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DEPARTMENT OF THE INTERIOR  
BUREAU OF EDUCATION

BULLETIN, 1924, No. 5

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# THE CHIEF STATE SCHOOL OFFICIAL

By

WARD G. REEDER

ASSISTANT PROFESSOR OF SCHOOL ADMINISTRATION  
OHIO STATE UNIVERSITY, COLUMBUS



WASHINGTON  
GOVERNMENT PRINTING OFFICE  
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## LETTER OF TRANSMITTAL.

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DEPARTMENT OF THE INTERIOR,  
BUREAU OF EDUCATION,  
*Washington, June 17, 1924.*

SIR: No great educational reform in any State has come without the leadership of a great educational reformer. Separate action by local communities has never yet produced a successful system of education.

Massachusetts, whose people have believed strongly in public education from the beginning, required the zeal and organizing ability of Horace Mann to develop a unified system. Rhode Island and Connecticut owe the excellence of their schools largely to the activity of Henry Barnard. John D. Pierce, of Michigan; Newton Bateman, of Illinois; Caleb Mills, of Indiana; and J. P. Wickersham, of Pennsylvania, built up the educational systems of their several States in a way that men of ordinary caliber could not have done in a score of years. Every State which stands forth prominently in educational achievement has enjoyed at some time, at least, the guidance of men of extraordinary ability and energy.

Of the utmost importance, therefore, is the character of the men who are at the head of the school systems of the States, and of the utmost importance is the manner of selecting them and of prescribing their powers and duties. Fully realizing this, I have asked Dr. Ward G. Reeder, of Ohio State University, who has made a special study of this field, to prepare a manuscript setting forth the conditions of the employment of the chief school officers of all the States. Doctor Reeder has courteously complied with the request, and I recommend that his production be printed as a bulletin of the Bureau of Education.

Respectfully submitted.

JNO. J. TIGERT, *Commissioner.*

The SECRETARY OF THE INTERIOR.





# THE CHIEF STATE SCHOOL OFFICIAL.

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## INTRODUCTION.

In its educational progress a State is helped by a comparison of the features of its school system with the same features in other States. Such comparisons serve to set in clear perspective likenesses and differences; and since our State educational systems have been developed not only according to the experience of the individual State, but also according to that of other States, the facts thus established may be used as one worth-while basis for any needed reorganization of the features of the school system.

At present, one of the most important and also one of the most common features of the school systems of the several States is the office of chief State school official. This office is studied in this report, which seeks to show the conditions pertaining to the office, and particularly to present these conditions as reflected by the current legislation on the office.

## NATURE OF THE STUDY.

With the problem thus stated, it can be seen that the attack upon it can not be confined to a single field of the conventional fields of educational research. This study is, consequently, neither wholly an historical nor wholly a statistical inquiry. It is chiefly descriptive and interpretative. It describes and interprets the present practices and tendencies pertaining to the office of chief State school official. Enough of the historical treatment is needed, however, to give a genetic view; and, similarly, enough of the quantitative treatment is needed to show exactly the present situation and tendencies; for these purposes, accordingly, the quantitative and the historical types of treatment are utilized.

## SOURCES OF INFORMATION.

The chief sources of information for the study have been the latest school codes of the various States. Besides the latest school codes, the old statutes and former and present constitutions of the various States have been consulted, especially as a necessary source of information for the historical view.



## Chapter I.

### EVOLUTION OF THE OFFICE.

---

The office of chief State school official is a relatively recent addition to our educational machinery. New York was the first State to establish it. Its legislature, on June 19, 1812, passed a law which provided that a superintendent of common schools should be appointed by the council of appointment.<sup>1</sup> This provision, it should be noted, was not made until almost 200 years after the first State (Massachusetts) made state-wide provision for public schools.<sup>2</sup>

How are we to account for the long delay in establishing an office which to-day is considered so necessary that it is found in every State of the Union? Clearly the delay was not due to lack of interest in education, for this interest was early evidenced by the building of many academies and private and church schools; moreover, many communities everywhere, of their own initiative, had established public schools even before the State had passed laws requiring them to do so.<sup>3</sup>

At least two retarding influences to the establishment of the office stand out. First, the then prevalent theory of individual and community rights met with popular approval. To our forefathers any centralization of power and authority smacked of autocracy; and to autocracy, or any semblance of such, particularly in view of their unpleasant experiences in the mother countries, and later in the Colonies, they were thoroughly opposed. Second, the idea of the association of the church and the school was prevalent and was hard to eradicate from the minds of the people.<sup>4</sup> These two influences made for decentralization in school organization down to almost the middle of the nineteenth century,<sup>5</sup> and kept even the beginnings of State supervision of the local school systems from appearing until the opening of the nineteenth century.

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<sup>1</sup> New York Laws, 1812, pp. 600-601.

<sup>2</sup> Jernegan, M. W., *The Beginnings of Public Education in New England*. *Sch. Rev.*, Vol. XXIII, pp. 361-380. Mr. Jernegan shows that Massachusetts passed, as early as 1647, a state-wide law requiring communities to establish schools. He shows, however, that schools truly public had been established by some communities as early as 1636. (*Ibid.*, p. 367).

<sup>3</sup> For documentary evidence, see Jernegan, M. W., *op. cit.*, pp. 361-380.

<sup>4</sup> Brown, S. W., *The Secularization of the Schools*, p. 6 ff.

<sup>5</sup> *Ibid.*

In addition to the aforementioned influences against the establishment of the office, it should be noted also that no American model for the office existed in any form, not even as a suggestion for it. Even county and city superintendents<sup>6</sup> were unknown until many years after the establishment of the office of chief State school official; and the office of United States Commissioner of Education could not serve as a model, for it was not created until 1867. The office must wait, therefore, until unmistakable needs should bring it into being.

#### FORMATIVE INFLUENCES FOR THE FIRST OFFICE.

What were the influences that brought forth the first provision for the office, namely, that of New York? In discussing this question the first thing to note is that in the early educational organization of the State of New York a dual system of school administration was the characteristic feature. The university, with its board of regents, had jurisdiction over colleges and academies, and was one part of the administrative machinery. The office of superintendent of common schools, which had jurisdiction over the common schools, was the other part of the dual system. The establishment of the university preceded the creation of the office of superintendent of common schools, and it was the agitation of the university and its regents which was instrumental in getting provision made for the office of superintendent of common schools.

The university was not, however, in the commonly accepted sense, a university at all, but rather a State board of education, with control over colleges and academies, the whole being governed by a body of regents. It was incorporated in 1784.<sup>7</sup> Under the same act Kings College was revived and was given the name of Columbia College. This act was primarily for the benefit of the college and secondarily only for the benefit of the State. It had served the purpose, however, of giving form, even though imperfectly, to the idea of State control in education.

In 1787<sup>8</sup> the law of 1784 was revised, giving the board of regents definite powers over the colleges and academies of the State. The university was henceforth to overshadow Columbia College, and the system was truly to become a State system coextensive with the political organization of the State; furthermore, it was to be used for the good of the State as a whole.

<sup>6</sup> Providence, R. I. (1839), was the first city to appoint a city superintendent of schools, and the first county superintendency came about 1835.

<sup>7</sup> See Sherwood, Sidney, *University of the State of New York, Origin, History, and Present Organization*, pp. 223-228, for a discussion and abstract of the law. See also *Laws of New York, 1784*, ch. 51.

<sup>8</sup> *Ibid.* (Sherwood), pp. 228-272.

The university regents suggested the establishment of a system of common schools in their reports of 1793<sup>9</sup> and 1794<sup>10</sup>, but nothing was done by the legislature. In 1795, again, they stated that they had the supervision of 2 colleges and 12 academies, and these, "with the establishment of schools for common branches of education, were the legislature pleased to grant it, must soon have the most beneficial effects on the state of society."<sup>11</sup>

The culmination of these efforts<sup>12</sup> toward the establishment of a system of common schools came in 1811, when a bill was passed enabling the governor to appoint five commissioners who were "to report, at the next meeting of the legislature, a system for the organization and establishment of common schools and the distribution of the interest of the school fund among the common schools of this State."<sup>13</sup>

The commissioners appointed under the provisions of this act submitted their report<sup>14</sup> in 1812 and accompanied it with the draft of a bill which was passed on June 19 of the same year.<sup>15</sup> One portion of this act provided for a superintendent of common schools.

#### THE EARLY NEEDS FOR THE OFFICE.

Specific needs for the office came urgently to the foreground at just about the time of its first establishment. A short time before this some of the older States had begun to provide permanent State school funds and had also tried the experiment of granting annual State aid. It soon became evident to these States that, if the State school funds were to be correctly applied and made useful to the highest degree, their expenditure must be centrally supervised and controlled in some manner. It was seen that this supervision and control could be best exercised by the appointment or election of some officer who would represent the State in its financial dealings with the local schools.

Moreover, with the growing recognition of the place of the State in educational matters, and because of the developing tendency to increase school legislation, there came a feeling that the legislatures needed to be supplied with reliable information concerning both the state and progress of education; furthermore, they needed to know the plans and wishes of the people concerning education, all of which were necessary to enlightened school legislation. These facts, it was seen, could be feasibly collected and made available by a State school official. Still more, such an officer could be of great service in working throughout the State toward the desired securing of a deeper and more general interest in education.

<sup>9</sup> N. Y. Assembly Jour., 1793, p. 211.

<sup>10</sup> *Ibid.*, 1794, p. 32.

<sup>11</sup> *Ibid.*, 1795, p. 86.

<sup>12</sup> For a more detailed discussion of these various efforts, see Hobson, Elsie Garland, *Educational Legislation and Administration in the State of New York from 1777 to 1850*, pp. 18-32.

<sup>13</sup> New York Laws, 1811, ch. 256.

<sup>14</sup> See Hobson, Elsie Garland, *op. cit.*, pp. 31-32, for an outline and discussion of the plan suggested by the commissioners in their report.

<sup>15</sup> New York Laws, 1812, pp. 600-601.

Such were the needs which brought forth the first office and secured the creation of the office in the other States in due time. It is to be noted that, so far as is known, the influences for it were entirely native, its creation apparently not having been influenced by the practice in any other land.

Since the New York act establishing the office was the first of its kind in the United States, and clearly shows the early conception of the functions of the office, the law is quoted herewith in extenso.

#### THE NEW YORK ACT.

I. Be it enacted by the people of the State of New York, represented in Senate and Assembly, that there shall be constituted an office within the State, known and distinguished as the superintendent of common schools, which superintendent shall be appointed by the council of appointment,<sup>16</sup> and shall be allowed an annual salary of \$300, but not to be under pay until he shall give notice of the first distribution of school money, payable in the same way as is provided for other offices, by the act entitled an act for the support of government.

II. And be it further enacted, that it shall be the duty of the superintendent aforesaid, to digest and prepare plans for the improvement and management of the common school fund, and for the better organization of common schools; to prepare and report estimates and expenditures of the school moneys, to superintend the collection thereof, to execute services relative to the sale of lands, which now are or hereafter may be appropriated, as a permanent fund for the support of common schools, as may be by law required of him; to give information to the legislature respecting all matters referred to him by either branch thereof, or which will appertain to his office; and generally to perform all such services relative to the welfare of the schools as he shall be directed to perform and shall prior to his entering upon the duties of his office, take an oath or affirmation for the diligent and faithful execution of his trust.<sup>17</sup>

In accordance with the provision of this law, Gideon Hawley was elected, January 14, 1813, the first superintendent of common schools.<sup>18</sup> But, apparently because of his vigorous work for the schools of the State, he gave offense to the politicians, who, consequently, were instrumental in securing his removal from office in 1821. Immediately following this action, the legislature abolished the office as a separate one,<sup>19</sup> and transferred its duties to the secretary of state, who served, *ex officio*, as superintendent of common schools until April 8, 1854. In 1854<sup>20</sup> the office was created again as a separate one, but this time under the official designation of "superintendent of public instruction," a designation which had by that date become common. Under this title it continued until 1904,<sup>21</sup> when it was reorganized under the title of "commissioner of education," and has been so continued until the present time.

<sup>16</sup> The council of appointment consisted of four senators chosen by the assembly, one from each district. (Const. of 1777, article 23.)

<sup>17</sup> New York Laws, 1812, pp. 600-601.

<sup>18</sup> Finegan, T. E., *A Textbook on New York School Law*, p. 1.

<sup>19</sup> New York Laws, 1821, p. 249.

<sup>20</sup> *Ibid.*, 1854, p. 230.

<sup>21</sup> *Ibid.*, 1904, vol. 1, pp. 94-96.

## LATER PROVISIONS FOR THE OFFICE.

## MARYLAND.

Following New York's establishment of the office, several years elapsed before the next State provided for it. Maryland was the second State to make such provision. By its act of February 28, 1826,<sup>22</sup> a superintendent of public instruction was to be appointed by the governor and council. It is worth noting that the phraseology of the Maryland statute is identical, in many parts, with that of the New York law of 1812, a fact which shows that Maryland was familiar with the earlier New York law. The duties of the Maryland office were practically the same as those of the New York office. It was no accident, therefore, that the functions of the Maryland office were practically the same as those of the New York office.

The Maryland law did not state the term of office or the salary, but a resolution of the legislature, March 15, 1828, granted Littleton Dennis Teackle \$500, "in full compensation for his services and expenditures as superintendent of public instruction."<sup>23</sup> Following this action no State supervision was obtained again in Maryland until 1864,<sup>24</sup> when the constitution of that date made provision for a State superintendent of public instruction, the same to be appointed by the governor in case the general assembly, at its first session after the adoption of the constitution, should fail to provide for the office. The office was continued thus until 1868, when it was abolished and its duties transferred to the principal of the State normal school.<sup>25</sup> Finally, in 1902, the office was created again as a separate one, under the title of "superintendent of education."<sup>26</sup> So it has remained until to-day.

## MICHIGAN.

Michigan was the third State in the Union, and the first of the Western States, to establish the office. A statute of 1829 provided for a superintendent of common schools.<sup>27</sup> It is to be noted that Michigan has continued the office as a separate one from its foundation until the present; consequently, this State has the record of having had the office as a separate and continuous one longer than any other State. Furthermore, Michigan was the first State to provide for the office in her State constitution. Her first State constitution (1835) made such provision, stipulating that the title of the office be "superintendent of public instruction," a title which had been earlier adopted by Maryland in 1826, and of which it seems Michigan was aware.

<sup>22</sup> Maryland Laws, 1825-26, p. 130.

<sup>23</sup> Resolution No. 68 in Maryland Laws, 1827-28.

<sup>24</sup> Constitution of Maryland (1864), Art. VIII.

<sup>25</sup> Maryland Laws, 1868, p. 761.

<sup>26</sup> *Ibid.*, 1902, pp. 208-209.

<sup>27</sup> Laws of the Territory of Michigan, Vol. II, pp. 774-776.



## LOUISIANA.

Louisiana was the fourth State in the Union, and the first of the Southern States, to provide for school supervision by a State official. An act approved April 1, 1833, stipulated that the secretary of state should act, *ex officio*, as superintendent of public education.<sup>28</sup> This law was effective until 1847, when the office was created as a separate one under the title of "superintendent of public education."<sup>29</sup> Under this title the office has continued uninterrupted to the present.

## PENNSYLVANIA.

Pennsylvania established the office in 1834, being the fifth State to make such provision.<sup>30</sup> Her law of 1834 specified that the secretary of the commonwealth should act, *ex officio*, as superintendent of public schools. This was the arrangement until 1857 when the office was created as a separate one under the title of "superintendent of common schools."<sup>31</sup> In 1873 the title of the office was changed to "superintendent of public instruction"<sup>32</sup> and has so remained until the present.

## TENNESSEE.

Tennessee was the sixth State to create the office. A law of 1836 provided for a superintendent of public instruction to be elected by a joint vote of both houses of the legislature.<sup>33</sup> In 1844 this arrangement was changed, it being at that time specified that the treasurer of the State should act, *ex officio*, as superintendent of public instruction.<sup>34</sup> In 1867 the office was established again as a separate one under the title of "superintendent of common schools."<sup>35</sup> This arrangement was abolished in 1870,<sup>36</sup> and again the treasurer of the State acted, *ex officio*, as superintendent of public instruction until 1873. Since 1873<sup>37</sup> the office has been a separate and continuous one under the title of "superintendent of public instruction."

## OHIO.

Ohio provided for the office in 1837, being the seventh State to do so. By its law of March 27, 1837, there was to be elected annually, by joint resolution of the two houses of the legislature, a superintendent of common schools.<sup>38</sup> This law was effective until 1840, when the duties of the office were transferred to the secretary of state, who was to act, *ex officio*, as superintendent of common schools.<sup>39</sup>

<sup>28</sup> Louisiana Acts, 1833, pp. 141-144.

<sup>29</sup> *Ibid.*, 1847, pp. 179-180.

<sup>30</sup> Pennsylvania Laws, 1833-34, pp. 176-177.

<sup>31</sup> *Ibid.*, 1857, p. 263.

<sup>32</sup> Constitution of Pa. (1873), Art. IV, sec. 1.

<sup>33</sup> Tennessee Laws, 1835-36, pp. 110-111.

<sup>34</sup> *Ibid.*, 1843-44, pp. 94-95.

<sup>35</sup> *Ibid.*, 1866-67, pp. 44-47.

<sup>36</sup> *Ibid.*, 1869-70, pp. 129-130.

<sup>37</sup> *Ibid.*, 1873, pp. 39-40.

<sup>38</sup> Ohio Laws, Vol. XXXV, pp. 82-84.

<sup>39</sup> *Ibid.*, Vol. XXXVIII, pp. 130-131.

In 1853 the office was again made a separate one under the title of "commissioner of common schools."<sup>40</sup> It continued under this title until 1913, when the official designation became "superintendent of public instruction."<sup>41</sup>

## MASSACHUSETTS.

Massachusetts was the eighth State to make provision for the office. Its act of April 20, 1837, authorized the governor, with the advice and consent of the council, to appoint a State board of education, which in turn was authorized to appoint a secretary.<sup>42</sup> The office continued under the title of "secretary of the State board of education" until 1909,<sup>43</sup> when its official designation became "commissioner of education."

## KENTUCKY.

Kentucky was the ninth State to establish the office. By its law of 1838 a superintendent of public instruction was to be nominated by the governor and approved by the senate.<sup>44</sup> Since its foundation the office has continued as a separate one under the same title.

## CONNECTICUT.

Connecticut was the tenth State to provide for the office. Its law of 1838, modeled after the Massachusetts law of 1837, provided for a board of commissioners for common schools, which was directed to appoint a secretary.<sup>45</sup> This arrangement held until 1842,<sup>46</sup> when the law of 1838 was abolished, and no supervision by a State official was had again until 1845. From 1845<sup>47</sup> to 1849 the commissioner of the school funds acted, *ex officio*, as superintendent of common schools. From 1849<sup>48</sup> to 1865 the principal of the State normal school served, *ex officio*, as superintendent of common schools. Since 1865<sup>49</sup> the office has been a separate one under the titles of "secretary of the State board of education" (1865-1921) and "commissioner of education" (1921 to date).

One by one the other States have created the office. Missouri in 1839, Iowa in 1841, and Indiana in 1843, made provision for it. Since 1913, the year in which Delaware revived it, the office has existed as a separate one in each of the various States.

General tardiness in providing for the office may be particularly charged against the older States, and especially against those admitted to the Union before 1835. It is to be noted that in 1812, of the 18 States then in the Union, only one (New York) had estab-

<sup>40</sup> *Ibid.*, Vol. LI, pp. 446-448.

<sup>41</sup> *Ibid.*, Vol. CIV, pp. 226-227.

<sup>42</sup> Mass. Laws, 1837, p. 227.

<sup>43</sup> *Ibid.*, 1909, p. 460.

<sup>44</sup> Kentucky Laws, 1837-38, p. 274.

<sup>45</sup> Conn. Pub. Laws, 1838, pp. 536-537.

<sup>46</sup> Rep. of U. S. Commis. of Educ., 1876, p. 45.

<sup>47</sup> Conn. Laws, 1845, p. 43.

<sup>48</sup> *Ibid.*, 1849, pp. 21-22.

<sup>49</sup> *Ibid.*, 1865, pp. 115-116.

lished the office. The majority of the older States did not provide for it until many years after admission to statehood, the lapses of time between State admission and the creation of the office varying from only a few years in some States to almost a century in one, Delaware (1787-1875).

TABLE 1.—Year of each State's admission and years of provision for a State education office.

States.	Year of State's admission.	Year of first provision for the office.	Year when office first made separate.	Year from which office has been separate and continuous.
Alabama.....	1819	1854	1854	1854
Arizona.....	1912	1871	1879	1879
Arkansas.....	1836	1853	1868	1875
California.....	1850	1849	1849	1849
Colorado.....	1876	1861	1861	1876
Connecticut.....	<sup>1</sup> 1788	1838	1838	1865
Delaware.....	<sup>1</sup> 1787	1875	1875	1913
Florida.....	1845	1845	1845	1868
Georgia.....	<sup>1</sup> 1788	1868	1868	1868
Idaho:				
State superintendent.....	1890	1864	1864	1887
Commissioner of education.....	1890	1913	1913	1913
Illinois.....	1818	1845	1854	1854
Indiana.....	1816	1843	1851	1851
Iowa.....	1846	1841	1841	1846
Kansas.....	1861	1858	1859	1859
Kentucky.....	1792	1838	1838	1838
Louisiana.....	1812	1833	1847	1847
Maine.....	1820	1846	1854	1854
Maryland.....	<sup>1</sup> 1788	1826	1826	1902
Massachusetts.....	<sup>1</sup> 1788	1837	1837	1837
Michigan.....	1837	1829	1829	1829
Minnesota.....	1858	1851	1851	1867
Mississippi.....	1817	1846	1869	1869
Missouri.....	1821	1839	1839	1865
Montana.....	1889	1864	1864	1864
Nebraska.....	1867	1856	1869	1869
Nevada.....	1864	1861	1861	1861
New Hampshire.....	<sup>1</sup> 1789	1846	1846	1867
New Jersey.....	<sup>1</sup> 1787	1845	1845	1845
New Mexico.....	1912	1863	1863	1863
New York.....	<sup>1</sup> 1788	1812	1812	1854
North Carolina.....	<sup>1</sup> 1789	1852	1852	1852
North Dakota.....	1889	1864	1864	1864
Ohio.....	1803	1837	1837	1853
Oklahoma.....	1907	1890	1907	1907
Oregon.....	1859	1849	1849	1872
Pennsylvania.....	<sup>1</sup> 1789	1834	1857	1857
Rhode Island.....	<sup>1</sup> 1790	1843	1843	1843
South Carolina.....	<sup>1</sup> 1788	1868	1868	1868
South Dakota.....	1889	1864	1864	1864
Tennessee.....	1796	1836	1836	1873
Texas.....	1845	1854	1869	1869
Utah.....	1896	1851	1851	1851
Vermont.....	1791	1845	1845	1856
Virginia.....	<sup>1</sup> 1788	1870	1870	1870
Washington.....	1889	1861	1861	1871
West Virginia.....	1863	1863	1863	1863
Wisconsin.....	1848	1848	1848	1848
Wyoming:				
State superintendent.....	1890	1869	1889	1889
Commissioner of education.....	1890	1917	1917	1917

<sup>1</sup> Year of accepting the Federal Constitution.

Following the creation of the first office in 1812, its good leaven spread rapidly, particularly after 1835. In 1835 there were 23 States in the Union, and by that date 4 of these, and 1 Territory besides, had founded the office. By 1850 there were 31 States in the Union and 21 States and 3 Territories had provided for the office.

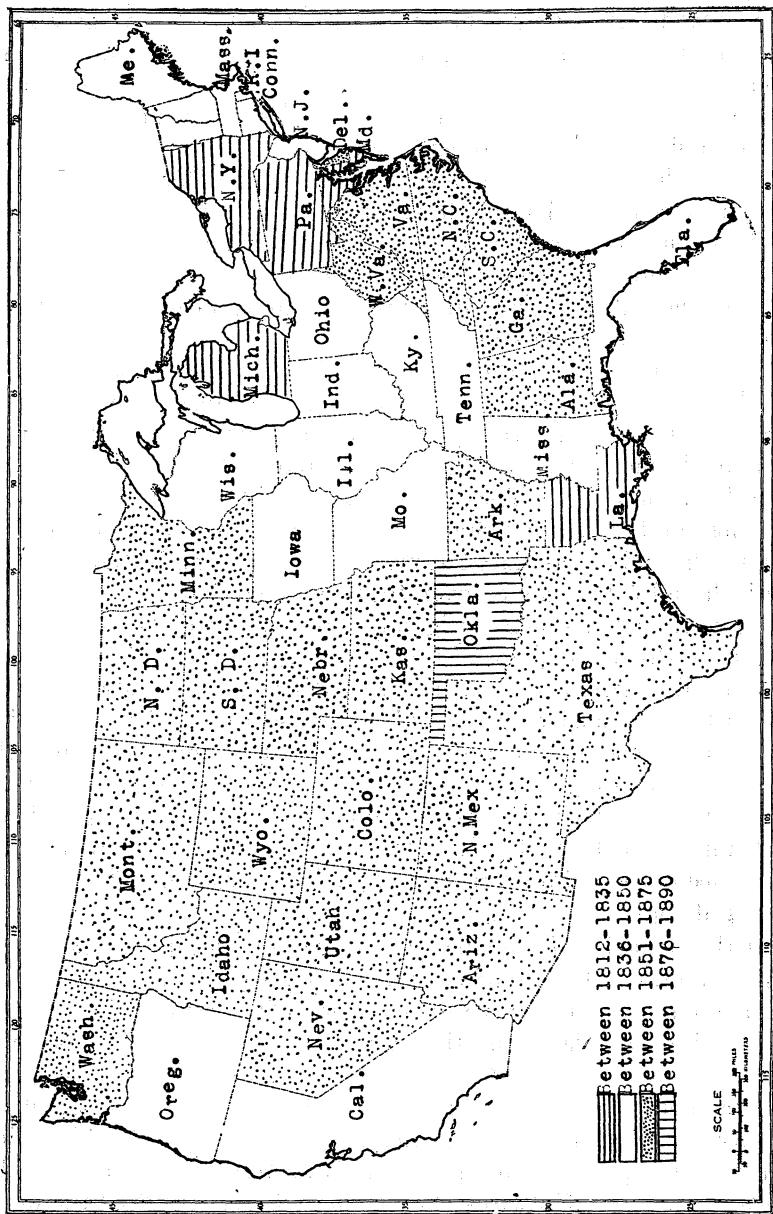


Fig. 1.—Establishment of the office of chief State school official at various intervals

By 1875 the number of States in the Union had increased to 37, and all of these and 10 Territories besides had established the office, leaving only 1 State (Oklahoma) to create it subsequently, in 1890.<sup>50</sup>

The accompanying map brings out the facts of this paragraph to better advantage. In reading the map it should be kept in mind that it is designed to portray the date of the creation of the office in each State, irrespective of whether the first provision was for a separate office or for only an ex officio one.

Most of the States, 35 to be exact, created the office as a separate one and placed it under the direction of an officer who was to have no other duties to perform. The 13 remaining States, however, apparently had some misgivings as to its value, for they created it as an ex officio office, giving its duties to some other State officer, usually the secretary of state.

The map shows that the 15-year period between 1836 and 1850 saw the great development of the office, for during this interval 16 States and 2 Territories created it. By the close of the period just named practically all of the New England, Middle Atlantic, and Central States had established the office.

In most of the Western States, due to their relatively recent formation, the office has dated from Territorial organization, and in practically all it has existed from State organization.

It is seen that the office originated and received its earliest momentum in the oldest parts of the Union, namely, the New England and Middle Atlantic sections. Subsequently its establishment came in the newer parts of the Union, such establishment paralleling roughly the general educational development of these sections. In the South, accordingly, due to its retarded educational development, the office was in most States very much delayed, general provision not being made there for it until the days of Reconstruction, it having been reserved for a revolution, political, social, and economic, to bring it forth.

But the struggles of the office for recognition and life did not cease with its creation, for, throughout its early history, it was necessary for it to demonstrate and prove at every turn its peculiar advantages. Often, quite a legislative battle ensued to prevent its abolition, and in several States this battle for it was lost either wholly or in part. This is evidenced by the fact that, of the 35 States, which, in establishing the office, made it a separate one, 17 subsequently either abolished it altogether or gave its duties to some other State officer, usually the secretary of state. Notwithstanding the fact that by 1850 the office had been created by 24 States and Territories, only 9 of these have kept it separate and continuous since that date. By 1875, however,

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<sup>50</sup> Oklahoma was a Territory until 1907.

the office had become everywhere permanently accepted, for, of the 47 States and Territories that had by that date established it, 42 have kept it separate and continuous. All States have had the office as a separate and continuous one since 1913, the date at which Delaware reestablished it, after having earlier abandoned it in 1887.

### SUMMARY.

Every new movement in education must pass through two critical stages of development. During the first stage it struggles for recognition and life. During the second stage, even though the movement has been permanently accepted, yet it must be continually redefining and readjusting itself to the changing conditions of society.

This chapter has offered abundant evidence to show that the first stage of development of the office of chief State school official has been successfully passed. In every State of the Union it is now permanently established. The second stage, however, has not yet been passed, and perhaps never will be or should be passed, for no feature of the office should ever become so petrified that it can not be expeditiously changed to meet new demands.

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## Chapter II.

### FORMS OF PROVISION FOR THE OFFICE.

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Provision is made for the office in two ways: (1) By constitution and (2) by statute. Thirty-three States provide for the office in their constitutions, by giving instructions therein for the legislatures to create and sustain it. Among these States the constitutional mandates for the establishment and maintenance of the office vary some in detail, but in general they are very similar. The section of the Michigan constitution pertaining thereto may be regarded as typical of these 33 States:

A superintendent of public instruction shall be elected at the regular election to be held on the first Monday in April, 1909, and every second year thereafter. He shall hold office for a period of two years from the first day of July following his election and until his successor is elected and qualified. He shall have general supervision of public instruction in the State. He shall be a member and secretary of the State board of education. He shall be ex officio a member of all other boards having control of public instruction in any State institution, with the right to speak but not to vote. His duties and compensation shall be prescribed by law. (Art. XI, sec. 2.)

The remaining 15 States, on the other hand, do not mention the office in their constitutions; these have only statutory provision for it. The kind of provision which each State makes may be seen from the map here given:

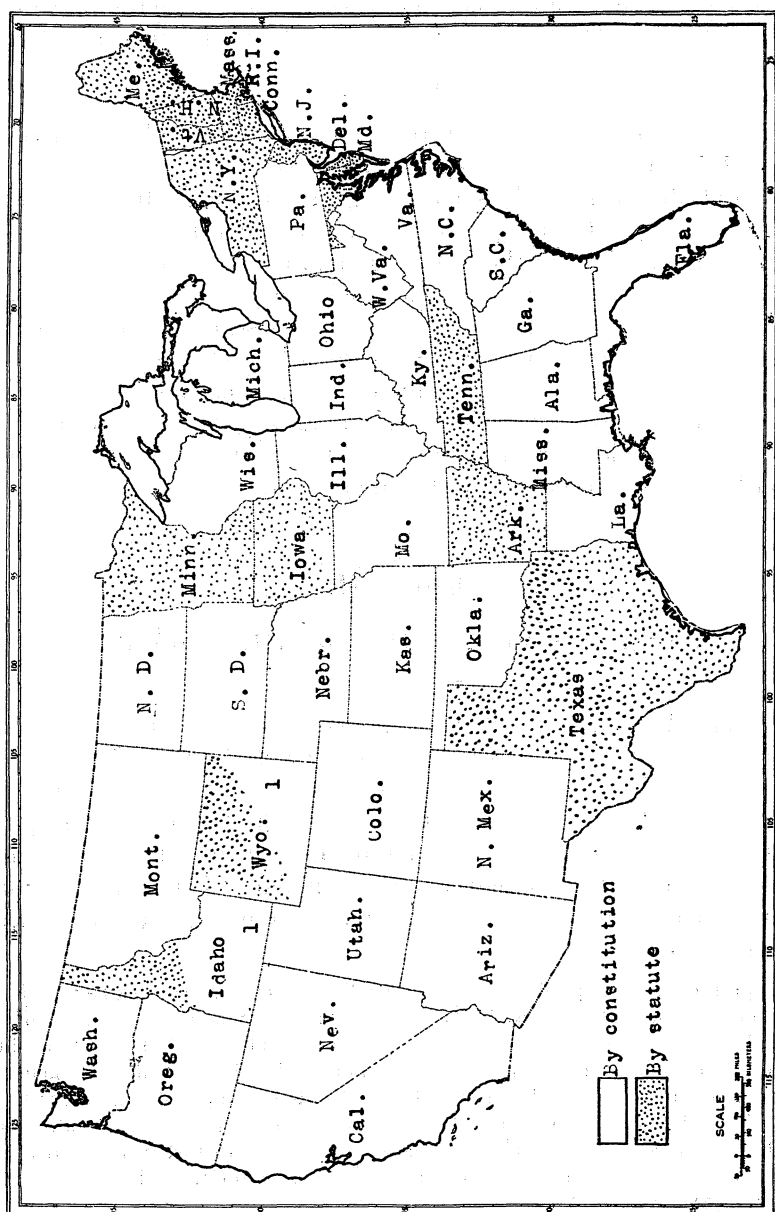


Fig. 2.—Kind of provision for the office of chief State school official in each of the States, 1923.

Four States (Arkansas, Iowa, Maryland, and Texas) other than the 33 that now have constitutional provision for the office at one time had such provision, but in framing their later constitutions no mention was made of the office. Constitutional provision for the office was first made in Michigan (1835) and became a common practice among the States between 1850 and 1876. These facts are brought out fully in the accompanying table:

TABLE 2.—*Constitutional provisions made for the office of chief State school official at various intervals.*

<i>Between 1835 and 1851.</i>		<i>Between 1857 and 1876.</i>		<i>Between 1889 and 1912.</i>	
Michigan.....	1835	Oregon.....	1857	Montana.....	1889
Iowa <sup>1</sup> .....	1847	Kansas.....	1859	North Dakota.....	1889
Wisconsin.....	1848	West Virginia.....	1863	South Dakota.....	1889
California.....	1849	Nevada.....	1864	Washington.....	1889
Kentucky.....	1850	Maryland <sup>1</sup> .....	1864	Wyoming.....	1889
Indiana.....	1851	Missouri.....	1865	Idaho.....	1890
		Alabama.....	1865	Utah.....	1896
		North Carolina.....	1868	Oklahoma.....	1907
		South Carolina.....	1868	Arizona.....	1912
		Louisiana.....	1868	New Mexico.....	1912
		Georgia.....	1868	Ohio.....	1912
		Florida.....	1868		
		Arkansas <sup>1</sup> .....	1868		
		Mississippi.....	1869		
		Texas <sup>1</sup> .....	1869		
		Illinois.....	1870		
		Virginia.....	1870		
		Pennsylvania.....	1873		
		Nebraska.....	1875		
		Colorado.....	1876		

<sup>1</sup> These States have at present only statutory provision for the office. All others named in the table have constitutional provision.

## SECTIONAL PREFERENCES FOR THE TWO FORMS OF PROVISION.

Figure 2 and Table 2 make it evident that different sections of the country now prefer and historically have preferred different methods of providing for the office. Constitutional provision for it prevails in the States of the West and South generally, while statutory provision is found in those of the New England and Middle Atlantic sections.

In the New England and Middle Atlantic States the office originated several years after the adoption of their constitutions. In these States, therefore, statutory provision was resorted to because it could be much more expeditiously arranged than constitutional provision. Statutory provision, having been thus begun and having worked satisfactorily, has been continued down to the present time. Although these States have adopted new constitutions since the office was established, they have still assumed that the legislatures could be trusted to continue the office and to determine its features. With the exception of Maryland, which had constitutional provision from 1864 to 1868, these States have always made only statutory provision for the office.

In the Western States, on the other hand, the office generally came in either prior to or simultaneously with admission to the statehood. When the constitutions of these States were framed, therefore, it



was considered only natural, particularly in view of the rising interest in public education and the enlarging conception of the place of the State in such, that the office should be made one of the large administrative branches of State government. Moreover, to provide for it in the constitution would place it beyond the immediate power of the legislatures to abolish, which they had frequently done under statutory provision.

In most of the Southern States the office was not created until the days of Reconstruction. Whereas in those States education had been previously stagnant, post-Civil War years saw in them a decided educational awakening. In the years of Reconstruction, which were the few years immediately following the close of the Civil War, it was necessary for the States that had been members of the Confederate States to frame new constitutions. In doing so, particularly in view of the educational awakening then evident, it was deemed advisable to have, as most States in the Union already had, a chief State school official. Moreover, greater stability could be given the office by providing for it in the constitution, as many of the Western States had already done. Constitutional provision in the South, therefore, dates to Reconstruction days, as a glance at Table 2 will show.

#### **MERITS OF THE TWO FORMS OF PROVISION.**

Constitutional provision for the office has generally carried with it similar provision for its important features. It should be noted that the framers of the constitutions did not stop with a mere mandation of the legislatures to establish the office, but they went further, and stipulated how the features of the office were to be determined. Thus, the majority of the constitutions stipulate the official designation of the office, the method of choosing its incumbent, and the length of the term, while a lesser number fix its salary, the qualifications for holding it, and part of its functions.

Constitutional determination of the features of the office may be enlightened at the time of making, but there is danger that such legislation will become, as the years go by, inexpressive of modern conceptions of school administration. It is a well-known fact of political science that constitutional changes of any kind come very slowly. It is, therefore, against the best interests of education in future generations to petrify in a constitution the features of a great office, which, for its fullest serviceability, must constantly readapt itself to the changes of society. The people should be in a position to effect expeditiously a change in any part of their educational system when any such part has become out of date. But where constitutional provision determines the features of the office of chief State school official, the people are not left in such a position of vantage.

### Chapter III.

#### OFFICIAL DESIGNATION OF THE OFFICE.

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Like other features of the office, its official designation has been changed frequently. Accordingly, most of the States had used other official designations before adopting the present ones, the changes made being another expression of the enlarging conceptions of the office. The present designations, and any tendency toward the employment of a particular designation, will therefore be better seen and understood if the previous designations together with the present ones (the last given) are known. When only one designation is given, it has remained unchanged.

#### OFFICIAL DESIGNATIONS OF THE CHIEF STATE SCHOOL OFFICIAL IN THE VARIOUS STATES, IN THE ORDER OF THEIR ADOPTION.

*Alabama.*—Superintendent of education.

*Arizona.*—Superintendent of public instruction.

*Arkansas.*—Commissioner of common schools. Superintendent of public instruction.

*California.*—Superintendent of public instruction.

*Colorado.*—Superintendent of common schools. Superintendent of public instruction.

*Connecticut.*—Secretary of the board of commissioners for common schools. Superintendent of common schools. Secretary of the State board of education. Commissioner of education.

*Delaware.*—Superintendent of free schools. Commissioner of education. Superintendent of public instruction.

*Florida.*—Superintendent of schools. Superintendent of public instruction.

*Georgia.*—School commissioner. Superintendent of schools.

*Idaho.*—Superintendent of public instruction.

*Illinois.*—Superintendent of common schools. Superintendent of public instruction.

*Indiana.*—Superintendent of common schools. Superintendent of public instruction.

*Iowa.*—Superintendent of public instruction. Secretary of the State board of education (clerk only). Superintendent of public instruction.

*Kansas.*—Superintendent of common schools. Superintendent of public instruction.

*Kentucky.*—Superintendent of public instruction.

*Louisiana.*—Superintendent of public education.

*Maine.*—Secretary of the State board of education. Superintendent of public schools. Commissioner of education.

*Maryland.*—Superintendent of public instruction. Superintendent of public education. Superintendent of schools.

*Massachusetts.*—Secretary of the State board of education. Commissioner of education.

*Michigan.*—Superintendent of common schools. Superintendent of public instruction.

*Minnesota.*—Superintendent of common schools. Superintendent of public instruction. Commissioner of education.

*Mississippi.*—General school commissioner. Superintendent of education.

*Missouri.*—Superintendent of common schools. Superintendent of public schools.

*Montana.*—Superintendent of public instruction.

*Nebraska.*—Superintendent of public instruction. Superintendent of schools. Superintendent of public instruction.

*New Hampshire.*—Commissioner of common schools. Superintendent of public instruction. Commissioner of education.

*New Jersey.*—Superintendent of public schools. Superintendent of public schools and secretary of the State board of education. Commissioner of education.

*Nevada.*—Superintendent of public instruction.

*New Mexico.*—Superintendent of schools. Superintendent of public instruction.

*New York.*—Superintendent of common schools. Superintendent of public instruction. Commissioner of education.

*North Carolina.*—Superintendent of common schools. Superintendent of public instruction.

*North Dakota.*—Superintendent of public instruction.

*Ohio.*—Superintendent of common schools. Commissioner of common schools. Superintendent of public instruction.

*Oklahoma.*—Superintendent of public instruction.

*Oregon.*—Superintendent of common schools. Superintendent of public instruction.

*Pennsylvania.*—Superintendent of public schools. Superintendent of common schools. Superintendent of public instruction.

*Rhode Island.*—School agent. Commissioner of public schools. Commissioner of education.

*South Carolina.*—Superintendent of education.

*South Dakota.*—Superintendent of public instruction.

*Tennessee.*—Superintendent of public instruction. Superintendent of common schools. Superintendent of public instruction. Commissioner of education.

*Texas.*—Superintendent of common schools. Superintendent of public instruction. Secretary of the State board of education (clerk only). Superintendent of public instruction.

*Utah.*—Superintendent of primary schools. Superintendent of common schools. Superintendent of district schools. Commissioner of schools. Superintendent of public instruction.

*Vermont.*—Superintendent of common schools. Secretary of the State board of education. Superintendent of education. Commissioner of education.

*Virginia.*—Superintendent of public instruction.

*Washington.*—Superintendent of common schools. Superintendent of public instruction.

*West Virginia.*—Superintendent of free schools.

*Wisconsin.*—Superintendent of public instruction.

*Wyoming.*—Superintendent of public instruction.

Nineteen different titles have been used at one time or another in the various States. It is to be noted, however, that only a few of these have been popular enough to be used in any considerable number of States; in fact, six titles only have been used in as many

as 4 States, these titles being, in the order of their popularity: Superintendent of public instruction (35 States); superintendent of common schools (17 States); commissioner of education (11 States); secretary of the State board of education (6 States); superintendent of schools (5 States); and superintendent of public schools (4 States).

The tendency is toward greater uniformity in the title given. At present only seven different ones (superintendent of public instruction, commissioner of education, superintendent of education, superintendent of schools, superintendent of public schools, superintendent of free schools, and superintendent of public education) are employed, and the number is decreasing.

Maryland (1826) was the first State to use the title of "superintendent of public instruction," a title which has come to be widely used. In the earlier period of the development of the office no State used the title of "commissioner of education," though a near approach to it is found in Rhode Island (1845), at which time the chief school official of that State was styled "commissioner of public schools."

"Superintendent of public instruction" is the title most popular to-day. However, the tendency is to use that of "commissioner of education." This tendency is evidenced by recent adoptions of it in Massachusetts, 1909; New Jersey, 1911; Vermont, 1915; New Hampshire and Minnesota, 1919; Rhode Island, 1920; Connecticut, 1921; Maine and Tennessee, 1923; Idaho, 1913; and Wyoming, 1917. The two last-named States which have had, since 1913 and 1917, respectively, two chief State school officials, give the holder of the last-established office the title of "commissioner of education." Delaware, on the other hand, in 1921, changed the title of the holder of her office from "commissioner of education" to "superintendent of public instruction."

The various sections of the country employ different titles in designating the office, just as they have different practices with respect to other features of it. These sectional preferences for the various official designations are exhibited in the accompanying map.

From the map here given it is observed that "commissioner of education" is the popular title in the New England and Middle Atlantic States, while that of "superintendent of public instruction" prevails in the West and South. The latter title is practically static, because it is prescribed in the constitutions of these States.

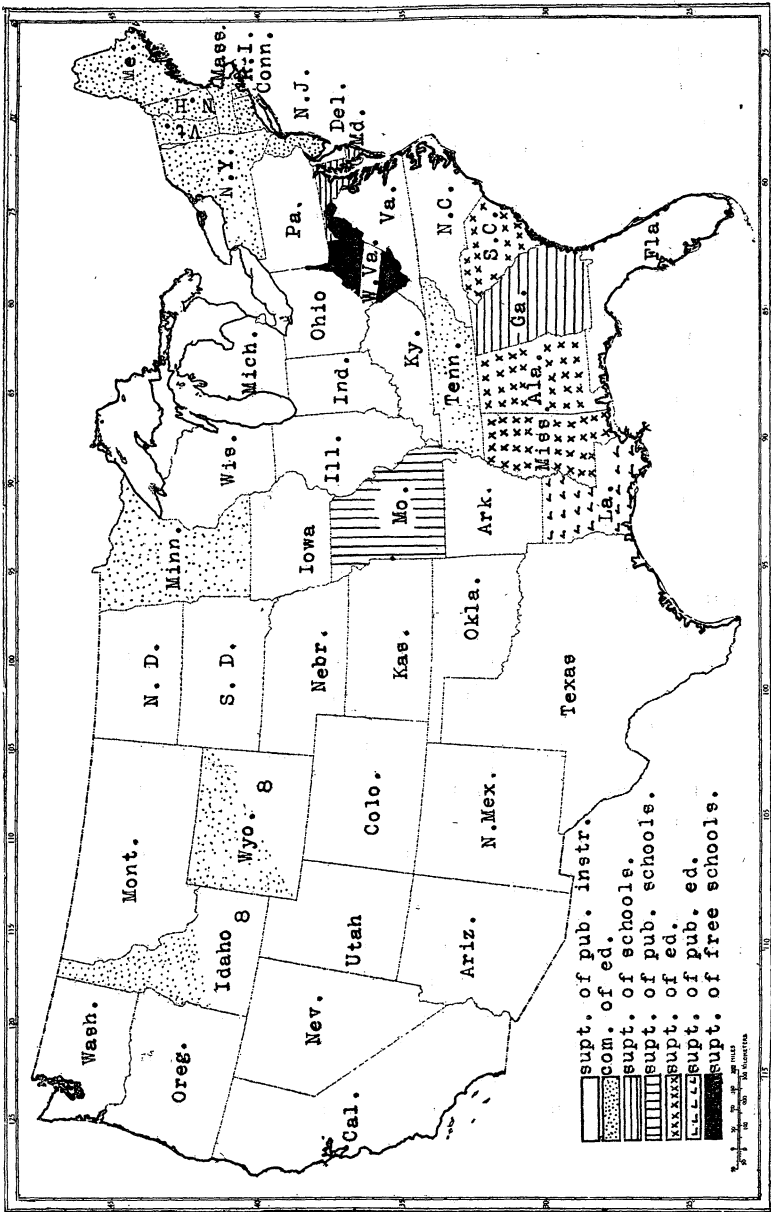


FIG. 3.—Sectional preferences for the various legal titles used in designating the chief State school officials, 1923.

## Chapter IV.

### QUALIFICATIONS FOR HOLDING THE OFFICE.

The incumbent of the office of the chief State school official makes the office largely what it is. If its occupant is poorly qualified, or not of good will, or both, the office will not realize its highest potentialities, be the legislation pertaining to it ever so enlightened and its opportunities for service ever so great. A well-equipped incumbent, on the other hand, will overcome all obstacles and will make, as did Horace Mann in the pristine days of the office, in spite of great difficulties, the office function to its fullest in the development of a great State system of education.

What, then, are the legal qualifications required for holding the office?

Few States require any legal qualifications except those of an age and residence type. Requirements such as these are not difficult to meet, for all that is necessary is for the candidate for the office to be of a certain age, now usually 25 years, and to have lived in the State a few years, now usually two or five, next preceding election. These are constitutional requirements and apply to all popularly elected State officers alike. The few States that require qualifications of an educational nature provide for them by statute. The requirements of the various States, and the manner of determining them, whether by constitution or by statute, are here given:

#### LEGAL QUALIFICATIONS FOR HOLDING THE OFFICE OF CHIEF STATE SCHOOL OFFICIAL, AND MANNER IN WHICH THESE QUALIFICATIONS ARE FIXED, 1923.<sup>1</sup>

*Alabama.*—Must have been a citizen of the United States for 7 years, be 25 years of age, and a resident of the State 5 years next preceding election.—*Constitution.*

*Arizona.*—Male, 25 years of age; 10 years a citizen of the United States, and a citizen of the State 5 years next preceding election.—*Constitution.*

*Arkansas.*—Must be 21 years of age, a practical school man, and a qualified elector.—*Statute.*

*California.*—(No legal requirements.)

*Colorado.*—Must be 30 years of age, a citizen of the United States, and a resident of the State 2 years next preceding election.—*Constitution.*

*Connecticut.*—(No legal requirements.)

*Delaware.*—Graduate of a standard college; have not less than 5 years' experience in teaching and administration and have other qualifications as may be required by the State board of education.—*Statute.*

*Florida.*—(No legal requirements.)

<sup>1</sup> These data were taken from the latest school codes and constitutions of the various States, and have been confirmed by the chief State school officials.

*Georgia*.—Man of high educational standing; diploma from college, university, or normal school or 5 years' supervisory experience; 30 years or age.—*Statute*.

*Idaho*.—(a) *Superintendent of public instruction*: (1) Must be 25 years of age, a citizen of the United States, and a resident of the State 2 years next preceding election.—*Constitution*. (2) Must be engaged in educational work, hold a life or State certificate, and also have a diploma from an approved normal school or university.—*Statute*. (b) *Commissioner of education*: Shall be chosen upon merit and because of his special fitness to propose and execute beneficial educational policies.—*Statute*.

*Illinois*.—(No legal requirements.)

*Indiana*.—(No legal requirements.)

*Iowa*.—Must have 5 years' experience in teaching or superintending, and be a graduate of a college, normal school, or university having a four-year course beyond high school.—*Statute*.

*Kansas*.—(No legal requirements.)

*Kentucky*.—Must be 30 years of age, and a resident of the State 2 years next preceding election.—*Constitution*.

*Louisiana*.—Must be a citizen and elector of the State.—*Constitution*.

*Maine*.—(No legal requirements.)

*Maryland*.—Shall be an experienced and competent educator; graduate of a standard college or the equivalent; have had not less than 2 years of special academic or professional graduate preparation in a standard university; also 7 years' experience in teaching or administration.—*Statute*.

*Massachusetts*.—(No legal requirements.)

*Michigan*.—Graduate of a university, college, or normal school of good standing; and at least 5 years' experience as a teacher or superintendent.—*Statute*.

*Minnesota*.—Educational attainment and breadth of experience in the administration of public education and of the finances pertaining thereto.—*Statute*.

*Mississippi*.—(1) Must be 25 years of age and a citizen of the State 5 years next preceding election.—*Constitution*. (2) Shall not be interested in any book publishing company or school supply house.—*Statute*.

*Missouri*.—Must be a male citizen of the United States; be 30 years of age and a resident of the State 5 years next preceding his election.—*Constitution*.

*Montana*.—(1) Must be 30 years of age, a citizen of the United States, and a resident of the State 2 years next preceding election.—*Constitution*. (2) Must hold a State certificate recognized by the State board of education, or be a graduate of a college, university, or normal school recognized by the State board.—*Statute*.

*Nebraska*.—Must hold a certificate equal to the highest grade of certificate which the State superintendent is authorized to issue.—*Statute*.

*Nevada*.—Shall be a graduate of a standard college or university, shall hold a Nevada teachers' certificate of high-school grade, and shall have had at the time of his election not less than 45 months of successful teaching experience, at least 20 months of which shall have been in the State of Nevada.—*Statute*.

*New Hampshire*.—Must be a skilled executive officer who shall have had training and experience in educational work.—*Statute*.

*New Jersey*.—(No legal requirements.)

*New Mexico*.—Must be 30 years of age, a citizen of the United States, and a resident of New Mexico continuously for 5 years next preceding election; also be a trained and experienced educator.—*Constitution*.

*New York*.—(No legal requirements.)

*North Carolina*.—(No legal requirements.)

*North Dakota*.—(1) Must be 25 years of age, a citizen of the United States, and a qualified voter.—*Constitution*. (2) Shall hold the highest grade of teachers' certificate issued by the State.—*Statute*.

*Ohio*.—Shall not be interested in any book publishing company.—*Statute*.

*Oklahoma*.—Male citizen over 30 years of age; shall have been 3 years next preceding election a qualified elector in the State.—*Constitution*.

*Oregon*.—(No legal requirements.)

*Pennsylvania*.—(No legal requirements.)

*Rhode Island*.—(No legal requirements.)

*South Carolina*.—(No legal requirements.)

*South Dakota*.—(No legal requirements.)

*Tennessee*.—Must be a person of literary and scientific attainments and of skill and experience in the art of teaching.—*Statute*.

*Texas*.—(No legal requirements.)

*Utah*.—Shall be a qualified elector, shall have been a resident citizen of the State for 5 years next preceding his election; 30 years of age; shall be the holder of a State certificate of the highest grade issued in some State, or shall be a graduate of some reputable university, college, or normal school.—*Statute*.

*Vermont*.—Must have special training and experience in educational work.—*Statute*.

*Virginia*.—Must be an experienced educator.—*Constitution*.

*Washington*.—Citizen of the United States and a qualified State elector.—*Constitution*.

*West Virginia*.—Person of good moral character, recognized ability as a school administrator, with academic and professional training equivalent to graduation from a standard university, and shall have not less than 5 years' experience in public-school work.—*Statute*.

*Wisconsin*.—Must have 5 years' experience in teaching or supervision of teaching, and hold highest grade certificate the State superintendent may issue.—*Statute*.

*Wyoming*.—(a) *Superintendent of public instruction*: Must be 25 years of age a citizen of the United States, and have the qualifications of a State elector.—*Constitution*. (b) *Commissioner of education*: Shall be a person of literary and scientific attainments, versed in the theory, history, and principles of education, with practical knowledge of the organization and management of schools; shall be a graduate of a standard four-year college or university or have an equivalent education and training; shall be an experienced educator actively engaged in educational work at the time or within 2 years of the time of his assuming the duties of his office.—*Statute*.

*Summary of the various kinds of legal eligibility requirements for holding the office of chief State school official, 1923.*<sup>2</sup>

1. Requiring no legal qualifications (17 States).
2. Requiring qualifications of age or residence only (11 States).
3. Requiring professional qualifications of one of the following types:
  - (a) School experience only (2 States).
  - (b) Either college graduation or school experience only (3 States).
  - (c) College graduation, school experience, and a teaching certificate only (2 States).
  - (d) College graduation, and school experience only (4 States).
  - (e) Highest grade of State certificate only (2 States).
  - (f) Highest grade of State certificate, plus school experience only (1 State).
  - (g) College graduation, graduate work, and school experience only (1 State).
  - (h) Unclassified (5 States).

<sup>2</sup> For Idaho and Wyoming, only their State superintendents of public instruction are included.



Constitutional or statutory provision in several States, before the recent Federal amendment enfranchising women, specifically limited the office to males. Some States, however, have followed the practice of giving the office to women as well as to men. Indeed, one or two States within the last two decades have given the office to women only. In Colorado, for example, since 1895 eight women have been elected to the office, and no man has held it since that time. Since 1903 the same practice has been followed in Idaho, six women having held the office there since that date. At present, women hold the office in eight States (Colorado, Idaho, Iowa, Montana, New Mexico, North Dakota, Washington, and Wyoming.) It is observed that all of these States are Western States. It was in the West that woman suffrage received its earliest as well as its greatest impetus, and it is there that women have been most frequently given political offices. As yet no Eastern State has ever given the office in question to a woman.

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## Chapter V.

### METHODS OF SELECTING THE INCUMBENT OF THE OFFICE.

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A total of six different methods of selecting the chief State school official have been used at various times in the history of the office. These methods are: (1) Election by popular vote, (2) appointment by the general assembly, or (3) by the State board of education, or (4) by the governor, or (5) by the chancellor of the State university, or (6) by the supreme court of the State. The first four of these have been fairly widely used at one time or another. The last two, on the other hand, have been resorted to by one State (Utah) only, and in this one only temporarily. In Utah, at one time, the chief State school official was appointed by the chancellor of the University of Deseret,<sup>1</sup> while from 1887 to 1896 <sup>2</sup> he was appointed by the supreme court of the State.

In the early days of the evolution of the office, appointment by the general assembly and by the governor were both popular methods. The first of these two methods of appointment has been used at various times by as many as 12 States (Alabama, Missouri, New York, North Carolina, Ohio, Oregon, Rhode Island, Tennessee, Vermont, Washington, Virginia, and West Virginia). It is significant that no State uses it to-day. The second method has been used even more frequently than the first, for 23 States (Arizona, Colorado, Delaware, Georgia, Iowa, Kansas, Kentucky, Louisiana, Maine,

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<sup>1</sup> Utah Acts, 1850-1871, Ch. LXXXVI.

<sup>2</sup> Compiled Laws of Utah, vol. 1, 1888, pp. 123-124.

Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, Ohio, Oklahoma, Pennsylvania, Rhode Island, and Tennessee) have, at one time or another, permitted the governor to appoint regularly the chief State school official. The method, however, has steadily lost ground, especially in recent years.

To-day only three methods of selection are recognized in the practices of the various States. These are: (1) Election by popular vote, (2) appointment by the governor, and (3) appointment by the State board of education. The method now employed by each of the States is shown in the accompanying table. In order that the tendencies in the method of selection may be also known, the methods used by each State at different times in the last 27 year period are noted in the same table.

TABLE 3.—*Methods of selecting the chief State school official in 1896, 1909, and 1923.*

States.	In 1896. <sup>1</sup>	In 1909. <sup>2</sup>	In 1923. <sup>3</sup>
Alabama	People	People	People
Arizona	Governor	Governor	Do.
Arkansas	People	People	Do.
California	do	do	Do.
Colorado	do	do	Do.
Connecticut	State board	State board	State board.
Delaware	(No office)	(No office)	Do.
Florida	People	People	People.
Georgia	do	do	Do.
Idaho <sup>4</sup>	do	do	Do.
Illinois	do	do	Do.
Indiana	do	do	Do.
Iowa	do	do	Do.
Kansas	do	do	Do.
Kentucky	do	do	Do.
Louisiana	do	do	Do.
Maine	Governor	Governor	Governor.
Maryland	(No office)	do	State board.
Massachusetts	State board	State board	Governor.
Michigan	People	People	People.
Minnesota	Governor	Governor	State board.
Mississippi	People	People	People.
Missouri	do	do	Do.
Montana	do	do	Do.
Nebraska	do	do	Do.
Nevada	do	do	Do.
New Hampshire	Governor	Governor	State board.
New Jersey	do	do	Governor.
New York	General assembly	Board of regents	Board of regents.
New Mexico	Governor	Governor	People.
North Carolina	People	People	Do.
North Dakota	do	do	Do.
Ohio	do	do	Governor.
Oklahoma	Governor	do	People.
Oregon	People	do	Do.
Pennsylvania	Governor	Governor	Governor.
Rhode Island	State board	State board	State board.
South Carolina	People	People	People.
South Dakota	do	do	Do.
Tennessee	Governor	Governor	Governor.
Texas	People	People	People.
Utah	do	do	Do.
Vermont	General assembly	General assembly	State board.
Virginia	do	People	People
Washington	People	do	Do.
West Virginia	do	do	Do.
Wisconsin	do	do	Do.
Wyoming <sup>4</sup>	do	do	Do.

<sup>1</sup> The facts in this column were taken from Fellow, H. C., A Study in School Supervision, 1896, pp. 19-43.

<sup>2</sup> For the facts in this column, see Final Rep. Ill. Educ. Commission, 1909, pp. 23-29.

<sup>3</sup> These data were obtained from the latest school codes and have been confirmed by the chief State school officials.

<sup>4</sup> Idaho and Wyoming each have also a commissioner of education, who is appointed by the State board of education.

The present tendency is toward permitting the State board of education, which is now found in practically every State, to appoint the official under view. Popular election as a method is practically static, while appointment by the governor is clearly losing ground. Election by the general assembly, which was formerly a popular method, has not been used for several years.

Thirty-three States (Alabama, Arizona, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming) fix the method of selection in their constitutions; and, of these, 31 stipulate election by popular vote, while 2 (Ohio and Pennsylvania) provide for gubernatorial appointment.

Of the 15 States which have only statutory provision for the method of selection, 8 (Connecticut, Delaware, Maryland, Minnesota, New Hampshire, New York, Rhode Island, and Vermont) provide for appointment by the State board; while 4 (Maine, Massachusetts, New Jersey, and Tennessee) provide for gubernatorial appointment. Three (Arkansas, Iowa, and Texas) still elect by popular vote. Thus it is evident that, where constitutional provision does not prevent, the legislatures have tended to take the office "out of politics" by providing for State board appointment or for perhaps its best substitute, gubernatorial appointment. This tendency toward appointive methods has developed rapidly in the last few years, and has come to be noticeable in the West for the first time, as witness the recent reorganizations in Idaho (1913), Wyoming (1917), and Minnesota (1919), all of which permit the State board of education to appoint the chief State school official.

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## Chapter VI.

### TERM OF THE OFFICE.

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A knowledge of the length of the term of office of any official helps to determine the general stability of the position and thus aids in a better understanding and interpretation of the general conditions pertaining to the office. The discussion to follow on this feature deals primarily with (1) the legal length of a single term of the office, and (2) the actual tenures of those who have held the office.

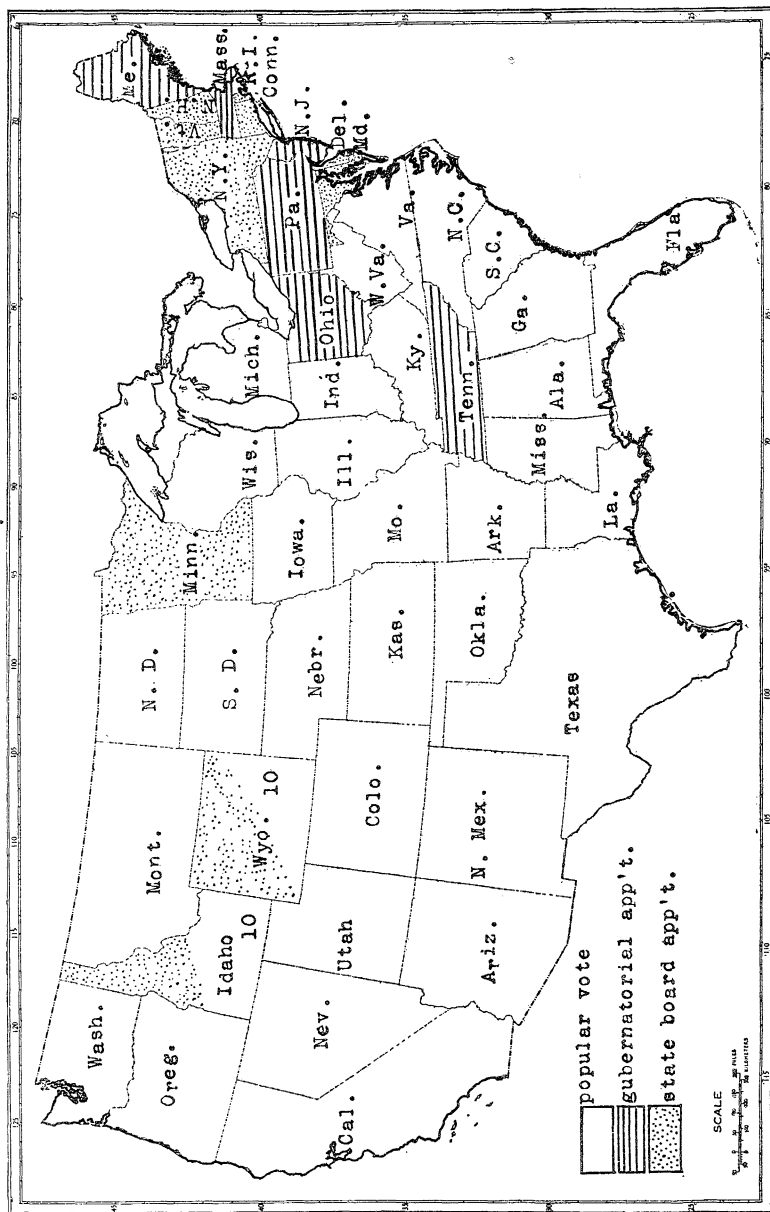


FIG. 4.—Sectional preferences for the various methods of selecting the chief State school official, 1923.

## LEGAL LENGTH OF A SINGLE TERM.

Seven different lengths of terms are found in the present practices of the various States. These terms are in the order of their popularity, as adjudged by the number of States using them: Four years, found in 24 States; two years, in 14 States; indefinite tenure, in 3 States; one year, in 3 States; five years, in 2 States; six years, in 1 State; and three years, in 1 State. The present legal length of a single term is shown for each State in the accompanying table. In order that the tendencies may be seen, the terms in each State for 1896 and 1909 are noted also in the same table.

TABLE 4.—*Legal length in years of term of office of the chief State school official in 1896, 1909, and 1923.*

States.	In 1896. <sup>1</sup>	In 1909. <sup>2</sup>	In 1923. <sup>3</sup>	States.	In 1896. <sup>1</sup>	In 1909. <sup>2</sup>	In 1923. <sup>3</sup>
Alabama.....	2	4	4	Nebraska.....	2	3	4
Arizona.....	2	2	2	Nevada.....	4	4	4
Arkansas.....	2	2	2	New Hampshire.....	2	2	( <sup>7</sup> )
California.....	4	4	4	New Jersey.....	3	5	5
Colorado.....	2	2	2	New Mexico.....	2	2	2
Connecticut.....	1	1	1	New York.....	3	6	( <sup>7</sup> )
Delaware.....	( <sup>5</sup> )	( <sup>5</sup> )	1	North Carolina.....	3	3	4
Florida.....	4	4	4	North Dakota.....	2	2	2
Georgia.....	2	2	2	Ohio.....	3	2	4
Idaho.....	2	2	2	Oklahoma.....	2	4	4
Illinois.....	4	4	4	Oregon.....	4	4	4
Indiana.....	2	2	2	Pennsylvania.....	4	4	4
Iowa.....	2	2	4	Rhode Island.....	1	1	1
Kansas.....	2	2	2	South Carolina.....	2	2	2
Kentucky.....	4	4	4	South Dakota.....	2	2	2
Louisiana.....	4	4	4	Tennessee.....	2	2	2
Maine.....	3	3	3	Texas.....	2	2	2
Maryland.....	( <sup>5</sup> )	4	4	Utah.....	4	4	4
Massachusetts.....	1	1	6	Vermont.....	2	2	( <sup>7</sup> )
Michigan.....	2	2	2	Virginia.....	4	4	4
Minnesota.....	2	2	6	West Virginia.....	4	4	4
Mississippi.....	4	4	4	Washington.....	4	4	4
Missouri.....	4	4	4	Wisconsin.....	4	4	4
Montana.....	4	4	4	Wyoming.....	4	4	4

<sup>1</sup> The data in this column were secured from Fellow, H. C., A Study in School Supervision (1896), pp. 19-43.

<sup>2</sup> The data for 1909 were obtained from the Final Report III. Educa. Commission (1909), pp. 23-29.

<sup>3</sup> The facts for 1923 were taken from the latest school codes, and have been confirmed by the chief State school officials.

<sup>4</sup> In Alabama, Kentucky, and New Mexico the chief State school official may not serve more than four years in succession.

<sup>5</sup> No office.

<sup>6</sup> The Massachusetts law of 1919 specified that the first appointment of the commissioner of education should be for a term of one, two, three, four, or five years, as the governor might prefer. Thereafter, as the first term expired, the appointment should be for five years. Thus, the regular term is now five years.

<sup>7</sup> Indefinite term.

TABLE 5.—*Number of States having certain lengths of the term of office of the chief State school official in 1896, 1909, and 1923.*

Dates.	One year.	Two years.	Three years.	Four years.	Five years.	Six years.	Indefinite.	Average term (in years).
1896 <sup>1</sup> .....	3	22	5	16	0	0	0	2.74
1909 <sup>2</sup> .....	3	19	3	20	1	1	0	3.00
1923.....	3	14	1	24	2	1	3	3.1

<sup>1</sup> In 1896 Delaware and Maryland had no provision for a separate office.

<sup>2</sup> In 1909 Delaware had no provision for the office.

<sup>3</sup> This average does not take account of the indefinite terms.

Tables 4 and 5 show: (1) That the average length of the legal term has increased gradually since 1896; (2) in this 27-year period there have been 9 cases of increase in the length of term, 3 cases of change to indefinite tenure, no case of a decrease, and 36 cases of no change. These increases in the length of term of the office show a healthy tendency toward greater stability of the office.

During the period in question, the four-year terms in particular have grown in favor, and especially have they come to be used in those States electing the holder of the office by popular vote. Two-year terms are rapidly becoming obsolete.

It is the policy of most of the States to fix by statute (14 States) or constitution (31 States) the term of office. New York, New Hampshire, and Vermont are the only exceptions to the rule. In each of these three States the commissioner of education serves during the pleasure of the State board, which also regularly appoints him.

A long and fixed term has the advantage of protecting from political interference a strong official who is engaged in carrying out a constructive educational policy. Such provision, however, has the inherent weakness of making it difficult, if not practically impossible, to get rid of a weak official before the expiration of his term. Inability to dispense with the services of such an individual might mean, in some instances, long suffering for the schools. The term should be determined in such a manner that the interests of neither the chief State school official nor the schools would suffer.

The recent (1918) law of Maryland regarding the term of office protects, as well as any legislation that can be cited, the interests at once of the schools and the chief State school official. In that State the State superintendent of schools is appointed by the State board of education for a four-year term, and—

he may be removed by the board for immorality, misconduct in office, insubordination, incompetency, or willful neglect of duty, upon making known to him, in writing, the charges against him, and upon giving him an opportunity of being heard in person or by counsel in his own defense, upon not less than 10 days of notice.<sup>1</sup>

This law would seem to be well worth considering by other States as a desirable model for reorganizations.

In Massachusetts, by the law of 1919, which reorganized the department of education, the governor was permitted to make the first appointment of the commissioner of education for a term of one, two, three, four, or five years, as he deemed best. After this first appointment, however, the regulation term was to be five years.<sup>2</sup> This arrangement made it possible for the governor to try out a prospectively permanent appointee, by giving him a short term before guar-

<sup>1</sup> Pub. Sch. Laws of Maryland (1918), section 18, p. 15.

<sup>2</sup> Mass. Educ. Legislation, enacted in 1919, p. 18.

anteing him the regular and long term of five years. A plan similar to the foregoing is frequently followed in the selection of city superintendents of schools, who are commonly appointed first for a term of one year and thereafter for a longer term, usually three years.

Three States (Alabama, Kentucky, and New Mexico) have the unusual practice of setting a constitutional limit on the number of successive terms that the chief State school official may serve. Thus, the constitutions of Alabama<sup>3</sup> and Kentucky<sup>4</sup> have classed the State superintendency with offices that have vast political power and patronage, and have made the State superintendent, along with the other State officers, ineligible to succeed himself after the regular four-year term. Likewise the constitution of New Mexico prohibits State officers from serving in succession more than two two-year terms.<sup>5</sup>

What a former State superintendent of public instruction (B. Hamlett, of Kentucky) thinks of the wisdom of limiting the tenure of office of the chief State school official is evident from his own words, as follows:

During a term of four years a superintendent has opportunity only to prepare himself for the highest usefulness, and it seems foolish for the people to tie their own hands and deprive themselves of the services of the best-trained men just at the time they are the most valuable, unless there is some overwhelming reason for such a procedure. The history of this office proves that no such overwhelming reason exists. The superintendent was permitted to succeed himself from 1836 to 1895 and not one single evil resulted from it.<sup>6</sup>

#### LENGTH OF THE TENURE OF OFFICE IN PRACTICE.

In some States the actual tenure of office has been fairly long, while in others it has been very short. In Alabama, for example, during the last 27 years one official has held the office in question only 2 years or less; three have occupied it either 3 or 4 years; one, 5 or 6 years; and one, 7 or 8 years. The number of different people who have held the office during the last 27 years is six; their average tenure of office is  $4\frac{5}{10}$  years; and the longest single tenure during the period studied is 7 years.

Two States (Nebraska and Tennessee) have had average tenures of less than 3 years; 11 States, of between 3 and 4 years; 9, of between  $4\frac{1}{10}$  and 5 years; 6, of between  $5\frac{1}{10}$  and 6 years; 12, of between  $6\frac{1}{10}$  and 7 years; and 8, of more than 7 years.

The longest average actual tenure ( $23\frac{5}{10}$  years) is in Rhode Island, which has had but two chief State school officials since 1875.

The longest single tenure is that of Chas. D. Hine, of Connecticut, who served from 1883 to 1920, or a period of 37 years. Of the incumbents of the office in 1923, Francis G. Blair, of Illinois, has served the longest, he being now on his seventeenth year.

<sup>3</sup> Constitution of Ala. (1902), Art. V, sec. 116.

<sup>4</sup> Constitution of Ky. (1891), sec. 93.

<sup>5</sup> Constitution of N. Mex. (1912), Art. V, sec. I.

<sup>6</sup> Rep. Supt. Pub. Instruction, Ky., 1914-15, p. 19.

TABLE 6.—*Actual tenures of chief State school officials of the various States during the last 27 years.*<sup>1</sup>

States.	Distribution of tenures.						Number who have held the office during last 27 years.	Average tenure during last 27 years.	Longest single tenure during last 27 years.
	2 years or less.	3 or 4 years.	5 or 6 years.	7 or 8 years.	9 or 10 years.	More than 10 years.			
Alabama.....	1	3	1	1			6	4.5	7
Arizona.....	3	4			1		8	3.3	9
Arkansas.....	2	2	1	2			7	3.9	8
California.....	1	2		1		1	5	5.4	8
Colorado.....	4		2		1		7	3.9	9
Connecticut.....		1				1	2	19.5	37
Delaware.....	1	2					3	3.0	4
Florida.....				1			2	14.5	21
Georgia.....		2		1	1		4	6.7	12
Idaho.....	3	4	1				8	3.4	5
Illinois.....	1	1		1		1	4	6.7	17
Indiana.....	3	3	2				8	3.4	6
Iowa.....	1	1	1	2			5	5.6	8
Kansas.....	2	3	1	1			7	3.9	7
Kentucky.....	3	5					8	3.2	4
Louisiana.....		1		1		1	3	8.6	14
Maine.....	1		1		1		4	6.7	12
Maryland.....	1			1		1	3	10.0	20
Massachusetts.....			2	1	1		4	7.0	9
Michigan.....	1	4	1				7	4.1	6
Minnesota.....	1	1	1	1	1		5	5.8	10
Mississippi.....	2		1	1	1		5	5.2	9
Missouri.....	2	2	1	1			6	4.5	8
Montana.....		4	1	1			6	4.8	8
Nebraska.....	5	5					10	2.7	4
Nevada.....	1	1		1		1	4	6.7	11
New Hampshire.....			3				1	7.2	13
New Jersey.....	1				1	1	3	8.6	15
New Mexico.....	4	1	3	1			9	3.4	7
New York.....	1			1	2		4	6.7	9
North Carolina.....	1	2				1	4	6.2	17
North Dakota.....	1	4					6	4.2	7
Ohio.....	2	1	4	1			7	4.3	6
Oklahoma.....	2	2	1	2			7	4.2	8
Oregon.....	1	1			1	1	4	6.7	12
Pennsylvania.....		1				1	2	14.5	26
Rhode Island.....						2	2	23.5	30
South Carolina.....		1	1	1		1	4	7.8	14
South Dakota.....	2	6				1	8	3.4	4
Tennessee.....	6	4					10	2.7	4
Texas.....	1	3	3				7	3.7	6
Utah.....	5	2				1	8	3.2	12
Vermont.....	1	1	2		1		5	5.2	9
Virginia.....		1	1	2			4	6.2	9
Washington.....		1	1	2			4	6.2	8
West Virginia.....	1	2		1		1	5	5.8	12
Wisconsin.....	1	2				1	4	6.7	18
Wyoming.....	1	4		1			6	4.3	8
Total.....	70	89	39	30	9	20	257		

<sup>1</sup> The data in this table were obtained through correspondence with the chief State school officials, who gave the names of their predecessors and the dates marking each tenure of office. In making the tabulations, a tenure which began before 1896—the date marking the beginning of the 27-year period under study—and continued after 1896, was all included.

## RELATION BETWEEN THE LEGAL LENGTH OF TERM AND THE ACTUAL TENURE.

Since 1896 fourteen States have always had a legal term of 2 years, while sixteen have have had a legal term of 4 years.<sup>7</sup> Studying the actual tenures in these two groups of States, it is found that the average actual tenure in the first group is  $4\frac{1}{10}$  years, and in the second,  $6\frac{7}{10}$ .<sup>8</sup> Thus it is evident that a short legal term, such as 2 years, is generally consistent with a short continuance in office.

<sup>7</sup> For a list of these States, see Table 4.

<sup>8</sup> The average actual tenures were computed from Table 6.



In Connecticut and Rhode Island the legal term has been only 1 year, yet in practice there the legal term has been really indefinite; for since 1883 in Connecticut only two men (Hine and Meredith) have held the office, while since 1875 in Rhode Island only two (Stockwell and Ranger) also have occupied it. As noted in the preceding chapter, the explanation for these long average tenures is probably to be sought in the method of selecting the officials in question of these States. The method employed is State board appointment.

## Chapter VII.

### SALARY OF THE OFFICE.

The salary which a State is willing to pay its chief State school official is one reliable index of the State's conception of the importance of the office. Moreover, the amount of salary measures roughly the caliber of those who occupy, or have occupied, the office. A consistently low salary can not, other things being equal, be expected to draw as high a grade of ability as a consistently high salary.

What, then, are the salaries paid in the various States? These are presented in Table 7. In order that the tendencies may be seen, the salaries paid in 1896 and those paid in 1909 are exhibited in the same table.

TABLE 7.—Salaries of chief State school officials in 1896, 1909, and 1923.

States.	In 1896. <sup>1</sup>	In 1909. <sup>2</sup>	In 1923. <sup>3</sup>	States.	In 1896. <sup>1</sup>	In 1909. <sup>2</sup>	In 1923. <sup>3</sup>
Alabama.....	\$2, 200	\$3, 000	<sup>4</sup> \$5, 000	New Jersey.....	\$3, 000	\$5, 000	\$10, 000
Arizona.....	1, 200	2, 000	3, 300	New Mexico.....	2, 000	2, 500	3, 000
Arkansas.....	1, 600	2, 500	2, 500	New York.....	5, 000	7, 500	12, 000
California.....	3, 000	3, 000	5, 000	North Carolina.....	1, 500	3, 000	4, 000
Colorado.....	3, 000	3, 000	3, 000	North Dakota.....	2, 000	2, 000	3, 000
Connecticut.....		3, 500	9, 000	Ohio.....	2, 000	2, 000	<sup>8</sup> 6, 500
Delaware.....	( <sup>5</sup> )	( <sup>5</sup> )	5, 000	Oklahoma.....	1, 200	2, 500	2, 500
Florida.....	1, 500	2, 500	3, 600	Oregon.....	1, 800	3, 000	4, 000
Georgia.....	2, 000	2, 000	<sup>6</sup> 4, 500	Pennsylvania.....	4, 000	5, 000	12, 000
Idaho.....	1, 500	2, 400	<sup>7</sup> 2, 400	Rhode Island.....	3, 000	4, 000	6, 000
Illinois.....	3, 500	7, 500	7, 500	South Carolina.....	1, 900	1, 900	2, 500
Indiana.....	2, 500	3, 000	5, 000	South Dakota.....	2, 500	1, 800	1, 800
Iowa.....	2, 200	2, 200	4, 000	Tennessee.....	2, 000	2, 500	3, 600
Kansas.....	2, 000	2, 500	3, 000	Texas.....	2, 500	2, 500	4, 000
Kentucky.....	2, 500	2, 500	4, 000	Utah.....	1, 500	2, 400	4, 000
Louisiana.....	3, 000	2, 000	5, 000	Vermont.....	2, 000	2, 000	6, 000
Maine.....	1, 500	2, 500	4, 600	Virginia.....	2, 000	3, 500	3, 500
Maryland.....	( <sup>5</sup> )	3, 000	8, 000	Washington.....	2, 500	3, 000	3, 000
Massachusetts.....	4, 500	4, 500	9, 000	West Virginia.....	1, 500	3, 000	5, 000
Michigan.....	1, 000	2, 000	5, 000	Wisconsin.....	1, 200	5, 000	5, 000
Minnesota.....	2, 500	3, 000	5, 000	Wyoming.....	2, 000	2, 000	<sup>9</sup> 3, 000
Mississippi.....	2, 000	2, 500	4, 500				
Missouri.....	3, 000	3, 000	3, 000	Median.....	2, 303	2, 739	4, 250
Montana.....	2, 500	3, 000	3, 600	Arithmetic mean.....	2, 273	2, 970	4, 834
Nebraska.....	2, 000	2, 000	5, 000	Mode.....	1, 000	3, 000	5, 000
Nevada.....	2, 000	2, 000	3, 600	Range.....	1, 000	1, 800	1, 800
New Hampshire.....	2, 500	2, 500	4, 500		5, 000	7, 500	12, 000

<sup>1</sup> The salaries for 1896 were secured from Fellows, H. C., A Study in School Supervision, pp. 19-43.

<sup>2</sup> Obtained from the Final Rep. III. Educ. Commission, pp. 23-29.

<sup>3</sup> Taken from the latest school codes and confirmed by the chief State school officials.

<sup>4</sup> In Alabama the salary is \$3,000, to which is added \$2,000 for acting as the executive officer of the State board of education.

<sup>5</sup> No office.

<sup>6</sup> Georgia gives him \$2,000 for acting as superintendent of schools and \$2,500 extra for serving as the secretary and executive agent of the State board of education.

<sup>7</sup> Idaho has also a commissioner of education, who receives \$6,000 annually.

<sup>8</sup> Wyoming has also a commissioner of education, who is paid \$3,000 a year.

<sup>9</sup> Ohio pays \$4,000 as State superintendent of public instruction and \$2,500 extra as director of education.

From the data of the accompanying table it is evident that the salaries are increasing fairly rapidly. Regarding the changes in the amount of salary paid in the last 14 years, it is worth noting that the median salary has increased from \$2,739 in 1909 to \$4,250 in 1923, a median increase of \$1,511, or a percentage increase of 55.2. Since the earlier date 37 States have granted increases, while only 10 have granted none.<sup>1</sup> In these latter States the lowest salaries in the Union for the office in question are found. Of them, South Dakota still pays only \$1,800; Idaho, \$2,400; Arkansas and Oklahoma, \$2,500; Colorado, Missouri, and Washington, \$3,000; Virginia, \$3,500; and Wisconsin, \$5,000. Three of these States (Colorado, Missouri, and South Dakota) have failed to give increases since 1896.

Pennsylvania has the double record of paying one of the two largest salaries to-day, \$12,000, and of granting the largest increase, \$7,000, in the 14-year period; while Ohio has the honor of having given the largest percentage increase, 225. Other States granting fairly large increases in the period under discussion are: Connecticut, \$5,500; Maryland and New Jersey, \$5,000; Massachusetts, \$4,500; and Vermont, \$4,000.

During the past four years (1919-1923) particularly the salaries have increased rapidly. In this short period 17 States have granted increases. These States, and the amount of increase given in each case, are: Alabama, \$2,000; Arizona, \$3,000; Connecticut, \$4,000; Georgia, \$1,500; Maine, \$600; Maryland, \$4,000; Massachusetts, \$2,500; Michigan, \$1,000; Mississippi, \$2,000; Nebraska, \$3,000; New Hampshire, \$500; New York, \$2,000; Ohio, \$2,500; Oregon, \$1,000; Rhode Island, \$1,000; Tennessee, \$600; and Vermont, \$1,000.

Although the amount of salary given in dollars and cents has increased rapidly in the last few years, it should be kept in mind that the cost of living has increased even more rapidly than salaries in these years. Whereas from 1909 to 1923 the median salary of the chief State school officials increased 55 per cent, the cost of living increased approximately 70 per cent.<sup>2</sup> As adjudged, therefore, by what they would purchase, the salaries of most of the chief State school officials were actually less in 1923 than in 1909.

Although the chief State school official is the nominal head of the State school system, his salary in most States is less than that of many other school officers, some, if not all, of whom hold minor positions compared with his. The median salary of the presidents of 77 State universities and State colleges in 1919-20 was \$6,000,<sup>3</sup>

<sup>1</sup> Note that Delaware did not have the office in 1909; hence only 47 States are accounted for in these tabulations.

<sup>2</sup> Monthly Labor Rev., U. S. Bu. of Labor Statistics, Vol. XVI, No. 5, May, 1923, p. 100.

<sup>3</sup> U. S. Bu. of Educ., Bul., 1920, No. 20, p. 6.

and the majority received houses besides; while the median salary of the present (1923) chief State school officials is only \$4,250. In 1919-20 only 16 per cent of the aforementioned presidents received less than \$5,000 a year, while 58 per cent of the chief State school officials in 1923 are receiving less than that amount. In more than half of the States there is at least one State normal school president getting a larger salary than the chief State school official.<sup>4</sup> Practically all States have at least one city superintendent, and most of them have several city superintendents, with a larger salary<sup>5</sup> than the chief State school officer. Even more to the disparagement of the salary of the chief State school official is the fact that in many States it is less than that paid school principals, and in many cases even less than that given high and elementary school teachers.<sup>6</sup>

#### SALARY UNDER THE DIFFERENT METHODS OF SELECTION.

That the relation is one of cause and effect can not be said and objectively supported; nevertheless, it is worth noting that the lowest salaries are found where popular election prevails, and the highest where appointive methods exist. Under popular election the median salary is only a little more than half what it is where the appointive methods are found. These facts are brought out fully in Table 8.

TABLE 8.—*Distribution of the salaries of the chief State school officials in 1923, according to the different methods of selection.*<sup>1</sup>

Salary groups.	Popular election.	State board appointment.	Gubernatorial appointment.	Total.
\$1,800-\$2,499.....	2			2
\$2,500-\$3,199.....	10			10
\$3,200-\$3,899.....	5		1	6
\$3,900-\$4,599.....	8	1		9
\$4,600-\$5,299.....	8	2	1	11
\$5,300-\$5,999.....				
\$6,000-\$6,699.....		2	1	3
\$6,700-\$7,399.....				
\$7,400-\$8,099.....	1	1		2
\$8,100-\$8,799.....				
\$8,800-\$9,499.....		1	1	2
\$9,500-\$10,199.....			1	1
\$10,200-\$12,000.....		1	1	2
Total.....	34	8	6	48
Median.....	\$3,800	\$6,000	\$7,750	\$4,250
Range.....	\$1,800-\$7,500	\$4,500-\$12,000	\$3,600-\$12,000	\$1,800-\$12,000

<sup>1</sup> For Idaho and Wyoming, the salaries of only the superintendents of public instruction are included in the tabulations.

The majority of the States fix the salary of the office by statute. In the remaining States it is set either by the constitution, the State board of education, the governor, or by a combination of two of the aforementioned methods.

<sup>4</sup> Brewer's Ann. Nat. Directory, 1921-22.

<sup>5</sup> Research Bul. Nat. Educ. Assoc., March, 1923, p. 123.

<sup>6</sup> Ibid., pp. 91-109.

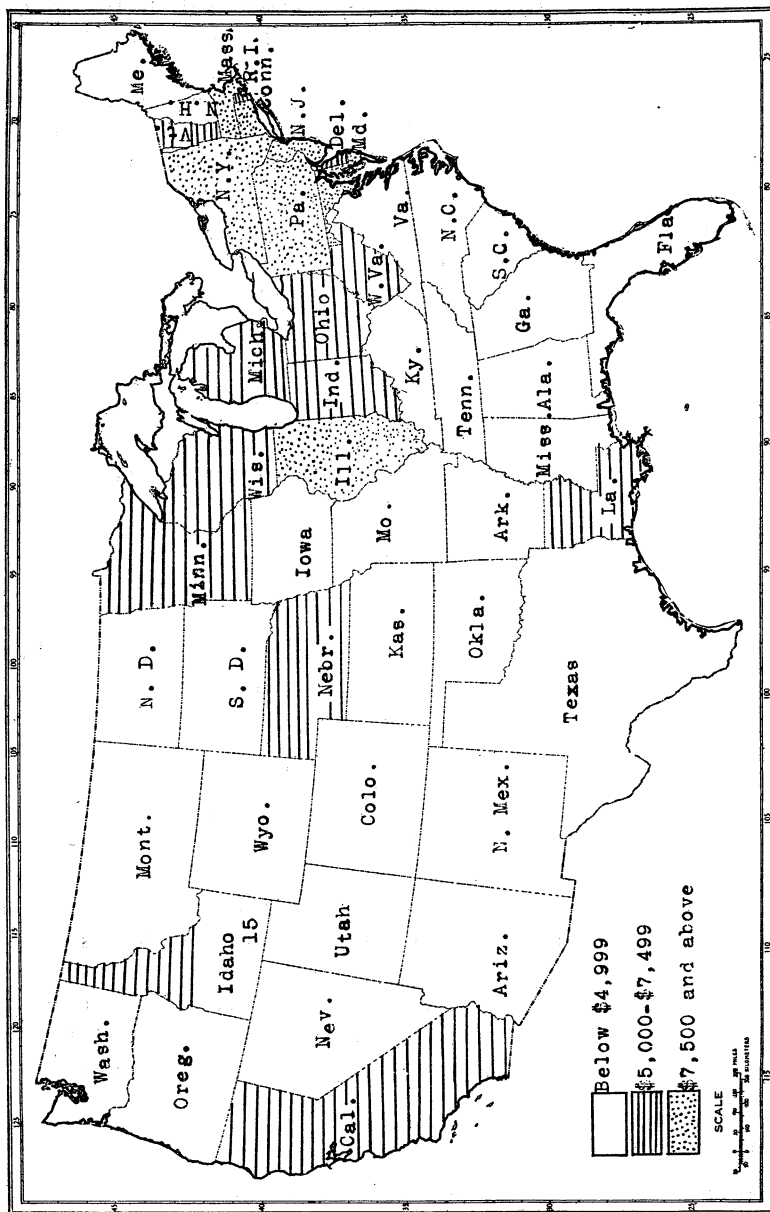


FIG. 5.—Salaries paid the chief State school officials in the various sections, 1923.

When the salary is fixed by statute, there is no way to adjust it to the ability of the recipient except that the law be changed, and this is a slow process. The same objection may be even more strongly urged when the salary is fixed by constitution, for then the hands of the legislature and people are tied over, what usually happens, a long period of years. Since 1889 the salary in South Dakota has been fixed by the constitution at the low figure of \$1,800. From 1875 to 1921 the salary in Nebraska was set by the constitution at only \$2,000. Now, however, since the framing of the 1921 constitution, the salary in Nebraska is set by statute at \$5,000. In Georgia the constitution prescribes a salary of only \$2,000 for the superintendent of schools, but relief has been afforded by paying him \$2,500 additional for acting as the secretary and executive agent of the State board of education.

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## Chapter VIII.

### RELATION OF THE OFFICE TO THE STATE BOARD OF EDUCATION.

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#### DEVELOPMENT OF STATE BOARDS.

Within recent years there has been rapid development in establishing State boards of education as the administrative heads of the State school systems. This movement continues to gain ground and at present (1923) 42 States have such boards with general educational functions. The other 6 States (Iowa, Illinois, Maine, Nebraska, Ohio, and South Dakota) have State boards, but with restricted functions. In Iowa <sup>1</sup> the board has charge of only the State institutions of higher learning, and in Nebraska <sup>2</sup> it looks after only the State normal schools. In Ohio,<sup>3</sup> South Dakota,<sup>4</sup> Illinois,<sup>5</sup> and Maine,<sup>6</sup> the boards have, as their only function, the administering of the vocational education laws.

The powers and duties of these State boards vary from practically nothing in a few States to complete control of the educational system in other States.<sup>7</sup> The general tendency is to give the boards greater functions.<sup>8</sup>

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<sup>1</sup> School Laws of Iowa (1919), pp. 108-110.

<sup>2</sup> Constitution of Nebr., Art. VII, Sec. XIII.

<sup>3</sup> Advance sheets of school laws enacted by 84th Gen. As. of Ohio, 1921, pp. 15-16.

<sup>4</sup> S. Dak. Sch. Laws (1920) pp. 12-14.

<sup>5</sup> Sch. Laws of Illinois enacted by the 51st Gen. As., pp. 43-44.

<sup>6</sup> Laws of Maine Relating to Pub. Schs. (1919), p. 72.

<sup>7</sup> For a digest of the powers and duties of these boards, see Kalbach, L. A., and Neal, A. O., Organization of State Departments of Education. Bul., 1920, No. 46, pp. 11-22, U. S. Bu. of Educ.

<sup>8</sup> Ibid., p. 9.

The work of the Chief State school official is now closely related to that of the State board of education. The facts necessary to depict this relation are exhibited in Table 9.

TABLE 9.—*Legal relation of the chief State school official to the State board of education, 1923.*<sup>1</sup>

States.	Secretary.	Chairman.	Executive officer.	Secretary and treasurer.	Board elects own officers.	Membership ex officio on the board.	
						Yes.	No.
Alabama.....		X	X			X	
Arizona.....	X						
Arkansas.....		X				X	
California.....	X		X				X
Colorado.....		X				X	
Connecticut.....	X		X				X
Delaware.....	X		X				X
Florida.....	X					X	
Georgia.....						X	
Idaho:							
Superintendent.....			X			X	
Commissioner.....			X				X
Illinois <sup>2</sup> .....			X			X	
Indiana.....		X				X	
Iowa <sup>2</sup> .....					X		X
Kansas.....		X				X	
Kentucky.....		X				X	
Louisiana.....	X						
Maine <sup>2</sup> .....		X				X	
Maryland.....			X	X			X
Massachusetts.....		X					X
Michigan.....	X		X			X	
Minnesota.....	X		X				X
Mississippi.....		X				X	
Missouri.....		X				X	
Montana.....	X					X	
Nebraska <sup>2</sup> .....					X	X	
Nevada.....	X					X	
New Hampshire.....	X		X				X
New Jersey.....	X		X				X
New Mexico.....	X					X	
New York.....			X				X
North Carolina.....	X					X	
North Dakota.....					X	X	
Ohio <sup>2</sup> .....	X					X	
Oklahoma.....		X				X	
Oregon.....	X					X	
Pennsylvania.....		X	X			X	
Rhode Island.....	X						X
South Carolina.....	X					X	
South Dakota <sup>2</sup> .....		X				X	
Tennessee.....				X		X	
Texas.....	X						X
Utah.....		X				X	
Vermont.....							X
Virginia.....		X				X	
Washington.....		X				X	
West Virginia.....						X	
Wisconsin.....					X	X	
Wyoming:							
Superintendent.....						X	
Commissioner.....							X
Total.....	19	16	14	2	4	35	15

<sup>1</sup> These facts have been secured from the latest school codes and have been confirmed by the chief State school officials.

<sup>2</sup> These States have boards, but with restricted functions.

Of the 42 States which have full-fledged State boards, 30 make the chief State school official an ex officio member of the board. In these 30 States it is found that 28 elect him by popular vote, and 2 (Pennsylvania and Tennessee) permit the governor to appoint him.<sup>9</sup> A similar study of the 12 remaining States in which he is not a member of the board reveals the fact that 8 permit the State board to appoint him; 2 (Massachusetts and New Jersey) permit the governor to appoint him; and 2 (California and Texas) elect him by popular vote.

In those States in which the chief State school official is elected by popular vote, he is generally an ex officio member of the State board. The States which permit the State board to appoint never make him an ex officio member of the board. Of the six States which charge the governor with his appointment, three make him an ex officio member of the board, while the other three do not give him membership.

Reference to Table 9 shows that practically all States make him an ex officio officer of the State board. In those States which permit the State board to appoint him, he is usually, ex officio, the secretary and executive officer of the board. Where he is elected by popular vote or appointed by the governor, he is usually, ex officio, either secretary or chairman of the board.

The tendency is to make him the chief executive officer of the State board. In those States which have no State board, he is, as a matter of course, sole executive of the schools, and in many States, where the legal relation between him and the State board has not been clearly defined by law, practice has made him the chief executive officer.

The State board of education is responsible to the governor and the legislature for its acts, while the chief State school official is largely independent of all these, and may work with the State board or against it, as he wishes. Such a relation is incongruous for the following reasons:

The double-headed control is dangerous, because as already implied, friction may develop between the two heads. Only a policy of friendly cooperation can prevent this. An antagonistic or antagonized chief State school official might be either tempted or driven to play politics against the State board in the hope of securing reelection or of winning some other favor or honor. Still more, he might raise the constitutional question as to the right of the State board to exercise educational control. In support of this contention he might claim that the makers of the constitution intended that the functions of his office should be integral and indivisible, and that, therefore, the State board was usurping some of his rightful functions.

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<sup>9</sup> For the manner in which the chief State school officials are selected, see Table 3, p. 25.

What is more, even where friendly cooperation exists between the two heads, there is apt to be duplication of effort, and in consequence a waste. This is bound to occur frequently, for in this dual system of control there is a considerable overlapping of functions. In general, the two heads occupy the same field, each having some control and supervision over such things as the certificating machinery, textbooks and courses of study, buildings, publicity, finances, inspecting of schools, pupils, and lower school officers. This possible duplication can best be prevented by centralizing functions under one head.

A similarly dubious organization exists in the typical State which permits the governor to appoint the chief State school official, for here again we have two school heads, namely, the State board of education, usually appointed by the governor, and the chief State school official, also appointed by him. When the governor appoints both heads, both are responsible to him, and he is thus in a position to effect some unity, should he have the time, inclination, and educational acumen to do so. However, it is putting too much responsibility on the governor to expect him to effect such unity, and similarly, too much faith in the cooperative inclinations and abilities of the two school heads to hope that they will always work cooperatively. The awkward relation described above should be altered by permitting the State board to appoint the chief State school official and to determine, partially, at least, the nature and extent of his labors, and to supervise and inspect their performance.

Unusual relations between the chief State school official and the State board are found in two States (Wyoming and Massachusetts.) Wyoming recently (1919) established the unusual practice of permitting the superintendent of public instruction to appoint, with the approval of the governor, the members of the State board of education.<sup>10</sup> This arrangement was made, it appears, because the law of 1917, permitting the State board to appoint the commissioner of education, was attacked as unconstitutional.<sup>11</sup> In Massachusetts, where the State board of education formerly had large duties and powers, the legislature enacted a law in 1919 making it merely advisory to the commissioner of education.<sup>12</sup> By this law, both the commissioner of education and the State board are appointed by the governor. The law, it seems, was enacted in order that all departments of the executive and administrative functions of the Commonwealth might be organized on a similar basis.<sup>13</sup>

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<sup>10</sup> From correspondence with Mrs. Katharine A. Morton, State Supt. Pub. Instr., Wyoming.

<sup>11</sup> From a communication of J. O. Creager, formerly State commissioner of education of Wyoming to the State board of education. Published in *Elementary Sch. Jour.*, vol. 19, pp. 583-584.

<sup>12</sup> Mass. Educa. Legislation, enacted in 1919, pp. 17-20.

<sup>13</sup> *Ibid.*, p. 14.



## Chapter IX.

### POWERS AND DUTIES OF THE OFFICE.

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#### PURPOSE, SCOPE, AND PLAN OF THE CHAPTER.

In a description of the features of the office of chief State school official a statement of what the office does, may do, or is expected to do is of first importance. The aim has been to present in a concise manner each function and to classify it according to the subject with which it deals. In the tabulations, duties are introduced by "shall" and powers by "may."

Attention is called to the fact that the investigation has necessarily taken account only of the functions specifically given by law. It could not take account in an objective way of those implied. Undoubtedly, therefore, many chief State school officials are exercising some of the functions listed in the text, though the tabulations do not credit them with same. These functions they have apparently assumed through their general supervisory powers or have had them delegated by the State board of education.

#### FUNCTIONS RELATING TO SCHOOL LIBRARIES.

The library should be one of the important parts, if not the most important single part, of the equipment of the school. This fact is coming more and more to be recognized by educators. School libraries need to be built up, and a more general use of them by both the pupils and the general public needs to be encouraged. The chief State school official, being at the head of the State school system, should have the power, if not the duty, of stimulating and directing the development and use of this most important educational tool. However, only about half the States give him library functions; moreover, the most of those which are given are of a perfunctory character. These facts are brought out in Section A of Table 10.

It is noted that the nature and extent of his library functions vary widely, though a few common veins exist. Some functions which occur fairly frequently are: (1). That of serving, *ex officio*, as a member of the State library board (12 States); (2) that of furnishing school libraries with lists of adopted or suggested books (14 States); and (3) that of prescribing rules and regulations for school libraries (10 States).

A fuller view of his functions relating to membership on the State library board may be had by observing a typical law pertaining to such a board. Such a law is that of Oregon, which is quoted here-with in extenso.

TABLE 10.—*Powers and duties of the chief State school official, 1923.*

## A. RELATING TO SCHOOL LIBRARIES.

He shall be a member, ex officio, of the State library board (12 States—Idaho, Iowa,<sup>1</sup> Md., Mo., Nebr., N. J., Okla., Oreg., S. Dak., Tenn., Wash., and Wis.).

May expend annually a stated amount for pedagogical books for his library (N. Dak. and Wis.<sup>2</sup>).

Shall keep in his office a pedagogical library (S. Dak.).

May order school buildings to be used for library purposes (N. J.).

Shall be, ex officio, the State librarian (Colo.).

May appoint an assistant State librarian (Colo.).

Shall furnish each common school library with the legislative journals of the State (Ind.).

Shall furnish bulletins and reports of an educational nature to school libraries (Mich.).

Shall approve library books for the teacher-training departments of high schools (Ark. and Mont.).

Shall be an officer, ex officio, of the State library board (Idaho, Mo., and S. Dak.).

Shall send to school libraries lists of adopted or suggested books (14 States—Ala., La., Minn., Mo., Mont., Nev., N. Y., N. C., N. Dak., R. I., Tenn., Wash.,<sup>3</sup> W. Va., and Wis.).

Shall prescribe rules and regulations for school libraries (10 States—Ala., La., Minn., Mont., N. Y., Okla., S. Dak., Tenn., W. Va., and Wis.).

May prescribe rules and regulations for school libraries (Mich., N. C., and N. Dak.).

The commission shall give advice to all schools, free and other public libraries and to all communities which may propose to establish them, as to the best means of establishing and maintaining such libraries, the selection of books, cataloguing, and other details of library management. It may also purchase and operate traveling libraries within the State among communities, libraries, schools, colleges, universities, library associations, study clubs, charitable and penal institutions free of cost, except for transportation, under such conditions and rules as shall protect the interests of the State and best increase the efficiency of the service it is expected to render the public. It may publish such lists and circulars of information as it shall deem necessary, and it may also conduct a summer school of library instruction and a clearing house for periodicals for free gift to local libraries.<sup>5</sup>

The West Virginia law is typical of those laws which give him the two other common functions noted above. The part of the West Virginia law pertaining to these functions reads as follows:

Said superintendent shall cause to be prepared and published a list of books suitable for school libraries and shall recommend the proper conditions for the purpose and use of such books. Such list shall be distributed among the teachers, principals, and superintendents throughout the State.<sup>6</sup>

## FUNCTIONS RELATING TO TEXTBOOKS.

Since the textbook determines generally both what is taught and how it is taught, it should be the best available. In order to secure an increasingly better standard of textbooks, most States have deemed it advisable to have control and supervision over their

<sup>1</sup> The State board of examiners, of which the superintendent of public instruction of Iowa is an ex officio member, has library functions.

<sup>2</sup> North Dakota \$300 annually and Wisconsin \$250 annually.

<sup>3</sup> In Washington he shall approve books for county circulating libraries.

<sup>4</sup> In Oklahoma the rules and regulations of the State library commission are promulgated through the State superintendent of public instruction.

Shall supervise the work of the State director of library extension (Tenn.).

Shall be a trustee of the State library (N. C.).

<sup>5</sup> Oreg. Sch. Laws (1921), p. 139.

<sup>6</sup> W. Va. Sch. Laws (1920), p. 16.

selection. Consequently, the typical State has state-adopted textbooks. These adoptions apply particularly to the elementary school, and slightly less frequently to the high school. The adopting agency is usually either the State textbook commission or the State board of education. It is noted that the chief State school official is usually an *ex officio* member of these adopting agencies. In addition to this function, he generally serves, *ex officio*, in some official capacity to the commission or board. These facts are brought out in section B of the table.

TABLE 10.—*Powers and duties of the chief State school official, 1923—Continued.*

B. RELATING TO TEXTBOOKS.

- Shall be a member of the State textbook commission (13 States—Ala., Ark., Fla., Ga., Kans., Ky., Miss., Nev., N. C., Okla., Tenn., Tex., and Utah).
- Shall be an officer of the State textbook commission (7 States—Ala., Ark., Ga., Ky., Nev., Okla., and Tenn.).
- Shall nominate the members of the school book subcommission (Fla. and N. C.).
- Shall submit to the textbook commission the list of subjects for which textbooks are to be selected (Fla.).
- May call extra meetings of the textbook commission (Nev., N. C., and Tenn.).
- Shall issue a circular letter to officers and teachers announcing the books adopted or suggested (22 States—Ala., Ark., Calif., Fla., Ga., Ill., Kans., Mich., Minn., Miss., Mo.,<sup>7</sup> Mont., Nebr., Nev., N. C., N. Dak., Ohio,<sup>7</sup> Okla., Oreg., Tenn., W. Va., and Wis.).
- Shall preserve in his office samples of the books adopted or suggested (19 States—Ark., Ga., Ill., Ind., Ky., Mich., Minn., Miss., Mo., Mont., Nev., N. C., N. Dak., Ohio, Okla., Va., Wash., W. Va., and Wis.).
- Shall file contracts, price lists, and bonds of publishing companies selling textbooks in the States (22 States—Ark., Fla., Ga., Ill., Ind., Mich., Minn., Miss., Mo., Mont., Nebr., Nev., N. C., N. Dak., Ohio, Okla., Oreg., Utah, Va., W. Va., Wis., and Wyo.).
- Shall take legal action against textbook publishers who violate their contracts (12 States—Ill., Ky., Mich., Minn., Miss., Mont., Nebr., Nev., N. C., N. Dak., Va., and Wis.).
- Shall advertise for bids for textbooks (Ariz., Nev., Oreg., and Utah).
- Shall recommend textbooks (Kans., N. C.,<sup>8</sup> and Wyo.).
- Shall register the names of all textbook agents (Fla. and N. C.).
- Shall recommend textbooks, and shall attempt to secure state-wide uniformity in them (R. I. and S. C.).
- Shall appoint a committee on high-school textbooks (N. C.).
- Shall require school officers to report the names of textbooks used in their schools (Md., Nev., and Iowa).
- Shall deliver textbook bids to the textbook commission (Ark.).
- May formulate rules for carrying out the textbook law (Tex.).
- Shall approve, and see to, the filling of orders for textbooks (Calif. and Tex.).
- Shall be, *ex officio*, a member of a committee to fix the maximum prices at which textbooks may be sold in the State (Ohio).
- Shall forbid the use of sectarian and partisan textbooks (S. C.).
- Shall prepare a textbook on civil government for use in the schools of the State (Ga.).
- Shall determine the grades in which the supplementary agricultural reader shall be used (Vt.).
- Shall approve rules and regulations governing the loaning of textbooks to indigent children (N. C.).

It is the general duty of the textbook boards and commissions to select and adopt a uniform series of textbooks for the public schools of the State. In exercising this general function, the typical board or commission advertises for bids; rejects bids and advertises for others; brings suits against textbook publishers for violations of contracts; designates textbook depositories; buys manuscripts to be published or secures copyrights on same; and drops an adopted book which has been found unsatisfactory.<sup>9</sup> In addition to the foregoing

<sup>7</sup> In Missouri and Ohio he furnishes a list of publishers who have complied with the State law regarding the sale of textbooks.

<sup>8</sup> In North Carolina, he shall recommend a list of high-school textbooks.

<sup>9</sup> See Ala. Sch. Laws (1919), pp. 74-86, for a typical law.

functions, Kansas gives her schoolbook commission the function of printing or publishing, when practicable, the adopted textbooks for use in the elementary and high schools of the State.<sup>10</sup>

In addition to the group responsibilities enumerated in the above paragraph, many States give the chief State school official individual functions regarding certain phases of textbook selection. For example, in the typical State, as soon as practicable after the adoption of the textbooks by the textbook commission, it is made his duty to issue a circular letter to school officers and teachers stating the list of books adopted, the prices of same, the location of depositories, and such other information as he may deem advisable to include.<sup>11</sup>

In States which do not have State adoptions of textbooks the chief State school official usually has some supervision over their sale.<sup>12</sup> In these States a textbook company wishing to do business in the State usually must file with the chief State school official the following:

1. Copies of the books to be offered for sale.
2. A sworn statement of the list price and the lowest net price at which said books are sold anywhere in the United States under like conditions of distribution.
3. An agreement to sell such books in the State at no higher price than is charged elsewhere in the United States under like conditions, and to reduce the prices of such books in the State when they are reduced elsewhere.
4. An agreement that all books offered for sale in the State shall be equal in quality to those deposited in the office of the chief State school official.
5. A sworn statement that it has entered into no agreement to control prices or to restrict competition in the sale of books.
6. A properly executed bond to insure compliance with the above agreements.<sup>13</sup>

When publishers have complied with the above terms, the chief State school official furnishes school officers a list of the books which may be legally purchased from these publishers. This duty is usually an annual one.<sup>14</sup> An additional duty is that of seeing that the publishers live up to the terms of their contracts.<sup>15</sup> Many other textbook functions are listed, but, as noted in the table, these functions are found in only a few States.

<sup>10</sup> Kans. Sch. Laws (1919-1920), pp. 234-245.

<sup>11</sup> For a typical law, see Miss. Sch. Laws (1918), p. 116.

<sup>12</sup> For example, Illinois, Michigan, Minnesota, Missouri, Nebraska, and North Dakota.

<sup>13</sup> See Ill. Sch. Laws (1917), pp. 164-168, for a typical law.

<sup>14</sup> For this typical duty, see Mo. Sch. Laws (1920), p. 142.

<sup>15</sup> *Ibid.*, pp. 141-142.

**FUNCTIONS RELATING TO COURSES OF STUDY.**

With the belief that what subject matter is taught is as important as how well the subject matter is taught, teachers and school officers are giving increasing attention to the selection and organization of subject matter. Practically all States now have State courses of study, particularly for the elementary school. These courses are usually prepared by the State board of education, of which the chief State school official is a member, or by the latter official individually. This is in accord with the best educational theory that the official in question, being at the head of the State school system, should have functions relating to the preparation of courses of study. His present functions pertaining thereto are indicated in Section C of the table.

Unity has thus been effected in the curricular organization of the local schools by giving the chief State school official guiding direction and control of them. In effecting such unity, however, there is always the danger that the curricular prescriptions shall be so uniformly rigid that the needs of the local community will not always be met as they should be.

In addition to the duty of either preparing or helping to prepare general courses of study, the chief State school official is frequently required to see that instruction in certain special fields is given. Thus several States enjoin him to prepare and distribute programs for special days, such as Arbor Day, holidays, and birthdays of great men. Many States also require him to prepare and distribute courses in accident prevention, fire prevention, normal training, physical training, and patriotism. The other functions relating to courses of study are found in a few States only.

TABLE 10.—*Powers and duties of the chief State school official, 1923—Continued.*

## C. RELATING TO COURSES OF STUDY.

- Shall prepare or approve a course of study for the elementary schools (22 States—Ala., Ark., Fla., Iowa, Me., Md., Mich., Minn., Mo., Mont., Nebr., N. J., N. Dak., Ohio, Pa., R. I., S. Dak., Tenn., Wash., W. Va., Wis., and Wyo.).
- Shall prepare or approve a course of study for the high schools (21 States—Ala., Fla., Ill., Iowa, Md., Mich., Minn., Mont., N. J., N. C., N. Dak., Ohio, Okla., Oreg., Pa., R. I., Tenn., Wash., W. Va., Wis., and Wyo.).
- Shall prepare or approve courses in physical education (6 States—Ga., Ky., Me., N. J., N. Y., and Oreg.).
- Shall prepare or approve courses of exercises for special days (20 States—Ariz., Ark., Ga., Idaho, Iowa, Kans., Ky., Me., Mont., N. J., N. Mex., N. Y., N. C., Ohio, Oreg., R. I., S. C., S. Dak., Wash., and Wis.).
- Shall encourage the observance of special days (Colo.).
- Shall prepare a program for a salute to the flag to be used in all schools (7 States—Ariz., Kans., Nebr., N. Mex., N. Y., R. I., and Tex.).
- Shall prepare or approve normal training courses in high schools (6 States—Iowa, Mo., Mont., N. Y., Ohio, and Wis.).
- Shall make rules and regulations for conducting fire drills and shall prepare courses in fire prevention (10 States—Fla., Mont., Nebr., N. J., N. C., Ohio, Oreg., Pa., R. I., and Wash.<sup>16</sup>).
- Shall make provision for visual instruction (Md., N. Y., N. C., and Vt.).
- Shall prepare a course of study in thrift and industry (Ky. and Ohio).
- Shall make provision for teaching the Constitution (Ala. and Iowa).
- Shall prepare plans for giving instruction on proposed laws and constitutional amendments (Calif.).
- Shall prescribe a course of study in patriotism (Ill. and Pa.).
- Shall prepare a high-school course in history and civics (Iowa and Nebr.).
- Shall make provision for teaching the history of the State (Tex.).
- Shall inspect and supervise the instruction in patriotism and citizenship (N. Y.).
- Shall provide for instruction in testing pupils' sight and hearing in teacher-training institutions (N. Y. and Va.<sup>17</sup>).
- Shall make provision for teaching the evils of intemperance (Ala., Fla., Ky., and N. C.).
- Shall prepare a course of study in hygiene (Ind.).
- Shall make provision for teaching physiology and hygiene in all schools (Ala.).
- Shall provide for moral and humane instruction at the meetings of the State teachers' association (Ill. and N. Y.).
- Shall serve on a committee to prepare a program for Arbor, Bird, and Flower Day (Tenn.).
- Shall prepare or approve courses of study for teacher-training institutions (5 States—Ala., Md., N. Y., Pa., and S. Dak.).
- Shall prepare a course of study in military training (N. J.).
- Shall cooperate in establishing courses in military training (Calif.).
- Shall be a member of the committee to prepare a course of study (Utah).
- Shall issue a course of study on accident prevention (N. J., Ohio, and Wis.).
- Shall approve courses of study in private schools for elementary and secondary pupils (Me.).
- Shall appoint a committee to prepare an elementary school course of study (N. C.).
- Shall appoint a committee to aid him in preparing a high-school course of study (Miss.).
- Shall issue, with the help of the State university, a high-school course of study (Nebr.).
- May fix and prescribe the studies in commercial schools and colleges (Wis.).
- Shall approve and supervise courses in evening schools (Minn.).
- Shall approve courses of study in summer schools for teachers (Mont. and Va.).
- Shall approve courses of study in benevolent, charitable, correctional, or penal institutions (Iowa, Mich., and Ohio).
- Shall prepare and distribute the course of study prescribed by the State board of education (Ariz. and Oreg.).

## FUNCTIONS RELATING TO SCHOOL BUILDINGS.

A very rapid development toward giving the State department more supervision over school buildings and building sites has come within recent years. This movement has perhaps led to a decrease in the waste of funds occasioned by the erection of ill-adapted buildings and at the same time to an increase in the number of those buildings which incorporate the features demanded by a proper

<sup>16</sup> In Washington he is required to publish the fire drill law in the State Manual.

<sup>17</sup> In Virginia the instruction includes also the general field of child hygiene.

regard for the health of children and the requirements for the most efficient teaching. Several States now require that the plans for all new school buildings be submitted to the chief State school official for approval. A slightly less number require him to place in the hands of local school authorities suggestive plans of properly constructed and hygienically arranged schoolhouses. Both of these tendencies are rapidly growing ones. A few States permit his department to condemn buildings and sites when these are deemed unfit for school purposes. All these functions are shown in section D of the table.

TABLE 10.—*Powers and duties of the chief State school official, 1923—Continued.*

D. RELATING TO SCHOOL BUILDINGS.

Shall approve plans for school buildings (15 States—Ala., Ky., La., Me., Md., Mich., Minn., Mont., N. Y., N. C., N. Dak., Okla., S. Dak., Utah, Va., and Wis.).
Shall prepare plans for school buildings (9 States—Ill., Iowa, Ky., Me., Minn., N. J., N. Dak., Okla., and Utah).
Shall approve sites for school buildings (Ind., Md., S. Dak., and Va.).
May condemn school building sites (Me., Minn., N. J., and Pa.).
May condemn school buildings (Mich., Minn., N. J., and Wis.).
Shall inspect new school buildings (Ala. and Mich.).
May inspect new school buildings (Me., Mich., and Utah).
Shall have supervision over all State educational buildings (Fla.).
Shall prescribe regulations for the inspection of school buildings (Wis.).
Shall instruct city and county superintendents as to the best manner of constructing schoolhouses (N. J.).
Shall grant the use of school buildings in certain cases (N. Y.).
Shall address circular letters to county superintendents regarding the best manner of constructing school houses (Ariz. and Ill.).
May employ a school architect to aid him in preparing plans for school buildings (Utah).
May determine in certain cases the best location for high school buildings (N. Y.).
May grant permission to school trustees to accept new buildings (N. C.).
Shall enforce the law relating to school buildings (N. Mex.).

In a few States the control of the office over the planning of schoolhouses is almost absolute. These States generally require that the plans and specifications of every schoolhouse erected must be submitted to the office for approval.<sup>18</sup> In Maryland, for example, the State superintendent of schools approves all proposals for the purchase of grounds, sites, or buildings, and also all plans and specifications for the remodeling of old school buildings or the construction of new school buildings costing \$300 or more.<sup>19</sup> In New Jersey, in addition to the duty of preparing plans and specifications for school buildings, the commissioner of education may direct the entire or partial abandonment of any building used for school purposes, and may direct the making of such changes therein as to him may seem proper.<sup>20</sup>

Most States, however, do not give the office such large functions; they give only partial control, which usually relates to the buildings having less than four rooms. For example, in Maine, the State superintendent of public schools

<sup>18</sup> For a typical law, see La. Sch. Laws (1919), p. 116.

<sup>19</sup> Md. Sch. Laws (1920), p. 16.

shall procure architects' plans and specifications for school buildings of not exceeding four rooms each, and full detail working plans therefor. Said plans and specifications shall be loaned to any superintending school committee or school building committee desiring to erect a new school building.<sup>21</sup>

When the above plans are not used, all other such must be submitted to his office for approval.<sup>22</sup> Several States give the State board of education, of which the chief State school official is generally a member, the function of supervising the planning of school buildings.<sup>23</sup> Still other States have no central State control and supervision; these, however, are rapidly decreasing in number.

A few States have a school building expert on the staff of the State department of education. This expert advises and assists communities in the planning, construction, repairing, and remodeling of school buildings. With the typical State spending several million dollars annually for school buildings, and with these expenditures rapidly increasing, it would seem that a few thousand dollars spent annually for the supervision of this work should be considered an excellent investment by every State in the Union.

#### FUNCTIONS RELATING TO TEACHERS' INSTITUTES.

By far the majority of teachers enter upon their work with comparatively little preparation for it. To increase the efficiency of the poorly trained, particularly, and to help the professionally trained as well, institutes have been provided in all States. The control and supervision of these institutes is chiefly local, devolving generally upon the county superintendent of schools. However, more than half of the States give the State department of education certain functions relating thereto. These functions pertain usually to the county institutes, which are held annually in most States. A few States give the office duties in connection with the State teachers' associations or conventions; for example, the superintendent of public instruction of Wyoming is required to hold annually a State teachers' institute at a time and place to be determined by him. Said institute, however, may be held at the same time and place as the annual meeting of the State teachers' association and concurrently therewith, in case the said association does not require as a condition of membership the payment of a fee or dues by a teacher who has paid the annual certificate registration fee. Said superintendent is also required to appoint a secretary and treasurer of the State teachers' institute, and in connection with this duty, he has the power to fix the compensation of said officers.<sup>24</sup>

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<sup>20</sup> N. J. Sch. Laws (1921), pp. 97-98.

<sup>21</sup> Me. Sch. Laws (1921), p. 9.

<sup>22</sup> *Ibid.*, p. 9.

<sup>23</sup> For a typical law, see W. Va. Sch. Laws (1920), p. 12.

<sup>24</sup> Wyo. Sch. Laws (1917), p. 119.



His most common functions relating to institutes are as follows: That of either fixing or helping to fix the time and place of holding them; that of either employing instructors or of recommending same; that of either making or approving rules for their government; that of holding them in person or through representatives; that of attending them when possible; that of outlining the work for them; and that of approving the holding of joint institutes. All institute functions are shown in section E of the table.

TABLE 10.—*Powers and duties of the chief State school official, 1923*—Continued.

**E. RELATING TO TEACHERS' INSTITUTES.**

Shall either fix or help to fix the time and place for holding institutes (17 States—Ala., Colo., Ga., Iowa, Kans., Md., Mass., Mich., Minn., Nev., N. Mex., N. Y., N. Dak., Oreg., S. Dak., W. Va., and Wyo.).

Shall either employ, recommend, or assist in employing institute instructors (13 States—Fla., Iowa, Kans., Md., Mich., Minn., Mont., Nev., N. J., N. Y., N. Dak., R. I., and W. Va.).

May either employ or recommend institute instructors (8 States—Ala., Ill., Ky., Nebr., N. H., Okla., Pa., and S. Dak.).

Shall either approve or make rules of government for institutes (9 States—Me., Mass., Mich., Mont., N. Y., N. Dak., Okla., S. Dak., and Tex.).

Shall encourage and assist in organizing institutes (5 States—Ala., Nebr., Oreg., R. I., and S. Dak.).

Shall either assemble or see to the assembling of teachers in institutes (14 States—Fla., Ga., Iowa, La., Me., Md., Minn., Nev., N. H., N. Mex., N. Y., Oreg., Tenn., and Wyo.).

Shall attend institutes when possible (10 States—Md., Mass., Nebr., N. Y., N. Dak., Oreg., S. Dak., Utah, Wash., and Wis.).

May attend, and assist in, institutes (Mo. and Ohio.).

Shall be a member of the board governing institutes (Utah.).

May excuse teachers from attending institutes (6 States—Ala., Mont., Nev., N. Mex., S. Dak., and W. Va.).

Shall outline the work for institutes (8 States—Ark., Ga., Iowa, Ky., Nev., N. J., N. Dak., and Okla.).

May excuse a county from holding an institute in case of a serious epidemic in the county (Calif.).

Shall require teachers to attend institutes (Ga., Nev., and Tenn.).

Shall be a member of the State board of examiners and institute conductors (N. C.).

Shall prescribe qualifications for all institute instructors (S. Dak.).

Shall call a meeting of all institute instructors (S. Dak.).

May call meetings of institute instructors (Ky.).

Shall either approve or publish institute proceedings (Ill., Me., and N. Dak.).

May approve the holding of joint institutes (5 States—Nebr., N. Mex., N. Y., Okla., and S. Dak.).

Shall advertise institutes (Mass.).

Shall supervise institutes (Wis. and Tex.).

Shall appoint a secretary and treasurer of the State teachers' association (Wyo.).

May revoke a teacher's license for failure to attend institutes (Wash.).

The institute functions of the office vary from nothing in some States to large control and supervision in others. In Nevada the office undoubtedly has larger powers and duties in this connection than that of any other State. In that State the superintendent of public instruction has the duty of convening biennially, in the even-numbered years, a State teachers' institute, and it shall meet in such place and at such times as he may deem advisable. He has the further duty of convening five district teachers' institutes, in the various sections of the State biennially, in the odd-numbered years, and in such places and at such times as he may deem advisable. He shall engage such institute lecturers and teachers as he shall deem advisable, and shall preside over and regulate the exercises of all State and district institutes, and shall order the State controller

to pay for such institutes. He has also the duty of calling, with the approval of the board of county commissioners, a county teachers' institute in any county, and at such time and place as in his judgment will best serve the educational interests of the county, and of presiding over and regulating the exercises of the same. He has the power to excuse teachers from attending any or all of the institutes, State, district, and county.<sup>25</sup>

#### FUNCTIONS RELATING TO TEACHERS' CERTIFICATES.

Centralization within the State department of education of the work of certifying teachers for the whole State is everywhere growing. This practice has the advantage of eliminating much of the petty officialism and exclusiveness often exhibited when local authorities grant certificates. Moreover, it permits a central authority to see that minimum standards demanded by the State are maintained everywhere. In accordance with this principle, practically all States give the chief State school official functions relating to the certifying system. These functions he exercises either individually or as a member of the State board of education or of the State board of examiners. The nature and extent of these functions are shown in section F of the table.

TABLE 10.—*Powers and duties of the chief State school official, 1923*—Continued.

##### F. RELATING TO TEACHERS' CERTIFICATES.

Shall issue or approve the issuance of certificates (31 States—Ark., Fla., Idaho, Ill., Ind., Iowa, Ky., Me., Md., Mich., Minn., Mo., Mont., Nebr., N. H., N. J., N. Mex., N. Y., Ohio, Okla., Oreg., Pa., S. C., S. Dak., Tenn., Tex., Va., Wash., W. Va., Wis., and Wyo.).
May revoke or suspend a certificate for reason (20 States—Ala., Ark., Fla., Idaho, Ill., Ind., Ky., Me., Md., Minn., Mo., Nebr., N. J., Oreg., Pa., S. Dak., Tenn., W. Va., Wis., and Wyo.).
Shall furnish teachers' examination questions to examiners (23 States—Ark., Colo., Fla., Ga., Iowa, Kans., Me., Md., Mich., Minn., Miss., Mo., Mont., Nebr., Nev., N. C., Ohio, Okla., Oreg., S. Dak., Tex., Wash., and W. Va.).
Shall approve examination questions (La.).
Shall be a member of the State board of examiners (12 States—Ala., Ariz., Calif., Colo., Ill., Iowa, Ky., Miss., Mont., N. J., N. C., and Tenn.).
Shall be an officer of the State board of examiners (7 States—Ala., Ariz., Colo., Ill., Mont., N. C., and Tenn.).
Shall appoint the members of the State board of examiners (12 States—Ala., Fla., Ill., Ky., Miss., Mont., Nev., Ohio, Oreg., Pa., Tex., and Wis.).
Shall file all examination manuscripts for a given period (5 States—Ala., Oreg., Pa., S. Dak., and Wash.).
Shall sign all certificates (6 States—Ala., Kans., La., Me., Nebr., and Ohio).
May honor certificates from other States (9 States—Ill., Ind., Minn., N. Y., Pa., S. C., S. Dak., Tex., and Wash.).
Shall set the time for examinations (10 States—Ark., Ga., Me., Minn., Nebr., Pa., S. Dak., Tenn., W. Va., and Wyo.).
Shall prescribe tests in actual teaching (Ohio).
Shall prescribe a list of theses for teachers to select from (Ill. and Oreg.).
Shall issue a bulletin on the certifying system (Md.).

<sup>25</sup> Nev. Sch. Laws (1921), pp. 13-14.

It is seen that the typical State gives him either the power or the duty of granting certain, or all, certificates, extending same, and honoring those of other States. The power of granting certificates usually carries with it the privileges of suspending and revoking. Thus, the chief State school official may suspend or revoke a certificate for immorality, incompetence, or malfeasance in office. About half the States give him the function of preparing teachers' examination questions.

In only a few States does he have complete control over the certifying machinery. The tendency is to make the supervision of this work one of the functions of the State board of education. Thus, the chief State school official is coming to certificate, subject to the rules and regulations of the State board, all teachers. About one-fourth of the States give the function of certifying teachers to the State board of examiners. The official in question usually has *ex officio* membership on this board and has the further duty of appointing the other members of it.

### MISCELLANEOUS FUNCTIONS RELATING TO TEACHERS.

In the next part of the discussion several miscellaneous functions relating to teachers, which could not be appropriately classified elsewhere, have been grouped. These are digested in Section G of the table.

TABLE 10.—*Powers and duties of the chief State school official, 1923*—Continued.

#### G. MISCELLANEOUS FUNCTIONS RELATING TO TEACHERS.

Shall be an <i>ex officio</i> member of the teachers' pension fund board (16 States—Idaho, Ill., Ind., Md., Mass., Mich., Minn., Mont., Nev., N. J., N. Dak., Okla., Pa., Vt., Wash., and Wis.).
Shall appoint the members of the pension fund board (N. Y. and Idaho <sup>26</sup> ).
Shall either formulate or approve rules for carrying out the provisions of the pension law (Me., Md., Mich., and N. Y.).
Shall certify to the proper authority teachers who are entitled to pensions (Me., Md., N. J., and Pa.).
Shall prepare ballots for the election of members of the pension fund board (Ill.).
Shall notify those who are elected to positions on the pension fund board (Ill.).
May direct that a teacher's salary be withheld for reason (N. J.).
Shall maintain a teachers' appointment bureau (6 States—Iowa, Me., Mich., Okla., S. Dak., and Wyo.).
Shall furnish teachers with a list of their pupils (Ala.).
Shall either prepare or approve teachers' reading circle courses (6 States—N. J., Oreg., Pa., Tenn., W. Va., and Wyo.).
Shall be an <i>ex officio</i> member of the teachers' reading circle board (S. Dak.).
Shall counsel and confer with teachers (Ill., Utah, and Wis.).
Shall approve the employment of teachers in temporary school districts (N. Y.).
Shall prepare a schedule for teachers' success grades (Ind.).
Shall recommend annually a salary schedule for all teachers (N. C.).

Three miscellaneous functions which occur fairly frequently are observed. These relate (1) to teachers' pensions, (2) to teachers' appointment bureaus, and (3) to teachers' reading circles. Owing to the rapid increase in provisions for teachers' pensions during recent years, the duties of the chief State school official connected

<sup>26</sup> In Idaho the superintendent of public instruction appoints two members of the pension board.

therewith have become among the most frequent. It is noted that 16 States make him a member of the teachers' pension fund board. These boards have the general function of administering the pension fund in the manner prescribed by law.<sup>27</sup>

The function relating to the maintenance of a teachers' appointment bureau is also fairly common and is becoming more so. Such a bureau is expected to serve the interests of both the teachers and school officers. His typical functions pertaining to this bureau are shown in the following law:

Any person qualified to teach in any public school of this or any other State may make application to the superintendent of public instruction for registration, and may file with such application indorsements, recommendations, references, and a copy of his or her certificate.

Upon receipt of such application and upon its appearing to the superintendent of public instruction that such person is a fit and suitable person to act as teacher in the public schools of this State, and upon the payment of a registration fee of \$1 it shall be the duty of the superintendent of public instruction to register such person on a list to be made and kept for that purpose and to file the recommendations, indorsements, references, and data as to grade of certificate.

It shall be the duty of the superintendent of public instruction to aid any school board or officer in selecting teachers, by furnishing such board or officer, upon application, with information and copies of letters of indorsement or reference on file in his office.<sup>28]</sup>

Functions having to do with teachers' reading circles are given him by seven States. Most of these make it his duty either to prepare or approve courses for these circles. This function is an important one, for these courses, if properly organized and administered, may be made an effective agency for the training of teachers in service. A few other States have teachers' reading circles, but the official under study has no functions connected therewith.

#### FUNCTIONS RELATING TO SCHOOL FINANCES.

One of the earliest functions of the chief State school official was that of supervising the collection, investment, and disbursement of the State school funds. This function has developed until it is one of the most common of all. Practically every State gives him the duty of distributing or ordering the distribution of the State school funds. Several States authorize him to withhold for reason the appropriation of any community. This power affords a very effective check upon all communities. His functions relating to school finances are indicated in Section H of the table.

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<sup>27</sup> See Md. Sch. Laws (1920), pp. 57-64, for a typical law.

<sup>28</sup> S. Dak. Sch. Laws (1920), p. 115.

TABLE 10.—*Powers and duties of the chief State school official, 1923—Continued.*

## H. RELATING TO SCHOOL FINANCES.

- Shall apportion or order the apportionment of school funds (41 States—Ala., Ariz., Ark., Calif., Colo., Fla., Ga., Idaho, Ill., Ind., Kans., Ky., Me., Md., Mass., Mich., Minn., Miss., Mo., Mont., Nebr., Nev., N. J., N. Mex., N. Y., N. C., N. Dak., Ohio, Okla., Pa., R. I., S. C., S. Dak., Tenn., Tex., Utah, Va., Wash., W. Va., Wis., and Wyo.).
- Shall take action against defaulters to the school funds (8 States—Ala., Ark., Ga., Ind., Ky., La., Ohio, and Tenn.).
- May withhold school funds for reason (17 States—Calif., Ill., Ind., Md., Mass., Minn., Mo., N. J., N. Y., Okla., Pa., R. I., S. C., S. Dak., Tex., Utah, and Wis.).
- May remit forfeitures of school funds (5 States—Conn., Ill., N. J., R. I., and S. C.).
- Shall be a member of the school fund commission (5 States—Kans., Mass., Nev., N. J., and W. Va.).
- May review and revise the school budget of any county upon request (N. C.).
- Shall take care of gifts to the schools (Ky., Me., and N. Y.).
- May give his consent to the sale of school property (N. Mex.).
- Shall report unsafe investments of school funds to the legislature (Ind.).
- May sell school lands in certain cases (Ala.).
- Shall give to the State comptroller a list of the towns which have incurred a financial penalty (Conn. and R. I.).
- Shall prepare a budget for the State normal schools (N. C.).

The way in which the school funds are distributed may be seen by studying a typical law. Such a law, namely, that of Kansas, follows:

Such State superintendent shall distribute the income of the State school fund and the annual taxes collected by the State for the support of common schools to those counties of the State from which the proper reports have been received by said State superintendent. Such distribution shall be made twice in each year, as follows: All such moneys received up to the 15th of February shall be distributed between the 15th and last day of such month, and that received up to the 15th day of August shall be distributed between the 15th and last day of such month. The apportionment to each county shall be made in proportion to the number of children over the age of 5 years and under the age of 21 years resident therein, as shown by the last annual report of the county superintendent to the State superintendent.<sup>29</sup>

## FUNCTIONS RELATING TO PUBLICITY AND PUBLICATION.

Another historic function of the office relates to publicity and publication. This work is considered so important that the States generally direct the office to collect and diffuse educational information in every way possible. This publicity is given through addresses, communications, and by the publication of pamphlets, bulletins, and a special report to either the State board, governor, or legislature. These functions are indicated in Section I of the table.

TABLE 10.—*Powers and duties of the chief State school official, 1923—Continued.*

## I. RELATING TO PUBLICITY AND PUBLICATION.

- Shall make a report periodically (all the States except Conn., Del., and Mass.).
- Shall compile, print, and distribute the school laws (32 States—Ala., Ariz., Ark., Calif., Colo., Conn., Fla., Idaho, Ind., Iowa, Ky., Me., Miss., Mo., Mont., Nebr., Nev., N. H., N. J., N. Mex., N. C., N. Dak., Ohio, Okla., Oreg., S. C., Tenn., Tex., Utah, Wash., Wis., and Wyo.).
- May print and distribute the school laws (Kans.).
- Shall collect and disseminate educational information (16 States—Ala., Colo., Idaho, Iowa, Kans., Me., Mass., N. H., Nev., N. C., Ohio, R. I., S. C., Tenn., Utah, and Wis.).
- Shall or may publish pamphlets on various topics (18 States—Ariz., Ark., Iowa, Kans., Ky., Me., Md., Mass., Mich., N. Mex., N. C., Ohio, Okla., Pa., R. I., W. Va., Wis., and Wyo.).
- Shall address circular letters to county superintendents (5 States—Ill., Me., N. C., Oreg., and Va.).
- Shall prepare, print, and distribute to school officers and teachers' forms and blanks (43 States—Ala., Ariz., Ark., Calif., Colo., Fla., Ga., Idaho, Ind., Iowa, Kans., Ky., Me., Md., Mass., Minn., Miss., Mo., Mont., Nebr., Nev., N. H., N. J., N. Mex., N. C., N. Dak., Ohio, Okla., Oreg., Pa., R. I., S. C., S. Dak., Tenn., Tex., Utah, Va., Vt., Wash., W. Va., Wis., and Wyo.).
- May publish parts of the reports of the State board of education (Mass.).

<sup>29</sup> Kans. Sch. Laws (1919-20), p. 229.

More than half of the States make it his duty to publish, usually every two years, the school laws in force, with such forms, regulations, instructions, and decisions as he may judge expedient to attach thereto. It is made his duty further to cause the same to be forwarded to such persons as are entitled to receive them. In a few States, due to the fact that the legislature meets annually, he is required to publish the school laws annually.

His report is usually made to the governor, though a few States direct that it be made to the legislature or to the State board of education. The report is made either annually or biennially, generally the latter, because the data which it contains are needed for the legislature, which in most States meets biennially. The data to be included in the reports are usually specified, the specifications of Kansas being typical. In that State:

The superintendent shall, on the 1st day of December preceding each regular session of the legislature, make out and deliver to the governor a report containing: (1) A statement of the number of common schools in the State, the number of scholars attending the same, their sex, and the branches taught; a statement of the number of private and select schools of the State so far as the same can be ascertained, and the number of scholars attending the same, their sex, and the branches taught; a statement of the number of normal schools in the State, and the number of students attending them; the number of academies and colleges in the State, and the number of students, and their sex, attending them; and such other matters of interest as he may deem expedient, drawn from the reports of the several county superintendents of the several counties in the State, and from other reports received on the subject of education from trustees or other school boards within the State. (2) A statement of the condition of the common school fund of the State, including moneys, school lands, or other property held in trust by the State for the support of common schools, and giving a full statement of the school-land account of each county. (3) A statement of the receipts and expenditures for the year. (4) A statement of plans for the management and improvement of common schools, and such other information relating to the educational interests of the State as he may deem important.<sup>30</sup>

With the end in view that the work of school officers in keeping and reporting statistics shall be reduced to a minimum, and in order that such statistics may be made more serviceable, the official in question is given, in practically every State, the duty of preparing, printing, and distributing blanks and forms for keeping and reporting such statistics. Most States also authorize him to prescribe the way in which statistics shall be kept and reported.

Several States direct him to secure information regarding the systems of schools in other States and to make this available in his own State. The pamphlets and bulletins which he is to publish are usually specified, the most common subjects with which they deal being various holidays, such as birthdays, anniversaries of great events, and other special days, such as Arbor and Bird Days,

<sup>30</sup> Kans. Sch. Laws (1919-20), pp. 230-231.

Good Roads Day, State Day, and Fire Prevention Day. Some States, however, give him power to publish pamphlets or bulletins on any subject of educational interest.

### FUNCTIONS RELATING TO SCHOOL OFFICERS.

The chief State school official is enabled to maintain contact with and supervision over the lower school officers, such as school boards and county superintendents, by receiving reports from them on various subjects. These reports are generally made annually, and their contents are usually legally prescribed in the main. However, most States authorize him to require any additional information which he may deem necessary. The reports are generally transmitted to him through the county superintendents. They deal with such matters as the school census, school finances, the general condition of the schools, and with other items which he may care to suggest. Section J shows the nature and extent of these functions.

TABLE 10.—*Powers and duties of the chief State school official, 1923—Continued.*

#### J. RELATING TO SCHOOL OFFICERS.

May require reports from, or shall receive reports from, school officers (all the States except Connecticut and Delaware).  
 May remove various school officers or recommend their removal (12 States—Ala., Ark., Fla., Ga., Md., Mich., Nev., N. Mex., N. Y., Pa., Tenn., and W. Va.).  
 Shall hold or encourage the holding of school officers' and superintendents' conferences (19 States—Ala., Ariz., Fla., Idaho, La., Me., Md., Mass., Mich., Minn., Mont., N. J., N. Dak., Oreg., S. Dak., Tenn., Utah, Wash., and Wis.).  
 May hold school officers' and superintendents' conferences (Calif., Miss., Mo., and W. Va.).  
 Shall advise, counsel, and assist school officers (21 States—Ark., Ga., Ill., Iowa, Me., Miss., Mo., Mont., Nebr., Nev., N. J., N. Mex., N. Y., N. C., N. Dak., Pa., Tex., Vt., Wash., Wis., and Wyo.).  
 Shall fill vacancies in the office of county superintendent (6 States—Kans., Ky., N. J., Pa., W. Va.,<sup>1</sup> and Wis.).  
 Shall approve the appointment of certain school officers (Md. and N. J.).  
 Shall appoint all county superintendents (N. J.).  
 May appoint school officers ad interim (Ala., Fla., Nev., and S. C.).  
 May withhold salaries of school officers for reason (N. J., N. Y., and Tenn.).  
 May order a special election for filling vacancies on the school boards of certain districts (N. Y.).  
 Shall report county superintendents to their boards for negligence (N. C.).  
 Shall notify school boards to meet and elect a superintendent (Vt.).  
 Shall call for reason a meeting of a school board for considering the removal of the superintendent (Vt.).  
 Shall commission school officers (Ga., Pa., and Wis.).

Further control and supervision of the chief State school official over school officers is had in about half the States by requiring or authorizing him to hold annual meetings of school officers. These meetings usually include only superintendents and, particularly, county superintendents. About the same number of States stipulate that the office shall advise, counsel, and assist school officers in every way possible.

Some States permit him to suspend, remove, or take action against school officers for immorality, incompetence, or malfeasance of office. In most States, however, the officer suspended or removed may appeal to the State board of education.

<sup>1</sup> In West Virginia he fills vacancies only in case of a tie vote of the county board.

A few States authorize him to fill vacancies in the office of county superintendent, and one (New Jersey) permits him to appoint all county superintendents, while another (Maryland) authorizes him to approve the appointment of them. His powers and duties in connection with school officers have particular reference to those officers for rural schools; less frequently do they refer to city school officers.

#### **FUNCTIONS RELATING TO THE STATE INSTITUTIONS.**

Contact of the chief State school official with the work of the State institutions is maintained by making him a member of the boards for these institutions. His functions in this connection have more to do with the educational institutions than with the elementary, corrective, and others. About half the States make him an *ex officio* member of the State normal school board, and a slightly less number give him membership on the State university board. His institutional relations are probably more varied and important in New York and Pennsylvania than in any other States. This is particularly true as regards the State normal schools. These facts are shown in Section K of the table.

A few States have the practice of making the official in question a member of various boards, with the right to speak but not to vote. Some of them have this practice even as regards the State normal schools, over which it would seem he ought to have some real control and supervision, because of their important functions of training teachers for the public schools of the State. The tendency is to give him greater control over the normal schools.



TABLE 10.—*Powers and duties of the chief State school official, 1923*—Continued.

## K. RELATING TO THE STATE INSTITUTIONS.

*(All State Institutions and Schools.)*

Shall be a member of the board for each State institution (7 States—Ga., La., Mich., Miss., N. Mex., Tenn., and Va.).

Shall visit and inspect all the State institutions (5 States—Fla., Mich., N. Mex., Okla., and Oreg.).

Shall visit and inspect all the State charitable institutions (Ill., Ohio, and R. I.).

*(State Normal Schools.)*

Shall be a member of the State normal school board (14 States—Ala., Calif., Colo., Ill., Ind., Ky., Me., Md., Minn., Mo., Nebr., N. Y., R. I., and Wis.)

Shall call meetings of the normal school principals to prepare a course of study (Pa.).

Shall be an officer of the normal school board (5 States—Ala., Ill., Ky., Minn., and N. Y.).

Shall appoint Indian youths to attend the normal schools (N. Y.).

Shall appoint members of the normal school board (N. Y. and Pa.).

Shall sign all normal school diplomas (Pa.).

May call meetings of the normal school board (Ala. and Pa.).

Shall appoint certain students to attend the normal schools (N. Mex.).

Shall approve all changes in the by-laws of the normal school board (N. Y. and Pa.).

Shall be a member of a commission to determine normal school districts (Ky.).

May approve summer sessions of the normal schools (S. Dak.).

Shall prepare questions governing admission to the normal schools (Nebr.).

Shall approve all appointments of teachers in the normal schools (N. Y.).

Shall approve the acceptance of gifts to the normal schools (N. Y.).

May visit the normal schools (Pa.).

Shall prescribe tuition rates for nonresident students (N. Y.).

Shall have general supervision over the normal schools (N. Y.).

Shall be a member of the board to inspect the normal schools (Ky.).

Shall visit and inspect the normal schools (Calif. and N. Y.).

Shall be a member of the normal school executive council (Ky.).

*(State University.)*

Shall be a member of the State university board (10 States—Ala., Calif., Ill., Ky., Minn., Miss., R. I., S. C., Wis., and Wyo.).

Shall be a member of the board of visitors for the inspection of the State university (Ind. and Wash.).<sup>22</sup>

Shall be president of the university (N. Y.).

Shall certify to the senate the names of the members elected to the State university board (Ala.).

Shall visit and inspect the State university (Nev.).

*(State Agricultural Colleges.)*

Shall be a member of the agricultural college board (Ala., Mass., Miss., and N. Y.).<sup>23</sup>

Shall prescribe questions for admission to the agricultural college (N. J.).

*(Miscellaneous Institutions.)*

Shall be a member of the polytechnic institute board (Ala. and Calif.).

Shall be a member of the board for the Girls' Polytechnic Institute (Ala.).

Shall be a member of the board of the school for the deaf (Ala.).

Shall have general supervision over the school for the deaf (Wis.).

Shall be a member of the board of the school for the blind (Ala.).

Shall be a member of the mining school board (Wis.).

Shall be a member of the reform school board (Ala. and Wyo.).

Shall visit the orphan asylums of the State (Calif.).

Shall visit and inspect the boys' school (Ind.).

Shall be a director of the State orphans' home (Nev.).

Shall direct and supervise the work of the State school for the blind (N. Y.).

Shall be a member of the board of trustees of the institute for the deaf, dumb, and blind (S. C.).

Shall be a member of the board of trustees of the State college for women (S. C.).

<sup>22</sup> Washington State College.

<sup>23</sup> Cornell.

## FUNCTIONS RELATING TO PUPILS.

In the final analysis, all functions of the chief State school official, or of any school official, for that matter, relate directly or indirectly to the welfare of pupils, for it is for the pupils that the schools are organized and supported. It has been considered helpful to list in Section L of the table his miscellaneous functions relating to pupils.

TABLE 10.—*Powers and duties of the chief State school official, 1923*—Continued.

## L. MISCELLANEOUS FUNCTIONS RELATING TO PUPILS.

- Shall provide for teachers to test periodically the sight and hearing of pupils (10 States—Colo., La., Me., Md., N. Y., N. C.,<sup>34</sup> R. I., Vt., Va., and Wyo.)
- Shall prescribe admission requirements for normal training classes in high schools (7 States—Iowa, Mo., Nebr., N. Y., Ohio, Oreg., and S. Dak.)
- Shall sign pupils' diplomas (Ark., Ky., Tenn., and Wash.).
- Shall approve the graduation of high-school students (Md.).
- Shall prescribe rules for the graduation of pupils (Ala.).
- May issue employment certificates (Del., N. H., N. J., and R. I.).
- May cancel employment certificates (Calif. and N. J.).
- Shall enforce the State law relating to the employment of children (Mo. and N. H.).
- Shall determine whether or not a certain employment is injurious to pupils' health (W. Va.).
- Shall approve rules governing school attendance (N. J. and N. C.).
- Shall be a member of the State board of truancy (Ind.).
- May excuse pupils from school attendance for certain reasons (N. H.).
- Shall approve the establishment of special classes for defective children (7 States—Minn., Mo., Nev., N. J., Ohio, Pa., and Wis.).
- Shall be a member of the State board of charities and corrections (Nebr.).
- Shall apportion certain scholarships (N. Y.).
- Shall ascertain pupils who are three years or more below normal (N. J. and N. Y.).
- Shall furnish pupils' examination questions to the proper authorities (7 States—Ind., Iowa, Nebr., N. J., Oreg., Wash., and W. Va.).
- May sanction certain secret societies for pupils (Vt.).
- Shall be a member of the juvenile court commission (Utah.).
- Shall be a member of the child welfare board (N. Mex. and S. Dak.).
- Shall approve the transportation of pupils in certain cases (N. Y. and Vt.).
- Shall approve the transfer of pupils in certain cases (Nev.).
- Shall determine the residence of pupils upon appeal (Vt.).
- Shall fix the tuition of pupils in certain cases (Colo., Minn., and Pa.).
- Shall provide for the education of children in unorganized territories (Me.).
- Shall prescribe admission requirements for agricultural high schools (Nebr.).
- Shall prescribe admission requirements for high schools (Pa.).
- Shall prescribe rules for discovering mentally defective children (N. Y.).

None of the several functions listed above occur very frequently. Only one is found in as many as 10 States; this one has reference to the annual giving of sight and hearing tests. In performing this function the chief State school official usually prescribes directions for giving such tests, and furnishes test cards, blanks, and other useful appliances for same.<sup>35</sup>

<sup>34</sup> In North Carolina he prescribes rules for complete physical examinations.

<sup>35</sup> For a typical law, see Me. Sch. Laws (1921), p. 21.

### FUNCTIONS RELATING TO MEMBERSHIP ON MISCELLANEOUS BOARDS.

In the preceding part of the table and further in its discussion all of the board memberships of the chief State school official, relating to any of the headings mentioned, have been indicated. In addition to these memberships, he has others on various miscellaneous boards. His membership on these is indicated in Section M of the table.

TABLE 10.—*Powers and duties of the chief State school official, 1923*—Continued.

#### M. MEMBERSHIP ON MISCELLANEOUS BOARDS.

Shall be a member of the State board of school land commissioners (Mont., N. Dak., and Wyo.).  
 Shall be a member of the board of compromise for school lands (Ala.).  
 Shall be a member of the State illiteracy commission (Ala., Ark., Ga., and Miss.).  
 Shall appoint the members of the State illiteracy commission (Miss.).  
 Shall be a member of the State archives committee (Wash.).  
 Shall be a member of a commission to locate one high school in each county (Ala.).  
 Shall be a member of the State voting machine committee (Wash.).  
 Shall be a member of the board of control for community work (Wash.).  
 Shall be a member of the State normal and high-school cadet commission (Ariz.).  
 Shall be a member of the State dental council (Nebr. and Pa.).  
 Shall be a member of the State geological board (Ga.).  
 Shall be a member of the State board of canvassers of elections (N. Dak.).  
 Shall be a member of the State board of health (Ga. and S. Dak.).  
 Shall be a member of the college commission to regulate the granting of degrees (N. C.).  
 Shall be a member of the board for the standardization of colleges (Oreg.).  
 Shall be a member of the board to locate county schools of agriculture (Wis.).  
 Shall be a member of the county normal school board (Mich.).  
 Shall be a member of a board to determine the advisability of annexing a part of a school district (Utah).  
 Shall be a member of the board for the rehabilitation of soldiers and sailors (Mass. and N. Y.).  
 Shall be a member of the bureau of medical inspection and licensure (Pa.).  
 Shall be a member of the State board of embalmers (Nebr.).  
 Shall be a regent of the State board of medical examiners (N. H.).  
 Shall be a member of the board of supervisors of the bureau of professional education (Pa.).

The functions of the above boards, committees, and commissions are not very large. In addition to being a member of these miscellaneous boards, the official under view is frequently an *ex officio* officer to them. The office given is usually that of president, secretary, or executive officer.

Little explanation is needed of the powers and duties of the foregoing boards, committees, and commissions. Regarding them, however, it may be briefly said that the State board of school land commissioners has control of the selection, appraisement, rental, sale, disposal, and management of all school lands of the State. The State board of compromise for school lands examines into the title of the claim of the State to any school lands which have illegally passed out of the possession of the State or which have been disposed of by the State and not paid for. The State illiteracy commission has the duty of studying and collecting data in regard to adult illiteracy and, further, of doing everything possible for the elimination of such illiteracy; these commissions are found in the Southern States only.

The State board of supervisors for community school work attempts to secure a wider use of school buildings by the communities of the State. The State bureau of medical inspection and licensure inspects all medical schools and licenses all practicing physicians. The State dental council supervises and provides rules for the examination of all applicants for license to practice dentistry in the State. The State board of supervisors of the bureau of professional education has the duty of the determination, valuation, standardization, and regulation of the preliminary education, both secondary and collegiate, of those admitted to the practice of medicine, dentistry, and pharmacy in the State; it has the further duties of preparing and distributing circulars, and of holding examinations, and the issuing of certificates to those found proficient. The county normal school board determines the qualifications for admission to the county normal training classes, determines courses of study, and grants certificates to those who have finished the course of study. The State normal and high-school cadet commission arranges for military training in the high schools and State normal schools. The State board of canvassers has the duty of canvassing and ascertaining the results of State elections. The college commission on the regulation of the granting of degrees licenses all institutions in the State which the commission may empower to grant degrees. The board for the standardization of colleges standardizes colleges for the granting of teachers' certificates. The board to determine the advisability of annexing a part of a school district to a city determines the value of such annexed property and equitably apportions the amount of money due the district board, or the board of education of such city, as the case may be. Other State boards, committees, or commissions upon which he has ex officio membership are: The archives committee, the voting machine committee, the geological board, the board of health, the board for the rehabilitation of sailors and soldiers, and the board of embalmers.

Most of the above, it is seen, have educational functions. Some, however, do not have such functions. One wonders why the official in question has been made a member of some of them; for example, the State board of embalmers, of which Nebraska makes him a member.

## MISCELLANEOUS FUNCTIONS.

Listed under this heading are some of his largest and most frequently occurring functions; for example, his general supervisory and judicial functions, both of which are large, and which are given him in practically all States. The functions which may be serviceably classified as miscellaneous are shown in Section *N* of the table.

TABLE 10.—*Powers and duties of the chief State school official, 1923—Continued.*

## N. MISCELLANEOUS FUNCTIONS.

*(General Supervision and Inspection.)*

- Shall have general supervision over the schools of the State (36 States—Ala., Ariz., Ark., Calif., Colo., Fla., Ga., Ill., Ind., Iowa, Kans., La., Me., Mich., Minn., Miss., Mo., Mont., N. H., N. J., N. Mex., N. Y., N. C., N. Dak., Ohio, Okla., Oreg., Pa., R. I., S. C., S. Dak., Tex., Utah, Wash., W. Va., and Wis.).
- Shall visit the various counties or districts of the State periodically (23 States—Ala., Calif., Colo., Ga., Idaho, Ind., Kans., Ky., La., Mass., Nev., N. H., N. Mex., N. C., Oreg., R. I., S. C., Tenn., Tex., Utah, Va., Wash., and Wyo.).
- Shall visit schools (Nebr., S. Dak., and Wis.).
- May visit schools (Mo., N. Y., and Ohio).
- Shall visit and inspect schools upon request (Me.).
- Shall inspect schools (Iowa, Md., Miss., Okla., Pa., and Utah).
- May combine or dissolve towns for purposes of supervision (Me. and R. I.).
- Shall supervise normal training classes of high schools (Mich. and Wis.).
- May appoint county school examiners (Tenn.).
- May call meetings of the State high-school inspectors (Ohio).

*(Unclassified.)*

- Shall direct the work of the bureau of vocational education (Pa.).
- Shall take an oath of office (15 States—Ala., Ark., Colo., Ga., Idaho, Ill., Iowa, Kans., Ky., Mo., Mont., Ohio, S. C., Utah, and Va.).
- Shall give bond (15 States—Ala., Colo., Ga., Idaho, Ill., Kans., Ky., Miss., Mo., Mont., Ohio, Okla., S. C., Utah, and Va.).
- Shall have an office at the State capitol (31 States—Ala., Ariz., Ark., Colo., Ga., Idaho, Ill., Iowa, Kans., Ky., La., Me., Mich., Miss., Mo., Mont., Nebr., N. J., N. Mex., N. C., N. Dak., Ohio, Okla., Oreg., S. Dak., Tenn., Tex., Utah, W. Va., Wis., and Wyo.).
- Shall keep the records of his office (25 States—Ala., Ark., Colo., Idaho, Ill., Iowa, Kans., La., Me., Mass., Mo., Mont., Nebr., N. J., N. Mex., N. Y., N. C., N. Dak., Ohio, Okla., Oreg., S. C., S. Dak., Va., and Wash.).
- Shall collect in his office samples of school books, globes, charts, maps, etc. (11 States—Ala., Kans., Me., Mass., Miss., Mont., N. Dak., Okla., S. C., Tenn., and Wis.).
- Shall deliver all records and office belongings to his successor (17 States—Ark., Calif., Colo., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., Mich., Mont., Nev., N. J., N. Mex., N. Dak., S. C., Utah, and Wash.).
- Shall keep and use an office seal (18 States—Ala., Ariz., Ark., Calif., Colo., Fla., Miss., Mont., N. J., N. Y., N. C., N. Dak., Pa., S. C., Utah, Va., Wash., and W. Va.).
- Shall appoint, or recommend for appointment, certain members of his staff (all of the 48 States)<sup>86</sup>
- Shall decide appeals, and interpret the school laws (40 States—Ala., Ark., Calif., Colo., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., La., Md., Mich., Minn., Miss., Mont., Nebr., N. H., Nev., N. J., N. Mex., N. Y., N. C., N. Dak., Ohio, Okla., Oreg., Pa., R. I., S. Dak., Tenn., Tex., Vt., Utah, Va., Wash., W. Va., Wis., and Wyo.).
- Shall furnish the United States Commissioner of Education such information as he may desire (Utah).
- Shall have bound all valuable reports, journals, etc., of the office (Calif. and Miss.).
- Shall act as custodian of the records of the State board of education (Conn.).
- Shall present routine business to the State board of education (Conn.).
- Shall furnish standard schools with identification plates (Iowa and Ohio).
- Shall provide for schools in defunct districts (Me.).
- May administer oaths (9 States—Md., Nev., N. J., N. Y., N. Dak., Pa., Wash., W. Va., and Wyo.).
- Shall approve the establishment of normal training classes in high schools (10 States—Iowa, Md., Mich., Mo., Mont., Nebr., N. Y., Ohio, S. Dak., and Wis.).

<sup>86</sup> Chapter X of this volume deals with his staff of helpers.

TABLE 10.—*Powers and duties of the chief State school official, 1923—Continued.*

## N. MISCELLANEOUS FUNCTIONS—Continued.

- Shall designate an arbor day (N. Y.).
- Shall designate a State day (Minn.).
- Shall designate a "Carleton Day" (Mich.).
- Shall approve the consolidation of school districts (8 States—Minn., Nev., N. Mex., Okla., R. I., S. Dak., Tex., and Wis.).
- Shall order an election to vote on a proposal for consolidation (Minn.).
- Shall approve any change made in the numbering of a school district (Wis.).
- Shall ask the opinion of the attorney general in certain cases (Minn., N. Mex., and Okla.).
- May require the opinion of the attorney general (Oreg. and R. I.).
- Shall, with the secretary of State board of health, make rules for the school nurses (Mont.).
- Shall approve hospital training schools (N. H.).
- Shall certificate persons desiring to enter certain professions (N. J.).
- Shall direct some one to give notice of a school election in certain cases (N. Y.).
- Shall perform duties of defaulting school boards (N. Y.).
- Shall approve contracts of school districts with academies (N. Y.).
- Shall approve the employment of all school nurses, physicians, and physical directors (Va.).
- Shall approve rules governing the care of privies (N. C.).
- Shall district or redistrict city school districts in certain cases (Ohio and Pa.).
- Shall designate the location of county normal schools (Ohio).
- May request bureaus of efficiency to assist in school surveys and investigations (Ohio).
- Shall approve and classify correspondence schools (Ohio).
- Shall organize and conduct a bureau of professional education (Pa.).
- Shall organize and conduct a bureau of medical inspection and licensure (Pa.).
- Shall keep in his office a school directory (Wash.).
- Shall approve all colleges granting degrees (Ohio).
- May permit schools to be opened when the enrollment is 10 (Va.).
- Shall approve the formation of central rural-school and high-school districts (N. Y.).
- Shall approve the establishment of temporary school districts (N. Y.).
- Shall approve the setting off of school neighborhoods (N. Y.).
- May excuse communities from establishing part-time schools (Ariz., N. Mex., and Oreg.).
- Shall publish requests of business colleges to canvass (Kans.).
- May district the State for the training of illiterates and non-English-speaking persons (N. Y.).

In order that the reader may have a fuller view of the situation, a few of the most important and frequently found miscellaneous functions are briefly discussed below.

*General supervision.*—Most States introduce the laws defining his functions by saying, "he shall have general supervision over the schools of the State." The foregoing phrase is frequently found in the section of the State constitution which provides for the office. Most legislatures in legislating functions for the office have been liberal in interpreting the phrase, especially with regard to the elementary schools. The laws of some States specifically vest in him "general supervision over all schools, from the common schools through the university"; while others give him "general supervision over the common schools of the State."

About half of the States either suggest or require that he visit every county, parish, or district annually, or at least once during his term of office, for the purpose of inspecting schools and of advancing and promoting the cause of education in every way possible.

The tendency is to give him greater functions of a supervisory or an inspectorial character. In order that he may perform these functions more effectively, practically all States authorize him to appoint various inspectors and supervisors of different departments. Inspection and supervision are necessary if the State is to know whether or not its school funds are correctly applied and if it is to be informed as to the status of education throughout the State. No State, therefore, can afford to be parsimonious in its provision of funds for this important work.

*Judicial.*—Practically all States give him the functions of deciding appeals and of interpreting the school laws. In most States, however, his judgment may be set aside by either the courts or the State board of education. Only one State (New York) gives him absolute judicial power. In that State the decisions of the commissioner of education on any school matter "shall be final and conclusive, and not subject to question or review in any place or court whatever."<sup>37</sup>

Other miscellaneous duties listed which occur fairly frequently are: To take an oath of office and give bond; to keep an office and its records at the State capitol; to deliver all office records and office belongings to his successor; to collect in his office samples of school-books, globes, maps, charts, etc., and particularly those which may be had free; and to keep and use an office seal.

#### SUMMARY.

From the foregoing table and the discussion accompanying it, it is seen that there are an almost endless number and variety of powers and duties attached to the office. Yet many common veins run through the laws. Indeed, as a whole they are very similar, reading exactly the same in some instances among several States. In agreement with the sociological principle that the younger tend to imitate the older, the legislation of the newer States of the West has always tended to follow that of the older States of the East.

It is noted that in some States very large functions are given the office, while in others they are very small. In most States the functions relate chiefly to the elementary schools, less frequently to the secondary schools, and very infrequently to the higher institutions of learning.

In New York the powers and duties are unquestionably larger than in any other State. In that State the whole educational system, from the elementary school through the university, is brought under the direction, supervision, and inspection of the office.

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<sup>37</sup> N. Y. Sch. Laws, 1921, pp. 294-295.

In a few States, particularly Connecticut, Delaware, New Hampshire, and Vermont, the powers and duties are prescribed almost entirely by the State board of education. These cases, however, are the exception.

As suggested above, the practice is to define by law the functions of the office. These were first defined in the statutes creating the office and have been added to as time has progressed.

A specific definition of functions has the advantage of helping a weak executive, guiding an untrained one, and should in no way, if properly administered, hamper a strong official, but, instead, should make him more effective in his work. More, such a definition of functions may at times protect the office from encroachments and usurpations of a meddling State board; and similarly, it may save at times the schools from a weak and meddling chief State school official.

The tendency has always been to give larger functions to the office. With regard to this tendency some educators say that centralization of educational functions has already gone too far—that such centralization is stifling community initiative. Yet others as confidently affirm that centralization of functions has not yet progressed far enough—that communities need to be more and more encouraged, helped, and even compelled, if necessary, to bring their schools up to an increasingly higher standard of efficiency. Certain it is that this tendency to centralize more and larger functions within the office of chief State school official is one of the outstanding characteristics of present education.

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## Chapter X.

### STAFF OF THE OFFICE.

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#### THE TYPE AND SIZE OF THE STAFF.

The duties and responsibilities of the chief State school officials are numerous, complex, and varied. To be effective in the exercise of these functions, the officials under view must be provided with a clerical and professional staff which is both competent and sufficient. Any other provision results in important work being left wholly or partially undone, or prevents its being done in a prompt and efficient manner.

The State departments of education have only a few officials that are common to any considerable number of States. Those officials that are found in more than half of the States are as follows: Deputies or general assistants; supervisors of high schools; supervisors of



rural schools; chief clerks; directors of vocational education; supervisors of agriculture; supervisors of home economics; and supervisors of trades and industry. Other officials that are coming to be more frequently employed are: Statisticians; heads of certification departments; supervisors of teacher training; supervisors of physical training; and directors of Americanization. Specialists, such as legal advisers, school building agents, research experts, and many others for which there would seem to be need are just beginning to appear.

The size of the staff for a particular State department is determined by several things, among which are the size of the State, the population, the diversity of educational interests, the form of organization of the department, and the powers and duties given to the department. In States such as New York and Pennsylvania, for example, due to the potency of the foregoing factors, the staffs are very large, including several hundred persons.

Mr. C. P. Cary, former superintendent of public instruction in Wisconsin, addressing the chief State school officials at the meeting of the National Department of Superintendence in 1920, said that in States such as Wisconsin or Indiana a State department should include not less than 40 persons, and that of these, about one dozen should be stenographers and clerks. His suggested list includes 26 individuals, as follows:<sup>1</sup>

Supervisors of educational tests and measurements-----	2
Supervisors of rural schools-----	4
Supervisor of rural teacher training-----	1
Supervisors of grade work in cities-----	4
Supervisors of high schools-----	3
Supervisor of manual training-----	1
Supervisor of domestic science-----	1
Psychologists and supervisors of exceptional classes-----	2
Director of physical education-----	1
Supervisor of education of deaf and blind-----	1
Supervisors of village and graded rural schools-----	3
Supervisor of music-----	1
Supervisor of drawing-----	1
School architect-----	1

It is evident that Mr. Cary's list does not provide for all the duties and responsibilities exercised by some of the State departments. For instance, it does not provide for directors of Americanization, supervisors of vocational education, and legal experts, all of which are being introduced into some States. It does, however, suggest a staff which would be much more adequate than is found in the typical State to-day, and one which, it seems, the typical State could afford.

<sup>1</sup> School and Society, Vol. XI, pp. 336-342.

In California the special legislative committee on education has recommended the following divisions for the State department of education of that State: Business; publication, information, and statistical; legal; research; teacher-training; examining, certifying, and pensioning; buildings and sanitation; vocational education; secondary education; elementary education; special education; rehabilitation; adult education; health and physical-welfare division; arts and music; and library.<sup>2</sup>

Only 6 States have a staff comprising as many as 40 members, while 20 States have a staff of less than 15 members. Seven States have fewer than 10 persons on their respective staffs.

### SELECTION OF THE STAFF.

The prevailing practice is to permit the chief State school official to appoint the members of his staff, which practice is in accord with the best educational theory of to-day. But the probable merit of his appointment depends somewhat upon how he himself is selected.

These appointments ought to be made, not on the basis of political expediency, but solely on the basis of the ability of the appointee to perform genuine service for the schools of the State.

### SALARIES OF MEMBERS OF THE STAFF.

A view of the State's conception of the importance of a competent staff, as well as another view of the probable competency of the staff, may be had by noting the salaries paid its members.

TABLE 11.—*Number of States paying certain salaries to members of the staffs of the State departments of education.*<sup>3</sup>

Salary groups.	Deputy or assistant.	Chief clerk.	Rural school supervisor.	High-school supervisor.	Director of vocational education.	Supervisor of agriculture.	Supervisor of home economics.	Supervisor of physical education.	Director of Americanization.	Supervisor of teacher placement.	Supervisor of trades and industry.	Supervisor of teacher training.	Statistician.	Total.
\$1,100-\$1,799.....	7	7				1	1	1		1		1	7	19
\$1,800-\$2,499.....	9	10	8	6		1	14		4	2	1	2	6	61
\$2,500-\$3,199.....	15	7	4	7	7	19	15	2	3	1	17	7	3	105
\$3,200-\$3,899.....	5	2	16	11	5	11	4	4		3	7	6	2	76
\$3,900-\$4,599.....	3	2	3	7	4	5		3	2		6	2		37
\$4,600-\$5,299.....	1	1	3	3	6	1		2			1	1		19
\$5,300-\$5,999.....			1	1	1				1			1		5
\$6,000-\$6,699.....	1				1									2
\$6,700-\$7,399.....	1													1
\$7,400-\$8,099.....	1													1
Total.....	36	29	35	35	24	38	34	12	10	7	32	18	18	326
Median salary.....	\$2,919	\$2,324	\$3,440	\$3,485	\$3,899	\$3,125	\$2,593	\$3,724	\$2,733	\$2,849	\$3,117	\$3,316	\$2,033	\$3,053

<sup>2</sup> Rept. Calif. Spec. Leg. Committee on Educ. (1920), pp. 26-29.

<sup>3</sup> The salaries of the chief State school officials were given in Table 7, and hence need not be given again.

The salaries paid to those in charge of the more recently established and supposedly more technical and professional departments, such as vocational education, agricultural education, physical education, trades and industry, teacher training, high schools, and rural schools, are the highest of any. Those for the traditional positions, such as the assistant or deputy State superintendency, are very much lower. The median salary for all positions included in the tabulations is \$3,053, while the highest is \$7,500.

In most of the State departments the salaries are very low.

Connecticut, Maryland, Massachusetts, New Jersey, New York, and Pennsylvania are the only States that have staff members in any great numbers getting as much as \$5,000. In the majority of the States, \$4,000 is the maximum paid to any member of the staff, and most members receive much less than \$4,000.

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## Chapter XI.

### TWO-HEADED SYSTEMS OF IDAHO AND WYOMING.

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Reference has been made to the two chief State school officials found in Idaho and Wyoming. One of these officials, namely, the first established, is known as the superintendent of public instruction, and the other, the later established, as the commissioner of education.

A few other States (Kansas, North Dakota, Utah, West Virginia, Virginia, Oregon, Oklahoma, and Wisconsin) either require or permit the State board to have, besides the chief State school official, a paid secretary, not a member of the board. In none of the States, however, are the powers and duties of the secretary large enough to justify our describing the school system as having two chief officials. Kansas gives her secretary larger powers and duties than any other of the States here mentioned. In that State—

the board of education shall elect a secretary, not a member of the board, who shall be an expert in education, a graduate of a four-year course of study of a university, college, normal school, or institution of like rank, and who shall have had not less than five years of experience in educational work as superintendent or supervisor. \* \* \*

He shall serve as inspector of colleges and universities accredited by the State board and shall have charge of all matters relating to State teachers' certificates, and shall perform such duties as may be required by the State board of education or the State superintendent of public instruction, and he shall receive a salary of \$2,400 per annum. <sup>1</sup>

In North Dakota the State board of administration may appoint a paid secretary at a salary not to exceed \$3,000 per annum. <sup>2</sup> Okla-

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<sup>1</sup> Laws relating to the common schools of Kansas, 1919-20, p. 232.

<sup>2</sup> Gen. Sch. Laws, N. Dak., 1919, p. 27.

Idaho provides for the superintendent of public instruction to appoint a secretary to the State board at a salary of \$2,100,<sup>3</sup> and in Wisconsin the State board may appoint a secretary and other employees and fix their compensation.<sup>4</sup>

In Idaho the State board has very large control over the educational interests of the State. In exercising its manifold functions it is aided by two chief executive officers, one of which, the superintendent of public instruction, is elected by the people and is directly responsible to them, and the other, the commissioner of education, is appointed by the State board and is responsible to it.

In Wyoming, as in Idaho, a State board of education is in control of the public school system of the State and has supervision over all public educational interests except the State university. The Wyoming legislation, unlike that of Idaho, says specifically that the commissioner of education shall be the executive head of the public school system. The superintendent of public instruction, on the other hand, has few functions. From the fact, however, that he is an ex officio member of the State board, and, with the approval of the governor, appoints the remaining members, he is in a position to exercise a large influence over the educational system.

#### CRITICISM OF THE TWO-HEADED ORGANIZATIONS.

The two officials occupy the same field. Clearly, both are chief State school officials by both specification and implication. From these facts flow at least two objections to the two-headed organization. In the first place, the plan invites a conflict in policy between the two heads. Only friendly cooperation between them can prevent this. Let one of the officials be antagonistic toward the other, and the interests of the schools must suffer. What is more, even when friendly cooperation exists, there is apt to be duplication of work, and this results in waste. These disadvantages can be overcome only by having a unified organization.

In Idaho, to date, duplication has been reduced to its lowest amount, and conflict has been avoided, because of friendly agreement of division of functions.

Wyoming, on the other hand, does not seem to have always been so fortunate in avoiding conflicts, for since 1917, the date of the establishment of the two-headed system there, the law has been attacked as unconstitutional and has had to be changed in some regards.

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<sup>3</sup> From correspondence with the chief State school official.

<sup>4</sup> The Wisconsin secretaryship has been recently abolished.