

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. **Contract employer to pay eligible employees.** (a) For purposes of this
2.7 subdivision, "contract employer" means an employer who provides student-related services
2.8 throughout the school year to a school district, and "eligible employee" means a person:

2.9 (1) whose primary task is to provide services to students attending a school district;

2.10 (2) who was scheduled to work for the contract employer on any of the days January
2.11 29, January 30, or January 31, 2019;

2.12 (3) who did not work on any or all of those days; and

2.13 (4) did not receive compensation for any or all of the employee's regularly scheduled
2.14 shifts on those school days.

2.15 (b) A school district must notify a contract employer which, if any, of the days under
2.16 paragraph (a), clause (2), it will fully compensate the contract employer at the contract
2.17 employer's full, regularly scheduled daily amount. The school district must pay the contractor
2.18 for those days upon notice from the contractor under paragraph (c).

2.19 (c) A contract employer that agrees to compensate its eligible employees at their normal
2.20 rate of pay for the hours of pay lost due to the inclement weather days listed in paragraph
2.21 (a), clause (2), must notify the district of its intended action and once notified, the school
2.22 district must fully compensate the contract employer for those days under paragraph (b).

2.23 (d) Notwithstanding paragraph (b), a school district and contract employer may adjust
2.24 the full, regularly scheduled daily contract rate if special circumstances within the district
2.25 warrant an adjustment.

2.26 Subd. 4. **Probationary teachers.** For the 2018-2019 school year only, for purposes of
2.27 Minnesota Statutes, sections 122A.40, subdivision 5, paragraph (e), and 122A.41, subdivision
2.28 2, paragraph (d), the minimum number of days of teacher service that a probationary teacher
2.29 must complete equals the difference between 120 days and the number of scheduled
2.30 instructional days that were canceled due to inclement weather.

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