

CHAPTER 39

SCHOOLS. NONEMPLOYMENT OF TEACHER

S. F. 91

AN ACT to repeal section forty-two hundred thirty-one (4231), Code, 1931, relating to the closing of schools because of lack of attendance, and to enact a substitute therefor.

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

- 1 SECTION 1. Section forty-two hundred thirty-one (4231), Code,
2 1931, is hereby repealed and the following enacted in lieu thereof:
3 "1. **Nonemployment of teacher—when.** No contract shall be
4 entered into with any teacher to teach an elementary school when
5 the average daily attendance of elementary pupils in such school
6 the last preceding term therein was less than five such pupils of
7 school age, resident of the district or subdistrict, as the case may
8 be, nor shall any contract be entered into with any teacher to teach
9 an elementary school for the next ensuing term when it is apparent
10 that the average daily attendance of elementary pupils in such school
11 will be less than five or the enrollment less than six such pupils of
12 school age, resident of the district or subdistrict, as the case may
13 be, regardless of the average daily attendance in such school
14 during the last preceding term, unless the parents or guardians of
15 seven or more such elementary children subscribe to a written state-
16 ment sworn to before the county superintendent or a notary public
17 certifying that such children will enroll in and will attend such
18 elementary school if opened and secure from the county superin-
19 tendent written permission authorizing the board to contract with
20 a teacher for such school for a stated period of time not to exceed
21 three months.
22 "When natural obstacles to transportation of pupils to another
23 school in the same or in another corporation or other conditions
24 make it clearly inadvisable that such elementary school be closed,
25 the county superintendent may authorize the board in writing to
26 contract with a teacher for such school for a stated period of time
27 not to exceed three months.
28 "2. Any contract with any teacher which is made in violation
29 of the provisions of this act shall be null and void from its inception
30 and no compensation shall be due or paid to any teacher who enters
31 into a contract in violation of the provisions of this act."

Senate File No. 91. Approved January 10, 1934.