

MINNESOTA STATUTES 1977 SUPPLEMENT

SCHOOL DISTRICTS; ELECTION 123.351

CHAPTER 123. SCHOOL DISTRICTS; ELECTION, POWERS AND DUTIES

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123.335 Imprest cash funds.

[For text of subd 1, see M.S.1976]

Subd. 2. The board may authorize an imprest fund for the purpose of advancing money to officers or employees to pay the actual and necessary expenses of such officer or employee in attending meetings outside of the district. The board shall appoint a custodian of such fund and he shall be responsible for its safekeeping and disbursement according to law. At the first regular meeting of the board after such meeting, the custodian shall submit an itemized claim for the actual and necessary expenses incurred and paid. The board shall act upon it as in the case of other claims and an order shall be issued to the custodian for the amount allowed. The custodian shall use the proceeds of the order to repay the amount advanced from the fund and make final settlement with the officer or employee. As an alternative the board may authorize travel advances if control is maintained by use of a travel advance account, the balance of which is supported by names of employees to whom money has been advanced.

[1977 c 447 art 7 s 16]

123.351 Cooperative centers for vocational education.

[For text of subds 1 to 3, see M.S.1976]

Subd. 4. **Powers and duties.** (a) The center board shall have the general charge of the business of the center and the ownership of facilities. Where applicable, section 123.36, shall apply. The center board may not issue bonds in its behalf. Each participating district may issue its bonds for the purpose of acquisition and betterment of center facilities in the amount certified by the center board to such participating district in accordance with chapter 475.

(b) The center board (1) may furnish vocational offerings to any eligible person residing in any participating district; (2) may provide special education for the handicapped and disadvantaged; and (3) may provide any other educational programs or services agreed upon by the participating districts. Academic offerings shall be provided only under the direction of properly licensed academic supervisory personnel.

(c) In accordance with subdivision 5, clause (b), the center board shall certify to each participating district the amount of funds assessed to the district as its proportionate share required for the conduct of the educational programs, payment of indebtedness, and all other proper expenses of the center.

(d) The center board shall employ and contract with necessary qualified teachers and administrators and may discharge the same for cause pursuant to section 125.12. The board may employ and discharge other necessary employees and may contract for other services deemed necessary.

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(e) The center board may provide an educational program for secondary and adult vocational phases of instruction. The high school phase of its educational program shall be offered as a component of the comprehensive curriculum offered by each of the participating school districts. Graduation shall be from the student's resident high school district. Insofar as applicable, sections 123.35 to 123.40, shall apply.

(f) The center board may prescribe rates of tuition for attendance in its programs by adults and nonmember district secondary students.

Subd. 5. **Financing.** (a) Any center board established pursuant to this section is a public corporation and agency and may receive and disburse federal, state, and local funds made available to it. No participating school district shall have any additional individual liability for the debts or obligations of the center except that assessment which has been certified as its proportionate share in accordance with subdivision 5, clause (b) and subdivision 4, clauses (a) and (c). A member of the center board shall have such liability as is applicable to a member of an independent school district board. Any property, real or personal, acquired or owned by the center board for its purposes shall be exempt from taxation by the state or any of its political subdivisions.

(b) The center board may, in each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred, assess and certify to each participating school district its proportionate share of any and all expenses. This share shall be based upon an equitable distribution formula agreed upon by the participating districts. Each participating district shall remit its assessment to the center board within 30 days after receipt. The assessments shall be paid within the maximum levy limitations of each participating district.

[For text of subds 6 to 9, see M.S.1976]

[1977 c 447 art 5 s 1,2]

123.39 Independent school districts, transportation.

[For text of subds 1 to 4, see M.S.1976]

Subd. 5. The board may provide for the admission to the schools of the district, of non-resident pupils, and those above school age, and fix the rates of tuition for such pupils.

Subd. 5a. In case a person owns land and pays the taxes thereon, in a district other than the one in which he resides, then such person or his tenant shall be admitted to all the benefits of said school the same as residents therein, upon conforming to such reasonable terms for tuition and transportation as the board of education of such school district may have established for non-residents, except that he shall be entitled to have the amount of school taxes which he pays to the support of said district applied in payment of said tuition and transportation fees. In this case, the district in which the pupil attends shall be considered the district of his residence in the payment of state aid.

[For text of subds 6 to 12, see M.S.1976]

Subd. 13. The board shall contract with any licensed developmental achievement center attended by a resident handicapped person who fulfills the eligibility requirements of section 252.23, subdivision 1, to transport the resident handicapped person to the developmental achievement center in return for payment by the center of the cost of the transportation, if transportation by the board is in the best interest of the handicapped person and is not unreasonably burdensome to the dis-

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trict and if a less expensive, reasonable, alternative means of transporting the handicapped person does not exist. If the board and the developmental achievement center are unable to agree to a contract, either the board or the center may appeal to the commissioner of education to resolve the conflict. All decisions of the commissioner shall be final and binding upon the board and the center.

[1977 c 337 s 1; 1977 c 447 art 1 s 1]

123.40 Independent school districts, specific powers and duties.

[For text of subds 1 to 6, see M.S.1976]

Subd. 7. [Repealed, 1977 c 447 art 6 s 13]

[For text of subd 8, see M.S.1976]

NOTE: Subdivision 7 is repealed effective December 31, 1979, pursuant to Laws 1977, Chapter 447, Article 6, Section 13.

123.581 In-service training programs.

Subdivision 1. **Establishment.** Programs for in-service training for regular classroom teachers, assistant principals and principals in techniques of education of handicapped pupils shall be established in school districts designated by the state board of education. Funds for these programs shall be granted by the state board upon the recommendation of the advisory council for in-service training in techniques of education of handicapped pupils. Handicapped pupils for the purposes of this section, are those defined in section 120.03.

Subd. 2. **Advisory council.** There is hereby established the advisory council for in-service training in techniques of education of handicapped pupils, which shall be responsible for recommending grants for and assisting the districts in developing the programs of in-service teacher training.

Subd. 3. **Membership.** The advisory council shall consist of 12 members who shall be appointed by the commissioner of education. Nine members shall be professionally qualified in the fields of special or general education, and three shall be public members. The public members shall be representative of associations and organizations concerned with the problems of handicapped pupils.

[For text of subds 4 and 5, see M.S.1976]

Subd. 6. **Requirements for programs.** A grant received by the district shall be used solely for costs incurred in the in-service training of the teachers and shall not be used for any other general education or special education functions. Applications for grants may be considered from districts initiating an in-service training program or continuing an existing program. A single district may initiate or continue a program or may join with another district or other districts. A district may cooperate with other districts in a special educational regional council, educational service area, or educational cooperative service unit wherever such arrangement is available. Distribution of funds between or among the programs shall depend upon the needs of the district, its population, and the number of teachers to be trained in the program. There is no requirement that funds be equally distributed.

[For text of subd 7, see M.S.1976]

[1977 c 447 art 3 s 5-8]

123.701 Purpose.

The legislature finds that early detection of children's health and developmental problems can reduce their later need for costly care, minimize their physical and educational handicaps, and aid in their rehabilitation. The purpose of sections 123.701 to 123.705 is to assist parents and communities in improving the health of

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Minnesota children and in planning educational and health programs.

[1977 c 437 s 1]

123.702 School board responsibilities.

Subdivision 1 Every school board shall provide for a voluntary health and developmental screening program for children once before entering kindergarten; provided, this section shall not be construed to require school boards to screen children who enter kindergarten during fiscal year 1978. This screening program shall be established either by one board, by two or more boards acting in cooperation, by educational cooperative service units, by early childhood and family education programs, or by other existing programs. No school board may make this screening examination a mandatory prerequisite to enroll a student. In fiscal years 1978 and 1979, the screening programs shall include at least the following components to the extent the school board determines they are financially feasible: developmental assessments, hearing and vision screening, dental assessments, and the review of health history and immunization status. In fiscal year 1979, the screening programs shall include at least the following additional components to the extent the school board determines they are financially feasible: laboratory tests and nutritional and physical assessments. All screening components shall be consistent with the standards of the state board of health for early and periodic screening programs. No child shall be required to submit to any component of this screening program to be eligible for any other component.

Subd. 2. If any child's screening indicates a condition which requires diagnosis or treatment, his parents shall be notified of the condition and the school board shall ensure that an appropriate follow-up and referral process is available, in accordance with procedures established pursuant to section 123.703, subdivision 1.

Subd. 3. The school board shall actively encourage participation in the screening program.

Subd. 4. Every school board shall contract with or purchase service from an approved early and periodic screening program in the area wherever possible.

Subd. 5. Every school board shall integrate and utilize volunteer screening programs in implementing sections 123.702 to 123.704.

Subd. 6. A school board may contract with health care providers to operate the screening programs and shall consult with local societies of health care providers.

[1977 c 437 s 2]

123.703 State board of education and state board of health; responsibilities.

Subdivision 1. School boards shall administer the screening programs pursuant to rules adopted by the state board of education. In order to implement the programs for the 1977-1978 school year, the state board shall, no later than August 15, 1977, adopt emergency rules in accordance with section 15.0412, subdivision 5. Prior to the adoption of the rules and emergency rules, the state board shall solicit information or opinions pursuant to section 15.0412, subdivision 6. The notice of proposed rule-making shall be published in the state register no later than August 1, 1977, and copies of the proposed rules and emergency rules shall be sent to the state board of health and each school board in the state on or before the date of publication. The state board of education shall consider the standards employed by the state board of health for early and periodic screening programs in drafting the proposed rules.

Subd. 2. The state board of education, in cooperation with the state board of health and health service providers, shall provide technical assistance, including training, and general information and consultation services to school boards.

Subd. 3. The state board of education, in cooperation with the state board of health, shall report to the legislature by February 1, 1979, on the results of the screening programs in accomplishing the purposes specified in section 123.701.

[1977 c 437 s 3]

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123.704 Data use.

Data on individuals collected in screening programs established pursuant to section 123.702 is private, as defined by section 15.162, subdivision 5a. Individual and summary data shall be reported to the school district by the health provider who performs the screening services, for the purposes of developing appropriate educational programs to meet the individual needs of children and designing appropriate health education programs for the district; provided, no data on an individual shall be disclosed to the district without the consent of that individual's parent or guardian.

[1977 c 437 s 4]

123.705 State aid.

The department of education shall pay each school district for the cost of screening services provided pursuant to sections 123.701 to 123.705. The payment shall not exceed \$13 per child screened in fiscal year 1978 and \$23 per child screened in fiscal year 1979. Any district may request and receive an advance payment equal to 50 percent of its estimated payment for screening eligible children.

[1977 c 437 s 5]

123.71 Publication of school district financial information.

Subdivision 1. Every school board shall, no later than September 1 publish the revenue and expenditure budgets submitted to the commissioner of education in accordance with section 121.908, subdivision 4, for the current year and the actual revenues, expenditures, fund balances for the prior year and projected fund balances for the current year in a form prescribed by the state board of education after consultation with the advisory council on uniform financial accounting and reporting standards. The forms prescribed shall be designed so that year to year comparisons of revenue, expenditures and fund balances can be made. These budgets, reports of revenue, expenditures and fund balances shall be published in a newspaper of general circulation and holding a U. S. Post Office Department second class mailing permit or a legal newspaper located in the district, or if there be no such newspaper within the district then in the legal newspaper outside the district which has a general circulation in the district.

Subd. 2. It shall also publish at the same time a summary of bonds outstanding, paid, and sold; a summary of orders not paid for want of funds; certificates of indebtedness for the year ending June 30; the statutory operating debt of the district as defined and certified pursuant to section 121.914; and the balance amount of the appropriated fund balance reserve account for purposes of reducing statutory operating debt established pursuant to section 275.125.

[For text of subd 3, see M.S.1976]

Subd. 4. It shall also publish at the same time the average cost per pupil in average daily membership educated in that district in the preceding year. This computation shall be made exclusive of debt service or capital outlay costs.

[1977 c 447 art 7 s 17-19]

123.73 Data processing by joint board, acquisition of property.

Any joint board formed pursuant to section 471.59 by two or more school districts, however organized, for the purpose in whole or in part of establishing or providing data processing services may acquire, transfer and hold title to real and personal property to the extent and in the manner as is authorized by law for independent school districts. The joint board may acquire by lease-purchase or installment purchase or in any manner approved pursuant to section 16.93 or other state law any necessary computer hardware or software. For purposes of acquiring, transferring and holding title to real and personal property, such joint board shall be considered a separate governmental entity, and the obligations incurred in ac-

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quiring any such property shall not be included in the net debt of any school district.

[1977 c 30 s 1]

123.742 Assistance to local school districts.

Subdivision 1. Insofar as possible, the state board of education and educational cooperative service units shall make technical assistance for planning and evaluation available to school districts upon request. The department shall collect the annual evaluation reports from local districts as provided in section 123.741, subdivision 5, and shall make this data available upon request to any district seeking to use it for purposes of comparisons of student performance.

[For text of subd 2, see M.S.1976]

[1977 c 447 art 6 s 1]

123.744 School boards; student members.

The board of directors of any school district may appoint a student to serve as an advisory member to the school board. The student shall serve as an advisory member to the board only as long as he attends school in the district, and shall not receive any compensation or be reimbursed for any expenses incurred while serving in this capacity.

A student advisory member may be permitted to attend school board meetings, to be furnished with agenda materials, to introduce items for inclusion in the agenda, and to participate in discussion but shall not be entitled to vote.

[1977 c 106 s 1]

CHAPTER 124. SCHOOL TAXES, FUNDS, AIDS

Sec.		Sec.	
124.04	Repealed.	124.271	Community school programs aid.
124.11	Dates of aid payments.	124.30	Repealed.
124.14	Distribution of school aids; appropriation.	124.32	Handicapped children.
124.17	Definition of pupil units.	124.38	Definitions.
124.19	Requirements for aid generally.	124.48	Indian scholarships.
124.212	Foundation aid.	124.562	Post-secondary vocational foundation aid.
124.213	Aid recapture.	124.563	Post-secondary vocational categorical and capital expenditure aid.
124.214	Aid adjustments. [New]	124.565	Post-secondary vocational education tuition.
124.215	Minnesota Indian education committee.	124.57	Aid for vocational education.
124.221	Repealed.	124.572	Current funding for adult vocational education.
124.222	Transportation aid entitlement.	124.573	Current funding for secondary vocational education.
124.223	Transportation aid authorization.	124.646	School lunch aid. [New]
124.23	Repealed.		
124.24	Emergency aid.		
124.245	Capital expenditure equalization aid. [New]		
124.25	Repealed.		
124.26	Education programs for adults.		

124.04 MS 1976 [Repealed, 1977 c 447 art 6 s 13]

124.11 Dates of aid payments.

Subdivision 1. Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program and except as provided in subdivision 5, ten percent of the estimated elementary and secondary foundation aids shall be paid to districts in each of the months other than October from August through May based upon information available and the final distribution shall be made in October of the following school year.

Subd. 2. Estimated post-secondary vocational foundation aid shall be paid to districts in 12 equal monthly payments beginning July 15, 1976. The estimated post-secondary vocational foundation aid shall be paid on the basis of the prior year's average daily membership except that the average daily membership and the payments based thereon may be adjusted in September, December, March and June to