

A bill for an act

relating to education; modifying the Teacher Tenure Act for school districts located in a city of the first class; amending Minnesota Statutes 2010, section 122A.41, subdivisions 1, 10.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2010, section 122A.41, subdivision 1, is amended to read:

Subdivision 1. **Words, terms, and phrases.** Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of the following subdivisions in this section shall be defined as follows:

(a) **Teachers.** The term "teacher" includes every person regularly employed, as a principal, or to give instruction in a classroom, or to superintend or supervise classroom instruction, or as placement teacher and visiting teacher. Persons regularly employed as counselors and school librarians shall be covered by these sections as teachers if licensed as teachers or as school librarians.

(b) **School board.** The term "school board" includes a majority in membership of any and all boards or official bodies having the care, management, or control over public schools.

(c) **Demote.** The word "demote" means to reduce ~~in rank or to transfer to a lower branch of the service or to a position carrying a lower salary or~~ the compensation a person actually receives in the new position.

(d) **Nonprovisional license.** For purposes of this section, "nonprovisional license" shall mean an entrance, continuing, or life license.

EFFECTIVE DATE. This section is effective the day following final enactment.

2.1 Sec. 2. Minnesota Statutes 2010, section 122A.41, subdivision 10, is amended to read:

2.2 Subd. 10. **Decision, when rendered.** The hearing must be concluded and a decision
2.3 in writing, stating the grounds on which it is based, rendered within 25 days after giving of
2.4 such notice. Where the hearing is before a school board the teacher may be discharged
2.5 or demoted upon the affirmative vote of a majority of the members of the board. If the
2.6 charges, or any of such, are found to be true, the board conducting the hearing must
2.7 discharge, demote, or suspend the teacher, as seems to be for the best interest of the school.
2.8 ~~A teacher must not be discharged for either of the causes specified in subdivision 6, clause~~
2.9 ~~(3), except during the school year, and then only upon charges filed at least four months~~
2.10 ~~before the close of the school sessions of such school year.~~

2.11 **EFFECTIVE DATE.** This section is effective July 1, 2011, and applies to discharge
2.12 actions commenced on or after that date.