

TEACHERS 125.12

CHAPTER 125. TEACHERS

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125.03 Teachers, definition, certification.

Subdivision 1. The term "teachers" for the purpose of certification, means and includes any and all persons employed in a public school as members of the instructional and supervisory staff such as superintendents, principals, supervisors, classroom teachers, and librarians.

Subd. 2. [Repealed, 1975 c 162 s 42]

Subd. 3. [Repealed, 1975 c 162 s 42]

[1975 c 162 s 31]

125.11 Recording of certificates; district superintendent.

No person shall be accounted a qualified teacher until such person has filed for record with the district superintendent where such person intends to teach a certificate, or certified copy thereof, authorizing such person to teach school in such district school system.

[1975 c 162 s 32]

125.12 Employment; contracts, termination.

[For text of subd 1, see M.S.1974]

Subd. 2. Hiring, dismissing. School boards shall hire or dismiss teachers at duly called meetings. Where a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher shall be made or authorized except upon the unanimous vote of the full board. No teacher related by blood or marriage, within the fourth degree, computed by the civil law, to a board member shall be employed except by a unanimous vote of the full board. The employment shall be by written contract, signed by the teacher and by the chairman and clerk. Contracts for teaching or supervision of teaching can be made only with qualified teachers. Such contract shall specify the wages per year and the general assignment of the teacher. A teacher shall have 10 days after receipt to consider, demand corrections, execute and return such contract, but this period shall not be construed to be an extension of the final resignation date in subdivision 4. No teacher shall be required to reside within the employing school district as a condition to teaching employment or continued teaching employment.

[For text of subd 3, see M.S.1974]

Subd. 4. Termination of contract after probationary period. A teacher who has completed his probationary period in any school district, and who has not been discharged or advised of a refusal to renew his contract pursuant to subdivision 3, shall have a continuing contract with such district. Thereafter, the teacher's contract shall remain in full force and effect, except as modified by mutual consent of the board and the teacher, until terminated by a majority roll call vote of the full membership of the board, upon one of the grounds specified in subdivisions 6 or 6a or 6b, or until the teacher is discharged pursuant to subdivision 8, or by the written resignation of the teacher submitted prior to April 1; provided, however, that if an agreement as to the terms and conditions of employment for the succeeding school year has not been adopted pursuant to the provisions of sections 179.61 to 179.77 prior to March 1, the teacher's right of resignation shall be extended to the 30th calendar day fol-

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lowing the adoption of said contract in compliance with section 179.70, subdivision 2. Such written resignation by the teacher shall be effective as of June 30 if submitted prior to that date and the teachers' right of resignation for the school year then beginning shall cease on July 15. Before a teacher's contract is terminated by the board, the board shall notify the teacher in writing and state its ground for the proposed termination in reasonable detail together with a statement that the teacher may make a written request for a hearing before the board within 14 days after receipt of such notification. Within 14 days after receipt of this notification the teacher may make a written request for a hearing before the board and it shall be granted before final action is taken. If no hearing is requested within such period, it shall be deemed acquiescence by the teacher to the board's action. Such termination shall take effect at the close of the school year in which the contract is terminated in the manner aforesaid. Such contract may be terminated at any time by mutual consent of the board and the teacher and this section shall not affect the powers of a board to suspend, discharge, or demote a teacher under and pursuant to other provisions of law.

[For text of subd 5, see M.S.1974]

Subd. 6. Grounds for termination. A continuing contract may be terminated, effective at the close of the school year, upon any of the following grounds:

- (a) Inefficiency;
- (b) Neglect of duty, or persistent violation of school laws, rules, regulations, or directives;
- (c) Conduct unbecoming a teacher which materially impairs his educational effectiveness;
- (d) Other good and sufficient grounds rendering the teacher unfit to perform his duties.

A contract shall not be terminated upon one of the grounds specified in clauses (a), (b), (c), or (d), unless the teacher shall have failed to correct the deficiency after being given written notice of the specific items of complaint and reasonable time within which to remedy them.

All evaluations and files generated within a school district relating to each individual teacher shall be available to each individual teacher upon his written request. Effective January 1, 1976, all evaluations and files, wherever generated, relating to each individual teacher shall be available to each individual teacher upon his written request. The teacher shall have the right to reproduce any of the contents of the files at the teacher's expense and to submit for inclusion in the file written information in response to any material contained therein; provided, however, a school district may destroy such files as provided by law.

[1975 c 151 s 1; 1975 c 177 s 1; 1975 c 432 s 70]

[For text of subds 6a to 13, see M.S.1974]

125.15 Keeping of registers.

Each teacher shall keep a register, furnished by the clerk, showing the daily attendance of each pupil, and such other matters as may be required in such register. He shall also keep such record of deportment and scholarship as may be required by the board. The register shall show the names and ages of all pupils, the names and number of days' attendance of all pupils between the

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ages of five and eight years, between eight and fifteen years, and between fifteen and twenty-one years, and the names of all paying tuition. The teacher shall return such register, properly kept, to the clerk within ten days after the close of the school year.

[1975 c 162 s 33]

125.16 Teachers' reports.

No order shall be issued for the payment of the wages of any teacher while he is in default in making reports or in returning his register. The teachers, principals, and superintendents shall make such reports as may be required by law or the rules of the state or local board under like penalty.

[1975 c 162 s 34]

125.17 Teacher tenure act; cities of the first class; definitions.

[For text of subds 1 to 11, see M.S.1974]

Subd. 12. Records relating to individual teacher, access. All evaluations and files generated within a school district relating to each individual teacher shall be available to each individual teacher upon his written request. Effective January 1, 1976, all evaluations and files, wherever generated, relating to each individual teacher shall be available to each individual teacher upon his written request. The teacher shall have the right to reproduce any of the contents of the files at the teacher's expense and to submit for inclusion in the file written information in response to any material contained therein; provided, however, a school district may destroy such files as provided by law.

[1975 c 177 s 2]

125.183 Membership.

Subdivision 1. A teacher standards and certification commission consisting of 17 members is hereby established. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. No member shall be reappointed for more than one additional term.

Subd. 2. [Repealed, 1975 c 136 s 77]

Subd. 3. Except for the representatives of higher education and the public, to be eligible for appointment to the commission a person must be fully certificated for the position he holds and have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment. The commission shall be composed of one teacher whose responsibilities are those either of a counsellor, librarian, psychologist, remedial reading teacher, speech therapist, vocational teacher, or certified school nurse, four elementary school classroom teachers, four secondary classroom teachers, three higher education representatives, from higher education faculties preparing teachers, two of whom shall be representatives of state institutions and one of whom shall be a representative of private institutions; one school administrator and four members of the public. Each nominee other than a public nominee shall be selected on the basis of his professional experience, and knowledge of teacher education, accreditation and certification.

[1975 c 136 s 1,2]

[For text of subd 4, see M.S.1974]

125.184 Meetings.

Subdivision 1. The commission shall meet regularly at such times and places as the commission shall determine. Meetings shall be called by the chairman or at the written request of any eight members.

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[1975 c 136 s 3]

[For text of subd 2, see M.S.1974]

125.185 Duties.

[For text of subds 1 to 5, see M.S.1974]

Subd. 6. The state board shall provide all necessary materials and assistance for the transaction of the business of the commission and all moneys received by the commission shall be paid into the state treasury as provided by law. The expenses of administering sections 125.01 to 125.187 shall be paid for from appropriations made to the state board.

[1975 c 136 s 4]

[For text of subds 7 to 9, see M.S.1974]

CHAPTER 126. CURRICULUM, CONDUCT, TEXTBOOKS

Sec. 126.151	Vocational education student organizations. [New]	Sec. 126.21	Athletic programs; sex discrimination. [New]
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126.151 Vocational education student organizations.

Any pupil enrolled in a vocational-technical education program approved by the state board of education may belong to a vocational student organization which is operated as an integral part of the program. The commissioner of education may provide assistance and leadership to these organizations.

[1975 c 432 s 71]

126.21 Athletic programs; sex discrimination.

Subdivision 1. Notwithstanding any other state law to the contrary, in athletic programs operated by educational institutions or public services and designed for participants 12 years old or older or in the seventh grade or above, it is not an unfair discriminatory practice:

(1) to restrict membership on an athletic team to participants of one sex, if this restriction is necessary to provide members of each sex with an equal opportunity to participate in the athletic program; provided, if a membership restriction on the basis of sex results in the operation of two teams in the same sport which are separated or substantially separated according to sex, the two teams shall be operated in compliance with all the provisions of clause (2); or

(2) to provide two teams in the same sport which are in fact separated or substantially separated according to sex, if the two teams are provided with substantially equal budgets per participant, exclusive of gate receipts and other revenues generated by that sport, and in all other respects are treated in a substantially equal manner. The two teams shall be operated separately only in those activities where separation is necessary to provide the members of each sex equal opportunity to participate in the athletic program.

Subd. 2. Any organization, association or league entered into by educational institutions or public services for the purpose of promoting sports or adopting rules and regulations for the conduct of athletic contests between members shall effective July 1, 1976 provide rules and regulations and conduct its activities so as to permit its members to comply fully with subdivision 1 and section 363.03, subdivisions 4 and 5.

Subd. 3. Educational institutions and public services shall make every reasonable effort to provide substantially equal budgets per participant pur-