

**Certificate of Teachers, Must Be Registered. Teachers, Certificates Must Be Registered.**

By the provisions of Par. 3, Sec. 800, Chap. 8 of Chap. 76. Laws of 1913, all certificates or diplomas enumerated, before they shall be valid in any county must be registered in the office of the county superintendent.

September 12, 1913.

Hon. H. A. Davee,  
State Superintendent of Public Instruction,  
Helena, Montana.

Dear Sir:

I am in receipt of yours of the 9th instant, as follows:

"The old school law, Sec. 959, provided that:

"A professional or first grade certificate shall be valid in any county in the state upon endorsement as hereinafter provided and shall be renewed by the county superintendent upon the proper fee being paid to the institute fund as provided for in the case of examination. \* \* \* Said professional or first grade certificate shall be renewed by the county superintendent by his endorsement thereon upon the payment of the same fee as is required by law for examinations."

"Will you kindly inform this office whether such endorsement, before the enactment of the present law, mentioned in this section, constitutes registration within the meaning of the present law, as stated in Sec. 800, Subdiv. 3, near the end of the paragraph, where it is provided that:

"All certificates or diplomas, before they shall be valid in any county, must be registered in the office of the county superintendent within ten days after the term of service for any teacher begins."

In reply I will say that I am of the opinion that endorsement

of certificates under the provisions of Sec. 959, Revised Codes, prior to its repeal does not constitute registration within the meaning of the law now in force, for under the provisions of paragraph 3, Sec. 800, Chap. 8 of Chap. 76, Session Laws of the Thirteenth Legislative Assembly (a part of which paragraph you quoted), provision is made that all certificates or diplomas enumerated in the section, before they shall be valid in any county, must be registered in the office of the county superintendent "within ten days after the term of service of any teacher begins," and it is further provided that not more than ten days salary shall be paid any teacher for services rendered previous to the registration of such certificate or diploma. Though under existing school laws provision is made that under certain circumstances teachers shall be deemed re-elected from year to year, their tenure is per annum, and a new term of service is necessarily contemplated with each hiring. It necessarily follows that all teachers in this state holding certificates or diplomas and hired to teach during the current school year must present them for registration in the office of the county superintendent of the county wherein they are employed within ten days after their respective terms of service begins.

Yours very truly,

D. M. KELLY,  
Attorney General.