

Subdivision 1. A reverse repurchase agreement may be entered into by a municipality, subject to the provisions of this section, only with a bank qualified as depository of funds of the municipality, or with any national or state bank in the United States which is a member of the federal reserve system and whose combined capital and surplus equals or exceeds \$10,000,000, or with a primary reporting dealer in United States government securities to the federal reserve bank of New York.

Approved May 24, 1985

CHAPTER 240 — H.F.No. 282

An act relating to education; declaring the purpose of public education in Minnesota; changing the name of and provisions about the Minnesota school for the deaf and the Minnesota braille and sight saving school; requiring annual development of two-year plans for the academies; allowing for certain positions at the academies to be in the unclassified service; amending Minnesota Statutes 1984, sections 128A.01; 128A.02; 128A.03; and 128A.05; proposing coding for new law in Minnesota Statutes, chapter 120.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [120.011] PURPOSE STATEMENT.

In accordance with the responsibility vested in the legislature in the Minnesota Constitution, article XIII, section 1, the legislature declares that the purpose of public education in Minnesota is to help all individuals acquire knowledge, skills, and positive attitudes toward self and others that will enable them to solve problems, think creatively, continue learning, and develop maximum potential for leading productive, fulfilling lives in a complex and changing society.

Sec. 2. Minnesota Statutes 1984, section 128A.01, is amended to read:
128A.01 LOCATION.

The Minnesota ~~school~~ state academy for the deaf and the Minnesota ~~braille and sight-saving school~~ state academy for the blind shall be continued at Faribault, and shall be grouped and classed with the educational institutions of the state.

Sec. 3. Minnesota Statutes 1984, section 128A.02, is amended to read:
128A.02 TRANSFER OF AUTHORITY STATE BOARD DUTIES AND POWERS.

Subdivision 1. The state board of education ~~shall be~~ is responsible for the control, management and administration of the Minnesota ~~school~~ state

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academy for the deaf and the Minnesota braille and sight-saving school state academy for the blind, and all the property real or personal appertaining thereto. At the request of the state board, the department of education shall be responsible for program leadership, program monitoring, and technical assistance at the academies. The department shall assist the state board in the preparation of reports.

Subd. 1a. By July 1, 1986, the academies shall comply with the uniform financial accounting and reporting system under sections 121.90 to 121.917, subject to variances developed by the advisory council and adopted by the state board.

Subd. 2. The state board ~~may~~ shall promulgate rules regarding the operation of both ~~schools~~ academies 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. 2a. The state board shall develop a two-year plan for the academies and update it annually. The plan shall include at least the following:

- (1) interagency cooperation;
- (2) financial accounting;
- (3) cost efficiencies;
- (4) staff development;
- (5) program and curriculum development;
- (6) use of technical assistance from the department;
- (7) criteria for program and staff evaluation;
- (8) pupil performance evaluation;
- (9) follow-up study of graduates;
- (10) implementation of the requirements of chapter 128A;
- (11) communication procedures with districts of pupils attending the academies; and
- (12) coordination between the instructional and residential programs.

The state board shall submit the plan and recommendations for improvement to the education committees of the legislature by January 15 of each odd-numbered year.

Subd. 3. The state board may employ central administrative staffs and other personnel as necessary to provide and support programs and services in

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each school academy. The board ~~may~~ shall place the position of the residential school academy administrator in the unclassified service and may place any other position in the unclassified service if the position ~~it~~ meets the criteria established in section 43A.08, subdivision 1a. These schools ~~shall be~~ academies are 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~~ academies are 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.~~ Instructional supervisory staff shall have appropriate post-secondary credits from a teacher education program for teachers of the deaf or blind and have experience in working with handicapped pupils.

Subd. 3a. All staff employed by the academy for the deaf are required to have sign language communication skills, as applicable. Staff employed by the academy for the blind must be knowledgeable in Braille communication, as applicable. The department of employee relations, in cooperation with the state board, shall develop a statement of necessary qualifications and skills for all staff. An employee hired after August 1, 1985 shall not attain permanent status until the employee is proficient in sign language communication skills or is knowledgeable in Braille communication, as applicable.

Subd. 4. The state board may enter into contracts with other public and private agencies and institutions to provide residential and building maintenance services if it determines that these services could thus be provided in a more efficient and less expensive manner. The state board may also enter into contracts with public and private agencies and institutions, school districts or combinations thereof, and educational cooperative service units to provide supplementary educational instruction and services, including assessments and counseling.

Subd. 5. The state board of education may by agreement with teacher preparing institutions or accredited institutions of higher education arrange for practical experience in the Minnesota ~~school~~ academy for the deaf and the Minnesota ~~braille and sight-saving school~~ academy for the blind for practice or student teachers, or for other students engaged in fields of study which prepare professionals to provide special services to handicapped children in school programs, who have completed not less than two years of an approved program in their respective fields. These student trainees shall be provided with appropriate supervision by a teacher licensed by the board of teaching or by a professional licensed or registered in the appropriate field of special services and shall be deemed employees of ~~the school for the deaf or the braille and sight-saving school~~ either academy, as applicable, for purposes of workers' compensation.

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Subd. 6. The rules of the state board pursuant to this section shall establish procedures for admission to, including short-term admission, and discharge from the ~~schools academies~~, for decisions on a child's program at the ~~schools academies~~ and for evaluation of the progress of children enrolled in the ~~schools academies~~. Discharge procedures must include reasonable notice to the district of residence. These procedures shall guarantee children and their parents appropriate procedural safeguards, including a review of the placement determination made pursuant to sections 120.17 and 128A.05, and the right to participate in educational program decisions. Notwithstanding the provisions of section 14.02, proceedings concerning admission to and discharge from the ~~schools academies~~, a child's program at the ~~schools academies~~ and a child's progress at the ~~schools academies~~ shall not be deemed to be contested cases subject to sections 14.01 to 14.70 but shall be governed instead by the rules of the state board pursuant to this section.

Sec. 4. Minnesota Statutes 1984, section 128A.03, is amended to read:

128A.03 ADVISORY COUNCIL.

Subdivision 1. The state board of education ~~may~~ shall appoint an advisory ~~task force council~~ on the Minnesota ~~School~~ state academy for the Deaf and an ~~advisory task force on the Minnesota braille and sight-saving School state academy for the blind~~ to advise the board on policies pertaining to the control, management, and administration of these ~~schools academies~~.

Subd. 2. ~~If created~~ The members shall be representative of the various geographic regions of the state, shall include parents or guardians of visually disabled or hearing impaired children, shall include a staff representative of the applicable ~~school academy~~, and shall include two representatives from groups representing the interests of visually disabled or hearing impaired individuals, as applicable. All members shall have knowledge, experience and interest in the problems of visually disabled or hearing impaired children.

Subd. 3. ~~The task forces shall expire and the terms, compensation and removal of council members shall be as provided in section 15.059, subdivisions 2, 3, and 4. The council shall not expire.~~

Sec. 5. Minnesota Statutes 1984, section 128A.05, is amended to read:

128A.05 ATTENDANCE.

Subdivision 1. Any individual who is between four and 21 years of age ~~and who is deaf or hard of hearing~~ impaired shall be is entitled to attend the ~~school academy~~ for the deaf if it is determined, pursuant to the provisions of section 120.17, that the nature or severity of the hearing impairment is such that education in regular or special education classes provided for by the school district of residence cannot be achieved satisfactorily and that attendance at the ~~school academy~~ would be the least restrictive alternative for that individual. A

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deaf or hearing impaired child also may be admitted to acquire socialization skills. Short-term admission for skills development is also permitted. Nothing in this subdivision shall be construed as a limitation on the attendance at this school academy of children who have other handicaps in addition to being deaf or hard of hearing impaired.

Subd. 2. Any individual who is between four and 21 years of age and who is blind visually impaired, blind-deaf, or partially seeing multiple handicapped shall be is entitled to attend the braille and sight-saving school academy for the blind if it is determined, pursuant to the provisions of section 120.17, that the nature or severity of the visual impairment is such that education in regular or special education classes provided for by the school district of residence cannot be achieved satisfactorily and that attendance at the school academy would be the least restrictive alternative for that individual. A visually impaired child may be admitted to acquire socialization skills. Short-term admission for skills development is also permitted. Nothing in this subdivision shall be construed as a limitation on the attendance at this school academy of children who have other handicaps in addition to being blind or partially seeing visually impaired.

Subd. 3. Attendance at the school academy for the deaf and the braille and sight-saving schools academy for the blind shall be is subject to the compulsory attendance provisions of section 120.10 except that attendance may be excused pursuant to that section by the commissioner of education or his designee. Any person failing to comply with the provisions of section 120.10 shall be is subject to the provisions of section 120.12. The superintendent of the applicable school academy shall exercise the duties imposed by section 120.12. Attendance at the school academy for the deaf or the braille and sight-saving school academy for the blind shall fulfill the mandatory requirements of section 120.17. The academies are subject to sections 127.26 to 127.39.

Sec. 6. **UFARS VARIANCES.**

The advisory council on uniform financial accounting and reporting standards shall develop variances to the standards to account for the unique financial status of the academies. The variances shall be reported to the state board by December 31, 1985.

Sec. 7. **EMPLOYEE TRAINING FOR COMMUNICATION AND BRAILLE SKILLS.**

The state board of education shall provide to people employed by the academies on August 1, 1985, training in sign language communications skills or Braille communication, according to the academy in which the person is employed. If an employee fails to become proficient in the appropriate communication method within 12 months after training is provided, that failure shall be grounds for dismissal, disciplinary action, or corrective action.

Sec. 8. **MANAGEMENT AND GOVERNANCE REPORT.**

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The state planning agency shall coordinate a study with the management analysis unit of the department of administration, the department of finance, the department of employee relations and the department of education of issues related to the academies. The study shall include but not be limited to the following:

- (1) the management organization structure;
- (2) the governance;
- (3) financing methods;
- (4) ratios;
- (5) student assessments;
- (6) admission and discharge criteria.

The state planning agency shall report to the senate and house education committees, the senate finance committee, and the house appropriations committee by January 1, 1986. The agency shall report to those committees by October 1, 1985, with a progress report. The actual cost of the study must be paid by the academies.

Approved May 28, 1985

CHAPTER 241 — S.F.No. 87

An act relating to agriculture; removing the limitation on certain fees for state livestock weighing services; providing state-paid insurance benefits for certain retired employees; amending Minnesota Statutes 1984, section 17A.11.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1984, section 17A.11, is amended to read:
17A.11 **FEEES FOR LIVESTOCK WEIGHING.**

The commissioner shall prescribe the fee necessary to cover the cost of state weighing, to be assessed and collected from the seller in the manner the commissioner may prescribe. ~~The fee prescribed by the commissioner shall not exceed the fee in effect on March 1, 1984. The fee assessed must be the same, and the manner of collection of the fee must be uniform at all facilities. At any location, except a public stockyard, where state weighing is performed in accordance with this chapter and the total annual fees collected are insufficient to pay the cost of the weighing, the annual deficit shall be assessed and collected in the manner the commissioner may prescribe.~~ Additional money arising from the weighing of animals by the commissioner, which has been collected and retained by any person, shall be paid on demand to the commissioner. All money collected by the commissioner shall be deposited in the state treasury and credited to the livestock weighing fund, and shall be paid out only on the order of the commissioner and the state's warrant.

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