ACTS

OF THE

GENERAL ASSEMBLY

OF THE

Commonwealth of Kentucky

PASSED AT

The Regular Session of the General Assembly which was begun and held in the City of Frankfort, Kentucky, on Tuesday, January the Second, 1906, and at the Special Session of the General Assembly which was begun and held in the City of Frankfort, on Wednesday, March the Fourteenth, 1906.
§ 2. Whereas, it is necessary for the assigned cities and towns mentioned herein to make their tax levy for this year under the charter of the towns to which they are assigned, an emergency is declared to exist and this act shall take effect and be in full force and effect from and after its passage and approval by the Governor.

Approved March 21, 1906.

CHAPTER 102.

AN ACT to establish a system of State normal schools in Kentucky;

to create a board of regents for the general management thereof;

to create a normal executive council, which shall determine the requirements for admission and graduation and the courses of study for the said schools; to create a commission which shall determine the location of said schools, and to appropriate funds for their maintenance.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There shall be established and maintained as hereinafter provided two State Normal Schools in this State as follows: The "Eastern Kentucky State Normal School," to be located in normal school district No. 1, and the "Western Kentucky Normal School," to be located in normal school district No. 2, the boundaries of which normal school districts shall be fixed by a commission appointed by the Governor for the location of normal schools, as hereinafter provided, and which districts shall, as near as may be, be equal in population.

§ 2. The object of said State normal schools shall be to more fully carry into effect the provisions of section one hundred and eighty-three of the Constitution of Kentucky, by giving to the teachers of the Commonwealth such training in the common school branches, in the science and art of teaching, and in such other branches
as may be deemed necessary by the Normal Executive Council, hereinafter created, as will enable them to make the schools throughout the State efficient.

§ 3. There is hereby created a Board of Regents for each of said normal schools, to be known, respectively, as "The Board of Regents for Normal School District No. 1" and "The Board of Regents for Normal School District No. 2." Said board shall have perpetual succession, with power to contract and be contracted with, to sue and be sued, to plead and be impounded, to receive by any legal mode of conveyance property of any description, and to have and hold and enjoy the same; also to make and use a corporate seal, with power to alter the same; to adopt by-laws, rules and regulations for the government of their members, official agents and employees: Provided, Such by-laws shall not conflict with the Constitution of the United States or with the Constitution of the State of Kentucky.

§ 4. The Board of Regents for each of said schools shall be composed of five members, including the Superintendent of Public Instruction, who shall be a member and chairman of each of said boards.

§ 5. Within thirty days after the selection of the normal school sites, as hereinafter provided, the Governor shall appoint four regents for each of said normal schools, two of which shall serve for two years and two for four years, and until their successors are appointed and qualified; and two members shall be appointed in like manner every two years thereafter to serve for a term of four years each; and, whenever a vacancy or vacancies occur in either of said boards by death, resignation, removal from the district, or by the operation of this law, or otherwise, the Governor shall, in like manner, immediately appoint some competent person or persons to fill such vacancy or vacancies. The person or persons so appointed shall hold office for the unexpired term: Provided, That no two members of either of said boards shall be residents of any one county, and that not more than three members of any of said boards, including the Superintendent of Public Instruction, shall belong to the same political party.

§ 6. Said regents shall hold their offices for a term of four years from the first day of April next preceding their appointment, and until their successors are duly appointed and qualified, except such as may be appointed to fill vacancies, who shall hold office for the unexpired term only.

§ 7. Each of said Board of Regents shall hold its first meeting within thirty days after its appointment, the time and place of meeting to be designated by the Superintendent of Public Instruction, who shall administer the oath of office to each member. At this meeting there shall be selected a vice-president and a secretary for each of said boards. Said board shall also appoint a treasurer and such officers as it may deem necessary, but no member of either of said boards shall be selected as treasurer.

§ 8. Each board shall meet quarterly at such time and places as may be agreed upon and, until the buildings are arranged for and completed, and as much oftener as may be necessary, but thereafter the regular meetings of each of said boards shall be held at its respective normal school building.

§ 9. A majority of the members of said board shall constitute a quorum for the transaction of business, but no appropriation of money, nor any contract which shall require any appropriation or disbursement of money, shall be made nor teacher employed or dismissed, unless
a majority of all the members of the board shall vote for the same.

§ 10. Each Board of Regents shall have general control and management of its normal school; shall possess full power and authority to adopt all needful rules and regulations for the guidance and supervision of the conduct of the students of any department thereof; to enforce obedience of such rules, to invest the faculty with the power to suspend or expel any pupil for disobedience to such rules, or for any contumacy, insubordination or immoral conduct, and have authority to appoint or dismiss all officers and teachers, to require such reports from officers and instructors as it may deem necessary, to appoint a treasurer for such school and to determine the amount of his bond, which amount shall not be less than ten thousand dollars.

§ 11. The Superintendent of Public Instruction, together with the president or head executive officer of each State normal school herein created, shall constitute a Normal Executive Council, whose duty it shall be to prescribe the course of study to be taught in each State normal school, and the educational qualifications for admission to and graduation from same.

§ 12. At the first meeting of the Normal Executive Council, which shall occur within one month after the election of the presidents of the said normal schools herein created, there shall be elected from said council a vice-president and a secretary; the Superintendent of Public Instruction shall be ex-officio president of the council.

§ 13. This council shall hold its meetings annually or as much oftener as may be deemed necessary at the State Capitol or at one of the normal school buildings, the place of meeting to be determined by the Superin-
shall, before commencing to teach a public school in any county in this State, notify the county superintendent thereof of such fact, give date of qualification and by whom conferred, and the county school superintendent shall verify same by examination of the list sent him by the State Superintendent; and, if found correct, shall duly record the said teacher as eligible to teach in such county.

§ 15. The Boards of Regents shall have power to appoint and to remove the president, professors and teachers of the normal schools, to fix their compensation, the commencement and termination of their respective terms of office, not to exceed two years for any one term.

§ 16. No president, professor or teacher shall be removed except for incompetency, neglect or refusal to perform his duty, or for immoral conduct; nor shall such president, professor or teacher be removed until after ten days' notice in writing, stating the nature of the charges preferred; and such person shall have an opportunity to make a defense before the board, by counsel or otherwise, and shall be allowed to introduce testimony, which shall be heard and determined by the board. In every case of the suspension or expulsion of a student by the faculty, the person so suspended or expelled shall be allowed to appeal from the decision of the faculty to the Board of Regents, and it shall be the duty of the Board of Regents to prescribe the manner and mode of proceeding in the matter of such appeal; but the decision of the Board of Regents shall be final.

§ 17. Upon the written request of any two members of the Board of Regents, or at the request of the faculty, signed by the president and certified by the secretary thereof, the chairman of the Board of Regents may call a special meeting and the object or objects thereof, and no other business, shall be transacted at such meeting, unless all the members of the board are present and consent thereto.

§ 18. No member of the Board of Regents, nor member of the Normal Executive Council, shall draw any salary for services as such, but shall receive six cents per mile for every mile necessarily traveled in going to and from each meeting for the board, and other legitimate expenses, to be paid out of the contingent fund of the school.

§ 19. No president, professor, teacher, regent, member of the Normal Executive Council or other officer or employee shall keep for sale, or be interested, directly or indirectly, in any contract or purchase for the building or repairing any structure, or for fencing or ornamenting the grounds, or furnishing any supplies or material for the use of said normal school.

§ 20. The president of the respective Boards of Regents shall make to the State Superintendent of Public Instruction an annual report, in the month of August of each year, which shall contain a full account of the acts of said board, of all receipts of moneys from appropriations, tuition fees and all other sources, and the disbursements thereof, and for what purpose, and the conditions of said normal school; also a list of the names and places of residence of all students that may have been taught in the normal school during the preceding year, the number of terms enrolled, the number of days each has taught, and the amount of the tuition or incidental fees paid.

§ 21. The treasurer of the respective Board of Regents, before he enters upon the duties of his office, shall enter into a bond to the Commonwealth of Kentucky, with not less than two solvent sureties or a guarantee company authorized to do business in Kentucky, in a
sum of not less than ten thousand dollars, to be approved by the board, conditioned that he will faithfully perform all the duties required of him by law as such treasurer, which bond shall be filed with the secretary of the board.

§ 22. It shall be the duty of the treasurer of the board to receive and disburse all moneys under the control of the Board of Regents and perform all such acts as pertain to his office, under the direction of the Board of Regents, and to make a report of the same to the board at its quarterly meetings. In the month of August of each year, the treasurer of said board shall also make and furnish to the Board of Regents, to be by it transmitted to the State Superintendent of Public Instruction, an abstract of which shall contain full account of all moneys received and disbursed by the school during the preceding year, stating from what source received and on what account paid out, and the amount paid to each professor, teacher or other officer of the school; and on or before the second Monday in January, one thousand nine hundred and eight, and every two years thereafter, said treasurer shall also report to the Board of Regents, to be by it transmitted to the General Assembly, an itemized statement of all receipts and expenditures for the two calendar years preceding, showing minutely all disbursements of moneys received from the State or other sources. The compensation of the treasurer shall be fixed by the Board of Regents.

§ 23. It shall be the duty of the secretary of the boards to keep and preserve all records, books and papers belonging to the board. He shall keep a journal of the proceedings of the board, in which, if requested by any member of the Board of Regents, the ayes and noes on all questions shall be entered. He shall prepare, under the direction of the board, all reports, estimates and to execute all such matters as belong to his office. His compensation shall be fixed by the board.

§ 24. The respective Boards of Regents shall, at their regular meetings, provide for the payment of any indebtedness of the school, and for that purpose they shall set apart all moneys which may be derived from tuition or other fees paid by students to the payment of: First, the incidental expenses of such school; and, second, the payment of such indebtedness; and until such indebtedness shall be fully paid off, no part of the fund derived from tuition or other incidental fees shall be used for the payment of professors, teachers or other officers or employees of such school, nor shall the board, until such indebtedness be fully paid, make any contract for the hire, employment or payment of professors, teachers or other officials, or employees of such schools that will be a greater sum of money for the annual payment thereof than the amount of the appropriation by the State for the support of said school for that year.

§ 25. All appropriations made by the General Assembly for the support of normal schools, or for the benefit thereof, and all grants, gifts, bequests or donations by any individual or corporation for a specified use shall be applied to such use or uses and no other.

§ 26. Each legislative district in the State shall be entitled annually to the appointment of ten pupils for gratuitous instruction in the normal school, to be chosen in the following manner: The superintendent of schools in each county shall receive and register the names of all applicants for admission to said school, and shall examine such applicants at such time and in such manner as the Normal Executive Council may direct, and the ten applicants found to possess the highest qualifications shall be accepted as the pupils to which said district is entitled. Said appointments shall be for the full term.
of the prescribed course of study in the school; any vacancy in any district may be filled in the same manner as provided for regular appointments. Should the number of applicants during any term not reach the number allowed for the district, said district may, during any other term, appoint a sufficient number to make the average for any year that to which the district is entitled under the provisions of this section. The Board of Regents shall have power in case any pupil so appointed shall refuse to sign and file with the secretary of said board a declaration that he or she will teach in the public schools of this State not fewer than three years, in case engagement can be secured by reasonable effort, to require said pupil to provide for the payment of such fees and tuition as the Board of Regents may prescribe.

§ 27. The Board of Regents of each school may maintain in connection with the said normal schools, a model and practice school, under the supervision of thoroughly trained teachers, for the purpose of giving observation and practice work to the student teachers.

§ 28. The Governor shall, within thirty days after this act becomes a law, appoint a commission composed of seven persons, one from each appellate district of the State, who shall, within thirty days after their appointment, meet at Frankfort, Kentucky, on a date fixed by the Governor, and organize and arrange to receive from those localities in Kentucky desiring to secure the location of said schools, proposals for donations of suitable sites and other valuable considerations, and shall, within ninety days after their appointment, locate the said schools in said normal school districts at the place making the most advantageous offers, all things considered. All proposals for sites or locations for the schools shall be in writing, and shall be entered at large on the records of the commission, and the findings of the commission fixing the locations shall be in writing and entered at large on the records of the said commission:

Provided, That no town or city shall be selected for the location of said school which does not have facilities for a good water supply and other conveniences necessary for the institution.

§ 29. In order to enable the Boards of Regents to carry into effect the provisions of this act, there is hereby appropriated the sum of ten thousand dollars ($10,000) to be divided equally between the two normal schools herein provided for, for the purpose of equipping suitable buildings, improving grounds, etc., and the sum of forty thousand dollars ($40,000) annually to be divided equally between the two schools for the purpose of defraying the salaries of teachers and other current expenses: Provided, That the latter appropriation shall not become effective for any school until the buildings have been equipped and the school regularly opened.

§ 30. The money hereby appropriated for equipment shall be available immediately for each of said normal schools upon the delivery of a good general warranty deed, conveying to the Commonwealth the property to be donated as above provided and its acceptance by the locating commission. The money appropriated under this act for equipment and maintenance of the schools shall be disbursed as follows, viz.:

The chairman and secretary of the Board of Regents shall draw their warrants for the equipment and maintenance of each school provided for under this act on the Auditor of Public Accounts, payable to the treasurer of each normal school, and upon receipt of said draft by the Auditor, he shall draw his warrant for the proper amount upon the Treasurer of the State. The money
authorized to be paid out of the State Treasury under this act shall be paid out of the general funds not otherwise appropriated.

§ 31. Whereas, in order to open during the present year the normal schools provided for in this act, it is necessary that the same become effective as soon as possible; and, whereas, a public necessity exists for the immediate establishment and opening of normal schools in this State, in order to make its common school system more effective as required by the Constitution of Kentucky, an emergency is therefore declared to exist and this act shall take effect from and after its passage and approval by the Governor.

Approved March 21, 1906.

CHAPTER 103.

AN ACT to amend an act, entitled "An act to provide for the establishment and maintenance of a Confederate Home, to be a charitable institution of the State of Kentucky, and providing for the care and maintenance of the infirm and dependent Confederate soldiers of the State of Kentucky, and to provide under proper conditions for admission and care of soldiers who may have wives, and for those who may have rendered service to the Confederate cause," approved March twenty-seventh, one thousand nine hundred and two, and amended by an act approved March twenty-sixth, one thousand nine hundred and four,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section four in the act approved February twenty-sixth, one thousand nine hundred and four, which reads as follows:

"§ 4. The said board of trustees are required to elect a president from among their own number, and may, at its discretion, elect a treasurer and secretary, either