

SCHOOL TAXES, FUNDS, AIDS 124.03

of a religious denomination whose teachings are opposed to such immunization; or (4) a request signed by his parent or guardian that the local health officer administer the prescribed immunization.

[1973 c 137 s 1]

[For text of subd. 2, see M.S.1971]

Subd. 3. The phrase "any school" means any public, private or parochial elementary school, day care center or nursery school.

[1973 c 137 s 2]

Subd. 4. The immunizations required by this section should be completed prior to the second birthday of the child.

[1973 c 137 s 3]

123.72 Insurance premiums for retired personnel

The school board of any independent school district may expend funds to pay premiums on hospitalization and major medical insurance coverage for officers and employees who retire prior to age 65 and who are between the ages of 60 and 65. Such premiums shall only be paid until such retired officers and employees reach age 65.

[1973 c 739 s 1]

CHAPTER 124. SCHOOL TAXES, FUNDS, AIDS

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124.03 Agricultural land tax differential ratio

[For text of subds. 1 and 2, see M.S.1971]

Subd. 3. (a) The county auditor shall compute the tax levy that would be produced by applying a rate of 25 mills to the valuation determined on the January 2, 1971 assessment and 8.3 mills on the January 2, 1972 assessment and subsequent assessments on all the agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of taxation by November 15 of each year for verification.

(b) If the commissioner of taxation agrees with the computation, he shall deliver to the state auditor his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the state auditor his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with chapter 271.

(c) On or before May 31, 1972, the state auditor shall issue his warrant upon the state treasurer in favor of the school district in an amount equal to one half the amount certified by the commissioner shown to be due to the district. On or before October 31, 1972, the state auditor shall issue his warrant

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upon the state treasurer in favor of the school district distributing the remainder of the amount certified by the commissioner shown to be due to the school district for the year 1972. The state auditor in the same manner shall make distribution for the year 1973 in the same manner with respect to amounts shown to be due in accordance with the commissioner's certification. For the year 1974 and subsequent years, the state auditor shall issue his warrant in an amount equal to one-half the amount certified on or before July 15, but no earlier than July 1. The remainder shall be distributed as provided herein.

(d) In the event that a final judicial determination is not in agreement with the amount certified by the commissioner, the state auditor shall either increase or decrease the amount of the following payment required to be made to the school district in accordance with such judicial determination.

(e) There is hereby appropriated to the school districts entitled to such payments from the general fund, an amount sufficient to make the payments.

(f) The county auditor shall reduce the dollars levied for school maintenance by each district by the amount determined in (a) and (b). The amounts paid to the county treasurer pursuant to (c) shall be transmitted by the county treasurer to the school district at the same time the real estate settlement is made.

[1973 c 650 Art. 1, s 1]

**124.04 Capital expenditure taxing authority**

In addition to the tax levy prescribed by law for general and special school purposes, the board of any district may levy annually an amount not to exceed \$65 per pupil unit and not to exceed 10 mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49, provided that said levy may not exceed by more than two mills (three mills if the district adds units pursuant to section 124.17, subdivision 1, clause (7)) the levy under this section in the previous year. The tax so levied shall be collected in the manner provided by law for the collection of school taxes. The proceeds of the tax may be used only to acquire land, improve and repair school sites and to equip, re-equip, repair and improve buildings and permanent attached fixtures. Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings. The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

The proceeds of the tax shall not be used for custodial or other maintenance services.

[1973 c 683 s 3]

**124.17 Definition of pupil units**

Subdivision 1. Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) In an elementary school, for kindergarten and for handicapped pre-kindergarten pupils as defined in section 120.03, and enrolled in one-half day sessions throughout the school year or the equivalent thereof, approved by the commissioner of education, one-half pupil unit and other elementary pupils, one pupil unit.

(2) In secondary schools, pupils in junior high school or a six-year school and all other pupils in secondary schools, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of a middle school shall be counted as secondary pupils.

(3) In area vocational-technical schools one and one-half pupil units.

(4) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil from families receiving aid to

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families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. The department of public welfare is directed to furnish to the department of education that information concerning children from families with dependent children which is necessary to calculate pupil units. Additional aids to a district for such pupils may be distributed on a delayed basis until the department of education publicly certifies that the information needed for paying such aids is available on such a timely basis that such aids may be paid concurrently with other foundation aids.

(5) In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds ten percent of the total actual pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional  $\frac{35}{100}$  of a pupil unit; for those districts where the number of such pupils is more than eight percent but not more than ten percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional two-tenths of a pupil unit and for those districts where the number of such pupils is at least five percent but not more than eight percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional one-tenth of a pupil unit. Such weighing shall be in addition to the weighing provided in clauses (1), (2), (3), and (4) of this section. School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses (4) and (5) to primary grade programs and services, particularly to programs and services that involve participation of parents.

(6) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units for such district shall equal the average of actual pupil units for the prior and current years.

(7) Where the actual number of pupil units has increased from the prior year by more than four percent, a number of pupil units equal to one fourth of the difference between the units as computed in clauses (1) and (2) for the two years shall be added to the other units for the district.

(8) Only pupil units in clauses (1), (2) and (3) shall be used in computing adjusted maintenance cost per pupil unit.

[1973 c 683 s 4]

[For text of subds. 2 and 3, see M.S.1971]

#### 124.20 Aid computation for summer school and year-round classes

State aid for summer school classes which are not a part of the regular school term in hospitals, sanatoriums, home instruction programs, and inter-session classes of year-round programs in elementary and secondary schools, and summer school instruction in area vocational schools or teachers college laboratory schools or in the university laboratory school shall be paid at a proportionate rate for aids paid during the regular school term.

[1973 c 514 s 1]

#### 124.212 Foundation aid

Subdivision 1. The foundation aid program for school districts for school years 1973-1974 and 1974-1975 shall be governed by the terms and provisions of this section.

[1973 c 683 s 5]

[For text of subd. 2, see M.S.1971]

Subd. 3. [Repealed, 1973 c 683 s 30]

Subd. 3a. Notwithstanding any of the other provisions of this section, for the 1973-1974 school year neither the sum nor the sum per pupil unit of the

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aggregate foundation aid earned by a district maintaining a classified secondary school and the amount raised by the maximum levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (2) and for the 1974-1975 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by such a district and the amount raised by the maximum levy authorized for 1973 by section 275.125, subdivision 2a, clause (1), shall be less than the sum or the sum per pupil unit respectively of the aggregate foundation aid earned for the 1972-1973 school year, any payments earned for 1972-1973 which but for the operation of Minnesota Statutes 1971, Section 124.212, Subdivision 3, would not have been earned, and the amount raised by the levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (1). Aggregate foundation aid includes foundation aid for all pupil units. For purposes of this computation pupil units used as a divisor shall include only those units identified in section 124.17, subdivision 1, clauses (1) to (3).

[1973 c 683 s 6]

Subd. 4. The amount of money received by a school district as income from the permanent school fund for any year, shall be deducted from the foundation aid earned by the district for the same year including aid earned pursuant to section 124.212, subdivision 3a or from aid earned from other state sources.

[1973 c 683 s 7]

[For text of subd. 5, see M.S.1971]

Subd. 6. [Repealed, 1973 c 683 s 30]

Subd. 6a. For the 1973-1974 school year a district shall receive in foundation aid the lesser of (1) \$788 per pupil unit less 30 mills times the 1971 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the 1970-1971 adjusted maintenance cost per pupil unit increased by \$87, and the greater of (a) one-sixth of the difference that results when the adjusted maintenance cost per pupil unit, so increased, is subtracted from \$788, or (b) \$38, bears to \$788.

[1973 c 683 s 8]

Subd. 7. [Repealed, 1973 c 683 s 30]

Subd. 7a. For the 1974-1975 school year a district shall receive in foundation aid, the lesser of: (1) \$820 per pupil unit less 30 mills times the 1972 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to section 124.212, subdivision 6a, clause (2), and the greater of (a) one-third of the difference that results when such greater sum is subtracted from \$820, or (b) \$32, bears to \$820.

[1973 c 683 s 9]

Subd. 8. [Repealed, 1973 c 683 s 30]

Subd. 8a. Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts receiving payments under sections 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; 294.21 to 294.28; 124.215, subdivision 2a; 124.25; 124.30; 360.133; 360.135; and 124.28; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced by: The previous year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a, to the total levy allowed by section 275.125, but not to exceed 35 percent in 1973-1974 and 40 percent in 1974-1975 of the previous year's payment.

[1973 c 683 s 10]

[For text of subd. 9, see M.S.1971]

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Subd. 10. The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, and the commissioner of taxation, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the market value of taxable property in such district, then said committee shall call upon the department of taxation to ascertain the market value of such property, and adjust such values as required by law to determine the adjusted assessed valuation. The department of taxation shall take such steps as it may consider necessary in the performance of that duty and may incur such expense as is necessary therefor. The commissioner of taxation is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before May 1, annually, the department of taxation shall submit its report on the assessed values established by the previous year's assessment to said committee for approval or rejection and, if approved, such report shall be filed not later than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

[1973 c 683 s 27]

[For text of subds. 11 to 19, see M.S.1971]

**124.22** [Repealed, 1973 c 683 s 30]

**124.221 Transportation aid, review of programs of applicants**

Any school district which applies for aid under section 124.24 shall be subject to a review by representatives of the state board of education of all school costs including items such as educational programs, staffing ratios, building programs, and all financial operations. The state board may withhold emergency aid from an eligible school district for failure to comply with its recommendations.

[1973 c 494 s 7]

**124.222 Transportation aid entitlement**

**Subdivision 1. Computation.** For the 1974-1975 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid: (1) The lesser product of either

(a) The actual net operating cost per eligible pupil transported during the 1975 fiscal year times the number of eligible pupils transported during the 1975 fiscal year; or

(b) 110 percent of the actual net operating cost per eligible pupil transported during the year ending June 30, 1973, times the number of eligible pupils transported during the 1975 fiscal year;

(2) Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year 1974;

(3) Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of ten percent per year of the net cost of the fleet.

Subd. 2. Notwithstanding subdivision 1, for the 1974-1975 school year the state shall pay to school districts having boundaries coterminous with the boundaries of a city of the first class for all school transportation and related services for which a district is authorized by law to receive state aid:

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Eighty percent of the lesser product computed pursuant to clause (1) of subdivision 1, plus 80 percent of the amount computed pursuant to clause (3) of subdivision 1.

**Subd. 3. Payment schedule.** The state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the 1975 fiscal year on or before each of the following dates: September 30, December 31, and March 31. The actual balance due the district shall be paid on or before August 31 of the following fiscal year.

**Subd. 4. Special payment.** In addition to other payments authorized by law, on or before August 31 in fiscal year 1975 only, the state shall pay to each school district ten percent of the amount paid to the district in fiscal year 1974 for school transportation services provided in fiscal year 1973.

[1973 c 683 s 11]

**124.223 Transportation aid authorization**

For the 1974-1975 school year and thereafter, school transportation and related services for which state transportation aid is authorized are:

(1) Transportation or board of resident pupils who reside one mile or more from the public schools which they could attend, or transportation to, from, or between the schools they attend pursuant to a program approved by the commissioner of education, or who reside one mile or more from a private school actually attended, but only to the extent permitted by sections 123.76 to 123.79 with respect to private school pupils; provided that state transportation aid is authorized in an amount not to exceed \$700,000 annually for the transportation of any elementary pupil, if the commissioner determines that the transportation is necessary because of extraordinary traffic hazards;

(2) Transportation to or board and lodging in another district, of resident pupils of a district without a secondary school; the pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to a district having a classified secondary school at the expense of the district of the pupil's residence;

(3) Transportation for residents to a state board approved secondary vocational center;

(4) Transportation or board and lodging of a handicapped pupil when he cannot be transported on a regular school bus, and the conveying of handicapped pupils between home and school and within the school plant;

(5) Transportation of resident handicapped children to licensed daytime activity centers attended by the children;

(6) When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;

(7) Services described in clauses (1) to (6) when provided in conjunction with a state board approved summer school program.

[1973 c 683 s 12]

**124.25 Aid to districts educating persons resident on non-taxable land**

When elementary or secondary pupils living on land owned by the university of Minnesota as a research center or as a housing project located outside a city of the first class attend school in a district in which such research center or housing project is located, the state shall pay state aid to such district at the same rate per pupil unit in average daily membership exclusive of transportation as is paid by a district for the education of its residents in another district on a non-resident basis.

The state aid referred to in this section shall be paid from the special state aid fund based upon an annual application submitted to the commissioner.

[1973 c 63 s 1]

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## 124.28 Gross earnings refund

[For text of subds. 1 and 2, see M.S.1971]

Subd. 3. For the purpose of determining the applicability of this section to any district in fiscal 1974 and subsequent years, the valuation of taxable property shall be the adjusted value of such property as determined by the equalization aid review committee and used in calculating foundation aid for the corresponding school year, and the valuation of the exempt property shall be the full value of the exempt property as reported annually by the department of public service. For the purpose of determining refunds the valuations of the taxable property shall be taken at 30 percent of the valuations as adjusted by the equalization aid review committee and the valuation of the exempt property shall be taken at 30 percent of its full value. The eligibility of a school district under this section is determined by adding the adjusted taxable valuation of the taxable property of the district as determined by the equalization aid review committee to the full value of the exempt property as reported by the department of public service; then by dividing the amount of the exempt property by the total of such taxable property and exempt property; if the result is 20 percent or more the school district is eligible, otherwise not, unless it qualifies temporarily under subdivision 1 or the following paragraph.

Any district disqualified from receiving refunds because this subdivision as amended substitutes a more recent adjusted assessed valuation for the 1969 adjusted assessed valuation previously specified, shall nevertheless continue to receive such refunds for three additional years, but the net amounts due prior to any required proration shall be reduced by 25 percent the first year, by 50 percent the second year, and by 75 percent the third year.

[1973 c 683 s 13]

## 124.30 Aid in lieu of non-taxable land

Subdivision 1. In any district where 40 percent or more of the total land area is exempt from real property taxes, there is hereby appropriated annually for school maintenance purposes only, an amount equal to ten cents for each acre of non-taxable lands to be paid from the general fund to the district within which such land is situated, except that no district shall receive hereunder in any one year more than an amount in excess of \$25 per pupil unit in average daily membership in kindergartens and grades one through twelve, nor in any event more than \$25,000.

[1973 c 63 s 2]

Subd. 2. No district with an assessed valuation of \$1,300 or more per pupil unit in average daily membership shall receive any aid under the provisions of this section. This subdivision does not apply to any district formed in accordance with the provisions of the consolidation law, in which more than 85 percent of the lands are tax exempt nor to any district with more than 30 townships in which more than 50 percent of the land in such district is tax exempt.

[1973 c 63 s 3]

[For text of subds. 3 and 4, see M.S.1971]

## 124.31 [Repealed, 1973 c 683 s 30]

## 124.32 Handicapped children

Subdivision 1. The state shall pay to any district and unorganized territory; (a) for the employment in its educational program for handicapped children, 60 percent of the salary of essential personnel, but this amount shall not exceed \$5,600 for the normal school year 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 educational program for handicapped children, 60 percent of

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the salary of essential personnel, but this amount shall not exceed \$5,600 for the normal school year 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.

[1973 c 501 s 3; 1973 c 683 s 14]

[For text of subd. 2, see M.S.1971]

Subd. 3. [Repealed, 1973 c 683 s 30]

[For text of subd. 4, see M.S.1971]

Subd. 5. When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational program is approved by the commissioner, the state shall pay to the resident district not to exceed 60 percent of instructional costs charged to the resident district, less the foundation aid per pupil unit payable to the resident district. Not more than \$300,000 shall be spent annually for purposes of implementing this subdivision. If that amount does not suffice, the aid shall be pro rated among all qualifying districts.

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children, either within or outside of the state, or, a state residential school outside of the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children either within or outside of the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

[1973 c 683 s 15]

Subd. 6. The state shall reimburse each district or unorganized territory the actual cost incurred in providing instruction and services for a handicapped child whose district of residence has been determined by sections 120.17, subdivisions 7 or 8a, and who is temporarily placed in a state institution or a licensed residential facility for care and treatment. This section does not apply for a child placed in a foster home or a foster group home.

Upon following such procedure as requested by the commissioner of education a district or unorganized territory providing instruction and services for such handicapped child may bill the state the actual cost incurred in providing said services including transportation costs and a proportionate amount of capital outlay and debt service, minus the amount of foundation aid, special education aid, transportation aid, and any other aid earned in behalf of such child, such action pursuant to limits set forth in section 124.32, subdivision 4.

[1973 c 683 s 16]

**124.511 Surplus county school tax funds; distribution**

When, by reason of reorganization of districts there is a surplus in the county treasury to the credit of the county school tax fund on account of an excessive tax levy heretofore made, and when there is no need therefor, the surplus shall be paid by the county treasurer to the reorganized district upon the order of the county board.

[1973 c 157 s 1]

(Note: This section is effective July 1, 1972.)

**124.571 Vocational reimbursement ceiling**

Notwithstanding any reimbursement formula which is inconsistent with this section, for secondary, post-secondary and adult vocational programs, with the exception of obligations for veteran farmer cooperative training pro-



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grams for which a separate appropriation is made, provided in fiscal year 1974 to be reimbursed in fiscal year 1975, the state shall not be obligated to reimburse in fiscal year 1975, or any other fiscal year, any amounts in excess of the appropriations made for fiscal year 1975 in this act for those purposes.

[1973 c 683 s 24]

## TAX ANTICIPATION BORROWING

**124.781 Limitation on tax anticipation borrowing**

Except as approved by the commissioner, a district may not issue certificates of indebtedness pursuant to sections 124.71 to 124.78, for a larger proportion of its total anticipated tax or aid revenues than it borrowed against such revenues which were received in calendar 1973 with respect to tax revenues and in the 1972-1973 school year with respect to aid revenues.

[1973 c 683 s 17]

## VARIATIONS IN ASSESSED VALUATIONS

**124.802 Computation**

Subdivision 1. The additional aids payable for any fiscal year ending June 30, to districts meeting the requirements of section 124.801, subdivision 2 shall be computed as follows:

(a) For each year in which the auditor's assessed value declined more than eight percent during the previous year a "controlled assessed valuation" shall be computed by reducing the auditor's assessed value for such previous year by eight percent. In determining the amount of the decline and for the purposes of calculating aids payable, the auditor's assessed valuations in 1972 and subsequent years shall be divided by three and the local mill rates established shall be multiplied by three.

(b) If the decrease in auditor's assessed value exceeded an average of eight percent per year between the years 1962 and the current year a "controlled assessed valuation" shall be computed by reducing the 1962 auditor's assessed valuation by eight percent and decreasing this result by successive reductions of eight percent for each subsequent year until the "controlled assessed valuation" thus established and the current auditor's assessed valuation shall be equalized.

(c) If in the calculation of (a) or (b) above, a district suffers a loss of more than 15 percent in auditor's assessed valuation in any year after 1962 any subsequent increases in auditor's assessed valuation, if such should occur, shall be limited in calculating aid due under this section to eight percent for the first year and successive increases not to exceed eight percent for each year thereafter until the "controlled assessed valuation" and the increasing auditor's assessed valuation shall be equalized.

(d) Any district suffering a loss of assessed valuation of 15 percent or more due to the loss of a major industry, during the first year covered by the provisions of Laws 1967, Chapter 731, shall use the auditor's assessed valuation as determined January next after the loss occurs in the computation of its special aid under Laws 1967, Chapter 731.

(e) The local levy for maintenance, including public employees retirement associations, and group insurance, where identified as such, which was certified on or before October 10 of the current year under provisions of Minnesota Statutes 1965, Section 275.07, shall be divided by the current "controlled assessed valuation". The mill rate thus produced shall be multiplied by the actual auditor's assessed value for the current year. The difference between

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this result and the amount levied for maintenance purposes shall be paid to the school district from the general fund.

[1973 c 506 s 1]

[For text of subd. 2, see M.S.1971]

(Note: This subdivision is effective for valuations determined after December 31, 1971.)

**124.806 Optional aid entitlement**

Notwithstanding any other provisions of law, any school district which has received aid pursuant to Section 124.802, for the preceding eight years shall be entitled to receive in any school year commencing after July 1, 1973, the greater of the aid under section 124.802 or the average of the aid received during the preceding eight years. This section shall not apply to a district in which the average of the aids received during the eight preceding years exceeds \$90,000.

[1973 c 683 s 25]

**CHAPTER 125. TEACHERS**

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**125.04 Qualified teacher defined**

A qualified teacher is one holding a valid certificate, as hereinafter provided, to perform the particular service for which he is employed in a public school.

[1973 c 749 s 1]

**125.05 Commission to issue certificates**

**Subdivision 1. Qualifications.** The authority to certify teachers as defined herein is vested in the teacher standards and certification commission but based solely on criteria and qualifications approved by the state board of education. The authority to certify superintendents and principals is vested in the state board of education. Certificates shall be issued to such persons as the commission finds to be physically competent and morally fit to teach. Qualifications of teachers and other professional employees shall be determined by the commission under the rules which it promulgates. Certificates of qualifications of teachers shall be issued by the commissioner and the commissioner shall issue certificates to any qualified blind graduates of a school of education.

[1973 c 749 s 2]

**Subd. 2. Expiration and renewal.** Each certificate shall bear the date of issue. Certificates shall expire and be renewed in accordance with rules promulgated by the commission. Renewal requirements for the renewal of a certificate shall include the production of satisfactory evidence of successful teaching experience for at least one school year during the period covered by the certificate in grades or subjects for which the certificate is valid or the completion of such additional preparation as the commission shall prescribe.

[1973 c 749 s 3]

[For text of subd. 3, see M.S.1971]

**125.06 Applicants trained in other states**

When a certificate to teach is authorized to be issued to any holder of a diploma or a degree of a Minnesota state college, or of the University of Min-