

SENATE  
STATE OF MINNESOTA  
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 781

(SENATE AUTHORS: HARRINGTON and Olson)

DATE	D-PG	OFFICIAL STATUS
03/14/2011	501	Introduction and first reading Referred to Education
04/18/2011	1381a 1385 3599	Comm report: To pass as amended Second reading Rule 47, returned to Education See SF768, Sec. 4, 7 See HF26, Art. 2, Sec. 16 (First Special Session)

1.1 A bill for an act  
1.2 relating to education; modifying the Teacher Tenure Act for school districts  
1.3 located in a city of the first class; amending Minnesota Statutes 2010, section  
1.4 122A.41, subdivisions 1, 10.

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

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

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

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

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

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

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

1.24 **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.