

# CHAPTER 126

## CURRICULUM, CONDUCT, TEXTBOOKS

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**126.01** M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.01 DEFINITIONS.** For purposes of this chapter, the words defined in section 120.02 have the same meaning.

[Ex1959 c 71 art 7 s 1]

**126.02** M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.02 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, insofar as he or she is physically fit and able to do so, shall participate in the physical training program. Suitable modified courses shall be provided for pupils physically or mentally unable or unfit to take the courses prescribed for normal pupils. No pupil shall be required 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 secondary school pupils in junior and senior years need not take the course unless required by the local school board.

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

[Ex1959 c 71 art 7 s 2; 1963 c 48 s 1]

**126.03** M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.03 INSTRUCTION IN MORALS.** Instruction shall be given in all public schools in morals, in physiology and hygiene, and in the effects of narcotics and stimulants.

[Ex1959 c 71 art 7 s 3]

**126.04** M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.04 INSTRUCTION, EFFECT OF ALCOHOL.** The state department 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.

[Ex1959 c 71 art 7 s 4]

**126.05** M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.05 TEACHER TRAINING, EFFECTS OF NARCOTICS AND ALCOHOL.** All educational institutions 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.

[Ex1959 c 71 art 7 s 5]

**126.06** M.S. 1953 [Repealed, 1955 c 650 s 1]

**126.06 DECLARATION OF INDEPENDENCE AND CONSTITUTION.** In the eighth grade and in the secondary 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

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courses of instruction in the Declaration of Independence and the Constitution of the United States, to the extent to be determined by the commissioner.

[Ex1959 c 71 art 7 s 6]

126.07 M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.07 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 secondary and 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.

[Ex1959 c 71 art 7 s 7]

126.08 M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.08 PATRIOTIC EXERCISES.** In all of the schools in 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 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.

[Ex1959 c 71 art 7 s 8]

126.09 M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.09 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 pertaining to the state of Minnesota and its geography, history, industries, and resources.

[Ex1959 c 71 art 7 s 9]

126.10 M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.10 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 Ericson 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.

[Ex1959 c 71 art 7 s 10]

126.11 M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.11 ARBOR DAY.** Subdivision 1. The last Friday in April 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.

[Ex1959 c 71 art 7 s 11; 1965 c 405 s 1]

126.12 M.S. 1957 [Repealed, Ex1959 c 71 art 8 s 26]

**126.12 LENGTH OF SCHOOL TERM.** The school shall be maintained not less than nine months, but this provision shall not apply to night schools or kinder-

gartens. 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.

[*Ex1959 c 71 art 7 s 12*]

**126.13 M.S. 1957** [Repealed, Ex1959 c 71 art 8 s 26]

**126.13 CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS.** The governing body of any 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.

[*Ex1959 c 71 art 7 s 13*]

**126.14 M.S. 1957** [Repealed, Ex1959 c 71 art 8 s 26]

**126.14 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 school 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 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 board 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 safekeeping of such flag when not in use, as by this section directed, at all times.

[*Ex1959 c 71 art 7 s 14*]

**126.15 M.S. 1957** [Repealed, Ex1959 c 71 art 8 s 26]

**126.15 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, board member, 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. **Identify, 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.

[*Ex1959 c 71 art 7 s 15*]

**126.16 M.S. 1957** [Repealed, Ex1959 c 71 art 8 s 26]

**126.16 TEXTBOOKS, LICENSE TO SELL.** Before any person, company, or corporation shall offer any school textbook for adoption, sale, or exchange, in the state of Minnesota, the person, company, or corporation shall comply with the following conditions:

(1) File a copy of such textbook in the office of the commissioner, with a sworn statement of the usual list price, the lowest wholesale price, and the lowest exchange price, based on five-year adoption periods, at which such textbook is sold, or exchanged for an old textbook in the same subject of like grade, and kind, but a different series, to any school board, school corporation, or school textbook commissioner anywhere in the United States;

(2) File with the commissioner a written agreement (a) to furnish such textbook or books to any board at the lowest prices so filed, and to maintain such prices uniformly throughout the state; (b) to reduce such prices automatically in Minnesota whenever reductions are made elsewhere in the United States, and guarantee that at no time shall any textbook so filed by the person, company, or corporation be sold in Minnesota at a higher price than is received for such textbook elsewhere in the United States; and (c) that all textbooks offered for sale in Minnesota shall be equal in quality to those deposited in the office of the commissioner as regards paper, binding, print, illustrations, subject matter, and all points that may affect the value of the textbooks;

(3) File with the commissioner a surety bond of not less than \$2,000, and not more than \$10,000, in an amount to be fixed by the commissioner, which shall run to the state of Minnesota, and be approved by the attorney general.

Upon compliance with the foregoing conditions, the person, company, or corporation shall be licensed to sell school textbooks in the state of Minnesota.

[*Ex1959 c 71 art 7 s 16*]

#### **126.17 FAILURE TO CONFORM TO AGREEMENT; FORFEITURE OF BOND.**

If in any case the person, company, or corporation shall furnish to any district, textbooks inferior in any particular to the samples on file with the commissioner, or charge a higher price than was filed with the commissioner, or than the same are sold elsewhere in the United States, then it shall be the duty of the county superintendent, on written complaint filed with him by the board of such district, or of the superintendent of a district having a secondary school, or of the principal of schools of the district to inform the commissioner of the failure of the person, company, or corporation to comply with the terms of his contract. The commissioner shall thereupon notify the person, company, or corporation of the complaint and, if the person, company, or corporation shall disregard the notification and fail to comply immediately with the terms of agreement filed with the commissioner, the bond of the person, company, or corporation shall be forfeited and the attorney general shall, upon written request of the commissioner, proceed to collect the full amount of the bond of the person, company, or corporation.

[*Ex1959 c 71 art 7 s 17*]

#### **126.18 LIST OF TEXTBOOKS AND PRICES; DUTIES OF COMMISSIONER.**

When the publisher shall prepare an abridged or special edition of any of his textbooks listed with the commissioner and supply such special edition elsewhere at a lower wholesale price than the wholesale price scheduled with the commissioner, the publisher must agree to furnish such special edition at the wholesale price at which it is furnished elsewhere, so long as it is supplied at this lower price anywhere outside of Minnesota; and it shall be understood that the bond given by the publisher shall cover this provision as to special edition. In case an action is brought upon such bond, the state, if successful, shall recover the full amount of the bond, which amount shall be paid into the state school fund.

[*Ex1959 c 71 art 7 s 18*]

#### **126.19 PEDDLING AND CANVASSING PROHIBITED ON SCHOOL GROUNDS; PENALTY.**

No person shall offer for sale, sell, or peddle any goods, wares, books, newspapers, magazines, or merchandise, insurance, course of instruction, or any other thing whatsoever, or canvass or take orders therefor, or solicit the endorsement of any goods, wares, books, newspapers, magazines, merchandise, insurance, or course of instruction, or other thing, or loiter for any of the purposes hereinbefore referred to in any public school building or upon any public school grounds not located within the limits of any city, village, or borough, whether or not such person has a license to offer for sale, sell, solicit, or canvass for such goods, wares, books, newspapers, magazines, merchandise, insurance, course of instruction, or any other thing; provided, this section shall not be construed as prohibiting the soliciting of or taking of such orders from, or making such sale to the school board or any member thereof, the board of education or any member thereof, or the superintendent of schools.

Any person violating the provisions of this section shall be guilty of a misdemeanor.

[*1929 c 181 s 1, 2; 1939 c 155 s 1*] (*10151-1, 10151-2*)