

MINNESOTA STATUTES 1977 SUPPLEMENT

SCHOOLS; DEAF AND SIGHT-SAVING 128A.06

CHAPTER 128A. SCHOOLS; DEAF AND SIGHT-SAVING

Sec.
128A.02 Transfer of authority.
128A.06 Admittance and discharge.

Sec.
128A.07 Expense of pupils.
128A.08 Repealed.

128A.02 Transfer of authority.

[For text of subd 1, see M.S.1976]

Subd. 2. The state board may promulgate rules regarding the operation of both schools and the individuals in attendance, and shall perform all duties necessary to provide the most beneficial and least restrictive program of education for each child handicapped by visual disability or hearing impairment.

Subd. 3. The state board may employ central administrative staffs and other personnel as necessary to provide and support programs and services in each school. The residential school administrator shall serve in the unclassified service at the pleasure of the commissioner of education. These schools shall be deemed to be public schools for the purposes of sections 125.03 and 125.04, and all teachers as defined in those sections who are employed at these schools shall be subject to the standards of the board of teaching and the state board of education; provided that any teacher who does not meet these standards as of July 1, 1977 shall be required to meet these standards by September 15, 1980 in order to continue in employment.

[For text of subd 4, see M.S.1976]

[1977 c 447 art 3 s 10,11; 1977 c 449 s 13]

128A.06 Admittance and discharge.

Subdivision 1. The admissions and discharge committee of each school shall include five members who are knowledgeable in the fields of hearing impairment or visual disability, as applicable, to be appointed by the state board.

Subd. 2. Application for admission shall be made by the district of the child's residence to the admissions and discharge committee upon the appropriate forms provided by the commissioner of education. The admissions and discharge committee shall decide whether to admit a child on the basis of a review of the educational record and needs of the child, including the record of the decision by the child's district of residence pursuant to sections 120.17 and 128A.05, subdivision 1 or 2, to apply for the child's admission.

Subd. 3. An individual in attendance at either school prior to July 1, 1977, shall be entitled to continue in attendance without reapplication provided that it is determined by July 1, 1978 that that individual comes within the provisions of section 128A.05, subdivision 1 or 2.

Subd. 4. The admissions and discharge committee shall determine whether any child in attendance at the applicable school can also benefit from public school enrollment. This decision shall be subject to procedural safeguards contained in the rules of the state board.

Subd. 5. The progress of an individual in attendance at either school shall be periodically evaluated by the professional staff of that school as provided by the rules of the state board. The individual shall be returned to the district of residence when deemed appropriate by the admissions and discharge committee.

Subd. 6. The actions and decisions of the admissions and discharge committee shall be subject to state board rules. Decisions concerning admittance, discharge and an individual's educational program shall be subject to appeal to the commissioner by the child's parent or guardian or school district of residence pursuant to rules promulgated by the state board.

[1977 c 447 art 3 s 12; 1977 c 449 s 14]

MINNESOTA STATUTES 1977 SUPPLEMENT

128A.07 SCHOOLS; DEAF AND SIGHT-SAVING

128A.07 Expense of pupils.

Any individual attending the school for the deaf or the braille and sight-saving school shall be provided, by the person legally liable for his support, with sufficient funds to furnish him with proper clothing, postage, and necessary incidental expenses. If the person legally liable for his support is unable to make these provisions for him, the county welfare board of the county of which he is a resident shall pay to the superintendent of the school in which he is a pupil a sum to be fixed by the commissioner of education pursuant to rules promulgated by the state board. In addition, the school district of residence shall be liable for the actual transportation of the pupil to and from the school in which he is a pupil.

Applicants from other states who can benefit by being enrolled may be accepted so long as acceptance does not preclude acceptance of an eligible Minnesota resident. The commissioner of education shall obtain reimbursement from other states for the costs incurred in connection with nonresidents accepted and may contract with the appropriate authorities of other states to effect reimbursement. All money received from other states shall be paid to the state treasurer and placed in the general fund.

[1977 c 449 s 15]

128A.08 [Repealed, 1977 c 449 s 23]

CHAPTER 129A. DEPARTMENT OF VOCATIONAL REHABILITATION

Sec.
129A.01 Definitions.

Sec.
129A.02 Commissioner; consumer advisory council, staff.

129A.01 Definitions.

For the purposes of this chapter, the following terms shall have the meanings given them:

- (a) "Department" means the department of economic security;
- (b) "Commissioner" means the commissioner of economic security;
- (c) "Vocational rehabilitation services" means those services and goods so defined in the federal Rehabilitation Act of 1973 and section 3, clause (b);
- (d) "Handicapped person" means a person who because of a substantial physical, mental or emotional disability or dysfunction requires special services in order to enjoy the benefits of society;
- (e) "Long-term sheltered workshop" means a facility where any manufacture or handiwork is carried on and which is operated for the primary purpose of providing remunerative employment to those handicapped persons who, as a result of physical or mental disability, are unable to participate in competitive employment. A long-term sheltered workshop shall supply such employment (1) as a step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market, or (2) during such time as employment opportunities for them in the competitive labor market do not exist;
- (f) "Work activity program" means a program which utilizes manufacturing activities and other production work for the primary purpose of providing basic vocational skills development for the handicapped.

[1977 c 430 s 9]

NOTE: For effective date of Laws 1977, Chapter 430, Section 9, see Laws 1977, Chapter 430, Section 28, Subdivision 2.

129A.02 Commissioner; consumer advisory council, staff.

Subdivision 1. [Repealed, 1977 c 430 s 26]

Subd. 2. **Commissioner.** The commissioner is the chief executive officer of the department and is the successor to the powers and duties of the former assistant commissioner of vocational rehabilitation. The commissioner shall be appointed by the governor and serve under the provisions of section 15.06. The commissioner