

3540.0200 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of the Department of Education.

Subp. 3. **Department.** "Department" means the Department of Education.

Subp. 4. **Eligible materials.** "Eligible materials" means textbooks, individualized instructional materials, and standardized tests. All textbooks and individualized instructional materials must be:

A. designed primarily for use by individual students at their desks or in small groups, in a particular class or program in the school the student regularly attends;

B. used by the student to reach certain educational objectives within a particular subject or course of study;

C. secular, neutral, nonideological, and not capable of diversion for religious use;

D. available and of benefit to Minnesota public school students; and

E. not specifically excluded from eligibility by subpart 7.

Subp. 5. **Health services.** "Health services" means physician, dental, nursing, or optometric services, and health supplies as defined in Minnesota Statutes, section 123B.41, subdivision 15.

Subp. 6. **Individualized instructional materials.** "Individualized instructional materials" means educational materials as defined in Minnesota Statutes, section 123B.41, subdivision 5.

Subp. 7. **Ineligible materials.** "Ineligible materials" means, in addition to educational materials excluded from eligibility by subpart 4, the following materials: chemicals, wall maps, wall charts, pencils, pens or crayons, notebooks, blackboards, chalk and erasers, duplicating fluids, paper, 16mm films, unexposed films, blank tapes, cassettes or videotape, instructional equipment, reference materials, and teachers' aids.

Subp. 8. **Secular, neutral, and nonideological.** "Secular, neutral, and nonideological" materials are materials which are not regarded as religious, spiritual, or sacred, and present events, facts, and theories that pertain to religion or religious doctrine in an impartial manner.

Subp. 9. **Standardized tests.** "Standardized tests" means tests and scoring services as defined in Minnesota Statutes, section 123B.41, subdivision 3.

Subp. 10. **Textbook.** "Textbook" means any book, workbook, manual, or book substitute as defined in Minnesota Statutes, section 123B.41, subdivision 2.

Statutory Authority: *MS s 14.388; 123.933*

History: *26 SR 1716; L 2003 c 130 s 12*

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