

County Superintendent of Schools, Powers of. Temporary Certificates, When Granted by County Superintendent. Certificates, Temporary, When Granted. Teachers, Temporary Certificates of.

The matter of granting temporary certificates to teachers is discretionary with the County Superintendent to whom application is made. Such a certificate cannot be of higher grade than that previously held by the applicant.

August 31st, 1916.

Miss Mary P. Shull,
County Supt. of Schools,
Missoula, Montana.

Dear Madam:—

You have made telephonic inquiry as to your powers relative to the issuance of a temporary certificate. This matter is covered by Section 905 D, Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly. The language is "the County Superintendent may grant a temporary certificate to teach until next regular examination." This language is directory and leaves the matter within the sound discretion of the County Superintendent. In other words, the County Superintend-

ent may or may not grant a temporary certificate in accordance with her best judgment as to the welfare of the schools.

As to what grade certificate she may issue, the law seems to make no direct mention of it, but by implication it would seem that she may grant a certificate of equal grade with the one previously held by the person applying therefor. She could not, however, raise the grade of the certificate of the person applying.

Yours very truly,

J. B. POINDEXTER,

Attorney General.