

Education

CHAPTER 120

STATE DEPARTMENT OF EDUCATION

Sec.	
120.01	State board of education
120.02	Oath
120.023	Contracts with federal government
120.03	Contracts to be in writing
120.04	Organization and rules
120.05	Commissioner of education; offices
120.06	State commissioner of education
120.07	Administration; exceptions
120.08	Officers and employees to give bonds
120.09	Supervisor of physical and health education and training
120.10	Traveling expenses
120.11	Functions, powers, and duties of board
120.12	Forms and blanks
120.13	Reports by the state board
120.14	Recommendations; budget
120.15	Application
120.16	Conflict of powers
120.17	Questions submitted to attorney general
120.18	State circulating library; purchase of books
120.19	Librarians, advice to
120.20	Statistics; records; reports
120.21	Teachers employment bureau

Sec.	
120.22	Who may enroll; fees
120.23	Purpose of bureau; information
120.24	Appointment of director of state teachers employment bureau
120.25	Trustees of incorporated colleges may prescribe course of study; annual report
120.26	Meetings with school boards, superintendents, and principals
120.27	Teachers institutes in counties
120.28	Holding of institutes; notice; attendance required
120.29	Certificates of attendance; pay while attending
120.30	School houses used for institutes
120.31	Institutes; expenses
120.32	Vocational rehabilitation
120.33	Plan of cooperation to be formulated
120.34	Incapacitated persons aided; cooperation
120.35	Reports; to whom available; disclosure prohibited
120.36	Area vocational-technical schools
120.37	Teaching seed analysis and germination

**120.01 STATE BOARD OF EDUCATION.** A state department of education is hereby created which shall be maintained under the direction of a state board of education composed of seven representative citizens of the state, no more than one of whom shall reside in the same congressional district at the time of his appointment.

The members of the state board of education shall be appointed by the governor, by and with the approval of the senate, for a term of seven years and hold office until their successors are qualified. Not later than June 1, 1951, the governor shall appoint one member whose term expires January 1, 1956, and one member whose term expires January 1, 1957. Members now holding office shall continue to hold office until the terms for which they were appointed expire. As the term of each such member expires the governor shall appoint a successor according to the following schedule: January 1, 1952, one member whose term expires January 1, 1958, and one member whose term expires January 1, 1959; January 1, 1954, one member whose term expires January 1, 1960, and one member whose term expires January 1, 1961; from and after January 1, 1955, one member shall be appointed each year for a term of seven years. All vacancies in the board shall be filled for unexpired terms by appointments by the governor. The members of the board shall receive as compensation for their services the sum of \$15 per day for each day actually spent in the performance of their duties and all necessary expenses incurred in the performance of their duties. One member shall be chosen annually as president, but no member shall serve as president more than three years during any term. The board shall hold its annual meeting at the state capitol on the first Tuesday in August. It shall hold quarterly meetings and may hold special meetings on such dates and at such places as it designates. No member shall hold any other office under the state except that of notary public, or be employed in any state institution.

[1919 c 334 s 1; 1925 c 426 art 10 s 1; 1941 c 169 art 1 s 1; 1951 c 491 s 1] (53-35, 2958)

**120.02 OATH.** Before entering upon the duties of his office each member of the state board of education shall take an oath of office which shall be filed with the secretary of state.

[1919 c. 334 s. 2; 1941 c. 169 art. 1 s. 2] (2959)

**120.023 CONTRACTS WITH FEDERAL GOVERNMENT.** Subdivision 1. **Regulations governing.** The state board of education shall prescribe regulations under which contracts, agreements, or arrangements may be made with agencies of the Federal Government for funds, services, commodities, or equipment to be made available to the public tax-supported schools, school systems and educational institutions under the supervision or control of the State Board of Education.

Subd. 2. **Rules prescribed by state board.** All contracts, agreements or arrangements made by public tax-supported schools, school systems or educational institutions under the supervision or control of the state board of education involving funds, services, commodities, or equipment which may be provided by agencies of the Federal Government; shall be entered into in accordance with regulations prescribed by the said board of education and in no other manner.

[1945 c. 371 ss. 1, 2]

**120.03 CONTRACTS TO BE IN WRITING.** All contracts made by the board shall be in writing and signed by its executive officer.

[1919 c. 334 s. 2; 1941 c. 169 art. 1 s. 3; 1947 c. 89 s. 1] (2959)

**120.04 ORGANIZATION AND RULES.** The state board of education is authorized to make complete organization of the department of education and to adopt all necessary rules not in conflict with the provisions of law for the conduct of its affairs; and shall have authority to define the duties of appointees and employees to the end that the educational and business activities of the department of education shall be conducted under reasonable and effective regulations which shall promote the educational interest of the state and safeguard the finances appropriated for the support thereof.

[1919 c. 334 s. 3; 1941 c. 169 art. 1 s. 4] (2960)

**120.05 COMMISSIONER OF EDUCATION; OFFICES.** The state board of education shall be provided with suitable offices at the seat of government, and may provide all records, files, and office supplies required in the transaction of its business. It shall have the power to appoint a commissioner of education, and other necessary employees subject to the provisions of the Civil Service Law and the amount appropriated by the legislature for that purpose. The board shall designate the working title of each employee except that of the commissioner of education.

[1919 c. 334 s. 4; 1941 c. 169 art. 1 s. 5; 1949 c. 739 s. 4; 1951 c. 713 s. 13] (2961)

**120.06 STATE COMMISSIONER OF EDUCATION.** The state board of education shall elect a state commissioner of education who shall be the executive officer and secretary of the board and whose term of office shall be six years. He shall be a person who possesses educational attainment and breadth of experience in the administration of public education and of the finances pertaining thereto commensurate with the spirit and intent of this chapter. The term of service of the first commissioner of education shall begin August 1st, 1919. The commissioner of education shall have authority to nominate, for approval by the state board of education, such officials and employees as may be necessary to perfect and to maintain the organization of the department of education as recommended by him and as adopted by the state board of education. He shall perform such duties as the law and the rules of the state board of education may provide and be held responsible for the efficient administration and discipline of the various offices and divisions in the organization of the department of education. He shall be required to make recommendations to the state board of education which shall facilitate all of the work of the board, and he shall be charged with the execution of powers and duties which the state board of education may prescribe, from time to time, to promote public education in the state, to safeguard the finances pertaining thereto, and to enable the board to carry out conclusively the provisions of this chapter.

[1919 c. 334 s. 5; 1941 c. 169 art. 1 s. 6] (2962)

**120.07 ADMINISTRATION; EXCEPTIONS.** The state board of education shall administer all laws relating to the state commissioner of education, libraries, and other public educational institutions, except such laws as may relate to the state university and to the state teachers colleges.

[1919 c. 334 s. 6; 1941 c. 169 art. 1 s. 7] (2963)

**120.08 OFFICERS AND EMPLOYEES TO GIVE BONDS.** The state board of education shall require all officers and employees under its control, who may be

charged with any money or property belonging to the state, to give bond to the state in such sum as it may direct and each bond shall be approved and filed as provided in section 574.02.

[1919 c. 334 s. 10; 1941 c. 169 art. 1 s. 8] (2967)

**120.09 SUPERVISOR OF PHYSICAL AND HEALTH EDUCATION AND TRAINING.** The state board of education shall appoint a supervisor of physical and health education and training competent and qualified to, and who shall, under the commissioner of education, administer, supervise, and direct the program of physical and health education and training, provided for in section 120.11, subdivision 14, and section 131.13.

[1923 c. 323 s. 4; 1941 c. 169 art. 1 s. 9] (3076)

**120.10 TRAVELING EXPENSES.** The members of the state board of education and persons appointed by it shall receive their necessary expenses for traveling and other incidental expenses incurred in connection with their official duties to be paid from appropriations made for such purposes.

[1913 c. 550 s. 3; 1941 c. 169 art. 1 s. 10] (2962-1)

**120.11 FUNCTIONS, POWERS, AND DUTIES OF BOARD.** Subdivision 1. **Prior functions, powers, and duties.** All the functions, powers, and duties which were, prior to the passage of Laws 1919, Chapter 334, by law vested in, or exercised by, the state superintendent and his appointees, the state high school board and its appointees, and the state library commission and its appointees are hereby vested in, and shall be exercised by, the state board of education and it shall serve as the state board for vocational education.

**Subd. 2. Certificates issued.** The state board of education shall, under the laws prescribed therefor, issue all certificates to all persons employed in a public school to give instruction or supervision of teaching.

**Subd. 3. State divided into high school areas.** To facilitate and control the transportation of nonresident high school pupils, the state board of education may divide the state into high school areas, each such area containing at least one classified public high school and such school districts and parts of districts as may conveniently be served by such high school; provided, that a school district may, upon a vote of its governing board in favor thereof, be assigned to the area of any adjoining or nearby district containing a classified public high school, if the latter, by vote of its governing board, is willing to have such district assigned to its area; provided, that the voters of a district set into a high school area by the governing board of their district, may, if they so desire, call a special election to decide which high school area they desire to join; and provided, that if such pupils are not transported to the nearest high school, the aid shall be limited to the amount which would be paid if they were transported to such high school. The state board of education shall formulate such rules and regulations as may be necessary for establishing such high school areas and for transporting nonresident pupils. The state board of education may appoint local advisory committees to assist in establishing such high school areas and in carrying out the rules and regulations pertaining to such areas and the transportation of nonresident pupils; but such rules and regulations shall not prevent or deny to any parent the right to transport, or to provide for the transportation of his children at his own expense, to the high school of any district willing to receive them. Any school district dissatisfied with the areas recommended by the advisory committee or established by the state board of education shall have the right of a hearing before the advisory committee and the state board of education.

**Subd. 4. No competition for students.** The state board of education shall formulate such rules and regulations as may be necessary to the end that there shall be no competition between school districts for the enrollment of students.

**Subd. 5. Uniform system of records and of accounting.** The state board of education shall prepare a uniform system of records for public schools, require reports from county and other superintendents and principals of schools, teachers, school officers, and the chief officers of public and other educational institutions, to give such facts as it may deem of public value. With the cooperation of the public examiner, it shall establish and carry into effect a uniform system of accounting by public school officers and it shall have authority to supervise and examine the accounts and other records of all public schools.

# MINNESOTA STATUTES 1953

1103

DEPARTMENT OF EDUCATION 120.11

**Subd. 6. Visitorial powers and duties.** Authorized representatives of the state board of education shall visit the elementary and secondary schools and junior colleges and report their findings and recommendations.

**Subd. 7. General supervision over educational agencies.** The state board of education shall exercise general supervision over public schools and public educational agencies in the state, classify and standardize public elementary and secondary schools, and prepare for them outlines and suggestive courses of study. The board shall establish rules relating to examinations, reports, acceptances of schools, courses of study, and other proceedings in connection with elementary and secondary schools applying for special state aid.

**Subd. 8. Examinations in elementary schools.** In order to insure satisfactory completion of subjects in the elementary field, the state board of education may require that examinations be given in any elementary school, such examinations to be designated or prepared under the direction of the state board of education. The purchase and distribution of examinations, as provided herein, shall be in accordance with section 120.12.

**Subd. 9. Uniform forms for state examinations.** Upon the request of any superintendent of any public or private school teaching high school courses in the state, the state board of education shall designate or prepare uniform forms for state examinations in each high school subject during the month of May of each year; such request shall be in writing and delivered to the commissioner of education before January first of such year. The purchase and distribution of examinations, as provided herein, shall be in accordance with section 120.12.

**Subd. 10. Examination of other schools.** Under such rules as may be prescribed by the state board of education, the county superintendent of schools shall conduct the state board of education examinations in the schools of his county other than high and graded. For this purpose he shall hold the same relation to the state board of education as the superintendent or principal of a district maintaining a graded elementary or high school. He may designate the points at which such examinations are to be held. He may appoint assistants for grading the papers of such examinations and such assistants shall be paid by the county at the rate of \$3.00 per day but the number of assistants shall not exceed one for each 20 schools, or major fraction thereof, in the county nor shall the amount of money expended for this purpose exceed \$100 in any one year. The superintendent of schools of the county in which the examinations are given may extend the privileges of such examination to any school in his county in which there is maintained the standards of length of term and course of study prescribed for the public schools of like grade in the county.

**Subd. 11. Indians; contracts with United States department of the Interior.** The state board of education is hereby authorized to enter into contracts with the United States department of the interior for the education of Indians in Minnesota, to receive grants of money from the federal government, and to disburse the same in accordance with the terms of the contract and such rules and standards as the state board of education may establish.

**Subd. 12. Evening schools under state board; investigations.** The public evening schools established under the provisions of section 128.14 and the general conduct thereof shall be under the direction and control of the state board of education and it is hereby authorized and directed to make such investigations as may be necessary to advance the purposes of section 128.14 and to carry out its provisions.

**Subd. 13. Examination and approval of plans and specifications for school buildings.** The state board of education shall prescribe rules for school sites and for the mechanical equipment, erection, enlargement, and change of school buildings. All plans and specifications for the erection, enlargement, and change of school buildings shall first be submitted to the state department of education for approval before the contract is let and no new school buildings shall be erected or any building enlarged or changed until the plans and specifications have been submitted to, and approved by, the state department of education. The state board of education shall include in such rules those made, from time to time, by the state board of health relative to sanitary standards for toilets, water supply, and disposal of sewage in public school buildings. In all other respects the authority to make rules for public school buildings shall be vested in the state board of education, which shall have power to prepare and furnish to local school boards plans and specifications for

# MINNESOTA STATUTES 1953

school buildings of two classrooms or less. Under such rules and procedure as the state board of education shall prescribe, the state department of education may condemn school buildings and sites which are unfit or unsafe for use as such.

**Subd. 14. Supervision.** The commissioner of education shall supervise the administration of section 120.09 and section 131.13, under such rules and regulations as may be established by the state board of education, which shall prescribe the necessary course or courses in physical and health education, training, and instruction and make such rules and regulations and prepare, or cause to be prepared, published, and distributed any such manual or manuals of instruction, or course or courses of study, or other matter as the state board of education may deem necessary or suitable to carry out the provisions thereof.

[*R. L. ss. 1391, 1393, 1394, 2252, 2253, 2254; G. S. 1913 ss. 2891, 2892; 1909 c. 188 s. 1; 1913 c. 550 ss. 4, 5, 6; 1917 c. 356 ss. 1, 2; 1919 c. 278 s. 1; 1919 c. 334 s. 6; 1921 c. 350 ss. 1, 2; 1925 c. 233; 1937 c. 139 s. 1; Ex. 1937 c. 81 s. 6; 1939 c. 162; 1939 c. 172; 1939 c. 437 s. 7; 1941 c. 169 art. 1 s. 11; 1943 c. 454 s. 1*] (*2827, 2828, 2962-2, 2962-3, 2962-4, 2963, 2990, 2991, 2991-1, 2991-2, 3036-20, 3047-1, 5658, 5659*)

**120.12 FORMS AND BLANKS.** The state board of education shall prepare or designate standard forms for school registers, state board examination questions and answers, uniform forms for all reports required by this chapter, uniform record books for district treasurers and clerks, and any other blanks necessary for school business. These forms may be purchased through the department of education and the request therefor shall conform to the rules and regulations of the department of education. The purchase of these forms by the department of education shall be made through the department of administration, division of printing, and is subject to the rules and regulations provided by statute for the purchase of such forms and examinations for the state. The purchase of these uniform forms and examinations may be made by the school districts directly from vendors.

[*R. L. s. 1378; 1913 c. 550 s. 7; 1941 c. 169 art. 1 s. 12; 1947 c. 21 s. 1*] (*2962-5*)

**120.13 REPORTS BY THE STATE BOARD.** Subdivision 1. Report to governor. On December 1 of each even-numbered year, the state board of education shall make a report to the governor, which shall cover the biennial period ending June 30 preceding; the report shall contain a copy of all rules of the board in force during the biennial period, the name and salary of each officer or employee in the department of education, a summary of the financial affairs of the department, including summaries of receipts and disbursements, and such other matters as it may seem advisable to include in such report or as shall be required by the governor.

**Subd. 2. Report to legislature.** On January 1 of each odd-numbered year, or as soon thereafter as possible, but not later than February 1, the state board of education shall prepare and submit to the legislature, through the governor, a report containing:

(1) An abstract of the reports of the several county superintendents showing such facts and giving such information as the state commissioner of education may require relative to public schools, including enrollment, attendance, and classification of pupils in public schools;

(2) A statement of the conditions of public schools and of public and other institutions of learning reporting to the state department of education;

(3) The amount of money received and expended each year for public schools and public education, specifying the amount received from each source and the amount expended for each purpose; and

(4) The number and kind of public schools of each class receiving state aid, and the estimated amount of aid for the ensuing two years, together with such facts relating to these schools as will show their progress and work.

[*1913 c. 550 s. 4; 1919 c. 334 s. 7; 1941 c. 169 art. 1 s. 13*] (*2962-2, 2964*)

**120.14 RECOMMENDATIONS; BUDGET.** The state board of education shall recommend to the governor and legislature such modification and unification of laws relating to the state system of education as shall make those laws more readily understood and more effective in execution; and the state board of education shall prepare a biennial education budget which shall be submitted to the governor and legislature, according to the provisions of law, such budget to contain a complete statement of finances pertaining to the maintenance of the department of education and to the distribution of state aid to public schools.

[*1919 c. 334 s. 8; 1941 c. 169 art. 1 s. 14*] (*2965*)

**120.15 APPLICATION.** Nothing in this chapter shall be held to apply to the University of Minnesota, or to the state teachers colleges, or to the powers, functions, and duties vested by law in the board of regents of the university or in the state teachers college board.

[1919 c. 334 s. 11; 1941 c. 169 art. 1 s. 15] (2968)

**120.16 CONFLICT OF POWERS.** In case of any apparent conflict between powers, duties, and functions conferred by law upon any educational officer, or person, or board, or commission named in section 120.07 and section 120.11, subdivision 1, and those conferred by this chapter on the state board of education, it shall be conclusively presumed that such powers, duties, and functions belong to the state board of education to be exercised by it under the law and rules of the board.

[1919 c. 334 s. 9; 1941 c. 169 art. 1 s. 16] (2966)

**120.17 QUESTIONS SUBMITTED TO ATTORNEY GENERAL.** If any difference of opinion arises between school officers as to their powers or duties, or if there be any doubt as to the proper construction of any part of the state school laws administered by the state board of education, the commissioner of education, at the request of any such officer, shall submit such question to the attorney general, who shall give his written opinion thereon to such commissioner of education and such opinion shall be binding until annulled or overruled by a court.

[R. L. s. 1335; 1941 c. 169 art. 1 s. 17] (2848)

**120.18 STATE CIRCULATING LIBRARY; PURCHASE OF BOOKS.** The state department of education may purchase collections of books, to be the property of the state and used as a state circulating library, from which any town, village, or community may borrow, under prescribed regulations. It may also loan books to individuals residing in areas where other public library service is not available. It shall divide such books into groups to be known as traveling libraries, catalogue and prepare them for circulation, and make rules for the conduct of this business such as shall insure the care, preservation, and safe return of all books loaned. Suitable rooms shall be provided in the capitol for its use.

[R. L. s. 2252; 1941 c. 169 art. 1 s. 18] (5658)

**120.19 LIBRARIANS, ADVICE TO.** The state department of education shall give advice and instruction to the managers of any public library and to the trustees or agents of any village, town, or community entitled to borrow from the collections of books upon any matter pertaining to the organization, maintenance, or administration of libraries. It shall assist, by counsel and encouragement, in the formation of libraries where no library exists and may send its members to aid in organizing the same or in improving those already established.

[R. L. s. 2253; 1941 c. 169 art. 1 s. 19] (5659)

**120.20 STATISTICS; RECORDS; REPORTS.** The state department of education shall keep statistics of the free public libraries of the state and a record of the work done and the books loaned by it, and report the same to the legislature at each regular session thereof, together with a statement of its expenditures relating to such work, the use made of the traveling libraries, and such other matters as it deems proper.

[R. L. s. 2254; 1941 c. 169 art. 1 s. 20] (5660)

**120.21 TEACHERS EMPLOYMENT BUREAU.** There is hereby established a bureau for the purpose of securing employment for teachers in the public schools in this state, to be known as the state teachers employment bureau and to be maintained in connection with the department of education under the direction of the state board of education.

[1913 c. 523 s. 1; 1941 c. 169 art. 1 s. 21] (2954)

**120.22 WHO MAY ENROLL; FEES.** Any person having a certificate to teach in this state, or who has completed a course of study as required for the issuance of a certificate, or who may be found entitled to receive such certificate, and who is deemed to be a fit and capable person for teaching, shall be entitled to enroll with the teachers employment bureau upon complying with the regulations referred to in sections 120.21 to 120.24 and upon the payment of such fee as may be determined by the state board of education, which fee shall not exceed \$5.00 per year and shall entitle the person so enrolled to the privileges and services of the bureau.

[1913 c. 523 s. 2; 1941 c. 169 art. 1 s. 22] (2955)

**120.23 PURPOSE OF BUREAU; INFORMATION.** It shall be the purpose of the state teachers employment bureau to furnish to boards, superintendents, principals, or other proper authorities of public schools upon request information

regarding teachers and to furnish teachers enrolled with the bureau information relative to vacancies in positions in public schools; but no person connected with the state teachers employment bureau shall be held responsible for nor be understood to vouch for the fitness or success of any teacher who may secure a position in a public school through the bureau nor shall the payment and acceptance of the enrollment fee be construed as a guarantee for securing through the bureau employment to teach.

[1913 c. 523 s. 3; 1941 c. 169 art. 1 s. 23] (2956)

**120.24 APPOINTMENT OF DIRECTOR OF STATE TEACHERS EMPLOYMENT BUREAU.** The commissioner of education shall nominate and the state board of education shall appoint a director of the state teachers employment bureau, who shall perform his duties under the general supervision of the commissioner of education and be furnished necessary office rooms in the state capitol. The state board of education may appoint such clerical and other assistants as may be required to carry out the purposes of sections 120.21 to 120.24, but the expense therefor shall not exceed the money available therefor. The state board of education shall make the necessary rules and regulations for conducting this bureau. The commissioner of education shall designate one employee of this bureau who shall collect and receipt for all fees provided for in section 120.22 and report and pay the fees to the state treasurer as provided by law.

[1913 c. 523 s. 4; 1941 c. 169 art. 1 s. 24] (2957)

**120.25 TRUSTEES OF INCORPORATED COLLEGES MAY PRESCRIBE COURSE OF STUDY; ANNUAL REPORT.** The trustees of any incorporated college or seminary, in addition to their other powers, may prescribe its course of study and discipline, grant such literary honors and degrees as are usually granted by similar institutions, and give suitable diplomas in evidence thereof. They may make all rules, ordinances, and by-laws necessary and proper to carry into effect its powers. They may require the treasurer and other officers and agents to give bonds. Every such college shall be subject to visitation and examination by the state commissioner of education. They shall annually, on or before January 1, report to the state commissioner of education the name of each trustee, officer, and student, the amount of stock subscribed, donated, and bequeathed, and the amount actually paid in.

[R. L. s. 3108; 1941 c. 169 art. 1 s. 25] (7899)

**120.26 MEETINGS WITH SCHOOL BOARDS, SUPERINTENDENTS, AND PRINCIPALS.** For the purpose of considering matters affecting the interests of public education, the commissioner of education, or his representative, shall, upon notice, meet with the several school board members, county and city superintendents, school principals, and teachers at such times and places in the state as he shall deem most convenient and beneficial.

[1913 c. 550 s. 4; 1941 c. 169 art. 1 s. 26] (2962-2)

**120.27 TEACHERS INSTITUTES IN COUNTIES.** The state commissioner of education shall provide for teachers institutes in the several counties of the state for the professional instruction and training of teachers. He shall designate each county for which such institutes are to be held, and the times and places of holding the same. The state board of education shall have authority to employ institute instructors and lecturers for the purposes of conducting such institutes. Each institute shall continue for not to exceed one week. In the discretion of the commissioner and in cooperation with the county superintendent of schools, institute instructors may visit schools in the county for not to exceed four days in connection with any institute.

[1925 c. 110 s. 1; 1941 c. 169 art. 1 s. 27] (3063-1)

**120.28 HOLDING OF INSTITUTES; NOTICE; ATTENDANCE REQUIRED.** The superintendent of each county for which such institute is designated shall give notice thereof to the teachers of the ungraded elementary schools of his county and may require their attendance. He shall make all necessary arrangements and attend and take part in the work of such institute.

[1925 c. 110 s. 2; 1941 c. 169 art. 1 s. 28] (3063-2)

**120.29 CERTIFICATES OF ATTENDANCE; PAY WHILE ATTENDING.** It shall be the duty of every teacher in an ungraded elementary school in the county to attend such institute during the entire duration unless excused by the county superintendent for cause. Every teacher who has been in attendance at such institute shall receive from the county superintendent a certificate indicating the days

# MINNESOTA STATUTES 1953

1107

DEPARTMENT OF EDUCATION 120.35

attended, which, when presented to the clerk of the school district in which the teacher is employed, shall entitle the teacher to full pay for the time school has been closed on account of actual attendance at such institute.

[1925 c. 110 s. 3; 1941 c. 169 art. 1 s. 29] (3063-3)

**120.30 SCHOOL HOUSES USED FOR INSTITUTES.** The school board in any district in which an institute is designated to be held shall allow the free use of any school house or school room for that purpose, upon ten days' notice of selection from the county superintendent; provided, that such use shall not interfere with the sessions of school.

[1925 c. 110 s. 4; 1941 c. 169 art. 1 s. 30] (3063-4)

**120.31 INSTITUTES; EXPENSES.** The board of county commissioners of any county for which an institute is designated shall allow bills for the personal expenses of the county superintendent in holding institutes, when held elsewhere than at the county-seat, but not to exceed the sum of \$50.00 in any one year. The board may also appropriate out of the county revenue fund a reasonable sum for expense of the institute to be expended under direction of the county superintendent, who shall file with the county auditor within a month an itemized statement of the disbursement thereof.

[1925 c. 110 s. 5; 1941 c. 169 art. 1 s. 31] (3063-5)

**120.32 VOCATIONAL REHABILITATION.** There is hereby established, under the direction and control of the state board for vocational education in the state department of education a division of vocational rehabilitation. Such division shall provide vocational rehabilitation services such as, but not limited to, medical diagnosis, vocational diagnosis and counseling, training and instruction, physical restoration, transportation, occupational licenses, customary occupational tools and equipment, prosthetic devices, maintenance, books and supplies for residents whose capacity to earn a living has in any way been destroyed or impaired through industrial accident or otherwise, provided that such persons shall be entitled to free choice of vendor for any medical or dental services thus provided. The state board for vocational education shall, in its regular reports to the legislature, describe in detail the work of the division and may from time to time issue bulletins containing information relative thereto. The employees of the division shall be appointed by the state board of education functioning as the state board for vocational education.

[1919 c. 365 ss. 1, 2; 1941 c. 169 art. 1 s. 32; 1945 c. 24 s. 1] (2983, 2984)

**120.33 PLAN OF COOPERATION TO BE FORMULATED.** The state board for vocational education and the department of labor and industry, or any agency which may succeed it in the administration or supervision of the Workmen's Compensation Act, shall formulate a plan of cooperation with reference to the work of the division of vocational rehabilitation. Such plan shall be effective only when approved by the governor.

[1919 c. 365 s. 3; 1941 c. 169 art. 1 s. 33] (2985)

**120.34 INCAPACITATED PERSONS AIDED; COOPERATION.** The division of vocational rehabilitation shall aid persons who are incapacitated, as described in section 120.32, in obtaining such benefits as will tend to restore their capacity to earn a livelihood. The division of vocational rehabilitation may cooperate and contract with the United States Government to extend the benefits of sections 120.32 to 120.34 to any civil employee of the United States or to any individual certified to the state board as disabled while in the performance of his duty, without regard to the residence or citizenship, if, in the judgment of the board, the benefits offered by the federal government are sufficient to compensate for the cost. The division of vocational rehabilitation may, of its own accord, establish, or maintain, or, in cooperation with local boards of education, assist in establishing or maintaining, such courses as it may deem expedient and otherwise may act in such manner as it may deem necessary to accomplish the purposes of sections 120.32 to 120.34.

[1919 c. 365 s. 4; 1941 c. 169 art. 1 s. 34; 1945 c. 24 s. 2] (2986)

**120.35 REPORTS; TO WHOM AVAILABLE; DISCLOSURE PROHIBITED.** The employees of the division of vocational rehabilitation shall have the right to receive from any public records the names and addresses of persons injured. No information obtained from such reports, nor any copy of the same, nor any of the contents thereof, nor other confidential information as defined by the state board shall be open to the public, nor shall be disclosed in any manner by any official



or clerk or other employee of the state having access thereto, but the same may be used solely to enable the division to offer the benefits of vocational rehabilitation to the persons injured.

Any disclosure so prohibited is hereby declared to be a misdemeanor and punishable as such.

[1921 c. 436 ss. 1, 2; 1941 c. 169 art. 1 s. 35; 1945 c. 24 s. 3] (2987, 2988)

**120.36 AREA VOCATIONAL-TECHNICAL SCHOOLS.** Subdivision 1. **Purpose.** It is the purpose of this section to more nearly equalize the educational opportunities in certain phases of vocational-technical education to persons of the state who are of the age and maturity to profitably pursue training for a specific occupation.

Subd. 2. **Designation of area.** The commissioner of education, with the approval of the state board for vocational education, shall designate an area to be served by each area vocational-technical school, assigning administrative authority to that school district in which the area vocational plant is located.

Subd. 3. **Apportionment and distribution of funds.** All funds, whether state or federal or other funds, which may be made available to the state board for vocational education for carrying out the purposes of vocational-technical education as provided by this section, shall be apportioned and distributed by the state board for vocational education to the various local school districts as additional aid for use in helping such local school districts in defraying the cost involved in maintaining and operating approved vocational training courses or departments, subject to such reasonable rules and regulations as may be prescribed by the state board for vocational education and in accordance with the approved state plan for vocational education.

Subd. 4. **Distribution on cost basis.** The commissioner of education with the approval of the state board for vocational education is authorized to apportion and distribute funds to local school districts under the provisions of this section, such apportionment and reimbursement to be on a cost basis for those trainees living outside of the local school districts.

Subd. 5. **Powers and duties of commissioner.** The commissioner of education with the approval of the state board for vocational education shall have authority to:

(1) Approve applications for the designation and establishment of area vocational-technical school areas within the state, and apportion and distribute funds that may be made available as special or additional aid to local school districts for the cost of training persons enrolled in vocational courses who come from areas not under the jurisdictional authority of the local school boards;

(2) Approve or disapprove all courses and classes to be offered, and establish standards of training in each occupation that must be maintained by a local school district in order to obtain special aid;

(3) Establish age limits of trainees and entrance requirements to be met by trainees for each occupation in which training is offered and provide regulations for such reasonable tuition that may be required for day-school students beyond 21 years of age;

(4) Provide for the supervision of courses or training programs.

Subd. 6. **Enrollment of non-residents.** In order for a school system to receive any of the funds which may be made available for the purpose of vocational-technical education and other purposes set forth in this section, the local school districts must allow enrollment of trainees from outside their school district areas and permit them to attend approved vocational-technical courses without additional cost to them or under the same conditions as those applying to students residing in the district.

Subd. 7. **Transportation.** A portion of the funds made available for the purposes of this section shall be used for providing transportation to and from the vocational center for trainees living outside the school district area of the local school district.

Subd. 8. **State property distribution.** Any property of the state administered by the state board for vocational education in connection with teaching vocational education may be apportioned and distributed by the state board for vocational education to local school districts desiring to avail themselves of the benefits of this section.

# MINNESOTA STATUTES 1953

1109

DEPARTMENT OF EDUCATION 120.37

Subd. 9. **Operation by state teachers college or agricultural school.** When certain areas cannot be served by the local school district the commissioner of education with the approval of the state board for vocational education may designate some state teachers college, or state agricultural school to operate such school.

Subd. 10. **Advisory information.** The commissioner of education and the state board for vocational education shall keep themselves advised by competent authorities representing the various vocational fields.

[1945 c. 304]

**120.37 TEACHING SEED ANALYSIS AND GERMINATION.** Subdivision 1. **Study of seed analysis and germination.** For the purpose of providing for a course of instruction in high schools in seed analysis and germination and grain and hay grading, any school board of any school district maintaining an agricultural department in a classified high school may apply to the state board for vocational education for assistance provided herein. Upon approval of such application, in accordance with standards set up by the state board for vocational education, the district shall become eligible to receive such assistance.

Subd. 2. **Equipment supply to high schools.** The state board for vocational education is hereby authorized to secure and supply to high schools obtaining such approval, the equipment necessary in the giving of such a course. Such equipment shall be purchased for the state board for vocational education by the state purchasing agent in the same manner as other purchases for the state are made. Payment therefor shall be made out of any moneys appropriated for that purpose, but not exceeding the amount appropriated and available for such purposes. Equipment so purchased and furnished to any high school shall remain subject to the control and disposition of the state board for vocational education.

[1945 c. 391 ss. 1, 2]

120.38 [Obsolete]