

Your Committee would further state, that while they have entire confidence in the present Board of Trustees, they have nevertheless incorporated in the bill which they beg leave to report, a provision, which in their opinion, will effectually prevent the misapplication of the appropriation which they recommend, and also save the University the delay and expense of a special meeting of the Board of Trustees.

JESSE BOWEN,

C. BUSSEY,

A. F. BROWN,

J. J. WATSON,

G. W. GRAY,

Committee on Schools and University.

SCHOOL LAW OF IOWA.

ACCOMPANIED BY

BLANK FORMS

PREPARED FOR

THE USE AND GOVERNMENT

OF

SCHOOL OFFICERS.

DES MOINES:
J. TEESDALE, STATE PRINTER.
1858.

NOTE.

The form of certificate signed A. B., C. D., E. F., and G. H., which was by mistake placed on page 48, should follow the "Form of Agreement," at the foot of page 46.

Office of Superintendent of Public Instruction.

DES MOINES, IOWA, JUNE 16TH, 1858.

To the School Officers of Iowa :

GENTLEMEN:—I have prepared this edition of the Act for the Public Instruction of the State of Iowa, and the annexed forms, convenient for carrying it into execution, in compliance with the requirement of the fifty-fifth Section of the Act. Notes, where they seemed necessary for the explanation of the forms, are appended to them.

This Act embraces all the legislation of the State on the subject of education. It would be, indeed, remarkable if a law so extensive and containing, necessarily, such a multitude of provisions, were not liable to some ambiguity, and did not contain some clauses that may be misunderstood.

I would, however, recommend to all officers entrusted with the administration of the law, to give it a critical examination, as a whole and in its details, and to apply in construing it, the dictates of common sense. If this is done, I doubt not, most of the ambiguities will disappear. In doubtful cases, Directors should apply for advice to the Superintendent of Common Schools for their county. Questions of this kind come properly before the Superintendent of Public Instruction on appeal from the decisions of County Superintendents. My duties are of a nature so pressing, that I am unable to prepare any general regulations explanatory of the doubtful points in the law.

The old law was defective, inefficient and unequal to the wants of the people. The condition of the schools of the State was unsatisfactory; it was, indeed, intolerable. A change was indispensable. By enacting this law the General Assembly made a radical

change. The new law meets with the cordial approbation of the most experienced teachers and the most devoted friends of education. It is untried here, but its main provisions have been tried with the most eminent success elsewhere, and there is every reason to anticipate similar success here.

The introduction of a new system, however good it may be, in place of another however bad, must invariably encounter serious obstacles. The transition from one to the other is always attended with difficulties and embarrassments,—they are now perplexing and annoying you. But they are only temporary, they will soon cease.

You have been called by the people to offices of great labor and responsibility,—and upon the fidelity with which you discharge the trust confided to you depends the success of the law—the success of popular education in Iowa, and indeed the moral and intellectual rank this State shall occupy in this Confederacy.

I am, with great respect,

Your Obedient Servant,

MATURIN L. FISHER,

Superintendent of Public Instruction.

I N D E X.

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| SEC. 1. Each civil township to be a School District, and existing Districts to be sub-Districts. | SEC. 20. Same. |
| Incorporated cities within civil townships to be distinct Districts. | SEC. 21. Same. |
| SEC. 2. Schools to be taught in every sub-District. | SEC. 22. County Collector to pay tax collected to District Treasurer. |
| SEC. 3. Persons residing in one District may be transferred to another. | SEC. 23. Secretary to report to the County Superintendent. |
| SEC. 4. Townships in unorganized counties may be attached to organized counties. | SEC. 24. Penalty for neglecting to report. |
| SEC. 5. A District to be a body corporate. | SEC. 25. Duties of Treasurer. |
| SEC. 6. Trustees of township to give notice of the first District meeting under this Act. | SEC. 26. Same. |
| SEC. 7. Organization of District meeting. | SEC. 27. Same. |
| SEC. 8. Election of District Board of Directors. | SEC. 28. Same. |
| SEC. 9. Regular District meetings to be holden second Monday of March. | SEC. 29. Meetings of the Directors. |
| SEC. 10. Powers of District meetings. | SEC. 30. Duties of Directors— |
| SEC. 11. Secretaries of sub-Districts to call meetings thereof. | 1. Judges of election. |
| SEC. 12. Meetings of sub-Districts to be held on the Saturday after the second Monday of March. | 2. Contract for building school houses. |
| SEC. 13. Judges of election of sub-Districts. | 3. Employ teachers. |
| SEC. 14. Directors to take the oath of office. | 4. Provide for the education of colored children. |
| SEC. 15. Duties of President. | 5. Determine the number and length of schools. |
| SEC. 16. Same. | 6. Fix the site of school house. |
| SEC. 17. Duties of Secretary. | 7. Determine the branches of learning to be taught. |
| SEC. 18. Same. | 8. Require Secretary and Treasurer to give bond. |
| SEC. 19. Same. | 9. Examine the accounts of the Treasurer. |
| | 10. Visit schools. |
| | 11. Employ no teacher who has not a certificate of qualification. |
| | 12. Audit claims against the District. |
| | 13. Call special meetings. |
| | 14. Fill vacancies. |
| | 15. Conform to the instructions of County and State Superintendent. |
| | 16. Director of Sub-District to have charge of sub-District school house. |

17. Directors may expel unruly pupils.
 18. Secretary to transcribe records of School Fund Commissioner.
 19. May change the boundaries of sub-Districts.
 20. May equalize the tax for building school houses.
 21. May raise additional tax for the support of schools.
 22. Fix the compensation of Secretary and Treasurer.
 SEC. 31. County Judge to levy a tax for school purposes.
 SEC. 32. County Judge to apportion school money.
 SEC. 33. Judge to give notice to District President of the apportionment.
 SEC. 34. Scholarships established.
 SEC. 35. How scholars are to be selected.
 SEC. 36. Scholars to be educated free of charge for tuition.
 SEC. 37. Scholars required to become teachers.
 SEC. 38. Vacant scholarships to be filled.
 SEC. 39. Scholarships to be filled by males and females alternately.
 SEC. 40. County Superintendent to be elected.
 SEC. 41. To take the oath of office—County Judge to fill vacancy.
 SEC. 42. Examination of teachers.
 SEC. 43. County Superintendent to be a body corporate.
 SEC. 44. Removal of teacher.
 SEC. 45. Meeting of Presidents of school Districts.
 SEC. 46. Objects of the meeting.
 SEC. 47. Co. Superintendent to visit schools.
 SEC. 48. Conform to the instructions of State Superintendent.
 SEC. 49. Report to State Superintendent.
 SEC. 50. Penalty for neglect to report.
 SEC. 51. To transmit documents to Directors.
 SEC. 52. Salary.
 SEC. 53. Election of Superintendent of Public Instruction.
- SEC. 54. To keep an office at the Capital.
 SEC. 55. Duties—
 1. To appoint a time and place for meeting of County Superintendents.
 2. To be present at meetings of District Presidents.
 3. To appoint Committees to visit schools.
 4. To visit schools.
 5. To decide appeals relative to District schools.
 6. To recommend text books.
 7. To recommend books for libraries.
 8. To prepare forms and instructions for school officers.
 9. To make rules and regulations.
 10. To cause to be printed and distributed copies of the school laws, and report to the Auditor the number of children.
 SEC. 56. Teachers' Institutes.
 SEC. 57. To report to the Board of Education—
 1. Condition of the Common Schools.
 2. Plans for their improvement.
 3. Anything he may think expedient to communicate.
 SEC. 58. Salary.
 SEC. 59. Board of Presidents may establish high schools and elect Trustees for the government of the same.
 SEC. 60. Superintendent and Trustees a body corporate.
 SEC. 61. Shall elect President, Secretary and Treasurer.
 SEC. 62. Duties of Trustees—
 1. To provide building for a high school.
 2. Library and apparatus.
 3. To prescribe the branches to be taught therein.
 4. To employ teachers and fix their salaries.
 5. To make by-laws.
 6. To make rules respecting the admission of pupils.
 7. To have charge of the funds of the institution.
 8. Five members to constitute a quorum.

- SEC. 63. Secretary to make an annual report to the Co. Superintendent.
 SEC. 64. Money to be raised by county for the support of high school.
 SEC. 65. County Judge may borrow money for the establishment of high school.
 SEC. 66. Scholarships in the University established.
 SEC. 67. Selection of scholars.
 SEC. 68. Scholars entitled to receive money from State.
 SEC. 69. Scholars to become teachers.
 SEC. 70. Vacancies to be filled.
 SEC. 71. University.
 SEC. 72. Buildings and lot granted to the University.
 SEC. 73. Two townships of land appropriated to the University.
 SEC. 74. Objects of the University.
 SEC. 75. Its Government.
 SEC. 76. Same.
 SEC. 77. Vacancy in the Board of Trustees to be filled.
 SEC. 78. Trustees to receive mileage, but no compensation.
- SEC. 79. University not to be Sectarian.
 SEC. 80. Cabinet.
 SEC. 81. Trustees to appoint Secretary, Treasurer and Librarian.
 SEC. 82. To enact laws for the government of the University.
 SEC. 83. Departments. Faculty.
 SEC. 84. Power of removal.
 SEC. 85. Fees for tuition.
 SEC. 86. Library and apparatus.
 SEC. 87. Meetings of the Trustees.
 SEC. 88. Duties of Treasurer.
 SEC. 89. Duties of Secretary.
 SEC. 90. Sale of land and investment of funds.
 SEC. 91. Normal Department.
 SEC. 92. Trustees to report to the General Assembly and Board of Education the condition of the University.
 SEC. 93. Penalty for not surrendering books.
 SEC. 94. Same.
 SEC. 95. Acts repealed.
 SEC. 96. Publication of the Act.