

MINNESOTA STATUTES 1979 SUPPLEMENT

TEACHERS 125.12

[For text of subds 2 to 5, see M.S.1978]

[1979 c 334 art 5 s 27]

124.574 Secondary vocational education for handicapped children.

[For text of subd 1, see M.S.1978]

Subd. 2. In the 1979-1980 school year and thereafter, the state shall pay to any district or cooperative center 70 percent of the salaries paid to essential licensed personnel in that school year for services rendered in that district or center's secondary vocational education programs for handicapped children.

[For text of subds 3 to 8, see M.S.1978]

[1979 c 334 art 5 s 28]

124.625 Veterans training.

The state board of education shall continue the veterans training program. All receipts to the veterans training revolving fund for the veterans training program are appropriated to the state board to pay the necessary expenses of operation of the program. The state board shall act as the state agency for approving educational institutions for purposes of 38 U.S.C. Chapter 36, relating to educational benefits for veterans and other persons. The state board may adopt rules to fulfill its obligations as the state approving agency. All federal money received for purposes of the veterans training program shall be deposited in the veterans training revolving fund and is appropriated to the state board for those purposes.

[1979 c 335 s 16]

124.646 School lunch aid.

Subdivision 1. (a) For the 1979-1980 school year, school districts shall be paid by the state in the amount of 4-9/10 cents for each full paid student type "A" lunch served to students in the district. (b) For the 1980-1981 school year, school districts shall be paid by the state in the amount of 5-3/10 cents for each full paid student type "A" lunch served to students in the district.

[For text of subds 2 and 3, see M.S.1978]

[1979 c 334 art 6 s 22]

CHAPTER 125. TEACHERS

Sec.		Sec.	
125.12	Employment; contracts, termination.	125.60	Extended leaves of absence.
125.17	Teacher tenure act; cities of the first class; definitions.	125.61	Teacher early retirement incentive program.

125.12 Employment; contracts, termination.

[For text of subds 1 to 4, see M.S.1978]

Subd. 5. **Retirement.** Notwithstanding the foregoing provisions, a board may provide by rule that its teachers shall be retired at age 70.

[For text of subds 6 to 13, see M.S.1978]

Subd. 14. **Records relating to individual teacher; access; expungement.** All evaluations and files generated within a school district relating to each individual teacher shall be available to each individual teacher upon written request. Effective January 1,

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1976, all evaluations and files, wherever generated, relating to each individual teacher shall be available to each individual teacher upon written request. The teacher shall have the right to reproduce any of the contents of the files at the teacher's expense and to submit for inclusion in the file written information in response to any material contained therein.

A school district may destroy the files as provided by law and shall expunge from the teacher's file any material found to be false or substantially inaccurate through the grievance procedure required pursuant to section 179.70, subdivision 1; provided, the grievance procedure promulgated by the director of the bureau of mediation services, pursuant to section 179.71, subdivision 5, clause (i), shall apply to those principals and supervisory employees not included in an appropriate unit as defined in section 179.63, subdivision 1. Expungement proceedings shall be commenced within the time period provided in the collective bargaining agreement for the commencement of a grievance. If no time period is provided in the bargaining agreement, the expungement proceedings shall commence within 15 days after the teacher has knowledge of the inclusion in his file of the material he seeks to have expunged.

[1979 c 40 s 2; 1979 c 139 s 1]

125.17 Teacher tenure act; cities of the first class; definitions.

[For text of subds 1 to 11, see M.S.1978]

Subd. 12. **Records relating to individual teacher; access; expungement.** All evaluations and files generated within a school district relating to each individual teacher shall be available to each individual teacher upon his written request. Effective January 1, 1976, all evaluations and files, wherever generated, relating to each individual teacher shall be available to each individual teacher upon his written request. The teacher shall have the right to reproduce any of the contents of the files at the teacher's expense and to submit for inclusion in the file written information in response to any material contained therein.

A school district may destroy the files as provided by law and shall expunge from the teacher's file any material found to be false or substantially inaccurate through the grievance procedure required pursuant to section 179.70, subdivision 1; provided, the grievance procedure promulgated by the director of the bureau of mediation services, pursuant to section 179.71, subdivision 5, clause (i), shall apply to those principals and supervisory employees not included in an appropriate unit as defined in section 179.63, subdivision 1. Expungement proceedings shall be commenced within the time period provided in the collective bargaining agreement for the commencement of a grievance. If no time period is provided in the bargaining agreement, the expungement proceedings shall commence within 15 days after the teacher has knowledge of the inclusion in his file of the material he seeks to have expunged.

[1979 c 139 s 2]

125.60 Extended leaves of absence.

Subdivision 1. As used in this section, the term "teachers" shall have the meaning given it in section 125.03, subdivision 1.

Subd. 2. The board of any district may grant an extended leave of absence without salary to any full time elementary, secondary or area vocational-technical school teacher who has been employed by the district for at least five years and has at least ten years of allowable service, as defined in section 354.05, subdivision 13, or the bylaws of the appropriate retirement association or ten years of full time teaching service in Minnesota public elementary, secondary and area vocational-technical schools. The maximum duration of an extended leave of absence pursuant to this section shall be determined by mutual agreement of the board and the teacher at the time the leave is granted and shall be at least three but no more than five years. An extended leave of absence pursuant to this section shall be taken by mutual consent of the board and the teacher and may be granted only once.

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[For text of subd 2a, see M.S.1978]

Subd. 3. Except as provided in subdivisions 6a and 6b, a teacher on an extended leave of absence pursuant to this section shall have the right to be reinstated to a position for which he is licensed at the beginning of any school year which immediately follows a year of the extended leave of absence, unless he is discharged or placed on unrequested leave of absence or his contract is terminated pursuant to section 125.12 or 125.17 while he is on the extended leave. The board shall not be obligated to reinstate any teacher who is on an extended leave of absence pursuant to this section unless the teacher advises the board of his intention to return before February 1 in the school year preceding the school year in which he wishes to return. The board shall notify the commissioner within 30 days of being notified that a teacher intends to return from an extended leave.

Subd. 4. Any teacher who is reinstated to a teaching position after an extended leave of absence pursuant to this section shall retain seniority and continuing contract rights in the employing district as though he had been teaching in the district during the period when he was on the extended leave; provided, however, this subdivision shall not be construed to require a board to reinstate a teacher to any particular position or to include the years spent on the extended leave of absence in the determination of a teacher's salary upon his return to teaching in this district.

[For text of subds 5 and 6, see M.S.1978]

Subd. 6a. No school board shall be obligated to reinstate a teacher who takes a full time or part time position as a teacher in another Minnesota school district while he is on an extended leave of absence pursuant to this section. This subdivision shall not apply to a teacher who is employed as a substitute teacher.

Subd. 6b. A school board shall not be obligated to reinstate a superintendent on an extended leave of absence pursuant to this section to a position in the district.

[For text of subd 7, see M.S.1978]

[1979 c 334 art 8 s 1-6]

NOTE: Laws 1979, Chapter 334, Article 8, Section 30, reads in part as follows:

"... section 5 shall not apply until June 30, 1980, to any teacher who prior to the day following final enactment has taken a full time or part time position as a teacher in a Minnesota school district while on an extended leave of absence."

125.61 Teacher early retirement incentive program.

Subdivision 1. For purposes of this section, "teacher" means a teacher as defined in section 125.03, subdivision 1, who is employed in the public elementary, secondary or area vocational-technical schools in the state, who has not less than 15 total years of full time teaching service in elementary, secondary and area vocational-technical schools, and who has or will have attained the age of 55 years but less than 65 years as of the June 30 in the school year during which an application for an early retirement incentive is made.

[For text of subd 1a, see M.S.1978]

Subd. 2. A teacher meeting the requirements of subdivision 1 may be offered a contract for termination of services in the employing school district, withdrawal from active teaching service, and payment of an early retirement incentive by the employing school district. An offer may be accepted by the teacher by submitting a written resignation to the school board of the employing district. Applications shall be submitted prior to June 30 of the school year at the end of which the teacher wishes to retire.

Subd. 3. An eligible teacher who is or will be 55 years of age as of the end of the school year during which an application for an early retirement incentive is made and accepted shall receive an early retirement incentive in the amount of \$10,000. This

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amount shall be reduced by \$500 for each year that a teacher is over the age of 55 years to a maximum age of 60 years and by an additional \$1,500 for each year that a teacher is over the age of 60 years. The age of the teacher shall be determined as of the June 30 in the school year during which the application for the early retirement incentive is made.

Subd. 3a. Notwithstanding the provisions of subdivision 3, an eligible teacher who wishes to retire at the end of the 1978-1979 or 1979-1980 school year, who is employed by a school district which is implementing a desegregation plan ordered by a federal court or approved by the state board, and who is offered and accepts an early retirement incentive contract pursuant to subdivision 2, shall receive an early retirement incentive in the amount of \$15,000. This amount shall be reduced by \$750 for each year that a teacher is over the age of 55 years to a maximum age of 60 years and by an additional \$2,250 for each year that a teacher is over the age of 60 years. The age of the teacher shall be determined as of the June 30 in the school year during which the application for the early retirement incentive is made.

Subd. 4. The early retirement incentive shall be paid by the employing school district at the time and in the manner mutually agreed upon by a teacher and the board. The state shall reimburse the district for 50 percent of any amount or amounts paid out as an early retirement incentive pursuant to this section, according to the provisions of subdivision 6. An early retirement incentive shall not be paid to any teacher who is discharged by a school district.

Subd. 4a. Notwithstanding the provisions of subdivisions 1a and 2, a teacher who has entered into an agreement for termination of services and withdrawal from active teaching service with an early retirement incentive may be employed as a substitute teacher after his retirement.

Subd. 4b. Any amount of unemployment insurance which the teacher receives and for which the district is required to pay into the unemployment compensation fund pursuant to section 268.06, subdivision 25, at any time after the teacher has entered into an agreement pursuant to subdivision 2, may be deducted by the district from the amount of the teacher's early retirement incentive or recovered by the district from the teacher up to the amount of the early retirement incentive. The district shall pay 50 percent of any amount so deducted or recovered to the department of education, and any amount so received by the department shall be deposited in the state treasury.

[For text of subd 6, see M.S.1978]

[1979 c 334 art 8 s 7-13]

CHAPTER 126. CURRICULUM, CONDUCT, TEXTBOOKS

Sec.		Sec.	
126.16	Repealed.	126.47	Definitions.
126.18	Repealed.	126.52	State board of education duties.
126.39	State board of education duties.	126.53	Repealed.
126.40	Advisory task force on bilingual education programs.	126.531	Advisory task force on American Indian language and culture education programs.
126.41	Pilot programs.	126.54	Pilot programs.

126.16 [Repealed, 1979 c 334 art 6 s 34]

126.18 [Repealed, 1979 c 334 art 6 s 34]

126.39 State board of education duties.

[For text of subds 1 to 9, see M.S.1978]

Subd. 10. **Report.** The state board shall make a report to the legislature, the governor and the public on or before February 1, 1980. This report shall include the results of the needs assessment, including an evaluation of the pilot programs, the number of children served in programs for each language group; the cost of the program per pupil for each pilot program language group, and program type; the number of children in each school district, language group and program type who, as a result of the bilingual education program, improved their English language ability to such an extent that the