

# MINNESOTA STATUTES 1975 SUPPLEMENT

## ACTIONS AND PENALTIES 127.25

suant to subdivision 1 during the school year 1975-1976, and thereafter shall provide substantially equal budgets per participant pursuant to subdivision 1. Educational institutions and public services shall phase out separation based on sex in athletic programs designed for participants 11 years old or younger and in the sixth grade or below during the school years 1975-1976, 1976-1977, and 1977-1978, and thereafter shall comply fully with subdivision 1 and section 363.03, subdivisions 4 and 5.

[1975 c 338 s 1]

### CHAPTER 127. ACTIONS AND PENALTIES

Sec. 127.14 Repealed.	Sec. 127.18 Repealed.
127.16 Duty of officers to report violations of law.	127.19 Officers, teachers; neglect of duty; penalty.
	127.25 Appeals.

**127.14** [Repealed, 1975 c 162 s 42]

**127.16 Duty of officers to report violations of law.**

Every officer to whom reports are required by law to be made and for the failure to make which a penalty or fine or forfeiture is provided, shall give immediate written notice of such failure to the delinquent and to the proper county attorney. Such county attorney shall thereupon institute proper proceedings to collect such penalty, fine, or forfeiture. Upon complaint of the district superintendent, or when it comes to his knowledge that any school officer has violated any provision of law for which violation a penalty, fine or forfeiture is provided, such attorney shall institute like proceedings.

[1975 c 162 s 35]

**127.18** [Repealed, 1975 c 162 s 42]

**127.19 Officers, teachers; neglect of duty; penalty.**

Any school officer, truant officer, teacher of a public or private school, school principal or district superintendent refusing, wilfully failing, or neglecting to perform any duty imposed upon him by the provisions of law relating to the compulsory attendance in school of children of school age shall be guilty of a misdemeanor; and, upon conviction thereof, punished for each offense by a fine of not to exceed \$10 or by imprisonment in the county jail for not to exceed ten days. All such fines, when collected, shall be paid into the county treasury for the benefit of the school district in which the offense is committed.

[1975 c 162 s 36]

**127.25 Appeals.**

Subdivision 1. Any district or any person aggrieved by final order of the county board or final order of the commissioner, or final order of the county auditor, made pursuant to the provisions of this code, may appeal from such final order to the district court upon the following grounds:

- (1) That the county board, the commissioner, or the county auditor had no jurisdiction to act;
- (2) That the county board, the commissioner, or the county auditor exceeded its jurisdiction;
- (3) That the action appealed from is arbitrary, fraudulent, capricious or oppressive or in unreasonable disregard of the best interest of the territory affected;
- (4) That the order of action appealed from is based upon an erroneous theory of law.

An appeal from a final order of a county board or the county auditor shall be taken by serving a notice of appeal upon the county auditor. An appeal from a final order of the commissioner shall be taken by serving a notice of appeal upon the commissioner. An appeal from a final order of a county

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board or a county auditor shall be taken to the district court in the county of the board or auditor. An appeal from a final order of the commissioner shall be taken to the district court for Ramsey county. Notice of appeal must be served within 30 days of the issuance of the order appealed from and shall be accompanied by a corporate surety bond in the amount of \$250, conditioned for the payment of all costs taxed against appellant on such appeal. The notice of appeal shall be filed with the clerk of the district court and noticed for hearing in the manner provided for the trial of civil actions by Minnesota rules of civil procedure.

Any order of the commissioner or the state board rejecting a consolidation plat shall be deemed a final order for the purposes of this section. In an appeal from an order of a county auditor effecting a consolidation the action of the commissioner or the state board approving the plat is reviewable and the commissioner may be called by either party as a witness in such appeal proceedings and may be examined under the rules of civil procedure relating to the cross-examination of adverse parties.

Subd. 2. Any school district or any person affected by final order of the county board or final order of the commissioner or final order of the county auditor shall be permitted to intervene in appeals under this section as a party respondent.

Subd. 3. An appeal lies from the district court to the supreme court in accordance with the provisions of chapter 605.

[1975 c 162 s 37]

## CHAPTER 128. COUNTY SCHOOL DISTRICTS

Sec.  
128.04 Duties of board.

Sec.  
128.069 Limitation of sections. [New]

### 128.04 Duties of board.

It shall be the duty of the board to furnish school facilities to every child of school age residing in any part of the county district, either by building school houses, leasing schoolrooms, transporting the children to the nearest school, boarding the children within convenient distance of school at the expense of the board, or otherwise, and to provide necessary supplies and text and library books.

The annual meeting as held in independent districts need not be held, but the clerk of the board shall publish once in a legal newspaper published in the county the annual report required by law to be made by the district treasurer.

When not otherwise provided in sections 128.01 to 128.06, the school board of any such county district shall have and exercise all of the powers and be subject to the same laws and regulations as boards of independent districts, and all laws applicable to independent districts.

[1975 c 432 s 72]

### 128.069 Limitation of sections.

Material contained in sections 128.01 to 128.06 relates only to school districts numbers 166 and 381.

[1975 c 162 s 38]

## CHAPTER 136. STATE COLLEGES AND COMMUNITY COLLEGES

Sec.  
136.01 Designation.

Sec.  
136.036 In-service education.

### 136.01 Designation.

The following educational institutions: Winona State College, Mankato State College, St. Cloud State College, Moorhead State College, Bemidji State