

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. **2530**

02/27/2012 Authored by Kiel, Dittrich and McFarlane

The bill was read for the first time and referred to the Committee on Education Reform

03/19/2012 Adoption of Report: Pass and Read Second Time

1.1 A bill for an act
1.2 relating to education; changing by one month the date by which a school board
1.3 must notify a probationary teacher about not renewing the teacher's contract;
1.4 amending Minnesota Statutes 2011 Supplement, section 122A.40, subdivision 5.

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

1.6 Section 1. Minnesota Statutes 2011 Supplement, section 122A.40, subdivision 5,
1.7 is amended to read:

1.8 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's
1.9 first teaching experience in Minnesota in a single district is deemed to be a probationary
1.10 period of employment, and, the probationary period in each district in which the teacher is
1.11 thereafter employed shall be one year. The school board must adopt a plan for written
1.12 evaluation of teachers during the probationary period that is consistent with subdivision
1.13 8. Evaluation must occur at least three times periodically throughout each school year
1.14 for a teacher performing services during that school year; the first evaluation must occur
1.15 within the first 90 days of teaching service. Days devoted to parent-teacher conferences,
1.16 teachers' workshops, and other staff development opportunities and days on which a
1.17 teacher is absent from school must not be included in determining the number of school
1.18 days on which a teacher performs services. Except as otherwise provided in paragraph (b),
1.19 during the probationary period any annual contract with any teacher may or may not be
1.20 renewed as the school board shall see fit. However, the board must give any such teacher
1.21 whose contract it declines to renew for the following school year written notice to that
1.22 effect before ~~June~~ July 1. If the teacher requests reasons for any nonrenewal of a teaching
1.23 contract, the board must give the teacher its reason in writing, including a statement
1.24 that appropriate supervision was furnished describing the nature and the extent of such

supervision furnished the teacher during the employment by the board, within ten days after receiving such request. The school board may, after a hearing held upon due notice, discharge a teacher during the probationary period for cause, effective immediately, under section 122A.44.

(b) A board must discharge a probationary teacher, effective immediately, upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's license has been revoked due to a conviction for child abuse or sexual abuse.

(c) A probationary teacher whose first three years of consecutive employment are interrupted for active military service and who promptly resumes teaching consistent with federal reemployment timelines for uniformed service personnel under United States Code, title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes of paragraph (a).

(d) A probationary teacher must complete at least 120 days of teaching service each year during the probationary period. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school do not count as days of teaching service under this paragraph.

EFFECTIVE DATE. This section is effective for the 2012-2013 school year and later.