



INITIATIVE MEASURE 173

TO THE LEGISLATURE

Note: The ballot title and explanatory statements were written by the Attorney General as required by law; the ballot title was amended by the court. The complete text of Initiative Measure 173 begins on page 30.

Statement for

PARENTAL CHOICE SAVES SCHOOLS

Scholarship *vouchers create school choice*. Choice improves schools by making parents a partner in education. We know choice creates *competition*. To compete schools must offer a sound *basic education*. Smaller private schools are *safer*. With competition *education costs less*.

You know *competition is good*. You've seen competition produce services of *higher quality at a lower cost*. You can help taxpayers *save \$1 Billion a year by creating competitive schools*. That's why Nobel Prize winning economist Milton Friedman supports I-173.

CHOICE INCLUDES PRIVATE SCHOOLS

We see private schools educate as well as public schools at about *half the cost*. They find *better ways to satisfy their customers*. When parents pay tuition, *parents get involved*.

We see public schools get paid even when they do poorly. Without competition public schools have developed undesirable traits: declining quality, bureaucracy, drugs, violence, increasing costs and unresponsive employees.

The teacher union bureaucracy and their friends hate school choice. They are angry about I-173. They say competition is bad for schools. But we need choice *even if it makes the teacher union uncomfortable*.

CHOICE WILL MAKE EDUCATION GREAT

School choice is a civil rights issue. Families have the right to educate their children. You can help them choose the right school. Poor urban families especially need choice.

Official Ballot Title:

Shall the state pay scholarship vouchers for primary and secondary students to attend voucher-redeeming private or public schools of choice?

The law as it now exists:

The state has a constitutional obligation to provide for a general and uniform system of public schools. The state currently meets this obligation by operating a system of public-owned primary and secondary schools in every part

To remain strong America needs the best education in the world. Competition in the Atlanta Olympics brought out the best. Let's tap *the energy of competition to build the world's best education!*

For more information, call 1 (800) 494-6774.

Rebuttal of Statement against

Money? Vouchers save taxpayers at least \$1 Billion a year because private schools cost half of public. More good news. Taxpayers don't pay for private school construction!

Quality? In Seattle 40% of teachers send their children to private schools. Public schools won't "lose" dollars if they satisfy their "customers."

Accountable? Private schools are State regulated. Voucher schools can't discriminate illegally and their teachers have better credentials. They're out of business if parents don't choose them.

Voters Pamphlet Statement Prepared by:

RON TABER, Olympia, Sponsor; STEPHEN HOSCH, Olympia, Attorney; JOHN SPIERS, Wenatchee, Taxpayer, business owner, educator specializing in international trade.

Advisory Committee: DR. REED DAVIS, Seattle, Chair, King County Republican Central Committee; MARY SWOBODA, Poulsbo, Taxpayer, watchdog over local government spending; JIM HUTSINPILLER, Spokane, Taxpayer, retired business owner; JOHN BURKHOLDER, Lynnwood, Taxpayer, entrepreneur and 14 years as an educator.

of the state.

Although statewide educational standards are set by the Legislature, the Superintendent of Public Instruction, and the state Board of Education, the direct control of schools is held by local school districts. Each school district elects a board of directors with responsibility for all district schools, including the number and location of schools, choice of curriculum and textbooks within state guidelines, and the hiring of teachers and other staff.

Current law generally requires a student to attend school in the district where the student lives, although a student may attend school in another district if the two districts agree to the arrangement. Each school district has discretion to determine how its students will be assigned to a school. Most districts assign schools primarily by geographic area, but many districts offer some choice of school. Many districts have specially designed or experimental programs which are available to students on a non-geographic basis.

Under current law, the state provides financial support to students attending private schools only in limited

circumstances (such as contracts for special education or certain programs for dropouts).

Public schools are open to any citizen, and may not discriminate against any person on the basis of race, religion, ethnicity or national origin, color, sex, economic status or disability.

The effect of Initiative Measure 173, if approved into law:

The measure would set up a system of "scholarship vouchers" by which students in kindergarten through grade twelve could receive public funds to support attendance at any public or private school in the state. The state would be required to pay to each eligible student, each year, a scholarship voucher of at least fifty-five percent of the state and local government spending allocated to each annual average full-time student. The student could use the voucher for education at any public or "independent"

(continued on page 16)

Statement against

Washington voters should reject this radical plan to fund private schools using public school money. I-173 will mean less funding for public schools, higher taxes and lower educational standards.

PUBLIC SCHOOL STUDENTS LOSE WITH I-173.

I-173 gives private schools a tax-paid voucher for each student. That tax money comes *directly* from your neighborhood school's budget. Every voucher dollar means *less* money for public school students.

I-173 means communities can forget about improving public schools; they'll have to raise taxes just to keep the schools they have.

TAXATION WITHOUT REPRESENTATION.

Public money should be spent on public schools. I-173 lets private schools spend public money. They'll spend your tax dollars without being accountable to you, the taxpayer, or to your school board. That's taxation without representation.

SCHOOLS NEED HIGHER STANDARDS; I-173 LOWERS STANDARDS.

Your tax money should be used to *raise* standards in public schools. I-173 does the opposite. It exempts voucher schools from laws requiring high academic standards. It lets voucher schools hire teachers who don't have a teaching certificate — they don't even need a college degree!

I-173 promotes discrimination. Voucher schools can use your tax dollars to reject children based on academic ability, gender or religion. In fact, anyone with 25 students can get tax dollars to promote their views — even extreme views. It's wrong to use public money to discriminate against or exclude any student.

DON'T SHORTCHANGE PUBLIC SCHOOLS, KIDS AND TAXPAYERS. VOTE NO ON I-173.

We need to work together to tackle the challenges facing our schools. But I-173 is not the answer. It hurts our neighborhood schools. It's a radical giveaway of public money. It shortchanges kids and taxpayers.

Vote *no* on I-173.

For more information, call (206) 720-6216. Internet: <http://www.nwlink.com/~no173177>

Rebuttal of Statement for

I-173 forces taxpayers to pay for private voucher schools that have no public accountability, lower standards and uncertified teachers.

Worse, private voucher schools can pick, choose and reject students they don't want — and spend our tax dollars to do so.

Anyone with twenty-five students could create a private voucher school using public tax money — even extremist groups.

Reject this radical plan to fund private voucher schools with public school money. Vote *no* on I-173.

Voter Pamphlet Statement Prepared by:

BARBARA CASEY, Washington State PTA; ROSEMARY McAULIFFE, State Senator, Chair, Senate Education Committee; GRACE COLE, State Representative, Ranking Democratic Member, House Education Committee.

Advisory Committee: REV. DR. SAMUEL B. MCKINNEY, Pastor, Mount Zion Baptist Church; MARVIN STERN, Regional Director, Anti-Defamation League; HEATHER HEBDON, President, Washington Special Education Coalition; BILL BRUMSICKLE, State Representative, Republican Chair, House Education Committee; ALICE STOLZ, President, League of Women Voters of Washington.



INITIATIVE MEASURE 670 (continued from page 9)

The effect of Initiative Measure 670, if approved into law (cont.):

resolution asking Congress to call a United States Constitutional Convention to propose the "Congressional Term Limits Amendment." If Congress proposes a Congressional Term Limits Amendment, the measure instructs all members of the Washington State Legislature to vote to ratify such an amendment. If any member of either house of the Legislature fails to support this proposal, and subsequently seeks re-election, the measure would require that the statement "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS" be printed next to the candidate's name on the ballot.

Non-incumbent candidates for election to either house of the United States Congress, or to either house of the Washington State Legislature, would be given the opportunity to pledge to support term limits when filing for office. As to any candidate who fails to take such a pledge, the measure would require that the phrase "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" be placed next to his or her name on the ballot.

The Secretary of State would implement the terms of this measure, and candidates objecting to the placing of a notice by their names on the ballot could appeal to the State Supreme Court.



INITIATIVE MEASURE 671 (continued from page 11)

The effect of Initiative Measure 671, if approved into law (cont.):

mutually agreed to permit additional facilities.

The measure would require tribes to phase in electronic gaming. For the first year of operation ("Phase I"), a tribe would be limited to a total of 295 machines (plus three machines whose receipts would be dedicated to charity). Then a tribe would be eligible to move to "Phase II" gaming, with a total limit of 495 machines (plus five dedicated to charity).

Wagering limits and limits on hours of operation are set forth in the measure. No person under eighteen would be allowed on a Class III gaming floor during hours of operation, and no person under twenty-one would be allowed where alcoholic beverages are offered.

The compact would require all tribes to pay fifteen percent of their gross revenues from Class III electronic gaming activities to the state treasury. (For this purpose, "gross revenues" means total revenue from electronic gaming device wagers less amounts paid to players in the form of prizes.) Of this money, forty-five percent would be earmarked for salmon and fisheries habitat restoration and enhancement; forty-five percent would be distributed to counties for economic development; two percent would be distributed to the gambling commission to cover its regulatory costs; six percent would be distributed to counties containing tribal gaming facilities for public safety and emergency services, and two percent would be distributed to a new fund for local-charitable contributions.

The remaining eighty-five percent of the gross revenues would be retained by the tribes, and used to pay the costs of operation and for tribal government operations and programs, as decided by each tribe.

The measure would set minimum standards for electronic gaming devices, including technical descriptions and requirements for licensing of certain operations. For tribes that have existing tribal-state compacts, all regulations for Class III gaming facilities would be extended to the additional electronic gaming facilities authorized by the measure. No additional regulations would be required.



INITIATIVE MEASURE 173 (continued from page 13)

The effect of Initiative Measure 173, if approved into law (cont.):

(private) school willing to redeem such vouchers.

Any school with 25 or more students could become a voucher-redeeming school by indicating its intent and by following certain requirements, including periodic testing and annual audits and reports. No voucher-redeeming school could discriminate on the basis of race, ethnicity, color, disability, economic status or national origin. The measure would not prohibit privately-owned schools from discriminating on the basis of religion or sex, or on other lawful bases.

No school would be required to accept vouchers. Teachers in voucher-redeeming schools must either have a college education or pass a competency test, and would be supervised by a state-certified teacher. Voucher-redeeming schools would be entitled under some conditions to rent surplus classroom space in district school buildings. For students in kindergarten through grade six, a voucher-redeeming school would have to accept the voucher as full payment for a student's basic education. For students in grades seven through twelve, a private school could, in addition to accepting the state scholarship voucher, charge the student for a small portion of the cost of basic education, as detailed in the measure.

The measure also encourages the formation of public-owned "charter schools" and provides that such schools would operate under laws and rules no more restrictive than currently applicable to independent (private) schools. These standards differ from those applicable to public schools in several areas, including teacher certification requirements and compliance with performance-based education laws.



COMPLETE TEXT OF Initiative Measure 671 (cont.)

tribal-state compact.”

NEW SECTION. Sec. 4. To the extent that the terms of the compact in section 3 of this act vary from any terms in an existing tribal-state compact, the terms of the compact in section 3 control with respect to regulation and operation of electronic gaming device gaming operations.

NEW SECTION. Sec. 5. This chapter, being necessary for the welfare of the state and its inhabitants, must be liberally construed to effect the purposes of this chapter. Notwithstanding anything in this act to the contrary, this chapter and all of the terms of the compact in section 3 of this act must be interpreted in accordance with the provisions of IGRA, as it existed on the effective date of this act.

NEW SECTION. Sec. 6. The process provided in Laws of 1992, ch. 172, Sec. 2, as codified in RCW 9.46.360, do not apply to the compact in section 3 for class III electronic gaming.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. Sections 1 through 7 of this act are each added to chapter 9.46 RCW.

PLEASE NOTE

In the preceding and following measures, all words underlined do not appear in the State Law as it is now written but will be put in if the measure is adopted.

To obtain a copy of the texts of these state measures in larger print, call the Secretary of State's toll-free hotline -- 1-800-448-4881.



COMPLETE TEXT OF Initiative Measure 173

AN ACT Relating to education; and adding a new chapter to Title 28A RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. PURPOSE. (1) The people of Washington, desiring to improve the education of children, adopt this chapter to:

- (a) Enable parents to determine which schools best meet their children's needs;
- (b) Empower parents to send their children to such schools;
- (c) Establish academic accountability based on historical national standards;
- (d) Reduce bureaucracy so that more educational dollars reach the classroom;
- (e) Provide greater opportunities for teachers;
- (f) Mobilize the private sector to help accommodate our burgeoning school-age population; and
- (g) Encourage the development of independent and charter schools.

(2) Therefore, eligible persons are hereby empowered to choose any school for their education which meets the requirements of the Washington State Constitution, as provided in this chapter.

NEW SECTION. Sec. 2. SHORT TITLE. Chapter . . . , Laws of 1996 (this act) shall be known as **The Choice in Education Act**.

NEW SECTION. Sec. 3. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Voucher" or "scholarship voucher" is a payment to a child through his or her parent for pursuing the occupation of full-time student.

(2) "Child" or "Student" means a person eligible to attend kindergarten or grades one through twelve.

(3) "Eligible person" means a full-time student otherwise qualified who is attending any school for their education which complies with the requirements of the Washington State Constitution.

(4) "Voucher-redeeming school" means any school located within Washington that meets the requirements of this chapter and is not in violation of the requirements of the Washington State Constitution. No school may be compelled to



COMPLETE TEXT OF Initiative Measure 173 (cont.)

become a voucher-redeeming school. No school that meets the requirements of this chapter may be prevented from becoming a voucher-redeeming school.

(5) "State and local government spending" includes, but is not limited to, spending funded from all revenue sources, including the general fund, federal funds, local property taxes, lottery funds, and local miscellaneous income such as developer fees, but excluding bond proceeds and charitable donations. Notwithstanding the inclusion of federal funds in the calculation of state and local government spending, federal funds shall constitute no part of any scholarship voucher provided under this section.

(6) "Independent school" is a "private" school which is regulated by chapter 28A.195 RCW.

(7) "Charter school" is a state voucher-redeeming school. It is governed by the terms and conditions of the contract between the charter school and the school district in which it is located. In addition, charter schools are subject to the laws governing independent schools under chapter 28A.195 RCW, and the laws of this chapter.

(8) "State school" means the public schools or common schools referred to in Article IX of the state Constitution and Title 28A RCW.

NEW SECTION. Sec. 4. SCHOLARSHIP VOUCHERS-- EMPOWERMENT OF PARENTS.

(1) The state shall annually pay a scholarship voucher to every eligible person. Vouchers may be redeemed at any voucher-redeeming school.

(2) The scholarship voucher for each eligible person shall be not less than fifty-five percent of the state and local government spending allocated for each annual average full-time equivalent student under RCW 28A.150.260 and applicable state and local rules during the preceding fiscal year, excluding expenditures on scholarship vouchers granted pursuant to this section and excluding any unfunded pension liability associated with the state school system.

(3) Scholarship vouchers shall be of equal value for every child in any given grade. The legislature may award supplemental funds for reasonable transportation needs for low-income children and special needs attributable to disability. Nothing in this section prevents the use in any school of supplemental assistance from any source, public or private.

(4) Scholarship vouchers provided under this chapter are payment through parents that is earned by children for

attending school. Vouchers are not payment for services rendered by the school in which the student is enrolled. Scholarship vouchers are not taxable income. The student shall be free to choose any voucher-redeeming school, and such selection shall not constitute a decision or act of the state or any of its subdivisions.

(5) A scholarship voucher accepted by a voucher-redeeming school, shall be accepted for one hundred percent of the cost of tuition, registration, or any other fees charged the voucher holding student for basic education in grades kindergarten through six. In grades seven through nine the voucher shall be accepted for not less than ninety percent of the total cost of basic education for the voucher holder. In grades 10 through 12 the voucher shall be accepted for not less than eighty percent of the total cost of basic education for the voucher holder.

(6) Beginning with the school year immediately following the effective date of this act, scholarships shall be made available to every otherwise eligible child born on or after September 1, 1989.

(7) Each voucher-redeeming school must choose and administer tests reflecting historical national standards for the purpose of measuring individual academic achievement. Such tests shall be designed and scored by independent parties. Each school's composite results for each grade level shall be released annually to the public the last week of March by legal publication in a county newspaper of record. Individual results shall be released only to the school and the child's parent.

(8) Each voucher-redeeming school must make public by legal publication in a county newspaper of record the last week of March, its budget and the results of an annual independent audit prepared in accordance with generally accepted auditing standards. The audit shall include, but not be limited to: A statement of school mission, enrollment statistics, expenditures per student, budget report in an easily understandable form, student attendance rate, dropout rate, and condition and needs of the school building.

(9) Each teacher in a voucher-redeeming school must hold a college degree in the subject area taught or in education, or pass a subject area competency examination reflecting national standards. Such examination shall be designed and scored by independent parties. Teachers qualified by examination shall be supervised by a state-certificated teacher. This subsection will not prevent the use of classroom teaching assistants.

(10) Governing boards of school districts shall establish a mechanism to survey and publish not later than the March 31 of each year, the location and number of unused classrooms in buildings owned by the district. When a classroom has



COMPLETE TEXT OF Initiative Measure 173 (cont.)

been unused for six consecutive months the district shall make that classroom available for lease to any voucher-redeeming school under the following terms and conditions: (a) the term of the lease shall be for not less than three years, (b) the voucher-redeeming school will pay a rental amount equal to the reasonable cost for maintaining, insuring, heating, lighting. Janitorial cost will not be included in the rental calculation. Capital costs including original cost of land, building and equipment or replacement cost shall not be considered in determining reasonable rent. Nothing in this section shall prohibit a district from publishing the availability of unused classroom space at any time. If a rental amount cannot be agreed upon, either party may submit the issue to binding arbitration before an arbitrator appointed by the presiding judge of the superior court of the county in which the school is located. The parties will pay their own fees and costs of arbitration.

(11) Disputes between voucher-redeeming schools and the superintendent of public instruction concerning the issuance or renewal of a license to operate a school shall be submitted to arbitration in accordance with this subsection (10) of this section.

NEW SECTION. Sec. 5. EMPOWERMENT OF SCHOOLS--REDEMPTION OF VOUCHERS. An independent school may become a voucher-redeeming school by filing with the State Board of Education a statement indicating satisfaction of the legal requirements that apply to independent schools and the requirements of this section.

(1) No school that discriminates on the basis of race, ethnicity, color, disability, economic status or national origin may redeem scholarships.

(2) To the extent permitted by the laws of the state of Washington and the laws of the United States, the state shall prevent from redeeming vouchers any school that advocates unlawful behavior, is not in compliance with the state or federal constitution, teaches bigotry toward any person or group on the basis of race, ethnicity, color, national origin, religion, or gender, or deliberately provides false or misleading information respecting the school.

(3) No school with fewer than twenty-five students may redeem scholarship vouchers, unless the legislature provides otherwise.

(4) It is the legislative intent of this chapter that independent schools, regardless of size, be accorded maximum flexibility

to educate students and be free of unnecessary, burdensome or onerous regulation. Any regulation pertaining to health, safety or land use imposed by the state or any county, city, district or other subdivision of the state, shall be established under the criterion that the regulation: (a) is essential to assure the health, safety or education of students, or as to any land use regulation, that the governmental body has a compelling interest in issuing or enacting it; (b) does not unduly burden or impede independent schools or the parents of students therein; and (c) will not harass, injure or suppress independent schools.

(5) Notwithstanding subsection (4) of this section, the legislature may (a) enact civil and criminal penalties for schools and persons who engage in fraudulent conduct in connection with the solicitation of students or the redemption of scholarships, and (b) restrict or prohibit individuals convicted of (i) any felony, (ii) any offense involving lewd or lascivious conduct, or (iii) any offense involving molestation or other abuse of a child, from owning, contracting with, or being employed by any school, whether state or independent.

(6) Any school, state or independent, may establish a code of conduct and discipline and enforce it with sanctions, including dismissal. A student who is deriving no substantial academic benefit or is responsible for serious or habitual misconduct related to the school may be dismissed.

(7) After the parent designates the enrolling school, the state shall disburse the student's scholarship funds in equal monthly amounts, directly to the school for credit to the student's account. Monthly disbursements shall occur within 30 days of receipt of the school's statement of current enrollment.

(8) Expenditures for vouchers issued under this chapter and savings resulting from the implementation of this chapter shall count toward the minimum funding requirements for basic education established by law. Students enrolled in voucher-redeeming schools shall not be counted toward enrollment in state schools and community colleges for purposes of state funding of education.

NEW SECTION. Sec. 6. EMPOWERMENT OF TEACHERS--CONVERSION OF SCHOOLS TO CHARTER SCHOOLS. Within one year after the effective date of this act, the legislature shall establish an expeditious process by which state schools may become state voucher-redeeming charter schools.

(1) Except as otherwise required by law, the Washington State Constitution and the Constitution of the United States, charter schools shall operate under laws and rules no more restrictive than those applicable to independent schools regulated by chapter 28A.195 RCW and this chapter.

(2) Employees of such schools shall be permitted to con-

The above text is an exact reproduction of the text submitted by the sponsor. The Office of the Secretary of State has no editorial authority.



COMPLETE TEXT OF Initiative Measure 173 (cont.)

continue and transfer their pension and health care programs on the same terms as other similarly situated participants employed by their school district as long as they remain in the employ of any such school.

NEW SECTION. Sec. 7. STATE SCHOOL CHOICE.

Governing boards of school districts shall establish a mechanism consistent with federal law to allocate enrollment capacity based primarily on student choice. Any state school that chooses not to redeem scholarship vouchers shall, after district enrollment assignments based primarily on student choice are complete, open its remaining enrollment capacity to children regardless of residence. For fiscal purposes, children shall be deemed residents of the school district in which they are enrolled.

NEW SECTION. Sec. 8. IMPLEMENTATION. No later than May 31, 1997, the legislature shall enact legislation which implements this chapter and bring this title into compliance with the purposes and provisions of this chapter. The legislature shall enact legislation which clearly defines the meaning of "sectarian control or influence" for the purposes of this chapter. The provisions of this act are to be liberally construed to effectuate the policies and purposes of this act. In the event of conflict between this act and any other provision of law, the provisions of this act shall govern.

NEW SECTION. Sec. 9. HOME-BASED EDUCATION. Nothing in this chapter affects the laws and rules in existence on the effective date of this section pertaining to home-based instruction, including chapter 28A.200 RCW.

NEW SECTION. Sec. 10. LIMITATION OF ACTIONS. Any action or proceeding contesting the validity of (1) this chapter, (2) any provision of this chapter, or (3) the adoption of this chapter, shall be commenced within six months from the date of the election at which this chapter is approved; otherwise this chapter and all of its provisions shall be held valid, legal, and incontestable. However, this limitation shall not of itself preclude an action or proceeding to challenge the application of this chapter or any of its provisions to a particular person or circumstance.

NEW SECTION. Sec. 11. CAPTIONS NOT LAW. Captions as used in this chapter do not constitute any part of the law.

NEW SECTION. Sec. 12. Sections 1 through 11 of this act shall constitute a new chapter in Title 28A RCW.

NEW SECTION. Sec. 13. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.



COMPLETE TEXT OF Initiative Measure 177

AN ACT Relating to education; adding a new chapter to Title 28A RCW; creating a new section; and prescribing penalties.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. PURPOSE. The People have proposed and enacted this initiative to restore accountability, efficiency, and parental choice to public education. The current public school system has lost its academic focus, become excessively bureaucratic, and abridged the rights of parents and taxpayers. Accordingly, the People have chosen to use the initiative process to restore excellence to public education by returning power to parents and our communities.

NEW SECTION. Sec. 2. SHORT TITLE. Chapter . . . Laws of 1996 (this act) shall be known as the Education Excellence Act.

NEW SECTION. Sec. 3. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Renewed public school district" means any public school district whose voters have voted to adopt the optional public education reforms authorized by this chapter.

(2) "Public schools" means both government-operated public schools and independent public schools.

(3) "Parent" and "parents" means that person or those persons who have legal custody of a child, including without limitation, a court-appointed guardian.

(4) "Certificated teacher" means any person who is certificated by the state board of education, under provisions