

ACADEMIC PAIRING AGREEMENTS

Introduction

Prior to 1978, in order to be an independent school district, districts had to maintain elementary and secondary schools for kindergarten through grade 12 within the school district boundaries. As a result of a variety of laws passed since 1978, school districts may now maintain as few as three grades within their district boundaries and continue to be an independent school district [Minn. Stat. § 123A.64]. Academic pairing agreements are the primary means by which school districts operate fewer grades, yet retain their status as independent school districts. When fewer than an entire grade level of students is shared for the complete instructional day, an academic pairing agreement is not required; a mutual agreement between the school boards is sufficient.

Academic pairing agreements are formal, written agreements between two or more school districts through which entire grade levels of students and staff are shared. A school district may enter into academic pairing agreements with one or more school districts. School districts discussing a possible academic pairing agreement should obtain samples of such agreements from school districts that have current agreements.

There are two academic pairing agreements permitted under statute, specifically, Minnesota Statutes, section 123A.30 – Agreements for Secondary Education, and Minnesota Statutes, section 123A.32 – Interdistrict Cooperation. These academic pairing agreement statutes have some features in common, but have some significant differences as well. Please study the differences carefully to help you decide which type of academic pairing agreement is most suitable for the school districts involved. Refer to the statutory language if you have any questions on the summaries of the laws below.

Minnesota Statutes, section 123A.30 – Agreements for Secondary Education

- A. Agreements may be made between two or more school districts to share secondary students. Agreements are usually made for at least two years, subject to renewal or cancellation with due notice. Each school district must continue to meet the reporting and accounting requirements for an independent school district.
- B. A school district that sends or tuitions secondary students out to one or more districts must have fewer than 375 students enrolled in grades 7-12; a school district that receives students may have any size enrollment in grades 7-12.
- C. Per pupil formula aids go to the school district of a student's residence. A tuition rate agreed upon by the participating districts becomes part of the Agreement for Secondary Education, and the tuition rate is paid to the district receiving the students by the students' resident district. No tuition rate is prescribed in statute or rule. Tuition rates may be revenue or expenditure based.
- D. A plan for the employment and assignment of teachers must be provided as part of the agreement. A joint seniority list of teaching staff is not required. Teachers placed on unrequested leave are entitled to receive severance pay from their school district of employment if not employed as a teacher at an equivalent salary the following school year. A school district may levy to cover the cost of severance pay for teachers [Minn. Stat. § 126C.43, Subd. 6].
- E. A superintendent may be chosen by cooperating school districts on a basis other than seniority [Minn. Stat. § 123.34, Subd. 9].
- F. No public vote on a proposed agreement is authorized. The involved school boards make the final decisions. A public informational meeting after due notice must be held in each district, and a review and comment from the commissioner of the Minnesota Department of Education must subsequently be procured and published prior to the school board voting to formally enter into the agreement.
- G. Any agreement should be finalized prior to June 30 preceding the school year in which it is to be effective.
- H. When any agreement between school districts changes the school to which a student is assigned, students (including siblings) have until July 1 to exercise any open enrollment options.

Minnesota Statutes, section 123A.32 – Interdistrict Cooperation

- A. Agreements may be made between two or more school districts to share elementary and secondary students. Only one senior high school program for students in grades 10, 11, and 12 may be maintained by the districts involved in the agreement. A district may serve as few as three grade levels within their district boundaries and remain an independent school district. Agreements are usually made for at least two years, subject to renewal or cancellation with due notice.
- B. The school districts must consult with the Division of Program Finance and submit a copy of the final agreement to the Minnesota Department of Education. Each district must continue to meet the reporting and accounting requirements for an independent school district.
- C. Per pupil formula aids go to the school district of a student's residence. A tuition rate agreed upon by the participating districts becomes part of the Interdistrict Cooperation agreement, and the tuition rate is paid to the district receiving the students by the students' resident district. If the agreement involves students from each district attending school in the other district (e.g., K-6 in one district, 7-12 in the other district), several tuition rates may be agreed upon and paid as appropriate. No tuition rate is prescribed in statute or rule. Tuition rates may be revenue or expenditure based.
- D. If a plan for the employment and assignment of teachers is not negotiated prior to March 1 preceding the school year in which the agreement is effective, a joint seniority list of teaching staff is required. The combined seniority list may cover either teachers instructing in grades K-12 or 7-12 depending upon the agreement between the districts.
- E. A superintendent may be chosen by cooperating school districts on a basis other than seniority [Minn. Stat. § 123.34, Subd. 9].
- F. No public vote on a proposed agreement is authorized. The involved school boards make the final decisions. A public informational meeting after written notice is provided to all parents of children affected by the agreement must be held prior to the school board voting to formally enter into the agreement.
- G. Joint school board meetings may be held in either school district that is a party to the agreement. Any agreement should be finalized prior to June 30 preceding the school year in which it is to be effective.
- H. When any agreement between school boards changes the school to which a student is assigned, students (including siblings) have until July 1 to exercise any open enrollment options.

Conclusions

Adequately informing and involving school communities prior to proposing and implementing any academic pairing agreement is important. Typically, school districts discuss possible agreements with neighboring districts for several years, keep the community informed, and involve staff, parents, and citizens in exploratory and preliminary discussions before formally proposing any agreement. Management assistance studies of school district reorganization options and plans may be completed by school district staff and/or consultants to aid discussion and consideration of reorganization options.

School districts are strongly encouraged to keep their school district communities well-informed of student and district needs as well as deteriorating program, facility, and financial conditions as they occur, instead of waiting until there is an emergency that necessitates large cuts of student programs and services, operating levy referendums, expenditures on deteriorating school buildings, or quick decisions on a reorganization agreement.

For general information or questions on academic pairing agreements, please call 651-582-8319. For information on possible tuition formulas or rates, please call 651-582-8851.

Minnesota Statutes, section 123A.30 – Agreements for Secondary Education

School Districts	Grades Served
1. # 415 Lynd	K-8
# 413 Marshall	K-12
2. # 635 Milroy	K-8
# 413 Marshall	K-12
#2904 Tracy Area	K-12
3. # 707 Nett Lake	K-6
#2142 St. Louis County	K-12
4. #2907 Round Lake-Brewster	K-8
# 518 Worthington	K-12
# 505 Fulda	K-12
# 330 Heron Lake-Okabena	K-12

Total: 4 Agreements for Secondary Education, 11 School Districts

Minnesota Statutes, section 123A.32 – Interdistrict Cooperation Agreements

None currently filed