

MINNESOTA STATUTES 1979 SUPPLEMENT

121.917 ADMINISTRATION AND SUPERVISION

sioner shall not receive any aid pursuant to chapter 124 until a special operating plan of the district is so approved.

(2) A district shall receive aids pending the approval of its special operating plan under clause (1). A district which complies with its approved operating plan shall receive aids as long as the district continues to comply with the approved operating plan.

[1979 c 334 art 6 s 5]

121.92 Mandatory utilization of computer systems; appeal.

[For text of subd 1, see M.S.1978]

Subd. 2. After July 1, 1980, participation in a computer based financial management accounting and reporting system shall be mandatory. The form of this participation shall be determined as provided in section 16.93.

[1979 c 334 art 6 s 6]

CHAPTER 122. SCHOOL DISTRICTS, FORMATION AND ALTERATION

Sec. 122.41	Policy.	Sec. 122.531	Levy limitations of reorganized districts.
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122.41 Policy.

It is hereby declared to be the policy of the state to encourage the organization of school districts into such local units of administration as will afford better educational opportunities for all pupils, make possible a more economical and efficient operation of the schools and insure a more equitable distribution of public school revenue. To this end all area of the state shall be included in an independent or special school district maintaining classified elementary and secondary schools, grades one through twelve, unless a district has made an agreement with another district or districts as provided in section 122.541.

[1979 c 211 s 1]

122.43 Dissolution of districts not a part of independent districts.

Subdivision 1. If there be any organized school district not a part of an independent school district maintaining classified elementary and secondary schools, grades one through twelve, unless the district has made an agreement with another district or districts as provided in section 122.541, such district shall hereby be dissolved.

[For text of subd 2, see M.S.1978]

[1979 c 211 s 2]

122.44 Attachment to organized districts; procedure.

Subdivision 1. Upon notice and hearing, as provided in section 122.22 for the attachment of dissolved districts, all territory of school districts dissolved by sections 122.41 to 122.52 and all area of the state not in a district maintaining classified elementary and secondary schools shall be attached by order of the county board to organized districts maintaining classified elementary and secondary schools, grades one through twelve, unless a district has made an agreement with another district or districts as provided in section 122.541.

[1979 c 211 s 3]

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SCHOOL DISTRICTS, FORMATION AND ALTERATION 122.541

122.531 Levy limitations of reorganized districts.

[For text of subs 1 to 3, see M.S.1978]

Subd. 4. As of the effective date of a consolidation of districts or the dissolution of a district and its attachment to one or more existing districts pursuant to chapter 122, and subject to the conditions of section 275.125, subdivision 9a, all the taxable property which is in the newly created or enlarged district and which was previously taxable for the payment of any statutory operating debt theretofore incurred by any pre-existing district of which the taxable property was a part prior to the consolidation or dissolution and attachment shall remain taxable for the payment of that debt and shall not become taxable for the payment of any statutory operating debt theretofore incurred by any pre-existing district of which the taxable property was not a part prior to the consolidation or dissolution and attachment. The amount of statutory operating debt attributable to that taxable property and to the newly created or enlarged district in which it is located, and the amount of a pre-existing district's appropriated fund balance reserve account for purposes of reducing statutory operating debt attributable to the newly created or enlarged district, shall be apportioned according to the proportion which the adjusted assessed valuation of that part of the pre-existing district bears to the total adjusted assessed valuation of the entire pre-existing district at the time of the consolidation or dissolution and attachment. This apportionment shall be made by the county auditor and shall be incorporated as an annex to the order of the commissioner dividing the assets and liabilities of the component districts. As used in this section, "statutory operating debt" shall have the meaning given it in section 121.914.

[1979 c 50 s 12]

122.541 Interdistrict cooperation.

Subdivision 1. The boards of two or more school districts may, after consultation with the department of education, enter into an agreement providing for the discontinuance by a district of any of grades kindergarten through 12 or portions of those grades and the instruction in a cooperating district of the pupils in the discontinued grades or portions of grades; provided, the board of a district discontinuing a grade pursuant to the agreement shall continue to maintain a school enrolling pupils in at least three grades. Before making final an agreement permitted by this subdivision, the boards shall provide a copy of this agreement to the commissioner of education.

Subd. 2. A district entering into an agreement permitted in subdivision 1 shall:

(1) Continue to count its resident pupils who are educated in a cooperating district as resident pupils in the calculation of pupil units for all purposes, including the calculation of state aids and levy limitations. Notwithstanding section 124.18, subdivision 2, an agreement permitted by subdivision 1 shall provide for the tuition payments the cooperating districts determine are necessary and equitable to compensate each district for the instruction of nonresident pupils; and

(2) Continue to provide transportation and collect transportation aid for its resident pupils pursuant to sections 123.39, 124.222 and 124.223. This clause shall not be construed to prohibit a district from providing some or all transportation to its resident pupils by contracting with a district which has entered the agreement. For purposes of aid calculations pursuant to section 124.222, the commissioner may adjust the base cost per eligible pupil transported to reflect changes in costs resulting from an agreement which provides for a district to discontinue at least one grade.

Subd. 3. As used in this section, the term "teacher" shall have the meaning given it in section 125.12, subdivision 1.

Subd. 4. The school board and exclusive bargaining representative of the teachers in each district discontinuing grades pursuant to an agreement permitted by subdivision 1 may negotiate a plan for the assignment or employment in a cooperating district or the placement on unrequested leave of absence of teachers whose positions are discontinued as a result of the agreement. The school board and exclusive bargaining representative of the teachers in each district providing instruction to nonresident pupils pursuant to an agreement permitted by subdivision 1 may negotiate a plan for the employment of teach-

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ers from a cooperating district whose positions are discontinued as a result of the agreement. If such plans are negotiated in cooperating districts and if the boards determine the plans are compatible with one another, the boards of the districts shall include the plans in their agreement.

Subd. 5. If compatible plans are not negotiated pursuant to subdivision 4 before the June 1 preceding any year of the agreement permitted by subdivision 1, the cooperating districts shall be governed by the provisions of this subdivision. Insofar as possible, teachers who have acquired continuing contract rights and whose positions are discontinued as a result of the agreement shall be employed by a cooperating district or assigned to teach in a cooperating district as exchange teachers pursuant to section 125.13. If necessary, teachers whose positions are discontinued as a result of the agreement and who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed in the inverse order in which they were employed by a cooperating district, according to a combined seniority list of teachers in the cooperating districts.

Subd. 6. Prior to making an agreement permitted by subdivision 1, the school board of a district participating in the agreement shall consult with the community at an informational meeting. The board shall publish notice of the meeting in the official newspaper of the district and may send written notice of the meeting to parents of pupils who would be affected by the plan.

[1979 c 211 s 4]

122.85 Experimental pairing.

Subdivision 1. Notwithstanding the provisions of sections 122.41 and 122.43, the board of any school district paired with another in this section upon approval by the school boards of both of the paired districts may enter into an agreement providing for the discontinuance by one district of any of grades kindergarten through 12 or portions of those grades and the instruction in the other district of the pupils in the discontinued grades or portions of grades. This provision shall apply on an experimental basis to the following pairs of school districts: Independent School Districts No. 209 and No. 265, No. 217 and No. 220, No. 243 and No. 245, No. 328 and No. 516, No. 413 and No. 415, No. 421 and No. 426, No. 440 and No. 444, No. 649 and No. 650, No. 654 and No. 655, No. 782 and No. 783, and No. 893 and No. 896. These experimental pairing agreements shall not extend beyond June 30, 1984. Notwithstanding subdivision 4, Independent School Districts No. 413 and No. 415 may negotiate plans pursuant to subdivision 3 until August 31, 1979. This section shall be effective with respect to Independent School Districts No. 413 and No. 415 upon its approval by the school boards of both of the paired districts.

[For text of subs 2 to 5, see M.S.1978]

Subd. 6. Each district entering into an agreement pursuant to subdivision 1 shall continue to provide transportation and collect transportation aid for its resident pupils pursuant to sections 123.39, 124.223 and 124.225. This subdivision shall not be construed to prohibit a district from providing some or all transportation to its resident pupils by contracting with the other district which has entered the agreement.

[For text of subd 7, see M.S.1978]

[1979 c 10 s 1; 1979 c 334 art 2 s 3; art 6 s 7]