

DEPARTMENT OF THE INTERIOR  
BUREAU OF EDUCATION

BULLETIN, 1924, No. 29

LEGISLATION ON THE  
JUNIOR HIGH SCHOOL

By

PAUL W. TERRY  
UNIVERSITY OF WASHINGTON

and

WILLIAM J. MARQUIS  
WASHINGTON STATE NORMAL SCHOOL



WASHINGTON  
GOVERNMENT PRINTING OFFICE  
1924

ADDITIONAL COPIES  
OF THIS PUBLICATION MAY BE PROCURED FROM  
THE SUPERINTENDENT OF DOCUMENTS  
GOVERNMENT PRINTING OFFICE  
WASHINGTON, D. C.  
AT  
10 CENTS PER COPY

C  
C  
C  
C  
C  
A

# CONTENTS

	Page
Chapter I.—Legislation on the high school.....	1
Introduction.....	1
Types of high-school legislation.....	2
1. Permitting or requiring the establishment of high schools.....	3
2. Financial support for general high-school purposes.....	3
3. Provisions for wider distribution of the privileges of secondary education.....	4
4. Provisions for extension of plant or instructional facilities.....	5
5. Standardization and classification.....	6
6. Provisions for administration of State laws.....	7
Chapter II.—Analysis of junior high-school legislation.....	8
1. Permitting establishment.....	8
2. Financial support for general purposes.....	11
3. Wider distribution of privileges.....	11
4. Provisions for extension of plant or instructional facilities.....	12
5. Standardization and classification.....	14
6. Provisions for administration of State laws.....	17
Chapter III.—The organization of junior high schools in States having no legislation relating explicitly thereto.....	20
Conditions under which junior high schools are organized.....	20
Status of the ninth grade in junior high schools.....	21
Chapter IV.—Reports of State departments of education concerning additional junior high-school legislation.....	23
1. Laws preventing or hindering reorganization.....	23
2. Legislation needed to facilitate reorganization.....	24
Chapter V.—The problem of legislative stimulation of the junior high school.....	26
Significance of the problem.....	26
Different attitudes toward legislation.....	27
1. No additional legislation needed.....	27
2. Legislation needed for the removal of legal obstacles.....	30
3. Legislation in broad, general terms only is needed.....	31
4. Specific types of legislation are needed.....	32
Appendix: Text of State laws relating explicitly to the junior high school.....	35

# LEGISLATION ON THE JUNIOR HIGH SCHOOL

---

## Chapter I

### LEGISLATION ON THE HIGH SCHOOL

---

#### INTRODUCTION

---

The development of the junior high school as a distinct and separate unit of the public-school system is one of the most remarkable and striking chapters in the history of public education in the United States. From humble beginnings in a few scattered cities the movement has gathered momentum until hundreds of school systems have been profoundly affected, and almost all of the remaining towns and cities are considering the feasibility of joining the movement. In a considerable number of the States, legislation which relates explicitly to the junior high school has been enacted. In many other States similar legislation is under consideration. In both groups of States educational authorities are actively interested in the following three questions: (1) What types of legislation will promote the best development of the junior high school? (2) What types of legislation will hinder the best development of the junior high school? (3) Will the best development of the junior high school be more easily achieved without the aid of additional legislation?

The purpose of this report is to throw light upon these three questions. With this object in view it was decided: First, to make a simple preliminary analysis and classification of existing legislation on the high school; second, to analyze the content of such legislation as relates explicitly to the junior high school, estimate its probable effect on the reorganization movement, and compare the same with similar legislation on the high school; and third, to ascertain what legislation on the junior high school is being proposed in the various States and the opinions of responsible school officials and competent students of education on the need for and effect of such laws; and finally, to make such suggestions concerning future legislation on the junior high school as the facts seem to warrant.

## TYPES OF HIGH-SCHOOL LEGISLATION

It is a matter of common information that secondary education has reached a higher stage of development in certain directions in the United States than in any other great nation. The program of studies is almost unlimited in extent and variety, and its privileges are enjoyed by an unprecedented proportion of the youth of the land. During the century in which this development has taken place the American people have gained an enormous amount of experience with legislation concerning secondary education. The kinds of legislation which have substantially facilitated the growth of the high school are now well understood. The educational authorities who are guiding the expansion of the junior high school, fortunately, are not under the necessity of blazing new trails through an uncharted legal wilderness. They are in position to take advantage of the experience of previous generations with laws on the high school. Generally speaking, the legislation which is found on the statute books at the present time represents the legal principles which years of experience with the high schools have justified. An analytical study of this legislation offers the sponsors of the junior high school the safest guide in their efforts to find the legal principles which will facilitate the development of the new institution.

A brief and simple analysis of high-school legislation will be adequate for the purposes of this study. Practically all of the existing laws can be classified under the following six categories:

1. Permitting or requiring the establishment of high schools.
2. Financial support for general high-school purposes.
3. Provisions for wider distribution of the privileges of secondary education.
4. Provisions for extension of plant or instructional facilities by means of financial aid for special purposes.
5. Standardization and classification of high schools.
6. Provisions for administration of State laws.

In the discussion which follows, almost no attention is given to the time when the various types of laws appeared on the statute books, or to an enumeration of the States in which they are found. Nor is any effort made to take into account the considerable amount of general school legislation which affects all divisions of the public-school system alike, but only indirectly affects the high schools. Only those laws which relate explicitly to the high-school grades are considered. The remainder of this chapter is devoted to a description of the several categories and of the functions of the laws which are classified under them.

1. *Permitting or requiring the establishment of high schools.*—The first legal principle which had to be established, and the most fundamental, was the right of local districts to organize schools in which the higher branches of knowledge were to be taught. The opinion which was handed down by the Supreme Court of Michigan in the famous Kalamazoo case is the most widely known of a long line of affirmative decisions. At the present time in all of the States the high school is accepted as a part of the public-school system, and local communities are encouraged to found and maintain such schools. At times it has been necessary even to place restrictions upon the pride and enthusiasm of local districts and refuse to authorize the establishment of high schools until definite requirements had been met as to number of pupils prepared for high-school work, ability of the locality to support such a school, etc. A number of the States, on the other hand, have found it advisable to make the establishment of secondary schools mandatory upon local, town, or county districts which meet certain conditions of size and wealth, and where such advantages are not available in near-by communities. In these cases the locality is forced to assume the right to establish. Other laws connected with the establishment of high schools outline the procedure which districts are to follow in organizing new schools. The supporting district is to be formed in a specified manner, the controlling board elected, consent of State or county officers obtained, etc.

2. *Financial support for general high-school purposes.*<sup>1</sup>—Coincident with the right to establish high schools went the right to levy taxes on the property of the district or to otherwise secure public funds for their maintenance. The claim of the high schools to funds from taxation of property is now universally admitted. The next step in logical order was to permit the newly established secondary school to share in the general school funds of State and county. With the exception of a few States, this right is now admitted throughout the Union. Because of the greater cost of secondary education as compared with elementary education, an advanced position with reference to the distribution of common-school funds in favor of secondary education has been taken in some of the States. In one way or another the high school is allowed a weighted share of the State or county funds. In the State of Washington, for instance, one and one-half times as much money is allowed the local district for a high-school pupil as for an elementary-school pupil. In this manner the local district finds a measure of relief, and the larger taxing unit is made to bear a larger proportion of the heavy cost of secondary education.

<sup>1</sup> For additional information on financial support of secondary education, see: Butterworth, *Problems in State High School Finance*, School Efficiency Monographs.

A final step was taken in the direction of providing adequate moneys for general high-school purposes when certain funds were set aside for the exclusive use of the high school. In some cases these funds were collected by the county and in others by the State. Financial assistance in this form is particularly helpful to local districts, which maintain high schools, in those States where high schools are not permitted to share in the general funds of State or county. As the situation stands at the present time, funds for general high-school purposes, over and above those which are obtained from local taxation and from an even share in the common-school funds, are provided for high schools in approximately one-half of the States. It is clear, therefore, that the principle of additional financial aid from larger taxing units for general high-school purposes, and exclusively for the high school, is a widely accepted method of encouraging secondary education in the United States.

3. *Wider distribution of privileges of secondary education.*—The first and most promising development of secondary schools took place in the larger towns and cities. At an early date large buildings were erected in these communities, competent teachers employed, and the opportunities of advanced education were freely offered to all who cared to come. At the same time in many of the smaller towns and villages, and in the open country, there were no high schools at all. With the beginning of the rapid increase in high-school attendance, which has taken place in the last three or four decades, went a growing and more widespread appreciation of the advantages of secondary education. The people in the rural districts began to demand these advantages for their children. It became increasingly clear to the entire citizenry that these children were entitled to the same advantages of education as were enjoyed by children in the cities. They looked to the State, as the ultimate unit and final authority in matters of education, to remedy this situation. In answer to this demand laws were passed in many of the States for the benefit of pupils who lived in nonhigh-school districts. Pupils in such districts were given legal permission to attend the high schools of near-by districts. Adjoining sparsely settled districts which had only a small, weak high school among them, or none at all, were encouraged to consolidate for the purpose of forming a large high-school district. In many cases flourishing schools have been developed in this way, and secondary education thrown open to large numbers of children to whom otherwise its benefits would have been denied. In the States where pupils from nonhigh-school districts were permitted to attend school in near-by districts, various provisions were made for the payment of the tuition of these pupils. In some cases the pupils themselves are required to pay the

tuition fees in whole or in part. In other cases the fees are paid by the sending district or county or by allowances from State funds. In a few of the States still more advanced steps have been taken in this direction by making provisions for payment of the transportation expenses of children from nonhigh-school districts. In certain instances account is taken of the fact that some children live too far from the nearest high school to go and come daily, and provision has been made for the payment of dormitory fees for such children. In all of these cases the point at issue is the equalization of educational opportunity. The States have plainly declared in favor of this principle. Numerous laws have been enacted to carry it out, and generous financial provisions have been made to give it practical effect.

4. *Provisions for extension of plant or instructional facilities by means of financial aid for special purposes.*—The program of studies which was offered by the early high schools differed in few important respects from the academic materials which were handed down from the Latin grammar schools and academies. The prevailing lesson assignment was of a certain number of pages of the textbook, and the method of recitation consisted of questions and answers on these pages. The traditional curriculum appealed to only a limited proportion of the youth of high-school age, and as fast as the principles of modern pedagogical science were accepted the old question and answer method of recitation lost favor. Educational authorities who were sponsoring the modern high school were convinced that additional types of secondary education needed to be offered for the benefit of the new social groups which were seeking higher education, and that the old program of studies must be vastly extended. In many of the larger towns and cities marked progress had already been made in these directions. It was determined to extend the results of successful experimentation in the cities to all of the high schools of the State. The method which was adopted by the States for the achievement of this object was the provision of special financial aid by county or State for special high-school purposes. In many cases the granting of aid from the larger taxing unit was made contingent upon the raising of similar funds by the local district. The courses of study which have been encouraged by this means are, for the most part, courses the introduction and maintenance of which entail comparatively heavy costs. Courses in agriculture, household arts, manual training, and teacher training have been most frequently subsidized in this fashion, and some of the States have favored commercial and industrial work, the mechanic arts, and mining. Similarly, aid has been extended for libraries and laboratory equipment.

The beneficial effects of legislation of this kind are clearly summarized in a previous report on this subject in these words:

Wherever the experiment of providing direct State aid has been tried it has been a decided success. No State to my knowledge has retraced its steps. By this means it is possible for the school to provide better teachers, better buildings, and better equipment. Pupils are thus enabled to receive a high-school education at home and are thereby stimulated to look forward to the next stage of education; that is, to the college, normal school, or university.

5. *Standardization and classification of high schools.*—The secondary school, as it was founded in the United States, was closely related to the college, and its primary purpose was preparation of the youth for entrance to college. Although protests have been filed against the harmful effects of a too exclusive adherence to this purpose, and from time to time new purposes have been given weight, the college preparatory aim has maintained its position as one of the most clearly recognized objectives of secondary education. In the latter part of the nineteenth century, when the system of certificating the graduates of accredited high schools had been generally accepted by the higher institutions of the Mississippi Valley and westward, the necessity arose of adopting uniform plans of accrediting. The situation demanded a detailed description of the standards which an accredited high school should meet. Voluntary associations of universities and colleges on the one hand and of high schools on the other were formed in different geographical divisions of the country for the purpose of defining standards of accrediting which would meet the new situation. The activities of the associations in these directions have been and are extraordinarily influential and helpful to the best development of the modern high school.

Within recent years the work of the associations has been supplemented, and a considerable share of the responsibility for determining standards has been assumed by the legislatures of the various States. At the present time it is generally conceded that the determination of the objectives and materials of secondary education is to a large extent a legitimate function of the States. The items which are most frequently considered by legislatures are: Various features of the curriculum, the length of the school year, number of years' work to be offered, the qualifications of teachers, and admission and graduation requirements. Specifications as to buildings, libraries, and laboratory equipment are also laid down. In many of the States high schools are legally classified into first, second, or third class groups according to the number of years' work offered or the extent to which the prescribed standards are attained.

\* Bolton, F. E., State aid to high schools: Educ. Rev., vol. 31, p. 163.

The prevailing practice is to describe standards and requirements in general terms, so that ample scope may remain for local initiative and adjustment to local needs.

The benefits of the States' participation in the determination of standards for high schools have been experienced in large part by smaller communities. Many communities, which were either not informed or were indifferent to the requirements of the voluntary associations, have responded in admirable fashion to the requirements of the legal authorities of their respective States. In the opinion of many public-school officers the State legislatures, by virtue of their nearness to the people, have been able to give a substantial and much-needed emphasis to the popular conception of the high school as "the people's college." The ability and willingness of the States to accompany the prescription of standards with the offer of financial rewards for their achievement are factors which have encouraged many high schools that otherwise might not have been affected at all. The existence of high standards, which have been sanctioned by law, undoubtedly has contributed in large measure to the prestige which is now enjoyed by the secondary school.

6. *Provisions for administration of State laws.*—The enforcement of the laws which have been described necessitated the establishment of a considerable amount of State administrative machinery. In the States in which special State aid is rendered to high schools and in which the laws providing for the State aid do not describe in detail the terms upon which it is offered the State board of education or the State superintendent of public instruction is usually directed to define the minimum conditions. In many States the State board of education is given the duty of classifying schools and fixing standards for the courses of study either by approval or prescription.<sup>3</sup> "The trend in present-day legislation is toward more definitely centralizing administrative authority and fixing responsibility in the State board of education or like body."<sup>4</sup> The tendency to centralize responsibility for high-school standards in the State boards has resulted in the widespread practice of inspection of high schools by State authorities. At the present time practically all of the States have made provision for the inspection of high schools by representatives either of the State department of education or of the State university.<sup>5</sup>

<sup>3</sup> For summary of powers and duties of State boards of education, see: Monahan, A. C., *Organization of State departments of education*; U. S. Bu. of Educ. Bul. No. 5, pp. 7-26, 1915.

<sup>4</sup> Hood, W. R., *Some important school legislation, 1921 and 1922*; U. S. Bu. of Educ. Bul. No. 43, p. 6, 1922.

<sup>5</sup> For description of the status of high-school inspection in the 48 States, see: Henderson, J. L., *State systems of high-school inspection*; *Educational Administration and Supervision*, vol. 1, pp. 493-510, October, 1915.

## Chapter II

### ANALYSIS OF JUNIOR HIGH SCHOOL LEGISLATION

In the previous chapter an analysis was made of legislation on the high school as it is found in the United States as a whole. A brief description was given of the purposes and effects of this legislation. In the present chapter it is proposed to describe such legislation as relates explicitly to the junior high school. The same six categories under which high-school legislation was classified in Chapter I are used in this chapter. Reference will be made to the States in which the several types of legislation are to be found.

The latest editions of the school laws of the 48 States which were available in February, 1923, were examined for references to the junior high school. In the codes of 18 of the States legislation which relates explicitly to the junior high school was found. This conclusion was confirmed by the returns from letters of inquiry which subsequently were sent to the superintendents of public instruction in all of the States. It is immediately obvious that up to the present time State legislatures have been very much less concerned with the new intermediate school than with the high school. In decidedly more than one-half of the States no legislation at all has been enacted in behalf of the new school as such, and the total volume of legislation is very small indeed as compared with that on the high school. It should be pointed out, however, that the 18 States in which legal recognition of the junior high school is found are located in different sections of the country. In the North Atlantic division such recognition has been given in Maine, Massachusetts, New Hampshire, New Jersey, Pennsylvania, and Vermont; in the South Atlantic division, in Georgia, Maryland, Virginia, and West Virginia; in the North Central division, in Indiana, Minnesota, Ohio, and Wisconsin; in the South Central division, in Alabama and Arkansas; and in the Western division, in California and Nevada. The full text of the laws of each of the 18 States appears in the appendix.

1. *Permitting the establishment of junior high schools.*—In Table 1 there appears a list of the six categories under which the several types of legislation on the junior high school are classified. The checks in the columns of the table indicate the States in which the several types are found. An examination of the bottom row shows that in 10 of the States laws have been passed which are classified as permitting the establishment of reorganized schools, or prescribing the conditions or procedure by which the establishment may be

carried out. The simplest form of such legislation is that in which the law merely grants the right to the county or local district to establish such a school. Simple explicit permission of this kind is found in the laws of Georgia. In Maryland the same effect is produced by a section of the law which states that nothing in that section shall prevent the organization of junior high schools. Such laws were enacted to relieve the uncertainty that existed in the minds of progressive school officials as to the legal right of local districts in their States to adopt the junior high-school form of organization. It was not a question of the right of the district to provide instruction of a certain grade at public expense—as was the case when the legal character of the early high school was challenged—but rather the right to organize the grades concerned as a separate division of the public-school system.

In some of the States, such as Indiana, New Hampshire, and Ohio, when the above recognition is granted, subsequent paragraphs of the law stipulate that the new schools must either obtain the approval of the State department of education or follow the prescribed plans of the State department in the reorganization. In the laws of California a detailed description is given of the procedure which is to be followed in establishing a junior high school. Specific mention is made of such items as the approval of the boards of trustees of the constituent elementary school districts, filing of such approvals, and the calling of elections. In certain States provisions which limit the establishment of a new school are included in the law. In Vermont the law demands a large enough number of qualified pupils to "reasonably" warrant the organization of such a school, although it does not indicate how many pupils would constitute a "reasonable" number. In the same State a junior high school may not be maintained in a town district where an academy has been recognized as the public school. In Wisconsin the law stipulates that in a district which maintains a high school the junior high school must comprise grades 7 to 9, rather than grades 7 to 10—which latter form of organization is permissible in districts where there is no high school. In the above instances it is clear that the States are following the policy of limiting and directing the local communities in their development of the new school, as they did in the earlier case of the high school.

So far as one important item is concerned, however, the States have not followed with the junior school the precedents which were worked out with the high school. Up to the present time no legislature has seen fit to make the reorganization of the grades concerned mandatory upon local districts. As will be pointed out later, the States have decided that if the local district did establish an intermediate school certain standards should be met by the new school.

It is clear, none the less, in all such cases that the local community is under no compulsion to depart from the traditional plan! This condition obtains despite the almost unanimous indorsement of the reorganization movement by leading educational authorities, and the actual establishment of more than 700 junior high schools in more than 450 cities having a population of 2,500 and over.<sup>6</sup> The disinclination of State authorities to attempt to force the reorganization of the grades concerned upon local communities is eloquent testimony to the newness of the reorganization movement and the lack of experience with it on the part of teachers and administrative officials. One should understand further that the district which at the present time is maintaining the traditional 8-4 system is not in the unfortunate condition of the district which in the early days of the high school maintained no school at all above the elementary grades. The educational opportunity which the children now enjoy in the intermediate grades of the traditional 8-4 system, while now generally recognized as not the best, is still immeasurably better than *no* educational opportunity in those years. Educational authorities, moreover, are far from agreed at the present time as to what the junior high school is. Present indications are that a much longer period of widespread and industrious experimentation with the new school must pass before State authorities will be able to improve the situation by asking for the passage of laws which would compel local communities to establish junior high schools.

TABLE 1.—Junior high-school legislation in 18 States<sup>a</sup>

States	Pro- cedure and con- ditions of estab- lishment	Ad- ditional funds for general purposes	Wider distribu- tion of privi- leges	Ex- tension of facilities	Stand- ardiza- tion and classifi- cation	Pro- visions for ad- minis- tration of stand- ards
Alabama.....					X	
Arkansas.....					X	
California.....	X		X		X	X
Georgia.....	X					
Indiana.....	X		X		X	X
Maine.....					X	X
Maryland.....	X				X	X
Massachusetts.....			X			
Minnesota.....		X			X	
Nevada.....					X	X
New Hampshire.....	X				X	X
New Jersey.....	X				X	X
Ohio.....	X				X	X
Pennsylvania.....						X
Vermont.....	X		X	X	X	X
Virginia.....		X			X	
West Virginia.....	X				X	X
Wisconsin.....	X			X	X	X
Total.....	10	2	4	2	15	12

<sup>a</sup> Florida school law provides for "junior high schools," but these schools comprise only the first two years of the traditional high school.

The Kansas law, while authorizing the State board of education to extend the rural high-school course to include work equivalent to the seventh and eighth grades, does not seem to have reference to the new type of reorganization; hence inclusion here of this law is not considered warranted under the definition of junior high school legislation on which this bulletin is based.

<sup>b</sup> U. S. Bu. of Educ.: City School Leaflet, No. 12, p. 1, September, 1922.

2. *Financial support for general junior high-school purposes.*—In Chapter I it was pointed out that special financial aid from the larger units for general purposes is recognized by more than a majority of the States as a useful method of encouraging the development of secondary education. In the second column of Table 1 it may be observed that only two of the States thus far have adopted this form of encouragement for the junior division of secondary education. In Minnesota each junior high school receives \$300 for general purposes. In Virginia each such school receives \$800. It is apparent that most of the States are pursuing a conservative policy as far as additional support for general purposes is concerned. Seemingly the time is not ripe for an extensive employment of this means of developing the junior high school. The legislatures and the general public are not convinced that the educational opportunity which is offered in the new school is sufficiently superior to that of the traditional school to warrant the offering of substantial financial reward for reorganization. It is also a matter of common knowledge that the reorganization which has been effected in many communities, which claim to have established junior high schools, amounts to little more than a change of name and is not sufficient to justify the provision of additional funds. The fact that educational authorities are not in agreement as to what features constitute the new school would tend to confirm the public in its conservative attitude. The recently increased tendency to scrutinize and question expenditures for education would also cause State authorities to hesitate before embarking upon a policy of special financial support which would eventually call for the appropriation of large sums of money. When, in the course of further and more ample experience with the reorganization movement, the situation is improved with respect to the points above mentioned, it is conceivable that the States will be able to employ the plan of special support for general purposes with as great advantage to the new school as to the high school.

3. *Wider distribution of the privileges of the junior high school.*—The case of the pupil who desires the superior educational opportunity which can be provided by the junior high school, but who resides in a district which has not organized such a school, has already claimed legislative attention in some of the States. One may observe from the third column of Table 1 that four States have enacted laws in favor of such pupils. In California the law provides that "the board of trustees of any school district not situated in a high-school district maintaining a junior high-school course may permit pupils of their district who have completed the sixth year of the elementary school to attend any junior course in any high-school district, and may pay" a specified tuition charge

therefor. Boards of directors of nonjunior high-school districts in Vermont may make arrangements outside the district for the first two years of instruction for their junior high-school pupils. The Indiana law directs that transfers or admissions to a district maintaining an intermediate school shall be granted by the board of trustees concerned on request, and in conformity with existing transfer laws. The situation is similar in Massachusetts. A further step is taken in a section of the California law which provides that school districts which are situated in a high-school district maintaining a junior high school "shall" permit pupils who have completed the sixth year of the elementary school to attend the junior high school and pay the specified tuition. An advanced position is taken in the State of Vermont when districts are permitted to provide transportation of their pupils to a junior high school. If this is not feasible the district may pay for the board of such pupils and look to the State for a portion of the funds required therefor.

Although the above laws provide for pupils who do not have any educational opportunity of intermediate school grade in their home districts—not even that of the traditional school—the benefits of these laws are not limited to such pupils. The texts of the laws imply that the educational opportunities which are offered in the reorganized school are superior to those of the traditional school. The extent of the superiority is great enough to justify local districts which do not maintain reorganized schools in sending their children to more favored districts. The advantage is great enough in the opinion of the Legislature of California to justify compelling an elementary district, which is within a high-school district maintaining a junior high school, to send its children to that school.

With increasing experience on the part of teachers and administrators, the probability is that the superiority of the reorganized school will become more and more pronounced. Local districts which have adequate financial resources and a large enough school population in the grades concerned should be encouraged to maintain junior high schools, and smaller contiguous districts should be encouraged to send their children to these schools. Laws of the above type have produced desirable effects of this kind in the case of the high school, and there appears every reason to believe that they may be employed with equal success in the development of the junior high school.

4. *Provisions for extension of plant or industrial facilities by means of financial aid for special purposes.*—A glance at the foot of column 4, Table 1, discloses the fact that the States have exhibited a very conservative attitude toward the question of stimulating the extension of plant and instructional facilities in the junior high

school. Their attitudes in this instance and in that of additional funds for general purposes, which was described in section 2 above, are similar. The data which are presented in other sections of this chapter show that in more than one-third of the States laws have been passed concerning various other phases of the reorganization movement. When the question was one of additional funds, however, favorable legislative action has been taken in only four of the States. In respect to funds for special purposes, only Vermont and Wisconsin have acted. In Vermont "vocational courses" are subsidized to a certain extent. In Wisconsin, junior high schools receive one-half the cost of instruction from the State, not exceeding \$500, and for instruction "in agriculture and other industrial subjects" an additional \$100 is given.

The present reluctance of legislatures to provide additional funds for the junior high school on the generous scale that was exhibited in the earlier case of the high school is not due to a lack of valuable features in the new school the introduction of which entails burdensome costs upon local districts, nor is there any reason to believe that such features would fail to respond to this form of stimulation were it applied. On the contrary, the fact that the response is almost certain to be vigorous and to extend to all local districts is probably a very influential factor in the legislatures' conservatism. When the policy of State aid to local communities is inaugurated it is always difficult to estimate precisely the amount of money which will be involved eventually and to foresee the nature of the activities which will result from the stimulant. Moreover, once entered upon, it is almost impossible to change or withdraw from such a policy. Up to the present time legislative interest in the new school has taken effect for the most part in explicit legalization and in the setting up of standards. Ordinarily the standards are flexible, are described in very general terms, and tend to assume advisory rather than mandatory forms. In this manner the legislatures have recognized the newness of the reorganization movement and its experimental character. They appear to accept the views of leading educationists, who declare that the time has not yet come for the crystallization of the movement and who refuse to predict what the junior high school will be or ought to be a decade hence. Under these circumstances it is difficult to select from the long list of valuable features associated with the new school those features which are most deserving of encouragement by special financial aid. As long as this condition obtains it is not improbable that legislatures will tend to limit their efforts in behalf of the reorganization movement to general encouragement and guidance rather than to accept the

responsibility for any particular features of the movement which would be assumed by offering financial aid for special purposes.

5. *Standardization and classification of junior high schools.*—The position of the junior high school as the middle division of the public-school system makes the definition of standards for the new school inevitable. Its situation is similar in this respect to that of the high school. At the beginning of their existence as separate organizations many of the reorganized schools inherited laws concerning standardization from both elementary and high schools. In many cases laws which had to do with the work of the ninth grade, for instance, as a part of the high school, continued to affect that grade even after it has been reorganized as a part of the junior high school.<sup>7</sup> In addition to these laws, and despite the newness of the reorganization movement, a number of the States have enacted legislation concerning the standards which relate expressly to the new school. Examination of column five, Table 1, shows that nearly all of the 18 States in which junior high school legislation has been passed have given attention to the question of standards.

In some States the statutes avoid all detail concerning standards, refer to them in the most general terms, and merely direct that such regulations as may be set up by the State educational authorities shall be followed. This is the situation in New Jersey and Pennsylvania. In other cases the laws refer directly to specific items, such as the course of study, certification of teachers, admission requirements, grades included, etc. Ordinarily the measures which relate to the course of study authorize local boards to arrange such a program of studies as they desire but subject to the approval of the proper State authorities. Measures of this kind give large consideration to local initiative and local needs and encourage widespread experimentation. Examples of such legislation are found in the laws of California, Indiana, and Maine. In Wisconsin the law requires a junior high school to include domestic science and either manual training or agriculture in its course of study. In West Virginia the State board of education is directed to prescribe the program of studies. The situation is similar in Vermont, with the exception that the board is directed to include "vocational opportunities." The duty of determining requirements for certification of teachers is placed in the hands of the State boards in West Virginia and California. The law in California, however, describes certain definite requirements for the guidance of the board. The preparation of the teacher must include training which is the equivalent of at least three years' work at the University of California,

---

<sup>7</sup> Such laws are not discussed in this report, as they do not refer explicitly to the new school.

including courses in education equivalent to the minimum required by the State board; this preparation must be certified by a recommendation from the department of education in which work was taken. Other legislative requirements for certification of teachers are found in the laws of Indiana and Maryland. In Indiana teachers are required to hold licenses covering, in addition to English and science of education, only the subjects they are required to teach. In Maryland a certificate in the academic subjects calls for the completion of three years of standard college work, including six semester hours in professional subjects. In all three States the requirements emphasize the necessity of adequate academic preparation, as well as extended training in professional subjects. In each case the amount of training required is probably well above that which is possessed by the average junior high school teacher at the present time.

The question of what admission requirements should be met by pupils who apply for entrance to the new school has received legislative attention in several States. In Indiana the law mentions the conventional requirement, completion of the sixth year of the elementary school. In California the law exhibits a decidedly liberal character when it permits all minors to attend a junior high school "who have completed the work of the sixth grade, and such other minors 13 years of age or over as are, in the judgment of the principal of the junior high school and of the superintendent having immediate jurisdiction thereof, capable of doing the required work."

Very little legislation has been enacted concerning textbooks for the new school. In one State, Indiana, the State board of school book commissioners is charged with the duty of adopting suitable books. In Arkansas, on the other hand, the State textbook commission is expressly relieved of the duty of selecting books for the junior high school. By this provision the new school is freed of the limitations of a hasty standardization and of the dominance of the traditional majority. Full opportunity is given to local school officers to experiment with various subjects and methods of instruction with a view to discovering what best meets the needs of their respective communities.

Report forms suitable for the junior high school must be prepared by the State board according to the law of Indiana. In Ohio attention has been directed to the question of how much senior high school credit should be given to graduates of intermediate schools. The law declares that such credit as the superintendent of public instruction directs shall be given. The question of credit in the next higher school is merely one element of many which constitute the general and ever-present problem of articulation between upper and

lower divisions of the school system. With the number of reorganized schools continually increasing it is probable that, in many of the States, legislatures or other State authorities will be called upon to deal with this problem in one form or another in the near future.

One of the most important features to be standardized about any division of the school system is the number of years' work or the grades which the organization is to include. In fourteen of the States laws have been passed concerning this feature of the junior high school. A single group of grades is designated as comprising the new school in certain States, and in others two or more different groupings of grades are legalized by statute. In five States, Alabama, Minnesota, Nevada, New Jersey, and Wisconsin, grades seven, eight, and nine, and these grades only, are expressly named in the law as constituting the new school. The same grades are implied in the Ohio law's reference to the 6-3-3 plan. In Vermont the junior high-school course consists of four years work above the sixth year of the elementary school. The New Hampshire statute states that the upper grades of the elementary school may be organized as a junior high school, but fails to name specified grades. A similar condition is found in Virginia, where the statute briefly mentions two-year high schools organized as junior high schools without designating specific grades. Several of the States, on the other hand, explicitly admit a wide range of variation in the grades to be incorporated in reorganized schools. In California the law designates two acceptable plans—grades 7, 8, and 9 in the one case; and 7, 8, 9, and 10, in the other. In Indiana the course is described as either two or three years in length above the sixth grade, and in Maryland as including the higher elementary grades and one or two of the high-school grades. The last two elementary grades and "no more than" two years of the high school are included in Maine. An even less rigid provision is found in the law of West Virginia when reference is made to the 6-3-3 plan with the statement following "or of any other plan recommended by the State board of education."

The facts here presented show that nearly all of the States which designate grades base the new school upon an elementary school of six years. There is perhaps more widespread agreement on this point than on any other which legislatures have considered. The great diversity of practice among the States in respect to grades included is but another evidence of the youth of the reorganization movement. There is, however, an unmistakable tendency to favor grades seven, eight, and nine. In the statutes of 10 of the 14 States, these three grades are either the only explicitly named plan or one of several so named. The tendency to accept two or more plans in the same State is also noticeable. Legislatures in 6 of the 14 States have adopted this policy. On account of conditions which obtain in

various kinds of local communities, and which are too well known to call for description here, it is sometimes advisable to introduce the new school as comprising only grades seven and eight. In other cases other grade groupings are most appropriate to the community. In all cases the policy of accepting more than one plan gives larger scope to free experimentation under local conditions, which, in the present stage of the reorganization movement, is of the greatest value.

Another question which has been brought up for legislative decision is—to which of the two divisions of the public-school system, elementary or secondary, does the junior high school properly belong. In all three of the States in which laws bearing directly on this point are found the new school is classified with secondary education. In California it is expressly named as one of the six types of schools which are included in the secondary division. In this State, where elementary and secondary education are supported by separate taxing units, it would be necessary to classify the new school immediately with one of the two divisions or else arrange for an additional taxing unit. The seventh and eighth grades are recognized as high-school grades in Pennsylvania if they are organized with a junior high school or a six-year high school. Otherwise they are classified as elementary grades. The Virginia law also associates the junior high with the high school. In each of these cases it is apparent that the law intends to have the new school assume the distinctive characteristics of secondary rather than elementary education, and be guided in its unfolding by the administrative organization which has been set up by the State for the supervision of the high school.

In the paragraphs on standardization and classification of high schools in Chapter I, reference is made to the practice of classifying high schools into first, second, or third class groups, according to the extent to which the prescribed standards are achieved. This practice has not yet been applied to the junior high school by explicit legislative direction. Nor is such action on the part of law-making bodies to be expected, until a greater clearness appears in the minds of professional school men as to what features should constitute the minimum essentials of the new school.

6. *Provisions for administration of State laws on the junior high school.*—In the previous chapter it was pointed out that the States had organized a certain amount of central administrative machinery to carry out the provisions of the laws which relate to the high school. A similar necessity has arisen in the case of the new school, even though the total volume of legislation concerning it is comparatively small. The practice has not been to create additional administrative bodies to supervise the new school, but rather to extend the

authority of existing bodies. As may be observed in the last column of Table 1, 12 of the 18 States have explicitly rested administrative authority over the new school in the State board of education and the State superintendent of public instruction. In Indiana the State board of schoolbook commissioners is named as having special jurisdiction over certain curricular features of the intermediate schools. In some cases the authority which is conferred by the law is merely that of approving or disapproving the plans of local districts. In others the central State officers are directed to issue regulations which are mandatory on local communities. The tendency is to outline the duties of the State board or the State superintendent in general terms only, and leave the determination of details in the hands of the professional school men who constitute their staffs.

The staffs of the various State departments of education at the present time include a larger proportion of persons with adequate professional training than ever before. Such persons are in a position to appreciate the significance of the reorganization movement and give it a quality of technical guidance which their predecessors were often unable to give to the high school. In almost all of the States they have accumulated, in the practice of State supervision, a large amount of valuable experience which can be used to good advantage in guiding the new school. Nor is it yet certain that voluntary regional associations of junior and senior high-school officers and teachers will exercise as great an influence on the junior high school as similar associations of secondary school and college authorities have exercised on the high school. A general acceptance of the new school throughout the Nation would produce a very large number of junior high schools. It is conceivable that the numbers may be of such magnitude as to render the forming of interstate associations impracticable. In the more populous regions, at least, the number of junior high schools in any one State would constitute as large a group as should be associated for purposes of effective regulation. The question of standards is very much less a matter of interstate interest in the case of the junior high school than in the case of the high school, for the reason that the graduates of the former continue their education for the most part in their own local communities. And since both junior and senior schools are divisions of the public-school system their relations may be the more easily supervised by State authorities than the relations of secondary schools and colleges. It is clear, also, that generous provisions for State aid of junior high schools, which are by no means improbable, would further emphasize the significance of the State departments of education in the development of the new schools,

since the standards and regulations upon the basis of which the new funds would be distributed would probably be determined by these departments. All of these facts seem to imply that the States are prepared, and may find it expedient in the near future, to exercise through the departments of education as great, or even greater, influence over the growth of the reorganized schools as they have over the high school.

Up to the present time the legislatures have manifested little or no interest in the question of inspection of junior high schools. Comparatively little active concern over the standards of work and subjects of study which obtain in the new school has been shown by college and university authorities. There appears, therefore, little likelihood of a demand for State inspection from this quarter. Probably a large majority of the reorganized schools are now located in the more populous communities, which themselves are able to provide adequate supervision. As long as these conditions obtain it is possible that very little attention will be paid by law-making bodies to the question of inspection.

## Chapter III

### THE ORGANIZATION OF JUNIOR HIGH SCHOOLS IN STATES HAVING NO LEGISLATION RELATING EXPLICITLY THERETO

It was pointed out in Chapter II that legislation which relates explicitly to the junior high school has been passed in only 18 of the States. In the 30 remaining States no legislation of this kind has been enacted. In practically all of the 30 States, however, junior high schools are reported to have been organized. It is clear that in a majority of the States of the Union the general school law is broad and flexible enough to permit the organization of intermediate schools without special legislation. In order to ascertain the conditions under which the organization of such schools may proceed, a questionnaire was addressed to the superintendents of public instruction of each of the States concerned. The following three questions were asked: (1) Do the general school laws of your State make it possible for a local school district to establish a junior high school without referring the matter to State authorities? (2) Are there any regulations of State educational authorities which make impossible or restrict or hinder the development of junior high schools as separate organizations? (3) What formal procedure \* \* \* is necessary on the part of a local district before a junior high school can be established?

*Conditions under which junior high schools are organized.*—The replies to these questions show that the conditions under which reorganization may go on, vary in the different States. In a majority of the 30 States the local district is free to establish junior high schools on its own initiative and according to its own plans. In some cases the State departments of education prepare pamphlets for the assistance of local authorities in their reorganization work, but the latter are free to accept or reject the suggestions which are offered. This condition obtains in Arizona, Illinois, Kansas, Michigan, Missouri, Nebraska, Texas, and other States. Several States in this list report comparatively large numbers of junior high schools. In these States the extent and quality of reorganization are permitted, apparently, to vary with the wealth, educational traditions, etc., of the local community. The actual work of the junior high school in any community, however, is based upon long years of experience with the same grades under the traditional organization. Because of this fact the probability is that the grossest

errors of reorganization are escaped by nearly all communities which are sufficiently ambitious and progressive to attempt the junior high school. And the most fortunate communities are free to attain higher standards of reorganization than would be required in any State. The general school law in other States allows local districts to initiate the junior high school (or any other school) subject to the approval of the State educational authorities. In Connecticut, for example, standards for intermediate schools are published by the State board of education and application must be made for State approval. The situation is similar in New York. In Louisiana the approval of the State department is given after inspection of the applying school. The State board of education in Washington has ruled that junior high schools may not be established by districts, other than those of the first class, without the consent of the State superintendent of public instruction. A similar situation exists in Delaware. There is a marked similarity in the conditions which surround the new school in the States of this group and in the States which have passed legislation explicitly concerning it. In both groups of States the State department of education is directed to oversee the work of reorganization, and the same types of supervision and administration are put into effect. In the former case, however, the authority is exercised under the provisions of general school law which are applicable also to other divisions of the school system, whereas, in the latter case the law refers directly to the reorganized division.

In one State only the organization of a junior high school is reported to be impossible under existing law. The reply to the questions from Tennessee states that the junior high school does not exist in that State, and that legislative enactment will be necessary before such schools may be organized.

¶ *Status of the ninth grade in junior high schools.*—Very early in the development of the reorganization movement the question was raised as to the eligibility of the ninth grade to share in special high-school funds when that grade was organized with the junior high school. In Chapter I it was pointed out that additional funds for either general or special high-school purposes are provided in a large number of the States. Refusal on the part of State authorities to distribute to local districts the proportion of such funds that was due to the ninth grade, if that grade was organized with the junior school, would operate in a powerful manner to exclude the ninth grade from the new school. The tendency would be to include the seventh and eighth grades only. A serious limitation would be placed on the freedom of local districts to experiment with the seventh, eighth, and ninth grade form of organization. In order to ascertain the prevailing practice in this matter letters were sent

to the superintendents of public instruction in the States which have no legislation relating explicitly to the new school. The superintendents were asked if under present laws a ninth-grade pupil, in a separately organized junior high school, would be rated as a high-school pupil in respect to the distribution of State and county funds on the basis of high-school enrollment or attendance, and in respect to the payment of high-school tuition. Replies were received from 25 of the 30 States without junior high legislation. In several of these States the question had not been raised in an acute form. This was the situation in Wyoming and Rhode Island, where few, if any, reorganized schools are reported as including the ninth grade, and in Tennessee, where the junior high school is reported as not in existence. Nor had the question been raised in a group of States where no additional State funds are distributed to high schools in such a manner as to depend in part on the number of pupils in the ninth grade. This situation was reported from Texas, Louisiana, Illinois, Florida, and Arizona. In practically all of the remaining States the inclusion of the ninth grade with the junior high school makes no difference in the distribution of State funds which were due to that grade in the traditional organization. Even in the States where explicit junior high school legislation has been enacted the new law seldom touches the question of the distribution of special high-school funds. In both groups of States the central educational authorities are in position to interpret the law. In most cases where the question has been raised they have ruled that funds which were distributable to a district on account of the ninth grade were due regardless of the division of the school system in which that grade was incorporated. The effect of these rulings has been to maintain the financial status quo and minimize the amount of disturbance which is inevitable with the organization of a new division within the common-school system. The entire incident affords an excellent example of the flexibility of American school law and the adaptability of the school system to new conditions.

## Chapter IV

### REPORTS OF STATE DEPARTMENTS OF EDUCATION CONCERNING ADDITIONAL JUNIOR HIGH-SCHOOL LEGISLATION

The first three chapters of this report are concerned with legislation which has already been placed upon the statute books, or with the conditions under which junior high schools are organized without the aid of special laws. The object of the present chapter is to describe the problems of reorganization which are likely to be brought to the attention of legislatures in the immediate future. Such problems grow out of the existence of old laws which hamper the work of the new school, or out of the efforts of progressive educational forces to refine objectives and constructively improve the conditions which surround the new school. It was felt that more information could be obtained concerning probable legislation from the State departments of education than from any other single source. The officers of these departments are in excellent position to observe the operation of all divisions of the public-school system; inspectors visit the schools in all communities, and serious educational disputes are referred to them for decision. Sooner or later most of the educational problems of the State come to their notice. By virtue of their close contact with the political situation, the departments ordinarily are well advised on questions which are likely to receive legislative attention. Accordingly, inquiry was made of the State department of education in each of the States concerning (1) any laws which operate to prevent or hinder the reorganization movement, and concerning (2) legislation which is needed to facilitate the development of the junior high school. In each case the respondent was asked to confine himself to the situation which existed in his own State.

1. *Laws preventing or hindering reorganization.*—The replies from 39 of the States declare that there are no laws which hinder or prevent reorganization. In four States, however, the formal eighth-grade examination is mentioned as an obstacle. This condition exists: In Iowa; in North Dakota, where the examination is given in all schools except classified high schools; in South Dakota, where the department makes out the questions for the seventh and eighth grades; and in Washington, where the eighth-grade examination interferes "to a certain extent \* \* \* in the reorganization of

subject matter." The eighth-grade examination obtains in New York also, but the reply to the question from that State indicated that "the examinations do not necessarily interfere with the organization of junior high schools." In Montana the dual management of schools in towns where county high schools are located makes the establishment of the junior high school difficult. County high schools are organized in 22 towns of the State, and in all such towns this legal obstacle exists. From the four States, Colorado, Louisiana, New Mexico, and Oklahoma, no reply was made to this question. The States which are hampered by the eighth-grade examinations can easily rid themselves of this difficulty. No great disturbance would be caused in the school system by the adoption of simple legislative measures which would have the effect of exempting communities that had organized junior high schools from the examinations. The difficulty in Montana is more complex and far-reaching. When the situation is viewed in its entirety, however, the fact which stands out most strikingly is the very slight amount of legal difficulty which lies in the way of a movement of such magnitude as the junior high school. This situation stands as additional evidence of the remarkable flexibility of the American public-school system.

2. *Legislation needed to facilitate reorganization.*—From 33 of the States replies were made to the question: What legislation is desirable and feasible for facilitating the development of junior high schools? In 22 cases the reply was to the effect that no additional statutes were desirable. It is a fact of no little significance that two-thirds of the States which replied are satisfied with conditions, in so far as legal guidance and opportunity for the new school are concerned. A more ample explanation of this attitude is given in Chapter V. From 11 of the States, however, further legislation is reported as desirable. A detailed statement of the desired laws is given below under the rubrics which were used to classify the various types of laws in previous chapters. In Washington a statute permitting or recognizing the establishment of the junior high school is wanted. A similar need is felt in Nevada and New Jersey.\* Additional financial support for general purposes is desired in six States. In Massachusetts special State aid would be particularly helpful to the six-year high school in small communities. In California the change which is desired is an increase in the county high-school aid to \$60 per pupil for all junior high-school grades. (At the present time county aid for elementary pupils is only \$30.) Such legislation would have the effect of in-

\* The bills, which were before the Nevada and New Jersey Legislatures at the time this question was answered, were passed (as described in Chapter II) and the desired recognition was granted.

creasing the county allowance for pupils in the seventh and eighth grades of junior high schools from \$30 to \$60. In Pennsylvania legislation which would tend to equalize the salaries of junior with senior high-school teachers upon the basis of equal educational qualifications would be helpful. The replies from Alabama, Montana, and New York also declared in favor of State financial aid for general purposes. It is significant that the type of financial aid which is desired is general rather than specific. Apparently the intention of the departments is to stimulate the local community without limiting its freedom. Under "standardization" are classified replies from Pennsylvania and Ohio. Provision for reorganization of the program of studies and for a more general recognition of the seventh and eighth grades as belonging to secondary education are what is desired in Pennsylvania. In Ohio authorization for a separate junior-high certificate is reported as needed. Only one provision for administration of the law was reported: The reply from West Virginia stated that an inspector for junior high schools was needed. In no State was mention made of legislation which would provide for a wider distribution of the privileges of the new school. -

It is interesting to observe that a larger number of the State departments are concerned over additional financial aid than over any other type of legislation. This situation is highly significant in view of the fact, which was set forth in Chapter. II, that only four of the States have passed laws concerning additional financial support for the new school up to the present time. The implication is that conditions may be developing which call for a wider application of this form of stimulation.

## Chapter V

### THE PROBLEM OF LEGISLATIVE STIMULATION OF THE JUNIOR HIGH SCHOOL

#### SIGNIFICANCE OF THE PROBLEM

The reader who has thoughtfully examined the data which are presented in this report can scarcely have escaped the general question of the desirability of stimulating the junior high school by means of legislative action at the present stage of its development. In the case of the high school there can be no doubt that good effects for the most part have followed the intervention of law-making bodies in its behalf. On a comparatively small scale, as was pointed out in Chapter II, efforts are now being made to serve the junior high school in a similar way. Laws have either been passed or are under consideration in a number of the States. In others, legislation will be necessary for the removal of legal obstacles which are hindering reorganization. On the other hand, the new school is undergoing active and successful development in many States under existing law, without the aid of special legislation. The question is: Why has legislative aid been invoked in some cases and why in other cases has it not been used?

Differences among the States in general school law account in part for this situation. Where large discretionary powers are vested in the State board of education, it is not absolutely necessary for the legislature to give special attention to the new division. In other Commonwealths, where the powers of the State authorities are narrowly limited, special action by law-making bodies is more likely to be demanded. It is beyond the scope of this report, however, to discuss in detail such differences in the fundamental school law of the various Commonwealths. Although such differences can not have failed to exert a certain amount of influence, the fact remains that legislation on the new school has been passed in States which give large discretionary powers to the central educational authorities, as well as in States where comparatively limited powers are given. It was patent early in the course of this investigation that other factors of equal or greater importance were actively at work in the situation. One of the most important of these is the fact that educational authorities, who are fully convinced of the desirability of the junior school, are by no means unanimously in favor of legislative stimulation. Furthermore, those who are in

favor of additional legislation entertain widely divergent views as to what kinds of laws will best serve the purpose.

In order to obtain accurate descriptions of these differences of opinion letters of inquiry were sent to college teachers of education (including a large number of professors of secondary education), to junior high-school principals, and to superintendents of cities which had reorganized schools. The intention was to include both advanced students of the theory of education and administrative officials who were intimately acquainted with the concrete details of actual practice. The list of college teachers and principals included the names only of people who had made contributions to the current literature on the junior high school. They were asked: (1) To check from the list of types of junior high-school legislation which appears in Table 2 those types which were needed to facilitate the development of the junior high school in their own States; (2) to add to the list any other types which were needed; and (3) to describe briefly the desired legislation. Letters numbering 151 were mailed and replies were received from 33 college teachers and 53 superintendents and principals. All sections of the country and 36 States were represented in the replies. The probability is that practically all of the more widely prevalent circumstances which influence the development of the new school are understood and were considered by the authors of these replies. For this reason it is believed that proponents of the junior high school who are interested in the question of legislation will find useful information in the discussion which follows, irrespective of the States in which they live. After a careful analysis of the data it was found that four different attitudes toward the question of additional legislation were discernable and that all of the replies could be classified under the following four heads: (1) No additional legislation is needed; (2) legislation for the removal of legal obstacles only is needed; (3) legislation in broad, general terms would facilitate reorganization; and (4) specific types of legislation are needed.

#### DIFFERENT ATTITUDES TOWARD LEGISLATION

1. *No additional legislation needed.*—Approximately one-sixth of the 86 replies took the position that additional legislation on the junior high school was not needed in their States. Several different reasons were given for this position. Professor Kirby, of the University of Iowa, expressed the opinion that legislation is not needed so much as reorganization of the junior high-school grades within the limits which are now possible. A similar opinion was expressed by Professor Merriam, of the University of Missouri, when he stated

that in Missouri no legislative action was needed on any of the five items (in Table 2), but that a great deal of "local action" is needed. Real growth must proceed from some "vital principle," according to a Missouri city superintendent. A clear and vigorous statement of the same general purport comes from Professor Butterworth, of Cornell University, in these words: "In my judgment New York does not need legislation to promote the junior high school. What it does need is a type of leadership that is awake to such a progressive step. There is now sufficient power in the hands of State officials to take the necessary steps, and additional and more specific legislation would be useless, if not impossible, until there is such leadership." In each of these cases, and in others not mentioned by name, the writers feel that the reorganization movement is not suffering from a lack of stimulation from above—from the legislature. Activity on the part of teachers, principals, and superintendents—in the improvement of local classroom, supervisory, and administrative conditions—is the greater need.

The disposition on the part of these writers to emphasize primarily the necessity for improvement in local districts appears to proceed from a recognition on their part of a political principle which is widely accepted in societies that are organized under democratic forms of government. This principle assumes that the function of the law is to formally recognize and extend customs which have freely and spontaneously taken root in the social soil, and which are now sanctioned by a substantial majority of public opinion. Any legislation in favor of education which represents an adequate majority of professional and popular opinion can scarcely fail of effect, and the benefits which are sought thereby are likely to be realized. On the other hand, laws which are not backed by a sufficient sentiment and understanding not only fail to affect the desired improvement but often work unforeseen mischief. In the opinion of the writers referred to, apparently, the reorganization movement in their States is in a preliminary stage of development. It is a time for growth in both theory and practice on the part of teachers, administrators, and the public. The time for legislation has not yet come, and laws in advance of their time are not desirable. It is an intelligently conservative point of view, and one which should be given careful consideration by all proponents of the new school who are interested in the question of legislation.

A second group of writers who are opposed to additional legislation point out other lines of action in favor of the new school which they believe should be undertaken by certain educational institutions. Professor Cook, of the University of South Dakota, for example, suggests that the accrediting regulations of higher institutions should

be changed in such a way as to recognize the ninth grade of an approved junior high school as equivalent to the first year of a four-year high school. Superintendent Moore, of Fargo, N. Dak., mentions definite recognition and formulation of standards by the State department of education and the State teachers' association as more desirable than legislation. In each of these cases reference is made to institutions which are closely connected with the junior high school and which bear certain responsibilities in relation to it. The inference of the writers is that what is needed in their States at the present time is appropriate action on the part of these institutions rather than on the part of the legislature. In pointing out the significance of these institutions in the reorganization movement, the above writers offer a suggestion which should not fail to receive the attention of educational authorities in any State who desire to stimulate the growth of the new school in all practicable ways.

A third group of writers who are opposed to legislation in their States take that point of view because they fear undesirable effects would follow legislative intervention. A junior high principal in Montana expresses the fear that special legislation for that division would tend to "segregate" it from other divisions of the system. This condition would tend to defeat one of the primary functions of the new school, which is to bridge the gap between the elementary and secondary divisions. The principal of a large junior school in an important manufacturing city of Ohio writes: "This school is still in its formative stage, and if it has the privilege of working out its salvation under proper guidance it will contribute much that is worth while. In this city we are told that the junior high schools are the most popular of all the educational institutions, and that they come closest to filling the definite needs of our city. \* \* \* We believe the junior high school should be permitted to do more experimenting along this line, and would oppose any legislation that would curb the tendency."\* The supervisor of junior high schools of Kalamazoo, Mich., states: "We have no legislation regulating the organization of junior high schools and desire none. We are very fortunate in that respect and can make our organization fit our local needs." A more general disinclination to invoke legislative influence is expressed by Director Barrett, of the University of Colorado, who says: "If desired results can be obtained without legislation, so much the better." Each of the three undesirable results which are apprehended by this group of writers is a matter of grave concern to all students of the reorganization movement. Aggravation of the problems of articulation between divisions of the school

\* The writer of this paper, unlike the other writers who are quoted in this section, was in favor of certain general types of legislation.

system, limitation of free experimentation under competent direction, and hampering of adjustment to local needs would effectively operate to retard the most wholesome development. Legislative intervention which produced these results would indeed be destructive. Fortunately, dangers of this kind are not inextricably bound up with legislative action. With due care it is possible to draft desirable laws in such a manner as to avoid such dangers. These difficulties, and any others which there is reason to apprehend, should be carefully studied by those to whom is intrusted the task of drafting legislation in favor of the junior high school.

2. *Legislation for the removal of legal obstacles.*—An attitude toward legislation which in some respects is similar to that described in section 1 above, and yet distinctly different from it, was set forth in 6 of the 86 replies to the questionnaire. These writers are opposed to additional legislation in general, but they specifically except and are in favor of such statutes as may be necessary to repeal or modify any existing laws which stand as obstacles to the reorganization movement. This point of view is clearly set forth by Professor Byrne, of the University of Iowa, in these words: "I think the chief need is likely to be modification of any existing legislation that might be a definite obstacle to development. I do not believe much is needed in the direction of promoting it." A second writer from the same State mentions the law prohibiting the teaching of foreign languages below the ninth grade as one which should be repealed. A third writer, from the State of Texas, names the State textbook law as one which hampers curriculum experimentation and which, therefore, should be repealed or modified.<sup>10</sup> Two other kinds of legal obstacles were mentioned in Chapter IV, section 1, namely, the compulsory eighth-grade examination and dual management in towns where county high schools are located.

None of the above-named laws which now appear to retard the growth of the junior high school was enacted with that object in view. The statute limiting the teaching of foreign languages was placed on the books when the country was suffering from the excitement of war. The several other laws were passed in their respective States before the reorganization movement appeared in force. In all of the States it is necessary from time to time to modify or add to the school codes. It is to be expected that so extensive a movement as the junior high school will continually exert a modifying pressure on existing school law. It is this force, apparently, that is recognized by the writers who are primarily interested in the repeal of legal obstacles. Adequate attention to such obstacles should be given by any group of educational workers who

<sup>10</sup> This writer also advocated legislation for financial support and standardization.

are interested in the modernization of the school law of their State, as well as by those who are concerned specifically with improving conditions for the junior high school.

TABLE 2.—Junior high-school legislation desired in 36 States

Type	By professors of education (33 in 21 States)		By superintendents and principals of junior high schools (53 in 28 States)		By professors, superintendents, and principals (86 in 36 States)	
	Number	Per cent	Number	Per cent	Number	Per cent
1. Establishment:						
(a) Recognition of.....	16	48.5	30	56.6	46	53.5
(b) Procedure in organizing.....	8	24.4	14	26.4	22	25.6
2. Financial support (State aid).....	13	39.4	22	41.5	35	40.7
3. Standardization and classification:						
(a) Definition of standards.....	15	45.5	22	41.5	37	43.0
(b) Recognition of ninth grade.....	14	42.1	24	45.3	38	44.2

3. *Legislation in broad, general terms only.*—Another group of writers believe that the situation of the new school can be improved by additional legislation, but they propose laws of the most general kind only. Their purpose is to recognize the new school by formal statute, in some cases to provide financial support, and leave all details to the State department of education. Four writers clearly and explicitly describe this point of view. A considerable number of the replies, which are discussed more fully in section 4, appear to represent a similar attitude. This inference was drawn concerning the writers who checked only the first type of legislation (Table 2) or (b) under the third type. These types relate, for the most part, to formal recognition. The point of view of the former group of writers is expressed by Professor Morrison, of the University of Chicago, in these words "Little or no legislation is needed other than what would be required to enable the State department and State university to recognize a redefinition of the secondary school to include the junior high." Professor Childs, of the University of Indiana, favors defining the junior high school as comprising various combinations of grades and leaving "all details to the State department of education to work out. If State aid is a policy in State administration, the law should provide for this under the classifications provided by the State department." The details of organization and standards are mentioned by Professor Jones, of the University of Pennsylvania, as items which "should be left to the State department of education."

After giving expression to a similar point of view, Professor Stoddard, of the University of South Carolina, indicated the reason for his attitude: "A State board rule is more elastic and adaptable than a rigid statute." Ordinarily the regulations which are passed

by the State boards can be easily changed. The members of the board can be assembled quickly and at almost any time. They are not as directly subject to the exigencies of political situations as are members of the legislature. Being few in number, having a single object of existence, and adequate time for consideration, they are more amenable to expert professional counsel. Greater allowances can be made by them for variations in local situations. These are the judgments which are implicit in Professor Stoddard's sentence of explanation. They are factors on account of which either the State board or the State department is able to perform certain kinds of duties more efficiently than the legislature. The extent to which this condition obtains varies in the different States. In some States the department of education exhibits an admirable form of organization, is manned by large numbers of well-trained professional school people, and is little disturbed by changing political conditions. In other States, however, the departments are still in politics and the personnel of the staffs, so far as professional training and educational vision are concerned, does not compare favorably with the administrative staffs of large numbers of the local school districts. It is clear that the former type of State department is in a far better position than the latter wisely to stimulate the development of the new intermediate school. In States where the department of education is of the latter type it is conceivable that the purposes of stimulation might be served best by the enactment of a few general laws in favor of the new school, leaving details to the administrative officials of the local districts rather than to the State department of education. In any case it is incumbent upon those who intend to encourage the junior high school to carefully study its needs in their State and the preparedness of the State department of education to assume responsibility for it. When this has been done it will be possible to determine what responsibilities would best be lodged with the State department and what new statutes should be asked of the legislature.

4. *Specific types of legislation are needed.*—A fourth group of answers to the inquiry proceed upon the assumption that legislation of the specific type is needed to improve the junior high school in the States represented. A larger proportion of the answers take this point of view than either of the other three points of view. The items which are classified under 1 (b), 2, and 3 (a) in Table 2 represent this attitude. There appears to be little difference of opinion between professors of education and superintendents and principals. Approximately equal percentages of these two groups favor each of the items mentioned. In the final column of the table it may be observed that none of the special types of legislation was favored by an overwhelming percentage of the answers.

Only one-fourth of the writers (25.6 per cent) advocated legislation concerning the details of organization procedure. Only 41 per cent were in favor of special financial aid, and only 43 per cent proposed laws which are classifiable as definitions of standards. There is a greater interest, apparently, in formal recognition of the new school as a regular division of the school system (53.5 per cent), or of the ninth grade of the new school (44.2 per cent). Items of this kind are more appropriately classified under section 3, legislation in broad, general terms only. The fact that none of the items in Table 2 was supported by a substantial preponderance of opinion may be due in part to the absence of replies from 12 of the States, and in part to the fact that in 18 of the States laws covering some of these items have already been passed.

The special laws which were described as desirable by this group of writers are similar, for the most part, to the special laws which are discussed in Chapters II and IV. Several additional items, however, were mentioned. An Arizona superintendent suggested legislation in favor of a separate accounting of junior high-school funds and costs. A junior high-school principal in Illinois suggested a provision which would have the effect of distributing to the ninth grade of the new school one-fourth of the special State high-school funds. An Indiana principal urged a law providing for the selection of special textbooks. The principal of a New York City experimental school is of the opinion that all graduation diplomas and college entrance requirements should be stated in terms of 12 units earned in the senior high school—an opinion which is in accord with a recently accepted report of the North Central Association of Colleges and Secondary Schools. A professor of education in Idaho names several items of standardization as proper objects of legislation, and suggests that thereby many schools which are junior high schools in name only might be made such in fact.

The desire of this group of writers for detailed legislation may be due in part to a conviction that the State departments of education in their States are not yet prepared to assume responsibility for detailed supervision of the new school. The significance of this point of view is discussed in section 3. On the other hand, their attitude may be attributable to a great confidence in the effective power of statutory law. The specific measures which they propose represent to them important needs of the reorganization movement. The surest method of satisfying such needs is to pass a law specifically providing for it. The question in that case is not left to the judgment of a centralized bureau—the desired provisions are explicitly incorporated in the law of the land. Intelligent and progressive school officials will quickly and willingly bring their schools in line with the law, and all others will be compelled to do so.

It is not necessary for the purposes of this report to enter into a discussion of the merits of this point of view. It will be sufficient again to call attention to the fact that conditions vary in the States, and that proponents of the junior high school in any State must study local conditions in their State before they will be able to reach wise decisions concerning the desirability of legislative stimulation or the types of laws which would best serve the situation.

An examination of the answers from individual States gives evidence of the fact that school officials of several States have cooperated in a study of the legislative needs of the new school in their States. In some cases nearly all of the writers from a State were in agreement on the question of the desirability of additional legislation. Five of the six replies from the State of Michigan, for example, express the opinion that no legislation is needed. Two of the writers are junior high school principals, three are college teachers, and one is a superintendent. With minor modifications they agree with the point of view of one of them, who says: "We are having no difficulty whatever in having the junior high school developed in Michigan. The laws are elastic enough as they are to permit all communities that wish to proceed to organize on the 6-3-3 basis." All three of the writers from the State of Missouri were practically agreed in their opinions. Thirty-nine replies were received from superintendents in the State of Washington.<sup>11</sup> A marked similarity of opinion was discovered in these replies. Of the superintendents, 92 per cent favored legislation recognizing the new school; 70 per cent favored special financial aid from the State; and 75 per cent advocated standardization measures. In each of the three States mentioned, it appears that the desirability of junior high school legislation has been widely discussed in the light of conditions which obtain within the State. When such discussion has taken place and general agreement of opinion has been reached, and not until then, are the advocates of reorganization in position to draw sound conclusions as to what laws, if any, are needed to improve the junior high school situation in their State.

---

<sup>11</sup> Data from replies from the State of Washington are not included in this report.

## APPENDIX

### Text of State Laws Relating Explicitly to the Junior High School

#### ALABAMA

(School Code and All Laws Relating to Education, Department of Education, State of Alabama, 1922.)

Article 5, Section 20. The public schools of the county shall include elementary schools, that is, grades 1 to 6, inclusive; junior high schools, that is, grades 7 to 9, inclusive; and senior high schools, that is, grades 10 to 12 inclusive.

Art. 6, Sec. 9. The county superintendent of education, subject to the provisions of this act, shall prepare and submit for approval and adoption by the county board of education, rules and regulations governing the conditions under which children may be admitted to junior and senior high schools of the county.

#### ARKANSAS

(Acts of Arkansas, 1917. Volume I.)

Act 112, Section 1. This section creates State text book commission.

Act 112, Sec. 2. That it shall be the duty of such commission to select and adopt a uniform series of books for use in all the public grade schools of this State; and the series so adopted shall embrace all the branches of study taught in the public schools up to and including the eighth grade, except in those schools where a junior high-school organization prevails in those grades commonly known as the seventh and eighth grades. \* \* \*

#### CALIFORNIA

(Codes and General Laws of California, Deering Consolidated Supplement, 1917-1921.)

*Section 1519a of the Political Code. The State board of education shall have power and it shall be its duty:*

Fourth (c). To prescribe by general rule the credentials upon which persons may be granted certificates to teach in the junior high schools of this State. No credentials shall be prescribed or allowed unless the same in the judgment of said board are based upon courses that are the equivalent of at least three years' work at the University of California and shall show satisfactory evidence that the holder thereof has taken courses in education, equivalent to the minimum amount of work in education prescribed by the State board of education, for said credentials and include a recommendation for a junior high-school certificate from the school of education or department of education of the institution in which such work in education shall have been taken.

Fourth (d). To consider the cases of individual applicants who have taught successfully for a period of not less than 17 months, and who are not pos-

sessed of the credentials prescribed by the board for the junior high-school certificate. The said board in its discretion may issue to any such applicant a junior high-school credential upon which he may be granted a certificate to teach in the junior high schools of the State. In such cases the board may take cognizance of any adequate evidence of preparation, which the applicant may present, but the standard of qualification in such special cases shall not be lower than the standard fixed by the board for the junior high-school credential provided for in section fourth (c) of the section.

Sec. 1617. The board of education of any city, or of any city and county, or the board of school trustees of any school district situated within a high-school district maintaining a junior high school shall permit pupils who have completed the sixth year of the elementary school to attend a junior high school established or provided by section 1750a of the Political Code, and shall pay to such high-school district for the education of such pupils, a tuition charge which shall be agreed upon by said board of education, or board of school trustees, and the high-school board maintaining such junior high schools: *Provided*, That such board of education or board of school trustees shall not pay to any such high-school board for educating a pupil residing in such elementary-school district and attending such junior high school a tuition charge greater than the average net cost per pupil for educating pupils in the first six years of the elementary school in said elementary-school district: *And provided further*, That such tuition charge shall cease to be paid after the pupil has completed two years of work in such junior high schools.

The board of school trustees of any school district not situated in a high-school district maintaining a junior high-school course, may permit pupils of their district who have completed the sixth year of the elementary school, to attend any junior high-school course in any high-school district, and may pay to such high-school district for the education of such pupils, by order on the county superintendent of schools, a tuition charge which shall be agreed upon by such board of school trustees and the high-school board maintaining such junior high-school course: *Provided*, That such board of school trustees shall not pay a tuition charge greater than the average net cost per pupil for educating pupils in the first six years of the elementary-school district wherein they reside, as ascertained by the county superintendent of schools: *And provided further*, That said tuition charge shall cease to be paid after the pupil has completed two years of work in such junior high-school course: *And provided further*, That the average daily attendance of all pupils from a district paying such tuition enrolled in the first two years of such junior high-school course, shall be kept separate and shall be credited to the elementary school district in which said pupils reside.

Sec. 1720. The secondary schools of this State shall be designated as four-year high schools, junior high schools, senior high schools, evening high schools, technical schools, and junior colleges.

Sec. 1750. The course of study for each high school shall be prepared under the direction of the high-school board having control thereof and shall be subject to the approval of the State board of education \* \* \* the course for junior high schools to fit the needs of pupils of the seventh, eighth, and ninth, or the seventh, eighth, ninth, and tenth \* \* \*

Sec. 1750a. The governing board of a county, a union, or a joint union high school district may establish a junior high school or a system of junior high schools only when a majority of the boards of trustees of the elementary school districts comprising such high-school district shall approve the organization of such course in writing, and shall file a statement of such approval

with the high-school board, or when at an election called for that purpose in the same manner as the election for the formation of the high-school district a majority of the qualified electors voting thereat shall vote in favor of such junior high school. The ballots used at such election shall contain the words "Junior High School—Yes" and "Junior High School—No." The result of such election shall be determined and certified to the superintendent of schools as provided in case of the election for the formation of the district. All minors who have completed the work of the sixth grade and such other minors 13 years of age or over as are, in the judgment of the principal of the junior high school and of the superintendent having immediate jurisdiction thereof, capable of doing the required work may be admitted to a junior high school.

Whenever the average daily attendance of pupils enrolled in the first two years of the junior high school of a district is less than 25 for any school year such junior high school shall be deemed to have lapsed.

### GEORGIA

(Georgia School Code, Published by the Department of Education, M. L. Brittain, State Superintendent of Schools, 1920.)

Section 107. The board of education of any county or municipality shall have the right to establish one or more high schools or junior high schools as in their opinion may be necessary and may be possible through local taxation funds.

### INDIANA

(Acts of 1919.)

*An act to provide for the organization and maintenance of junior high schools, for the course of study, and the licensing of teachers therein.*

Section 1. *Be it enacted by the General Assembly of the State of Indiana,* That boards of school trustees, boards of school commissioners, or township trustees, having in charge commissioned high schools, may prescribe junior high school or intermediate school courses of two or three years in length, and admit thereto pupils that have completed the sixth year of elementary school work. The first two years of such intermediate school course may include instruction in the subjects generally taught in the seventh and eighth grades of the elementary schools, and may include such other studies, including secondary, prevocational, and industrial subjects, as such boards of school trustees, boards of school commissioners, or township trustees may prescribe and the State board of education approve.

Sec. 2. Teachers employed in such junior high schools or intermediate schools shall be required to hold licenses only in the subjects they are required to teach and also in English and the science of education.

Sec. 3. It shall be the duty of the State board of school-book commissioners to adopt textbooks, to publish suggestive courses of study, and to devise report forms suitable to such junior high schools or intermediate schools.

Sec. 4. Transfers from other school corporations and admissions from other school districts in the same corporation to the corporation or school district maintaining such junior high school or intermediate school shall be granted by the board of school trustees, board of school commissioners, or township trustees concerned, on request, and in conformity with existing transfer laws.

## MAINE

(Laws of Maine, 1919, Chapter 98.)

Section 73. No school shall be regarded as a high school within the meaning of any of the provisions of this chapter unless such school shall be included in the following classes: Class A, Class B, Junior High School.

Junior High School: This class shall include such schools as maintain a diversified program of studies approved by the State superintendent of public schools, for such grades or years as he shall prescribe, throughout a school year of 36 weeks, provided, that the last two years of the elementary schools and no more than two grades or years of the high school may be included in such a school, and provided that the cost of maintenance may be taken from high school funds, or from high-school funds and common-school funds combined, in proportion to the cost of maintenance of the several grades. A school of this class may be maintained in connection with or as a part of a high school as provided in Class A of this section.

Sec. 74. A town, precinct, or union maintaining a high school, as defined in the preceding section, shall be reimbursed by the State for two-thirds of the amount paid from high-school funds for instruction in such school, but in no case shall more than \$500 be paid by the State to a town, precinct, or union in any one year.

Sec. 75. A town, precinct, or union maintaining a high school as provided in Class A of section 73 shall not be obliged to pay tuition under sections 85 and 86 of this chapter. A town, precinct, or union maintaining a high school as provided in Class B of section 73, or a junior high school as provided in the same section, shall not be obliged to pay tuition for any pupil until he has completed that part of the course of said school approved by the State superintendent of schools, or the equivalent thereof.

## MARYLAND

(Maryland Public School Laws, the State Board of Education, Baltimore, Albert S. Cook, State Superintendent of Schools, 1922.)

Section 55 (5). A junior high-school teacher's certificate in the academic subjects, valid throughout the State for three years, renewable on evidence of successful experience and professional spirit and six weeks' additional preparation in a standard institution, and valid for assistant teachers in all State-aided high schools of the second group and for teachers and principals in all State-aided high schools of the third group, may be granted to persons who have completed three semester hours in professional subjects.

Sec. 126. Nothing in this section shall prevent the organization of junior high schools comprising the higher elementary grades and one or two of the high-school grades; and such schools when organized according to regulations of the State board of education, and satisfactorily administered, may receive State aid on the basis of the amount of high-school instruction given.

## MASSACHUSETTS

(General Laws Relating to Education, 1921, Chapter 76.)

Section 7 (as amended by Chapter 272, Acts of 1921). For the tuition in the public schools of any town of any child over five years placed elsewhere than in his home town by, or there kept under the control of, the department of public welfare or the trustees for children of Boston, the commonwealth of Boston, from its appropriation for school purposes, shall pay to said town for each day of attendance in a public elementary school an amount charged

by the school committee but not at a rate in excess of the expenditure per pupil for support, exclusive of general control, of the public day elementary schools in said town for the next preceding school year based on the average membership of such schools as printed in the annual report of the department of education, and for attendance in a public junior or senior high school the regular rate established by the school committee for nonresident pupils, filed with and approved by the department of education.

### MINNESOTA

(Session Laws of Minnesota, 1921, Chapter 467.)

Section 5, paragraph 5. A junior high school shall be a school having a separate organization and employing a principal and two or more teachers giving instruction in the 7th, 8th, and 9th grades of the 12-year public school course. It shall be located in a school district which also maintains a 6-year elementary course.

Sec. 8, paragraph 6. For each junior high school with a school year of at least nine months the State shall pay a school district \$300 annually.

### NEVADA

(School Code, State of Nevada, Stats., 1923, 328.)

A junior high school within the meaning of this act shall be a school in which the seventh, eighth, and ninth grades are taught under a course of study prescribed or approved by the State board of education.

### NEW HAMPSHIRE

(Laws of the State of New Hampshire passed in 1919. Chapter 106.)

Section 25. An elementary school, as that term is used in the laws of this State, is any school in which the subjects taught are those prescribed by the State board for the first eight grades of the public schools. In addition to the kindergarten, if given, it shall present a program of eight years, and the upper grades may be organized as a junior high school and approved as prescribed in Laws of 1901, chapter 96, section 4. \* \* \*

### NEW JERSEY

(A bill introduced February 6, 1923, and referred to committee on education.)<sup>1</sup>

A supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support, and management thereof," approved October 19, 1903.

*Be it enacted by the Senate and General Assembly of the State of New Jersey:*

1. Hereafter any school district in this State having a school enrollment of at least 100 pupils in the seventh, eighth, and ninth grades may, with the consent of the State board of education, establish and organize such grades into an intermediate school.
2. Such intermediate school to be subject to the rules and regulations which shall be prescribed by the State board of education.
3. The county superintendent of schools shall on or before the 1st day of April in each year apportion to the school districts that have or may establish an intermediate school under the provisions of this act, as provided in

<sup>1</sup> A letter from the State department states that this bill became Chapter 69, Laws of 1923.

chapter 112, Public Laws, 1917; provided that such intermediate school shall have been approved by the State board of education.

4. This act shall take effect immediately.

5. All acts inconsistent with this act are hereby repealed.

### OHIO

(Laws of Ohio, Volume 107, 1917.)

Section 7651. The high schools of the State shall be classified into schools of the first, second, and third grades. The superintendent of public instruction shall formulate standards under which the high schools of the State shall be administered. The superintendent of public instruction shall formulate a policy for the recognition of intermediate schools (junior high schools) and for public schools dividing their course as follows: Six years elementary, three years intermediate, and three years high school. Graduates of intermediate schools shall be given such high-school credit as the superintendent of public instruction may direct.

### PENNSYLVANIA

(The School Law and an Appendix, 1921.)

Section 1701. The term elementary school or elementary course shall apply to all grades not included among those recognized as high-school grades in the classification of the department of public instruction. A high school is an organization of grades 7, 8, 9, 10, 11, and 12, in cases where such grades, or any of them, are organized as part of a junior high school, a senior high school, or a 6-year high school, and are so recognized by the State board of education; but where such grades are not so organized grades 7 and 8 shall be classified as elementary grades. A complete high-school course is one requiring 4 years beyond an elementary course of 8 years or 6 years beyond an elementary course of 6 years. The superintendent of public instruction shall make such regulations as shall be necessary to insure proper standards for the various grades of the 12 years of the public-school course.

### VERMONT

(General Laws of Vermont, 1917, Chapter 61.)

Section 1293. A junior high school may be maintained in a town district, unless by arrangement an academy in such district is in effect made the public school thereof, where the number of qualified pupils to be conveniently accommodated reasonably warrants its.

Sec. 1294. Junior high schools shall have a four-year course, flexible in character, designed for the instruction of pupils who have completed the rural-school course for the first six years of the elementary-school course, and suitable to the number and needs of local pupils; and the State board of education shall arrange for a course of study, including vocational opportunities, appropriate to the needs of the pupils in the several communities. In a town district where a junior high school is established said board shall make the necessary readjustments of the course of study in the elementary schools.

(Laws of 1910, Act No. 59.)

Sec. 1270. Every legal pupil required to attend an elementary school, or required to pursue the first two years of the junior or senior high-school course, who resides at least one and a half miles from the school he is required to attend, may be furnished with transportation to such school, when-

ever feasible, and if not feasible such pupil may be furnished with board whenever necessary to afford him an opportunity to attend school. The State shall pay on account of such board not to exceed \$1 per week per pupil, and the town shall pay the remainder. Approved March 7, 1919.

Sec. 1297. The board of school directors of a town district not maintaining a junior or senior high school, or in which there is not an approved academy as provided by the second and fourth preceding sections, may, subject to the approval of the State board of education, arrange for the first two years' instruction of its junior and senior high-school pupils, or either, outside the district.

Sec. 1299. The expense of maintaining vocational courses in junior high schools shall be borne by the districts in which such schools are respectively located; and the State board of education shall annually, from the funds hereinafter provided, apportion such sum to reimburse such districts for such expense as will tend fairly to equalize the facilities afforded by such courses and the burden of maintaining the schools.

### VIRGINIA

(Chapter 32 of the Code of Virginia, 1919.)

Section 11, paragraph 12. The State board shall appropriate, out of the high-school fund, to the standard four-year high schools an amount not to exceed \$1,000, and to the two-year high schools organized according to plans prepared by the State board of education for junior high schools an amount not to exceed \$800.

### WEST VIRGINIA

(Acts of West Virginia, 1919.)

Section 85 of school law. County boards of education and boards of education of school districts shall have the authority to organize intermediate schools, or junior high schools, in connection with any or all schools under their control. Such schools may be organized as a part of a 6-3-3 plan of school organization or of any other plan recommended by the State board of education. It shall be the duty of the State board of education to prescribe courses of study for such intermediate or junior high schools, to prescribe requirements for teachers employed in the same, and to establish any other regulations for such schools that may seem to the board advisable.

### WISCONSIN

(Laws of Wisconsin Relating to Common Schools, C. P. Gary, State Superintendent, Madison, Wis., 1919.)

40.635. High school and junior high school defined: Junior high schools authorized and regulated.

(1) High school as used in this section is defined as a distinct organization of not less than four successive grades, the highest of which is the twelfth grade. Junior high school as used in this section is defined as a distinct organization composed of grades 7 to 9, or 7 to 10, inclusive. Senior high school as used in this section is defined as a distinct organization composed of grades 10 to 12, inclusive.

(2) Any district maintaining a district free high school, a union free high school, or a graded school in which five or more teachers are employed, may establish and maintain one or more junior high schools in the manner herein-

after provided. The laws relating to district and union free high schools shall govern in the establishment and maintenance of junior high schools in so far as such laws are applicable except as hereinafter provided.

(3) (a) No junior high school shall be organized in a district where the aggregate enrollment of pupils in the seventh and eighth grades for the preceding year shall have been less than 40.

(b) A junior high school organized in a district maintaining a district or union free high school or the equivalent thereof shall be composed of grades 7 to 9, inclusive.

(c) A junior high school shall employ at least three teachers, one of whom shall be qualified to teach manual training or agriculture, and one of whom shall be qualified to teach domestic science.

(4) (a) No general nor specific State aid shall be granted to a junior high school maintained in a district containing a senior high school, a district or union free high school or the equivalent thereof, except that for the purposes of determining the amount of State aid to be granted a high school the junior high school may be included with the senior high school; and satisfactory work in manual training, domestic economy, or agriculture in the seventh and eighth grades of the junior high school may be accepted as compliance with the requirements relating to these special courses in the two upper grades next below the high school and entitle a district to the aid as provided in paragraph (b) of subsection (1) of section 20.29 of the statutes.

(b) Any district not containing a district or union free high school or the equivalent thereof which shall establish and maintain a junior high school in accordance with the provisions of this section and the requirements of the State superintendent of public instruction shall be entitled to State aid as provided in subsection (2) of section 20.26 of the statutes.

20.26 Subsection (2). The amount of State aid for each graded school or junior high school shall be computed upon the following basis: For a graded school of the first class, \$300; for a graded school of the second class, \$200; for a junior high school, one-half the cost of instruction, not to exceed \$500; for a graded school of either class, or a junior high school in which special instruction in agriculture and other industrial subjects, as may be prescribed by the State superintendent, shall have been offered and presented in an efficient manner by a competent teacher and approved by the State superintendent, an additional \$100, provided a district receiving aid on account of a junior high school may also receive aid for a State graded school if such school shall have been maintained in accordance with the provisions of the statutes and the requirements of the State superintendents.

O