

the treasurer of state, but not to exceed the fees paid into the treasury by the board and county superintendents.

Sec. 39. Account of moneys. The board shall keep an accurate and detailed account of all money received and expended, which, with a list of those receiving certificates or diplomas, shall be published by the superintendent of public instruction in his annual report.

Sec. 40. Printing. The board of educational examiners shall have authority to obtain all the necessary printing for the performance of their duties, as required by law, in the same manner as the printing is provided for state officers.

Approved April 10, 1925.

CHAPTER 64

EDUCATION

H. F. 90

AN ACT to amend, revise, and codify sections two thousand three hundred eighteen (2318) to two thousand three hundred twenty-six (2326), inclusive, two thousand three hundred twenty-nine (2329) to two thousand three hundred forty-four (2344), inclusive, two thousand three hundred forty-seven (2347), two thousand three hundred ninety-eight (2398) to two thousand four hundred fourteen (2414), inclusive, two thousand four hundred thirty-two (2432), two thousand four hundred thirty-six (2436), two thousand four hundred thirty-seven (2437), two thousand four hundred forty (2440), and two thousand four hundred forty-four (2444) of the compiled code of Iowa, and sections two thousand three hundred twenty-seven (2327) and two thousand three hundred twenty-eight (2328) of the supplement to said code, relating to education.

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

That sections two thousand three hundred eighteen (2318) to two thousand three hundred twenty-six (2326), inclusive, two thousand three hundred twenty-nine (2329) to two thousand three hundred forty-four (2344), inclusive, two thousand three hundred forty-seven (2347), two thousand three hundred ninety-eight (2398) to two thousand four hundred fourteen (2414), inclusive, two thousand four hundred thirty-two (2432), two thousand four hundred thirty-six (2436), two thousand four hundred thirty-seven (2437), two thousand four hundred forty (2440), and two thousand four hundred forty-four (2444) of the compiled Code of Iowa, and sections two thousand three hundred twenty-seven (2327) and two thousand three hundred twenty-eight (2328) of the supplement to said Code are amended, revised, and codified to read as follows:

Section 1. State board of education. The state board of education shall consist of nine (9) members, who shall be selected from the state at large solely with regard to their qualifications and fitness to discharge the duties of the office. Not more than five (5) members shall be of the same political

party. Not more than one (1) alumnus of each of the institutions of higher learning, the state university, the college of agriculture and mechanic arts, and the Iowa state teachers college shall be members of said board at one time.

Sec. 2. Term of office. The term of each member of said board shall be for six (6) years. The terms of three (3) members of the board shall expire on the first day of July of each odd-numbered year.

Sec. 3. Appointment. During each regular session of the legislature, the governor shall appoint, with the approval of two-thirds (2/3) of the members of the senate in executive session, three (3) members of said board to succeed those whose terms expire on the first day of July next thereafter.

Sec. 4. Confirmation. No nominations shall be considered by the senate until the same have been referred to a committee of five (5), not more than three (3) of whom shall belong to the same political party. Said committee shall be appointed by the president of the senate, without motion, and shall report to the senate in executive session. Such report shall be made at any time when called for by the senate. The consideration of nominations by the senate shall not be had on the same legislative day that nominations are so referred.

Sec. 5. Removals during legislative session. The governor, with the approval of a majority of the senate during a session of the general assembly, may remove any member of the board for malfeasance in office, or for any cause which would render him ineligible for appointment or incapable or unfit to discharge the duties of his office, and his removal, when so made, shall be final.

Sec. 6. Suspension. When the general assembly is not in session, the governor may suspend any member so disqualified and shall appoint another to fill the vacancy thus created, subject to the approval of the senate when next in session.

Sec. 7. Vacancies. All vacancies on said board which may occur when the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty (30) days after the general assembly next convenes. Vacancies occurring during a session of the general assembly shall be filled before the end of said session in the same manner in which regular appointments are required to be made.

Sec. 8. Institutions governed by the board. The state board of education shall govern the following institutions:

1. The state university of Iowa.
2. The college of agriculture and mechanic arts, including the agricultural experiment station.
3. The Iowa state teachers college.
4. The state school for the blind.
5. The state school for the deaf.

Sec. 9. Meetings. The board shall meet four (4) times a year. Special meetings may be called by the board, by the president of the board, or by the secretary of the board upon written request of any five (5) members thereof.

Sec. 10. Powers and duties of the board. The board shall:

1. Each even-numbered year elect, from its members, a president of the board, who shall serve for two (2) years and until his successor is elected and qualified.
2. Elect a president of each of said institutions of higher learn-

ing; a superintendent of each of said other institutions; a treasurer and a secretarial officer for each institution annually; professors, instructors, officers, and employees; and fix their compensation.

4. Make rules for admission to and for the government of said institutions, not inconsistent with law.

5. Manage and control the property, both real and personal, belonging to said institutions.

6. With the approval of the executive council acquire real estate for the proper uses of said institutions, and dispose of real estate belonging to said institutions when not necessary for their purposes.

7. Accept and administer trusts deemed by it beneficial to, and perform obligations of the institutions.

8. Direct the expenditure of all appropriations made to said institutions, and of any other moneys belonging thereto, but in no event shall the perpetual funds of the state college of agriculture and mechanic arts, nor the permanent funds of the university derived under acts of congress be diminished.

9. Collect the highest rate of interest, consistent with safety, obtainable on daily balances in the hands of the treasurer of each institution.

10. With the approval of the executive council, publish, from time to time, and distribute, such circulars, pamphlets, bulletins, and reports as may be in its judgment for the best interests of the institutions under its control, the expense of which shall be paid out of any funds in the treasury not otherwise appropriated.

11. Perform all other acts necessary and proper for the execution of the powers and duties conferred by law upon it and the finance committee.

Sec. 11. Purchase from members of board or committee. No sale or purchase of real estate shall be made save upon the order of the board, made at a regular meeting, or one called for that purpose, and then in such manner and under such terms as the board may prescribe and only with the approval of the executive council. No member of the board or finance committee nor any officer of any institution, shall be directly or indirectly interested in such purchase or sale.

Sec. 12. Record. All acts of the board relating to the management, purchase, disposition, or use of lands and other property of said institutions shall be entered of record, which shall show the members present, and how each voted upon each proposition.

Sec. 13. Finance committee-organization-duties. The board shall appoint a finance committee of three (3) from outside its membership, and shall designate one (1) of such committee as chairman and one (1) as secretary. Not more than one (two) of its members shall be of the same political party, and its members shall hold office for a term of three (3) years, unless sooner removed by a vote of two-thirds (2/3) of the members of the board. In addition to the duties imposed upon the finance committee by law, the committee and members thereof shall make such investigations and reports and perform such ministerial duties as the board by resolution may direct, and the committee may make such recommendations to the board as it may deem proper.

Sec. 14. Secretary of board and committee-duties. The secretary shall be the secretary of the board and of the committee, and shall separately keep and

carefully preserve complete files of documents and records of the proceedings of the board and the committee.

Sec. 15. Authority to loan funds-conditions. The finance committee may loan funds belonging to said institutions, subject to the following regulations:

1. Each loan shall be secured by a mortgage paramount to all other liens upon approved farm lands in this state, accompanied by abstract showing merchantable title in the borrower. The loan shall not exceed fifty per cent (50%) of the cash value of the land, exclusive of buildings.

2. Each such loan shall be for a term not exceeding ten (10) years, at a rate of interest to be fixed by said board, payable annually, and the borrower shall have the privilege of paying one hundred dollars (\$100.00) or any multiple thereof on any interest pay day.

3. Any portion of said funds not otherwise invested and any surplus income on funds not immediately required for other purposes may be invested by the finance committee on order of the board in bonds of the United States, or this state, or some county thereof, yielding not less than five per cent (5%) per annum.

4. A register containing a complete abstract of each loan and investment, and showing its actual condition, shall be kept by the secretary of said committee, and be at all times open to inspection.

Sec. 16. Foreclosures and collections. The finance committee shall have charge of the foreclosure of all mortgages and of all collections from delinquent debtors to said institutions. All actions shall be in the name of the state board of education, for the use and benefit of the appropriate institution.

Sec. 17. Satisfaction of mortgages. When loans are paid, the finance committee shall release mortgages securing the same as follows:

1. By a satisfaction piece signed and acknowledged by the chairman or secretary of said committee, which shall be recorded in the office of the recorder of the county where said mortgage is of record; or

2. By entering a satisfaction thereof on the margin of the record of said mortgage, dated, and signed by the chairman or secretary of the committee.

Sec. 18. Bidding in property. In case of a sale upon execution, the premises may be bid off in the name of the board of education, for the benefit of the institution to which the loan belongs.

Sec. 19. Deeds held in trust. Deeds for premises so acquired shall be held for the benefit of the appropriate institution and such lands shall be subject to lease or sale the same as other lands.

Sec. 20. Actions not barred. No lapse of time shall be a bar to any action to recover on any loan made on behalf of any institution.

Sec. 21. Business offices-visitation. A business office shall be maintained at each of the institutions of higher learning. The committee shall, once each month, attend each of the institutions for the purpose of transacting any business that may properly come before it, and the performance of its duties.

Sec. 22. Finance committee—expenses—official residences. The members of the finance committee shall devote their entire time to the work of said institutions. The members of the finance committee and other employees shall maintain their official residences at the places designated by the board, and shall be entitled to their necessary traveling expenses therefrom by the nearest traveled and practicable route incurred in visiting the different institutions and other places and returning therefrom when on official business, and such other expenses as are actually and necessarily incurred in the performance of their official duties.

Sec. 23. Auditor's report. The auditor of state shall include in his report to the governor the amount paid for such services and expenses and to whom paid.

Sec. 24. Duties of treasurer. The treasurer of each of said institutions shall:

1. Receive all appropriations made by the general assembly for said institution, and all other funds from all other sources, belonging to said institution.
2. Pay out said funds only on order of the board of education, or of the finance committee, on bills duly audited in accordance with the rules prescribed by said board.
3. Retain all bills, so paid by him, with receipts for their payment as his vouchers.
4. Keep an accurate account of all revenue and expenditures of said institution, so that the receipts and disbursements of each of its several departments shall be apparent at all times.
5. Annually, and at such other times as the board may require, report to it said receipts and disbursements in detail.

Sec. 25. Reports of executive officers. The executive officer of each of said institutions shall, on or before the first day of August of each even-numbered year, make a report to the board, setting forth such observations and recommendations as in his judgment are for the benefit of the institution, and also his recommendations of a budget for the several colleges and departments of the institution, in detail, and estimates of the amount of funds required therefor for the ensuing biennium.

Sec. 26. Reports of secretarial officers. The secretarial officer shall, for the institution of which he acts as secretary, on or before August first of each year, report to the board in such detail and form as it may prescribe:

1. The funds available each fiscal year from all sources for the erection, equipment, improvement, and repair of buildings.
2. Interest on endowment and other funds, tuition, state appropriations, laboratory and janitor fees, donations, rents, and income from all sources affecting the annual income of the support funds of said institution.
3. How the funds so received were expended, giving under separate heads the cost of instruction, administration, maintenance and equipment of departments, and the general expense of the institution.
4. The number of professors, instructors, fellows, and tutors, and the number of students enrolled in each course during each year, stating separately the number of students attending short courses.
5. The amount of unexpended balances of departments remaining in the hands of the treasurer, and the amounts undrawn from the state treasury on June thirtieth of each year.

The report for the state college of agriculture and mechanic arts shall also show the receipts of the experiment station from all sources for each fiscal year, and how the same were expended.

Sec. 27. Report of board. The board shall, biennially, at the time provided by law, report to the governor and the legislature such facts, observations and conclusions respecting each of such institutions as in the judgment of the board should be considered by the legislature. Such report shall contain an itemized account of the receipts and expenditures of the board and finance committee, and also the reports made to the board by the executive officers of the several institutions or a summary thereof, and shall submit budgets for biennial appropriations deemed necessary and proper to be made for the support of the several institutions and for the extraordinary and special expenditures for buildings, betterments and other improvements.

Sec. 28. Colonel of cadets. The commandant and instructor of military science and tactics at each of the institutions for higher learning is given the rank of colonel of cadets, and the governor shall issue such commissions upon the request of the president of such institution.

Sec. 29. Appropriations—paid in monthly installments. All appropriations made payable annually to each of the institutions under the control of the board of education shall be paid in twelve (12) equal monthly installments on the last day of each month on order of said board.

Sec. 30. Appropriation. There is hereby appropriated from any funds in the state treasury not otherwise appropriated, sufficient thereof to pay the actual necessary expenses of the board and the finance committee, including the actual necessary expenses of their assistants. All claims under this section shall be filed with and allowed by the state board of audit in the same manner as may now or hereafter be required in the case of claims for similar expenses by state officers.

Sec. 31. Contracts for training teachers. The board of directors of any school district in the state of Iowa may enter into contract with the board of education for furnishing instruction to pupils of such school district, and for training teachers for the schools of the state in such particular lines of demonstration and instruction as are deemed necessary for the efficiency of the Iowa state teachers college, state university of Iowa, and college of agriculture and mechanic arts as training schools for teachers.

Sec. 32. Payment. The contract for such instruction shall authorize the payment for such service furnished the school district or for such service furnished the state, the amount to be agreed upon by the state board of education and the board of the school district thus cooperating.

Sec. 33. Contract in writing—time limit. Such contracts shall be in writing and shall extend over a period of not to exceed two (2) years, and a copy thereof shall be filed in the office of the superintendent of schools of the county.

Approved April 19, 1924.