

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.

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.

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.

BELOW TEXT IS PART OF SUBDIVISION 2

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.

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;

2.18 (e) Paragraph (d) only applies if the employment contract does not provide for school
 2.19 closings due to inclement weather.

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

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

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.

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

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