

thereof, and report in writing to the county superintendent their doings and findings, which report shall be filed and preserved in his office.

Sec. 9. Appeal--costs. Within ten (10) days after receiving notice of the award made, either party may appeal from the assessment to the district court by giving notice thereof as in the case of taking private property for works of internal improvement. If no appeal is taken, the assessment shall be final. Upon appeal the school corporation shall not be liable for costs unless the owner shall be allowed a greater sum than given by the referees, but all costs of making the referees' assessment shall be paid by the school corporation.

Sec. 10. Possession. The board may at any time after the award is made by the referees take possession of the property upon depositing with the county treasurer the amount of the award, and if this deposit is not made within sixty (60) days after the final determination of the proceedings, they shall be void.

Sec. 11. Erection or repair of schoolhouse. Before erecting a schoolhouse, the board of directors shall consult with the county superintendent as to the most approved plan for such building and secure his approval of the plan submitted. No schoolhouse shall be erected or repaired at a cost exceeding three hundred dollars (\$300.00), save under an express contract reduced to writing, and upon proposals therefor, invited by advertisement for four (4) weeks in some newspaper published in the county in which the work is to be done, and the contract shall be let to the lowest responsible bidder, bonds with sureties for the faithful performance of the contract being required, but the boards may reject any and all bids and advertise for new ones.

That sections two thousand six hundred forty-six (2646) to two thousand six hundred forty-eight (2648), inclusive, of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 12. Fence around schoolhouse sites. Each board of directors in school districts where the school grounds adjoin cultivated or improved lands, shall build and maintain a lawful fence between said grounds and cultivated or improved lands, and the owner of lands adjoining any such site shall have the right to connect the fence on his land with the fence around the school grounds, but he shall not be liable to contribute to the maintenance of such fence.

Sec. 13. Barbed wire. No fence provided for in the preceding section shall be constructed of barbed wire, nor shall any barbed wire fence be placed within ten (10) feet of any school grounds. Any person violating the provisions of this section shall be punished by a fine not exceeding twenty-five dollars (\$25.00).

Approved January 31, 1924.

CHAPTER 76

EDUCATION

S. F. 111

AN ACT to amend, revise, and codify chapter thirty-one (31) of title ten (10) of the compiled code of Iowa and of the supplement to said code, relating to education.

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

That chapter thirty-one (31) of title ten (10) of the compiled Code of Iowa and of the supplement to said Code are amended, revised, and codified to read as follows:

Section 1. Compulsory education of normal children. Any person having control of any child over seven (7) and under sixteen (16) years of age, in proper physical and mental condition to attend school, shall cause said child to attend some public or private school for at least twenty-four consecutive school weeks in each school year, commencing with the first week of school after the first day of September, unless the Board of School Directors shall determine upon a later date, which date shall not be later than the first Monday in December. The Board may, by resolution, require attendance for the entire time when the schools are in session in any school year. Reading, writing, spelling, arithmetic, grammar, geography, physiology, United States History and the principles of American Government shall be taught in all such schools. In lieu of such attendance such child may attend upon equivalent instruction by a competent teacher elsewhere than at school.

Sec. 2. Exceptions. The preceding section shall not apply to any child:

1. Who is over the age of fourteen (14) and is regularly employed.
2. Whose educational qualifications are equal to those of pupils who have completed the eighth grade.
3. Who is excused for sufficient reason by any court of record or judge.
4. While attending religious services or receiving religious instructions.

Sec. 3. Reports—private schools. Within ten (10) days from receipt of notice from the secretary of the school corporation within which any private school is conducted, the principal of such school shall, once during each school year, and at any time when requested in individual cases, furnish to such secretary a certificate and report in duplicate of the names, ages and number of days' attendance of each pupil of such school over seven (7) and under sixteen (16) years of age the course of study pursued by each such child, the texts used, and the names of the teachers, during the preceding year and from the time of the last preceding report to the time at which a report is required. The secretary shall retain one (1) of the reports and file the other in the office of the county superintendent.

Sec. 4. Reports—private instruction. Any person having the control of any child over seven (7) and under sixteen (16) years of age, who shall place such child under private instruction, not in a regularly conducted school, upon receiving notice from the secretary of the school corporation, shall furnish a certificate stating the name and age of such child, the period of time during which such child has been under said private instruction, the details of such instruction, and the name of the instructor.

Sec. 5. Proof of abnormality. Any person having the control of any child over seven (7) and under sixteen (16) years of age, who is physically or mentally unable to attend school shall furnish proofs by affidavit as to the physical or mental condition of such child.

Sec. 6. Penalty. Any person who shall violate any of the provisions of the five (5) preceding sections shall be fined not less than five dollars (\$5.00) nor more than twenty dollars (\$20.00) for each offense.

Sec. 7. Custody of records. All such certificates, reports, and proofs shall be filed and preserved in the office of the secretary of the school corporation as a part of the records of his office, and he shall furnish certified copies thereof to any person requesting the same.

Sec. 8. Truant defined. Any child over seven (7) and under sixteen (16) years of age, in proper physical and mental condition to attend school, who fails to attend school regularly as provided in this chapter, without reasonable excuse for his absence shall be deemed to be a truant.

Sec. 9. Truant schools--rules for punishment of truants. The board of directors may provide for the confinement, maintenance, and instruction of truant children and may for that purpose establish truant schools or set apart separate rooms in any public school building; and it shall prescribe reasonable rules for the punishment of truants.

Sec. 10. Truancy officers--appointment--compensation. The board of each school corporation may and, in school corporations having a population of twenty thousand (20,000) shall appoint a truancy officer who may be the school nurse. In districts having therein a city or town, the board may appoint a member of the police force or marshal as such officer, and other districts may appoint a constable or other suitable person. Such officers shall be paid a reasonable compensation by the board, but where a police officer of a city under twenty thousand (20,000) or a town is employed, he shall be paid not to exceed five dollars (\$5.00) per month for his services.

Sec. 11. Duties of truancy officer. The truancy officer shall take into custody without warrant any apparently truant child and place him in the charge of the teacher in charge of the public school designated by the board of directors of the school corporation in which said child resides, or of any private school designated by the person having legal control of the child; but if it is other than a public school, the instruction and maintenance of the child therein shall be without expense to the school corporation. The truancy officer shall promptly institute criminal proceedings against any person violating any of the provisions of the truancy law.

Sec. 12. Neglect of duty by truancy officer. Any truancy officer or any director neglecting his duty to enforce the truancy law after written notice so to do served upon him by any citizen of the county or by the county superintendent shall be liable to a fine not exceeding twenty-five dollars (\$25.00) and be removed from such office. The county attorney shall prosecute such persons upon request of the county superintendent.

Sec. 13. Incurribles. If the child is placed in a school other than a public school and does not properly conduct himself, the board may cause his removal to a public or to a truant school. If a truant placed in a public school fails to attend or properly conduct himself, he may be placed in a truant school, or the person in charge of the school may file information in the juvenile court, which may commit said child to a suitable state institution.

Sec. 14. Discharge from truant school. Any child placed in a truant school may be discharged therefrom at the discretion of the board under such rules as it may prescribe.

Sec. 15. Reports by school officers and employees. All school officers and employees shall promptly report to the secretary of the school corporation any violations of the truancy law of which they have knowledge, and he shall inform the president of the board of directors who shall, if necessary, call a meeting of the board to take such action thereon as the facts justify.

Sec. 16. Census by school officer. All school officers empowered to take the school census shall ascertain the number of children over seven (7) and under sixteen (16) years of age, in their respective districts, the number of such children who do not attend school, and so far as possible the cause of

the failure to attend.

Sec. 17. Blind and deaf children--assessor to record. The assessor shall, at the time of making assessments, record on suitable blanks furnished for that purpose by the secretary of state to the county auditor, the names, ages, sex, and postoffice addresses of all deaf or blind persons within the assessment district. The county auditor shall forward to the secretary of the state board of education such returns of the assessor within thirty (30) days after the same are filed in his office.

Sec. 18. Compulsory education--deaf and blind children. Children over seven (7) and under nineteen (19) years of age who are so deaf or blind as to be unable to obtain an education in the common schools shall be sent to the proper state school therefor, unless exempted, and any person having such a child under his control or custody shall see that such child attends such school during the scholastic year.

Sec. 19. Proceeding against parent. Upon the failure of any person having the custody and control of such child to require its attendance as provided in the preceding section, the state board of education may make application to the district court of the county in which such person resides for an order requiring such person to compel the attendance of such child at the proper state institution.

Sec. 19-a1. Order. If, upon hearing, the court determines that the person required to appear has the custody and control of a child who should be required to attend a state school under the second preceding section, the court shall make an order requiring such person to keep such child in attendance at such school.

Sec. 19-a2. Contempt. A failure to comply with the order of the court shall subject the person against whom the order is made to punishment the same as in ordinary contempt cases.

Sec. 20. Deaf and blind children excused--when. Attendance at the state institution may be excused when the superintendent thereof is satisfied:

1. That the child is in such bodily or mental condition as to prevent or render futile attendance at the school.
2. That the child is so diseased or possesses such habits as to render his presence a menace to the health or morals of other pupils.
3. That the child is efficiently taught for the scholastic year in a private or other school devoted to such instruction or by a private tutor, in the branches taught in public schools.

Sec. 21. Agent of state board of education. The state board of education may employ an agent to aid in the enforcement of law relative to the education of deaf and blind children. The agent shall seek out children who should be in attendance at the state schools but who are not, and require such attendance. He shall institute proceedings against persons who violate the provisions of said law. The agent shall be allowed compensation at a rate fixed by the board of education, and his necessary traveling and hotel expenses while away from home in the performance of his duty.

Sec. 22. Appropriation. For the purpose of carrying out the provisions of law relative to the compulsory education of deaf and blind children there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated two thousand dollars (\$2000.00) annually for the biennium ending June

thirtieth, nineteen hundred twenty-five (1925), and warrants against the same shall be drawn by the auditor of state on certification by the state board of education when passed by the state board of audit.

Approved March 12, 1924.

CHAPTER 77

EDUCATION

H. F. 114

AN ACT to amend, revise, and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred forty-five (2745), inclusive, two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749) to two thousand seven hundred fifty-three (2753), inclusive, two thousand seven hundred fifty-six (2756) to two thousand seven hundred sixty-four (2764), inclusive, two thousand seven hundred sixty-seven (2767), and two thousand seven hundred sixty-eight (2768) of the compiled code of Iowa, and section two thousand seven hundred forty-eight (2748) 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 seven hundred twenty-eight (2728) to two thousand seven hundred forty-five (2745), inclusive, two thousand seven hundred forty-six (2746), two thousand seven hundred forty-nine (2749), and two thousand seven hundred sixty-three (2763) of the compiled Code of Iowa, and section two thousand seven hundred forty-eight (2748) of the supplement to said Code are amended, revised, and codified to read as follows:

Section 1. State library. The state library shall consist of a law section, an economics and sociological section, a medical section, and a general section.

Sec. 2. Historical, memorial, and art department. The historical, memorial, and art department shall consist of the historical and art collections, materials gathered for historical research, the museum and the public archives.

Sec. 3. Board of trustees. The state library and the historical, memorial, and art department shall be under the control of the board of trustees consisting of the governor, who shall be president of the board, the judges of the supreme court, the secretary of state, and the superintendent of public instruction.

Sec. 4. Powers of board-rules. The board may make and enforce rules not in conflict with law for keeping the records and for the management and care of the property of the state library and the historical, memorial, and art department. It shall designate some officer, assistant, or employee to act as its secretary.

Sec. 5. Powers of board-space in historical building. The board shall have control of the historical building and may assign space therein to be occupied by the historical, memorial, and art department and each of the several sections of the state library, except the law and legislative reference sections.