

Sec. 3. Subd. 3. The exchange teacher shall retain all rights in the employing district as though teaching in that district.

Approved April 2, 1947.

CHAPTER 217—H. F. No. 305

[Coded as Section 122.111, Subdivisions 1 to 6]

An act relating to the detaching of territory of certain school districts.

Be it enacted by the Legislature of the State of Minnesota:

[122.111] **Detachment of territory.** Section 1. Subdivision 1. Any school district in the State of Minnesota whose boundaries are coterminous with or which are wholly within the boundaries of any city may detach any part of its territory, and with the consent of an adjoining school district, transfer it to such adjoining district.

Sec. 2. Subd. 2. The School Board of each of the school districts to be affected by the transfer may pass a resolution authorizing the filing of a joint petition to the County Board in which is situated the whole or larger portion of the school district from which said lands are to be detached, which petition shall pray for the transfer of the territory from the district whose boundaries are coterminous with or already within any city limits to the consenting adjoining school district.

Sec. 3. Subd. 3. Such petition, in addition to any other pertinent and relevant facts, shall contain: (1) A correct description of the territory to be so transferred. (2) The number of persons residing in said territory. (3) The assessed value thereof. (4) The reasons for such change, including the advantages, if any, for educational opportunities or convenience of the pupils in the territory affected. (5) The total number of pupils residing in such affected territory and the place or school wherein such pupils are enrolled at the time of such petition, and, (6) Such apportionment of the money, funds, credits, property of the districts and such apportionment of the outstanding obligations and indebtedness of the detaching district as may have been mutually agreed upon between the governing boards of the respective districts.

Sec. 4. Subd. 4. Upon the presentation of such petition, the County Board shall appoint a time and place for a hearing thereon and shall cause two weeks' published notice thereof to be given in a duly qualified newspaper of general circulation in such districts. Such notice shall also be served on the Clerk of each school district affected by such proceedings by mail at least ten days before the time for hearing, and the auditor's certificate shall be sufficient proof of such services by mail.

Sec. 5. Subd. 5. At the hearing, the board shall receive any evidence and consider any arguments for or against such proposed change in boundaries and shall make an order either granting or denying the petition; and if the petition be granted, the order shall particularly set forth the change provided for and shall provide for a division of all moneys, funds, credits and property belonging to such districts and for an apportionment of the outstanding obligations other than bonded indebtedness which said division shall be such as has been agreed upon by the districts affected as hereinbefore provided. A copy of such order shall be filed with the auditor and a copy mailed to the clerk of each of the districts affected. The change set forth in such order shall become effective 60 days after mailing such notice, the County Board shall grant the petition if such change in boundaries will be for the best interests of a majority of the pupils of the districts affected.

Sec. 6. Subd. 6. Any person aggrieved by the order of the County Board may appeal from such order to the District Court of the county upon the following grounds:

(1) That the County Board's order did not conform to the contents or prayer of the petition.

(2) That the order of the County Board is contrary to the best interests of the school districts involved and contrary to the interests of a majority of the pupils of the districts affected.

Such appeal shall be taken by serving upon the county auditor within thirty days of the making of the order a Notice of Appeal specifying the grounds thereof. Such further proceedings shall be had upon such appeal as upon other appeals from the county board.

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