

S.F. No. 1743 and H.F. No. 1982, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

The following document shows the differences between S.F. No. 1743, the first engrossment, and H.F. No. 1982, the first engrossment.

March 11, 2019

Patrick D. Murphy
Chief Clerk, House of Representatives

Explanation of Comparison Reports

When a Senate File is received from the Senate, it is given its first reading and must be referred to the appropriate standing committee or division under Rule 1.11. But if the House File companion of that Senate File has already been reported out of Committee and given its second reading and is on the General Register, the Senate File must be referred to the Chief Clerk for comparison pursuant to Rule 1.15. The Chief Clerk reports whether the bills were found to be identical or not identical. Once the bills have been compared and the differences have been reported, the Senate File is given its second reading and is substituted for the House File. The House File is then considered withdrawn. Pursuant to rule 3.33, if the bills are not identical and the chief author of the bill wishes to use the House language, the chief author must give notice of their intent to substitute the House language when the bill is placed on the Calendar for the Day or the Fiscal Calendar. If the chief author of the bill wishes to keep the Senate language, no action is required.

1.1 A bill for an act

1.2 relating to education; authorizing a school calendar adjustment for instructional

1.3 days and work hours lost due to school closings during the 2018-2019 school year.

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

1.5 Section 1. **SCHOOL CALENDAR ADJUSTMENT; 2018-2019 SCHOOL YEAR.**

1.6 Subdivision 1. **Required school days and hours.** Notwithstanding Minnesota Statutes,

1.7 sections 120A.32, 120A.41, and 126C.05, a school district or charter school that had

1.8 instructional days scheduled for January 29, January 30, or January 31, 2019, on its calendar

1.9 for the 2018-2019 school year as of January 1, 2019, but canceled school on one or more

1.10 of those days due to health and safety concerns, may count those days as instructional days

1.11 for the purposes of calculating the number of hours and days in the school year under

1.12 Minnesota Statutes, section 120A.41, and the calculation of average daily membership under

1.13 Minnesota Statutes, section 126C.05, for students enrolled both before and after these school

1.14 closure dates.

1.15 Subd. 2. **Instructional day; employees.** (a) This subdivision applies to any school

1.16 district employee who:

1.17 (1) was scheduled to work on any of the days of January 29, January 30, or January 31,

1.18 2019;

1.19 (2) did not work on any or all of those days; and

1.20 (3) did not receive compensation for those days.

1.21 (b) Notwithstanding any law to the contrary, for each day identified in paragraph (a), a

1.22 school district must either:

2.1 (1) allow any school district employee under paragraph (a) the opportunity to work on

2.2 another day that the school district designates and must compensate the employee working

2.3 on the designated day at the employee's normal rate of pay; or

2.4 (2) compensate any school district employee under paragraph (a) for each of the days

2.5 not worked at the employee's normal rate of pay.

2.6 Subd. 3. **Contracted employers.** An employer that contracts to provide student services

2.7 to school districts is encouraged to compensate its regularly scheduled employees, through

2.8 direct pay or additional hours of work offered, for work hours lost due to the school closings

2.9 listed in subdivision 1.

2.10 Subd. 4. **Probationary teachers.** For the 2018-2019 school year only, for purposes of

2.11 Minnesota Statutes, sections 122A.40, subdivision 5, paragraph (e), and 122A.41, subdivision

1.1 A bill for an act

1.2 relating to education; modifying the calculation of days and hours of instruction

1.3 for students affected by snow days during the 2018-2019 school year; requiring

1.4 affected school districts to report to the commissioner.

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

2.12 2, paragraph (d), the minimum number of days of teacher service that a probationary teacher
 2.13 must complete equals the difference between 120 days and the number of scheduled
 2.14 instructional days that were canceled due to inclement weather.

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

1.6 Section 1. **DAYS AND HOURS OF INSTRUCTION; 2018-2019 SCHOOL YEAR**
 1.7 **SNOW DAYS.**

1.8 (a) If the governor declares a snow day under Minnesota Statutes, section 12.21,
 1.9 subdivision 3, clause (11), or if a school district declares a snow day because of inclement
 1.10 weather during the 2018-2019 school year only, the scheduled days and the hours of school
 1.11 on that day may, by board resolution, be counted toward the required minimum number of
 1.12 days of instruction in the school's annual calendar under Minnesota Statutes, section 120A.41;
 1.13 minimum required hours of instruction and assessment for prekindergarten and kindergarten
 1.14 pupils under Minnesota Statutes, section 126C.05, subdivision 1, paragraphs (c), (d), and
 1.15 (i); and minimum required hours of instruction necessary to compute learning year hours
 1.16 of instruction under Minnesota Statutes, section 126C.05, subdivision 15.

1.17 (b) If a school district would not have met the required minimum number of days and
 1.18 hours of instruction for district students without the authority in paragraph (a), the district
 1.19 must report to the commissioner of education in the form and manner determined by the
 1.20 commissioner on the number of days and hours that the district counted under paragraph
 1.21 (a) to meet the required days and hours of instruction. A district required to report under
 1.22 this paragraph is encouraged to adopt an e-learning day plan under Minnesota Statutes,
 1.23 section 120A.414.

2.1 (c) For the 2018-2019 school year only, for purposes of Minnesota Statutes, sections
 2.2 122A.40, subdivision 5, paragraph (e), and 122A.41, subdivision 2, paragraph (d), the
 2.3 minimum number of days of teacher service that a probationary teacher must complete
 2.4 equals the difference between 120 days and the number of scheduled instructional days that
 2.5 were canceled due to inclement weather and that the school board resolved to count as days
 2.6 of instruction under Minnesota Statutes, section 120A.41.

2.7 (d)(1) Notwithstanding any law to the contrary, for each day during the 2018-2019 school
 2.8 year that school is canceled due to inclement weather and that the board resolves to count
 2.9 as an instructional day under Minnesota Statutes, section 120A.41, a school district must
 2.10 either (i) allow any school district employee the opportunity to work on another day that
 2.11 the school district designates and must compensate the employee working on the designated
 2.12 day at the employee's normal rate of pay; or (ii) compensate any school district employee
 2.13 for each of the days not worked at the employee's normal rate of pay.

2.14 (2) This paragraph only applies to a school district employee who (i) was scheduled to
 2.15 work on any or all of the days that school was canceled because of inclement weather; (ii)

- 2.16 did not work on any or all of those days; and (iii) did not receive compensation for those
- 2.17 days.
- 2.18 (e) Paragraph (d) only applies if the employment contract does not provide for school
- 2.19 closings due to inclement weather.
- 2.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.