

NORMAL SCHOOLS.

CHAPTER 89.

[H. B. No. 191.]

RELATING TO MANAGEMENT OF NORMAL SCHOOLS.

AN ACT to Provide for the Erection, Operation and Management of the Normal Schools of the State; and to Repeal Chapters 162 and 163, Laws of 1890, Acts Entitled Respectively: "An Act Entitled 'An Act to Provide for the Erection and Operation of a State Normal School at Mayville, Traill County, North Dakota,'" Approved February 17, 1890, and "An Act to Locate and Provide for the Government of a State Normal School at Valley City, Barnes County, North Dakota," Approved March 8, 1890.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. NORMAL SCHOOLS LOCATED.] There is hereby established and located at the city of Mayville, in the County of Traill, and State of North Dakota, a State Normal School which shall be known as the State Normal School at Mayville, and the thirty thousand acres of land set apart by the Constitution of the State of North Dakota for such institution is hereby appropriated for that purpose, under such regulations as may hereafter be provided by law. There is hereby established and located at the city of Valley City, in the County of Barnes and the State of North Dakota, a State Normal School, which shall be known as the State Normal School at Valley City, and the fifty thousand acres of land set apart by the Constitution of the State of North Dakota for such institution is hereby appropriated for that purpose, under such regulations as may hereinafter be provided by law.

§ 2. ENDOWMENT.] All proceeds accumulating in the Interest and Income Fund arising from the sale or renting of all lands granted, or hereafter to be granted, by the State of North Dakota, or by the Constitution of said State, for said Normal Schools, are hereby pledged for the establishment and maintenance of said Normal Schools.

§ 3. MANAGEMENT.] The government and management of said Normal Schools are hereby vested in a board of directors, to be known as the Board of Directors of the State Normal Schools, and in a board of management for each Normal School to be known as the Board of Management of the Normal School at Mayville, and the Board of Management of the Normal School at Valley City, respectively.

§ 4. BOARDS, HOW CONSTITUTED.] The board of management for each Normal School shall consist of five members. The Board of Directors of the State Normal Schools shall consist of twelve members, ten of whom shall be the members of the respective Boards of Management as herein provided. The Governor and State Superintendent of Public Instruction shall be *ex-officio* members of said Board of Directors. The Superintendent of Public Instruction shall act as president of the Board of Directors.

§ 5. BOARD, HOW AND WHEN APPOINTED.] The members of the Board of Directors as herein provided shall be nominated by the Governor, and by and with the consent of the Senate, shall be appointed on or before the third Monday in February of each biennial session of the Legislative Assembly; *Provided, however*, That the first Board of Directors of the State Normal School shall be composed of the members of the Boards of Directors of the respective Normal Schools appointed and acting as provided by law, at the time of the adoption of this act, and the Governor shall, immediately upon the taking effect of this act, designate which of said members shall serve for two years and which for four years as herein provided.

§ 6. TERMS OF DIRECTORS.] The Governor shall appoint, by and with the consent of the Senate, if the Legislative Assembly be then in session, otherwise without such consent, the members of the Board of Directors as herein provided. Five members shall be appointed for two years, and five for four years. Biennially thereafter five members shall be appointed for four years, by and with the consent of the Senate, on or before the third Monday in February of each biennial session of the Legislative Assembly. The Governor shall fill all vacancies by appointment for the unexpired term. The Board of Management of the Normal School at Mayville shall consist of two of the members appointed as herein provided for two years, and three for four years and their successors in office as provided herein. The Board of Management of the Normal School at Valley City shall consist of three of the members appointed as herein provided for two years and two for four years and their successors as provided herein. At the first meeting of the Board of Management of each Normal School, the members thereof shall take and subscribe the oath of office required of all civil officers of the State, and shall proceed to elect a president, who shall reside in the vicinity of such Normal School and the principal of the school shall be the secretary of the board, but shall have no vote in the board. In the absence of the principal the board may select one of their own number to act as secretary of said board; a majority of said board shall be a quorum for the transaction of business.

§ 7. COMMISSIONS—SECRETARY.] The Governor shall cause to be issued to each of said members of the Board of Directors a commission, which shall be under the seal of the State, and the

commission so issued shall designate the board of management upon which such member shall serve. At the first meeting of said Board the members thereof shall proceed to the selection and appointment of a secretary of the Board. A majority of the Board of Directors shall be a quorum for the transaction of business.

§ 8. **BOARDS, HOW KNOWN.]** The Board of Directors, as appointed by the Governor and confirmed by the Senate shall constitute and be known as the Board of Directors of the State Normal Schools provided for in this act. The board of management of the several normal schools shall consist of members of the Board of Directors of the State Normal Schools as provided in this act.

§ 9. **MEETINGS—COMPENSATION.]** The Board of Directors shall meet at Valley City and at Mayville or at Bismarck at such times each year as may be decided upon by the Board. The members of the Board shall receive no compensation for their services, except such sum or sums of money as they may pay out for actual and necessary expenses in attending said meetings of the Board of Directors or of the boards of management, or in other duties connected therewith, which sums shall be paid out of the State Treasury upon vouchers of said Board to be approved by the Auditor, who shall issue his warrant upon the Treasurer for the amount, until otherwise provided by law. The Board of Directors shall not be in session to exceed eight days in any one year nor either such board of management to exceed twelve days in any one year. The secretary of the Board of Directors shall receive such salary as shall be determined by the Board, not to exceed one hundred (100) dollars a year, and his actual expenses incurred in attending the meetings of the Board which shall be paid as herein provided for members of the Board of Directors.

§ 10. **BONDS—INTEREST ON SAME.]** To provide for the erection and maintenance of said State Normal Schools, the said Board of Directors may issue bonds for such sum or sums of money as can be actually used in the construction of permanent buildings, procuring the ground whereon to build the same, and other needed and necessary improvements to be made, and for the maintenance of each such Normal School, not exceeding the sum of twenty thousand dollars for each such Normal School, said bonds shall be in denomination of one thousand (1,000) dollars each, shall bear interest at a rate not exceeding 6 per centum per annum, and shall be payable in twenty years from date of issue from the interest and income fund belonging to the respective State Normal Schools to accumulate from the sale of lands hereinbefore appropriated, or from the rental of such lands. The interest on said bonds shall be payable annually on the first day of January of each year and shall be payable from the interest and income funds belonging to the respective State Normal Schools as herein provided; *Provided*, That if at any time there shall not be sufficient money in such fund to pay such interest there is hereby ap-

propriated out of the State Treasury, out of any funds not otherwise appropriated, a sum sufficient to meet the deficiency in the payment of such interest; *Provided, further,* That a sufficient amount of the funds accumulating in the interest and income fund of the respective Normal Schools shall be used and applied solely for the payment of the interest on such bonds and for the creation of a sinking fund with which to pay such bonds upon maturity.

§ 11. TREASURER TO KEEP FUNDS.] All moneys that may arise from the interest and income derived from the renting and sale of lands hereinbefore appropriated, and all moneys that may hereafter be appropriated by the State of North Dakota, including all moneys raised in any other manner for either such school, shall be deposited with the State Treasurer, to be by him kept in two separate funds, which shall be known as the "Fund of the State Normal School at Mayville," and the "Fund of the State Normal School at Valley City," respectively, and such funds shall be used exclusively for the benefit of said school as may be herein or hereinafter provided.

§ 12. ACCOUNTS, HOW AUDITED.] The Board of Management of the respective Normal Schools shall audit all accounts against the funds appropriated by the Legislative Assembly of the State of North Dakota, or held by the State for the use of the respective Normal Schools, and the State Auditor shall issue his warrant upon the State Treasurer for the amount of all accounts which have been so audited and allowed by the Board of Management and attested by the president and secretary of the same. The expenses of the Board of Directors, as herein provided shall be paid out of the State Treasury by warrant of the State Auditor on presentation of an itemized bill in due form, approved by the Board of Directors.

§ 13. DESIGN OF NORMAL SCHOOLS.] The design of the State Normal Schools shall be to prepare teachers in the science of education and the art of teaching public schools. The Board of Directors with the assistance of the respective faculties, shall adopt a full course of study prescribed for that purpose, which shall embrace the academic and professional studies usually taught in Normal Schools. Such schools shall, in all things, be free from sectarian control.

§ 14. DUTIES AND POWERS OF BOARDS — SUPERINTENDENT OF CONSTRUCTION.] The board of management of each Normal School shall direct the disposition of all moneys appropriated by the Legislative Assembly for current expenses for such Normal School, and shall have supervision and charge of the construction of all buildings provided for or authorized by law for said school, and shall direct the disposition of all moneys appropriated therefor or accumulating therefor as provided in this act. They shall have power to appoint one of their members superintendent of construction of all buildings, who shall receive three

(3) dollars per day for each day actually and necessarily engaged in the discharge of his duties, not to exceed fifty days in any one year, which sum shall be paid out of the State Treasury as herein provided; *Provided*, That all expenditures incurred by or under the direction of either of the boards of management as herein provided shall be audited and allowed by such board of management and the expenditures incurred by or under the direction of the Board of Directors as herein provided shall be audited and allowed by the Board of Directors of the State Normal Schools as provided in Section 12 of this act.

§ 15. SALARIES OF EMPLOYEES — REPORTS.] The board of management of each Normal School shall have the care of the buildings erected for or belonging to such Normal School. They shall have power to fix the salaries of employes, except members of the faculty, and to prescribe their respective duties, and to remove any such employe at any time. They shall at such times as may be determined upon propose to the Board of Directors of the State Normal Schools the names of principal, teachers and instructors, with the recommendation that such persons be employed by the Board of Directors as the faculty of such school. They shall, on or before the third Monday in November in each year, make an annual report to the Board of Directors, showing a statement of all expenditures of funds under their direction, the erection and care of buildings, the condition of the school, and containing such recommendations as they may think proper.

§ 16. SALARIES OF PRINCIPALS AND TEACHERS.] The Board of Directors shall fix the salaries of the principals, teachers and instructors, and shall employ the persons therefor that have been recommended by the respective boards of management, unless, in the opinion of the Board of Directors, a good and valid reason exists for refusal to employ such persons. The Board of Directors shall prescribe the time and length of the various terms of said school.

§ 17. FACULTY.] The faculty shall consist of the principal, teachers and instructors employed for each school as herein provided. They shall pass all needful rules and regulation for the government and discipline of the school, regulating the routine of labor, study, meals and the duties and exercises and all such rules and regulations as are necessary to the preservation of morals, decorum and health. They shall carry out the course of study adopted by the Board of Directors of the State Normal Schools, and shall arrange for the classification of all pupils in conformity therewith.

§ 18. DUTY OF PRINCIPAL.] The principal shall be the chief executive officer of the school, and it shall be his duty to see that all rules and regulations are executed and the subordinate officers and employes, whose duties have been prescribed as provided in Section 15 of this act, shall be under his direction and supervision.

§ 19. ANNUAL REPORT OF FACULTY.] The faculty shall, on or before the third Monday in November in each year, make an annual report to the Board of Directors, showing the general condition of the school, and containing such recommendations as the welfare of the institution demands.

§ 20. BIENNIAL REPORTS TO THE GOVERNOR.] The Board of Directors of the State Normal Schools shall make a report to the Governor on or before the first Monday in December next preceding each biennial session of the Legislative Assembly, containing the several reports of the Boards of Management and faculties herein provided for, showing the conditions of all funds appropriated for the school, the money expended and the purpose for which the same was expended in detail, and showing the condition of the Normal Schools generally. Such report shall be published in the biennial report of the Superintendent of Public Instruction in addition to other publications as provided by law.

§ 21. DIPLOMAS.] The Board of Directors of the State Normal Schools and the respective faculties of each such school shall have power to issue diplomas to all persons who shall have completed the course of study prescribed for the normal schools as herein provided, and who shall have passed a satisfactory examination under the direction of the Board of Directors, upon the studies contained in said course, and who shall be known to possess good moral character, which diploma shall set forth the above mentioned facts and shall be designated the State Normal School Diploma.

§ 22. STATE PROFESSIONAL CERTIFICATE.] Any person who is the holder of a State Normal School diploma for the State of North Dakota, as herein provided, and who can give satisfactory evidence to the State Superintendent of Public Instruction that he or she has had three years' successful experience as a teacher shall be granted by the State Superintendent of Public Instruction a State Professional Certificate, valid for life, as provided by law, and any such person who can give satisfactory evidence of one year's successful experience shall be granted a State Normal certificate, valid for five years, as provided by law. The fees for such State Teacher's certificate shall be as provided by law.

§ 23. REPEAL.] Chapter 162, Laws of 1890, entitled "An Act entitled 'An Act to provide for the erection and operation of a State Normal School at Mayville, Traill county, North Dakota,'" approved February 17, 1891, and Chapter 163, Laws of 1890, entitled "An Act to locate and provide for the government of a State Normal School at Valley City, Barnes county, North Dakota," approved March 8, 1890, are hereby repealed.

§ 24. EMERGENCY.] An emergency exists in that the Board of Directors of the State Normal Schools herein provided for should be appointed before the adjournment of the present session of the Legislative Assembly, therefore this act shall be in force from and after its passage and approval.

Approved March 7, 1891.

CHAPTER 90.

[S. B. No. 147.]

TO REIMBURSE MILNOR NORMAL SCHOOL.

AN ACT to Reimburse the Milnor Normal School, of the Town of Milnor, Sargent County, North Dakota, for Expenditures in Maintaining Said School.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. APPROPRIATION.] That there be appropriated, and there is hereby appropriated out of the General Fund in the State Treasury, not otherwise appropriated the sum of \$1,000, to be paid to the Milnor Normal School, of Milnor, Sargent county, North Dakota, as hereinafter provided, to reimburse said school corporation for moneys expended in maintaining said school from the 13 day of October, 1890, to the 5th day of June, 1891, both inclusive.

§ 2. MONEYS, HOW PAID OUT.] Said moneys shall be paid out in the following manner, to-wit: The board of directors of said school shall make out and file with the State Superintendent of Instruction, on or before the 1st day of July, 1891, bills of the amounts, by them actually expended in the maintenance of said school, verified by the treasurer and clerk of said board, item by item. The State Superintendent of Instruction shall examine any and all such bills so rendered, and if he shall find them just and reasonable and correct in all things, he shall file said bills, with his approval thereof in writing attached, with the State Auditor, who shall thereupon draw his order for the amounts of said bills (not to exceed the sum of \$1,000 in all), on the State Treasurer and in favor of the said treasurer of the said board of trustees of said Normal School as above provided.

§ 3. CONSTRUCTION OF ACT.] Nothing in this act shall be construed as a recognition of said school as a State Institution.

§ 4. WHEN FUNDS COVERED BACK.] All funds remaining in this appropriation, and for which warrants have not been drawn on the 10th day of July, 1891, shall be, by the State Auditor and State Treasurer, covered back into the said General Fund of the State.

§ 5. EMERGENCY.] An emergency existing in this that said school does now need and will before the 5th day of June, 1891, need a portion or all of the appropriation herein provided for, and it is necessary that this act should become a law at once, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 7, 1891.