

Subd. 39. Woodrow H. Butzman  
7336 Baker Avenue N.E.  
Minneapolis, Minnesota.

For refund of license fee paid on mobile  
home destroyed by tornado on May 6,  
1965.

50.65

Sec. 5. The state of Minnesota hereby waives immunity from suit for any damage or loss alleged to have been sustained by Norman Ziemer, Blue Skies Trailer Court, St. Cloud, Minnesota, by reason of imprisonment from March 29, 1956 to June 7, 1965, if such imprisonment is judicially found to have been illegal, and such sum as is necessary but not to exceed \$25,000.00 is hereby appropriated from the General Revenue Fund to pay any judgment rendered against the state of Minnesota for such damages, if any, as are judicially found payable. Any suit shall be commenced within six months after the passage of this act. In any such suit the state may interpose any, legal or equitable defenses. The state of Minnesota shall be named as a defendant in any such suit and shall be served by the service of a summons and complaint upon the attorney general.

Sec. 6. Except as otherwise provided for in this act, no payment shall be made to any claimant until a full and complete release in a form approved by the attorney general has been filed in the office of the state auditor.

Sec. 7. The provisions of this act are effective immediately upon its enactment.

Approved May 22, 1967.

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## CHAPTER 633—H. F. No. 750

[Coded]

*An act relating to the teaching profession, recognizing the right of teachers to join organizations of their choosing, promoting cooperation between school boards and representatives of the profession, and establishing procedures for the participation by members of the profession in the formulation and implementation of policies affecting teaching.*

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

Section 1. [125.19] **Teachers; organization and representa-**

**Changes or additions indicated by *italics*, deletions by ~~strikeout~~.**

**tion; statement of policy.** Teaching is recognized as a profession and the relationship between the school boards of the state and the teachers employed by them is hereby recognized as a professional relationship. The laws of the state have vested in the elected school board members the full power to manage, control and direct the operations of the public schools. It is acknowledged that teachers are academically trained and are dedicated to a high calling which puts the well being of their students foremost. Teachers share in the overall concern for public education. It is, therefore, the policy of this state to encourage closer cooperation between school boards and certificated school personnel by providing teacher participation in discussions leading to the formulation and implementation of public education policies affecting the conditions of their employment and the practice of their profession.

Sec. 2. [125.20] **Definitions.** Subdivision 1. For the purpose of this act the terms defined in this section have the meanings ascribed to them.

Subd. 2. "Teacher" means any certificated person defined in Minnesota Statutes 1965, Section 125.12, Subdivision 1, except superintendent.

Subd. 3. "Teacher organization" means any organization or labor union or part of such organization which includes only teachers of a public school as members.

Subd. 4. "Teacher organization member" shall be any teacher employed by the school district who upon payment of any prescribed dues shall have full rights and privileges of membership in the teacher organization on the date of verification and is in all respects a member in good standing.

Subd. 5. "Conditions of professional services" means economic aspects relating to terms of employment, but does not mean educational policies of the district.

Sec. 3. [125.21] **Right to form or join organizations.** Subdivision 1. Teachers shall have the right to form and join teacher organizations, and shall have the right not to form or join such organizations. It is unlawful to discharge or otherwise discriminate against any teacher for the exercise of such rights. It is unlawful for any person or group of persons, either directly or indirectly, to intimidate or coerce any teacher to join or to refrain from joining any teacher organization.

Subd. 2. Nothing contained in this act shall be construed to limit, impair or affect the right of any teacher to the expression or

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communication of a view, grievance, complaint or opinion on any matter to the board regardless of the existence of a teacher organization or council in the district, so long as the same is not designed to and does not interfere with the full and faithful and proper performance of the duties of employment; nor shall it be construed to require any teacher to perform services against his will.

Sec. 4. **[125.22] Teacher organization recognition.** Subdivision 1. The school boards of the state shall grant recognition to teacher organizations which request such recognition according to the requirements of this section.

Subd. 2. Where a single teacher organization has as members teachers of the district, the board shall recognize that organization as the representative of those teachers.

Subd. 3. When more than one teacher organization has as members teachers employed in the district, the board shall grant recognition to a committee of five teachers selected by these organizations on a proportionate basis determined by membership. The committee shall be known as the teachers' council and consist only of teachers employed by the district. Each teacher organization shall be entitled to appoint such number to the council which bears, as nearly as practicable, the same ratio as the total membership of the appointing organization bears to the combined membership of teacher organizations to be represented on the council. Recognition shall not, however, preclude any rights of any teacher as provided in section 3, subdivision 2.

Subd. 4. Each teacher organization shall adopt procedures for selecting its proportionate share of members of the teacher council providing that such members shall be selected no later than October 31 of each school year. Within ten days after October 31, the members of the teachers' council shall meet and select a chairman from among its own members, and thereafter such teachers' council shall be legally constituted to meet and confer at reasonable times with the school board or committee thereof. The council shall be empowered to adopt rules and procedures for its own operation, provided, however, no rule or procedure which precludes any council member's attendance at any meeting between the council and the board shall be valid. Any teacher organization entitled to membership on the council which fails to name members by October 31 or refrains from participating on the council shall forfeit the right to membership on the council until the following October 31.

Sec. 5. **[125.23] Duty to meet and confer.** The school board or a committee thereof which may include its representative

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shall meet and confer at reasonable times with the recognized teacher organization or teachers' council which may include their representative regarding conditions of professional service, as well as educational and professional policies, relationships, grievance procedures, and other matters as apply to teachers. With respect to conditions of professional service the parties shall meet and confer in an effort to reach agreement. With respect to all other matters, the parties shall meet and confer in order to afford a reasonable opportunity for the expression of views and the exchange of information. When agreement is reached concerning conditions of professional services the board shall implement the agreement in the form of a resolution or by *direction to any administrative officer as may be appropriate.*

Sec. 6. [125.24] **School board policies.** Each school board shall adopt, in a manner consistent with this act, policy guides establishing procedures for, but not limited to, meeting and conferring and for verifying the number of teachers employed by the school district who are members in good standing of teacher organizations on the date of verification. Such verification shall be made by the president or other authorized officer of the teacher organization and on his signature.

Sec. 7. [125.25] **Adjustment panel.** Subdivision 1. If any matter regarding conditions of professional service is not agreed upon through meetings with the school board, the school board shall set up an adjustment panel at the request of the recognized teacher organization, teachers' council, or at its own instance, provided such request is made prior to March 1 of each school year.

Subd. 2. One of the panel members shall be selected by the recognized teacher organization or council if one exists pursuant to section 4, one by the school board, and the two so selected shall select a third member. If after five days the two members cannot agree upon the third member, the senior or presiding judge of the district court of the county in which the district's main administration office is located shall appoint such third member. Such appointment shall be made upon application by either of the appointed members in writing by giving five days notice thereof in writing to the other member. If one of the parties fails or refuses to appoint a member to the panel, such member shall be appointed by the senior or presiding judge of the district court in the same manner as the third member is appointed, upon application by a panel member in writing upon five days notice in writing to the party so failing or refusing.

Subd. 3. Each member of the panel shall be compensated for all necessary expenses by the party he represents. The third member

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of the panel shall be compensated equally by the parties involved at the rate of \$50 for each day or part of a day the hearing is held, and all other necessary expenses except as may be otherwise agreed to by the parties.

Subd. 4. The panel shall meet within 8 days after the appointment of a third member. The parties shall attempt to provide agreement of matters relating to conditions of professional service through informal conferences. If agreement can be found through conferences between the parties with the aid and assistance of the adjustment panel prior to April 1 of each school year, it shall be so adjusted and the school board shall implement the agreement in the form of a resolution. If the results of the conferences are not satisfactory to all parties concerned, the panel, upon request of either party, shall afford the parties a full hearing, after which the panel shall make their findings, a copy of which shall be sent within 15 days to each of the parties involved and to the commissioner of education.

Sec. 8. [125.26] **School board authority and duties, limitations.** Subdivision 1. Nothing in this act shall be construed to diminish or enlarge the authority of school boards as expressly granted to the school boards by the legislature in Minnesota Statutes 1965, Chapters 120 to 129 inclusive.

Subd. 2. Only those duties of the school board as expressly stated in sections 5, 6, and 7 are hereby conferred upon the school boards by this act and nothing in this act shall be construed so as to require school boards to do other than expressly stated in said sections.

Sec. 9. **Non-severability.** If any provision of this act is found to be unconstitutional and void, the remaining provisions of the act shall be void.

Approved May 22, 1967.

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#### CHAPTER 634—H. F. No. 1220

*An act relating to the Minnesota Watershed Act; amending Minnesota Statutes 1965, Sections 112.34, Subdivision 1; 112.35, Subdivision 3; 112.37, Subdivisions 1 and 5; 112.39, Subdivisions 3 and 4; 112.42, Subdivision 5; 112.46, 112.49, Subdivision 6; 112.61, Subdivisions 2, 3, and 7; 112.64, Subdivisions 2 and 3; 112.65, Subdivisions 1 and 2; repealing Minnesota Statutes 1965, Section 112.37, Subdivision 4.*

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