

latter are available for use, or the failure or refusal of any such person to maintain a receptacle for hot water of a capacity of less than five (5) gallons."

Approved April 26, 1929.

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CHAPTER 387—S. F. No. 482

*An act consolidating the department of agriculture and the department of dairy and food.*

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

Section 1. Department of agriculture and department of dairy and food consolidated.—The departments of agriculture and dairy and food are hereby consolidated into a single department to be known as the department of agriculture and dairy and food. The department shall be under the supervision and control of a single commissioner appointed in the manner, for the term, and with the compensation now provided by law for the commissioner of agriculture, and all rights, powers and duties now vested in and imposed by law upon the commissioner of agriculture and all duties imposed by law upon the commissioner of dairy and food are hereby transferred to and vested in such single commissioner under the title of Commissioner of Agriculture and Dairy and Food, subject, however, to the provisions of chapter 426, Laws 1925.

Approved April 26, 1929.

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CHAPTER 388—S. F. No. 880

*An act to prescribe the qualifications of teachers, administrators and supervisors in the public schools and to provide for the certification of teachers.*

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

Section 1. Definitions.—"Teachers," within the meaning of this act, shall mean and include any and all persons employed in a public school to give instruction or supervision of teaching.

**Sec. 2. Qualifications of a teacher.**—A qualified teacher is one holding a certificate from the State Board of Education, as hereinafter provided, to perform the particular service for which he is employed in a public school. Contracts for teaching or supervision of teaching can be made only with qualified teachers.

**Sec. 3. Only State Board of Education to issue certificates.**—The authority to certificate teachers shall be vested solely in the State Board of Education, and such certificates shall be issued to such persons as the board shall find to be physically competent and morally fit to teach and to have the qualifications and training herein prescribed.

**Sec. 4. Classes of certificates.**—There shall be two classes of teacher certificates:

1. Elementary School Certificate
2. High School Certificate

**Sec. 5. Elementary School Certificate.**—The Elementary School Certificate shall indicate the division or grades of the elementary field for which the holder has been trained. For the purpose of this act, "elementary field" shall include the first eight grades.

There shall be four kinds of Elementary School Certificates:

- Elementary School Advanced Certificate
- Elementary School Standard Certificate
- Elementary School Limited Certificate
- Elementary School Special Certificate

(a) The Elementary School Advanced Certificate shall qualify any holder thereof to teach in any elementary school, or, when so designated on the certificate, in any junior high school, and shall be issued to any person who holds a diploma of a Minnesota State Teachers College, or the College of Education of the University of Minnesota, showing that such holder has completed the four year course in Elementary Education of such college.

(b) The Elementary School Standard Certificate shall qualify any holder thereof to teach in any elementary school, and shall be issued to any person who holds a diploma of a Minnesota State Teachers College, showing that such holder has completed the two year course in Elementary Education of such college.

(c) The Elementary School Limited Certificate shall qualify any holder thereof to teach in ungraded elementary schools only, and may be issued to any person who has completed a one year course of professional training approved by and in an institution designated by the State Board of Education to give such training.

(d) The Elementary School Special Certificate shall qualify any holder thereof to teach Kindergarten, Music, Fine Arts, Industrial Arts or Physical Education, or such other special subject as the needs of the school may, from time to time, require, in any elementary school, and shall be issued to any person who holds a diploma of a Minnesota State Teachers College, or the College of Education of the University of Minnesota, showing that such holder has completed its standard course in the special subject or subjects as to which he applies for a certificate to teach, and may also be issued to any person who has completed an essentially equivalent course in an institution accredited and approved by the State Board of Education for training teachers in such special subjects.

An Elementary School Special Certificate, which shall qualify any holder thereof to teach defective children in any elementary school, may be issued by the State Board of Education, in its discretion, to any qualified elementary teacher, upon satisfactory showing to such board that the applicant is possessed of such other qualifications for such teaching as the State Board of Education may, from time to time, prescribe.

**Sec. 6. High School Certificate.**—There shall be two kinds of High School Certificates: High School General Certificate and High School Special Certificate, and as to each kind there shall be the *Standard Certificate and the Advanced Certificate*.

(a) The High School Standard General Certificate shall indicate the academic field or fields and the class or classes of high schools (junior or senior) for which the holder has been especially trained.

The High School Standard General Certificate shall qualify any holder thereof to teach academic subjects in junior high schools, senior high schools, four year high schools and junior-senior high school organizations. Provided that the holder of a High School Standard General Certificate shall be qualified to teach in the seventh and eighth grades of an eight year elementary school. Such certificate shall be issued to any person holding the degree of the College of Education of the University of Minnesota, or of a Minnesota State Teachers College, granted by virtue of the completion of a

course, balanced as to academic and professional content, and designated by such college for the training of high school teachers.

The High School Standard General Certificate may be issued to any person holding the degree of an accredited liberal arts college or university in Minnesota, together with such professional training as shall be required by the State Board of Education.

(b) The High School Standard Special Certificate shall qualify any person to teach in the special fields of Agriculture, Home Training, Industrial Arts, Commercial Subjects, Physical Education, Music or Fine Arts, or such other special field as the needs of the schools may, from time to time, require. It shall show in which one or ones of the special fields aforesaid the holder is authorized to teach and shall qualify him to teach in such special fields in any high school or elementary school. Such certificate may also indicate other high school subjects in which the holder has had training equivalent to that required in the academic field and shall qualify him to teach the same. Such certificates shall be issued to any person holding the degree of the College of Education of the University of Minnesota, or of a Minnesota State Teachers College, granted by virtue of the completion of its course in the special field as to which he applies for a certificate to teach.

The High School Standard Special Certificate may be issued to any person holding the degree of a liberal arts college of this state, accredited and approved by the State Board of Education, granted by virtue of the completion of its course for the training of high school teachers in the special field as to which he applies for certificate to teach, provided that the course leading to such degree shall meet the requirements of the State Board of Education in such field.

The High School Standard Special Certificate may be issued to any person holding a diploma or degree of a technical training institution of this state, granted by virtue of the completion of a course therein which said board shall find to be substantially equivalent, with respect to such special subject or subjects, to the course of said College of Education for training of teachers therein, provided that such institution shall be accredited and approved by said board.

Provided that the State Board of Education shall have authority to issue special certificates to vocational teachers who present such qualifications of training and experience as meet the requirements of the Federal Board of Vocational Education or the special needs of the several vocational fields.

(c) Any person who has the preparation and training herein prescribed entitling him to receive a High School Standard General

Certificate or a High School Standard Special Certificate, and who, in addition, has completed one year of graduate work of a kind and character accepted by the State Board of Education may be given a High School Advanced Certificate, either general or special, as may be appropriate to his training. Such High School Advanced Certificate shall qualify the holder thereof to teach the same subjects and in the same institutions which and in which the holder of a corresponding standard certificate is authorized to teach and in Junior Colleges.

**Sec. 7. Administration and Supervision.**—A person shall be qualified to be a principal or supervisor of or in any school when he shall hold a certificate qualifying him to teach in such school and in addition shall have such other qualifications with reference to special training and experience as the board may, from time to time, prescribe; provided that any person who is qualified to be principal of any high school is thereby qualified to be principal of any elementary school.

A person shall be qualified to be superintendent of schools in any school district when he shall hold a *High School General Certificate* and in addition shall have such other qualifications with reference to special training and experience as the board may, from time to time, prescribe.

When any person shall establish his qualifications to be a principal, supervisor or superintendent, as aforesaid, to the satisfaction of the board, such board may certify him as being qualified to be such principal, supervisor or superintendent, as the case may be. Contracts with principals, supervisors or superintendents shall not be valid unless they shall be qualified, as herein provided.

**Sec. 8. Applicants trained in other states.**—Wherever in this Act a certificate to teach is authorized to be issued to any holder of a diploma or a degree of a Minnesota State Teachers College, or of the College of Education of the University of Minnesota, or of a liberal arts college, or a technical training institution, such certificate may also, in the discretion of the State Board of Education, be issued to any holder of a diploma or a degree of a teacher training institution of equivalent rank and standing of any other state, granted by virtue of the completion of a course in teacher training essentially equivalent in content to that required by such Minnesota State Teachers College or the College of Education of the University of Minnesota or a liberal arts college in Minnesota, or a technical training institution, as preliminary to the granting of a diploma or a degree of the same rank and class.

**Sec. 9. Duration and Renewal of Certificates.**—All certificates, except as herein provided, shall bear the date of issue and shall expire two years from July first nearest such date, and may be renewed for periods of not more than five years upon satisfactory evidence produced to the board of successful teaching in the public schools of the state for at least twelve (12) months during the period covered by the certificate.

*If the holder of a five year certificate shall present to the board satisfactory evidence that he has actually and successfully taught in the public schools of the state for not less than five years, the board may issue to him a permanent certificate of the same class and kind as his five year certificate, which shall be valid unless and until suspended or revoked; provided, however, that the permanent certificate may be issued only to a teacher actually employed in the public schools of the state, or who has been so employed at any time during the two year period immediately preceding the date of application, and provided further that no permanent certificate shall be issued to a teacher who holds only an Elementary School Limited Certificate. Any person who applies for the issuance or renewal of a teacher's certificate and who possesses the training prescribed in this act, but who has not, at any time during the five year period immediately preceding, been employed in public school teaching service, may be required to furnish evidence of appropriate training in an accredited teacher training institution within such period, but not in excess of twelve weeks work.*

An Elementary School Limited Certificate shall bear the date of issue and shall expire two years from July first nearest such date, and may be renewed for periods of not more than five years, under conditions prescribed by the State Board of Education.

**Sec. 10. Fees for Teachers' Certificates.**—For the issuance, renewal or extension of a certificate to teach, each applicant for such certificate shall pay a fee. For each Elementary School Limited Certificate or renewal thereof the fee shall be fifty cents. For each permanent certificate the fee shall be five dollars. For all others, the fee shall be one dollar for each certificate or renewal thereof. Such fees shall be paid to the State Commissioner of Education, who shall deposit them with the State Treasurer, as provided by law, and report each month to the State Auditor the amount of fees collected for each kind of certificate. The State Auditor shall credit all such fees to the Teachers Institute, Training School and Examination Fund, and the same may be disbursed and used for the purposes for which such fund is provided.

Fees for the renewal or extension of certificates in force at the date of approval of this act shall be as provided in Sec. 2932, General Statutes of Minnesota 1923.

**Sec. 11. Suspension or Revocation of Certificates.**—The State Board of Education may, on the written complaint of the school board employing a teacher, or of the superintendent of the county where such teacher is employed, or of the State Commissioner of Education, which complaint shall specify generally the nature and character of the charges, suspend or revoke such teacher's certificate or license to teach, issued under this act or in force on the date of its approval, for any of the following causes:

- a. Immoral character or conduct.
- b. Failure, without justifiable cause, to teach for the term of his contract.
- c. Gross inefficiency or wilful neglect of duty.
- d. Affliction with active tuberculosis or some other communicable disease, while suffering from such disability.

The Secretary of the State Board of Education shall within five days after the filing of the complaint serve a copy thereof upon the teacher in person or by registered mail addressed to such teacher at his last known address, and such teacher shall, within ten days after the service of such copy upon him, file with the State Board of Education his answer to the charges specified. The Secretary of said board shall thereupon fix in writing a time for a hearing upon said complaint, and serve a copy thereof on said teacher. Such hearing shall be conducted by said board, or by the Commissioner or Deputy Commissioner, as the rules of the board may provide, unless the complaint is filed by the Commissioner, in which case it shall be conducted by the board or a member thereof designated by the board. The hearing shall be held in the office of the board unless the teacher at the time of filing his answer shall file therewith a written demand that the hearing be held in the county seat of the county wherein he is employed, in which case it shall be held at such county seat. Such hearing shall be either private or public, as the teacher may elect, and the teacher shall have the right to appear in person and by counsel and to produce evidence thereat. All witnesses shall be sworn before testifying, and the official conducting such hearing is hereby authorized to administer the oath prescribed by law for witnesses in judicial proceedings. A record in writing shall be made of said proceedings and of all evidence produced thereat, and shall be forthwith filed with the board upon the conclusion of such hearing. A copy thereof shall be furnished to such teacher upon his request. Upon concluding such hearing, if conducted by the board, or the filing of such report, if conducted by the Commissioner, Deputy Commissioner, or member of the board, the board shall consider the same and make its decision within thirty days from the date of such hearing. In case of suspension or revocation, the order of the board shall fix the date

at which suspension or revocation becomes effective, and, in case of suspension, the duration thereof, and notice thereof shall forthwith be given in writing to the teacher and to the school board by which he is employed.

The action of the board shall be final and all orders of suspension or revocation shall be included in the certificate records of the Department of Education.

**Sec. 12. Outstanding Certificates Not Impaired.**—No provision of this act shall affect or impair the validity of certificates or licenses to teach in force at the date of approval of this act, or the rights and privileges of the holders by virtue thereof, save that any such certificate or license may be suspended or revoked for any of the causes and by the procedure specified in Section 11 of this act, and provided also, that a certificate in force at date of approval of this act may be exchanged, without fee, at the option of the holder, for a certificate which, under this act, shall give to the holder the same qualifications and rights which he had under and by virtue of such certificate.

**Sec. 13. Administrative Regulations.**—The State Board of Education shall have power, from time to time, to make and enforce such rules and regulations consistent with this act, as may be appropriate for the administration and enforcement thereof.

**Sec. 14. Repeal of Present Laws.**—Sections 2900, 2907, 2908, 2909, 2910, 2911, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2932, 2933, 2934, 2935, and 3058 of the General Statutes of Minnesota, 1923, Chapter 141, General Laws of 1925, and Chapter 160, General Laws of 1927, and all acts and parts of acts inconsistent herewith are repealed, but nothing herein contained shall be deemed to affect, modify or repeal Chapter 36, General Laws of 1927, or any part thereof.

**Sec. 15.** This act shall take effect and be in force from and after its passage and approval, except that Sections 2907, 2908, 2909, 2910, 2915, 2918 and 2932 aforesaid shall continue in force until September 1, 1929.

Approved April 26, 1929.

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CHAPTER 389—S. F. No. 887

*An act prohibiting bill boards in proximity to the State Capitol.*

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