

CHAPTER 114

BOARD OF PUBLIC INSTRUCTION

H. F. 23

AN ACT to establish a department of public instruction for the state of Iowa; to establish a board of public instruction, provide for the election of members thereof, and prescribe the powers and duties of said board; to provide for the appointment of a superintendent of public instruction and assistant superintendents and such other staff members and employees as necessary, and to prescribe the powers and duties of such superintendents and staff members; to abolish the present board of educational examiners and transfer duties of said board to the board of public instruction; to abolish the present board for vocational education and to designate the board of public instruction as the state board for vocational education; to amend certain sections of the Code 1950, relating thereto, and to repeal certain sections of said Code 1950, to effect the general purposes of this Act.

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

1 SECTION 1. There is hereby established a state board of public
2 instruction for the state of Iowa. The state board of public instruc-
3 tion, hereinafter called the state board, shall consist of nine members.

1 SEC. 2. The members of the state board shall be qualified electors
2 of the state, shall hold no other elective or appointive public office,
3 and in order to preserve the lay character of the board, no person, the
4 major portion of whose time is engaged in professional education or
5 who derives a major portion of his income from any business or
6 activity connected with education, shall be eligible for membership
7 on the state board.

1 SEC. 3. The terms of members of the state board shall be for six
2 years beginning on the second secular day in January following their
3 election or appointment. No member who is either appointed or
4 elected for a six year term will be permitted to succeed himself.

5 The state is hereby divided into state board of public instruction
6 districts the boundaries of which shall be conterminous with the eight
7 congressional districts as they exist on January 1, 1953, and there
8 shall be one member of the board elected from each such district.

9 One member of the board shall be appointed by the governor from
10 the electors of the state at large, subject to confirmation by two-thirds
11 of the senate in executive session.

12 At the first regular meeting of the board in the next January after
13 the first election in 1953 hereunder the terms of the elected members
14 shall be determined by lot; three for two-year terms, three for four-
15 year terms, and two for six-year terms. At the first meeting of the
16 board in each even-numbered year the board shall elect a president
17 and vice-president who shall serve for two years.

1 SEC. 4. The members of the state board shall qualify by taking
2 the regular oath of office as prescribed by law for state officers. Va-
3 cancies occurring on the state board in the elected membership shall
4 be filled by the remainder of the state board by appointment. A va-
5 cancy in the office of the member at large shall be filled by appoint-
6 ment by the governor.

7 Appointees to fill vacancies in the elected membership on the board
8 shall hold office until the second secular day in January of the next
9 even-numbered year, unless the vacancy occurred after May 31 in an

10 odd-numbered year, not the last year of a regular term, in which
11 event the appointee shall serve until two years from the second sec-
12 ular day of the next January.

1 SEC. 5. The election of members of the state board shall be con-
2 ducted in the following manner:

3 1. In each county of the state board of public instruction district
4 where an election is to be held for a member of the state board, the
5 county board of education shall nominate and elect delegates and
6 alternates to the district convention provided for in this section and
7 the board of education of each independent or consolidated school dis-
8 trict within such state board of public instruction district maintain-
9 ing a four-year high school and containing a city of five thousand or
10 more population shall elect delegates and alternates to said conven-
11 tion.

12 The number of delegates to be elected by each such board of a con-
13 solidated or independent district maintaining a four-year high school
14 and having a city of five thousand (5,000) or more population shall
15 be as follows:

16 (1). In the event the population of the city in such school district as
17 shown at the last federal census is twenty thousand (20,000) or less
18 one delegate shall be elected.

19 (2). In the event the population of the city in such school district
20 is over twenty thousand (20,000) one delegate shall be elected for
21 each twenty thousand (20,000) of population or major fraction there-
22 of.

23 The number of delegates to be elected by each county board of
24 education shall be determined as follows:

25 (1). When the population of any county is twenty-two thousand
26 five hundred (22,500) or less the county board shall elect one delegate
27 unless there is no independent or consolidated school district within
28 the county maintaining a four-year high school and containing a city
29 having a population of at least five thousand (5,000) in which event
30 the county board shall elect two delegates.

31 (2). If the population of the county is in excess of twenty-two
32 thousand five hundred (22,500) the county board shall elect two
33 delegates. In no case shall a county have less than two delegates.
34 Said election shall be held on the second Monday in July of odd-
35 numbered years when necessary to elect members to the state board
36 for unexpired terms where vacancies have been filled by appointment
37 or choose successors for members whose terms will expire in the fol-
38 lowing January. The names of those chosen as delegates and alter-
39 nates shall be certified to the secretary of state by the county board
40 of education and boards of education of said school districts within
41 the district within ten days after the election.

42 2. Not later than ten days before the third Monday in August, each
43 odd-numbered year, the secretary of state shall call a convention in
44 the most conveniently located county seat as determined by him in
45 each of the state board districts holding an election for board member,
46 designating the date, time, and place of meeting, and designating the
47 county superintendent of the county in which the convention is held to
48 act as chairman of the nominating convention. He shall supply the
49 chairman of each district convention with a list of delegates and alter-
50 nates previously certified to him by each county board of education and

51 boards of education of said school districts within the district and shall
52 notify each delegate and alternate in writing of the time and place of
53 the convention. This official list shall constitute the list of those eligible
54 to participate in the district convention. At the designated time and
55 place the county superintendent so appointed shall convene the meet-
56 ing, cause a secretary to be elected, and the convention shall then pro-
57 ceed to the election of a person known to them to be interested in ed-
58 ucation as a member of the state board from that district by a majority
59 vote of those present. A quorum shall constitute sixty per cent of those
60 eligible to attend. The nominations shall be from the floor and voting
61 by ballot. The county superintendent in charge shall certify to the
62 secretary of state the name of the board member elected. The success-
63 ful candidates for election to the state board shall be issued certificates
64 of election as prescribed in the statutes.

65 3. The cost of conducting the district convention shall be borne by
66 each county board of education and the boards of education of said
67 school districts sending delegates to said convention, to be paid from
68 county board of education funds, and by boards of education of inde-
69 pendent or consolidated districts sending delegates to said convention,
70 to be paid from the general fund, and shall be based upon the actual
71 expense incurred by such delegates.

1 SEC. 6. The members of the state board shall be allowed a per diem
2 of fifteen dollars and their necessary travel and expense while engaged
3 in their official duties.

1 SEC. 7. The place of office of the state board shall be in the office
2 of the department of public instruction in the capitol of the state.

1 SEC. 8. The state board shall hold at least six regular meetings
2 each year, the first of which shall be on the second secular day of Jan-
3 uary. Special meetings of the state board may be called by the pres-
4 ident or by any five members of the board on five days' notice given
5 to each member. All meetings shall be held at the office of the depart-
6 ment of public instruction unless a different place within the state of
7 Iowa is designated by the state board or in the notice of the meeting.

1 SEC. 9. The state board shall exercise the following general powers
2 and duties:

3 1. Determine and adopt such policies as are authorized by law and
4 are necessary for the more efficient operation of any phase of public
5 education.

6 2. Adopt necessary rules and regulations for the proper enforce-
7 ment and execution of the provisions of the school laws.

8 3. Adopt and prescribe any minimum standards for carrying out
9 the provisions of the school laws.

10 4. Perform such duties prescribed by law as it may find necessary
11 for the improvement of the state system of public education in carry-
12 ing out the purposes and objectives of the school laws.

1 SEC. 10. It shall be the responsibility of the state board to exercise
2 the following specific powers and perform the following duties:

3 1. Employ adequate clerical help to keep such records as are neces-
4 sary to set forth clearly all actions and proceedings of the state board.

5 2. Direct the distribution of all monies under the provisions of the
6 law for the distribution of various state and federal aids to schools,

7 when the amounts of the same have been computed by the superintend-
8 ent of public instruction according to formulae provided by law and
9 rules of the state board.

10 3. Adopt and transmit to the state comptroller as provided by law,
11 on blanks provided by him for that purpose, on or before September 1
12 prior to the meeting of each regular session of the general assembly,
13 estimates of expenditure requirements for all functions and services,
14 including the department of public instruction, under the supervision
15 of the state board, when the same have been prepared and submitted
16 to the state board by the superintendent of public instruction, except
17 as otherwise provided by law, for each fiscal year of the ensuing bien-
18 nium.

19 4. Advise and counsel with the state superintendent of public in-
20 struction and other school officials and citizens concerning the school
21 laws and the rules and regulations adopted pursuant thereto; and to
22 review the record and decision of the superintendent of public instruc-
23 tion in all appeals heard and decided by said superintendent, where-
24 upon it shall approve same or may direct a rehearing before said super-
25 intendent.

26 5. Authorize, approve, and require to be used such forms as are
27 needed to promote uniformity, accuracy, and completeness in executing
28 contracts, keeping records, and in pupil and cost accounting, making
29 reports, and to require such reports to be made in such manner as may
30 be recommended by the state superintendent of public instruction.

31 6. Approve plans when submitted by the state superintendent of
32 public instruction for co-operating with the federal government when-
33 ever it may find it desirable to do so, and provide for the acceptance
34 and the administration of funds, subject to the approval of the legis-
35 lature, which may be appropriated by congress and apportioned to the
36 state for any or all educational purposes relating to the public school
37 system and for the acceptance of surplus commodities for distribution
38 when made available by any government agency.

39 7. Approve plans submitted by the state superintendent for co-
40 operating with all other agencies, federal, state, county and municipal,
41 in the development of regulations and in the enforcement of laws for
42 which the state board and such agencies are jointly responsible and ap-
43 prove plans for co-operating with other proper agencies in the improve-
44 ment of conditions relating to the state system of public education.

45 8. Adopt a long-range program for the state system of public ed-
46 ucation based upon special studies, surveys, research, and recommenda-
47 tions submitted by or proposed under the direction of the state super-
48 intendent of public instruction.

49 9. Constitute a continuing research commission as to public school
50 matters in the state and cause to be prepared and submitted to each
51 regular session of the general assembly a report containing such recom-
52 mendations as to revisions, amendments, and new provisions of the
53 law as the state board has decided should be submitted to the legislature
54 for its consideration.

55 10. Constitute the state board for vocational education, and have
56 and exercise all the powers and perform all the duties imposed upon
57 said board under the provisions of chapters two hundred fifty-eight
58 (258) and two hundred fifty-nine (259), Code 1950, including both
59 vocational education and vocational rehabilitation.

60 11. Constitute the board for the certification of administrative, su-
61 pervisory and instructional personnel for the public school systems of
62 the state; prescribe types and classes of certificates to be issued, the
63 subjects and fields and positions which such certificates shall cover and
64 determine the requirements for certificates; establish standards for
65 the acceptance of degrees, credits, courses, and other evidences of
66 training and preparation from institutions of higher learning, junior
67 colleges, normal schools, or other training institutions, both public and
68 private, within or without the state, for the certification of their stu-
69 dents. The state board shall have and exercise all the powers and per-
70 form all the duties imposed upon the board of educational examiners
71 under the provisions of chapter two hundred sixty (260), Code 1950.
72 12. Prescribe such minimum standards and rules and regulations
73 as are required by law or recommended by the state superintendent of
74 public instruction in accordance with law, and as it may find desirable
75 to aid in carrying out the provisions of the Iowa school laws.

1 SEC. 11. The state board shall appoint, effective January 1, 1955,
2 and each four years thereafter, with the approval of two-thirds of the
3 members of the senate in executive session, a superintendent of public
4 instruction.

5 The superintendent of public instruction, elected to office in 1950,
6 shall continue in said office until the effective date herein, with all the
7 rights, powers, and duties conferred by law on the office of superin-
8 tendent of public instruction. Should any vacancy in the office of state
9 superintendent of public instruction occur prior to April 1, 1955, and
10 after the state board is first selected and qualified, said vacancy shall
11 be filled by the state board.

1 SEC. 12. The superintendent shall hold a master's degree in educa-
2 tion or some related field; he shall have had at least five years' expe-
3 rience in educational administration. He shall hold or be eligible to
4 hold a regular Iowa superintendent's certificate based upon training.
5 Assistant superintendents shall have the same qualifications.

1 SEC. 13. The superintendent and assistant superintendents shall
2 take the oath of office prescribed by section sixty-three point ten
3 (63.10), Code 1950.

1 SEC. 14. The superintendent and any members of his staff desig-
2 nated by the state board shall give bond as provided in section sixty-
3 four point six (64.6), Code 1950.

1 SEC. 15. The superintendent shall maintain his office in the depart-
2 ment of public instruction in the capitol of the state.

1 SEC. 16. The superintendent shall be the executive officer of the
2 state board.

1 SEC. 17. The superintendent shall have the following powers:

2 1. Exercise general supervision over the state system of public edu-
3 cation, including the public elementary and secondary schools, the
4 junior colleges, and shall have educational supervision over the ele-
5 mentary and secondary schools under the control of the state board
6 of control, and nonpublic schools to the extent that is necessary to
7 ascertain compliance with the provisions of the Iowa school laws.

8 2. Advise and counsel with the state board on all matters pertaining
9 to education, recommend to the state board such matters as in his judg-
10 ment are necessary to be acted upon, and when approved, to execute
11 or provide for the execution of the same when so directed by the state
12 board.

13 3. Recommend to the state board for adoption such policies pertain-
14 ing to the state system of public education as he may consider neces-
15 sary for its more efficient operation.

16 4. Carry out all orders of the state board not inconsistent with state
17 law.

18 5. Organize, staff and administer the state department so as to ren-
19 der the greatest service to public education in the state.

1 SEC. 18. It shall be the responsibility of the state superintendent of
2 public instruction to exercise all powers and perform all duties here-
3 inafter listed; provided, in those categories where policies are to be
4 initiated by the superintendent and approved by the state board, such
5 policies are to be executed by the superintendent only after having been
6 approved by the state board.

7 1. Attend all meetings of the state board, except executive sessions
8 of the state board, as may be requested by the state board, and call such
9 special meetings of the board as he may be authorized to call by the
10 president or by written request of five members of the board.

11 2. Keep such records of the proceedings of the board, including com-
12 plete minutes, as are necessary to locate and identify the actions of the
13 state board.

14 3. Act as custodian of a seal for his office with which, together with
15 his signature, he shall authenticate all true copies of decisions, acts, or
16 documents.

17 4. Act as the executive officer of the state board in all matters per-
18 taining to vocational education and vocational rehabilitation.

19 5. Recommend to the state board the personnel of such committees
20 as are required by law, and to appoint such other committees as may
21 be deemed desirable by him or the state board for carrying out the
22 provisions of the Iowa school laws.

23 6. Apportion to the respective school districts of the state all monies
24 provided by law according to the provisions of the various state and
25 federal aid laws.

26 7. Provide the same educational supervision for the schools main-
27 tained by the state board of control as is provided for the public schools
28 of the state and make recommendations to the board of control for the
29 improvement of the educational program in such institutions.

30 8. Recommend ways and means of co-operating with the federal gov-
31 ernment in carrying out any or all phases of the educational program
32 relating to the state system of public education in which, in the discre-
33 tion of the board, co-operation is desirable. Recommend policies for
34 administering funds which may be appropriated by congress and
35 apportioned to the state for any or all educational purposes relating to
36 the public school system, and execute such plans as adopted by the
37 state board.

38 9. Recommend to the state board policies and ways and means of
39 co-operating with other agencies, federal, state, county and municipal,
40 for carrying out those phases of the program in which co-operation is
41 required by law, or in the discretion of the state board, it is deemed

42 desirable and co-operate with such agencies in planning and bringing
43 about improvements in the educational program.

44 10. Advise and counsel concerning the interpretation and meaning
45 of the school laws and the rules and regulations adopted pursuant there-
46 to; and, when practicable, amicably adjust and settle such controver-
47 sies arising thereunder as may be submitted to him, directly or by
48 appeal, by all persons directly concerned, to hear and decide appeals as
49 provided by law.

50 11. Prepare for the approval of the state board, such forms and pro-
51 cedures as are deemed necessary to be used by county boards, district
52 boards, school officials, principals, teachers, and other employees, and
53 to insure uniformity, accuracy, and efficiency in keeping records in both
54 pupil and cost accounting, the execution of contracts, the preparation
55 of budgets, and the submission of reports; furnish, when deemed ad-
56 visable by him and approved by the state board, those forms which can
57 more economically and efficiently be provided in that manner; and noti-
58 fy the county board, or district board, or school authorities, in any
59 case when any report has not been filed in the manner or on the dates
60 prescribed by law or by regulation of the state board that the school
61 be not approved until the report has been properly filed.

62 12. Ascertain by inspection, supervision, or otherwise, the condition,
63 needs, and progress of the schools under the supervision of his depart-
64 ment and make recommendations to the proper authorities for the cor-
65 rection of deficiencies and the educational and physical improvement
66 of such schools, and recommend to the state board the need for a state
67 audit of the accounts of any school district, county school system, school
68 official, or any school employee handling school funds when it is ap-
69 parent that such audit should be made. If deemed advisable the state
70 board may call upon the state auditor to make such an audit and he
71 shall proceed to do so as soon as practicable.

72 13. Formulate standards, regulations, and rules, subject to the ap-
73 proval of the state board, for the approval of all schools and public
74 junior colleges under his supervision; subject to the approval of the
75 board remove for cause, after due investigation and notice, any such
76 school failing to comply with such approval standards, rules, and reg-
77 ulations from the approved list; which removal shall, during the period
78 of noncompliance, make such school ineligible for participation in the
79 state distributive funds, and the collection of tuition from nonresidents
80 from other districts which do not maintain approved high schools.

81 14. Preserve all reports, documents, and correspondence that may be
82 of a permanent value, which shall be open for inspection under reason-
83 able conditions by any citizen of the state.

84 15. Keep a record of the business transacted by him.

85 16. Endeavor to promote among the people of the state an interest
86 in education.

87 17. Classify and define the various schools under the supervision
88 of his department, formulate suitable courses of study therefor, and
89 publish and distribute such classifications and courses of study and
90 promote their use.

91 18. Report to the state comptroller on the first day of January of
92 each year the number of persons of school age in each county.

93 19. Report biennially to the governor, at the time provided by law,
94 the condition of the schools under his supervision, including the num-

95 ber and kinds of school districts, the number of schools of each kind,
96 the number and value of schoolhouses, the enrollment and attendance
97 in each county for the previous year, any measures proposed or plans
98 matured for the improvement of the public schools, such financial and
99 statistical information as may be of public importance, and such gen-
100 eral information relating to educational affairs and conditions within
101 the state or elsewhere.

102 20. Appoint at least one, and not more than two county or multiple
103 county educational meetings or institutes to be held in each county
104 or combination of counties each year and designate the time and place
105 for holding the same. The program therefor and the instructors and
106 lecturers therein shall be subject to his approval.

107 21. Prepare and supply such questions as are deemed necessary for
108 the examination of pupils completing the eighth grade in the rural
109 schools and fix the time of such examinations.

110 22. Cause to be printed in book form, during the months of June
111 and July in the year 1955 and every four years thereafter, if deemed
112 necessary, all school laws then in force with such forms, rulings, and
113 decisions, and such notes and suggestions as may aid school officers in
114 the proper discharge of their duties. A sufficient number shall be
115 furnished to the county superintendent of each county to supply
116 therein school officers, directors, superintendents, and others in such
117 numbers as may be reasonably requested.

118 23. Cause to be printed in pamphlet form after each session of the
119 general assembly any amendments or changes in the school laws with
120 necessary notes and suggestions to be distributed as prescribed in
121 subsection twenty-two (22) of this section.

122 24. Prepare and submit to each regular session of the general
123 assembly a report containing the recommendations of the state board
124 as to revisions, amendments, and new provisions of school laws.

1 SEC. 19. There is hereby established a department of public instruc-
2 tion to act as an administrative, supervisory, and consultative agency
3 under the direction of the superintendent of public instruction and the
4 state board. The state department shall be located in the office of the
5 state superintendent, and shall assist the state superintendent in pro-
6 viding professional leadership and guidance and in carrying out such
7 policies, procedures, and duties authorized by law or by the regulations
8 of the state board, as are found necessary to attain the purposes and
9 objectives of the school laws of Iowa.

1 SEC. 20. The state department of public instruction shall be organ-
2 ized into such divisions, branches or sections as may be found desirable
3 and necessary by the state superintendent, subject to the approval of
4 the state board, to perform all the proper functions and render max-
5 imum services relating to the operation and improvement of the state
6 system of public education; provided that the organization shall be
7 such as to promote co-ordination of functions and services relating to
8 administration and financial services on the one hand and the im-
9 provement of instruction on the other hand.

1 SEC. 21. The state superintendent shall appoint all employees, with
2 due regard to their qualifications for the duties to be performed, desig-
3 nate their titles and prescribe their duties. If deemed advisable, the

4 state superintendent may for cause effect the removal of any employee
5 in the state department of public instruction. The total amount of com-
6 pensation for employees shall be subject to the limitation of the ap-
7 propriation and other funds available for the maintenance of the de-
8 partment. The appointment, promotion, demotion, change in salary
9 status or removal for cause of any employee shall be subject to the
10 approval of the state board.

1 SEC. 22. The state superintendent may appoint not more than two
2 assistant superintendents subject to the approval of the state board,
3 whose duties shall be directed by the superintendent of public instruc-
4 tion. The qualifications for assistant superintendent shall be the same
5 as required for the superintendent. The assistant superintendent des-
6 ignated by the state board shall, in the absence or inability of the
7 superintendent, perform the duties of that office.

1 SEC. 23. The superintendent of public instruction, his assistants,
2 and the employees of his department shall receive their necessary
3 travel expenses incurred in the performance of their official duties.

1 SEC. 24. The salary of the superintendent of public instruction
2 shall be fixed by the state board, but not to exceed ten thousand dollars
3 (\$10,000.00) per year. The salaries of the assistant or assistants pro-
4 vided for in section 22 hereof shall be fixed by the state board but not
5 to exceed three-fourths ($\frac{3}{4}$) of the salary of the superintendent. All
6 appointments to the professional staff of the department of public in-
7 struction shall be without reference to political party affiliation, re-
8 ligious affiliation, sex, or marital status, but shall be based solely upon
9 fitness, ability and proper qualifications for the particular position.
10 The professional staff, including the state superintendent, shall serve
11 at the discretion of the state board; provided, however, that no such
12 person shall be dismissed for cause without at least ninety days notice,
13 except in cases of conviction of a felony or cases involving moral turpi-
14 tude. In cases of procedure for dismissal, the accused shall have the
15 same right to notice and hearing as teachers in the public school sys-
16 tems as provided in section two hundred seventy-nine point twenty-
17 four (279.24), Code 1950, or as much thereof as may be applicable.

1 SEC. 25. The state board shall succeed to all the property, funds,
2 records, correspondence, files and equipment of the former boards of
3 educational examiners and vocational education.

1 SEC. 26. Amend chapter two hundred sixty (260), Code 1950, as
2 follows:

3 1. By striking all of section two hundred sixty point one (260.1)
4 and substituting in lieu thereof the following: "The state board of
5 public instruction shall constitute the board of educational examiners."

6 2. By striking all of section two hundred sixty point three (260.3)
7 and substituting in lieu thereof the following: "The state superintend-
8 ent shall with the approval of the state board direct the work of such
9 personnel as may be necessary to carry out the provisions of this chap-
10 ter."

11 3. By striking all of section two hundred sixty point four (260.4).

1 SEC. 27. Amend chapter two hundred fifty-eight (258), Code 1950,
2 as follows:

3 1. By striking all of section two hundred fifty-eight point two
4 (258.2) and substituting in lieu thereof the following: "The state
5 board of public instruction shall constitute the board for vocational
6 education."

7 2. By striking all of section two hundred fifty-eight point three
8 (258.3) and substituting in lieu thereof the following: "The superin-
9 tendent of public instruction as executive officer of the state board of
10 public instruction shall, with its approval, appoint, and direct the work
11 of such personnel as may be necessary to carry out the provisions of
12 this chapter."

1 SEC. 28. Amend section two hundred eighty-five point six (285.6),
2 Code 1950, by striking all of lines one (1) to six (6), inclusive, and as
3 far as the period in line seven (7) and substituting in lieu thereof the
4 following: "The state superintendent, subject to the approval of the
5 state board of public instruction, is authorized to organize and staff
6 the division and to employ the necessary qualified personnel to carry
7 out the provisions of this chapter."

1 SEC. 29. Section thirty-nine point twelve (39.12), Code 1950, is
2 repealed effective January 1, 1955, provided, however, that no election
3 shall be held under section thirty-nine point twelve (39.12) in 1954.

1 SEC. 30. Section nineteen point twenty-five (19.25), Code 1950,
2 is amended by striking the word "Superintendent" in item sixteen (16),
3 line twenty-three (23), and substituting in lieu thereof the words
4 "State board".

1 SEC. 31. Section sixty-nine point three (69.3), Code 1950, is
2 amended by striking from line twelve (12), the words "superintendent
3 of public instruction,".

1 SEC. 32. Chapter two hundred fifty-seven (257), Code 1950, is
2 hereby repealed.

1 SEC. 33. Amend section two hundred seventy-three point seventeen
2 (273.17), Code 1950, by adding in line eight (8) after the word "in-
3 struction", the words ", subject to the approval of the state board of
4 public instruction,".

1 SEC. 34. Amend chapter two hundred seventy-five (275),* Code
2 1950, as follows:

3 1. By adding in section two hundred seventy-five point three
4 (275.3), line twenty (20), after the word "instruction", the words
5 ", subject to the approval of the state board of public instruction,".

6 2. By striking the word "department" in lines six (6) and seven
7 (7) of section two hundred seventy-five point ten (275.10) and sub-
8 stituting in lieu thereof the word "board".

1 SEC. 35. Amend section two hundred eighty-six A point six
2 (286A.6), Code 1950, line two (2), by inserting after the word "in-
3 struction" the words ", subject to the approval of the state board of
4 public instruction,".

*Repealed by chapter 117, Acts of 55th G. A.

1 SEC. 36. Amend section two hundred ninety-seven point twenty-six
2 (297.26), Code 1950, by striking from line seven (7) the word "super-
3 intendent" and substituting in lieu thereof the words "state board".

1 SEC. 37. Amend chapter two hundred eighty (280), Code 1950, as
2 follows:

3 1. In section two hundred eighty point seventeen (280.17), strike
4 the word "superintendent" in line five (5) and substitute in lieu there-
5 of the words "state board".

6 2. In section two hundred eighty point eighteen (280.18), line twelve
7 (12), following the word "instruction" insert the words ", subject to
8 the approval of the state board of public instruction,".

1 SEC. 38. Amend section two hundred eighty-one point one (281.1),
2 Code 1950, by striking the semicolon (;) after the word "department"
3 in line seven (7) and substituting in lieu thereof a period (.) and by
4 striking the remainder of the section and substituting in lieu thereof
5 the following: "The state superintendent, subject to the approval of
6 the state board of public instruction, is authorized to organize the
7 division and to employ the necessary qualified personnel to carry out
8 the provisions of this chapter.".

1 SEC. 39. Amend chapter two hundred ninety (290), Code 1950, as
2 follows:

3 1. In section two hundred ninety point five (290.5) strike the word
4 "superintendent" in line three (3) and substitute in lieu thereof the
5 words "state board".

6 2. In section two hundred ninety point six (290.6), strike the words
7 "or state superintendent" from line three (3) and substitute in lieu
8 thereof the words "superintendent or state board of public instruc-
9 tion".

1 SEC. 40. Sections twenty-five (25) to twenty-eight (28), inclusive,
2 and sections thirty (30) to thirty-nine (39), inclusive, of this Act shall
3 become effective from and after the second secular day of January
4 1954.

1 SEC. 41. Section two hundred ninety-nine point one (299.1), Code
2 1950, is amended by striking from lines five (5) and six (6) the words
3 "or private". Further amend said section by striking from lines
4 seventeen (17) and eighteen (18) the words "competent teacher else-
5 where than at school" and inserting in lieu thereof the words "certif-
6 icated teacher elsewhere".

1 SEC. 42. Amend chapter ninety-four (94), Acts of the Fifty-fourth
2 General Assembly, by striking from section two (2),* line six (6), the
3 word "department" and inserting in lieu thereof the word "board".

1 SEC. 43. If any sections or provisions of this Act are declared un-
2 constitutional, the remaining sections or provisions of the Act shall
3 not be affected thereby.

1 SEC. 44. All laws or parts of laws in conflict with the provisions
2 of this Act are hereby repealed and the provisions of this Act shall
3 prevail.

Approved April 22, 1953.

*Section 275.10, Code 1950, amended by 54th G. A.; repealed by chapter 117, Acts of 55th G. A.