

Sec. 3. Contract with school districts. The state board of education may contract in writing with the board of directors of the school district in which the college is situated and those contiguous thereto, for a period not exceeding two (2) years at a time, to receive the pupils thereof into the state teachers college and furnish them with instruction; and payment thereof shall be made out of the general funds of such districts, but shall not exceed fifty cents (50 c) per week for each pupil. A copy of such contract shall be filed with the county superintendent, and all reports required by law to be made to the board of directors of such townships or schools and the county superintendent by the teachers thereof shall be made by the president of the college. All sums received for tuition shall be placed to the credit of the general fund of the college.

Approved March 11, 1924.

CHAPTER 69

COUNTY SUPERINTENDENT

S. F. 99

AN ACT to amend, revise, and codify sections two thousand four hundred seventy-eight (2478) to two thousand four hundred eighty (2480), inclusive, two thousand four hundred eighty-four (2484), two thousand four hundred eighty-nine (2489), two thousand four hundred ninety (2490), and two thousand five hundred (2500) to two thousand five hundred five (2505), inclusive, of the compiled code of Iowa, and section three thousand two hundred thirty-one-a thirteen (3231-a13) of the supplement of said code, relating to education.

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

That sections two thousand four hundred seventy-eight (2478) to two thousand four hundred eighty (2480), inclusive, of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Section 1. County superintendent of schools. There shall be a county superintendent of schools of each county in the state, whose term of office shall be for three (3) years, from the first secular day of September following his election and until his successor is selected and qualified. A regular term began in nineteen hundred eighteen (1918).

Sec. 2. Qualifications. Such superintendent may be of either sex, shall be a holder of a regular five (5) year state certificate or life diploma, and have had at least five (5) years' experience in teaching or superintending; but anyone now serving shall be deemed eligible to re-election.

Sec. 3. Election of county superintendent by convention. The county superintendent shall be elected by a convention held on the second Tuesday in May preceding the expiration of his regular term of office, composed of representatives of school districts organized in the county as follows: One (1) for each school township, one (1) for all the rural independent districts in each civil township, one (1) for each city, town, or village independent district, and one (1) for each consolidated district. Each representative shall be entitled to one (1) vote. All representatives to such convention shall serve until a county superintendent is elected and qualified.

Sec. 4. Representatives at convention. Each school corporation except rural independent districts 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 board to be selected by the board. When such selection is made, the secretary of the board shall at once notify the county auditor thereof. Rural independent districts shall be represented by some person selected by the presidents of the boards of such districts at a meeting to be held at such time and place as the county auditor shall fix in the call for the convention, and the secretary of the meeting shall notify the county auditor of the person so selected.

Sec. 5. Calling convention - notice. Such convention shall be called by the county auditor by mailing a written notice to the president and secretary of each school corporation and by the publication of such notice in the official newspapers published in the county at least ten (10) days prior to the date of such convention. Such notice shall also fix the time and place of the meeting of the presidents of rural independent districts in the several townships for the election of representatives to the convention.

Sec. 6. Convention -- quorum -- election of county superintendent. At the time and place fixed, the county auditor shall call the convention to order, shall submit a list of school corporations entitled to participate in such convention and of the representatives, and shall be secretary of the convention. The convention shall be the judge of the qualifications of its own members and a majority of the legal representatives shall constitute a quorum. Said convention shall select a chairman, and when so organized shall elect a county superintendent of schools.

Sec. 7. May appoint committee to elect. The convention may, by a majority vote, elect a committee of five (5) members who shall investigate the various candidates for the office and report to said convention at a date to which the convention may adjourn; or the convention may, by a three-fourths (3/4) vote, authorize said committee to elect a county superintendent, and file its election with the county auditor, and there upon said person shall be deemed duly elected.

Sec. 8. Vacancies. Vacancies in the office of county superintendent shall be filled at special conventions called and held in the same manner as regular conventions.

Sec. 9. Mileage paid. Each representative shall be paid from the county treasury ten cents (10c) per mile one way for the distance necessarily traveled in attending the convention.

Sec. 10. Certificate of election filed. Whenever a county superintendent is elected and has qualified, the county auditor shall forward to the superintendent of public instruction a certificate thereof.

That sections two thousand four hundred eighty-four (2484), two thousand four hundred eighty-nine (2489), two thousand four hundred ninety (2490) and two thousand five hundred (2500) to two thousand five hundred five (2505), inclusive, of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 11. Duties. The county superintendent shall:

1. Means of communication. Under the direction of the superintendent of public instruction, serve as a means of communication between the department of public instruction and the various officers and instructors in the county, and transmit or deliver to them all books, papers, circulars, and communications designed for them.

2. Visiting schools. Visit each public school in the county, at least once during each school year; and when requested so to do by a majority of the directors of any school corporation, visit the schools therein.

3. Special visit and report upon schools. At the request of the superintendent of public instruction, visit and report upon such school as may be designated.

4. Enforcement of school laws. See that all provisions of the school law, so far as it relates to the schools or school officers within his county, are observed and enforced, especially those relating to the fencing of schoolhouse grounds with barbed wire, the introduction and teaching of such divisions of physiology and hygiene as relate to the effects of alcohol, stimulants, and narcotics upon the human system, those relating to compulsory attendance of pupils, and those relating to the exclusive use of the English language as the medium of instruction in the schools, and to this end he may require the assistance of the county attorney, who shall at his request bring any action necessary to enforce the law or recover penalties incurred.

5. Conduct examinations. Conduct, in accordance with the regulations of the board of educational examiners, examinations for teachers' certificates, and as soon as the examination is completed, forward to the president of the board of educational examiners a list of all applicants examined with the standing of each in didactics and oral reading, and his estimate of each applicant's personality and general fitness other than scholarship for the work of teaching. He shall, at the same time, forward to the president of the board of educational examiners the answer papers written, with the exception of those in didactics. Such examinations shall be held at the county seat, in a suitable room provided by the board of supervisors, but the county superintendent may, in his discretion, cause examinations to be held at the same time in some other place in the county. The county superintendent may employ such assistants as may be necessary, for this purpose and the bills for their services and expenses shall be verified and filed with the county auditor.

6. May require proof of good character. Before admitting anyone to the examination, be satisfied that the person seeking a certificate is of good moral character, of which fact he may require proof, and is in all respects other than in scholarship possessed of the necessary qualifications as an instructor.

7. Uncertificated teaching may be enjoined. Order to be closed any public school or school room taught by any teacher not certificated as required by law. If his order is not immediately obeyed, he may enforce the same against the teacher and the school board by the procurement of an injunction from any court of competent jurisdiction.

8. Record of examinations. Keep a record of all examinations taken within his county, with the name, age, and residence of each applicant and the date of examination.

9. Report of applicants for teachers' certificates. Report monthly to the county auditor the names of all applicants for teachers' certificates.

10. Appointment of school directors. When any school corporation is organized or reorganized according to law, and no director has been elected, or any director elected has not qualified, or has qualified and resigned, so that the matter of the completion of the organization or reorganization of such

school corporation is prevented, and the objects of its organization are thereby defeated, appoint a director or board of directors of such corporation, who shall act as such until their successors have been elected and qualified, and designate which term or terms each director appointed shall fill. In consolidated districts such appointments shall be made by the county superintendent of the county in which the petition was filed.

11. Report to superintendent of public instruction. Annually, on the last Tuesday in August, report to the superintendent of public instruction, giving a full abstract of the several reports made to him by the secretaries and treasurers of school boards, stating the manner in and extent to which the requirements of the law regarding instruction in physiology and hygiene are observed, and such other matters as he may be directed by the state superintendent to include therein, or he may think important in showing the actual condition of the schools in his county. He shall file a duplicate of such report with the county board of education.

12. Report of persons of school age. Annually, on the last Tuesday in August, file with the county auditor a statement of the number of persons of school age in each school township and independent district in the county.

13. Reports. Report on or before August first each year, to the superintendent of the college for the blind, the name, age, residence, and post-office address of every person resident of the county, without regard to age, so blind as to be unable to acquire an education in the common schools; to the superintendent of the school for the deaf with the same detail persons under age thirty-five (35), whose faculties with respect to speech and hearing are so deficient as to prevent them from obtaining an education in the common schools; and to the institution for the feeble minded all persons of school age who, because of mental defects, are entitled to admission therein.

14. Transmission of fees. On the first secular day of each month, transmit to the county treasurer and the state treasurer each one-half (1/2) of all moneys received for examination fees; and to the county treasurer the state appropriation for institutes when received.

15. Annual report of financial transactions. Report to the board of supervisors on the first day of January annually a summary of his official financial transactions for the previous year.

16. Administration of oaths. Have power to administer the oath of office to any school officer.

Sec. 12. Penalty. Should he fail to make any report required of him by law to the superintendent of public instruction or the county auditor, he shall forfeit to the school fund of his county the sum of fifty dollars (\$50.00), to be recovered in an action brought by the county for the use of the school fund, and in addition shall be liable for all damages occasioned thereby.

Sec. 13. County teachers' institutes. The county superintendent shall hold county teachers' institutes as directed by the superintendent of public instruction, and shall, with the concurrence of the superintendent of public instruction, procure such assistants as may be necessary to conduct the same, but no county superintendent shall act as institute instructor or lecturer outside of his own county except with the consent of the county board of education of the county in which he is elected, nor shall he receive his regular salary during the time he is so engaged.

Sec. 14. Adjournment. The school board of every school district, except in city independent school districts where twenty-five (25) or more teachers are regularly employed, shall adjourn the school or schools of said district for not less than two (2) days in each school year in order to allow teachers to attend county teachers' institutes held in the county, without the loss of salary.

Sec. 15. Certificate of attendance. 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' institutes two (2) days shall forfeit his average daily salary for each day of nonattendance, except when excused by the county superintendent for physical disability to perform his duties in the school room.

Sec. 16. Lectures in city independent districts. In city independent districts, where twenty-five (25) or more teachers are regularly employed, the county superintendent shall cooperate 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, at times approved by the city superintendent and city board of education, in so far as the condition of the county institute fund shall permit.

Sec. 17. Plans approved by state superintendent. All arrangements concerning plans for professional teachers' meetings in said city districts shall be subject to final approval by the superintendent of public instruction. Teachers in said districts shall attend said lectures and the county superintendent shall issue a certificate showing number of lectures attended.

Sec. 18. Institute fund. The institute fund of each county shall consist of:

1. Fifty dollars (\$50.00) annually, which is hereby appropriated.
2. One-half (1/2) of all examination fees collected in the county.
3. One hundred fifty dollars (\$150.00) from the general county fund 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 the January session of each year.
4. Two hundred dollars (\$200.00) from the general county fund in counties having a population of over thirty thousand (30,000) to be appropriated by the board of supervisors in like manner.
5. Such reasonable sum as may be appropriated by the board from the general fund of any city independent district.

Sec. 19. Use of county institute fund. No part of the county teachers' institute fund may be used for any other purpose than to pay the expenses of teachers' institutes.

Sec. 20. Disbursement of institute fund. All disbursements of the institute fund shall be by warrants drawn by the county auditor 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 the institute fund then in the county treasury.

Sec. 21. Summer schools. County superintendents are hereby authorized to conduct from four (4) to six (6) weeks' summer school when 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 deposited with the county treasurer, and a list of the names of all attendants shall be filed with the county auditor.

Sec. 22. Payment of instructors. Warrants for the purpose of paying instructors employed in summer schools shall be drawn by the county auditor upon written order of the county superintendent, and said written order must be accompanied by a verified 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.

Sec. 23. Itemized account institute and summer school funds. The county superintendent shall furnish to the county board of supervisors a certified itemized account of all receipts and disbursements for teachers' institutes and summer schools. They shall examine and audit the account, and publish a summary thereof with the proceedings of the regular June meeting of the board.

Sec. 24. County board of education. The county board of education shall consist of the county superintendent ex officio, and six (6) reputable citizens of the county, of either sex, of good educational qualifications, no two (2) of whom shall be from the same school corporation. Each regular convention held for the election of county superintendents shall elect three (3) members of said board, whose terms of office shall be for six (6) years, and until their successors are elected and qualified. Vacancies in the board may be filled by the board until the next regular convention, when the same shall be filled by the convention. A majority of said board shall constitute a quorum. If the membership be reduced below a quorum, a special convention shall be called to fill the vacancies.

Sec. 25. Oaths. The members of said board shall take the oath of office required of county officers, and, except the county superintendent, shall serve without pay; but shall be allowed their actual, necessary expenses in performing their duties, not to exceed forty dollars (\$40.00) each annually, to be audited by the board of supervisors and paid out of the general fund.

Sec. 26. Meetings of the board. Meetings of the board shall be held on the second Monday of August and February in each year at the office of the county superintendent, and at such other times as may be fixed by the county superintendent, or by written request of three (3) members filed with him.

Sec. 27. Duties of board. The board shall perform all duties imposed upon it by law, and shall act in an advisory capacity upon all matters referred to it by the county superintendent, and cooperate with him in formulating plans and regulations for the advancement and welfare of the schools under his supervision.

That section three thousand two hundred thirty-one-a thirteen (3231-a13) of the supplement to the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 28. Compensation of county superintendent. Each county superin-

tendent of schools shall receive an annual salary of not less than eighteen hundred dollars (\$1,800.00), and such additional compensation as may be allowed by the board of supervisors in each particular county, but in no case to exceed three thousand dollars (\$3,000.00).

Sec. 29. Expenses of the county superintendent. The county superintendent 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 allowed by the county board of supervisors and paid out of the county fund, as other expenses of the county, but the total amount so paid, exclusive of office stationery and postage, for any one year of the superintendent's term shall not exceed the sum of four hundred dollars (\$400.00).

Approved February 7, 1924.

CHAPTER 70

CHARITABLE INSTITUTIONS

S. F. 101

AN ACT to amend, revise, and codify sections two thousand five hundred thirty-five (2535) to two thousand five hundred thirty-seven (2537), inclusive, two thousand five hundred forty-two (2542) to two thousand five hundred forty-four (2544), inclusive, two thousand five hundred forty-nine (2549) to two thousand five hundred fifty-three (2553), inclusive, two thousand five hundred fifty-seven (2557), two thousand five hundred fifty-nine (2559), two thousand five hundred sixty (2560), and two thousand five hundred sixty-seven (2567) of the compiled code of Iowa, and sections two thousand five hundred forty-five-a one (2545-a1) to two thousand five hundred forty-five-a four (2545-a4), inclusive, two thousand five hundred fifty-eight-a one (2558-a1), and two thousand five hundred seventy-eight (2578) of the supplement to said code, relating to education, and to provide tuition for children in certain charitable institutions.

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

That sections two thousand five hundred thirty-five (2535) to two thousand five hundred thirty-seven (2537), inclusive, of the compiled Code of Iowa are amended, revised, and codified to read as follows: