

CHAPTER 103.

DEPARTMENT OF PUBLIC INSTRUCTION.

S. F. 70.

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. Superintendent of public instruction—appointment—term of office—vacancies. 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 success 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. Qualifications—oath. 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. General supervision. 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. **Inspection.** To ascertain, so far as practicable, by inspection or otherwise, the conditions, needs and progress of the schools belonging to his department.

2. **Recommendations.** 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. **Vocational training.** 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. **Classification.** 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. **Blanks.** 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 to be made to him.

6. **Days for special observance.** 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. **Opinions.** 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. **Reports.** 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. **Plans and specifications.** 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. **Institutes.** 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. **Examinations.** 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. Office—records—assistants—supplies. 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. Publication of school laws. 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. Reports from officers—penalty. 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. Deputy—chief clerk. 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. Compensation. 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. Amended—appointive, not elective. The law as it appears in section 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 are 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.