

Refer in reply to the following:

Education

O. L. K.
J. A. G.
Department of the Interior,

OFFICE OF INDIAN AFFAIRS,

Washington, March 23, 1889.

Thomas Priestley,
U. S. Indian Agent,
Yakima Agency,
Wash. Ter.

Sir:

Referring to the questions that have arisen as to the powers given to and the duties to be performed by the Superintendent of Indian Schools, I have to advise you that section 8 of the Indian appropriation act for the fiscal year 1888-'89, approved June 29, 1888, gave that officer the power of appointing and removing school employes; but that section was repealed by section 10 of the Indian appropriation act approved March 2, inst. This section is now in force, and by it the duties of the Superintendent of Indian Schools are declared to be as follows:

To visit schools where Indians are taught, in whole or in part, by appropriations from the United States Treasury, and report to the Commissioner of Indian Affairs, what, in his judgment, are the defects, if any, in any of them, in system, in administration, or in means for the most effective advancement of the pupils therein toward civilization and self-support, and what changes are needed to remedy such defects as may exist.

The Secretary of the Interior may, in his discretion, add to these duties; but until he shall have done so, the Superintendent

of Indian Schools will have no authority to employ or dismiss school employes, or to direct the Superintendent or other employe of any school in any manner whatever.

You are further advised that, for the purpose of defining the duties of Agents and Superintendents in relation to each other, and to the employes and property of Indian schools located on reservations, the following regulations are hereby made:

I. The Agent shall have a general supervision of all school work among the Indians who are under his charge, and will be held responsible for the prosperity of the schools located within his Agency. He is responsible, under his bond, for the government school property, and, therefore, has the right to control and must account for the same. He must visit all the schools among the Indians under his charge, whether government, contract, or mission; keep himself informed as to their condition and efficiency; and make a quarterly report concerning the same. It will be his duty to fill the schools with pupils, and to co-operate with the Superintendent thereof in making them efficient; and it will be his especial duty to assist the Superintendents of government schools in the industrial training of the pupils. The efficiency of an Agent will be determined, principally, by the success or failure, in all its branches, of the educational work that is under his supervision.

II. The Superintendent of a reservation Indian school will be held responsible for the management thereof; and the school employes of each school must have their school duties assigned to them by the Superintendent thereof, and, in the discharge of such duties, they will be under his authority. Each Superintendent must, in co-operation with the Agent, have oversight and direction of the farming, care of stock, and other out-of-door industries connected with his school.

III. When an Agent is of opinion that the Superintendent or any other employe of any of the government schools under his supervision is not a fit person for the place he holds, the Agent must, without delay, make written report of the fact to the Commissioner, stating specifically his reasons for this opinion. And when the Superintendent of any government school is of the opinion that any employe thereof is not efficient or is not adapted to the work required of him, it shall be the duty of said Superintendent to promptly report the fact, in writing, to the Agent, stating specifically his reasons for this opinion; and the Agent must at once forward this report to the Commissioner, with such recommendations in relation thereto as he may deem it his duty to make.

No Superintendent or other school employe shall be suspended by an Agent, without authority first obtained from the Commission-

er, except when, in his opinion, the moral welfare or the discipline of the school imperatively demands the immediate suspension of an employe, in which case the Agent may suspend such employe and select a competent person to temporarily perform his duties. Every such suspension must be immediately reported by the Agent to the Commissioner, with a specific statement of his reasons for the action.

No Superintendent or other school employe shall be reported to the Commissioner for removal, or will be removed by him, for any other cause than unfitness for the position held by such person; and, among other causes, incompetency, indolence, flagrant infirmities of temper or disposition, and neglect of or refusal to perform duty, will be regarded as proof of unfitness; but no consideration of politics will be regarded as a sufficient reason for a suspension or removal.

IV. Persons shall be employed in the Indian school service upon no other consideration than that of merit and qualification for the work to be done, and in the following manner:

1. For an existing or proposed vacancy in the position of the Superintendent or of any other school employe, the Agent may make a nomination to the Commissioner, and for an existing or proposed vacancy among the employes under his authority, the Superintendent

may make a nomination to the Agent, which must be forwarded to the Commissioner by the Agent, with his recommendation in reference thereto.

2. An applicant for a position in the Indian school service must file an application therefor, in accordance with blank form to be provided by the Indian Office.

3. Each applicant for the position of teacher of English branches must submit, with his application, one or more of the following evidences of fitness therefor:

(a) For the position of principal teacher in a boarding-school, the certificate of the United States Civil Service Commission that he has passed the "Clerk Examination" prescribed by the Civil Service Rules; and for any other teacher's place in such a school, or for the position of teacher in a day-school, the certificate of the Commission that he has passed either the "Copyist" or "Clerk" examination.

(b) His state, county, or school district teacher's certificate.

(c) The diploma of some recognized educational institution, or certificate of such institution, or of some school official authorized to issue such certificate, showing his educational attainments.

(d) An applicant who cannot furnish any of the above evidences of fitness, but who has had experience in the Indian school service of not less than two years, must furnish satisfactory evidence that he is well qualified as an Indian school teacher and has been successful as such.

4. Every applicant for a place other than that of teacher of English branches must furnish, with his application papers, definite information concerning his qualifications for the duties of the employment he desires to obtain.

In all cases it must be stated whether the applicant is or is not a relative of the Agent or his bondsmen.

The Commissioner reserves the right to appoint any Superintendent or other school employe without nomination by the Agent.

You will please furnish a copy of this letter to the Superintendent of the school under your charge.

Very respectfully,

Jno. H. Obatz

Commissioner.

Dept of the Int
Office of Ind aff
Washington

March 25/1889

Jno. H. Oberly Com

Concerning qualification
etc of School Employes