

Bond Case Briefs

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PUBLIC HEARINGS - MINNESOTA

834 VOICE v. Independent School District No. 834, Stillwater

Court of Appeals of Minnesota - April 3, 2017 - N.W.2d - 2017 WL 1210108

Association filed writ of certiorari challenging school board's decision to close three elementary schools.

The Court of Appeals held that:

- Hearing procedures established by school board for a public hearing on proposed school closings were reasonable and allowed a meaningful opportunity for public testimony, and thus procedures did not violate statute governing public hearings on proposed schoolhouse closings, and
- School board's finding that closure of schools was necessary and practicable was supported by substantial evidence.

Hearing procedures established by school board for a public hearing on the necessity and practicability of proposed closings of three elementary schools were reasonable and allowed a meaningful opportunity for public testimony, and thus procedures did not violate statute governing public hearings on proposed schoolhouse closings, even though each commenter was limited to speaking for only three minutes and persons making comments were not permitted to merge their time. Board allowed 45 commenters and did not exclude anyone, and a proffered 305-page report objecting to closures was received into the record.

School board's finding that closure of three elementary schools was necessary and practicable was supported by substantial evidence; there was evidence that school district's enrollment was decreasing, that schools were operating below capacity based on a district enrollment study, that per-student spending varied between schools by as much as \$1,600 per student and that average class sizes were significantly different at different schools, and that closing schools would save a projected \$1.2 million per year and help alleviate budget problems.