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CIVIL STATUTES

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1925

INCLUDING CONSTITUTION OF THE UNITED STATES AND
CONSTITUTION OF THE STATE OF TEXAS



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or further examination to teach in any colored free school of the State. [Acts 1901, p. 35.]

Art. 2643. [2723] [3889] **Appropriations.**—The Comptroller shall annually set apart out of the interest accruing from the University fund, appropriated for the support of public free schools, the sum of six thousand dollars for the support of said normal school, and place said fund to the credit of said normal school and the same may be drawn by the board of directors on vouchers audited by the board or approved by the Governor and attested by the Secretary; and, on filing such vouchers, the Comptroller shall draw his warrant on the State Treasury for the same from time to time as the same may be needed. [Acts 1879, p. 181; Id.; G. L. Vol. 8, p. 1481.]

CHAPTER NINE.

STATE TEACHERS' COLLEGES.

I. GENERAL PROVISIONS.

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Art. 2644. **Control of colleges.**—Except as herein provided, all laws establishing State teachers colleges or normal institutes for the training of white teachers and providing for their government, control and maintenance are continued in force, and all such colleges which are or may be established by law shall be under the general control and management of the Board of Regents of the State Teachers' Colleges.

Art. 2645. [2695] **Subjects required to be taught.**—Manual training; domestic science and agriculture shall be taught in each of the State Teachers' Colleges. Elementary agriculture shall be taught in the summer sessions of said colleges.

Art. 2646. [2696] **Diplomas and certificates.**—Diplomas and teachers certificates of each of the State Teachers' Colleges shall authorize the holders to teach in the public schools.

Art. 2647. **Board of regents.**—The board of regents of the State Teachers' Colleges shall be composed of six persons. Said board is charged with the duties and empowered to do and perform the acts hereinafter set forth as follows:

1. The Board of Regents of the State Teachers' Colleges is charged with the responsibility of the general control and management of all State Teachers' Colleges for white persons and may erect, equip and repair buildings; purchase libraries, furniture, apparatus, fuel and other necessary supplies; employ and discharge presidents or principals, teachers, treasurers and other employes; and fix the salaries of the persons so employed. The principal of each State Teachers' College shall nominate annually to the board of regents such professors, teachers, officials and assistants as in his opinion will promote the best interests of the institution. [Acts 1911, 2nd C. S. p. 74; Acts 1913, p. 191.]

2. The board shall visit each college under its control and

management at least once during each scholastic year and inspect its work and gather such information as will enable said board to perform its duties intelligently and effectively. [Id.]

3. The board may determine what departments of instruction shall be maintained in the State Teachers' Colleges and what subjects of study shall be pursued in each department. Said board shall not change any department of instruction provided by law, and no department shall be established for the support of which provision has not been made by the Legislature. The board shall also have authority to fix the rate of incidental fees to be paid by students attending said schools and to make rules for the collection of such fees and for the disbursement of such funds. [Id.]

4. The board shall make an annual report to the Governor showing the general condition of the affairs of each college and shall make such recommendations as it may deem best for future management and welfare thereof. [Id.]

5. The board may determine the conditions on which students may be admitted to such colleges, and what grades of certificates may be issued to students attending, and on what conditions certificates and diplomas may be issued to students, and by what authority said certificates and diplomas shall be signed.

6. The board shall meet each year at Austin, on the first Monday in May, or as soon thereafter as practicable, for the transaction of business pertaining to the affairs of the State normal schools, and at such other times and places as a majority of the members of the board deem necessary for the welfare of said colleges. Each and every member of said board shall receive five dollars per day for the time spent attending the meetings provided for in this law, and in addition thereto the amount of their traveling expenses, said compensation to be paid to the several members of the board out of the appropriation for the support and maintenance of the said State Teachers' Colleges as the board may direct. [Id.]

7. All appropriations made by the Legislature for the support and maintenance of State Teachers' Colleges, for the purchase of land or buildings for the use of such schools, for the erection or repair of buildings, for the purchase of apparatus, libraries or equipment of any kind or for any other improvement of any kind, shall be disbursed under the direction and authority of the board of regents; and said board shall have power to formulate and establish such rules for the general control and management of the State normal schools for white teachers, for the auditing and approving of accounts, and for the issuance of vouchers and warrants as in their opinion may be necessary for the efficient administration of such schools. [Id.]

8. The board shall file in each house of the Legislature, at each of its regular biennial sessions, a statement of the receipts and expenditures of each of said normal schools, showing the amount of salaries paid to the various teachers, contingent expenses, expenditures for improvements, etc., together with such recommendations as the board may see proper to submit relative

to the appropriation for said schools to be made by the Legislature. [Id.]

9. Power and authority is hereby conferred upon said board of regents to acquire by purchase or condemnation for the use and benefit of any of the State Teachers' Colleges, such lands within the counties where such schools may be located, as said board may deem expedient for the use of any of said schools for purposes necessary in the conduct thereof. [Acts 1913, p. 347.]

10. If in the exercise of such power, said board and the land owner cannot agree upon the sale and purchase of said land, the board of regents shall request the Attorney General to proceed to condemn the land required as provided by law. In lieu of such suit, the parties thereto may select by agreement three persons to ascertain the value of such land under their oaths and the direction of the court. The finding and decision of the jury, court or of such persons, shall in all cases be final; provided the parties to said proceedings shall have the right to appeal as in other civil cases.

11. When the value of the land has been so ascertained and the court is satisfied with such valuation, it shall enter a decree vesting the title of such lands in this State for the use and benefit of the State Teachers' College for whose benefit the land is sought to be acquired, to be held, owned, possessed and enjoyed by the State of Texas, for the purposes hereinbefore stated. No such decree shall be entered until the value of the land so ascertained, together with all reasonable cost and expense of the owner in attending such proceeding, shall be paid to him or into court for his benefit and subject to his order, such costs and expenses to be ascertained by the court in which such proceeding is had, including reasonable attorneys fees to be fixed by the court. [Id.]

2. SAM HOUSTON STATE TEACHERS' COLLEGE.

Admission of students.....	Article 2648	Annual appropriation.....	Article 2650
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Art. 2648. [2692-4] **Admission of students.**—Not more than two students from each senatorial district, and six from the State at large, shall be received in the Sam Houston State Teachers' College at Huntsville, as State students, who shall receive tuition, board and lodging free to the extent of the appropriation that may be made. In no case shall the current expenses of the institute exceed the sum or sums appropriated. The board of regents shall make all necessary rules and regulations for the admission of students and the manner of their appointment or selection. No student shall be received who is not a resident of this State and at least of the age of sixteen years and of good moral character. Said board may authorize other students to be admitted to said College who shall pay tuition, in whole or in part, as the board may prescribe. [Acts 1879, p. 182; G. L. Vol. 8, p. 1482.]

Art. 2649. [2693] [3881] **Obligation of students.**—All stu-

dents attending said institute at State expense shall sign a written obligation in a book to be kept at the College for that purpose, binding said student to teach in the public schools of their respective districts at least one year next after their discharge from the normal school and as much longer than one year as the time of their attendance at said school shall exceed one year, for which teaching said student shall receive the same compensation allowed other teachers of said schools. Said board of education shall make rules by which students may receive certificates of qualification as teachers, authorizing them to teach without examination. [Id.]

Art. 2650. [2698] [3884] **Annual appropriation.**—The State Comptroller shall annually set apart out of the available free school fund the sum of fourteen thousand dollars for the support of said College and place the same to its credit. Said sum may be drawn upon by the board of regents for the current expenses of said school on vouchers audited by said board or approved by the Governor and attested by the Secretary; and, on filing said vouchers, the Comptroller shall draw his warrant on the State Treasurer for the same. The board is authorized to receive from the agent of the trustees of the Peabody Education Fund such sums as he may tender for the aid of said institute, and shall disburse the same in such manner as will best subserve the interests of said college. [Acts 1879, p. 182; G. L. Vol. 8, p. 1482.]

3. NORTH TEXAS STATE TEACHERS' COLLEGE.

Purpose	Article	Free tuition	Article
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Art. 2651. [2699] **Purpose.**—The State Teachers' College located at Denton shall be known as the "North Texas State Teachers' College." It shall be conducted for a session of not less than thirty-six weeks each year upon improved methods and plans for first class schools designed for special training of teachers. [Acts 1899, p. 74.]

Art. 2652. [2701] **Funds set apart for college.**—The Comptroller shall set apart annually, out of the general revenue, the sum of twenty thousand dollars for the maintenance of said normal school, together with such other sums as may be appropriated by the Legislature for defraying a part of the expenses of the students appointed from year to year by senators and representatives, such sum or sums to be placed to the credit of such State normal school, and which shall be paid out upon warrants approved by the Governor and attested by the board of regents. Said board is hereby authorized to receive from the agent of the Peabody Education Fund such sums as he may tender for the aid of the said State normal school, to be disbursed in such manner as may be prescribed by the donor. [Id; Amended Acts 1901, p. 10.]

Art. 2653. [2702] **Free tuition.**—Tuition in said college shall be free to all students who are at least sixteen years of

age, of good moral character, and who wish to prepare themselves for the profession of teaching. All State students attending such college shall sign a written obligation, in a book to be kept for that purpose, binding said students to teach in the public schools of this State for as long a period of time as they attend said college, for which teaching they shall receive the same compensation as other teachers. [Id.]

4. SOUTHWEST TEXAS STATE TEACHERS' COLLEGE.

School established..... Article
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Art. 2654. [2708-11] **School established.**—The institution established at San Marcos shall be known as the Southwest Texas State Teachers' College. The rules and regulations provided by law for the government of the Sam Houston State Teachers' College shall apply so far as applicable to the government and control of this college. [Acts 1909, p. 221.]

CHAPTER TEN.

STATE DEPARTMENT OF EDUCATION.

1. STATE SUPERINTENDENT.

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Art. 2655. [4509] **Election.**—There shall be elected at each general election, a State Superintendent of Public Instruction, who shall hold his office for a term of two years. The Superintendent shall take the official oath and shall perform such duties as may be prescribed by law. [Acts 1905, p. 263.]

Art. 2656. [4510-13] **General duties.**—The State Superintendent shall be charged with the administration of the school laws and a general superintendency of the business relating to the public schools of the State, and he shall have printed for general distribution such number of copies of school laws as the State Board of Education may determine. He shall hear and determine all appeals from the rulings and decisions of subordinate school officers, and all such officers and teachers shall conform to his decisions. Appeal shall always be from his rulings to the State Board. He shall prescribe suitable forms for reports required of subordinate school officers and teachers, and blanks for their guidance in transacting their official business and conducting public schools and shall, from time to time, prepare and transmit to them such instructions as he may deem necessary for the faithful and efficient execution of the school laws, and by whatsoever is so communicated to them, they shall be bound to govern themselves in the discharge of their official duties. He shall examine and approve all accounts against the school funds that are to be paid by the State Treasurer, and, upon such approval, the Comptroller shall be