

1915

# A BILL

FOR AN ACT TO REPEAL THE LAW AS IT APPEARS IN SECTIONS TWENTY-EIGHT HUNDRED TWENTY-FOUR (2824) OF THE CODE AND TWENTY-EIGHT HUNDRED THIRTY-ONE (2831) AND TWENTY-EIGHT HUNDRED THIRTY-TWO (2832), SUPPLEMENT TO THE CODE, 1913, RELATING TO THE FORMATION OF THE COUNTY BOARD OF EDUCATION AND DEFINING THE DUTIES OF SAID BOARD.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. That the law as it appears in section twenty-eight hundred twenty-four (2824) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

The board of directors of each and every public school in the state of Iowa employing five teachers or more is hereby authorized and empowered to adopt text books for the teaching of all branches that are now or may hereafter be authorized to be taught in the said public schools of the state, and to contract for and buy said books and any and all other necessary school supplies at said contract prices, and to sell the same to the pupils of their respective districts at cost, and said money so received shall be returned to the contingent fund. The books and supplies so purchased shall be under the charge of the board, who may select one or more persons within the county to keep said books and supplies for sale, and, to insure the safety of the books and supplies for sale, shall require of each person so appointed a bond in such sum as may seem to the board to be desirable.

Sec. 2. That the law as it appears in section twenty-eight hundred thirty-one (2831), supplement to the code, be and the same is hereby repealed and the following enacted in lieu thereof:

(a) The county board of education shall consist of the county superintendent of schools, who shall be chairman ex-officio with power to call said board together at the county seat, and four other persons named as hereinafter directed, two of whom shall be members of school boards in the county at the time of their appointment and chosen both for their business and educational qualifications, one from a rural school board and the other from a city or town school board, and two educators of standing who are engaged in teaching in the county at the time of their appointment, one of whom shall be a teacher in a rural school with not less than two years' experience in teaching, and one a teacher in a city or town school who has had not less than five years' experience in teaching, both of whom possess either a first grade uniform

13 county certificate, or a regular state certificate, or a state diploma; but no two of these four  
14 members shall be from the same school corporation, or from the same civil township. Before  
15 entering upon their duties, they shall qualify by taking the oath of office.

16 (b) The board of supervisors sitting with the county superintendent of schools who shall  
17 act as chairman, and the county auditor, who shall act as secretary, and each having a vote,  
18 shall at the regular meeting of the board of supervisors in January, 1916, or if no meeting be  
19 held in January, then at the next regular meeting thereafter, choose the four members of the  
20 county board of education, as directed above, excepting counties now having uniform contracts  
21 under the law, it is provided that the county board of education shall not be chosen until the  
22 January session of the county board of supervisors next preceding the expiration of said  
23 contract.

24 The members of said county board of education shall serve for five years from the date of  
25 their appointment and until their successors are chosen and qualified, and shall be made per-  
26 manent by new appointments in the same way at the close of each recurring five-year period.  
27 It is further provided that in case of a vacancy in the county board of education by removal  
28 from the county or otherwise, it shall be filled by the same body provided above for naming  
29 its membership and from the same class in which the vacancy occurs.

30 The county auditor shall keep a full and complete record of all meetings called to select the  
31 county board of education in a book provided for that purpose.

32 (c) In all counties not now having uniform series of text books, as provided by law, said  
33 county board of education shall meet between January 1, 1916, and July 1, 1916, and shall se-  
34 lect and adopt and contract for a uniform series of text books in and for said county, under  
35 such rules and regulations as they may adopt and in accordance with the provisions of section  
36 twenty-eight hundred twenty-eight (2828) supplement to the code, 1913. The text books thus  
37 selected shall be the latest revised editions and shall be used by all the rural school districts,  
38 and in the graded departments of all independent school districts employing less than five  
39 teachers. It shall be the duty of the county superintendent with the approval of the chairman  
40 of the board of supervisors to order such additional books from time to time under this con-  
41 tract as may be necessary.

42 (d) Any bidder, or any person in behalf of any bidder, who gives, or offers to give, any  
43 member of the county board of education, any gift or favor of value, or attempts to influence  
44 the action of the members of said board, except by arguments, and any member of the county  
45 board of education who accepts from any bidder, or any person in the interest of any bidder,  
46 any gift or favor of value, shall be guilty of a misdemeanor; and conviction of any member  
47 of said board shall disqualify him from further service on said board; provided that any

48 member of the board may accept one copy only of any school text book upon which bids have  
49 been submitted by any person, firm or corporation.

50 (e) Any bidder, or any person in behalf of any bidder, who gives or offers to give any gift  
51 or favor of value, or attempts in any way to influence the selection of the county board of edu-  
52 cation, or any member of said appointing board who accepts any gifts or favor of value from  
53 any bidder, or from any person in behalf of said bidder, shall be deemed guilty of a misde-  
54 meanor.

55 (f) In counties already operating under the county uniformity law no adoptions shall be  
56 made until the expiration of the existing contracts.

57 (g) The compensation allowed the members of said board of education shall be the same  
58 mileage and per diem as is received by the board of supervisors for session work; provided  
59 that no member shall be paid two salaries for the same day's work.

Sec. 3. That the law as it appears in section twenty-eight hundred thirty-two (2832) sup-  
2 plement to the code, 1913, be and the same is hereby repealed and the following enacted in lieu  
3 thereof:

4 When a list of text books has been selected they shall be used by all public schools of said  
5 county except as hereinbefore provided, and the board of supervisors may arrange for such  
6 depositories and under such rules and regulations as they may deem best, and shall require  
7 such bond as may be necessary from said depositories to safeguard the public interest.

8 It shall be the duty of the county board of education to select the books necessary and to  
9 execute contracts for the same in triplicate; one copy of which shall be given to the successful  
10 bidder, one copy to the board of supervisors and one copy shall be mailed to the state super-  
11 intendent of public instruction.

12 It is hereby made the duty of the county board of supervisors to pay for the books purchased  
13 under this contract out of the county fund upon itemized invoice bills approved by the county  
14 superintendent.

15 The books shall be sold by the depositories at cost, the price to be fixed by the board of su-  
16 pervisors.

17 The county superintendent shall have charge of such text books and the distribution thereof  
18 among the depositories selected by the board of supervisors and shall return monthly to the  
19 county fund all moneys received for the sale of text books.

20 It shall be the duty of the county superintendent to keep an account with each depository  
21 and to check up the books on hand at least once in every three months, and he shall render to  
22 the board of supervisors, at their January and June meetings, an account of his doings and  
23 shall be liable on his official bond therefor.

Sec. 4. The provisions of sections twenty-eight hundred thirty-one (2831), twenty-eight hundred thirty-two (2832), of this chapter, shall not apply to public schools located within cities and towns employing five or more teachers; but nothing herein shall be construed as to prevent such schools in said cities and towns from adopting and buying the school books adopted by the county board of education at the prices fixed for the sale of same to the public schools of the county, if a majority of the school board in any such city or town shall so decide at a regularly called meeting for that purpose, ten days' notice in writing having been given each member of said board. Such a meeting may be called by the president of the board, or by petition of two members of any such board filed with the secretary.

Sec. 5. All acts or parts of acts inconsistent herewith are hereby repealed.