

CHAPTER 19—S. F. No. 143

An act relating to public health; regulating fees for public health and home health services; amending Minnesota Statutes 1967, Section 145.123, Subdivision 2.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Section 145.123, Subdivision 2, is amended to read:

Subd. 2. **Public health; schedule of fees.** The county board or the nursing district, as the case may be, shall set up an equitable schedule of fees, taking into consideration the ability of some of the ill or disabled persons to pay fully for the services received, the ability of others to pay only a part of the fee, and the inability of others to pay any part thereof. Public health and home health services shall not be denied to any person who is in need of such services and lacks means, either personally or as a beneficiary under a health or accident insurance policy, to pay either in whole or in part for the cost of the services he has received. These fees may not exceed the costs of the actual service furnished, as determined by a study of costs which the county board or the nursing district will make each year. The results of this study, together with a schedule of such fees, shall be filed with the state board of health. ~~In lieu of making such annual studies, the county board or the nursing district may adopt a schedule of fees established by the state board of health from information gathered by it relative to the costs of public health and home health services.~~

Approved February 21, 1969.

CHAPTER 20—H. F. No. 79

[Coded]

An act relating to education; adopting the interstate agreement on qualifications of educational personnel.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. [125.52] **Education; interstate agreement; qualifications of educational personnel.** The interstate agreement on qualifications of educational personnel is hereby enacted into law and entered into with all jurisdictions legally joining therein in the form substantially as follows:

Changes or additions indicated by italics, deletions by strikeout.

INTERSTATE AGREEMENT ON QUALIFICATIONS OF
EDUCATIONAL PERSONNEL

ARTICLE I

Purpose, findings, and policy

(1) The states party to this agreement, desiring by common action to improve their respective school systems by utilizing the teacher or other professional educational person wherever educated, declare that it is the policy of each of them, on the basis of cooperation with one another, to take advantage of the preparation and experience of such persons wherever gained, thereby serving the best interests of society, of education, and of the teaching profession. It is the purpose of this agreement to provide for the development and execution of such programs of cooperation as will facilitate the movement of teachers and other professional educational personnel among the states party to it, and to authorize specific interstate educational personnel contracts to achieve that end.

(2) The party states find that included in the large movement of population among all sections of the nation are many qualified educational personnel who move for family and other personal reasons but who are hindered in using their professional skill and experience in their new locations. Variations from state to state in requirements for qualifying educational personnel discourage such personnel from taking the steps necessary to qualify in other states. As a consequence, a significant number of professionally prepared and experienced educators is lost to our school systems. Facilitating the employment of qualified educational personnel, without reference to their states of origin, can increase the available educational resources. Participation in this compact can increase the availability of educational manpower.

ARTICLE II

Definitions

As used in this agreement and contracts made pursuant to it, unless the context clearly requires otherwise:

(1) Educational personnel means persons who must meet requirements pursuant to state law as a condition of employment in educational programs.

(2) Designated state official means the educational official of a state selected by that state to negotiate and enter into, on behalf of this state, contracts pursuant to this agreement.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

(3) **Accept**, or any variant thereof, means to recognize and give effect to one or more determinations of another state relating to the qualifications of educational personnel in lieu of making or requiring a like determination that would otherwise be required by or pursuant to the laws of a receiving state.

(4) **State** means a state, territory, or possession of the United States; the district of Columbia; or the commonwealth of Puerto Rico.

(5) **Originating state** means a state (and the subdivision thereof, if any) whose determination that certain educational personnel are qualified to be employed for specific duties in schools is acceptable in accordance with the terms of a contract made pursuant to article III.

(6) **Receiving state** means a state (and the subdivisions thereof) which accepts educational personnel in accordance with the terms of a contract made pursuant to article III.

ARTICLE III

Interstate educational personnel contracts

(1) The designated state official of a party state may make one or more contracts on behalf of his state with one or more other party states providing for the acceptance of educational personnel. Any such contract for the period of its duration shall be applicable to and binding on the states whose designated state officials enter into it, and the subdivisions of those states, with the same force and effect as if incorporated in this agreement. A designated state official may enter into a contract pursuant to this article only with states in which he finds that there are programs of education, certification standards or other acceptable qualifications that assure preparation or qualification of educational personnel on a basis sufficiently comparable, even though not identical to that prevailing in his own state.

(2) Any such contract shall provide for:

(a) Its duration.

(b) The criteria to be applied by an originating state in qualifying educational personnel for acceptance by a receiving state.

(c) Such waivers, substitutions, and conditional acceptances as shall aid the practical effectuation of the contract without sacrifice of basic educational standards.

(d) Any other necessary matters.

(3) No contract made pursuant to this agreement shall be for

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a term longer than five years but any such contract may be renewed for like or lesser periods.

(4) Any contract dealing with acceptance of educational personnel on the basis of their having completed an educational program shall specify the earliest date or dates on which originating state approval of the program or programs involved can have occurred. No contract made pursuant to this agreement shall require acceptance by a receiving state of any persons qualified because of successful completion of a program prior to January 1, 1954.

(5) The certification or other acceptance of a person who has been accepted pursuant to the terms of a contract shall not be revoked or otherwise impaired because the contract has expired or been terminated. However, any certificate or other qualifying document may be revoked or suspended on any ground which would be sufficient for revocation or suspension of a certificate or other qualifying document initially granted or approved in the receiving state.

(6) A contract committee composed of the designated state officials of the contracting states or their representatives shall keep the contract under continuous review, study means of improving its administration, and report no less frequently than once a year to the heads of the appropriate education agencies of the contracting states.

ARTICLE IV

Approved and accepted programs

(1) Nothing in this agreement shall be construed to repeal or otherwise modify any law or regulation of a party state relating to the approval of programs of educational preparation having effect solely on the qualification of educational personnel within that state.

(2) To the extent that contracts made pursuant to this agreement deal with the educational requirements for the proper qualification of educational personnel, acceptance of a program of educational preparation shall be in accordance with such procedures and requirements as may be provided in the applicable contract.

ARTICLE V

Interstate cooperation

The party states agree that:

(1) They will, so far as practicable, prefer the making of multilateral contracts pursuant to article III of this agreement.

(2) They will facilitate and strengthen cooperation in inter-

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state certification and other elements of educational personnel qualification and for this purpose shall cooperate with agencies, organizations, and associations interested in certification and other elements of educational personnel qualification.

ARTICLE VI

Agreement evaluation

The designated state officials of any party state may meet from time to time as a group to evaluate progress under the agreement, and to formulate recommendations for changes.

ARTICLE VII

Other arrangements

Nothing in this agreement shall be construed to prevent or inhibit other arrangements or practices of any party state or states to facilitate the interchange of educational personnel.

ARTICLE VIII

Effect and withdrawal

(1) This agreement shall become effective when enacted into law by two states. Thereafter it shall become effective as to any state upon its enactment of this agreement.

(2) Any party state may withdraw from this agreement by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states.

(3) No withdrawal shall relieve the withdrawing state of any obligation imposed upon it by a contract to which it is a party. The duration of contracts and the methods and conditions of withdrawal therefrom shall be those specified in their terms.

ARTICLE IX

Construction and severability

This agreement shall be liberally construed so as to effectuate the purposes thereof. The provisions of this agreement shall be severable and if any phrase, clause, sentence, or provision of this agreement is declared to be contrary to the constitution of any state or of the United States, or the application thereof to any government, agency, person, or circumstance is held invalid, the validity of the re-

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remainder of this agreement and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this agreement shall be held contrary to the constitution of any state participating therein, the agreement shall remain in full force and effect as to the state affected as to all severable matters.

Sec. 2. [125.53] **Designated state official.** For the purposes of the agreement set forth in section 1, the designated state official for this state shall be the commissioner of education.

Sec. 3. [125.54] **Record of contracts.** Two copies of all contracts made on behalf of this state pursuant to the agreement set forth in section 1 shall be kept on file in the office of the commissioner of education.

Approved February 24, 1969.

CHAPTER 21—H. F. No. 357

An act relating to education; establishing continuing education; amending Minnesota Statutes 1967, Section 123.35, Subdivision 8.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Section 123.35, Subdivision 8, is amended to read:

Subd. 8. **Education; continuing education programs.** The board may establish and maintain public evening schools and adult *and continuing* education programs and such evening schools and adult *and continuing* education programs when so maintained shall be available to all persons over 16 years of age who, from any cause, are unable to attend the full-time *elementary or secondary school* schools of such district.

Approved February 24, 1969.

CHAPTER 22—H. F. No. 577

[Not Coded]

An act appropriating money for purchasing equipment for the third and fourth year curricula at southwest state college.

Changes or additions indicated by italics, deletions by strikeout.