

House File 420

By COMMITTEE ON SCHOOLS, LIBRARIES,
STATE EDUCATIONAL INSTITUTIONS.
(AS PASSED BY THE HOUSE).

Passed House, Date

Vote: Ayes..... Nays.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Approved

A BILL FOR

An Act to establish a department of public instruction of 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 board of educational examiners and the board for vocational education and to transfer duties of said boards to the board of public instruction; to amend certain sections of the Code of 1950 relating thereto, and to repeal certain sections of said Code 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
2 public instruction for the state of Iowa. The state board of
3 public instruction, hereinafter called the state board, shall
4 consist of nine (9) members.

1 Sec. 2. The members of the state board shall be citizens
2 of the state, known to be interested in education, and shall
3 hold no other elective or appointive office, and in order to
4 preserve the lay character of the board, no person, the major

5 portion of whose time is engaged in professional education or
6 who derives a major portion of his income from any business or
7 activity connected with education, shall be eligible for
8 membership on the state board.

1 Sec. 3. The governor, subject to the confirmation by a
2 two-thirds vote of the senate, shall appoint one (1) member of
3 the board for a term of six (6) years beginning on the same
4 date as hereinafter provided for the elected members of the board
5 and as the term expires shall subsequently appoint successors
6 thereto for a like period of time. The remaining eight (8)
7 members of the board shall be elected as hereinafter provided
8 and shall take office on the second secular day of January, 1952,
9 and on the same date of alternate years according to the
10 expiration of terms as hereinafter provided. In the event of
11 congressional redistricting the districts in existence at the
12 effective date of this Act shall continue to be deemed as state
13 board of public instruction districts. At the first regular
14 meeting of the board, the secretary of state shall draw lots for
15 the eight (8) elected members to determine their terms as follows:
16 three (3) shall be drawn for two (2) year terms, and three (3)
17 shall be drawn for four (4) year terms, and two (2) shall be drawn
18 for six (6) year terms. At the expiration of such terms all
19 regular terms thereafter shall be for six (6) years. At the first
20 meeting of the board, the board shall elect a president and
21 vice-president who shall serve for two (2) years and thereafter
22 such officers shall be elected biennially.

1 Sec. 4. The members of the state board shall qualify by
2 taking the regular oath of office as prescribed by law for state
3 officers. Vacancies occurring on the board shall be filled by
4 the remainder of the board by appointment. The members so
5 appointed shall serve until such time as a member shall be
6 elected in the regular manner for the unexpired portion of the
7 term.

1 Sec. 5. The election of members to the state board of
2 public instruction shall be conducted in the following manner:

3 1. In each county, the county board of education shall
4 nominate and elect delegates and alternates to the congressional
5 district convention provided for in this section. The number
6 of delegates in each of the ninety-nine counties shall be
7 prorated on a population basis in the following manner: Two
8 (2) delegates from each county having a population of thirty
9 thousand (30,000) or less, and one (1) additional delegate for
10 each additional twenty thousand (20,000) population or major
11 fraction thereof. The first of such elections shall be held on
12 the second Monday of June, 1951. The names of those chosen as
13 delegates and alternates shall be certified to the secretary of
14 state by the county board of education within ten (10) days after
15 the school election.

16 2. Not later than ten (10) days before the third Monday in
17 August, 1951, the secretary of state shall call a convention in
18 the most conveniently located county seat in each of the
19 congressional districts of the state, designating the date,

20 time, and place of meeting, and designating the county superin-
21 of the county in which the convention is held to act as chairman
22 of the nominating convention. In subsequent years the secretary
23 of state shall call such congressional district conventions as
24 are necessary to fill such state board vacancies as may occur
25 according to the terms of office of the several board members
26 as established by the provisions of section three (3) of this
27 Act. He shall supply the chairman of each district convention
28 with a list of the delegates and alternates previously certified
29 to him by each county board of education within the congressional
30 district and shall notify each delegate and alternate in writing
31 of the time and place of the convention. This official list
32 shall constitute the list of those eligible to participate in
33 the district convention. At the designated time and place the
34 county superintendent so appointed shall convene the meeting
35 cause a secretary to be elected, and proceed to the election
36 of a member of the state board from that district. A quorum
37 shall constitute sixty (60) per cent of those eligible to
38 attend. The nominations shall be from the floor and voting
39 by ballot. Voting shall be continued until a majority of
40 those present vote for the candidate to be elected. The
41 county superintendent in charge shall certify the name of the
42 candidate elected to the secretary of state.

43 3. The cost of conducting the congressional district
44 convention shall be borne by each county sending delegates to
45 said convention and shall be based upon the actual expense

46 incurred by such county's delegates. The successful candidates
47 for election to the state board shall be issued certificates
48 of election as prescribed in the statutes.

1 Sec. 6. The members of the state board shall be allowed
2 a per diem of fifteen dollars (\$15.00) and their necessary
3 travel and expense while engaged in their official duties ;
4 provided, however, that the per diem allowed each member of said
5 board shall not exceed four hundred dollars (\$400.00) per annum
6 except that this limitation shall not apply during the first
7 year of operation of the state board.

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

1 Sec. 8. The state board shall hold at least six (6)
2 regular meetings which shall be scheduled on or before July 1
3 of each year. Special meetings of the board may be called by
4 the president or by any five (5) members of the board on five
5 (5) days' notice given to each member. All meetings shall be
6 held at the office of the department of public instruction,
7 unless a different place within the state of Iowa is designated
8 by the board or in the notice of the meeting.

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

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

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

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

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

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

4 1. Employ adequate clerical help to keep such records as
5 are necessary to set forth clearly all actions and proceedings
6 of the state board.

7 2. Direct the distribution of all monies under the
8 provisions of the law for the distribution of various state and
9 federal aids to schools, when the amounts of the same have been
10 computed by the superintendent of public instruction according
11 to formulae provided by law and rules of the state board.

12 3. Adopt and transmit to the state comptroller as provided
13 by law, on blanks provided by him for that purpose, on or before
14 September 1 prior to the meeting of the state legislature,
15 estimates of expenditure requirements for all functions and
16 services, including the department of public instruction, under
17 the supervision of the board, when the same have been prepared
18 and submitted to the board by the superintendent of public

19 instruction, except as otherwise provided by law, for each
20 fiscal year of the ensuing biennium.

21 4. Advise and counsel with the state superintendent of
22 public instruction and other school officials and citizens
23 concerning the school laws and the rules and regulations
24 adopted pursuant thereto; and sit as an appeal board to hear
25 controversies arising out of the interpretation of said laws
26 and regulations, and when acting in such capacity, their
27 decision shall be final unless appealed to some court of
28 competent jurisdiction, which appeal must be made within thirty
29 (30) days after the date of such decision.

30 5. Authorize, approve, and require to be used such forms
31 as are needed to promote uniformity, accuracy, and completeness
32 in executing contracts, keeping records, and in pupil and cost
33 accounting, making reports, and to require such reports to be
34 made in such manner as may be recommended by the state superin-
35 tendent of public instruction.

36 6. Approve plans when submitted by the state superintendent
37 of public instruction for cooperating with the federal government
38 whenever it may find it desirable to do so, and provide for the
39 acceptance and the administration of funds subject to the
40 approval of the legislature which may be appropriated by congress
41 and apportioned to the state for any or all educational purposes
42 relating to the public school system.

43 7. Approve plans submitted by the state superintendent for
44 cooperating with all other agencies, federal, state, county and

45 municipal, in the development of regulations and in the
46 enforcement of laws for which the state board and such agencies
47 are jointly responsible and approve plans for cooperating with
48 other proper agencies in the improvement of conditions relating
49 to the state system of public education.

50 8. Adopt a long-range program for the state system of
51 public education based upon special studies, surveys, research,
52 and recommendations submitted by or proposed under the direction
53 of the state superintendent of public instruction.

54 9. Constitute a continuing research commission as to
55 public school matters in the state and cause to be prepared
56 and submitted to each regular session of the general assembly
57 a report containing such recommendations as to revisions,
58 amendments, and new provisions of the law as the board has
59 decided should be submitted to the legislature for its consideration.

60 10. Constitute the state board for vocational education,
61 and have and exercise all the powers and perform all the duties
62 imposed upon said board under the provisions of chapters two
63 hundred fifty-eight (258) and two hundred fifty-nine (259),
64 Code 1950, including both vocational education and vocational
65 rehabilitation.

66 11. Constitute the board for the certification of
67 administrative, supervisory and instructional personnel for the
68 public school systems of the state; prescribe types and classes
69 of certificates to be issued, the subjects and fields and
70 positions which such certificates shall cover and determine the

71 requirements for certificates; establish standards for the
72 acceptance of degrees, credits, courses, and other evidences of
73 training and preparation from institutions of higher learning,
74 junior colleges, normal schools, or other training institutions,
75 both public and private, within or without the state for the
76 certification of their students. The state board shall have
77 and exercise all the powers and perform all the duties imposed
78 upon the board of educational examiners under the provisions of
79 chapter two hundred sixty (260), Code 1950.

80 12. To prescribe such minimum standards and rules and
81 regulations as are required by law or recommended by the state
82 superintendent of public instruction in accordance with law,
83 and as it may find desirable to aid in carrying out the
84 provisions of the Iowa school laws.

1 Sec. 11. The state board shall appoint a superintendent
2 of public instruction for an indefinite term, each term not to
3 exceed six years, and he shall serve at the will of the board.

1 Sec. 12. The superintendent shall hold a master's degree
2 or its equivalent in education or some related field; he shall
3 have had at least five years' experience in educational
4 administration. He shall hold or be eligible to hold a
5 regular Iowa superintendent's certificate based upon training.
6 Assistant superintendents shall have the same qualifications.

1 Sec. 13. The superintendent and assistant superintendent
2 shall take the oath of office prescribed by section sixty-three

3 sixty-four point six (64.6), Code 1950.

1 Sec. 14. The superintendent and any members of his staff
2 designated by the board shall give bond as provided in section
3 sixty-four point six (63.6), Code 1950.

1 Sec. 15. The superintendent shall maintain his office in
2 the department of public instruction in the capital of the state.

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

1 Sec. 17. The superintendent shall have the followings powers:

2 1. Exercise general supervision over the state system of
3 public education, including the public elementary and secondary
4 schools, the junior colleges, and shall have educational
5 supervision over the elementary and secondary schools under the
6 control of the state board of control, and non-public schools to
7 the extent that is necessary to carry out the provisions of the
8 Iowa school laws.

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

14 3. Recommend to the state board for adoption such
15 policies pertaining to the state system of public education as
16 he may consider necessary for its more efficient operation.

17 4. Prepare and recommend to the state board such rules
18 and regulations and minimum standards not in conflict with the

19 school laws which will insure the equalization of opportunities
20 for all and the more efficient operation of the state system of
21 public education.

22 5. Carry out all orders of the state board not inconsistent
23 with state law.

24 6. Organize, staff and administer the state department so
25 as to render the greatest service to public education in the
26 state.

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

8 1. Attend all meetings of the state board, except
9 executive sessions of the state board, submit such recommendations
10 and information to the state board as he may deem advisable or
11 as may be requested by the state board, and call such special
12 meetings of the board as he may be authorized to call by the
13 president or by written request of five (5) members of the board.

14 2. Keep such records of the proceedings of the board,
15 including complete minutes, as are necessary to locate and
16 identify the actions of the board.

17 3. Act as custodian of a seal for his office with which,
18 together with his signature, he shall authenticate all true

19 copies of decisions, acts, or documents.

20 4. To act as the executive officer of the state board in
21 all matters pertaining to vocational education and vocational
22 rehabilitation.

23 5. To recommend to the state board the personnel of such
24 committees as are required by law, and to appoint such other
25 committees as may be deemed desirable by him or the state board
26 for carrying out the provisions of the Iowa school laws.

27 6. Apportion to the respective school districts of the
28 state all monies provided by law and according to the provisions
29 of the various state and federal aid laws and the rules and
30 regulations of the state board.

31 7. Provide the same educational supervision for the schools
32 maintained by the state board of control as is provided for the
33 public schools of the state and make recommendations to the board
34 of control for the improvement of the educational program in such
35 institutions.

36 8. Recommend ways and means of cooperating with the federal
37 government in carrying out any or all phases of the educational
38 program relating to the state system of public education in
39 which, in his discretion or in the discretion of the board,
40 cooperation is desirable. Recommend policies for administering
41 funds which may be appropriated by congress and apportioned to
42 the state for any or all educational purposes relating to the
43 public school system, and execute such plans as adopted by the
44 board.

45 9. Recommend to the state board policies and ways and
46 means of cooperating with other agencies, federal, state, county
47 and municipal, for carrying out those phases of the program in
48 which cooperation is required by law, or in which, in his
49 discretion, or in the discretion of the board, it is deemed
50 desirable and cooperate with such agencies in planning and
51 bringing about improvements in the educational program.

52 10. Advise and counsel concerning the interpretation and
53 meaning of the school laws and the rules and regulations adopted
54 pursuant thereto; and, whenever practicable, amicably adjust
55 and settle such controversies arising thereunder as may be
56 submitted to him, directly or by appeal, by all persons
57 directly concerned. If unable to bring about a satisfactory
58 settlement, he shall submit any controversies to the state board
59 as an appeal board and present rules for the hearing of such
60 not inconsistent with the state law; and their decisions on
61 such controversies shall be final, unless appealed to some court
62 of competent jurisdiction within thirty (30) days after such
63 decision.

64 11. Prepare, for the approval of the state board, such
65 forms and procedures as are deemed necessary to be used by county
66 boards, district boards, school officials, principals, teachers,
67 and other employees, and to insure uniformity, accuracy, and
68 efficiency in keeping records in both pupil and cost accounting.
69 the execution of contracts, the preparation of budgets, and the
70 submission of reports; furnish, when deemed advisable by him

71 and approved by the board, those forms which can more
72 economically and efficiently be provided in that manner; and
73 notify the county board, or district board, or school authorities,
74 in any case when any report has not been filed in the manner or
75 on the dates prescribed by law or by regulation of the state
76 board that the school be not approved until the report has been
77 properly filed.

78 12. Ascertain by inspection, supervision, or otherwise,
79 the condition, needs, and progress of the schools under the
80 supervision of his department and make recommendations to the
81 proper authorities for the correction of deficiencies and the
82 educational and physical improvement of such schools, and
83 recommend to the state board the need for a state audit of
84 the accounts of any school district, county school system,
85 school official, or any school employee handling school funds
86 when it is apparent that such audit should be made. If deemed
87 advisable the state board may call upon the state auditor to
88 make such an audit and he shall proceed to do so as soon as
89 practicable.

90 13. Suggest through public addresses, pamphlets, bulletins,
91 and by meetings and conferences with school officers, teachers,
92 parents, and the public generally such improvements relating to
93 the state system of public education as he may think desirable,
94 and publish and distribute such views and information as he may
95 deem important.

96 14. Formulate standards, regulations, and rules, subject

97 to the approval of the state board, for the approval of all
98 schools and public junior colleges under his supervision ;
99 remove for cause, after due investigation and notice, any such
100 school failing to comply with such approval standards, rules,
101 and regulations from the approved list; which removal shall,
102 during the period of non-compliance, make such school ineligible
103 for participation in the state distributive funds, and the
104 collection of tuition from non-residents from other districts
105 which do not maintain approved high schools.

106 15. Preserve all reports, documents, and correspondence
107 that may be of a permanent value, which shall be open for
108 inspection under reasonable conditions by any citizen of the
109 state.

110 16. Keep a record of the business transacted by him.

111 17. Endeavor to promote among the people of the state an
112 interest in education, including industrial and commercial
113 education, agriculture, manual and vocational training,
114 domestic science and continuation work.

115 18. Publish and distribute from time to time leaflets and
116 circulars relative to such days and occasions as he may deem
117 worthy of special observance in the public schools.

118 19. Classify and define the various schools under the
119 supervision of his department, formulate suitable courses of
120 study therefor, and publish and distribute such classifications
121 and courses of study and promote their use.

122 20. Report to the state comptroller on the first day of

123 January of each year the number of persons of school age in each
124 county.

125 21. Report biennially to the governor, at the time provided
126 by law, the condition of the schools under his supervision,
127 including the number and kinds of school districts, the number
128 of schools of each kind, the number and value of schoolhouses,
129 the enrollment and attendance in each county for the previous
130 year, any measures proposed or plans matured for the improvement
131 of the public schools, such financial and statistical information
132 as may be of public importance, and such general information
133 relating to educational affairs and conditions within the state
134 or elsewhere.

135 22. Appoint at least one (1), and not more than two (2),
136 county or multiple county educational meetings or institutes to
137 be held in each county or combination of counties each year and
138 designate the time and place for holding the same. The program
139 therefor and the instructors and lecturers therein shall be
140 subject to his approval.

141 23. Prepare and supply such questions as are deemed
142 necessary for the examination of applicants for teachers'
143 certificates and pupils completing the eighth grade in the rural
144 schools and fix the time of such examinations.

145 24. Cause to be prepared and published, when deemed
146 necessary, a manual containing suitable plans and specifications
147 for public school buildings, including the most approved means
148 and methods of heating, lighting and ventilating the same,

149 together with information and suggestions for the proper and
150 economical construction thereof.

151 25. Cause to be printed in book form, during the months
152 of June and July in the year 1953 and every four (4) years
153 thereafter, if deemed necessary, all school laws then in force
154 with such forms, rulings, and decisions, and such notes and
155 suggestions as may aid school officers in the proper discharge
156 of their duties. A sufficient number shall be furnished to the
157 county superintendent of each county to supply therein school
158 officers, directors, superintendents, and others in such numbers
159 as may be reasonably requested.

160 26. Cause to be printed in pamphlet form after each session
161 of the general assembly any amendments or changes in the school
162 laws with necessary notes and suggestions to be distributed as
163 above prescribed.

164 27. Prepare and submit to each regular session of the
165 general assembly a report containing the recommendations of the
166 state board as to revisions, amendments, and new provisions of
167 school laws.

1 Sec. 19. There is hereby established a department of public
2 instruction to act as an administrative, supervisory, and
3 consultative agency under the direction of the superintendent of
4 public instruction and the state board. The state department
5 shall be located in the office of the state superintendent, and
6 shall assist the state superintendent in providing professional
7 leadership and guidance and in carrying out such policies,

8 procedures, and duties authorized by law or by the regulations
9 of the state board, as are found necessary to attain the
10 purposes and objectives of the school laws of Iowa.

11 Sec. 20. The state department shall be organized into
12 such divisions, branches or sections as may be found desirable
13 and necessary by the state superintendent, subject to the
14 approval of the state board, to perform all the proper functions
15 and render maximum services relating to the operation and
16 improvement of the state system of public education; provided
17 that the organization shall be such as to promote coordination
18 of functions and services relating to administration and
19 financial services on the one hand and the improvement of
20 instruction on the other hand. It shall include at least two
21 (2) major divisions each headed by an assistant superintendent,
22 one (1) of which divisions shall be the division of instruction
23 and curriculum development and all services relating thereto,
24 and the other division shall be the division of administration
25 and finance and all services relating thereto. Each division
26 may be further divided into subdivisions and sections and headed
27 by proper staff members whose titles and duties shall be
28 determined by the state board after proper consultation and
29 recommendation by the superintendent.

1 Sec. 21. The state superintendent shall appoint all
2 employees, with due regard to their qualifications for the
3 duties to be performed, designate their titles and prescribe
4 their duties. He shall determine the compensation of two

5 department heads, and the compensation of all other employees
6 shall be subject to the approval of the comptroller and the
7 executive council. If deemed advisable, the superintendent
8 may for cause effect the removal of any employee in the
9 state department of public instruction. The total amount of
10 compensation for employees shall be subject to the limitation
11 of the appropriation and other funds available for the
12 maintenance of the department. The appointment, promotion,
13 demotion, change in salary status or removal for cause of any
14 employee shall be subject to the approval of the state board.

1 Sec. 22. The state superintendent shall appoint two (2)
2 assistant superintendents subject to the approval of the state
3 board. The qualifications for assistant superintendent shall
4 be the same as required for the superintendent. The assistant
5 superintendent designated by the state board shall, in the
6 absence or inability of the superintendent, perform the duties
7 of that office.

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

1 Sec. 24. The salary of the superintendent of public
2 instruction shall be fixed by the state board at not more than
3 twelve thousand dollars (\$12,000.00) per year. All
4 appointments to the professional staff of the department of
5 public instruction shall be without reference to party affiliation,

6 religious affiliation, sex, or marital status but shall be based
7 solely upon fitness, ability and proper qualifications for the
8 particular position. The professional staff, including the
9 state superintendent, shall serve at the discretion of the
10 state board; provided, however, that no such person shall be
11 dismissed for cause without at least ninety (90) days notice,
12 except in cases of conviction of a felony or cases involving
13 moral turpitude. In cases of procedure for dismissal, the
14 accused shall have the right of a hearing and notice, and the
15 right to be represented by counsel, all in the same manner as
16 teachers in the public school systems as provided in section
17 two hundred seventy-nine point thirteen (279.13), Code 1950, or
18 as much thereof as may be applicable.

1 Sec. 25. Effective the second secular day of January 1953,
2 the state board of educational examiners and the state board
3 for vocational education shall be abolished. As of the same
4 date, the division of vocational education and the division of
5 vocational rehabilitation both under the direction of the state
6 board for vocational education, and the division of certification
7 of teachers, under the direction of the state board of
8 educational examiners, shall all become a part of and merged
9 with the department of public instruction, under the supervision,
10 direction and control of the state board. The responsibility
11 and accountability for all property, funds, records,
12 correspondence, and duties of each of these respective
13 divisions and boards shall become that of the department of

14 public instruction and the state board, respectively.

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

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

7 2. By striking all of section two hundred sixty point
8 three (260.3) and substituting in lieu thereof the following:
9 "The state superintendent as the executive officer of the state
10 board shall, with its approval, appoint and direct the work of
11 such personnel as may be necessary to carry out the provisions
12 of this chapter."

13 3. By striking all of section two hundred sixty point
14 four (260.4),

1 Sec. 27. Section twenty-six (26) of this Act shall
2 become effective on the second secular day of January 1953.

1 Sec. 28. Amend chapter two hundred fifty-eight (258), Code
2 1950, as follows:

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

7 2. By striking all of section two hundred fifty-eight
8 point three (258.3) and substituting in lieu thereof the following:
9 "The superintendent of public instruction as executive officer

10 of the state board of public instruction shall, with its approval,
11 appoint and direct the work of such personnel as may be
12 necessary to carry out the provisions of this chapter.”

1 Sec. 29. Section twenty-eight (28) of this Act shall
2 become effective on the second secular day of January 1953.

1 Sec. 30. Amend chapter two hundred eighty-five (285),
2 Code 1950, by striking from section two hundred eighty-five
3 point six (285.6) all of lines one (1) to six (6), inclusive,
4 and as far as the period (.) in line seven (7) and substituting
5 in lieu thereof the following: “The state superintendent,
6 subject to the approval of the state board of public instruction,
7 is authorized to organize and staff the division and to employ
8 the necessary qualified personnel to carry out the provisions
9 of this chapter. This section becomes effective on the
10 second secular day of January 1953.”

1 Sec. 31. Section thirty-nine point twelve (39.12), Code
2 1950, is hereby repealed.

1 Sec. 32. Section nineteen point twenty-five (19.25), Code
2 1950, is amended by striking the word “superintendent” in item
3 sixteen (16), line twenty-three (23), and substituting in lieu
4 thereof the words “state board”.

1 Sec. 33. Section sixty-nine point three (69.3), Code 1950,
2 is amended by striking from line twelve (12), the words
3 “superintendent of public instruction,”.

1 Sec. 34. Chapter two hundred fifty-seven (257), Code 1950,
2 is hereby repealed.

1 Sec. 35. Amend section two hundred seventy-three point
2 seventeen (273.17), Code 1950, by adding in line eight (8) after
3 the word "instruction", the words ", subject to the approval of
4 the state board of public instruction,".

1 Sec. 36. Amend chapter two hundred seventy-five (275),
2 Code 1950, as follows:

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

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

1 Sec. 37. Amend section two hundred eighty-six A point six
2 (286A.6), line two (2), by inserting after the word "instruction"
3 the words ", subject to the approval of the state board of
4 public instruction,".

1 Sec. 38. Amend section two hundred ninety-seven point
2 twenty-six (297.26), Code 1950, by striking from line seven (7)
3 the word "superintendent" and substituting in lieu thereof the
4 words "state board".

1 Sec. 39. Amend chapter two hundred eighty (280), Code 1950,
2 as follows:

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

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

1 Sec. 40. Amend section two hundred eighty-one point one
2 (281.1), Code 1950, by striking the semicolon (;) after the word
3 "department" in line seven (7) and substituting in lieu thereof
4 a period (.), and by striking the remainder of the section and
5 substituting in lieu thereof the following: "The state
6 superintendent, subject to the approval of the state board of
7 public instruction, is authorized to organize the division and
8 to employ the necessary qualified personnel to carry out the
9 provisions of this chapter."

1 Sec. 41. Amend chapter two hundred ninety (290), Code 1950,
2 as follows:

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

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

1 Sec. 42. Notwithstanding the repeal and amendments of the
2 various sections of the law relating to the powers and duties of
3 the superintendent, from the effective date of this Act until the
4 state board has been elected and qualified, the superintendent

5 shall exercise all powers and perform all duties granted to him
6 by the Act and shall, in addition, exercise all necessary powers
7 and duties given to the state board by this Act which were
8 formerly powers and duties of the superintendent under the laws
9 repealed or amended by this Act, and shall exercise any other
10 necessary powers and duties of the board in order to carry on in
11 an uninterrupted manner the efficient operation of the department
12 of public instruction and all of its divisions and the public
13 schools and junior colleges of the state. This section, being
14 of a temporary nature, shall be repealed upon the qualification
15 of the state board on the second secular day of January, 1953.

1 Sec. 43. If any sections or provisions of this Act are
2 declared unconstitutional, the remaining sections or provisions
3 of the Act shall not be affected thereby.

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

1 Sec. 45. Nothing in this act shall grant to the state
2 board of public instruction or to the state superintendent of
3 public instruction the authority to compel reorganization of
4 school districts except as provided by law.

EXPLANATION OF H. F. 420

The purpose of this bill is to establish a department of public instruction of 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 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 board of educational examiners and the board for vocational education and to transfer duties of said boards to the board of public instruction. It is believed that such revision will result in greater economy and administrative economy.