MARRIED WOMEN NOT PROHIBITED FROM TEACHING

Dear Sir:

Answering your letter of the 5th inst., I beg to say there is no law prohibiting married women from teaching in the public schools of Florida. You probably have reference to the case of State ex rel. Pittman, et al. vs. Barker, et al., decided by our Supreme Court on February 5, 1934, and reported in 152 So. 682. That case involved the construction of Section 710, Compiled General Laws of Florida, 1927, which provides that the Trustees of a Special Tax School District shall have the power to nominate to the County Board of Public Instruction teachers for all schools within such Special District.

It appears in the above mentioned case that the Trustees of a Special Tax School District nominated certain women for teachers and that the Board of Public Instruction rejected such nominations for the reason that the teachers were married women. The Court held that such reason was not sufficient ground for rejection of nominees.

December 5, 1934.

TEACHERS MUST BE BONA FIDE RESIDENTS OF FLORIDA FOR TWO YEARS NEXT PRIOR TO TIME OF EMPLOYMENT TO BE ELIGIBLE

Dear Sir:

I am in receipt of your letter of the 3rd inst., stating that you lived in Florida 9 consecutive years, taught in the high schools of the State for 6 years of that time and obtained a Teacher's State Life Certificate; that 4 years ago you left Florida and went to Kansas and that it is now imperative for you to return to your profession. You make inquiry if you are eligible for a position in Florida.

In reply your attention is called to Chapter 16183, Acts of 1933, prescribing residence qualification of all State and County employees, which includes public school teachers. Section 1 of said Act reads as follows:

"From and after the passage of this Act all persons employed to work for the State of Florida or for any county of the State, shall be bona fide residents of the State for two years next prior to such employment, except only where after due diligence no person can be found in the State possessing the required qualifications necessary to the particular employment."

The foregoing Chapter has never been passed upon by our Supreme Court, but will have to be considered valid and binding unless and until the Courts should at some time declare the same invalid.