instruction . . . among the several townships, districts, or cities entitled to the same in the county, which money when received by the proper authorities shall be exclusively applied to the support of libraries and to no other purposes." Provided, that in those counties wherein the total unexpended balance of library funds reported for the year ending July 1, 1936, by school districts to the State Department of Education equals or exceeds the sum of \$20,000, the county treasurer shall hereafter transfer all moneys together with all moneys heretofore collected and not already apportioned, to the county library board—a board authorized by law to administer public library service for county libraries. Where an area within a county is adequately served by a public library and where this area will not be served by the county library, the county library board shall allocate to the board of trustees of said existing public library the per capita portion, based on the school census, of all receipts from penal fines.

## 3. Administration and Supervision

### (a) District

- (1) Township—*See 1 (a) (1)* (applies also to any district in which a library or museum has been established).
  - (2) Second class—*See 2 (a) (3).*
  - (3) Third class—Board of education of a school district of the third class in which a library or museum has been established may appoint a board of library or museum commissioners, which board shall have control and direction of such library or museum subject to the approval of the board of education. *See 1 (a) (4) and 2 (a) (4).*
- (b) County—It shall be the duty of the county school commissioner "To visit each of the schools of the county at least once each year and to examine carefully the discipline, mode of instruction . . . the

- library . . . and to make a careful record of these items and report the same to the director of each school . . . district . . . "
- (c) *State*—The State superintendent of public instruction (hereinafter called State superintendent) may prepare and have printed general rules and regulations for the management of township and district libraries. See 2 (c).

#### 4. Books

##### (a) *District*

- (1) *Selection*—A misdemeanor to introduce obscene literature into a "school or place of education." Books shall be selected from list prepared by superintendent of public instruction and State librarian. See (c); also 2 (a) (2).
- (2) *Care*—It shall be the duty of directors of primary school districts to "provide the necessary appendages for the schoolhouse and keep the same in good condition and repair during the time school shall be taught therein." The law names "a case for library books" as a necessary appendage. County boards of education shall approve the purchase of library books for school libraries in county school districts.

##### (b) *County*—See preceding paragraph

##### (c) *State*

- (1) *Selection*—The State superintendent with "the cooperation of the State librarian shall prepare, at least once in every two years, lists of books suitable for township and district libraries, and furnish copies of such list to each school board of each school district and to each township officer entrusted with the care and custody of their respective libraries, except city school libraries, and high-school libraries, from which lists the said school officers shall select and purchase books for their respective libraries."
- (2) *Public documents*—Duty of State superintendent and the secretary of the public domain commission to select from lists of books and other publications of State Departments of government and institutions, such publications as they deem have educational value, and to transmit a list of the selections to heads of the departments and institutions. Upon receipt of the selected lists the departments and institutions shall supply the superintendent with a sufficient number to supply the school districts of the State, to be the property of the school library.

#### 5. Librarians

##### (a) *District*

- (1) *Selection*—Whenever any library or museum has been established by any school district, the board of education may appoint librarians and hire other employees for such library or museum. See 7 (a).
- (2) *Salary*—Whenever any library or museum has been established by any school district, the board of education may fix salaries of librarians and other employees of such library or museum. See previous paragraph.

##### (b) *County*—Law silent

##### (c) *State*—Law silent

**NOTE.**—The State Board of Education is required "to prescribe the requirements for and issue such licenses and certificates for teaching to graduates of teacher training departments of all educational institutions of the State as said State Board of Education shall determine."

The Board has prescribed that applicants who graduate from specific 4-year curricula such as fine arts, . . . library science shall be granted certificates to teach in elementary and secondary grades when the candidate qualifies in both fields." (Teachers' Certification Code, Lansing, Mich., Department of Education Bulletin No. 601, 1937, p. 18.)

## 6. Relationships With State Library Agencies

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—State Board for Libraries "shall further the development of effective State-wide school library service," and "shall collect and preserve statistics, undertake research pertaining to libraries and make the resultant findings available to all public, school, and institutional libraries within the State, applying therefor." It may also give advice and counsel to any school library as to the best means of establishing and administering such library, selecting and cataloging books, and other details of library management. The State librarian is authorized to cooperate with the State superintendent in the preparation of book lists. *See* 4 (c) (1).

## 7. Relationships With Public Libraries

- (a) *District*
  - (1) *Township*—"A library may be maintained in each organized township or school district, which shall be the property of the township or school district and under the control of the township board of such township or the board of education of the school district. If in the judgment of said township board the people of said township will be better served by disposing of said library to the several school districts of the township, said board shall have authority to take such action." All persons who are residents of the township shall be entitled to the privileges of the township library. All persons who are residents of the city school district shall be entitled to the privileges of the city or school library, subject to such regulations as may be lawfully established. When a township is organized as a township school district, the control of the township library shall pass from the township board to the board of education. *See* 1 (a) (1).
  - (2) *First class (Applies to Detroit)*—The law creating school districts of the first class provides that public libraries already operating under the management of boards of education shall be transferred to the newly created board of education.
  - (3) *Cities*—Boards of education in cities having the control of free public libraries are empowered to provide for the maintenance of such libraries.
- (b) *County*—County commissioner of schools is *ex officio* a member of the board authorized to administer the county library fund of a county library. In case a county contracts with an existing library for service, the county library fund shall be administered by the board or body having charge of said existing library and there shall be an advisory board of which the county superintendent of schools shall be a member *ex officio*.

**NOTE.**—In county school districts the chief administrative school officer is called "county superintendent of schools" rather than "county commissioner of education," as in counties not organized as a unit for

school administration. At present writing Wayne County (county in which Detroit is located) is the only county school district in the State. The law creating county school districts is restricted to counties of 250,000 population or more.

- (c) *State*—School district controlled libraries shall share in State aid for libraries.

MICHIGAN STATUTES ANNOTATED, 1935, vol. 11, EDUCATION, SECS. 15.15, 15.76, 15.161-15.172, 15.167, 15.195, 15.251, 15.307, 15.349, 15.725, 15.804, 15.1111, 15.1691, 15.1702, 15.1871-15.1872; vol. 25 CRIMES, sec. 28.575; 1939, CUMULATIVE SUPPLEMENT (covering legislation from the 1935 regular session to April 20, 1939), SECS. 15.1565 (2), 15.1702 (1 and 2), and 15.1791 (2); and SUPPLEMENT (issued August 1939) sec. 15.738.

## Minnesota

### 1. Procedures for Establishment

- (a) *District*—Any school district may provide library facilities, as part of its school equipment, according to the standards of the State Board of Education.
- (b) *County*—Law silent
- (c) *State*—See (a).

### 2. Financial Support

- (a) *District*—School board of any school district may vote sufficient funds for the maintenance of the school library. See 7 (a).
- (b) *County*—Law silent
- (c) *State*—Any school district or unorganized territory may receive aid for the purchase of library books not to exceed one-half the amount expended or 50 cents per pupil in average daily attendance during the preceding year for 500 pupils, nor to exceed one-fourth the amount expended or 25 cents per additional pupil in average daily attendance during the preceding school year.

### 3. Administration and Supervision

- (a) *District*—The law states that the school board of any school district may make rules for the use and management of the library and that common school districts at their annual or special meetings may "make rules for the use and management of the library."
- (b) *County*—Law silent
- (c) *State*—See 1 (a) and 7 (a) (1).

### 4. Books—

- (a) *District*—Books purchased with State-aid funds must be purchased from a list prepared by the State Department of Education. See (c).
- (b) *County*—Law silent
- (c) *State*—The State Department of Education shall from time to time prepare and amend a list of books suitable for school libraries, including dictionaries and other books of reference, histories and works of biography, literature, political economy, agriculture, travel, and science. See 7 (a) (1).

**5. Librarians**

- (a) *District*—The law provides that the school board of any school district may "appoint a librarian" and that common school districts may at their annual or special meetings "appoint a librarian." See 2 (a); 3 (a); and 7 (a) (1).
- (b) *County*—Law silent
- (c) *State*
- (1) *Certification*—Holders of the High School Standard Special Certificate are qualified to teach in certain special fields named in the law and "to act as school librarian." Such certificates shall be issued to persons holding the degree of the College of Education of the University of Minnesota or of a Minnesota State Teachers College, granted by virtue of the completion of its course in the special field to which application for certificate is made. The High School Standard Special Certificate may also be issued to persons holding degrees from liberal arts colleges and technical training institutions in Minnesota, provided that the courses leading to such degrees meet the requirements of the State Board of Education.
  - (2) *Retirement*—The word "teacher" as used in the act establishing a Teachers' Retirement Fund shall include any person rendering service as "a teacher, supervisor, principal, superintendent, or librarian in the public schools of the State, located outside the corporate limits of cities of the first class, or in the State teachers colleges, or in any charitable institution supported in whole or in part by public funds, or who has been engaged, is engaged, or shall hereafter be engaged in educational administration in connection with the State public-school system, including the State teachers colleges, but excluding the State university, whether the position be a public office or an employment, not including, however, members of any general governing or managing board or body connected with such system, or the officers of common, independent, special, or county school districts."

**6. Relationships With State Library Agencies**

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—All powers, duties, and functions formerly vested in the State Library Commission are now exercised by the State Board of Education. Said Board is further authorized to administer all laws pertaining to libraries.

**7. Relationships With Public Libraries**

- (a) *District*
- (1) *Contract for service*—Any school board may contract with the board of any approved county, city, or village public library to become a branch of said library and to receive therefrom library books for the school and the community, according to the standards established by the State Board of Education. In the event of such contract the school board may place in the public library such books belonging to the school library as may be more useful for community use and shall pay annually to the library board, the school library book fund and the State library aid to which such school district is entitled. All books purchased by such public library from funds provided by the school district or State school

library aid shall be selected from the State list for school libraries. A librarian who meets the standards of the State Board of Education shall be employed; school and library board may jointly employ such librarian who may spend her time partly in the school and partly in the library.

- (2) Maintenance of public library—In cities and villages of less than 2,000 people, not levying a tax for library purposes, the school board may maintain a public library for use of all the residents of the district and may house the library in the school building. In any independent school district embracing any such village, where a library building has been erected with funds donated for library purposes the school district may levy an annual tax of not less than three mills, the proceeds of which tax shall be used for the support and maintenance of said library and shall be known as the library fund.

In case the library building has been erected with funds acquired by gift or donation the school board is empowered to appoint a library board of nine members of which each member of the school board shall be a member ex officio. Said library board shall adopt rules for the government of the library and shall have exclusive control of the expenditures. All moneys received for such library fund shall be kept in the school district library and all books and other property belonging to the library shall be held in the name of the school district.

MINNESOTA STATUTES, 1927, vol. 1, secs. 2963, 3015-3021, and 5658-5660; 1938 SUPPLEMENT TO MINNESOTA STATUTES, 1927, vol. 3, secs. 2900-6 and 2950-1; and LAWS OF 1935, ch. 288.

## Mississippi

### 1. Procedures for Establishment

- (a) *District*—Public free schools may raise voluntary contributions for libraries. See 2 (a) and (b).  
 (b) *County*—See 2 (b).  
 (c) *State*—Law silent.

### 2. Financial Support

- (a) *District*—Any free public school wishing to receive county funds for a library must raise by subscription or otherwise not less than 10 dollars.  
 (b) *County*—When a free public school raises not less than 10 dollars for a school library, "the superintendent of education of the county where such subscription is raised may issue his certificate for a like amount not exceeding 25 dollars in favor of such school, to be paid out of the common school fund of that county; but in no case shall the amount given by the county in any one year exceed 250 dollars; provided, that no school shall receive a second donation from the school library fund for library purposes so long as there are new applications from schools that have not been supplied."  
 (c) *State*—Law silent.

### 3. Administration and Supervision

- (a) *District*—One of the duties of trustees of municipal separate school districts is to enforce the rules prescribed for the government of school libraries.

- (b) *County*—The county superintendent of education (hereinafter called county superintendent) shall name two first-grade teachers, who together with the county superintendent shall constitute a county library commission. This commission shall make rules and regulations governing the use of libraries in the county and shall name a local manager of each library who shall make a report yearly to the commission of all books purchased during the year and of the money on hand at the time of the report, together with the amount expended for library purposes. The county superintendent shall keep a list of the books purchased by the several libraries in his county and make a library report biennially to the State superintendent of public education.
- (c) *State*—See previous paragraph.

#### 4. Books

- (a) *District*
- (1) Selection—Duty of trustees of municipal separate school districts to exclude from school libraries all books or papers of a sectarian, partisan, denominational, or immoral character.
  - (2) Care—Public free schools raising funds for libraries to match with county funds for the same purpose “shall furnish suitable bookcases with lock and key.”
- (b) *County*—One of the duties of the county library commission is “to name a list of books suited for school libraries.” See 3 (b).
- (c) *State*—Law silent

#### 5. Librarians

- (a) *District*—Trustees of municipal separate school districts are authorized to appoint librarians. See 3 (b).
- (b) *County*—Law silent
- (c) *State*—Law silent

NOTE.—State Board of Education is authorized to set up rules for the issuance of certificates, and to administer said rules through the State Board of Examiners. Librarians in accredited high schools are required to hold academic degrees from standard colleges and have training in library science. The amount of library training varies with the size of the school in which the librarian is employed. (Accredited High Schools and Colleges. By E. R. Jobe, State Department of Education, Bulletin No. 92, 1937-1938, Jackson, Miss. p. 9.)

#### 6. Relationships With State Library Agencies

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—The State Library Commission, when asked, shall give advice to schools as to the best means of establishing and maintaining libraries, the selection of books, cataloging, and other details of library management. It may operate traveling libraries and circulate them among schools.

#### 7. Relationships With Public Libraries

- (a) *District*—Any school district may contract for school library service from any existing library, such service to be paid for from funds available to the school district.
- (b) *County*—Board of supervisors of any county “authorized, in its discretion, to appropriate not to exceed 3,000 dollars a year towards the support of public libraries, including circulating school libraries in said

county." In counties in which the enumeration of educable children is 10,000 or more the board of supervisors may appropriate not to exceed 10,000 dollars annually toward the support of public or school libraries.

(c) *State*—Law silent

SCHOOL LAWS OF THE STATE OF MISSISSIPPI. (Code of 1930 as amended to 1938), secs. 6657 and 6768-6788 and Art. VII; MISSISSIPPI CODE 1930, vol. 2, ch. 131; and 1938 SUPPLEMENT TO MISSISSIPPI CODE 1930, sec. 1732.

## Missouri

### 1. Procedures for Establishment

- (a) *District*—Boards of directors shall set aside funds for the purchase of library books. *See* 2 (a).
- (b) *County*—Law silent
- (c) *State*—Law silent

### 2. Financial Support

- (a) *District*—Boards of directors shall set aside out of the levy made for incidental purposes, not less than 5 nor more than 20 cents per pupil enumerated in the district each year, which shall be spent under the direction of the board in purchasing for "school libraries, supplementary and reference books."
- (b) *County*—Law silent
- (c) *State*—Law silent

### 3. Administration and Supervision

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—The State superintendent of public schools (hereinafter called State superintendent) is a member and ex officio chairman of the State Library Board; the other four members are appointed by the State Board of Education. *See* 4 (c).

### 4. Books

- (a) *District*—Boards of directors shall select books purchased with money set aside for "school libraries, supplementary reading and school reference books" from list recommended by State Library Board provided that books other than those recommended by the Board may be selected after 100 volumes have been purchased from the recommended list. *See* (c).
- (b) *County*—Law silent
- (c) *State*.—The State Library Board "shall select, classify, and recommend a list of suitable books for school libraries, supplementary reading, and school reference books. Said list shall contain not less than forty suitable books to supplement the regular schoolroom work in each of the following lines: Reading, literature, history, geography and nature study, or practical agriculture. They shall enter into contract with the publishers of the selected books to furnish them, transportation charges prepaid, at lowest possible cost to the districts; provided that said list may be revised every two years by said board. It shall be the duty of the

State superintendent to publish and distribute to the district clerks of the State, a classified list of selected books, setting forth contract price of each."

### 5. Librarians—Law silent

NOTE.—The State superintendent is authorized "to examine teachers and grant certificates of qualifications to those who pass a satisfactory examination." The State Department of Education does not issue special certificates for librarians. (Correspondence, March 17, 1939.) Other agencies with certification privileges are State teachers colleges, the University of Missouri, and county superintendents of schools.

### 6. Relationships With State Library Agencies

(a) *District*—See (c).

(b) *County*—Law silent

(c) *State*—The State superintendent is a member of the Missouri Library Commission. The commission shall give advice to schools, as to the best means of establishing and maintaining libraries, selecting and cataloging books, and other details of library management, and it may circulate traveling libraries among schools. It may also cooperate with the State Library Board "in devising plans for the care of school district libraries; in aiding teachers in school library administration; and in formulating rules and regulations governing the use of libraries throughout the State. Such suggestions, rules, and regulations are to be promulgated through the State superintendent of schools."

### 7. Relationships With Public Libraries

(a) *District*

(1) All classes—Boards of directors authorized to borrow money or issue bonds for erecting library buildings, furnishing them, building additions to or repairing the same.

(2) City, town, and consolidated districts—Boards of education may condemn land for library sites and may accept and receive gifts and devise for the erection and endowment of libraries and for the purchase of books.

(3) Certain specified cities—Boards of education shall have power to establish and maintain separate libraries for the use of white and colored persons.

(4) Cities of 75,000 and fewer than 500,000 inhabitants (Applies to Kansas City)—Board of directors shall have power to establish and maintain a library and free reading room for the use of the school district.

(b) *County*—The county superintendent of public schools is a member ex officio of the county library board. Such board may contract with the body having control of a public or school library already established in the county, or any other library within the State, to furnish library service to the people of said county library district.

(c) *State*—Law silent

MISSOURI SCHOOL LAWS, 1938, secs. 9198, 9215, 9333, 9361, 9444, 9470, 9541 and 13445-13447; and MISSOURI ANNOTATED STATUTES 1932, secs. 13432, 13433, 13435, 13464, and 13466.

## Montana

**1. Procedures for Establishment**

- (a) *District*—Board of school trustees must expend the library fund together with such moneys as may be added thereto by donation, in the purchase of books for a school library. See 2 (a).
- (b) *County*—Law silent
- (c) *State*—Law silent

**2. Financial Support**

- (a) *District*
  - (1) Third class—"The library fund shall consist of not less than five nor more than ten percent of the county school fund annually apportioned to the district; provided, that if such ten percent exceed fifty dollars, fifty dollars only shall be apportioned to the district."
  - (2) First and second classes—"The library fund shall consist of a sum not to exceed fifty dollars for every five hundred children or major fraction thereof, between the ages of six and twenty-one years, annually taken from the general school fund of the country apportioned to such district."
- (b) *County*—See (a) (1) and (2).
- (c) *State*—Law silent

**3. Administration and Supervision**

- (a) *District*—The board of trustees shall have control of the library which shall be available to the pupils and all residents of the district. Said trustees shall be held accountable for the proper care and preservation of the library; shall make all needful rules and regulations not provided for by the State superintendent of public instruction (hereinafter called State superintendent) and not inconsistent therewith; and shall report annually to the county superintendent of schools (hereinafter called county superintendent) all library statistics which may be required on the blanks furnished by the State superintendent.
- (b) *County*—It shall be the duty of the county superintendent on his visits to inspect the library, to make such suggestions regarding its use and care as he may deem advisable. See previous and following paragraphs.
- (c) *State*—It shall be the duty of the State superintendent to formulate rules and regulations for the school libraries and to furnish to the county superintendent, from time to time, such instructions and information as will make the use of the library most effective.

**4. Books**

- (a) *District*
  - (1) Selection—Board of trustees shall expend the library fund for books for a school library, including books for supplementary work.  
"All books must be selected by the county superintendent and school trustees acting together, from lists approved by the superintendent of public instruction." See (c).  
Duty of every school board: "To exclude from school and school libraries all books, tracts, papers and other publications of immoral and pernicious nature."
  - (2) Care—The library must be kept when practicable in the schoolhouse.
- (b) *County*—If the county superintendent approves, any surplus in the library fund after furnishing all necessary works and library books may be spent for other needed equipment. See following paragraph.

- (c) *State*—The State superintendent "shall prepare and furnish to school officers, through the county superintendents, lists of publications approved by him as suitable for school libraries; such lists shall contain also the lowest price at which such publications can be purchased and the terms."

### 5. Librarians—Law silent

NOTE.—It is the duty of the State board of Educational Examiners to provide rules and regulations for the issuance of all teachers' certificates obtained by examination or endorsement, such rules to be subject to the approval of the State Board of Education. The State of Montana has not adopted rules and regulations for the certification of school librarians. (Correspondence, State Department of Education, Feb. 11, 1939.)

### 6. Relationships With State Library Agencies

- (a) *District*—Law silent  
 (b) *County*—Law silent  
 (c) *State*—The State superintendent is a member ex officio of the State Library Extension Commission.

### 7. Relationships With Public Libraries

- (a) *District*—See following paragraph  
 (b) *County*—When the county in which a school district is located shall maintain a county free library, the board of school trustees or city board of education may agree with the proper authorities of such county to make such school district library a branch of such county library. In this event the school authorities shall turn over its books to the county free library, and shall annually transfer to such county library its library fund. The said county free library shall thereupon have such district library managed according to the rules established by the authorities of the county free library. See 2 (a) (1) and (2).  
 (c) *State*—Law silent

SCHOOL LAWS OF THE STATE OF MONTANA, 1937, SECS. 946, 962, 1015, 1181-1186, 4569-4571; and MONTANA STATUTES, 1935, vol. 1, sec. 1575.1

## Nebraska

### 1. Procedures for Establishment

- (a) *District*—School boards shall create a library fund. See 2 (a).  
 (b) *County*—Law silent  
 (c) *State*—Law silent

### 2. Financial Support

- (a) *District*—School board or trustees of every school district shall set aside annually from the general funds collected for the use of the district the sum of five dollars per teacher employed within the school district, as shown by the last annual report to the county superintendent of public instruction; provided, that if a sum equal to or greater than five dollars per teacher is raised by entertainment or otherwise and paid into the district library fund, the school board shall be exempt from making such payment; and provided further that if an amount in excess of five dollars per teacher be expended in any one year, the excess may be deducted from the required expenditure for the succeeding year or years. The

amount so set aside shall be known as the district library fund and shall be by the school board invested annually in books other than the regular textbooks which books so provided shall be suitable for the district school library.

The provisions in the preceding paragraph shall be inoperative, by direction of the school board or board of trustees of any school district in which a free public library is maintained and to the support and extension of which a sum of not less than \$300 is expended annually.

(b) *County*—Law silent

(c) *State*—Law silent

### 3. Administration and Supervision

(a) *District*—The school board or trustees shall provide for the care of the library at the schoolhouse and shall prescribe the rules and regulations under which it shall be used by the district.

(b) *County*—Law silent

(c) *State*—Law silent

### 4. Books

(a) *District*—Persons found guilty of intentionally mutilating books or other printed matter belonging to "any library" shall be fined or imprisoned. Library shall be kept in the schoolhouse. See 3 (a).

(b) *County*—Law silent

(c) *State*—Law silent

### 5. Librarians—Law silent

NOTE.—All certificates shall be issued by the State superintendent of public instruction. There is no requirement for the certification of school librarians. Such librarians who draw school money for their services must qualify under the regular certification law and must hold valid teachers' certificates. (Correspondence, State Department of Education, Feb. 7, 1939.)

### 6. Relationships With State Library Agencies

(a) *District*—See (c).

(b) *County*—Law silent

(c) *State*—The Nebraska Public Library Commission may loan books or other property of the Commission to any school under such rules as may be fixed by the Commission.

### 7. Relationships With Public Libraries

(a) *District*—Any school district may at its discretion at its annual meeting, by a majority vote, authorize the school board to contract for the use of a public library by the inhabitants of such districts. See 2 (a) second paragraph.

(b) *County*—Law silent

(c) *State*—Law silent

NEBRASKA SCHOOL LAWS, 1937-1938, SECS. 28-583,  
51-506, 51-211, 79-515, 79-517, and 79-1302.

## Nevada

### 1. Procedures for Establishment

(a) *District*—Trustees shall expend funds for library books. See 2 (a).

(b) *County*—Law silent

(c) *State*—Law silent

## 2. Financial Support

- (a) *District*—Trustees of each school district shall expend annually for library books not less than five dollars for each teacher to which the district is entitled. The books so purchased shall be approved by the State superintendent of public instruction under such rules as the State Textbook Commission may prescribe; provided, that districts of the first class may purchase suitable books without such restrictions. In case any district fails to expend the required amount by the close of the school year for library books, the superintendent of public instruction may deduct from the next semiannual apportionment of the county school fund due such district such part of the required expenditure for library books as the trustees of such district have failed to expend and all amounts so deducted shall be returned to the county school fund of the county in which the district lies.
- (b) *County*—See preceding paragraph.
- (c) *State*—See (a).

## 3. Administration and Supervision

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—It shall be the duty of deputy superintendents to inspect school buildings, libraries, etc.

## 4. Books

- (a) *District*—Books purchased with county school funds allocated to districts shall be approved by the State superintendent of public instruction. See 2 (a).
- The State Board of Education shall "adopt lists of books for district libraries; provided, that boards of trustees in districts of the first class may make additional adoptions; and provided further that such books shall not contain or include stories in prose and poetry whose tendency would be to influence the minds of children in the formation of ideals not in harmony with truth and morality."
- (b) *County*—Law silent
- (c) *State*—See (a).

## 5. Librarians—Law silent

NOTE.—The statutes provide that all teachers' certificates and life diplomas shall be granted by the State Board of Education and said board shall grant only those classes and grades of certificates described in the law. The law does not include a class for school librarians. The State Department of Education reports that while training in library work is not required by law it is the practice to require such training of teachers performing library duties. (Correspondence, State Department of Education, Feb. 7, 1939.)

## 6. Relationships With State Library Agencies

- (a) *District*—The State librarian shall have prepared an author-and-subject catalog of all books in the miscellaneous department of State library. Said catalog shall contain also rules and regulations relating to said library and shall be sent to every school library in the State of Nevada. Any school district, through application of the teacher or principal or a member of the board of trustees, may borrow for a period of 12 weeks, not to exceed 12 books at any one time.
- (b) *County*—Law silent
- (c) *State*—See (a).

## 7. Relationships With Public Libraries

(a) *District*—Any school district may establish a free public library when authorized to do so by a majority of the taxpayers of the district. The tax for the establishment of such library shall not be less than 5 nor more than 10 cents on each 100 dollars valuation of taxable property in the district. The district school trustees shall appoint a board of library trustees whose duty it shall be to establish and administer said free public library for the benefit of all the people of the district.

(b) *County*—County boards of education, when notified by the chairman of the board of county commissioners, that a county library has been established, shall appoint a board of three library trustees. In counties in which there are no county boards of education, said library trustees shall be appointed by the county commissioners.

Whenever a new public county library shall be provided for in any county having a population of 15,000 or more persons, the trustees of any school district library in said county previously established are authorized to transfer all books, funds, and other property in the possession of such trustees to said new library, upon demand of the trustees of the new library.

(c) *State*—Law silent

STATE OF NEVADA, THE SCHOOL CODE, 1935, SECS. 5590-5594, 5596, 5599, 5653, 5660, 5801, 5802, 7103, and 7105; and ch. 4.

## New Hampshire

1. Procedures for Establishment—Law silent

2. Financial Support—Law silent

3. Administration and Supervision—Law silent

4. Books

(a) *District (towns and districts organized by special acts of legislature)*—Persons found guilty of defacing books or other property belonging to any "law, school, college, town, or public library" or wilfully detaining any book or other property of such library for more than 30 days after notice in writing to return the same are subject to fine or imprisonment.

(b) *County*—(No county unit for school and library purposes)

(c) *State*—Law silent

5. Librarians—Law silent

NOTE.—The State Board of Education is authorized to prescribe the qualifications of all employees of the public schools. Librarians in junior and senior high schools are required to have training in library work. (Regulations Governing the Approval of Superintendents, Headmasters, Principals, and Teachers in the Public Schools of New Hampshire. Concord, N. H., State Board of Education, 1938, p. 14.)

6. Relationships With State Library Agencies

(a) *District (towns and districts organized by special acts of the legislature)*—See (c).

(b) *County*—(No county unit for school and library purposes).

(c) *State*—The State Library Commission may circulate traveling libraries to schools.

## 7. Relationships With Public Libraries—Law silent

LAWS OF NEW HAMPSHIRE RELATING TO PUBLIC SCHOOLS, 1937, ch. 116, sec. 9 and p. 76, sec. 34; and PUBLIC LAWS OF NEW HAMPSHIRE, 1926, vol. 1, sec. 44.

## New Jersey

### 1. Procedures for Establishment

- (a) *District*—Authorized to raise funds for school libraries. See 2 (a).
- (b) *County*—Authorized to raise funds for pedagogical libraries. See 2 (b).
- (c) *State*—Shall supplement funds raised locally for the establishment of school district libraries and county pedagogical libraries. See 2 (a).

### 2. Financial Support

- (a) *District*—Any public school situated in a school district for which there has been raised by special district tax, subscription, or entertainment the sum of \$20 to establish a school library, or to procure books of reference, school apparatus, or educational works of art shall receive a like amount from the State, and if \$10 is raised annually for the maintenance of the said library the State will contribute a like amount. See (c) (1).
- (b) *County*—Whenever in any county there shall have been raised by subscription a sum of not less than \$100 for the establishment of a pedagogical library for the use of the teachers of the public schools, the State will contribute \$100. Annually thereafter there shall be paid by the State a sum of not less than \$50 nor more than \$100, upon condition that the county raises a like sum annually by subscription for the maintenance of the library. See (c) (2).
- (c) *State*
  - (1) *School district libraries*—The State Comptroller shall draw his warrant on the State Treasurer upon the order of the Public Library Commission in favor of the custodian of the school moneys of a school district for the sum of \$20 for any public school in the district for the establishment of a library, or to procure books of reference, school apparatus, or educational works of art, provided a like amount is raised locally; and the sum of \$10 annually for the maintenance of such library, provided a like amount is raised locally. See (a). Does not apply in instances in which the county library and the local board of education have entered into an agreement whereby the county library shall furnish library service to the schools. See 7 (b).
  - (2) *Pedagogical library*—The State will contribute \$100 for the establishment of a pedagogical library and not less than \$50 nor more than \$100 annually for its maintenance provided like amounts are raised locally. See (b).

### 3. Administration and Supervision

- (a) *District*—Each school district may, in the manner provided for making appropriations for the current expenses of the school, appropriate such sums as may be necessary for the proper care and management of any library established in part by State funds. See 2 (c) (1).
- (b) *County*—The county superintendent of schools and three teachers of public schools in the county appointed by him shall constitute a committee to make rules and regulations for the management, use, and safe-keeping of pedagogical libraries purchased in part with State funds. See 2 (c) (2).

(c) *State*

- (1) **Regulations**—The Public Library Commission shall adopt rules and regulations for the organization, management, use, and safekeeping of libraries purchased in part with State funds.
- (2) **Consolidation of libraries of district**—"In any school district in which there is more than one schoolhouse, or in which there is maintained a public library, the Public Library Commission may consolidate and establish in one place the school libraries in the district".

**4. Books**

- (a) *District*—Books purchased in part with State funds set aside for the establishment and maintenance of school district libraries shall be approved by the Public Library Commission.
- (b) *County*—Books purchased in part by State funds for the establishment and maintenance of county pedagogical libraries shall be selected by a committee composed of the county superintendent of schools and three teachers of public schools in the county appointed by him.
- (c) *State*—See (a).

**5. Librarians—Law silent**

**NOTE.**—The State Board of Education is authorized to make and enforce rules and regulations for the examination of teachers and the granting of licenses to teach. Said Board has ruled that any person serving as a librarian and "director of studies" in libraries of elementary or secondary schools shall have training in library science. The meaning of the term "director of studies" as used in the certification regulations is: "(1) General library service in the school library; (2) organized teaching in the use of the library; (3) organized teaching of procedures in use of reference material; and (4) reference investigation and report for classroom teachers in the several departments of the school curriculum." (Rules concerning Teachers' Certificates, 1937, Trenton, New Jersey State Board of Education, p. 23; and correspondence, State Department of Education, Feb. 20, 1939.)

**6. Relationships With State Library Agencies**

- (a) *District*—School libraries established and maintained in part by State funds shall be managed in accordance with rules established by the Public Library Commission and books shall be approved by said commission. See 2 (a). Said commission may also consolidate school libraries of a district. See 3 (c) (2).
- (b) *County*—See 7 (b).
- (c) *State*—The State commissioner of education is ex officio a member of the Public Library Commission.

Said commission shall be reimbursed for expenses involved in administering State aid for school libraries, but no expense shall be incurred until an appropriation therefor shall be made by the legislature in the annual appropriation act. See 3 (c) (1).

**7. Relationships With Public Libraries**(a) *District*

- (1) **Library trustees**—One ex officio member of the board of trustees of a municipal free public library shall be a school official.
- (2) **Library use of school buildings**—The board of education of any school district may, subject to reasonable regulations adopted by said board or upon notification by the commissioner of education,

permit the use of any schoolhouse or rooms therein, when not in use for school purposes for "public library purposes or as stations of public libraries."

- (b) *County*—If, by agreement between the local board of education and the county library commission, the county library has agreed to furnish the school with library books and the local board of education has agreed to relinquish to the county library the money which the local board is entitled to receive from the State for school library purposes, the State comptroller shall draw his warrant upon the State treasurer on the order of the public library commission and in favor of the treasurer of the county, to be placed to the credit of the county library fund.
- (c) *State*—Law silent

NEW JERSEY SCHOOL LAWS, 1938, SECS. 18: 2-4, 18: 5-22, 18: 12-4 to 18: 12-9, 18: 13-120, 18: 13-121, and 40: 54-9.

## New Mexico

1. **Procedures for Establishment**—Law silent
2. **Financial Support**—Law silent
3. **Administration and Supervision**—Law silent
4. **Books**—

- (a) *District*—"No teacher shall use sectarian or denominational books in the schools."
- (b) *County*—Law silent
- (c) *State*—Law silent

5. **Librarians**—Law silent

NOTE.—The State Board of Education is authorized "to certificate teachers according to law and the prescribed classification of said board." No special regulations have been adopted by the State Board of Education for the certification of school librarians. (Correspondence, State Department of Education, Feb. 15, 1939.)

6. **Relationships with State Library Agencies**

- (a) *District*—See (c).
- (b) *County*—Law silent
- (c) *State*—State Library Extension service may circulate books among schools, and cooperate with the extension directors of the State educational institutions.

7. **Relationships With Public Libraries**

- (a) *District*—See following paragraph
- (b) *County*—"The governing board of any municipal school district may include in its estimate for school maintenance a request for an allowance for the support of free public library service available to the residents of the county in cooperation with other library agencies. The county board of education is also authorized to include a similar request in the estimates for the county administration fund. Upon presentation of satisfactory evidence of the desirability and need of such allowance or allowances, the school budget commissioners are hereby authorized to

comply with such request and fix the amount of such allowance or allowances."

(c) *State*—Law silent

NEW MEXICO PUBLIC SCHOOL CODE, 1938 Compilation, secs. 20 and 116; and NEW MEXICO STATUTES, 1929, secs. 133-203.

## New York

### 1. Procedures for Establishment

(a) *District*

- (1) Any—Inhabitants of any district authorized to vote a tax for the establishment and maintenance of a school library. See 2 (a) (1).
- (2) City—Board of education in a city authorized to establish and maintain libraries which may be open to the public.

(b) *County*—Law silent

(c) *State*—Law silent

### 2. Financial Support

(a) *District*

- (1) Any—The inhabitants of any district when duly assembled in any district meeting shall have power: "to vote a tax for the establishment of a school library and the maintenance thereof, or for the support of any school library already owned by said district, and for the purchase of books therefor, and such sum as they may deem necessary for the purchase of a bookcase."

Trustees also authorized to insure the school library in some company created by or under the laws of New York or authorized by law to transact business in said State, in a sum fixed by a district meeting and to raise the premium by a district tax and comply with the conditions of the policy.

- (2) Union free—Board of education of every union free school district authorized to insure the school library in a company, the type of which is described in the previous paragraph.
- (3) City—Each city and school district in the State is authorized to raise moneys by tax in the same manner as other school moneys are raised or to receive moneys by gift or devise, for starting, extending, or caring for the school library.

(b) *County*—Law silent

(c) *State*—The Commissioner of education (hereinafter called commissioner) is authorized to withhold its share of public-school moneys from any city or district which uses library moneys for any other purpose than that for which they are provided, or for disobedience of the rules of said commissioner.

### 3. Administration and Supervision

(a) *District*

- (1) Use and care of library—The school library shall be a part of the school equipment and shall be kept in the school building at all times. Such library shall be devoted to the exclusive use of the school except as otherwise provided by the rules of the commissioner and except in a district where there is no free library, in which case such school library shall be a circulating library for the use of the residents of the district. See (c).

- (2) Library use of school buildings—Trustees or boards of education may permit the use of the schoolhouse and rooms therein, when not in use for school purposes, to be used for public library purposes, or as stations of public libraries.
- (3) Community service—Boards of education in cities authorized to open libraries to public. See 1 (a) (2).
- (b) *County*—Law silent
- (c) *State*—The commissioner shall prescribe rules regulating books, the conditions under which a school library may be used by the public in a district in which a free library is situated, the management of school libraries and their use as circulating libraries by the residents of the districts in which they are situated, and reports of school librarians. See 4 (c) and 5 (c)

#### 4. Books

- (a) *District*
  - (1) Selection—The district superintendent of schools shall have power to advise trustees relative to the purchase of library books.
  - (2) Care—Kept in schoolhouse. See 3 (a) (1).  
Any person found guilty of maliciously injuring a book or other property belonging to an "incorporated institution devoted to educational work subject to fine and imprisonment or both."
  - (3) Use—See 3 (a) (3).
- (b) *County*.—Law silent
- (c) *State*—The commissioner shall prescribe rules and regulations for "the purchase, recording, safekeeping, and loaning of books in school libraries, and the use of such books by pupils and teachers in the public schools."

#### 5. Librarians

- (a) *District*
  - (1) Selection—No trustee can hold the office of librarian. Boards of education of union free school districts are authorized "to appoint such librarians as they may from time to time deem necessary."  
Boards of education in a city or union free high school district maintaining an academic department or high school may employ a person to act as school librarian, who may be engaged for all or a part of the time in the performance of the duties of the position as may be directed by the board. The person so employed may be the librarian of the free library. In all other districts the trustees or board of education may appoint a competent person to act as librarian. In case of a failure of a city or union free school district maintaining an academic department or high school to employ a librarian as above provided, the teacher of English in such school shall be the librarian. In case of a failure to appoint a librarian in any other district, the teacher, or if there be more than one teacher, the principal teacher, shall act as librarian.  
The superintendent of schools of a city shall possess, subject to the by-laws of the board of education, power to issue such licenses to teachers, school librarian, and other members of the teaching and supervisory staff as may be required under the regulations of the board in cities in which such board requires its teachers to hold qualifications in addition to or in advance of the minimum qualifications prescribed by law.

In a city having a population of 400,000 or more (applies to Buffalo and New York), the board of education shall designate, subject to certain legal restrictions, the kind and grades of licenses required of school librarians and other employees.

- (2) **Salaries**—In a city or union free school district maintaining an academic department or high school, the board of education may employ and fix the compensation of a person to act as school librarian. *See* (a) (1).

In cities of the first class having a population of one million or over (applies to New York) salary schedule B-3 for library assistants in high schools and training schools is \$1,500 for the first year with an annual increase (up to 12) of \$100.

**NOTE.**—While this is the only place in the statutes in which the salary of school librarian is specified, the State Department of Education has taken the position that a teacher-librarian serving in a high-school department, unless the board has adopted a special schedule for such librarian, must receive at least the schedule salary for regular high-school teachers. The same provision applies to librarians in elementary schools (Correspondence, State Department of Education, Feb. 25, 1939).

- (b) *County*—Law silent  
(c) *State*—The commissioner shall prescribe rules relating to the contents and submission of reports of school librarians.

**NOTE.**—The law provides that the commissioner shall prescribe, subject to approval by the board of regents of the University of the State of New York (hereinafter called regents), regulations governing the examination and certification of teachers employed in all public schools of the State except that no such regulation in a city having a population of 400,000 or more (Buffalo and New York) shall cause the discontinuance of service of persons who have satisfactorily completed their probationary periods or the removal of such persons from their positions in a manner other than that provided by law. In New York, school librarians are classified as teachers of special subjects. Two types of certificates are provided—provisional and permanent. Both of these certificates require special training in library science. (Certificates for Teaching Service, 1939, Albany, N. Y.)

## 6. Relationships With State Library Agencies

- (a) *District*—Law silent  
(b) *County*—Law silent  
(c) *State*—The State library is a department of the University of the State of New York.

## 7. Relationships With Public Libraries

- (a) *District*
- (1) **Establish public library**—Any school district may establish a public library with or without branches, and may raise money by tax to equip and maintain such library.
  - (2) **Contract for service**—Any school district may contract with a free library registered by the regents or with any municipal or district body having control of such library to furnish library privileges to the people of the district under the terms stated in the contract.
  - (3) **Permit library use of school buildings**—*See* 3 (a) (2).
  - (4) **Open school library to public**—*See* 3 (a) (3).

- (5) Employ public librarian—<sup>2</sup>See 5 (a) (1).
- (6) Transfer property to library—"The board of education of any city or union free school district or the electors of any other district, by legal vote duly approved by the regents may give to any free library any of the books or other public-school library property not required in such school library, provided such free library is registered by the regents and situated in such city or district; and the school authorities or body making the transfer shall hereafter be relieved of all responsibility pertaining to the property so transferred."
- (b) *County*—Law silent
- (c) *State*—Law silent

EDUCATION LAW, 1936 (University of the State of New York Bulletin) secs. 53, 206 (10), 222 (1), 275 (7), 310 (8) and (14), 395 (4), 455 (2), 552, 868 (6), 870 (6), 872 (5), and 883 (B-3), and CAHILL'S CONSOLIDATED LAWS OF NEW YORK, 1930, secs. 1118, 1148 (a), 1135, 1135 (a), 1137, 1138, 1141 and 1428.

## North Carolina

1. Procedures for Establishment—Law silent
2. Financial Support

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—

- (1) State provides 8-months' term—The act appropriating funds for the administration and operation of a uniform system of public schools for a term of 8 months itemizes the objects of school expenditures to be included in the budget. Libraries is one of the items.

NOTE.—In 1901 the General Assembly of North Carolina made an appropriation of \$2,500 for the purchase of books for public-school libraries on a three-way-matching basis—the State contributing 10 dollars provided the patrons of a school and the county board of education each raised 10 dollars. Later assemblies increased the State appropriation and changed the bases for distribution. The most significant change was made in 1923 when the basis for distribution was raised to 50 dollars and the type of schools to be aided was restricted to union schools (elementary and secondary). This situation prevailed until 1931 when the General Assembly passed the act appropriating funds for the administration and operation of a uniform system of public schools for a term of 8 months. At that time special aid for libraries in union schools was discontinued and a fund for library supplies and replacement was allotted from the State appropriation for public-school support. (Biennial report of the Superintendent of Public Instruction of North Carolina for the Scholastic Years 1933-1934 and 1935-1936. Pt. 1, p. 38.)

- (2) State textbook commission furnish library books—The State textbook commission is "authorized and empowered" to buy, sell, or rent library books to be placed in the public schools of the State from a list to be selected by the State superintendent of public instruction (hereinafter called State superintendent), with the approval of the State Board of Education; said books to be placed in

such schools as may be designated by the State Textbook Commission; provided, that such library books shall be purchased in accordance with rules and regulations duly promulgated by the State Board of Education (hereinafter called State Board).

### 3. Administration and Supervision—Law silent

#### 4. Books

(a) *District*

(1) Selection—Unlawful to exhibit obscene literature in any school. See (c).

(2) Care—Persons wilfully stealing, detaining, or mutilating books or other property belonging to "any incorporated institution" devoted to educational purposes shall be guilty of a misdemeanor and upon conviction be fined or imprisoned.

(b) *County*—Law silent

(c) *State*—State superintendent selects library books furnished by State Textbook Commission. See 2 (c) (2).

#### 5. Librarians—Law silent

NOTE.—The State Board shall have entire control of examining, accrediting without examination, and certificating all applicants for teachers, supervisors, and administrators in all public elementary and secondary schools, and shall prescribe rules for the same. Rules, including training in library science, have been adopted for school librarians on whole time and teacher-librarians giving part time to library duties.

#### 6. Relationships With State Library Agencies

(a) *District*—See (c).

(b) *County*—Law silent

(c) *State*—The State superintendent is ex officio a member of the Library Commission of North Carolina. Said commission shall give advice and counsel to all librarians in the State. Every public library in the State shall make a report to the commission; for this purpose a school library is interpreted as a "public library."

#### 7. Relationships With Public Libraries—Law silent

NORTH CAROLINA CODE 1935, secs. 4348, 4511 (f), 5570, 6597, 6599, and 6600; and Sub-Chapter XIX (p. 1954-61); also PUBLIC LAWS OF NORTH CAROLINA, Extra Session 1938 and Regular Session 1939, ch. 90 (pp. 110-11.)

## North Dakota

#### 1. Procedures for Establishment

(a) *District*—School board shall spend funds for school libraries. See 2 (a).

(b) *County*—Law silent

(c) *State*—Law silent

#### 2. Financial Support

(a) *District*—The district school board shall appropriate and expend each year not less than 10 or more than 25 dollars for each school of the district "for the purpose of a school library"; provided that when a school board of a common school has purchased and has in its library

200 books as afore provided, the school board having such school under its supervision shall be obliged to spend not less than 5 dollars annually, until such library shall contain in good condition 300 volumes, after which said school board shall not be required to increase the number, but keep the books in good condition and replace those destroyed or lost.

- (b) *County*—Law silent
- (c) *State*—Law silent

### 3. Administration and Supervision

#### (a) *District*

- (1) **Regulations**—The district school board shall be responsible for the custody, proper care, and preservation of the library; shall make rules to govern the circulation and care of the books while in the hands of the pupils or other persons, subject to such general rules as may be prescribed by the State superintendent of public instruction (hereinafter called State superintendent); shall report annually to the county superintendent of schools (hereinafter called county superintendent) all library statistics which may be required on blanks furnished for that purpose by the State superintendent; and “may impose and collect penalties for injuries done to any book by the act, negligence, or permission of the person who takes the same or while in his possession, but no book shall be loaned, to any person not a resident of the district.”
- (2) **Exchanges**—The board may at any time temporarily exchange any part of its library with any other district or persons so far as different books may be obtained, but each district shall recall its books before the close of the school year.

#### (b) *County*

- (1) **Statistics**—Library statistics must be reported to the county superintendent. *See* (a) (1).
- (2) **Public documents**—In order that the secretary of State may know the number of Blue Books needed for distribution among the libraries of the district schools of the State, each county superintendent is authorized to certify to said secretary the number of such schools within his jurisdiction, and to distribute the books to the schools when they are received by the superintendent.

- (c) *State*—The State superintendent may make rules for the care of the library and shall furnish county superintendents blanks for statistical data. *See* (a) (1) and (b) (1).

### 4. Books

#### (a) *District*

- (1) **Selection**—Books purchased with funds described in 2 (a) shall be selected by the school board and the teacher, from any list authorized by the State superintendent and furnished by him to the county superintendent for this purpose, provided that all books purchased for the library shall be bound in cloth or some material equally as durable.

The district school board “may accept donations of books for the library, but shall exclude therefrom all books unsuited to the cultivation of good character and good morals and manners, and no sectarian publication devoted to the discussion of sectarian differences and creeds shall be admitted to the library.”

(2) *Care*—The library shall, whenever practicable, be kept in the school-house and always so when school is in session.

District board may collect fines for injuries to books. See 3 (a) (1).

(3) *Use*—Books shall not be loaned to a person not a resident of the district; however, libraries may be exchanged under certain conditions with other districts. See 3 (a) (1) and (2).

(b) *County*

(1) *Selection*—The county superintendent is authorized to furnish school officers lists of books from which books for school libraries shall be selected. See (a) (1).

(2) *Public documents*—County superintendent shall distribute Blue Books to district schools within his jurisdiction, such books to be placed in the school libraries. See 3 (b) (2).

(c) *State*—Books for school libraries must be approved by the State superintendent. See (a) (1).

## 5. Librarians

(a) *District*—School district board may appoint as librarian a suitable person including one of their own number.

(b) *County*—Law silent

(c) *State*—Law silent

**NOTE.**—The State superintendent shall have charge of and supervise the certification of teachers. There are no special certificates for school librarians. (Correspondence, State Department of Education, Feb. 20, 1939.)

## 6. Relationships With State Library Agencies

(a) *District*—See (c).

(b) *County*—Law silent

(c) *State*—The State superintendent is a member ex officio of the State Library Commission. Any school district may borrow books from the commission.

## 7. Relationships With Public Libraries

(a) *District*—In cities not exceeding a population of 50,000 inhabitants and in villages and townships containing more than 400 inhabitants, the board of education of such city or the school board of such city or village shall appoint the board of free public library directors from the citizens of such city, village, or township. In case there is no incorporated city or village, the library directors shall be appointed by the board of supervisors of such township; and there shall be one member of such board of education or school board or board of supervisors appointed as one of the directors of the free public library.

(b) *County*—Law silent

(c) *State*—Law silent

STATE OF NORTH DAKOTA, GENERAL SCHOOL LAWS, 1935, ch. 1, sec. 5, ch. 3, sec. 113-114, ch. 12, sec. 350 and 352; and COMPILED LAWS OF NORTH DAKOTA, 1913, vol. I, sec. 92-93, 4007, and 4008.

## Ohio

**1. Procedures for Establishment**

- (a) *District*—"The board of education of any school district may provide for the establishment, control, and maintenance of a school library or libraries for the purpose of providing school library service for the pupils under its jurisdiction."
- (b) *County*—Law silent
- (c) *State*—Law silent

**2. Financial Support****(a) District**

- (1) **Library books not included in law relating to State book adoption**—The provisions of the law relating to State textbook adoptions (Secs. 7709-7713, Throckmorton's Ohio Code, Baldwin's Revision 1936) do not apply to the purchase of supplementary reading books, library books, reference books, or any other books except textbooks, required by boards of education. "All such books except textbooks, required by the boards of education, shall be ordered, received, examined, and paid for in the same manner and by the same persons as other supplies and equipment."
- (2) **Salaries of librarians**—When board of education contracts with a public library for school library service, the board of education shall pay all or part of the expense thereof, including the salaries of school librarians. See 7 (a) (3).

(b) *County*—Law silent(c) *State*—Law silent**3. Administration and Supervision—Law silent****4. Books—Law silent****5. Librarians—Law silent**

**NOTE.**—The director of education shall establish standards and courses of study for the preparation of teachers. Applicants for Four-year State Provisional Certificates wishing to qualify as school librarians must show training in library science. (Blank furnished by State department of education).

**6. Relationships With State Library Agencies**(a) *District*—Law silent(b) *County*—Law silent(c) *State*—A State library board is created in the Department of education, to be composed of the director of education as chairman and four other members appointed by the Governor.**7. Relationships With Public Libraries****(a) District**

- (1) **Public library use of schoolhouse**—The board of education of any school district may, under certain conditions stated in the law, permit the use of any schoolhouse and rooms therein for "public library purposes, as a station for a public library or as reading rooms."
- (2) **Cooperation with public library**—The board of education may cooperate with public library officials in providing educational, social, and civic activities.

- (3) **Contract for school service**—The board of education of any school district may contract with any public board or other organization operating a public library in a community, to furnish school library service, the board of education paying all or part of the expenses thereof, including the salaries of school librarians, as and for compensation for the service rendered.
- (4) **Contract for public library service**—The board of education of any school district may contract with the library trustees of any public library or any private corporation maintaining a free public library situated within or without said taxing district, to furnish library service to all of the inhabitants of said taxing districts and may levy a tax therefor.
- (5) **Establishment of public library**—The board of education of any city, village, or rural school district may provide for the establishment, control, and maintenance in such district of a public library, free to all of the inhabitants thereof. Such library shall be managed by a board of seven members to be elected as specified by law, no one of whom shall be eligible to membership on such board who has for a year previous been a member of the board of education.
- (6) **Joint ownership of library**—When a donation or bequest of money or property is made to two or more districts jointly or jointly and severally for the purpose of establishing and maintaining such public library, the board of education of each of the districts may levy annually not exceeding one mill, in addition to the taxes allowed by law, upon the taxable property of such districts for the establishment and maintenance of such public library.
- (7) **Transference of property for library purposes**—A municipal corporation may transfer, lease, or permit the use of any property, real or personal, acquired or suitable for library purposes, to the trustees of any public library for the school district within which such municipal corporation is situated.
- (b) **County**—The county library district trustees may contract with boards of education of school districts within the territory to provide library service, the boards of education paying all or part of the expenses thereof.
- (c) **State**—Law silent.

THROCKMORTON'S OHIO CODE, ANNOTATED, BALDWIN'S REVISION 1936, SECS. 154-51, 3711, 7622-3, 7622-6, 7631, 7632, 7633, 7635, 7636, 7643-5, 7713-1, and 7805-2.

## Oklahoma

1. **Procedures for Establishment**—Law silent
2. **Financial Support**—Law silent
3. **Administration and Supervision**—Law silent
4. **Books**
  - (a) **District**—Law silent
  - (b) **County**—Law silent
  - (c) **State**—See 6 (c).

## 5. Librarians

- (a) *District*—The proper officials in control of public-school libraries maintained by cities of the first class shall employ competent persons to serve as head librarians, who shall be responsible for the duties involved in the office. *See* (c).
- (b) *County*—Law silent
- (c) *State*—After the passage of the act described in (a), "no vacancies existing or occurring in the position of head librarian in such libraries shall be filled by appointment or designation by any person who is not in possession of a library certificate . . ." The Oklahoma Library Commission shall constitute a Board of Library Examiners who shall issue librarians certificates under rules promulgated by the board.

**NOTE.**—While the law specifies that all head librarians in free public, State, school, or public-school libraries, must possess librarians' certificates, it makes no distinction as to grade. The Oklahoma Library Commission, which acts as the Board of Examiners, grants various grades of certificates according to the educational qualifications of the candidates. It has no jurisdiction over the qualifications which may be required by any library, other than that the librarian hold a certificate. The State Board of Education has recommended that the qualifications of teacher-librarians in high schools include at least one semester (15 hours) work in library science. (Correspondence, Oklahoma Library Commission, Feb. 1939.)

## 6. Relationships With State Library Agencies

- (a) *District*—*See* (c).
- (b) *County*—Law silent
- (c) *State*—The State superintendent of public instruction is a member ex officio of the Oklahoma Library Commission. The Commission shall give advice to schools as to the best means of establishing and maintaining libraries, selection of books, cataloging, and other details of library management, and it may circulate traveling libraries among schools free of cost except for transportation.

The Commission may also cooperate with the State Library Board (composed of Justices of the State Supreme Court, which is primarily a law library board) in devising plans for the care of school district libraries, in aiding teachers in school library administration, and in formulating rules governing the use of such libraries throughout the State, said rules to be promulgated through the State superintendent of public instruction.

## 6. Relationships With Public Libraries—Law silent

SCHOOL LAWS OF OKLAHOMA, 1937, secs. 540, 541, and 546; and OKLAHOMA STATUTES ANNOTATED 1937, Title 65, chs. 1 and 2.

## Oregon

### 1. Procedures for Establishment

- (a) *District*—School boards are required to spend funds for school libraries. *See* 2 (a).
- (b) *County*—County courts of counties having a population of fewer than 100,000 inhabitants are required to levy a tax for the purpose of establishing a fund for school libraries. *See* 2 (b).
- (c) *State*—Law silent

## 2. Financial Support

- (a) *District*—District school boards "shall furnish their schools from the common school fund with fuel . . . library books and other apparatus for use in their schools; provided, that the sum expended for this purpose shall not exceed fifteen percent of the county school fund and the irreducible school fund apportioned to said district."
- (b) *County*—The county court of the several counties of this State having a population of fewer than 100,000 inhabitants are required to levy, at the same time they levy other taxes, a tax upon all the taxable property in their counties for school library purposes, which shall aggregate an amount not less than 10 cents per capita for each and all of the children within the county between the ages of 4 and 20 years, as shown by the preceding school census, which shall be collected at the same time as other taxes are collected and shall be known as the *general school library fund of the county* (hereinafter called *general school library fund*). Said fund shall be used for school library purposes only in the manner prescribed in the law. See preceding paragraph.
- (c) *State*—Law silent

## 3. Administration and Supervision

- (a) *District*—Board of directors shall have supervision of all books purchased from the *general school library fund* and shall make an equitable distribution among the schools of the district. See 4 (a) (1).
- (b) *County*—The county school superintendent shall apportion the *general school library fund* to each district in the county, in proportion to the number of persons in each district over 4 and under 20 years of age, as shown by the last school census. When such apportionment has been made he shall notify the districts of their respective shares, and shall notify the librarian of the State Library of the money apportioned to each district, and the number of school children in each district. See 4 (b).
- (c) *State*—The State Library is authorized to formulate and prescribe rules, not inconsistent with the provisions of the law, for the control and management of all school libraries purchased from the *general school library fund*. See preceding paragraph, and 4 (c) (1).

## 4. Books

- (a) *District*
  - (1) *Selection*—The directors of each district and the county superintendent shall select the books purchased from the *general school library fund* from the lists prepared by the State Library. See (b).
  - (2) *Care*—During the periods school is in session, the library shall be placed in the schoolhouse.  
Any person found guilty of wilfully or maliciously detaining any book, newspaper, magazine, pamphlet, or manuscript belonging to a school district library beyond the time stated in the law, is subject to fine or imprisonment.  
Any person found guilty of wilfully defacing a book or other property belonging to a school district library shall be punished by fine or imprisonment.
  - (3) *Use*—The books in the school district library shall be loaned by the librarian to teachers, pupils, and other residents of the district in accordance with the rules and regulations prescribed by the State Library. See 5 (b).

- (b) *County*—Between the first Mondays of April and May of each year the directors of each district and the county superintendent shall select from the lists prepared and furnished by the State Library such books as are desired for their respective districts, the aggregate mailing price of which shall not exceed the amount apportioned to such district from the *general school library fund* for the current year, and immediately upon making such selection, the county superintendent shall mail a copy of the list selected to the State Library. If the Library is not notified of such selection by the second Monday in May of each year, it shall make the selection for the district. The county superintendent shall make a complete record of the books purchased and distributed by him, together with the purchase price of said books. See following paragraph.

(c) *State*

- (1) *Selection*—As soon as the State Library has obtained the list of books selected by the directors and the county superintendent [See (a) (1)] it shall order said books from the dealer or dealers who have agreed to furnish them at the lowest price. At the time of ordering the books the library shall notify the county superintendent of each county of the cost of the books for his county, including expense of transportation to each district. Upon the receipt of said notice each county superintendent shall draw a warrant for such amount and transmit the same to the library, which shall settle with the dealer or dealers for the books purchased. Upon delivery of the books, the library shall cause them to be distributed to the respective school districts according to the lists furnished by said districts.

The State Library shall prepare annually lists of books suitable for use in school libraries and shall make rules regulating selections from such lists. Such lists shall state the retail and mailing price of each book, and said price shall be the lowest obtainable by the library from bids received from more than one responsible dealer. The library shall furnish county superintendents copies of such lists and rules, from time to time as issued, for distribution to school officers of their respective counties.

## 5. Librarians

- (a) *District*—Each librarian shall keep a complete record of the books furnished by the board of directors. When school is in session the teacher shall be responsible to the district for the protection and care of the libraries. See following paragraph.
- (b) *County*—"The county superintendent shall appoint a librarian who shall . . . have the care and custody of the books . . ."
- (c) *State*—"The superintendent of public instruction may, at his discretion, issue a certificate, without examination, to teach classes for atypical children or to teach in any one or more of the following subjects: Library, music, art . . . , which certificate shall entitle the holder to teach the subject therein named in any school in this State unless revoked for cause. The superintendent of public instruction, before issuing the same, shall receive satisfactory evidence of the applicant's fitness to teach the subject named in the certificate."

**NOTE.**—All certificates except temporary county certificates and certificates for teachers in districts having more than 100,000 population shall be issued by the State superintendent of public instruction. As rapidly as possible the high-school libraries of the State are being brought up to the standards recommended at the High School Principals'

Conference of October 1932. These standards require training in library techniques for persons employed as librarians. (High School Standards, State Department of Education, Salem, Oreg., p. 6.)

## 6. Relationships With State Library Agencies

- (a) *District*—See (c).
- (b) *County*—Law silent.
- (c) *State*—The State superintendent of public instruction is an ex-officio trustee of the State Library. The Library shall give advice to schools as to the best means of establishing and maintaining libraries, the selection of books, cataloging, and other details of library management. It may also circulate traveling libraries among schools, free of cost except for transportation, under such conditions as shall protect the interest of the State and the efficiency of the service it is expected to render to the public. It may further publish such lists and circulars of information as it shall deem necessary. See 3 (b) and (c); and 4 (a) (1) and (b) and (c) (1).

## 7. Relationships With Public Libraries

- (a) *District*—Any school district may, through its board of directors, contract with boards of existing public libraries for library service for such school district, and may levy a special tax or appropriate money from its general funds or expend its library fund to meet the terms of such contract.
- (b) *County*—Any county library shall have the power to contract with school districts for library service. If there be in any county an incorporated city with a population and library facilities sufficient to enable it to claim exemption from county library tax, such free public library may, whether exempt or nonexempt from county library tax, become a contracting library for service to adjoining and tributary school districts if a majority of the voters of the district so agree.

OREGON SCHOOL LAWS 1937, SECS. 35-1102, 35-2502, 35-2531, 35-4401, 35-4404, 35-4412, 35-4416, 35-4421, 35-4428, 35-4429, and 35-4433 to 35-4440.

## Pennsylvania

### 1. Procedures for Establishment

- (a) *District*—The board of school directors in every school district may establish and maintain the following additional schools or departments for the education and recreation of persons residing in said district and for the proper operation of its schools, which said additional schools or departments, when established, shall be an integral part of the public-school system in such school district, and shall be so administered, namely: High schools, manual training schools, . . . evening schools, . . . kindergartens, libraries . . .

Two or more school districts may unite in the establishment or maintenance of a joint public-school library. See 3 (a) (3).

- (b) *County*—Law silent
- (c) *State*—Law silent

### 2. Financial Support

- (a) *District*—The board of school directors of any school district may annually appropriate for the support and maintenance of any public-school library in its district, out of its annual school taxes, such sums as it may

deem proper, not exceeding one mill on the dollar of the total valuation of taxable property in the district, provided that when a library is first established, the board of school directors may provide for the building and establishment of such public library, or may provide for the enlargement of any library, in like manner as any public-school building may be built or enlarged.

(b) *County*—Law silent

(c) *State*—Law silent

### 3. Administration and Supervision

(a) *District*

(1) *Management*—In each school district of the *second, third, or fourth class* in which there now is or hereafter may be established a public-school library, such library may be under the management and supervision of the school directors of such district or a board of seven library trustees, as the board of school directors may determine. The board of seven library trustees shall be as follows: Five, not members of the board of school directors, elected by majority vote of the board of school directors, from the school district at large, the president of the board of school directors, and the district superintendent; (if there be no district superintendent, the vice president of the board of school directors).

(2) *Rules*—The board of library trustees in any school district may, subject to the approval of the board of school directors, make and enforce such reasonable rules and regulations for the management and supervision of the public-school library as it may deem proper, and shall have general charge, supervision, and management of the public-school library in said district; purchase the books, maps, or other matter; appoint the librarian and other employees; and do all other things necessary for its government, preservation, and maintenance.

(3) *Joint public-school library*—Two or more school districts may unite in the establishment or maintenance of a joint public-school library, or may aid in the support of a library subject to the provisions prescribed for the establishment and maintenance of joint schools. Trustees of such library may be appointed either by the school directors of the district or by the joint school committee.

(4) *Consolidated library board*—When two school districts are consolidated and each of such districts maintains a public-school library under the management and supervision of a board of library trustees, such boards at the time of the consolidation shall be merged into one library board, which board shall have the management and supervision of the libraries of both such consolidated districts until the expiration of their respective offices. During the month of June, succeeding the merging of the boards of library trustees, and annually thereafter, the library trustees shall appoint one trustee to serve for a term of 5 years. After the merging of the boards of library trustees, the said board may discontinue any one of the libraries under its supervision.

(5) *Branch libraries*—The board of school directors or the library trustees, with the consent of the board of school directors, may circulate part or all of the books and other collections of a public-school library among the several schools, or may establish branch libraries.

(6) Community use—For the use and convenience of the residents of the district, the board of school directors or the library trustees shall provide for keeping public-school libraries open at such hours and times throughout the year as they may deem proper. The board of school directors of any school district maintaining a public-school library may permit the use thereof by the residents of other school districts, under such conditions as it may prescribe.

(b) *County*—Law silent

(c) *State*—Law silent

#### 4. Books

##### (a) *District*

(1) Selection—No books or other matter shall be put into a public-school library, by gift or otherwise, without the approval of the library trustees or in lieu thereof, of the board of school directors. Board of school library trustees may purchase books. See 3 (a) (2).

(2) Care—Whenever by subscription, or otherwise, a collection of books, or funds to purchase the same, has been obtained for a public-school library for any district, or for any school therein, it shall be the duty of the board of school directors to provide a suitable place and case or cases for said library.

(3) Title—See 7 (b).

(b) *County*—Law silent

(c) *State*—Law silent

#### 5. Librarians.

##### (a) *District*

(1) Selection—Board of library trustees may appoint a librarian. See 3 (a) (2).

(2) Reports—The librarians or trustees of all public-school libraries shall make reports to the State librarian and to the superintendent of public instruction at such times and in such manner as said officials request.

(b) *County*—Law silent

(c) *State*—Law silent

NOTE.—The State Department of Public Instruction shall have power to provide for and regulate certificates and the registration of persons qualified to teach. The State Department of Education has adopted regulations for the certification of school librarians. (Correspondence, March 1939.)

#### 6. Relationships With State Library Agencies

(a) *District*—Librarians in charge of public-school libraries shall make reports to the State librarian. See 5 (a) (2).

(b) *County*—Law silent

(c) *State*—The State Library and Museum functions as a division of the Department of Public Instruction. The person in charge of the division is the State librarian, who is appointed by the State superintendent of public instruction. See (a).

#### 7. Relationships With Public Libraries

##### (a) *District*

(1) Aid for free public library—The board of school directors of any district may, by a two-thirds vote, join with or aid any individual or association in the maintenance, or the establishment and maintenance

nance, of a free public nonsectarian library under such written agreement as it may determine, whether or not a separate public-school library is already maintained in the district.

- (2) **Library tax in districts of second class**—The board of school directors in each school district of the second class shall have power "to levy a special library tax, annually, not exceeding one mill on the assessed value of taxable property in the district, and to pay such library tax to the board of library directors, for the purpose of assisting in the support, maintenance, and operation, according to the terms of any agreement authorized by law, of any free, public, nonsectarian library which has been established and is being maintained in the municipality in which such school district is located."
- (3) **Contract**—Any school district may contract with a county library for service. See following paragraph.
- (b) **County**—Any school is authorized to contract with the county commissioners, upon the terms and conditions under which it shall become a part of a county library district. Title to books and other property of said school district shall remain in the school district, but the books and other property shall be used by the county library in accordance with the terms of a written agreement between the county commissioners and said board of directors; provided that the title to such books may be transferred to the county library district if the same may be legally done.
- (c) **State**—Law silent

SCHOOL LAWS OF PENNSYLVANIA, 1937, secs. 401, 2501-2519, 6314 and 6316; and PURDON'S PENNSYLVANIA STATUTES, ANNOTATED, 1930, Title 71, sec. 355.

## Rhode Island

### 1. Procedures for Establishment

- (a) **District (towns and cities)**—Law silent
- (b) **County**—(No county unit for school and library purposes).
- (c) **State**—The director of education shall assist in the establishment of school libraries.

### 2. Financial Support—Law silent

### 3. Administration and Supervision

- (a) **District (towns and cities)**—The school committee shall make provision for inspection of every public school in the town by the superintendent or other agent of the committee at regular periods, provided that such inspection shall be made once each year. Said inspection to include "the school library." (Applies to the City of Providence).
- (b) **County**—(No county unit for school and library purposes).
- (c) **State**—Law silent

### 4. Books

- (a) **District (towns and cities)**—Law silent
- (b) **County**—(No county unit for school and library purposes)
- (c) **State**—The director of education shall assist in the selection of books for school libraries.

**5. Librarians**

- (a) *District* (towns and cities)—Law silent
- (b) *County*—(No county unit for school and library purposes)
- (c) *State*—Law silent

**NOTE.**—State director of education authorized to issue certificates. The State Department of Education says that there are no certification requirements which apply to librarians in general, but school librarians are required to hold teachers' certificates, provided they perform teaching service as librarians or in addition to their library duties. (Correspondence, March 18, 1937, and March 24, 1939.)

**6. Relationships With State Library Agencies**

- (a) *District* (towns and cities)—Law silent
- (b) *County*—(No county unit for school and library purposes)
- (c) *State*—The State librarian is authorized to maintain a library extension service within the State, to render aid to libraries which establish branch or visiting libraries in schools or places approved by said State librarian.

**7. Relationships With Public Libraries**

- (a) *District* (towns and cities)—Law silent
- (b) *County*—(No county unit for school and library purposes)
- (c) *State*—Libraries may establish branches in schools. See 6 (c).

GENERAL LAWS OF RHODE ISLAND, 1938, ch. 23, sec. 3; ch. 177, sec. 5; ch. 178, sec. 18; ch. 18, secs. 1, 2, 3.

**South Carolina****1. Procedures for Establishment**

- (a) *District*—Local districts may raise funds for the establishment of libraries. See 2 (a) (1).
- (b) *County*—County funds shall be used to match local funds for the establishment of libraries. See 2 (b) (1).
- (c) *State*—State funds shall be used to match local funds for the establishment of libraries. See 2 (c) (1).

**2. Financial Support**

- (a) *District*
  - (1) *State and county aid*—In order to receive State and county funds for the "establishment of a library, for the enlargement of a library, or for the purchase of supplementary readers to be kept in the school library," the friends and patrons of a public school are authorized to raise from public subscription or otherwise, a sum of not less than 5 or more than 25 dollars and deposit the same with the county treasurer, to the credit of their school district. Any free public school shall be entitled to receive such county and State aid only once during any fiscal year.
  - (2) *Rental system*—When any school district or county shall pay the State School Book Commission the purchase price, plus interest on library books rented from the State, said books shall become the property of the school district or county paying for the same.
  - (3) *Book case*—Any school planning to establish a library and needing a bookcase may secure \$12.50 from the State for the purchase of said bookcase, provided said district contributes a like amount. See (c) (3).

**(b) County**

- (1) State and county aid—When a school district has deposited with the county treasurer library funds as indicated in (a) (1), the county board of education, through the county superintendent of education (hereinafter called county superintendent) shall credit such district with an amount equal to that deposited with the county treasurer, to be drawn from the *county board fund*, or if said county board fund has been exhausted, from the *general school fund* of the county. Nothing shall prevent funds greater than those mentioned in the previous paragraph from being raised by private subscription and applied by the county superintendent for library purposes.
- (2) Rental system—County may purchase library books rented from the State. *See* (a) (2).

**(c) State**

- (1) State and county aid—When the county superintendent has credited a school district with county funds to match funds raised by said district for libraries, said county superintendent shall make application to the State superintendent of education (hereinafter called State superintendent) for an amount equal to the sum raised by the district and deposit with the county treasurer all the moneys resulting from private subscription or otherwise, from county funds or from State funds.
- (2) Rental system—The State Textbook Commission is authorized and directed to furnish library books from an approved list, on a rental system, to the public-school districts or counties of the State upon the same conditions as text books are furnished.
- (3) Bookcase—Any school may receive \$12.50 from the State for the purchase of a bookcase, provided said district contributes a like amount, but no school shall be entitled to a second payment of State aid for the purchase of a bookcase except after a full and satisfactory showing in writing has been made to the State superintendent.

**3. Administration and Supervision**

- (a) *District*.—Funds raised by friends and patrons of a public school for libraries shall be deposited with the county treasurer. *See* 2 (a) (1).
- (b) *County*.—The county superintendent is responsible for the administrative machinery necessary in securing county and State funds to match funds raised by friends and patrons of schools for libraries. *See* 2 (b) (1) and (c) (1).
- (c) *State*.—*See* previous paragraph.

**4. Books****(a) District**

- (1) Selection—Persons found guilty of introducing obscene books into a "school or place of education" are subject to fine or imprisonment.
- (2) Care—Trustees or teacher of any school district receiving State and county aid for the purchase of library books shall file both with the county superintendent and with the State superintendent a correct and legible list of the books purchased.

Any school planning to establish a library and needing a bookcase may receive State aid for the purchase of the same under conditions named in the law. *See* 2 (c) (3).

**(b) County—See** (a) (2).

- (c) *State*.—State superintendent shall forbid the use of sectarian and partisan books in the public schools of the State.

The State Board of Education shall select and publish a list of library books and also a list of supplementary readers and shall make all necessary rules and regulations concerning the use and care of libraries.

All library books furnished by the State School Book Commission (agency authorized to provide text and library books to public schools on a rental basis) shall be selected from an approved list furnished said commission by a library committee composed of the State superintendent, the State director of the division of elementary education, the State high-school supervisor, and 4 other members to be appointed by the State superintendent, 2 representing the elementary schools and 2 representing the high schools.

### 5. Librarians—Law silent

NOTE.—The State Board of Education shall have power to prescribe and enforce rules for the examination of teachers. The board has adopted regulations for the certification of school librarians. (Library Standards for South Carolina High Schools—Adopted by State Board of Education, March 4, 1937.)

### 6. Relationships With State Library Agencies

(a) *District*—Law silent.

(b) *County*—Law silent.

(c) *State*—The State superintendent is an ex-officio member of the board of trustees of the State library.

The board of directors of the State Public Library Association (library extension agency) is appointed by the Governor upon the recommendation of the State superintendent.

### 7. Relationships With Public Libraries

(a) *District*—Any school district may acquire, own or operate a public library if a majority of the qualified electors of the district so agree. The trustees of such library shall consist of five competent citizens of the school district, appointed by the county board of education, but no school trustee shall be appointed library trustee.

(b) *County*

(1) School district libraries—Trustees of public libraries operated by school districts shall be appointed by county board of education. See preceding paragraph.

(2) Regional libraries—County board of education shall appoint three competent residents of the territory of the county comprised in the areas of the regional library as trustees of such library, who, together with the trustees appointed from any other county or counties, comprising the regional library, shall constitute the board of trustees of such regional library.

(c) *State*—Law silent.

GENERAL SCHOOL LAW OF SOUTH CAROLINA, 1936. secs. 5273, 5292, 5423 and 5424; CODE OF LAWS OF SOUTH CAROLINA, vol. I, sec. 1443, vol. II, sec. 3453, vol. III, secs. 7347, 7348 and 7357; 1934 SUPPLEMENT TO THE CODE OF LAWS 1932, sec. 7357 (1) to (8); and 1938 SUPPLEMENT TO THE CODE OF LAWS OF SOUTH CAROLINA, 1932, sec. 5290 (1) (2).

## South Dakota

### 1. Procedures for Establishment

- (a) *District*—Board of education of any district shall have power to provide and maintain, for the use of superintendents, principals, teachers, and pupils, an adequate supply of text, reference, and library school-books, and prescribe rules and regulations governing the same.
- (b) *County*—County library fund is created. *See 2 (b).*
- (c) *State*—"Interest and income fund" may be expended for school libraries. *See 2 (c).*

### 2. Financial Support

- (a) *District*
  - (1) Provide libraries—Any district shall have power to provide libraries. *See 1 (a).*
  - (2) Library circuits—Law provides mileage necessary for moving books in library circuits shall be paid by the county treasurer, upon warrants issued by the county auditor and shall be charged by said treasurer pro rata to the various school districts affected. *See 3 (b) (2).*
  - (3) Public library service—Any school board may turn over its library fund to a public library for service from such library. *See 7 (a).*
- (b) *County*—The county treasurer annually shall withhold from the apportionment received from the "interest and income fund" or other income for the schools of his county, an amount equal to 10 cents per capita for each person of school age, which money shall constitute a county library fund and shall be used in the purchase of library books as provided by law.
- (c) *State*—The "interest and income fund" mentioned in the previous paragraph is the interest and income from the permanent school fund.

### 3. Administration and Supervision

- (a) *District*
  - (1) Regulations—The board of education of any school district shall prescribe rules governing library books. *See 1 (a).*
  - (2) Records—The clerk of the school board who shall act as librarian shall receive and have the care and custody of the books, give a receipt for and keep a record of the books received by the county library board (*see following paragraph*), and shall include in his annual report to the county superintendent of schools (hereinafter called county superintendent) such library statistics as shall be required by the State superintendent of public instruction (hereinafter called State superintendent). *See 5 (a).*
  - (3) Community use—The clerk of the school board shall loan library books to teachers, pupils, and other residents of the district in accordance with the regulations prescribed by the State superintendent. *See previous paragraph.*
- (b) *County*
  - (1) County library board—The county superintendent, county auditor, State's attorney, superintendent of schools in independent districts, and principals of schools employing more than one teacher shall constitute the county library board. Said board shall meet annually, between the first day of July and the first day of September, at the call of the county superintendent, who shall be chairman of

such board, and expend the money provided under 2 (b), in the purchase of books selected from the list prepared by the State superintendent.

- (2) **Library circuits**—County library board authorized to designate library circuits, each composed of not more than 10 schools. When one or more such circuits have been organized, the county superintendent shall employ a responsible person to move all the libraries. Such removals shall be made in January and July of each year, and in such order as the county superintendent shall direct. The person making the removals shall receive 10 cents per mile for the distance traveled in making the exchange. No warrants shall be issued except on presentation of a voucher signed by the county superintendent.

(c) *State*

- (1) **Statistics**—State superintendent authorized to require library statistics from clerks of school boards. *See* (a) (2).
- (2) **Lending of books**—State superintendent authorized to prescribe regulations for the lending of school library books to teachers, pupils, and residents of the district. *See* (a) (3).

#### 4. Books

(a) *District*

- (1) **Selection**—Superintendents of schools in independent districts may select such books as they deem wise and shall forward a list of the books to the county superintendent who is chairman of the county library board. *See* (b).
- (2) **Care**—When school is in session the library shall be kept in the schoolhouse. The school board shall provide suitable cases for the books in each school.
- (3) **Use**—Residents of the district may use books. *See* 3 (a) (3).
- (b) **County**—County library board authorized to expend the county library fund in the purchase of books selected from a list prepared by the State superintendent. *See* 3 (b) (1).

(c) *State*

- (1) **Selection**—State superintendent shall prepare list of books for school libraries. *See* previous paragraph.
- State superintendent shall carefully preserve and catalog all books presented to his office, which library so formed shall be open to the teachers of the State for reference and examination.

#### 5. Librarians

- (a) **District**—Clerk of the school board shall act as librarian, but when school is in session the teacher shall act in this capacity under the supervision of said clerk.
- (b) **County**—The clerk of the school board shall keep a record of the books received from the county library board and report to the State superintendent such library statistics as said superintendent shall prescribe. *See* 3 (a) (2).
- (c) **State**—*See* previous paragraph.

**NOTE.**—The authority to issue teachers' certificates is vested in the State superintendent. The State Department of Education reports that regulations for librarians including training in library science have been adopted. (Correspondence, March 1939.)

## 6. Relationships With State Library Agencies

- (a) *District*—Law silent
- (b) *County*—The State Library Commission shall render, upon request, assistance to county superintendents and to county library boards, in selecting books for school libraries.
- (c) *State*—The State superintendent is an ex-officio member and president of the State Library Commission. See previous paragraph.

## 7. Relationships With Public Libraries

- (a) *District*—Any school board and board of library trustees may agree to unite the school library, with the exception of such reference books as it is deemed necessary to keep within the school, with the public library, in which case the sum to be expended by the school for books shall be turned over to the library trustees, and, if so united, a representative of the schools shall be a member of the board of trustees.
- (b) *County*—Law silent
- (c) *State*—Law silent

SOUTH DAKOTA CODE OF 1939, vol. 1, secs. 15.0901, 15.0903 (2), 15.1801-15.1804, 15.2523 (9) and 29.0301-29.0303 (5); also vol. 3, sec. 45.3103.

## Tennessee

### 1. Procedures for Establishment

- (a) *District*—Authorized to supplement State funds appropriated for the establishment of rural school libraries. See 2 (a).
- (b) *County*—County board of education may be authorized to establish a county system of circulating libraries operating through a central office. See 2 (b).
- (c) *State*—Authorized to supplement funds raised by local districts for rural school libraries. See 2 (c).

### 2. Financial Support

- (a) *District*—If the patrons or friends of any public school desire to share in the State appropriation for rural school libraries, they must raise by private subscription or otherwise \$10 or more for the establishment and maintenance of a library for the school.
- (b) *County*—May use State rural school library fund allocated to county for establishment of a system of county circulating libraries. See following paragraph.
- (c) *State*—State shall appropriate from rural school library fund a sum equal to the amount raised by a school, provided that the amount so appropriated shall not exceed \$40 for any one school year. Not more than \$1,000 of the rural school library fund may be allocated to a county in any one year for the establishment of a system of county circulating libraries, provided that not exceeding one-fifth of the amount appropriated for school libraries may be used for the purchase and maintenance of circulating libraries.

NOTE.—The educational appropriation act of 1939 (ch. 16, sec. 8, Public Acts of the State of Tennessee, 1939) provides that \$60,000 shall be appropriated for the fiscal year beginning July 1, 1939, and annually thereafter for school libraries; and that said appropriation shall be administered in accordance with the provisions described in 2 (a) (b) and

(c); 3 (a) (b) and (c); and 4 (a) (b) and (c). Said act further provides that all schools maintained in whole or in part by any municipality of the State of Tennessee shall participate in said funds.

### 3. Administration and Supervision

- (a) *District*—Funds raised by patrons and friends of any public school to match funds appropriated by the State for rural school libraries must be tendered to county trustee through the county superintendent of schools (hereinafter called county superintendent).
- (b) *County*—When county superintendent receives from local district funds raised to match funds appropriated by the State for rural school libraries, said superintendent shall deposit district fund with the county trustee and report the amount deposited and the books desired to the commissioner of education. No commission shall be allowed a county trustee for receiving and disbursing library funds.

In administering the rural school library fund, county boards of education may be authorized to establish a county system of circulating libraries through a central office.

(c) *State*

(1) *Allocation of library fund*—The comptroller of the treasury, upon receipt of a certificate from the commissioner of education (hereinafter called commissioner) showing that a school district has raised \$10 or more for the establishment of a school library, shall pay to the county trustee of the county in which the school is located out of State funds appropriated for school libraries a sum equal to the amount raised by the school, provided the amount shall not exceed \$40 for any one school year. In administering the fund, preference shall be given to counties that have not already established rural school libraries and to schools that have not received State aid. See 2 (c).

(2) *Rules*—State Board of Education (hereinafter called State Board) shall cause to be published through the commissioner rules and regulations for school libraries and for circulating libraries participating in the State appropriation for rural school libraries. All libraries receiving assistance from the rural library fund shall comply with the regulations of the State Board.

(3) *Supervision*—State Department of Education through its division of libraries is authorized to supervise the development of libraries in public schools.

### 4. Books

- (a) *District*—The introduction of obscene books into "a school or place of education" is a misdemeanor.
- (b) *County*—All money received from the State to assist in establishing or supplementing a library shall be used to purchase books on the list approved by the State Board, and no book shall be purchased at a higher price than that named in said approved list.
- (c) *State*—It shall be the duty of the State Board to adopt a list of suitable books for school libraries established through the assistance of the State appropriation for rural school libraries and to arrange for the purchase of the books on the list at the lowest possible price.

### 5. Librarians

- (a) *District*—Law silent
- (b) *County*—Law silent

- (c) *State*—The State Board is authorized to issue certificates to librarians. It shall set up standards and shall adopt rules and regulations by which such certificates are to be issued. In doing so it shall take into account the recommendations of the Advisory Committee of Librarians. The personnel of said committee shall consist of the librarian of the University of Tennessee, a representative from the State Department of Education, the Tennessee Library Association, and two librarians, representing, respectively, the public and school fields, to be selected from a list of three names for each position submitted by the Tennessee Library Association and appointed by the Commissioner.

**NOTE.**—The Advisory Committee of Librarians is engaged in making a study upon which it will base its recommendations to the State Board. (Correspondence, State Department of Education, April 1939.)

## 6. Relationships With State Library Agencies

- (a) *District*—Law silent  
 (b) *County*—Law silent  
 (c) *State*—“There shall be created in the State Department of Education, a division of libraries in charge of a director who shall be professionally and otherwise qualified for said position.” The director of libraries shall be appointed by the commissioner of education and responsible to him for the administration of the funds of the division. One of the functions of the division is “to supervise the development of libraries in the public schools of the State.”

**NOTE.**—The State Department of Education reports that no appropriation has been made for the establishment of a “division of libraries.” However, there has been a “director of school libraries” in the department since 1932.

## 7. Relationships With Public Libraries

- (a) *District*  
 (1) *Contracts*—The director of libraries of the division of libraries in the State Department of Education may enter into agreements with boards of education for the development of free public library service. See 6 (c) Note.  
 (b) *County*—Law silent  
 (c) *State*  
 (1) *Contracts*—Agreements made in (a) (1) must be in keeping with policies approved by the State Board and the Commissioner.

CODE OF TENNESSEE, 1932, sec. 11190; PUBLIC-SCHOOL LAWS OF TENNESSEE, Code secs. 2316, 2324, 2509-12; SUPPLEMENT TO THE PUBLIC-SCHOOL LAWS OF TENNESSEE, 1937, secs. 152.3-152.5, 160.2 and 160.3; and PUBLIC ACTS OF THE STATE OF TENNESSEE, 1939, ch. 16, sec. 8.

## Texas

1. Procedures for Establishment—Law silent
2. Financial Support—Law silent
3. Administration and Supervision

- (a) *District*—All teachers, librarians, superintendents, and other school officials employed by all schools supported wholly or partly by the

State, shall fill out and send to the State Department of Education a registration card, supplied by the department, which card shall furnish blanks for useful statistical information. This card must be filled out before the expiration of the first month of each annual school session and said teachers, librarians, and other officials shall not be paid the salary for the first month's services, except on presentation of a receipt showing that said registration card has been received by the department.

- (b) *County*—Law silent
- (c) *State*—Law silent

#### 4. Books

- (a) *District*—"Whoever wilfully injures or defaces any book, newspaper . . . or other property belonging to any public library . . . or other educational institution" shall be subject to fine.

"Whoever wilfully detains any book, newspaper . . . or other property belonging to any public or incorporated library . . . or other educational institution for thirty days after notice in writing to return the same, given after the expiration of the time which by the rules of such institution such property may be kept," is subject to fine.

- (b) *County*—Law silent
- (c) *State*—Law silent

#### 5. Librarians—Law silent

NOTE.—The State Board of Education is authorized by law to prescribe rules and regulations for the certification of teachers. No special certificates for school librarians are issued by the State Board of Examiners, but regular high-school certificates are required for school librarians in accredited schools. (Correspondence, State Board of Examiners, March 23, 1939.)

#### 6. Relationships With State Library Agencies—Law silent

#### 7. Relationships With Public Libraries

- (a) *District*—See following paragraph.
- (b) *County*—The librarian of a county library shall endeavor to give an equal and complete service to all parts of the county through branch libraries and deposit stations in schools and other locations.
- (c) *State*—Law silent.

PUBLIC SCHOOL LAWS OF THE STATE OF TEXAS, 1938, sec. 2675; and VERNON'S TEXAS STATUTES 1936, arts. 301, 1366, 1367, and 1685.

## Utah

#### 1. Procedures for Establishment

- (a) *District*—Every board of education shall have power to establish school libraries.
- (b) *County*—Law silent.
- (c) *State*—State Board of Education shall promote the establishment of libraries throughout the State.

#### 2. Financial Support—Law silent

#### 3. Administration and Supervision—Law silent

#### 4. Books—Law silent

**5. Librarians—Law silent**

**NOTE.**—The State Board of Education is authorized to issue professional teachers' certificates of high-school, junior high school, grammar, primary, and kindergarten grade, also superintendents' and supervisors' certificates. Said board has established regulations for the certification of librarians (Utah State Board of Education, Requirements for Certification of Superintendents, Supervisors, Teachers, Librarians, and Coordinators, 1936, Salt Lake City, Utah, Department of Public Instruction, pp. 21-22.)

**6. Relationships With State Library Agencies—Law silent****7. Relationships With Public Libraries**

(a) *District*—The city council of a city of the third class (less than 7,000 population) or the board of trustees of an incorporated town and the board of education of any school district in which such city or town is located are authorized to cooperate in the establishment of a free public library and to contract between themselves as to the proportions that such city or town or school district shall pay towards the establishment and maintenance of such public library.

(b) *County*—Law silent.

(c) *State*—Law silent.

REVISED STATUTES OF UTAH, 1933, secs. 15-1-1, 51-2-12, 75-7-9, 75-7-10, and 75-11-20.

**Vermont****1. Procedures for Establishment—Law silent****2. Financial Support**

(a) *District (towns and incorporated school districts)*—Expense for transporting traveling libraries, loaned to schools by free public library commission, shall be paid by the school districts. See 6 (a).

(b) *County*—(No county unit for school and library purposes.)

(c) *State*—Law silent.

**3. Administration and Supervision—Law silent****4. Books**

(a) *District (towns and incorporated school districts)*—Persons found guilty of introducing obscene literature "into a family or place of education" are subject to fine or imprisonment.

(b) *County*—(No county unit for school and library purposes.)

(c) *State*—Law silent.

**5. Librarians—Law silent**

**NOTE.**—The State Board of Education shall provide for the examination and certification of teachers. No regulations have been adopted by the Board for the certification of school librarians. (Correspondence, State Department of Education, March 21, 1939.)

**6. Relationships With State Library Agencies**

(a) *District*—A union superintendent, a supervising principal, a superintendent of a town school district and an incorporated school district, and the school directors may apply to the free public library commission for traveling libraries for use in the schools of such districts, the expense of transportation to be paid from the school funds of the district. See (c).

- (b) *County*—(No county unit for school and library purposes.)
- (c) *State*—The commissioner of education is ex officio a member of the Free Public Library Commission. Said commission is authorized to provide better library services to the people of the State, especially "to rural schools and farm homes," and to circulate traveling libraries among schools. See (a).

## 7. Relationships With Public Libraries

- (a) *District*—See (c).
- (b) *County*—(No county unit for school and library purposes.)
- (c) *State*—The Free Library Commission "may assist free public libraries in towns, whose grand list, exclusive of polls, does not exceed \$10,000, provided such town through its library trustees satisfies the commission that it has a free public library or libraries which are doing practical and efficient work for the public benefit and are rendering useful assistance to the public schools."

PUBLIC LAWS OF THE STATE OF VERMONT RELATING  
TO EDUCATION, REVISED, AS AMENDED IN 1935, 1937  
AND 1939. SECS. 4165, 4183, 4415, 4422, 4426 AND  
PUBLIC LAWS OF VERMONT, 1933, SEC. 8621.

## Virginia

### 1. Procedures for Establishment

- (a) *District (applies to the 24 city school districts)*—See 2 (a).
- (b) *County (applies to the 100 county school districts)*<sup>1</sup>—See 2 (b).
- (c) *State*—See 2 (c).

### 2. Financial Support

- (a) *District (applies to the 24 city school districts)*—Patrons of any public school may raise funds for libraries for said school. See following paragraph.
- (b) *County (applies to the 100 county school districts)*<sup>1</sup>
- (1) *Unit libraries*—Whenever the patrons and friends of any public school shall raise by private subscription the sum of 15 dollars or more, the board in counties and the school board in cities shall appropriate the sum of 15 dollars for this purpose.
  - (2) *Library fees*—"Except in special town school districts preserved under the provisions of sec. 653, no laboratory or other special fees, or charges of any kind, for school supplies or materials, other than library fees and examination paper, pens, pencils, and ink shall be levied or collected from resident pupils entitled to attend either primary, grade, or high school of the public-school system, by any city, county or town school board, city or town council or board of supervisors, or the State Board of Education or any person employed in such school . . ."
- (c) *State*—Whenever a school and county or city board of education have each contributed 15 dollars for a unit library, the State Board of Education (hereinafter called State Board) shall appropriate 30 dollars thus making a minimum of 60 dollars for such library.

### 3. Administration and Supervision

- (a) *District (applies to the 24 city school districts)*—Money raised by patrons of schools in cities for unit libraries shall be tendered to the clerk of the city school board.

<sup>1</sup> Includes a few special town school districts.

- (b) *County* (applies to the 100 county school districts)<sup>1</sup>—Money raised by patrons of schools in counties for unit libraries shall be tendered to the clerk of the county board of education.
- (c) *State*—Unit libraries shall be purchased and properly cared for under rules adopted by the State Board. The treasurer shall not receive any commission for receiving and disbursing funds for school libraries.

#### 4. Books

- (a) *District* (applies to the 24 city school districts)—See (c).
- (b) *County* (applies to the 100 county school districts)<sup>1</sup>—See (c).
- (c) *State*
- (1) *Selection*—Persons introducing obscene books into a "place of education," shall be guilty of a misdemeanor.
  - (2) *Care*—Persons found guilty of wilfully mutilating books or other property belonging to the library of any educational institution are subject to fine or imprisonment.  
Persons found guilty of wilfully removing books or other property belonging to the library of any educational institution are subject to fine or imprisonment.  
Persons found guilty of failing to return books or other property belonging to the library of an educational institution within 30 days after receiving notice in writing from the custodian shall be guilty of a misdemeanor.
  - (3) *Public documents*—The director of the Division of Purchase and Printing shall deliver one copy of the Acts of the Assembly to the library of each educational institution in the State maintaining a library.

#### 5. Librarians—Law silent

**NOTE.**—The State Board is authorized by law to provide for the licensing of teachers. It has adopted regulations governing the certification of school librarians. (Regulations governing the certification of teachers in Virginia, Richmond, State Board of Education, its bulletin, vol. 18, no. 4, 1936. p. 6.)

#### 6. Relationships With State Library Agencies

- (a) *District* (applies to the 24 city school districts)—Law silent
- (b) *County* (applies to the 100 county school districts)<sup>1</sup>—Law silent
- (c) *State*—The State Board shall, unless otherwise provided by law, appoint a board of directors, consisting of five members which shall have the management of the State library (except the law library), the appointment of the librarian and other employees subject to such rules and regulations as the General Assembly shall prescribe.

#### 7. Relationships With Public Libraries

- (a) *District* (applies to the 24 city school districts)—Law silent
- (b) *County* (applies to the 100 county school districts)<sup>1</sup>
- (1) *County free libraries*—The management shall be vested in a board of 5 trustees consisting of the county superintendent of public schools and 4 persons appointed by the judge of the circuit court of the county.
  - (2) *Regional libraries*—The management shall be vested in a board of five trustees, four appointed by the judge or judges of the circuit court or courts of the region and one a county superintendent,

<sup>1</sup> Includes a few special town school districts.

provided that provision may be made by the judge or judges for service in rotation of each of several superintendents.

- (c) *State*—Policy of State to promote establishment and development of public libraries.

THE VIRGINIA CODE OF 1936, secs. 347(11) 362, 365, 610, 628 and 4549; and 1938 SUPPLEMENT TO THE VIRGINIA CODE OF 1936, secs. 390, 672 and 713.

## Washington

### 1. Procedures for Establishment

- (a) *District*—Boards of directors in cities of the second and third classes must spend money for libraries. *See* 2 (a).
- (b) *County*—County superintendents of common schools (hereinafter called county superintendent) may establish circulating libraries. *See* 2 (b).
- (c) *State*—Law silent

### 2. Financial Support

- (a) *District*—It shall be the duty of boards of directors in cities of the second and third classes "to provide and pay for such materials, supplies, and libraries, as may be necessary for the schools . . ."

*NOTE*.—School districts in Washington are classified as follows: First class (districts containing cities of the first or second classes); second class (districts containing cities of the third or fourth classes or, maintaining a 4-year accredited high school); third class (any other school district); consolidated (districts which have been formed by the consolidation of two or more school districts, or any union high school district which has voted in favor of consolidation); joint district (school districts composed of territory in two or more counties); and union high school district (any school district established for the purpose of maintaining a high school by the union of two or more contiguous districts in the same county).

- (b) *County*—At the time fixed for the levy of the county tax, the county commissioners of each county may levy a tax, of not to exceed one-tenth of one mill on each dollar of the assessed valuation of said county, the proceeds of which, when collected, shall constitute a circulating school library fund for the payment of all bills created for the purchase of books and fixtures by the county superintendent.
- (c) *State*—Law silent

### 3. Administration and Supervision

- (a) *District*—Law silent
- (b) *County*—County superintendents may establish circulating libraries for the use and benefit of the pupils of the common schools of their respective counties.
- (c) *State*—Law silent

### 4. Books

- (a) *District*
- (1) *Selection*—Every board of directors, unless otherwise provided by law, shall exclude from schools and school libraries all books, tracts, papers, and other publications of any immoral or pernicious tendency.
- (2) *Care*—Any pupil who shall deface or otherwise injure any book or books belonging to the district library shall be liable to suspension and punishment, and the parent or guardian shall be liable for

damages, on complaint of the teacher or director or other person residing in the district.

Persons found guilty of wilfully detaining books or other property belonging to any public or incorporated library or "other educational institution" for 30 days after notice in writing to return the same, given after the expiration of the time which by the rules of such institution such article or other property may be kept are subject to fine or imprisonment.

- (3) Public documents—The State superintendent of public instruction (hereinafter called State superintendent) shall furnish each district library a copy of his or her biennial report to the Governor.
- (b) *County*—Duty of county superintendents to purchase books for circulating libraries and to enforce rules for their distribution, care, and use. *See* 3(b).
- (c) *State*—Books placed in county circulating libraries must be recommended by the State Board of Education or the State superintendent.

### 5. Librarians—Law silent

NOTE.—All certificates and diplomas, except temporary or special certificates, shall be issued or countersigned by the State superintendent. The Department of Public Instruction issues teacher-librarian credentials. (Certification of teachers, Olympia, Wash., Department of Public Instruction, 1937, p. 6.)

### 6. Relationships With State Library Agencies

- (a) *District*—Law silent
- (b) *County*—Law silent
- (c) *State*—The State superintendent shall exercise all the powers and perform all the duties now vested in and required by the former State library committee. These duties include the administration of the State library, except the powers and duties relating to the State law library.

### 7. Relationships With Public Libraries

- (a) *District*
- (1) Establishment of library—Any governmental unit has power to establish and maintain a library, either by itself or in cooperation with other governmental units. A school district, except a union high school district, is defined by law, for the purpose of this act, as a governmental unit.
- (2) Board of trustees—The management and control of a school district library shall be vested in a board of five trustees elected in the manner in which school directors are elected. Said trustees may submit to the qualified voters of such school district at a special election called for that purpose, the proposition of whether a special levy of not to exceed two mills, which shall be in addition to all other taxes levied by or for said school district, shall be levied upon all the taxable property of said district for the purpose of providing for the support of said library.
- (3) Contract—Any school district may contract for school library service from any existing library, such service to be paid for from funds available to the school district for library purposes.
- (b) *County*—Law silent

(c) *State*—Law silent

REMINGTON'S REVISED STATUTES OF WASHINGTON, 1931, vol. 6, secs. 4523, 4695-4697, 4699, 4700, 4776, 4817, 4829, 4926-4931, 4967, and 5057; vol. 9, secs. 8226 and 8237; and vol. 11, secs. 10771 and 10771-1; and REMINGTON'S REVISED STATUTES OF WASHINGTON, 1938, POCKET PART FOR vol. 6, secs. 4696 and 4698.

## West Virginia

### 1. Procedures for Establishment

- (a) *District*<sup>1</sup>
- (b) *County*—Boards of education may provide libraries. See 2 (b) (1).
- (c) *State*—Law silent

### 2. Financial Support

- (a) *District*<sup>1</sup>
- (b) *County*
  - (1) Provide libraries—The board of education of every district may provide libraries for their schools and may purchase books, bookcases, and other things necessary therefor, and shall pay the costs of such libraries out of the school funds of their districts.
  - (2) Employ librarians—See 5 (b) (1).
- (c) *State*—Law silent

### 3. Administration and Supervision

- (a) *District*<sup>1</sup>
- (b) *County*—Patrons and pupils of a school may draw books from the library during vacation under such regulations as the board of education may make.
- (c) *State*—Law silent

### 4. Books

- (a) *District*<sup>1</sup>
- (b) *County*—Persons found guilty of introducing obscene literature into a "school or place of education" are subject to fine and imprisonment. See 2 (b) (1).
- (c) *State*—Books purchased with public funds, except in high schools, shall be selected from an approved list to be prepared and published from time to time by the State superintendent of free schools (hereinafter called State superintendent); but books not included in such list may be purchased upon the written approval of said superintendent.

### 5. Librarians

- (a) *District*<sup>1</sup>
- (b) *County*
  - (1) Employment—Boards of education shall have authority to employ, during vacation period, a librarian for any school having 50 volumes or more and to pay such librarian out of the school funds of the district an amount not to exceed one dollar a day for each day such library is kept open by order of the board.

<sup>1</sup> In West Virginia there is no unit for school administration smaller than the county.

- (c) *State*—The State superintendent shall have authority, upon the recommendation of the State Board of Education, to issue special certificates to librarians. Such certificates may be issued upon examination in subjects named by the State Board of Education, or upon satisfactory completion by the applicants therefor of such courses of study as prescribed by the State Board of Education for the issuance of such certificates.

NOTE.—Special certificates for librarians are issued by the State superintendent. (Regulations Governing the Issuance of Certificates for Teaching and Administrative Positions in the Schools of West Virginia, Charleston, W. Va., State Department of Education, 1938, pp. 15 and 20.)

## 6. Relationships With State Library Agencies

- (a) *District*<sup>1</sup>  
 (b) *County*—Law silent  
 (c) *State*—The West Virginia Library Commission shall give assistance, advice, and counsel to schools.

## 7. Relationships With Public Libraries

- (a) *District*<sup>1</sup>  
 (b) *County*—If a majority of the qualified voters agree, any school district may establish, equip, and maintain a public library, or take over and maintain and support any public library already established therein for the use of the inhabitants of the district, and for that purpose may levy an annual tax of not more than one and one-half cents on each \$100 of the assessed valuation of all the taxable property of the district. Provided that when any school district proposing to establish a public library includes an incorporated city or town in which there is already a public library, and such city or town does not join in the proposed library, the school district shall omit from the levy of the library tax all property within the limits of such municipality, already established therein.  
 (c) *State*—Law silent.

THE SCHOOL LAW OF WEST VIRGINIA, 1939, Art. 5, sec. 20, Art. 5, sec. 27, and pp. 108-112; and THE WEST VIRGINIA CODE OF 1937, sec. 6066.

## Wisconsin

### 1. Procedures for Establishment

- (a) *District*—Law silent  
 (b) *County*—Law silent  
 (c) *State*—State superintendent of public instruction (hereinafter called State superintendent) shall aid in promoting the establishment, maintenance, and control of school libraries.

### 2. Financial Support

- (a) *District*—Payment for rebinding library books shall be made from any available funds in the treasury of the school district. The first year the amount expended for this purpose shall not exceed 20 cents for each person of school age in the district; thereafter such amount shall not exceed 10 cents per year for such person.  
 (b) *County*—Law silent

<sup>1</sup> Includes a few special town school districts.

- (c) *State*—Twenty cents for each person of school age residing in towns, villages, and cities of the fourth class (less than 10,000 population) shall be withheld by the county treasurer from each county's share of the common school fund income, to be expended for library books.

### 3. Administration and Supervision

#### (a) *District*

- (1) *Common school fund income*—County treasurer shall apportion to districts.

District and city superintendents shall provide for expenditure of moneys withheld from common school fund income for purchase of library books. *See* (b) (1).

- (2) *Purchase and distribution of books*—District superintendent responsible for administrative machinery involved in distributing library books to schools under his jurisdiction. *See* (b) (2).

- (3) *Community use*—Books may be loaned to the community. *See* 4 (a) (3) first paragraph.

- (4) *Book exchanges*—School Board may exchange library books with another district, such exchanges to be arranged by district superintendents. *See* 4 (a) (3) second paragraph.

- (5) *Statistics*—District and city superintendent shall supply statistical blanks for librarians. *See* 5 (a) (4).

#### (b) *County*

- (1) *Common school fund income*—Each county treasurer shall set aside from the common school fund income received from the State 20 cents per capita for library books and shall pay the same to the proper school district or municipal treasurer, as provided by law. State funds for library books shall be apportioned among the school districts in proportion to the number of persons between the ages of 4 and 20 years residing in the districts. *See* 2 (c).

County, district, and city superintendents of schools shall provide for the expenditure of all moneys withheld by the county treasurer from the common school fund income for the purchase of library books. Law specifies procedures whenever a school district, under the jurisdiction of a city superintendent, is joint between a city and one or more towns; also when a school district is located in more than one county.

- (2) *Purchase and distribution of books*—Each county or district superintendent shall keep on file in his office a list of the library books (arranged by districts and towns in numerical and alphabetical order) of each of the schools under his supervision. Such lists shall serve as guides to the superintendent in making lists of books to be purchased by the schools. Each superintendent shall furnish two copies of the list of books to be purchased, to each town or village clerk and each clerk of any city of the fourth class, respectively, affected thereby; and shall certify to the county clerk the names, numbers, contract price, and total cost of the books selected for each town and other governmental areas concerned. Each superintendent of a city of the fourth class shall be governed by the provisions of this paragraph as far as possible.

Each superintendent shall furnish the contract dealer with a list of the books to be purchased, who shall deliver the books listed to each clerk of the town, village, or city, respectively. Each clerk shall compare the books delivered with his list and file with

the county clerk one copy of said list, indicating which of the listed books have been received in good condition, and shall pay for the books at contract price, as certified by the superintendent. The contract dealer shall rectify errors and irregularities in the books delivered, as specified in the law. Transportation charges shall be paid by the town, village, or city receiving the books. Town clerks shall distribute the books to the clerks of the several school districts, or if schools are in session to the teachers or principals in charge. Village and city clerks shall transmit the books to the principal or superintendent of the schools of the village or city.

- (3) Book exchanges—County superintendents may arrange exchanges of library books among school districts in their counties. See 4 (a) (3) second paragraph.
  - (4) Official documents—County superintendents shall distribute official documents to schools of their counties. See 4 (b) (4).
- (c) State
- (1) Regulations—State superintendent shall prescribe regulations for the management of school libraries.
  - (2) Contract for purchase of books—State superintendent shall receive bids and make a contract with some responsible dealer for supplying books and periodicals, pursuant to the school library law. Said superintendent shall give notice to all officers charged with the duty of purchasing books for school libraries, in a circular setting forth the conditions under which the books are to be furnished, the name and address of the contract dealer, and a statement to the effect that no money withheld from the common school apportionment for the purchase of school library books shall be used for the purchase of books or periodicals from any other dealer.

#### 4. Books

##### (a) District

- (1) Selection—The introduction of obscene books into "a school or place of education" is a misdemeanor, punishable by fine or imprisonment.
- (2) Care—Except when loaned to a public library, school library books shall be housed in the school building; but between school terms they may, if necessary for convenience in safeguarding or loaning, be housed in such place as the district board shall designate.

Each county and district superintendent and each city superintendent of any city of the fourth class (less than 10,000 population) shall accession and care for as county, superintendent district, or city school district property, free sample books which are on the school library list and which are received by said superintendent.

In every school district coming under the provisions of the school library law, the teacher, principal, or superintendent shall set aside books in the school library or libraries, which in their judgment are in need of rebinding, and supply to the district clerk a list in duplicate of the titles of the books thus set aside, together with a list of approved bookbinding firms and such other information regarding the books set aside as may be called for by the State or county superintendent. If there are no books to be rebound, a written statement to that effect, signed by the teacher, principal, or superintendent shall be substituted for the list of books. Said

teachers, principals, or superintendents are not entitled to their last month's salary until the foregoing provisions have been met. After the district clerk has received the list of books to be rebound, he shall present it to the board for consideration.

- (3) Use—School library books shall be loaned by the librarian to pupils, teachers, and other residents of the district, under regulations prescribed by the State superintendent, but in districts where there is access to a public library, the school board may restrict the use of library books to school purposes.

The school board may loan its library books to the school board of another district for use in the school library of that district, in consideration of school and library books similarly loaned in exchange therefor. County or district superintendents may arrange such exchanges among the school districts in their jurisdiction. A school district receiving books from another district shall be responsible for loss or damage beyond ordinary wear; and all books loaned or exchanged shall be returned to the district from which they have been loaned not later than 2 weeks before the close of the annual school term of said district.

(b) *County*

- (1) Selection—County or district superintendents shall keep on file in their offices lists of library books for each of the schools under their jurisdiction; said lists shall serve as guides in making lists of books to be purchased by schools. See 3 (b) (2).
- (2) Care—County superintendents shall accession and care for as public property free sample books. See (a) (2) second paragraph.
- (3) Use—County superintendents may arrange for exchange of library books among the school districts of their respective counties. See (a) (3) second paragraph.

- (4) Official documents—County superintendents of schools shall distribute to schools and school libraries of their counties, at the cost of the counties, certain official publications, transactions of officers and societies, and railroad maps of Wisconsin received by the State director of purchases. County and district superintendents shall furnish the State director of purchases the number of copies of the Wisconsin Blue Book needed to supply one copy to each State graded school, county training school for teachers, and rural school in their respective counties; to each high and parochial school there shall be distributed one copy of said Blue Book for each 100 regularly enrolled students or major fraction thereof. City superintendents of schools shall certify to the State director of purchases the number of school buildings under their supervision housing, "A grade or grades above the fifth grade" in order that each such building may be supplied 4 copies of said Blue Book.

(c) *State*

- (1) Selection—The State superintendent shall exclude all sectarian books from public schools. He shall advise in the selection of books for school libraries, and, as often as he deems necessary, prepare a list of books suitable therefor and furnish copies of said list to each school concerned and to each county, district, or city superintendent.
- (2) Official documents—"State superintendent and free library commission" shall file with the State director of purchases lists of schools

and libraries designated by counties to which parts of official reports, pamphlets and magazines, and transactions of societies shall be distributed by county superintendents.

## 5. Librarians

### (a) District

- (1) Qualifications—*See* following paragraphs.
- (2) Selection—"While school is in session the following persons shall be the school librarians: In one-room rural schools, the teacher; in State-graded schools and in rural schools of more than one department, the principal, unless some other teacher is designated by the school board; in elementary schools supervised by a city superintendent, such teachers or other persons as are designated by the city superintendent with the approval of the school board; in elementary schools under the supervision of a principal who supervises all the schools of the district, such teachers or other persons as are designated by the principal with the approval of the school board; in high schools, a teacher or other person appointed by the school board and whose qualifications are at least equal to the minimum prescribed by the State superintendent. When school is not in session such person shall act as school librarian as is appointed by the school board; but if such appointment is not made, the school clerk shall act as librarian."
- (3) Teacher status—A librarian employed by any school board to take charge of a library in any school under its jurisdiction and whose qualifications as a librarian are at least equal to the minimum librarian qualifications prescribed by the State superintendent and who possesses the qualifications required by law for employment as a teacher, shall be entitled to the status, rights, and privileges of teacher and shall be considered and deemed a teacher as such term is defined by law.

In cities of the first class (150,000 population and over) any school librarian employed by any school board therein at the time this law takes effect in any such city and whose qualifications as a librarian at said time are at least equal to the minimum librarian qualifications prescribed by the State superintendent and who, prior to employment as such school librarian by said school board in any such city, shall have had not less than one year of experience in teaching in public schools or in a responsible library position above the rank of page, shall be entitled to the status, rights, and privileges of a regular teacher from and after the beginning of such employment as such school librarian.

- (4) Duties—County, district, or city superintendents, respectively, shall supply blanks upon which librarians shall give such information regarding the conditions and needs of the school library as may be called for by the superintendents.
- (b) County—*See* previous paragraph
- (c) State—Teacher or other persons appointed as librarian in a high school must meet the minimum qualifications prescribed by the State superintendent. *See* (a) (2).

## 6. Relationships With State Library Agencies

- (a) District—Law silent
- (b) County—Law silent

- (c) *State*—The State superintendent is a member ex officio of the State Library Commission. Said Commission is empowered to hold librarians institutes in the various parts of the State for the purpose of "training librarians of public schools and traveling libraries to make wiser and more effective use of the libraries in their charge." The Commission is further authorized to add to its working library books of permanent value to students and to loan such books, singly or in traveling libraries to schools.

## 7. Relationships With Public Libraries

### (a) *District*

- (1) *Cities may aid public libraries*—In lieu of supporting and maintaining a public library and reading room, the common council of every city of the second (39,000 and less than 150,000 population), third (10,000 and less than 39,000 population), and fourth (less than 10,000 population) classes, having a board of education may, when deemed for the best interests of the city, levy such tax and authorize the board of education of such city to apply and expend the same in aid of the maintenance of any secular or nonsecular public library and reading room free to all inhabitants of such city, already established and maintained therein by any society, association, or corporation and the board of education shall in such cases deposit with the city clerk the vouchers or bills covering the expenditures of such library from such tax fund, and the clerk shall draw orders on the treasurer, who shall pay the same as other municipal orders are paid.
  - (2) *Book exchanges*—Library board of any free public library and the school board of any school district, village, or city in which a free public library is provided for and maintained may make such exchanges and loan of books as said officers shall agree upon for the purpose of increasing the efficiency of both libraries and schools.
  - (3) *Lectures*—Municipal library boards may cooperate with the University of Wisconsin and other State agencies named in the law or boards of education in conducting lectures or promoting other means to foster and encourage the wider use of books and literature upon scientific, historical, economic, and other useful subjects.
- (b) *County*—Library board of a county traveling library containing a city of the second class (39,000 and less than 150,000 population) may, at the option of the county board, consist of the county superintendent of schools ex officio and 3 members of the county board appointed by the chairman.
- (c) *State*—State superintendent may suspend the operation of the school library law in any school district or subdistrict containing a free public library, or which is located wholly or in part in any incorporated village or city containing a free public library, whenever the board of said free public library has expended in the purchase of library books suitable for children in the elementary school grades a sum equal to the sum which would be released by the suspension of the school library law, as certified by the secretary of the free library commission. The State superintendent shall give notice of such suspension to school and county officials named in the law.

LAWS OF WISCONSIN RELATING TO PUBLIC EDUCATION, 1938, SECS. 14.57 (2), 25.23 (4) and (5), 43.09 (1) and (4), 43.16, 43.17 (1) and (2), 43.18-43.24, 43.27 (5), 43.29 and 43.32 (1A); and WISCONSIN STATUTES, 1937, CH. 35 AND SEC. 351.38.

## Wyoming

### 1. Procedures for Establishment—Law silent

### 2. Financial Support

The qualified electors of the district, when assembled, shall have power to vote such sum of money as the meetings shall deem sufficient for any of the following purposes: ". . . for procuring libraries for the schools, . . ."

### 3. Administration and Supervision—Law silent

### 4. Books

- (a) *District*—County library books may be housed in a school building. See 7 (b).
- (b) *County*—Law silent.
- (c) *State*—Law silent.

### 5. Librarians—Law silent

**NOTE.**—The State Board of Education shall prescribe rules for administering laws governing the certification of superintendents, supervisors, principals, and teachers, whether by examination in specified subjects or through completion of courses in approved institutions of higher learning.

The Board has not adopted regulations for the certification of school librarians. (Correspondence, State Department of Education, March 22, 1939.)

### 6. Relationships With State Library Agencies—Law silent

### 7. Relationships With Public Libraries

- (a) *District*—Law silent.
- (b) *County*—When the board of directors of a county library is unable to make provisions for housing the books of such library, without expense to the library fund arising from the public tax, it shall be the duty of the board of school trustees, of the school district embracing the county seat, to provide accommodations for them in the best situated school building over which said trustees have control.
- (c) *State*—Law silent.

SCHOOL LAWS OF THE STATE OF WYOMING, 1937, secs. 21 and 184 (5); and REVISED STATUTES OF WYOMING, 1931, secs. 29-904.