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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3836

04/06/2016 Authored by Dean, M.,
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; encouraging citizen involvement in the process for certain
1.3 schoolhouse closings; amending Minnesota Statutes 2014, section 123B.51,
1.4 subdivision 5.

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

1.6 Section 1. Minnesota Statutes 2014, section 123B.51, subdivision 5, is amended to read:

1.7 Subd. 5. **Schoolhouse closing.** (a) The board may close a schoolhouse only after a
1.8 public hearing on the question of the necessity and practicability of the proposed closing.
1.9 Published notice of the hearing shall be given for two weeks in the official newspaper
1.10 of the district. The time and place of the meeting, the description and location of the
1.11 schoolhouse, and a statement of the reasons for the closing must be specified in the notice.
1.12 Parties requesting to give testimony for and against the proposal shall be heard by the
1.13 board before it makes a ~~final~~ preliminary decision to close or not to close the schoolhouse.

1.14 (b) In addition to the hearing in paragraph (a), if a board proposes to close three or
1.15 more schoolhouses, the board's decision to close the schoolhouses shall not be final if a
1.16 petition opposing the schoolhouse closings is filed with the school district clerk. To be
1.17 valid, a petition to oppose the schoolhouse closings must be signed by a number of eligible
1.18 voters residing in the district equal to at least three percent of the total number of voters
1.19 voting in the district at the most recent state general election, and must be filed within 60
1.20 days of the board's adoption of the preliminary resolution authorizing the closings or July
1.21 1, 2016, whichever is later. If a valid petition is filed according to the requirements of this
1.22 paragraph, the schoolhouse closings may proceed only after the board has conducted a
1.23 referendum according to paragraph (c). If no petition is filed within 60 days, the board's
1.24 decision to close the schoolhouses becomes final.

2.1 (c) A school board that receives a valid petition under paragraph (b) must conduct
2.2 a referendum on a date set by the board. The ballot must provide a description of the
2.3 schoolhouses to be closed and contain a question stating substantially the following:

2.4 "Shall the board of School District No. proceed with closing the
2.5 schoolhouses identified as ?"

2.6 If approved, the board may make a final decision to close the schoolhouses.

2.7 **EFFECTIVE DATE.** This section is effective the day following final enactment
2.8 and applies to all schoolhouse closings not yet completed on or after the date of enactment.