

CHAPTER 129

SCHOOL BOARDS; MISCELLANEOUS POWERS

129.02	Definitions.	129.08	Tax levy.
129.03	Tax-forfeited lands, acquisition.	129.09	Betterment defined.
129.04	Validation.	129.10	School boards, bonds for improving schoolhouses.
129.05	Tax-forfeited lands, exchange.	129.11	Agreements with districts in other states.
129.06	School districts, issuance of bonds for betterment of schoolhouses.	129.121	State high school league.
129.07	Issuance by resolution without approval of voters.		

129.01 [Expired]**129.02 DEFINITIONS.**

Subdivision 1. When used in sections 129.02 to 129.05, the following words, terms and phrases shall have the meanings given them in this section.

Subd. 2. "School district" means any school district which lies in whole or in part within the boundaries of the Chippewa National Forest.

Subd. 3. "Boundaries of the Chippewa National Forest" means the boundaries thereof as certified by a proper federal authority.

Subd. 4. "Federal" means the United States of America.

Subd. 5. "Tax-forfeited lands" means lands forfeited to the state of Minnesota for nonpayment of the taxes thereon.

History: 1955 c 38 s 1

129.03 TAX-FORFEITED LANDS, ACQUISITION.

Any school district is authorized to acquire by action of its school board, without authorization by the voters of the school district, tax-forfeited lands for the purpose of exchanging such lands with the federal government for federal property, real or personal situated within the boundaries of the school district.

History: 1955 c 38 s 2

129.04 VALIDATION.

The acquisition heretofore by any school district of tax-forfeited lands for the purpose of exchanging such lands with the federal government for federal property, real or personal, situated within the boundaries of the school district is ratified and approved and the conveyance of the title of the state of Minnesota to any such tax-forfeited land to a school district is validated and confirmed.

History: 1955 c 38 s 3

129.05 TAX-FORFEITED LANDS, EXCHANGE.

The school board of any school district which has acquired or does hereafter acquire title to tax-forfeited lands is authorized to exchange any or all of such tax-forfeited lands with the federal government for federal property, real or personal, situated within the boundaries of the school district.

History: 1955 c 38 s 4

129.06 SCHOOL DISTRICTS, ISSUANCE OF BONDS FOR BETTERMENT OF SCHOOLHOUSES.

The school board of any school district in which more than 50 percent of the valuation consists of iron ore may issue bonds for the betterment of schoolhouses not in excess of the following amounts:

MINNESOTA STATUTES 1988

3189

SCHOOL BOARDS; MISCELLANEOUS POWERS 129.11

(a) In school districts having a population of not more than 6,500, the total amount shall not exceed \$85,000;

(b) In school districts having a population of more than 6,500, the total amount shall not exceed \$125,000.

History: 1953 c 433 s 1

129.07 ISSUANCE BY RESOLUTION WITHOUT APPROVAL OF VOTERS.

Such bonds shall be issued and sold pursuant to the provisions of chapter 475, except that the bonds authorized herein may be issued by resolution of the school board without first obtaining the approval or a vote of the electors.

History: 1953 c 433 s 2

129.08 TAX LEVY.

The school board may levy taxes for the payment of such bonds without limitation as to rate or amount and in excess of existing limitations and the moneys collected on such tax levies shall be used only for the payment of the bonds authorized herein.

History: 1953 c 433 s 3

129.09 BETTERMENT DEFINED.

The term "betterment" includes reconstruction, extension, improvement, repair, remodeling, lighting, equipping, furnishing, painting, school garages, and heating plants.

History: 1953 c 433 s 4

129.10 SCHOOL BOARDS, BONDS FOR IMPROVING SCHOOLHOUSES.

Subdivision 1. The school board of any school district in which more than 50 percent of the valuation consists of iron ore may issue bonds for the betterment of schoolhouses not in excess of the following amounts:

(a) In school districts having a population of not more than 6,500, the total amount shall not exceed \$75,000;

(b) In school districts having a population of more than 6,500, the total amount shall not exceed \$100,000.

Subd. 2. Such bonds shall be issued and sold pursuant to the provisions of chapter 475, except that the bonds authorized herein may be issued by resolution of the school board without first obtaining the approval or a vote of the electors.

Subd. 3. The school board may levy taxes for the payment of such bonds without limitation as to rate or amount and in excess of existing limitations and the moneys collected on such tax levies shall be used only for the payment of the bonds authorized herein.

Subd. 4. The term "betterment" includes reconstruction, extension, improvement, repair, remodeling, lighting, equipping, furnishing, painting, school garages, and heating plants.

History: 1955 c 578 s 1-4

129.11 AGREEMENTS WITH DISTRICTS IN OTHER STATES.

Subdivision 1. The board of any school district with boundaries adjoining another state may enter into an agreement and contract with the school board of a school district in such adjoining state to provide for the joint erection, operation and maintenance of school facilities for both districts upon such terms and conditions as may be mutually agreed upon between such districts in accordance with the provisions of this section.

Subd. 2. An agreement proposed for adoption by a school board under this section shall be in the form and contain such terms as may be prescribed by the commissioner of education from time to time by published order and no agreement shall be submitted

to a referendum by the people under subdivision 3 unless it has first been approved by the commissioner of education in writing by endorsement thereon.

Subd. 3. An approved agreement shall be submitted to the electorate of the district at a special election called for the purpose or at an annual election in the manner provided by law. The question on the ballot at such election shall be:

“Shall the proposed agreement between this school district and school district number in county, state of as approved by the commissioner of education by endorsement dated be executed?

YES

NO

Subd. 4. Facilities erected and maintained pursuant to the terms of the agreement may be located in either Minnesota or such adjoining state.

Subd. 5. The district entering such agreement may borrow money, levy taxes and issue bonds and use the proceeds thereof in accordance with and subject to the limitations of chapter 475 for purposes of the agreement.

History: 1957 c 370 s 1-5; 1986 c 444

129.12 [Repealed, 1973 c 738 s 2]

129.121 STATE HIGH SCHOOL LEAGUE.

Subdivision 1. The governing board of any high school may delegate the control, supervision, and regulation of interscholastic athletics and other extracurricular activities referred to in section 123.38 to the Minnesota state high school league, a nonprofit incorporated voluntary association. Membership in said Minnesota state high school league shall be composed of such Minnesota high schools whose governing boards have certified in writing to the state commissioner of education that they have elected to delegate the control, supervision, and regulation of their interscholastic athletic events and other extracurricular activities to said league. The Minnesota state high school league is hereby empowered to exercise the control, supervision, and regulation of interscholastic athletics, musical, dramatic, and other contests by and between pupils of the Minnesota high schools, delegated to it pursuant to this section. The Minnesota high school league may establish a policy or guidelines for the guidance of member high schools in the formation or alteration of athletic or other extracurricular conferences. Except as otherwise provided by subdivision 1a, the formation or alteration of conferences is voluntary.

The commissioner of education, or the commissioner's representative, shall be an ex officio nonvoting member of the governing body of the Minnesota state high school league. The governing board must include the following members: four members of the public, at least one of whom must be an American Indian, Asian, Black, or Hispanic, and all of whom must be parents, appointed by the governor under section 15.0597; two members of the Minnesota association of secondary school principals selected by the association; and 14 members selected according to league bylaws. The board shall establish and adopt policies, make decisions on behalf of the league, and establish advisory committees necessary to carry out board functions. The terms, compensation, removal of members, and the filling of membership vacancies are governed by section 15.0575. Members of advisory committees shall be reimbursed only for expenses in the same manner as board members. The rules of the league shall be exempt from the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62.

Employees of the league shall be reimbursed only for expenses as authorized by the commissioner's plan for state employees adopted under section 43A.18, subdivision 2.

The league is specifically prohibited from having credit cards.

The executive director of the league shall have a department head expense account subject to the same limits and guidelines as those provided for the commissioner of education. The executive director shall expend money for entertainment or reimbursement of expenses of guests of the league only from this account.

The board shall establish a policy on the use of automobiles by league staff and shall show annually how league policy on the use of automobiles is the most cost-effective alternative available.

Subd. 1a. The league shall arrange membership for schools in athletic or other extracurricular conferences to the extent and in the manner provided by this subdivision. After notice and an opportunity for participation by league members at a public hearing, the league shall develop criteria to arrange membership in athletic or other extracurricular conferences for schools that make a written request pursuant to this subdivision. The criteria shall include, at least, the distance to be traveled by competing schools, the relative enrollments of the schools, and the comparability of athletic or other extracurricular activities in the schools.

Within 90 days after receiving a written request from a member high school, the league shall, following the criteria developed pursuant to this subdivision, arrange membership in an athletic or other extracurricular conference for any high school that (1) lacks membership in a conference because of involuntary exclusion from a conference or because of the dissolution of a conference and (2) has made its own good faith attempts for at least 180 days to obtain membership in a conference. The 180 days run from the date of the member school's first written request to join or rejoin a conference. When arranging conference membership for a school, the league shall notify the school seeking membership and all schools already in a proposed conference that, upon request of a notified school, a public hearing on the proposed conference membership will be held in a timely manner. The school seeking conference membership and the schools already in a proposed conference are bound by the league's final decision under this subdivision on a matter of conference membership.

Subd. 2. Any school board is hereby authorized to expend money for and pay dues to the Minnesota state high school league and all money paid to such league, as well as money derived from any contest or other event sponsored by said league, shall be subject to an annual examination and audit by the state auditor.

Each year by September 1, the state auditor shall provide a financial and compliance audit to the legislature detailing the general financial condition and general status of the league as of July 31 of the year preceding the filing of the audit. Copies of the audit report must be filed with the commissioner of education, the chairs of the house and senate education committees and the director of the legislative reference library. The audit report must include the aggregate totals for all revenues and expenditures for the three preceding years and the current year and the percent and dollar difference in each of these four years. The following items must be audited in each instance: revenues from student activities, membership dues, publications, registration of officials and judges, interest, automobile sales, and other revenues including medals, refunds and reimbursements; and expenditures related to staff, the board of directors, student activities, capital outlay, office and other expenditures including membership services. The league must pay the state auditor for the costs of the audit.

Subd. 2a. **Employment.** The league must adopt an affirmative action policy to ensure that employment positions within the league are equally accessible to all qualified persons and to eliminate the underutilization of protected groups as defined in section 43A.02, subdivision 33.

The league shall actively and publicly recruit qualified people to become employees of the league. It shall give special emphasis to recruiting members of protected groups. The league shall advertise available positions in newspapers of general circulation. The advertisement must contain a deadline for submitting applications that is at least 14 days after the date of the last advertisement. The league shall keep each application for at least six months and shall notify an applicant when a position, for which the applicant is qualified, becomes available.

Subd. 2b. **Equitable compensation relationships.** The league shall be treated as a political subdivision for purposes of sections 471.992 to 471.999, except that the league must report to the commissioner of employee relations by February 1, 1989, on its implementation plan. No cause of action against the league arises before August 1, 1989, for failure to comply with the requirements of sections 471.992 to 471.999.

MINNESOTA STATUTES 1988

129.121 SCHOOL BOARDS; MISCELLANEOUS POWERS

3192

Subd. 2c. **Data practices.** The collection, creation, receipt, maintenance, dissemination, or use of information by the league is subject to the provisions of chapter 13.

Subd. 3. The commissioner of education shall make a report to the legislature on or before each regular session thereof, as to the activities of the league, and shall recommend to the legislature whether any legislation is made necessary by its activities.

Subd. 4. Membership in the Minnesota state high school league shall be open to any high school in Minnesota which satisfies compulsory attendance pursuant to section 120.10.

Subd. 5. For the purposes of section 471.705, the Minnesota state high school league shall be deemed to be a state agency required by law to transact business in meetings open to the public.

History: 1973 c 492 s 14; 1973 c 738 s 1; 1980 c 355 s 2; 1982 c 424 s 34, 130; 1985 c 248 s 70; 1986 c 444; 1987 c 243 s 1, 2; 1988 c 718 art 7 s 45-49

129.13 [Repealed, 1976 c 44 s 70]