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RECENT LEGISLATION

STATE OF IOWA
Department of Public Instruction
DES MOINES

CIRCULAR NO. 7—1914

After careful reading, file for future reference

**Extracts of School Laws as amended by the Thirty-fifth
General Assembly**

**Published by the
Superintendent of Public Instruction.**

The Thirty-fifth General Assembly enacted many new school laws and modified others of long standing. These laws are, for the most part, now in effect, and have, in most instances, proven the wisdom of the school legislation. Owing to the heavy demand, it has been found necessary to print a new issue of "Recent Legislation by the Department of Public Instruction," under authority of the Executive Council.

We have followed the usual custom of giving them the original enactment where it conveyed the thought clearly. In cases where only a few words were changed the entire section, as amended, is published. We have tried to make the meaning clear in every case, but should the reader have difficulty in understanding any portion of the amendments, he should look up the original law in its relationship to the parts added.

County Superintendents are cautioned to use very judiciously the few copies that may be sent to them. However, in every case where a person is really in need of this circular, it may be handed out.

A. M. DEYOE,

Superintendent of Public Instruction.

May 1, 1914.



SCHOOL LAWS PASSED BY THE THIRTY-FIFTH GENERAL ASSEMBLY

SCHOOL TREASURERS.

Sec. 2768. Duties of treasurer—payments of warrants. The treasurer shall receive all moneys belonging to the corporation, pay the same out only upon the order of the president countersigned by the secretary, keeping an accurate account of all receipts and expenditures in a book provided for that purpose. He shall register all orders drawn and reported to him by the secretary, showing the number, date, to whom drawn, the fund upon which drawn, the purpose and amount. The money collected by tax for the erection of schoolhouses and the payment of debts contracted therefor shall be called the schoolhouse fund; that collected for the payment of school building bonds shall be called the school building bond fund; that for rent, fuel, repairs, and other contingent expenses necessary for keeping the school in operation, the contingent fund; and that received for the payment of teachers, the teachers' fund; and he shall keep a separate account with each fund, paying no order that fails to state the fund upon which it is drawn and the specific use to which it is to be applied. Whenever an order cannot be paid in full out of the fund upon which it is drawn, partial payment may be made. All school orders shall draw lawful interest after being presented to the treasurer and by him endorsed as not paid for want of funds.

It is hereby made the duty of the treasurer of each school corporation to deposit all funds in his hands as such treasurer in some bank, or banks, in the state at interest at the rate of at least two per cent per annum on ninety per cent of the daily balances payable at the end of each month, all of which shall accrue to the benefit of the contingent fund of such school corporation; but before such deposit is made, such bank shall file a bond with sureties to be approved by the treasurer and the board of directors of such corporation in double the amount deposited, conditioned to hold the school corporation harmless from all loss by reason of such deposit or deposits; provided, that in cases where an approved surety company's bond is furnished, said bond may be accepted in an amount equal to ten (10) per cent more than the amount deposited. Said bond shall be filed with the president of the school board and action may be brought thereon either by the treasurer or the school corporation as the board may elect.

This act being deemed of immediate importance shall take effect from and after its passage and approval and publication thereof had in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa. [35 G. A., ch. 247; 31 G. A., ch. 139; C., '73, §§ 1747-50; R., §§ 2048-50; C., '51, §§ 1138-40.]

Sec. 2780. Allowance of claims—settlements—compensation of officers. It shall audit and allow all just claims against the corporation, and no order shall be drawn upon the treasury until the claim therefor has been audited and allowed; it shall from time to time examine the accounts of the treasurer and make settlements with him; shall present at each regular meeting of the electors a full statement of the receipts had and expenditures made since the preceding meeting, with such other information as may be considered important; and shall fix the compensation to be paid the secretary. But no member of the board or treasurer shall receive compensation for official services. [35 G. A., ch. 247; C., '73, §§ 1732-3, 1738, 1813; R., §§ 2037-8; C., '51, §§ 1146, 1149.]

MINIMUM TEACHERS' WAGE.

35 G. A., ch. 249.

AN ACT to establish a minimum wage for teachers in the public schools of the state, prohibiting the contracting for or paying a lesser sum and providing penalties for the violation of same.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That all teachers in the public schools of this state shall be paid for their services a minimum wage of not less than the amounts hereinafter set forth. All fractions in average grades to be figured at the nearest whole number.

1. Teachers holding a first grade uniform county certificate or higher, shall be paid a daily wage of not less than a sum obtained by multiplying three (3) cents, by the general average grade shown on such certificate.

2. Teachers holding a second grade uniform county certificate shall be paid a daily wage of not less than a sum obtained by multiplying two and three-quarters ($2\frac{3}{4}$) cents by the general average grade shown on such certificate up to and including a general average grade of eighty-five (85) per cent.

3. Teachers holding a third grade uniform county certificate shall be paid a daily wage of not less than a sum obtained by multiplying two and one-half ($2\frac{1}{2}$) cents by the general average shown on such certificate.

Provided that a teacher having contracted on a second or third grade certificate in conformity with this act, shall fulfill such contract at the wage fixed at the time of signing same, plus any additional credit earned under section two (2) hereof.

Sec. 2. Every teacher holding either a second or third grade certificate who has taught successfully for one year and attended an approved teachers' training school for a period of six weeks following, shall upon proper certification of such attendance, receive a credit of three points in estimating the salary due, and to be paid, but such credit shall not operate to raise the grade of such certificate.

Sec. 3. It shall be unlawful for any school board or any school officer to contract for or pay a less wage to any teacher in the public schools of this state than the minimum amounts herein fixed for the grade certificate held by such public school teacher. But nothing herein shall be construed as limiting the right to make a lawful contract for a higher wage than herein specified as a minimum.

Sec. 4. Any school officer violating the provisions of this act shall be fined a sum of not less than twenty-five (\$25.00) dollars, nor more than one hundred (\$100.00) dollars, in the discretion of the court, and shall be suspended from office.

Approved, April 18, A. D. 1913.

TEACHERS' MINIMUM WAGE SCALE, UNDER CHAPTER 249, ACTS OF THE THIRTY-FIFTH GENERAL ASSEMBLY.

It is unnecessary to give a complete minimum wage scale under this chapter. However, it is well to know certain facts relative to the law.

To determine the monthly salary of a teacher holding a third grade uniform county certificate, one should multiply two and one-half cents by the average found on the certificate and the product by twenty. It will be observed that third grade certificates have no maximum average and that 3 per cent may be added for attendance at summer school.

To determine the monthly salary of a teacher holding a second grade certificate, multiply two and three-quarters cents by the average found on the certificate up to and including 85 per cent, and the product by twenty. It should be observed that the maximum average for a second grade certificate is 85 per cent, except that for attending a training school under the law 3 per cent may be added.

To determine the monthly salary of a teacher holding a first grade certificate, multiply three cents by the average found on the certificate, and the product by twenty. It should be observed that here also no maximum average is given.

Teachers holding state certificates would come in the "or higher" class mentioned in Paragraph 1 of Section 1. The department, since state certificates bear no grades, has held that the lowest wage possible that may be paid the holder of a state certificate is \$51.00. School boards are recommended to pay holders of state certificates a higher salary than the minimum for a first grade uniform county certificate.

THIRD GRADE.

The lowest general average grade for a certificate is 65 per cent.

	Daily Wage	Monthly Wage
65 per cent general average grade at 2 1/2 c.	\$1.625	\$32.50
70 per cent general average grade at 2 1/2 c.	1.75	35.00
74 per cent general average grade at 2 1/2 c.	1.85	37.00
74 per cent with 3 points added at 2 1/2 c.	1.925	38.50

SECOND GRADE.

The lowest general average grade for a certificate is 75 per cent.

75 per cent general average grade at 2 3/4 c.	\$2.0625	\$41.25
80 per cent general average grade at 2 3/4 c.	2.20	44.00
85 per cent general average grade at 2 3/4 c.	2.3375	46.75
85 per cent with 3 points added at 2 3/4 c.	2.42	48.40

FIRST GRADE.

The lowest general average grade for a certificate is 85 per cent.

85 per cent general average grade at 3c.	\$2.55	\$51.00
90 per cent general average grade at 3c.	2.70	54.00
95 per cent general average grade at 3c.	2.85	57.00
100 per cent general average grade at 3c.	3.00	60.00

DEPARTMENT OF PUBLIC INSTRUCTION.

35 G. A., ch. 103.

AN ACT to establish a department of public instruction, and to amend section ten hundred and sixty-five (1065) of the supplement to the code, 1907, and to repeal chapter one (1) of title thirteen (13) of the code, and to repeal chapter one (1) of title thirteen (13) of the supplement to the code, 1907, as amended, relative to the office of superintendent of public instruction, and to enact a substitute therefor.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. The governor shall, during the session of the thirty-sixth general assembly and every four years thereafter, nominate and with the consent of two-thirds of the members of the senate in executive session, appoint a superintendent of public instruction, whose term of office shall commence on the first secular day of July next following his appointment, and shall continue for the period of four years, and until his successor is appointed and qualified; and the term of office of the superintendent of public instruction in office at the taking effect of this act is hereby extended until the appointment and qualification of such officer under this act. Vacancies at any time occurring in said office shall be filled by appointment by the governor, but no person so appointed shall hold office beyond the end of the session of the legislature next ensuing, unless approved by the senate as above provided.

Sec. 2. The superintendent of public instruction shall, at the time of his appointment, be a graduate of an accredited university or college, or of a four-year course above high school grade in an accredited normal school, and shall have had at least five years' experience as a teacher or school superintendent. He shall, before entering upon his duties, take and subscribe the constitutional oath of office, which shall be filed in the office of the secretary of state.

Sec. 3. The superintendent of public instruction shall have general supervision and control over the rural, graded and high schools of the

state, and over such other state and public schools as are not under the control of the state board of education, or board of control of state institutions, and his office shall be known as the department of public instruction. It shall be his duty:

1. To ascertain, so far as practicable, by inspection or otherwise, the conditions, needs and progress of the schools belonging to his department.

2. To suggest, through public addresses, pamphlets, bulletins, and by meetings and conferences with school officers, teachers, parents, and the public generally, such changes and improvements as he may think desirable, and may publish and distribute such views and information as he may deem important.

3. To endeavor to promote among the people of the state a proper interest in the general subject of education, including industrial and commercial education, agriculture, manual and vocational training, domestic science and continuation work.

4. To classify and define the various schools belonging to his department, and to formulate suitable courses of study therefor, and to publish and distribute such classifications and courses of study.

5. To prescribe the reports, both regular and special, which shall be made by public school officers, superintendents and teachers, and other persons or officers having the custody or control of public school funds or property, and to prepare suitable forms therefor, and to furnish blanks for such reports as are made to him.

6. To publish and distribute from time to time leaflets and circulars relative to such days and occasions as he may deem worthy of special observance in the public schools.

7. To examine and determine all appeals made to him according to law and the rules relating thereto, and to prescribe rules of practice therefor not inconsistent with law. He shall also render written opinions upon questions submitted by school officers pertaining to their duties.

8. He shall, on the first day of January of each year, report to the auditor of state the number of persons of school age in each county.

He shall report biennially to the governor the conditions of the schools under his supervision, including the number and kind of school districts, the number of schools of each kind, the number and value of school houses, the enrollment and attendance in each county for the previous year, any plans matured or measures proposed for the improvement of the public schools, and such financial and statistical information as may be of public importance; he may also include such general information relating to educational affairs and conditions within the state or elsewhere, as he may deem necessary.

9. He shall, when deemed necessary, cause to be prepared and published a pamphlet containing suitable plans and specifications for public school buildings, including the most approved means and methods of

heating, lighting and ventilating the same, together with information and suggestions for the proper and economical construction thereof. It is hereby made the duty of the state architect to render such assistance and to perform such services in preparing such plans and specifications as may be requested by the superintendent of public instruction.

10. He shall appoint county educational meetings or institutes to be held in each county once each year and not more than twice, and shall designate the time and place for holding them. The program therefor, and the instructors and lecturers therein, shall be subject to his approval.

11. He shall prepare and supply questions for the examination of applicants for teachers' certificates and for the examination of pupils completing the eighth grade in the rural schools.

Sec. 4. The superintendent of public instruction shall have an office in the capitol. He shall file and preserve all reports, documents and correspondence that may be of permanent value, which shall be open to inspection under reasonable conditions, by any citizen of the state. He shall keep a record of the business transacted by him, and shall turn over to his successor all records, papers, reports, documents, books and other state property pertaining to his office. He shall be furnished by the executive council with sufficient office room and clerical and stenographic help, and with all necessary books, blanks, stationery, printing, postage and office supplies, and with the reports of the supreme court of the state.

Sec. 5. He shall, every four years, if deemed necessary, cause to be printed in book form all school laws then in force, with such forms, rulings and decisions, and such notes and suggestions as may aid school officers in the proper discharge of their duties; a sufficient number of copies shall be sent to the county superintendent of each county to supply the school officers, directors, and superintendents therein. He may cause to be printed in pamphlet form after each session of the general assembly, any amendments or changes in the school laws with necessary notes and suggestions, which shall be distributed as above provided.

Sec. 6. He may require from time to time reports under oath from all officers and persons who have any authority over, or who have any duties in connection with public school affairs, or who have, or who have lately had, the custody or control of any public school funds or property. He shall furnish the proper blanks for such reports, and any such officer or person who unreasonably neglects or refuses to make a report required by the superintendent of public instruction shall be deemed guilty of a misdemeanor.

Sec. 7. He may appoint a deputy, whose appointment must be approved by the governor of the state. The qualifications of the deputy shall be the same as required by section two (2) of this act. The deputy shall qualify in like manner as his principal and who, in the absence or inability of the superintendent, shall perform the duties of the office. He shall also appoint a chief clerk and such regular inspectors of the public

schools of the state, including rural, graded and high schools, as he may deem necessary, not exceeding three.

Sec. 8. From and after the taking effect of this act the salary of the superintendent of public instruction shall be four thousand (\$4,000.00) dollars per annum; the salary of his deputy shall be twenty-five hundred (\$2,500.00) dollars per annum; the salary of the regular inspectors in the department of public instruction shall be two thousand (\$2,000.00) dollars per annum each; the salary of the chief clerk shall be fifteen hundred (\$1,500.00) dollars per annum. All such salaries to be paid monthly upon the warrant of the state auditor. The superintendent of public instruction and his deputy and the regular inspectors in his department shall also receive their actual necessary traveling expenses incurred in the performance of their official duties, to be allowed upon an itemized and verified account filed with and approved by the executive council and the state auditor, who shall draw his warrant on the state treasurer for the amount allowed.

Sec. 9. The law, as it appears in section ten hundred and sixty-five (1065) of the supplement to the code, 1907, is hereby amended by striking out of said section the comma following the words "and attorney general" in the second line of said section and also striking out the words "and superintendent of public instruction" in the second and third lines of said section. And chapter one of title thirteen of the supplement to the code, 1907, as amended, relating to the office of public instruction, is hereby repealed and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed in so far as they may be inconsistent herewith.

Approved April 11, A. D. 1913.

COUNTY SUPERINTENDENTS.

35 G. A., ch. 107.

AN ACT to amend the law as it appears in sections ten hundred seventy-two (1072), twenty-seven hundred forty-two (2742), and twelve hundred seventy-two (1272), supplement to the code, 1907, relating to the office of county superintendent of schools; to repeal section twenty-seven hundred thirty-four-b (2734-b) supplement to the code, 1907, relating to the office of county superintendent of schools and to provide for the election, qualification, duties and compensation of a county superintendent of schools.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section ten hundred seventy-two (1072), supplement to the code, 1907, be and the same is hereby amended by striking out of the sixth (6) and seventh (7) lines thereof the words "a county superintendent of schools," and by adding thereto the following: "On the first Tuesday in April in the year 1915, and each third (3) year thereafter, and whenever a vacancy occurs in the

office of county superintendent of schools, a convention shall be held at the county seat for the purpose of electing a county superintendent of schools, at which convention each school township, city, town or village independent district and each independent consolidated district in the county shall be entitled to one vote. Each such school corporation shall be represented at the convention by the president of the school board, or in his absence or inability to act, by some member of such school board, to be selected by the board. It is further provided, however, that where a congressional township is composed in whole or in part of rural independent districts that such rural independent districts shall be entitled to one vote in the convention, which vote shall be cast by such person as may be selected by the presidents of the component rural independent districts within such township at a meeting to be held at such time and place as the county auditor shall fix in the written notice hereinafter provided for. All representatives to such convention shall serve until a county superintendent is elected and qualified. Such convention shall be called by the county auditor by mailing a written notice to the president and secretary of each school corporation at least ten (10) days prior to the date of such convention and by the publication of such notice in the official newspapers published in the county. The county auditor shall be the secretary of such convention and shall call same to order and submit a list of the school corporations entitled to participate in such conventions. Said convention shall organize by the selection of a chairman, and, when so organized, shall elect a county superintendent of schools, who shall possess the qualifications required by law and shall hold the office for the term of three years and until his successor is elected and qualified. Such convention may, by a majority vote, select a committee consisting of five members, whose duty shall be to investigate the various candidates for the office of county superintendent and report to said convention at a subsequent day to which the convention may adjourn; or by a three-fourths vote of such convention, said committee may be authorized to elect a county superintendent and file its election with the county auditor, and said person shall be deemed duly elected to such office. A majority of representatives herein provided shall constitute a quorum, such representatives to receive ten (10c) cents per mile one way for the distance necessarily traveled in attending such convention, to be paid from the county treasury."

Sec. 2. That the law as it appears in section twenty-seven hundred forty-two (2742), supplement to the code, 1907, be and the same is hereby amended by adding thereto the following: "provided, however, that from and after the first day of September, nineteen hundred fifteen (1915) county superintendents shall receive the following salary, payable monthly, and the representatives of the school corporations in session may allow them such further sum by way of compensation as may be just and proper:

He shall receive a salary of fifteen hundred dollars a year, the expenses of necessary office stationery and postage, and those incurred in attendance upon meetings called by the superintendent of public

instruction; claims therefor to be made by verified statements filed with the county auditor, who shall draw his warrant upon the county treasurer therefor; and the board of supervisors may allow him such further sum by way of compensation as may be just and proper."

Sec. 3. That the law as it appears in section twenty-seven hundred thirty-four-b (2734-b), supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

"Section 2734-b. The county superintendent, who may be of either sex, shall be the holder of a regular five-year state certificate or a life diploma, and shall have had at least five (5) years' experience in teaching or superintending, but this provision as to certification and experience shall not apply until September 1, 1918, provided that any county superintendent of schools now serving shall be deemed eligible to re-appointment under this act. The county superintendent shall, under the direction of the superintendent of public instruction, serve as the organ of communication between the department of public instruction and the various officers and instructors in his county, and shall transmit or deliver to them all books, pamphlets, circulars or communications designed for them. He shall visit the different schools in his county at least once during the school year and also when requested by a majority of the directors of any school corporation. He shall also, at the request of the superintendent of public instruction, visit and report upon such schools as may be designated. He may appoint a deputy, for whose acts he shall be responsible, and who may act in his stead except in visiting schools and trying appeals, the salary of such deputy to be fixed by the representatives in convention assembled. He shall, on the first Monday of each month, file with the county auditor an itemized and verified statement of his actual and necessary expenses incurred during the previous month in the performance of his official duties within his county, and such expenses shall be paid by the county board of supervisors out of the county fund, but the total amount so paid for any one year for such purposes shall not exceed the sum of two hundred fifty (\$250.00) dollars."

Sec. 4. The term of office of the county superintendent of schools shall be for three years and until his successor is elected and qualified and such term shall begin on the first secular day of September after his election; and the terms of county superintendents now in office are hereby extended until the first day of September, 1915, and until their successors are elected and qualified. Should a vacancy in such office occur, by death, removal, resignation, or otherwise, the county auditor shall at once call a special meeting for the purpose of filling such vacancy.

Sec. 5. All acts or parts of acts in conflict herewith are, so far as in conflict, hereby repealed.

Approved April 18, A. D. 1913.

NORMAL TRAINING IN HIGH SCHOOL.

Sec. 2634. Normal training in certain high schools. For the purpose of increasing the facilities for training teachers for the rural schools, by requiring a review of such common branches as may be deemed essential by the superintendent of public instruction and for instruction in elementary pedagogy and the art of teaching elementary agriculture and home economics, provision is hereby made for normal courses of study and training in such four-year high schools as the superintendent of public instruction may designate, provided that such high schools shall be selected and distributed with regard to their usefulness in supplying trained teachers for the rural schools of all portions of the state, and with regard to the number of teachers required for rural schools in each portion of the state. It is further provided that where a township high school or a consolidated school organized in accordance with the provisions of chapter one hundred forty-three (143) of the acts of the thirty-fourth (34) general assembly can meet the requirements of the superintendent of public instruction, it shall be given preference over a city high school." [35 G. A., ch. 242; 34 G. A., ch. 131.]

Sec. 2634-d. Private and denominational schools. Private and denominational schools are eligible to the provisions of this act, except as to receiving state aid. [34 G. A., ch. 131.]

Sec. 2634-d1. State aid—reports—limitations. Each high school approved under the provisions of this act shall receive state aid to the amount of seven hundred fifty (\$750.00) dollars per annum, payable in two equal instalments at the close of each semester as hereinafter provided. The superintendent of each approved training school shall at the close of each semester file such report with the superintendent of public instruction as said officer may require. Upon receipt of a satisfactory report, the superintendent of public instruction shall issue a requisition upon the auditor of state for the amount due the school corporation of said high school for said semester, whereupon the auditor of state shall draw a warrant on the state treasury payable to said school corporation for the amount of said requisition and forward the same to the secretary of said school corporation. No high schools shall be approved as entitled to state aid unless a class of ten (10) or more shall have been organized, maintained and instructed during the preceding semester in accordance with the provisions of this act and the regulations of the superintendent of public instruction. [35 G. A., ch. 242; 34 G. A., ch. 131.]

Sec. 2634-d2. Inspector—salary—traveling expenses. The appropriation provided by this act for instruction of pupils in high schools in the science and practice of rural school teaching and the teaching of elementary agriculture and home economics, may be expended in part for inspection and supervision of such instruction by the superintendent of public instruction and by such person as he may designate, and the expense of such inspection and supervision shall be paid out of said appropriation on vouchers certified by the superintendent of public instruction. In accordance with the foregoing provisions of this section, the superintendent of public instruction is authorized to appoint an

inspector or normal training in high schools and private and denominational schools at a salary of not to exceed two thousand dollars (\$2,000.00) per year and necessary traveling expenses while in the discharge of his duties. [34 G. A., ch. 131.]

Sec. 2634-d3. State superintendent to prescribe conditions of admission, etc. The superintendent of public instruction shall prescribe the conditions of admission to the normal training classes, the course of instruction, the rules and regulations under which such instruction shall be given and the requirements for graduation subject to the provisions of this act. [34 G. A., ch. 131.]

Sec. 2634-d4. Examinations for graduation—fees. On the first Friday in February and the Wednesday and Thursday immediately preceding and on the second Friday in May and the Wednesday and Thursday immediately preceding, each year, in each high school approved under this act, an examination for graduation from the normal training course shall be conducted under such rules as the state board of examiners shall prescribe, but the county superintendent of the county in which an approved high school may be located shall be designated as the conductor of said examination.

Each applicant for a certificate of graduation shall pay a fee of one dollar (\$1.00), one-half of which shall be paid into the state treasury on or before the first day of the succeeding month, and one-half of which shall be paid into the county institute of the county wherein the examination is held. [34 G. A., ch. 131.]

Sec. 2634-d5. Certificate of graduation. A certificate of graduation from the normal training course provided for in this act shall be issued by the superintendent of public instruction and shall be a valid license to teach in any public school in the state for a term of two years, subject to registration as provided for other teachers' certificates. At the expiration of said certificate the superintendent of public instruction is authorized to renew it for a period of three (3) years under the same conditions that apply to the renewal of first grade uniform county certificates. [35 G. A., ch. 242; 34 G. A., ch. 131.]

Sec. 2634-d6. Appropriation. For the purpose of carrying out the provisions of this act, there is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of one hundred thousand (\$100,000) dollars, available for the period ending June 30, 1914, and the sum of one hundred twenty-five thousand (\$125,000) dollars annually thereafter. [35 G. A., ch. 242; 34 G. A., ch. 131.]

STATE AID TO CONSOLIDATED SCHOOLS.

35 G. A., ch. 250.

AN ACT to provide state aid to consolidated schools equipped with two or more rooms and which include in their course of study, industrial and vocational subjects, and making an appropriation therefor.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That all consolidated schools organized in accordance with the provisions of the code supplement section twenty-seven hundred ninety-four-a (2794-a) as amended by chapter one hundred forty-three (143) of the acts of the thirty-fourth general assembly, which are now or hereafter established with suitable grounds and a two-room school building and the necessary departments and equipment for teaching agriculture and home economics, or other industrial and vocational subjects, and employing teachers holding a certificate showing their qualifications to teach said subjects, and in which said subjects are provided as a part of the regular course in such schools, subject to the approval of the superintendent of public instruction; shall be awarded and paid from the state treasury from moneys not otherwise appropriated, the sum of \$250.00 towards the equipment required, and the further sum of \$200.00 annually.

Sec. 2. That all such schools established with a three-room school building and suitable grounds and the necessary departments and equipment for teaching agriculture, home economics and manual training, or other industrial and vocational subjects, and employing teachers holding a certificate showing their qualification to teach said subjects, and in which said subjects are provided as a part of the regular course in such schools, subject to the approval of the superintendent of public instruction; shall be awarded and paid from the state treasury from moneys not otherwise appropriated, the sum of \$350.00 towards the equipment required, and the further sum of \$500.00, annually.

Sec. 3. That all such schools established with four rooms or more and suitable grounds and the necessary departments and equipment for teaching agriculture, home economics and manual training, or other industrial and vocational subjects, and employing teachers holding a certificate showing their qualifications to teach said subjects, and in which said subjects are provided as a part of the regular course in such schools, subject to the approval of the superintendent of public instruction; shall be awarded and paid from the state treasury from moneys not otherwise appropriated the sum of \$500.00 towards the equipment required, and the further sum of \$750.00 annually.

Sec. 4. The secretary of each school corporation shall; at the close of each school year report to the superintendent of public instruction as said officer may require; upon receipt of a satisfactory report, the superintendent of public instruction shall issue a requisition upon the auditor of state for the amount due such school corporation for said year; whereupon the auditor of state shall draw a warrant on the state treasury payable to such school corporation for the amount of said requisition, and forward the same to the secretary of such school corporation.

Sec. 5. No consolidated school having a high school department shall receive additional aid for maintaining the normal training course in high schools as provided in chapter one hundred thirty-one (131), acts of the thirty-fourth general assembly.

Sec. 6. For the purpose of carrying out the provisions of this act there is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of thirty thousand (\$30,000.00) dollars or so much thereof as may be necessary for the period ending June 30, 1914, and the sum of fifty thousand (\$50,000.00) dollars, or so much thereof as may be necessary, annually thereafter for a period of four years.

Approved April 2, A. D. 1913.

BONDED INDEBTEDNESS.

35 G. A., ch. 252.

AN ACT to repeal section twenty-eight hundred thirteen (2813) supplement to the code, 1907, and enacting a substitute therefor relating to bonded indebtedness of school corporations.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section twenty-eight hundred thirteen (2813) supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

The board of each school corporation shall, when estimating and certifying the amount of money required for general purposes, estimate and certify to the board of supervisors of the proper county, the amount required to pay interest due or that may become due for the year beginning January first thereafter, upon lawful bonded indebtedness and in addition thereto such amount as the board may deem necessary to apply on the principal; but the amount estimated and certified to apply on principal and interest for any one year shall not exceed five (5) mills on the dollar of the actual valuation of the taxable property of the school corporation.

Sec. 2. The board of supervisors of the county to which the certificate is addressed within the contemplation of this act shall levy the necessary tax to raise the amount estimated, or so much thereof as may be lawful and within the limitation of this act, which levy shall be made as other taxes for school purposes.

Sec. 3. This act shall apply to estimates heretofore made, certificates furnished, or taxes levied, together with such as may hereafter be made, furnished or levied for the purposes contemplated by this act; but this act shall not apply to pending litigation.

Sec. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 8, A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader, March 12, 1913, and in the Des Moines Capital, March 11, 1913.

W. S. ALLEN,
Secretary of State.

CERTIFICATES ON COLLEGE GRADUATION.

35 G. A., ch. 226.

AN ACT to amend the law as it appears in section two thousand six hundred thirty-four-f (2634-f) of the supplement to the code, 1907, relating to the acceptance of graduation from institutions of higher learning as evidence that a teacher possesses the scholarship and professional fitness for a state certificate.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section two thousand six hundred thirty-four-f (2634-f) of the supplement to the code, 1907, be and the same is hereby amended by inserting after the comma the following words "state university" in the third line the words "state teachers' college" and adding section 2, so that the section, when so amended, shall read as follows:

"That the state educational board of examiners may accept graduation from the regular and collegiate courses in the state university, state teachers' college, state normal schools and the state college of agriculture and mechanic arts, and from other institutions of higher learning in the state having regular and collegiate courses of equal rank, as evidence that a teacher possesses the scholarship and professional fitness for a state certificate.

Sec. 2. Graduates of colleges and schools located in other states than Iowa, having regular and collegiate courses of equal rank with the accredited colleges and schools of Iowa, may be given the same recognition as provided in section one (1) of this act, providing they file with the board of educational examiners evidence of at least two years' successful experience as a teacher, principal or superintendent of schools."

Approved April 17, A. D. 1913.

TUITION IN HIGH SCHOOLS.

35 G. A., ch. 239.

AN ACT to repeal chapter one hundred and forty-six (146) of the acts of the thirty-fourth general assembly, and to enact a substitute therefor, relating to high school tuition.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That chapter one hundred forty-six (146) of the acts of the thirty-fourth (34) general assembly is hereby repealed and the following is enacted in lieu thereof:

"Any person of school age who is a resident of a school corporation which does not offer a four-year high school course and who has completed the course as approved by the department of public instruction for such corporation shall be permitted to attend any public high school or county high school in the state approved in like manner, that will receive him."

Any person applying for admission to any high school under the provisions of this act shall present the officials of said high school the affidavit of his or her father, mother or guardian that such applicant is of school age and a resident of a school district of this state, specifying the district. He shall also present a certificate signed by the county superintendent showing proficiency in the common school branches, reading, orthography, arithmetic, physiology, grammar, civics of Iowa, geography, United States history, penmanship and music.

The school corporation in which such student resides shall pay to the secretary of the corporation in which such student shall be permitted to enter a tuition fee equal to the average cost of tuition and the average proportion of contingent expenses in the high school department in the latter corporation during the time he so attends, not exceeding, however, a total period of four (4) school years. Such payment to be made out of the teachers' fund and the contingent fund or out of the general fund of the debtor corporation and such tuition fee as collected by the secretary shall be turned over by him with an itemized statement, to the treasurer of the school funds on or before February 15th and June 15th of each year, provided the maximum fee collected from any district for each pupil shall not exceed the sum of three and one-half dollars (\$3.50) per month except in high schools where free text books are provided by the district such additional amount may be charged as will cover the cost of the text books furnished to such pupil.

If payment is refused or neglected the board of the creditor corporation shall file with the auditor of the county of the pupil's residence a statement certified by its president specifying the amount due for tuition and for contingent expenses respectively, and the time for which the same is claimed; and the auditor shall transmit to the county treasurer an order directing such treasurer to transfer the amount of such account from the debtor corporation to the creditor corporation, and the treasurer shall pay the same in accordance herewith."

Approved April 13, A. D. 1913.

TUITION IN COUNTY HIGH SCHOOLS.

35 G. A., ch. 240.

AN ACT to amend house file ninety-three (93) of the acts of the thirty-fifth general assembly, relating to the payment of tuition of pupils attending high schools located in other districts.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That house file ninety-three (93) of the acts of the thirty-fifth general assembly be and the same is hereby amended by adding the following as an additional section thereto:

"No school corporation situated in a county maintaining a county high school shall be required to pay the tuition of pupils at any high

school other than such county high school, but this shall not apply to pupils who, while residing at home, attend some high school other than that of the school corporation in which they reside; and the tuition to be paid by school corporations in such county shall be two (\$2.00) dollars per pupil per month."

Approved April 19, A. D. 1913.

NORMAL INSTITUTE.

35 G. A., ch. 225.

AN ACT to amend the law as it appears in section twenty-six hundred twenty-two (2622), supplement to the code, 1907, and to repeal the law as it appears in section twenty-seven hundred thirty-eight (2738), supplement to the code, 1907, as amended by chapter one hundred thirty (130), acts of the thirty-fourth general assembly, and to enact a substitute therefor, relating to normal institutes.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section twenty-six hundred twenty-two (2622), supplement to the code, 1907, be and the same is hereby amended by striking out the words "and remain in session not less than six (6) working days," which words are found in lines nine (9) and ten (10) of said section.

Sec. 2. That the law as it appears in section twenty-seven hundred thirty-eight (2738), supplement to the code, 1907, as amended by chapter one hundred thirty (130) of the acts of the thirty-fourth general assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

"The county superintendent shall hold annually at least one, but not more than two, county teachers' institutes at such times as the schools of the county are generally in session; and shall, with the concurrence of the superintendent of public instruction procure such assistance as may be necessary to conduct the same."

The school board of every school district except in city independent school districts where twenty-five or more teachers are regularly employed, shall adjourn the school or schools of said district for not less than two days in each school year in order to allow teachers to attend county teachers' institutes held in the county, without loss of salary. The county superintendent shall issue a certificate of attendance to each teacher showing number of days of attendance at said institute, and any teacher failing to attend said teachers' institute two days shall forfeit his or her average daily salary for each day of non-attendance, except when excused by the county superintendent for physical disability to perform his or her duties in the school room.

In city independent districts where twenty-five or more teachers are regularly employed, the county superintendent shall co-operate with

the city superintendent in arranging for educational lectures relating to the professional work of the teacher and to such matters of public education as may best meet the needs of the teachers in such districts and at such time as may be approved by the city superintendent and city board of education, in so far as the condition of the county institute fund shall permit. All arrangements concerning plans for professional teachers' meetings in said city districts shall be subject to final approval by the superintendent of public instruction. It shall be the duty of teachers in said districts to attend said lectures and the county superintendent shall issue a certificate of attendance showing number of lectures attended as provided by this act."

To defray the expenses of said teachers' institutes, in addition to the fifty (\$50) dollars received annually from the state and one-half of all examination fees collected in the county, one hundred fifty (\$150) dollars from the general county fund shall be available for that purpose in counties having a population of thirty thousand (30,000) or less, which amount shall be appropriated by the board of supervisors of such county at their January session in each year, and in counties of over thirty thousand (30,000), two hundred (\$200) dollars shall be thus appropriated for such purpose.

No part of the county teachers' institute fund received from the aforesaid sources may be used for any other purposes than to pay instructors, for special supplies needed in order to promptly conduct said teachers' institutes, for janitor service, and rent for building in which to conduct said institutes if necessary.

On the first secular day of each month, the county superintendent shall transmit to the county treasurer all moneys received for examination fees and the state appropriation for institutes, which, together with the county appropriation, shall be designated as "the county teachers' institute fund;" he shall also report monthly the names of all applicants for teachers' certificates to the county auditor. All disbursements of the institute fund shall be by warrants drawn by the county auditor, who shall draw said warrants upon the written order of the county superintendent, and said written order must be accompanied by an itemized bill for services rendered or expenses incurred in connection with the institute, which bill must be signed and sworn to by the party in whose favor the order is made and must be verified by the county superintendent. All said orders and bills shall be kept on file in the auditor's office until the final settlement of the county superintendent with the board of supervisors at the close of his term of office. No warrant shall be drawn by the auditor in excess of institute fund then in the county treasury. The county superintendent shall furnish to the county board of supervisors a certified itemized account of the receipts and disbursements of all moneys collected and paid out by him for teachers' institutes and summer schools, which account they shall examine, audit and publish a summary thereof with the proceedings of the regular June meeting of the board. The county superintendent shall report to the board of supervisors on the first

of January annually a summary of his official financial transactions for the previous year.”

County superintendents are hereby authorized by law to conduct from four to six weeks summer school where it may be deemed advisable, for the purpose of giving teachers and prospective teachers academic instruction. A fee shall be collected from each attendant sufficient in the aggregate to meet all necessary expenses for the support of said summer school. The fee so collected shall be paid into the county institute fund and a list of the names of all attendants shall be filed with the county auditor. Warrants for the purpose of paying instructors employed in summer schools shall be drawn by the county auditor, who shall draw said warrant upon written order of the county superintendent, and said written order must be accompanied by a certified itemized bill for services rendered or expenses incurred in connection with said summer school, but no warrant shall be issued in excess of the fees received from the summer school and deposited with the county treasurer. This act shall not take effect until July 1, 1914.

Approved April 19, A. D. 1913.

ELECTION OF SCHOOL OFFICERS.

Sec. 2754. Elections in independent districts—tie vote. At the annual meeting in all independent districts members of the board shall be chosen by ballot. In any district including all or part of a city of the first class or a city under special charter, the board shall consist of seven members, three of whom shall be chosen on the second Monday in March, 1898, two on the second Monday in March, 1899, and two on the second Monday in March, 1900. In all other independent city, town or village districts, and in all rural independent districts where the board now consists of six members, the board shall consist of five members, one of whom shall be chosen on the second Monday in March, 1898, two on the second Monday in March, 1899, and two on the second Monday in March, 1900. In all independent city, town, or village districts where the board now consists of three members such board shall hereafter consist of five members, three of whom shall be elected on the second Monday in March, 1898, one for one year, one for two years, and one for three years. In all other rural independent districts the board shall consist of three members, one of whom shall be chosen on the second Monday in March, 1898, and one each year thereafter. In districts composed in whole or in part of cities or towns, a treasurer shall be chosen in like manner, whose term shall begin on the first day of July, unless that date falls on Sunday, in which case, on the day following, and continue for two years, or until his successor is elected and qualified. The term of office of the incumbent treasurer in said districts shall expire on the third Monday in March, 1898. In such districts the polls must remain open not less than five hours and in rural independent districts and school townships not less

than two hours. In each case the polls shall open at one o'clock p. m., except as provided in section twenty-seven hundred and fifty-six of this chapter. A tie vote for any elective school office shall be publicly determined by lot forthwith, under the direction of the judges. The names of all persons nominated as candidates for office in all independent city or town districts shall be filed with the secretary of the school board not later than seven days previous to the day on which the annual school election is to be held, each candidate to be nominated by a petition signed by not less than ten qualified electors of the district. The secretary of the school board shall cause to be printed, ballots upon which shall appear in alphabetical order the names of all candidates for each office, filed as herein provided, and a blank line for each such officer to be elected, and there shall be at the left of each name and each blank line a square and there shall also be a direction to the voter as to the number of candidates to be voted for at said school election. Ballots shall be printed upon plain substantial paper of uniform quality and shall have no party designation or mark whatever. The secretary of the board shall cause to be delivered at the several polling places a sufficient number of ballots. In all other respects the said school election in independent city or town districts shall be conducted under the general election laws of the state of Iowa so far as same may be applicable. [35 G. A., ch. 245; 31 G. A., ch. 136, § 2; 27 G. A., ch. 91, 93; 22 G. A., ch. 51; 18 G. A., ch. 7, § 2; C. '73, §§1789, 1808.]

Sec. 2756. Conduct of elections. As judges of the election referred to in the preceding section, the board shall appoint three voters of the precinct, one of whom shall act as clerk, who shall be sworn as provided in case of a general election. "Such judges may or may not be members of the board, as the board may determine, provided that not more than one member of the school board shall act as such judge at any one voting precinct." [35 G. A., ch. 245; 31 G. A., ch. 136, § 2; 27 G. A., ch. 91, 93; 22 G. A., ch. 51; 18 G. A., ch. 7; § 2; C. '73, §§ 1789, 1808.]

MAXIMUM SCHOOL TAX LEVY.

Sec. 2806. School taxes. The board of each school corporation shall at its regular meeting in July, or at a special meeting called for that purpose between the time designated for such regular meeting and the third Monday in August, estimate the amount required for the contingent fund, not exceeding ten dollars for each person of school age, but each school corporation may estimate not exceeding seventy-five dollars for each school thereof, and such additional sum as may be necessary not exceeding five dollars for each person of school age for transporting children to and from school; and also such additional sum as may be authorized in the chapter on uniformity of text-books; also such sum as may be required for the teachers' fund, which shall not exceed thirty dollars for each person of school age therein, but each corporation may estimate not exceeding two hundred and seventy

dollars, for each regular school therein. No tax shall be estimated by the board after the third Monday in August in each year. School corporations containing territory in adjoining counties may vote and estimate all taxes for school purposes in mills. The board shall apportion any tax voted by the annual meeting for school house fund among the several subdistricts in such a manner as justice and equity may require, taking as the basis of such apportionment the respective amounts previously levied upon said subdistricts for the use of such fund. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register & Leader and in the Des Moines Capital, newspapers published at Des Moines, Iowa.

"The board of directors of any school corporation in which there is no free public library shall have the power to contract with any free public library for the free use of such library by the residents of such school district as provided in section one of this act and to pay such library the amount agreed therefor, and to certify annually a tax not exceeding one mill on the dollar of the taxable property of such district, to be used exclusively therefor; and during the existence of such contract a tax sufficient to pay such library the consideration agreed upon, not exceeding one mill on the dollar, shall be certified annually by such board. Each school corporation making such contract shall, during the existence of such contract, be relieved from the requirements of section 2823-n of the supplement to the code, 1907. This section shall not be construed to apply in townships where a contract is in existence under the provisions of section 2 of this act." [35 G. A., ch. 251, 70 § 5; 33 G. A., ch. 182; 31 G. A., ch. 136; § 14; 28 G. A., ch. 108; 15 G. A., ch. 67, § 1; C., '73, §§ 1738, 1777-8, 1780; R., §§ 2033-4, 2037-44, 2088.]

TEACHING AGRICULTURE, DOMESTIC SCIENCE AND MANUAL TRAINING IN PUBLIC SCHOOLS.

35 G. A., ch. 248.

AN ACT requiring the teaching of elementary agriculture, domestic science, and manual training in the public schools, after a specified time.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. The teaching of elementary agriculture, domestic science, and manual training shall, after the first day of July, nineteen hundred and fifteen (1915), be required in the public schools of the state; and the state superintendent of public instruction shall prescribe the extent of such instruction in the public schools. And after the date aforesaid elementary agriculture and domestic science shall be included among the subjects required in the examination of those applicants for teachers' certificates who are required by the provisions of this act to teach agriculture and domestic science.

QUALIFICATION OF TEACHERS.

Sec. 2734-p. Application fee. Each applicant for a certificate shall pay a fee of one dollar, one-half of which shall be paid into the state treasury on or before the first day of the succeeding month, and one-half shall be paid into the county institute fund.

1. Provided, however, that applicants for teachers' certificates after July 1, 1915, shall have had at least twelve weeks of normal training, and shall at the time of making such application furnish a certificate in writing from the institution where such training was received, showing such fact. It is further provided, that this act shall not apply to the regular graduates of the state university, state college of agriculture and mechanic arts, state teachers' college, any accredited college of the state, or of any other college of like character outside of the state.

2. The provisions of this act shall in no way bar any teacher who can furnish evidence of at least six (6) months' successful teaching experience.

3. If there should be schools without teachers and teachers cannot be secured with qualifications as provided in section one (1) or two (2) of this act, then provisional certificates may be issued regardless of qualifications as provided in said sections to so many teachers as shall be required to supply such schools. [35 G. A., ch. 243; 31 G. A., ch. 122, § 16.]

COMPULSORY ATTENDANCE.

Sec. 2823-a. Duties of parents or guardians—penalty. Any person having control of any child of the age of seven (7) to sixteen (16) years inclusive, in proper physical and mental condition to attend school, shall cause such child to attend some public, private, or parochial school, where the common school branches of reading, writing, spelling, arithmetic, grammar, geography, physiology, and United States history are taught, or to attend upon equivalent instruction by a competent teacher elsewhere than school, for at least twenty-four (24) consecutive school weeks in each school year, commencing with the first week of school after the first day of September, unless the board of school directors shall determine upon a later date which date shall not be later than the first Monday in December; but the board of directors in any city of the first and second class may require attendance for the entire time the schools are in session in any school year. Provided, that this section shall not apply to any child who lives more than two (2) miles from any school by the nearest traveled road except in those districts in which the pupils are transported at public expense, or who is over the age of fourteen (14) and is regularly employed or has educational qualifications equal to that of pupils who have completed the eighth grade, or who is excused for sufficient reasons by any court of record or judge thereof or while attending religious service or receiving religious instruction. Any person who shall

violate the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than three (\$3) dollars nor more than twenty (\$20) dollars, for each offense. [35 G. A., ch. 255; 33 G. A., ch. 186, 187; 30 G. A., ch. 116, § 1; 29 G. A., ch. 128, § 1.]

Sec. 2823-1. School census. It shall be the duty of all officers, empowered to take the school census, to ascertain the number of children of the age of seven (7) to sixteen (16) years, inclusive, in their respective districts, the number of such children who do not attend school, and so far as possible, the cause of failure to attend school. [35 G. A., ch. 255; 29 G. A., ch. 128, § 9.]

RULES REGULATING THE CONDUCT OF PUBLIC SCHOOL PUPILS AND FORBIDDING THE USE OF TOBACCO BY SUCH PUPILS.

(County High Schools.)

Sec. 2732. Regulations. The principal of any such high school, with the approval of the board of trustees shall make such rules and regulations as is deemed proper in regard to the studies, conduct and government of the pupils, and such rules and regulations shall prohibit the use of tobacco in any form by any student of such school, and any pupil who will not conform to and obey such rules may be suspended or expelled therefrom by the board of trustees. Said board of trustees shall make all necessary rules and regulations in regard to the age and grade of attainments necessary to entitle pupils to admission into the school, and shall, on or before the tenth day of July of each year make an apportionment between the different school corporations of the county, of the pupils that shall attend said school, and shall apportion to each of said school corporations its proportionate number, based upon the number of pupils that can be reasonably accommodated in said school, and the number of pupils of school age, actual residents of such school corporations, as shown by the county superintendent's report last filed with the county auditor, of said county; said apportionment shall be published in the official papers of such county, to be paid for, as other county printing; pupils from the said school corporations to the number so designated in such apportionment, shall be entitled to admission into said school, tuition free, and none others, and it shall be unlawful to accredit pupils so attending to any other school corporation, than the one in which they are enumerated for school purposes. Should there be more applicants for such admission from any school corporation than its proportionate number, so determined, then the board of directors of such school corporation shall designate which of said applicants shall be entitled to so attend. If the school shall be capable of accommodating more pupils than those attending under such apportionment, others may be admitted by the board of trustees, preference at all times being given to pupils desiring such admission, who are residents of the county. The board of trustees shall fix reasonable tuition for such pupils. If such pupils are residents

of the county the school corporation from which they attend shall pay their tuition out of its contingent fund. The principal of such high school shall report to the said board of trustees under oath, at the close of each term the names and number of pupils attending such school during said term, from what school corporation they attended, and the amount of tuition, if any, paid by each, the same to be included in the annual report of the secretary of the board of trustees to the board of supervisors, provided for in section twenty-seven hundred and thirty-one (2731) of the code. The tuition so paid to be turned over to the treasurer of the board of trustees to be used in paying the expenses of said school under the direction of said board. [35 G. A., ch. 241; 27 G. A., ch. 84, § 4; C. '73, § 1709.]

RULES REGULATING THE CONDUCT OF PUBLIC SCHOOL PUPILS
AND FORBIDDING THE USE OF TOBACCO BY SUCH PUPILS.

(Common Schools.)

Sec. 2772. Temporary officers—course of study—regulations. The board shall appoint a temporary president and secretary, or either of them, in the absence of the regular officers, and shall prescribe a course of study for the schools of the corporation, make rules and regulations for its own government and that of the directors, officers, teachers and pupils, and the care of the schoolhouse, grounds and property of the school corporation, and aid in the enforcement of the same, and require the performance of duty by said persons not in conflict with law and said rules and regulations, and such rules and regulations shall prohibit the use of tobacco in any form by any student of such schools and such board may suspend or expel such student for any violation of such rule. [35 G. A., ch. 241; C. '73 §§ 1730, 1737; R., § 2037.]

DUTIES OF SECRETARY.

Sec. 2761. Duties of secretary. The secretary shall file and preserve copies of all reports made to the county superintendent, and all papers transmitted to him pertaining to the business of the corporation; keep a complete record of all the proceedings of the meetings of the board and the voters of the corporation in separate books; keep an accurate, separate account of each fund with the treasurer, charge him with all warrants and drafts drawn in his favor, and credit him with all orders drawn on each fund; and he shall keep an accurate account of all expenses incurred by the corporation, and present the same to the board for audit and payment. At the annual meeting he shall record, in a book provided for that purpose, the names of all persons voting thereat, the number of votes cast for each candidate, and for and against each proposition submitted. The secretary of each independent town or city district shall file monthly, on or before the tenth day of each

month, with the board of directors, a complete statement of all receipts and disbursements from the various funds during the preceding month, and also the balance remaining on hand in the various funds at the close of the period covered by said statement; which monthly statements shall be open to public inspection. [35 G. A., ch. 246; C. '73, §§ 1741, 1743; R., §§ 2041-2; C. '51, § 1128.]

SCHOOL SITES.

Sec. 2814. Repeal—schoolhouse sites—acquisition. Any school corporation may take and hold so much real estate as may be required for schoolhouse sites, for the location or construction thereon of schoolhouses, and the convenient use thereof, but not to exceed one acre, exclusive of public highway, except in a city, town, or village it may include one block exclusive of the street or highway as the case may be, and may take and hold such additional real estate, not exceeding five acres, as may be required for school play ground or other purposes. Provided nothing in this act shall affect pending litigation; or in districts consolidated under the provisions of section twenty-seven hundred and ninety-nine (2799) of the code, or chapter one hundred and forty-one (141) of the laws of the thirty-first general assembly, or in school townships holding not more than two sites, may consist of not to exceed four acres, for any one site, unless by the owner's consent, which site must be upon some public road already established or procured by the board of directors and shall, except in cities, towns, or villages, be at least thirty rods from the residence of any owner who objects to its being placed nearer, and not in any orchard, garden or public park.

This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa, without expense to the state. [35 G. A., ch. 253; 32 G. A., ch. 153; C. '73, §§ 1825-6.]

USE OF SCHOOL BUILDING FOR PUBLIC RECREATION GROUNDS.

35 G. A., ch. 257.

AN ACT giving school boards in certain districts authority to use school buildings and grounds and other public buildings and grounds for public recreation and play ground purposes and providing for the levy of separate tax for the support of same and authorizing cities within or including such districts to appropriate money for the same purpose. Additional to chapter fourteen (14) title thirteen (13) of the code.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Boards of school directors in school districts containing or contained in cities of the first or second class, cities under special charter, or cities under the commission plan of government, are hereby

authorized to establish and maintain for children in the public school buildings and on the public school grounds under the custody and management of such boards, public recreation places and play grounds and necessary accommodations for same, without charge to the residents of said school district; also to co-operate with the commissioners or boards having the custody and management in such cities of public parks and public buildings and grounds of whatever sort, and by making arrangements satisfactory to such boards controlling public parks and grounds to provide for the supervision, instruction and oversight necessary to carry on public educational and recreational activities, as described in this section in buildings and upon grounds in the custody and under the management of such commissioners or boards having charge of public parks and public buildings on grounds of whatever sort, in such cities of the first or second class, cities under special charter, or cities under commission plan of government.

Sec. 2. The board of directors of any school district containing, or contained in, any city of the first or second class, city under special charter, or city under the commission plan of government, may, and upon petition to that effect signed by legally qualified voters aggregating not less than twenty-five (25) per cent of the number voting at the last preceding school election, shall submit to the electors of such school district the question of levying a tax as in this act provided; and if a majority of the votes cast upon such proposition be in favor thereof, then the board of school directors shall proceed to organize the work as authorized in this act and levy a tax therefor at the time and in the manner provided in section three (3) of this act. If at the time of filing said petition it shall be more than three months till the next regular school election, then the board of school directors shall submit said question at a special election within sixty days.

Sec. 3. Boards of school directors in such districts shall fix and certify to the board of supervisors on or before the first Monday of September the amount of money required for the next fiscal year for the support of the aforementioned activities, in the same manner as the amount of necessary taxes for other school purposes is certified and said board of supervisors shall levy and collect a tax upon all the property subject to taxation in said school district at the same time and in the same manner as other taxes are levied and collected by law which shall be equal to the amount of money so required for such purposes by the said board of school directors as provided in this act; provided that the tax so levied upon each dollar of the assessed valuation of all property, real and personal in said district, subject to taxation, shall not in any one year exceed two (2) mills for the purpose of the activities hereinbefore mentioned in this act; the said tax shall not be used or appropriated directly or indirectly for any other purpose than provided in this act.

Sec. 4. All moneys received by, or raised in such city for the aforementioned purpose shall be paid over to the treasurer of the school district, to be disbursed by him on orders of such board of school directors

in such district in the same manner as other funds of said school district are disbursed by him, but the tax provided for in this act shall not be levied or collected nor shall the board of school directors, as provided in this act, have authority to certify the amount of taxes necessary for this purpose until after the question of the levy of such tax shall have been authorized by a majority vote at a regular or special election.

Sec. 5. After the question of the levy of such special tax has been submitted to and approved by the voters as provided in this act, the authority shall remain, and such tax shall be levied and collected annually until such time as the voters of the school district of such city shall by majority vote order the discontinuance of the levy and collection of such tax.

Sec. 6. The board of school directors in any district governed by this act, may, and on petition to that effect signed by legally qualified voters aggregating not less than twenty-five (25) per cent of the number of voting at the last preceding school election, shall submit to the electors of such school district the question of discontinuing the levying of such tax as may have been previously authorized under the provisions of this act, and if a majority of the votes cast upon such proposition be in favor thereof, then the levying of such tax shall be discontinued and shall not be resumed unless again authorized under the provisions of section two (2) of this act.

Sec. 7. The board of school directors in any district governed by this act, is also empowered to receive and expend for the purpose of this act, any sums of money appropriated and turned over to them by the city council or commissioners of such city for such purpose; and the city council or commissioners of such city, shall have authority to appropriate and turn over to the board of school directors of the school district containing or contained in such city, any reasonable sums of money which the said council or commissioners may desire to appropriate out of the general funds of such city and turn over to the said board of school directors for the purposes herein set forth.

Approved April 2, A. D. 1913.

LIMIT OF INDEBTEDNESS.

Sec. 2820-a. **Indebtedness authorized—amount.** Any independent district containing, or contained in, any city, town or village, or any consolidated independent district shall be allowed to become indebted for the purpose of building and furnishing a school house or houses and procuring a site therefor, or for the purpose of purchasing land to add to a site already owned, to an amount not to exceed in the aggregate, including all other indebtedness, five per centum of the actual value of the taxable property within such independent school district, such value to be ascertained by the last county tax list previous to the incurring of such indebtedness, anything contained in section one thousand three hundred and six-b (1306-b) of the supplement to the code, 1907, to the contrary notwithstanding. This act being deemed of immediate impor-

tance shall be in full force and effect after its publication in the Des Moines Capital and Register and Leader, newspapers published in Des Moines, Iowa. [35 G. A., ch. 10; 34 G. A., ch. 145; 33 G. A., ch. 184; 30 G. A., ch. 114.]

PURCHASE OF SCHOOL SITE.

35 G. A., H. F. 548.

AN ACT to amend section one (1) of chapter one hundred eighty-four (184) of the acts of the thirty-third general assembly as amended by section one (1) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly, and to amend section two (2) of chapter one hundred eighty-four (184) of the acts of the thirty-third general assembly as amended by section two (2) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly, relative to the limit of indebtedness of independent school districts.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section one (1) of chapter one hundred eighty-four (184) of the acts of the thirty-third general assembly as amended by section one (1) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly be amended by adding after the comma following the word "therefor" in the fourth line of section one (1) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly the following words:

"or for the purpose of purchasing land to add to a site already owned,".

Sec. 2. That section two (2) of chapter one hundred eighty-four (184) of the acts of the thirty-third general assembly as amended by section two (2) of chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly be amended by adding a comma after the word "furnished" in the seventh line of section two (2), chapter one hundred forty-five (145) of the acts of the thirty-fourth general assembly, and after the comma the following words: "or that sufficient land cannot be purchased to add to a site already owned,".

Approved April 18, A. D. 1913.

FLAG FOR EACH PUBLIC SCHOOL BUILDING.

35 G. A., ch. 244.

AN ACT to promote patriotism and to provide for the display of the flag of the United States of America upon public buildings of the state and within certain public buildings of the state.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That it shall be the duty of the board of directors of each school corporation of this state to provide a suitable flag-staff on each

public school building maintained under the authority of such board of directors and to provide each of such school buildings with a suitable flag, and such flag shall be raised over such building on all days when weather suitable therefor shall prevail.

Sec. 2. That at the commencement of each school day the teacher, superintendent, principal or whoever has the general supervision of the school administration within any such building, may arrange for the raising of such flag, as herein provided for, over the said building, with appropriate services, when weather conditions will permit, at the beginning of each school day.

Sec. 3. That it shall be the duty of the custodians of all public buildings of the state of Iowa to raise over such building the flag of the United States of America, upon each secular day when weather conditions are favorable, and it shall be the duty of any board of public officers charged with the duty of providing for the supplies of any such public building, to provide in connection with other supplies of any such building of the state of Iowa, a suitable flag for the purpose herein provided.

Approved April 17, A. D. 1913.

SCHOOL LAW DISTRIBUTION.

35 G. A., ch. 256.

AN ACT to repeal sections twenty-eight hundred twenty-three-j (2823-j), twenty-eight hundred twenty-three-k (2823-k), twenty-eight hundred twenty-three-l (2823-l), and twenty-eight hundred twenty-three-m (2823-m), supplement to the code, 1907, and enact a substitute therefor relating to the publication and distribution of school laws.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That sections twenty-eight hundred and twenty-three-j (2823-j), twenty-eight hundred and twenty-three-k (2823-k), twenty-eight hundred and twenty-three-l (2823-l) and twenty-eight hundred twenty-three-m (2823-m), supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

"The superintendent of public instruction shall every four years, if deemed necessary, cause to be printed, bound and distributed all school laws in force up to that time, the number to be determined by the executive council.

Each county superintendent shall be furnished a sufficient number of copies to supply the school officers of the state and such others as may request them."

Approved April 18, A. D. 1913.

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SCHOOL FOR DEAF AND DUMB.

35 G. A., ch. 232.

AN ACT to repeal the law as it appears in section twenty-seven hundred twenty-four (2724) of the supplement to the code, 1907, and to enact a substitute therefor relating to admission to the school for the deaf and to reports by county superintendents of deaf persons.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the law as it appears in section twenty-seven hundred twenty-four (2724) of the supplement to the code of 1907, is hereby repealed and in lieu thereof is enacted the following:

Sec. 2724. Every resident of the state of Iowa who is not less than five nor more than twenty-one years of age who is deaf and dumb, or so deaf as to be unable to acquire an education in the common schools, and every such person who is over twenty-one and under thirty-five years of age who has the consent of the board of control of state institutions, shall be entitled to receive an education in the institution at the expense of the state, and non-residents similarly situated may be entitled to an education therein, upon the payment of sixty-six dollars quarterly, in advance. Each superintendent of common schools, on or before the first day of November of each year, shall report to the superintendent of the institution the name, age and postoffice address of each deaf and dumb person, or person so deaf as to be unable to acquire an education in the common schools, between the ages of five and thirty-five years and residing in his county so far as he may ascertain.

Approved March 29, A. D. 1913.



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