

CHAPTER 131

SCHOOLS; CLASSIFICATION, CONDUCT

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131.01 PUBLIC SCHOOLS. Subdivision 1. **Classification.** For the purpose of administration the state board of education shall classify all public schools under the following heads, provided the requirements in subdivision 2 are met:

- (1) **Elementary,**
 - (a) Graded elementary,
 - (b) Ungraded elementary,
- (2) **Secondary,**
 - (a) Department,
 - (b) Four year,
 - (c) Six-year,
 - (d) Junior,
 - (e) Senior,
 - (f) Vocational.
- (3) **Junior Colleges.**
- (4) **Area vocational-technical school.**

Subd. 2. Definitions. (1) Elementary school means any one of the schools listed under subdivision 1, (1), with building, equipment, courses of study, class schedules, enrollment and staff meeting the standards established by the state board of education and the following specifications:

(a) A graded elementary school is a school giving a full course of instruction in the first six years of the public school and employing at least three teachers devoting their full time to elementary school work, or a school giving a full course of instruction in the first eight years of the public school and employing at least four teachers devoting their entire time to elementary school work,

(b) An ungraded elementary school is a school giving a full course of elementary school instruction and employing one or more teachers but not having the rank of a graded elementary school.

(c) The state board of education shall not close a school or deny any state aids to a district for its elementary schools because of enrollment limitations classified in accordance with the provisions of subdivision 2, clause (1).

(2) Secondary school means any one or more of the schools listed under Subdivision 1, (2), with building, equipment, courses of study, class schedules, enrollment and staff meeting the standards established by the state board of education and the following specifications:

(a) A secondary school department is a school giving a full course of instruction in grade nine, grades nine and ten, grades nine, ten and eleven, or grades ten and eleven.

(b) A four-year secondary school is a school giving a full course of instruction in grades nine, ten, eleven and twelve.

(c) A six-year secondary school is a school giving a full course of instruction in grades seven through twelve inclusive.

(d) A junior secondary school is a school giving a full course of instruction in the seventh, eighth and ninth grades.

(e) A senior secondary school is a school giving a full course of instruction in the tenth, eleventh, and twelfth grades.

(f) A vocational secondary school is a school embracing not less than two years of secondary school work in the ninth grade or above in approved vocational training accompanied by related and supplemental instructions sufficient to constitute a full course of instruction.

(3) A junior college is a school organized according to sections 131.02 to 131.07.

(4) An area vocational-technical school is a school organized according to Minnesota Statutes 1945, Section 120.36, and may be included in subdivision 1, clauses (2), (3), and (4).

(5) A full course of instruction in any type of school means a program of studies of sufficient scope and variety to provide each student with a complete daily schedule of school work and to fulfill the minimum requirements for graduation as established by the state board of education.

[1921 c 467 s 5; 1925 c 282; 1925 c 413; 1941 c 169 art 11 s 1; 1947 c 633 s 16; 1949 c 732 s 9; 1953 c 371 s 1] (3026)

131.02 ESTABLISHMENT OF JUNIOR COLLEGES. Subdivision 1. **Application.** The school board of any independent or special school district may make application to the state board of education to establish and maintain a department of junior college work, to consist of not more than two years' work beyond the twelfth year of the public school curriculum. Such application shall contain such data as the state board of education may require.

Subd. 2. **Survey.** Upon receipt of such application the state board of education shall make a careful survey of the need, ability, and facilities of such school district to establish and maintain a junior college.

Subd. 3. **Approval by voters.** If the state board of education approve such application, the school board of such district shall submit the question of the establishment of such junior college to the voters at a general or special election, preceded by notice stating that such proposition is to be there acted upon.

Subd. 4. **Establishment after approval.** If the establishment of a junior college is authorized by a two-thirds vote of the electors voting thereon the school board of such school district shall take the necessary steps to establish and maintain such junior college.

Subd. 5. **School districts may cooperate.** Two or more school districts may cooperate in the establishment and maintenance of a junior college under the procedure as indicated for the establishment and maintenance of a junior college in a single district. The application submitted to the state board of education shall include a statement of the procedure adopted by the school boards of the districts concerned for the establishment and maintenance of such junior college and the proposition, as approved by the state board of education, be authorized by a two-thirds vote of the electors in each district voting thereon.

Subd. 6. **Proposition of cooperation to be approved by school board.** Two or more school districts may cooperate in the maintenance of a junior college already established, or established pursuant to sections 131.02 to 131.07, under the procedure as indicated in this section. The proposition may be approved by the school board of the district in which such junior college is located and need not be referred to the electorate of such district.

[1925 c. 103 s. 1; 1927 c. 44 s. 1; 1939 c. 281 s. 1; 1941 c. 169 art. 11 s. 2] (2992-1)

131.03 DISCONTINUANCE OF JUNIOR COLLEGES. Any school district maintaining a junior college may discontinue such junior college at the close of any school year by a majority vote of all members of the school board in such district,

provided such action is taken before April 1 of that school year. Any school district cooperating with one or more school districts in the maintenance of a junior college may discontinue such cooperative arrangement at the close of any school year by a majority vote of all members of the school board in such district, provided such action is taken before March 1 of that school year.

[1925 c. 103 s. 2; 1939 c. 281 s. 2; 1941 c. 169 art. 11 s. 3] (2992-2)

131.04 SUPERVISION OF JUNIOR COLLEGES. The state board of education shall have the same supervision, control, and powers over any such junior college when established hereunder as it now has over other departments of the public school system of the state.

[1925 c. 103 s. 3; 1939 c. 281 s. 3; 1941 c. 169 art. 11 s. 4] (2992-3)

131.05 JUNIOR COLLEGES TO USE EXISTING BUILDINGS AND EQUIPMENT. Any school board in a district maintaining a junior college or cooperating with one or more school boards of other school districts in the maintenance of a junior college shall have authority to make use of any existing buildings or equipment, or may provide any necessary building or equipment for the establishment and maintenance of any such junior college.

[1927 c. 268 s. 2; 1939 c. 281 s. 4; 1941 c. 169 art. 11 s. 5] (2992-4)

131.06 TUITION IN JUNIOR COLLEGES. The school board having control of any such junior college, on or before August 15 in each year, shall determine and fix the rate of tuition, if any, required to be paid by pupils attending such department, which tuition shall be paid by the pupils attending such junior college or by the school districts in which such pupils are legal residents.

[1925 c. 103 s. 4; 1927 c. 44 s. 2; 1939 c. 281 s. 5; 1941 c. 169 art. 11 s. 6] (2992-5)

131.07 TRANSPORTATION OF JUNIOR COLLEGE STUDENTS. The school board of any school district may provide transportation for students residing in such district who are attending a junior college. When it is not feasible to transport students to a junior college the school board in any school district may pay for board and room of such students attending a junior college.

[1927 c. 268 s. 1; 1939 c. 281 s. 6; 1941 c. 169 art. 11 s. 7] (2992-6)

131.073 AID TO JUNIOR COLLEGES. Subdivision 1. The state board of education shall distribute to each public school district maintaining a junior college annually the sum of \$200 for each student in average daily attendance in said junior college.

33 Subd. 2. At the close of each school year, each school district maintaining a junior college shall submit to the commissioner of education satisfactory enrollment and attendance records as prescribed by the commissioner. Not later than September 1 of each year, the commissioner shall certify to the state auditor a statement showing the number of students in average daily attendance at each junior college during the preceding year and the amount of state aid due each school district maintaining junior colleges. The state auditor, not later than October 1 following the receipt of such statement, shall draw his warrant upon the state treasurer in favor of each of the school districts maintaining junior colleges for the amount determined by the commissioner. No state aid herein provided for shall be paid to any school district unless such school district maintaining a junior college charges its resident students an amount equivalent to three-fourths of the amount charged to the non-resident tuition which shall be five-sixths of the state college tuition. These tuitions represent the minimum amount to be charged.

Subd. 3. No state aid shall be paid under this section to any school district which establishes a junior college subsequent to the passage of this section within 36 miles of any existing junior college or state college.

Subd. 4. This section shall take effect from and after its passage and the first payment hereunder shall be based upon the 1956-57 school year and the moneys thereof shall be taken out of the general revenue fund.

[1957 c 807 s 1-4]

131.08-131.12 [Repealed, 1957 c 867 s 10]

131.081 SPECIAL INSTRUCTION FOR HANDICAPPED CHILDREN OF SCHOOL AGE. Every school district and unorganized territory shall provide special instruction and services for handicapped children of school age who are residents of such district or unorganized territory. School age as used in sections 131.081 to 131.089 shall mean the ages of 4 years to 21 years inclusive for children who are

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deaf, blind, crippled or having speech defects; and 5 years to 21 years inclusive for mentally retarded children; and shall not extend beyond secondary school or its equivalent.

[1957 c 867 s 1]

131.082 HANDICAPPED CHILDREN DEFINED. Subdivision 1. Every child who is deaf, hard of hearing, blind, partially seeing, crippled or who has defective speech or who is otherwise physically impaired in body or limb so that he needs special instruction and services, but who is educable, as determined by the standards of the state board of education, is a handicapped child.

Subd. 2. Every child who is mentally retarded in such degree that he needs special instruction and services, but who is educable as determined by the standards of the state board of education, is a handicapped child.

Subd. 3. Every child who by reason of an emotional disturbance or a special behavior problem or for any other reason needs special instruction and services, but who is educable, as determined by the standards of the state board of education, is a handicapped child.

[1957 c 867 s 2]

C309 01 **131.083 METHODS OF SPECIAL INSTRUCTION.** Special instruction and services for handicapped children may be provided by one or more of the following methods:

(a) Special instruction and services in connection with attending regular elementary and secondary school classes;

(b) The establishment of special classes;

(c) Instruction and services at the home or bedside of the child;

(d) Instruction and services in other districts;

(e) Instruction and services in a state teachers college laboratory school or a University of Minnesota laboratory school;

(f) Instruction and services in a state residential school or a school department of a state institution approved by the commissioner of education; or by any other method approved by him.

[1957 c 867 s 3]

131.084 RULES OF STATE BOARD OF EDUCATION. The state board of education shall promulgate rules relative to qualifications of essential personnel, courses of study, methods of instruction, pupil eligibility, size of classes, rooms, equipment, supervision and any other rules and standards it deems necessary.

[1957 c 867 s 4]

131.085 STATE AIDS, PAYMENT. The state shall pay to any school district and unorganized territory; (a) for the employment in its educational program for handicapped children, two-thirds of the salary of essential professional personnel, but this amount shall not exceed \$3,600 for the normal school year for each full-time person employed, or a prorata amount for a part-time person or a person employed for a limited time, including but not limited to summer school; (b) for the employment of an individual jointly with another district or districts or unorganized territory in its educational program for handicapped children, two-thirds of the salary of essential professional personnel, but this amount shall not exceed \$3,600 per annum for each full-time person employed, or a prorata amount for a part-time person or a person employed for a limited time including but not limited to summer school.

[1957 c 867 s 5]

131.086 STATE, REIMBURSEMENT OF SCHOOL DISTRICTS FOR SUPPLIES AND EQUIPMENT COSTS. The state shall reimburse each district or unorganized territory for supplies and equipment purchased or rented for use in the instruction of handicapped children in the amount of one-half of the sum actually expended by the district or unorganized territory but not to exceed \$50 in any one school year for each handicapped child receiving instruction.

[1957 c 867 s 6]

C452 31
C718 26 **131.087 STATE, REIMBURSEMENT OF SCHOOL DISTRICTS FOR TRANSPORTATION OR BOARD AND LODGING OF HANDICAPPED CHILDREN.** The state shall reimburse each district or unorganized territory for the transportation or board and lodging of handicapped children when approved by the state board of education, at rates to be determined by the state board of education, but this amount shall not exceed \$225 annually for each deaf, blind, or crippled child and \$160 for

each mentally retarded child transported or boarded. Transportation funds may be used for conveying handicapped children between home and school and within the school plant.

[1957 c 867 s 7]

131.088 PAYMENT OF AIDS. The aids provided for in sections 131.085 and 131.086 shall be paid to the district providing the special instruction and services. Basic aid and equalization aid shall be paid to the district or unorganized territory of the pupils' residence. The amount of aid for special instruction and services for handicapped children as provided in sections 131.085 and 131.086 may not exceed the amount expended for such special instruction and services for handicapped children for the year for which the aid is paid.

[1957 c 867 s 8]

131.089 SPECIAL INSTRUCTION OF NONRESIDENT CHILDREN. The parent or guardian of a handicapped child who resides in a school district which does not provide special instruction and services within its district may make application to the commissioner of education for special instruction and services for his child under one of the methods provided in section 131.083.

If the state commissioner of education finds that the local district is not providing such instruction and services, he shall arrange for the special instruction and services provided for in section 131.083. If the instruction and services are provided outside the district of residence, transportation or board and lodging, and any tuition to be paid, shall be paid by the district of residence. The tuition rate to be charged for any handicapped child shall be the actual cost of providing special instruction and services to the child including a proportionate amount for capital outlay and debt service minus the amount of special aid for handicapped children received on behalf of that child. If the school boards involved do not agree upon the tuition rate, either school board may apply to the commissioner of education to fix such rate. The commissioner of education shall then set a date for a hearing, giving each board at least ten days' notice, and after the hearing the commissioner shall make his order fixing the tuition rate, which rate shall then be binding on both school districts.

[1957 c 867 s 9]

131.091 SPECIAL INSTRUCTION FOR TRAINABLE CHILDREN OF SCHOOL AGE. Every school district and unorganized territory may provide special instruction for trainable children of school age who are residents of such district or unorganized territory. School age as used in sections 131.091 through 131.099 shall mean the ages of 5 years to 21 years inclusive.

[1957 c 803 s 1]

131.092 TRAINABLE CHILD DEFINED. Every child who is handicapped to such degree that he is not educable as determined by the standards of the state board of education but who can reasonably be expected to profit in a social, emotional or physical way from a program of teaching and training is a trainable child.

[1957 c 803 s 2]

131.093 METHODS OF SPECIAL INSTRUCTION. Special instruction and services for trainable children may be provided by one or more of the following methods:

- (a) The establishment and maintenance of special classes;
- (b) Instruction and services in other districts;
- (c) Instruction and services in a state college laboratory school or a University of Minnesota laboratory school;
- (d) Instruction and services in a state residential school or a school department of a state institution approved by the state department of education;
- (e) By a program of homebound training, teaching and services; or by any other method approved by the state board of education.

[1957 c 803 s 3]

131.094 STATE BOARD OF EDUCATION TO PROMULGATE RULES. The state board of education shall promulgate rules relative to qualifications of essential personnel, methods of training, pupil eligibility, size of classes, rooms, equipment, supervision and any other rules and standards it deems necessary.

[1957 c 803 s 4]

131.095 AGREEMENTS TO PROVIDE SPECIAL INSTRUCTION. For the purposes of sections 131.091 through 131.099 any school district or unorganized territory or combinations thereof may enter into an agreement to provide special in-

struction and services on such terms as may be agreed upon, but in that event each participating unit must agree on the method of reimbursement as provided by this section and sections 131.096 and 131.097 or on some other method approved by the state department of education.

[1957 c 803 s 5]

131.096 PAYMENTS BY STATE. The state shall pay to any school district and unorganized territory; (a) for the employment in its program for trainable children, two thirds of the salary of essential personnel, but this amount shall not exceed \$3,600 per annum for each full-time person employed, or a pro rata amount for a part-time person or a person employed for a limited time, including but not limited to summer school; (b) for the employment of an individual jointly with another district or districts or unorganized territory in its program for trainable children, two-thirds of the salary of essential personnel, but this amount shall not exceed \$3,600 per annum for each full-time person employed, or a pro rata amount for a part-time person or a person employed for a limited time including but not limited to summer school.

[1957 c 803 s 6]

131.097 REIMBURSEMENT BY STATE TO DISTRICT FOR SUPPLIES AND EQUIPMENT. The state shall reimburse each district or unorganized territory for supplies and equipment purchased or rented for use in the instruction of trainable children in the amount of one-half the sum actually expended by the district or unorganized territory but not to exceed \$50 in any one school year for each trainable child receiving instruction.

[1957 c 803 s 7]

131.098 STATE TO REIMBURSE DISTRICT FOR TRANSPORTATION OR BOARD AND LODGING. The state shall reimburse each district or unorganized territory for the transportation or board and lodging of trainable children when approved by the state board of education, at rates to be determined by the state board of education, but this amount shall not exceed \$160 annually for each such child. Transportation funds may be used for conveying trainable children between home and school and within the school plant.

[1957 c 803 s 8]

131.099 AIDS ARE ADDITIONAL TO BASIC AND EQUALIZATION AIDS. The aids provided for in sections 5, 6 and 7 shall be paid to the district of residence and shall be paid in addition to basic aid and equalization aid to which the school district or unorganized territory may be entitled. The amount of aid for special instruction and services for trainable children authorized in sections 131.095 and 131.096 may not exceed the amount expended for such special instruction and services for trainable children for the year for which the aid is paid.

[1957 c 803 s 9]

131.13 PHYSICAL AND HEALTH EDUCATION. Subdivision 1. **Instruction required in public schools.** There shall be established and provided in all the public schools of this state, physical and health education, training, and instruction of pupils of both sexes. Every pupil attending any such school, in so far as he or she is physically fit and able to do so, shall take the courses provided by this section and section 120.11, subdivision 14. Suitable modified courses shall be provided for students physically or mentally unable or unfit to take the courses prescribed for normal pupils. Nothing in this section or in section 120.11, subdivision 14, shall be held or construed to require any pupil to undergo a physical or medical examination or treatment if the parent or legal guardian of the person of such pupil shall in writing notify the teacher or principal or other person in charge of such pupil that he objects to such physical or medical examination or treatment; provided that high school students in the junior and senior years need not take the course unless required by the local school authorities.

Subd. 2. **Training of teachers.** All colleges, schools, and other educational institutions in this state giving teacher training shall provide courses in physical and health education, training, and instruction and every pupil attending any such college, school, or educational institution in preparation for teaching service shall take such courses.

[1923 c. 323 ss. 1, 2; 1941 c. 169 art. 11 s. 13] (3073, 3074)

131.14 INSTRUCTION IN MORALS. The teachers in all public schools shall give instruction in morals, in physiology and hygiene, and in the effects of narcotics and stimulants.

[*R. L. s. 1347; 1941 c. 169 art. 11 s. 14*] (2906)

131.15 INSTRUCTION AS TO EFFECT OF ALCOHOL ON HUMAN SYSTEM. The state department of education is authorized and directed to prepare a course of instruction relating to the effects of alcohol upon the human system, upon character, and upon society. Such course of instruction shall be used in all public schools of the state.

[*Ex. 1934 c. 43 s. 1; 1941 c. 169 art. 11 s. 15*] (2883-6)

131.151 COURSES IN EFFECTS OF NARCOTICS AND ALCOHOL IN TEACHER TRAINING SCHOOLS. All educational institutions in Minnesota giving teacher training shall offer courses in the effects of narcotics and alcohol upon the human system, upon character, and upon society, and every student attending such institution in preparation for teaching service shall be required to take and to satisfactorily complete such courses.

[*1943 c. 584 s. 1*]

131.16 DECLARATION OF INDEPENDENCE AND CONSTITUTION. In the eighth grade and in the high school grades of all public schools and in the corresponding grades in all other schools within the state, and in the educational departments of state and municipal institutions, there shall be given regular courses of instruction in the Declaration of Independence and the Constitution of the United States, to the extent to be determined by the state commissioner of education.

[*1923 c. 291 s. 1; 1941 c. 169 art. 11 s. 16*] (2881)

131.17 INSTRUCTION, USE OF ENGLISH LANGUAGE. The books used and the instruction given in public schools shall be in the English language, but any other language may be used by teachers in explaining to pupils who understand such language the meaning of English words; and in high and graded elementary schools other languages may be taught, when made a part of a regular or optional course of study. Instruction may be given in such languages in elementary grades, not to exceed one hour in each day, by unanimous vote of the school board.

[*R. L. s. 1338; 1941 c. 169 art. 11 s. 17*] (2873)

131.18 PATRIOTIC EXERCISES. In all of the ungraded, graded elementary and high schools of this state it shall be the duty of the superintendent or teachers in charge of such schools to teach and require the teaching therein, on at least one day out of each week, of subjects and exercises tending and calculated to encourage and inculcate a spirit of patriotism in the pupils and students.

Such exercises shall consist of the singing of patriotic songs, readings from American history and from the biographies of American statesmen and patriots, and such other patriotic exercises as the superintendent or teachers of such schools may determine.

The time to be spent thereon on each of these days shall not exceed one-half hour.

[*1917 c. 108 s. 1; 1941 c. 169 art. 11 s. 18*] (2880)

131.19 MINNESOTA DAY. May 11 is hereby designated as Minnesota Day and when it does not fall on a school day, the school day nearest such day is designated as Minnesota Day. On that day all the public schools of this state shall give special attention to exercises devoted to matters of interest appertaining to the state of Minnesota and its geography, history, industries, and resources.

[*1911 c. 81 ss. 1, 2; 1941 c. 169 art. 11 s. 19*] (2878, 2879)

131.191 ARBOR DAY. Subdivision 1. The first Friday in May is designated Arbor Day. On that day there may be special observances throughout the state celebrating and emphasizing the importance of cultivating forest, fruit and ornamental trees. In the public schools of the state, time may be devoted by the teachers, either in the classroom or outside of the classroom, to appropriate instructions and exercises commemorating the history and tradition of Arbor Day observances in the past and illustrating the future value to the state of cultivating, planting and developing the trees and forest resources. These observances shall not consume more than one-half of the normal school day.

Subd. 2. The department of conservation may assist and encourage the observance of Arbor Day by any public school, group or association requesting assistance. The department may lend its facilities and resources to such public school, group or association for the planting and cultivating of trees.

Subd. 3. The governor shall in any way he deems necessary encourage the observances and exercises set forth in this section and he shall by proclamation call the public's attention to the importance of the state forest resources and the policy herein set forth.

[1957 c 306 s 1-3]

131.20 SPECIAL DAYS. The following days or the school days nearest such days are hereby designated for special observance in the public schools of the state: September 28 as Frances Willard Day, October 9 as Leif Erikson Day, and February 15 as Susan B. Anthony Day. On such days one-half hour may be devoted in the schools to instruction and appropriate exercises relative to and in commemoration of the life and history of the respective persons and the principles and ideals they fostered.

[1921 c. 414 s. 1; 1931 c. 120; 1931 c. 175; 1941 c. 169 art. 11 s. 20; 1947 c. 324 s. 1] (2883-1, 2883-2)

131.21 LENGTH OF SCHOOL TERM. The school shall be maintained not less than nine months, but this provision shall not apply to night schools or kindergartens. The school month shall consist of four weeks. Every Saturday shall be a school holiday and all legal holidays shall be counted as part of the school week.

[R. L. s. 1337; 1923 c. 321; 1941 c. 169 art. 11 s. 21; 1947 c. 633 s. 17] (2872)

131.22 CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS. The governing body of any school district may contract with any of the teachers thereof for the conduct of schools, and may conduct schools, on either, or any, of the following holidays, provided that a clause to this effect is inserted in the teacher's contract: Lincoln's and Washington's birthdays, Columbus day and Veterans day, provided that on Washington's birthday, Lincoln's birthday, and Veterans day at least one hour of the school program be devoted to a patriotic observance of the day.

[1927 c. 239 s. 1; 1941 c. 169 art. 11 s. 22; 1947 c. 198 s. 1] (2872-1)

131.23 UNITED STATES FLAG. Subdivision 1. **Displayed by schools.** There shall be displayed at every public school in Minnesota when in session an appropriate United States flag. Such display shall be upon the schools grounds or outside the school building, upon a proper staff, on every legal holiday occurring during the school term and at such other times as the respective boards of such school districts may direct and within the principal rooms of such school building at all other times while the same is in session.

Subd. 2. **School boards to provide flags and staffs.** It shall be the duty of each school board and board of education to provide such flag for each of the school buildings of their respective districts, together with a suitable staff for the display thereof outside of such school building and proper arrangement for the display thereof within such building, and a suitable receptacle for the safe-keeping of such flag when not in use, as by this section directed, at all times.

[1917 c. 313 ss. 1, 2; 1941 c. 169 art. 11 s. 23] (2882, 2883)

131.24 SCHOOL SAFETY PATROLS. Subdivision 1. **Establishment.** In the exercise of authorized control and supervision over pupils attending schools and other educational institutions, both public and private, the governing board or other directing authority of any such school or institution is empowered to authorize the organization and supervision of school safety patrols for the purpose of influencing and encouraging other pupils to refrain from crossing public highways at points other than regular crossings and for the purpose of directing pupils when and where to cross highways.

Subd. 2. **Appointment of members.** Unless the parents or guardian of a pupil object in writing to the school authorities to the appointment of the pupil on a school safety patrol, it is lawful for any pupil over nine years of age to be appointed and designated as a member thereof, provided that in any school in which there are no pupils who have attained such age any pupil in the highest grade therein may be so appointed and designated.

Subd. 3. **Liability not to attach.** No liability shall attach either to the school, educational institution, governing board, directing authority, or any individual director, trustee, superintendent, principal, teacher, or other school authority

by virtue of the organization, maintenance, or operation of such a school safety patrol because of injuries sustained by any pupil, whether a member of the patrol or otherwise by reason of the operation and maintenance thereof.

Subd. 4. **Identity and operation.** Identification and operation of school safety patrols shall be uniform throughout the state and the method of identification and signals to be used shall be as prescribed by the commissioner of highways.

[1933 c 23 s 1-3; 1941 c 169 art 11 s 24; 1953 c 128 s 1; 1957 c 496 s 1] (2883-3, 2883-4, 2883-5)

131.25 SECRET FRATERNITIES AND SOCIETIES. Subdivision 1. **Membership regulated.** It shall be unlawful for any pupil, registered as such and attending any public elementary, high school, junior college, or vocational school, which is partially or wholly maintained by public funds, to join, become a member of, or to solicit any other pupil of any such school to join, or become a member of, any secret fraternity or society wholly or partially formed from the membership of pupils attending any such schools or to take part in the organization or formation of any such fraternity or society, except such societies or associations as are sanctioned by the school boards of such schools.

Subd. 2. **Rules and regulations.** The school boards of all such schools shall enforce the provisions of this section and have full power and authority to make, adopt, and modify all rules and regulations which, in their judgment and discretion, may be necessary for the proper governing of such schools and enforcing all the provisions of this section.

Subd. 3. **Penalties.** The school boards of such schools shall have full power and authority, pursuant to the adoption of such rules and regulations made and adopted by them, to suspend or dismiss any pupil of such schools therefrom, or to prevent them, or any of them, from graduating or participating in school honors when, after investigation, in the judgment of such school boards, or a majority of their membership, such pupil is guilty of violating any of the provisions of this section or is guilty of violating any rule or regulation adopted by such school boards for the purpose of governing such schools or enforcing this section.

Subd. 4. **"Rushing" or soliciting forbidden.** It is hereby made a misdemeanor for any person, not a pupil of such schools, to be upon the school grounds, or to enter any school building, for the purpose of "rushing" or soliciting, while there, any pupil of such schools to join any fraternity, society, or association organized outside of the schools. All municipal courts and justice courts in this state shall have jurisdiction of all offenses committed under this subdivision and all persons found guilty of such offenses shall be fined not less than \$2 nor more than \$10 to be paid to the city or village treasurer, when such schools are situated inside of the corporate limits of any city or village, and to the county treasurer, when situated outside of the corporate limits of any city or village, or, upon failure to pay such fine, to be imprisoned for not more than ten days.

[1907 c. 149 ss. 1, 2, 3, 4; 1941 c. 169 art. 11 s. 25] (2874, 2875, 2876, 2877)

131.26 INSURANCE LAWS NOT APPLICABLE TO CERTAIN ASSOCIATIONS. The insurance laws of this state shall not apply to non-profit benefit and relief associations formed by public schools or officers of public schools or the Minnesota State High School League, the privileges of which and applications for membership in which are confined to pupils of the schools, and the benefits and relief to be derived therefrom are limited to pupils injured or disabled from participation in school athletics or any supervised school activity.

[1949 c. 94 s. 1]