

Thank you madame chair and members of the committee. My name is Kim Lewis with the Minnesota School Boards Association. Today I am also representing MASA, AMSD, MREA, SEE and the elementary and secondary principal associations.

We appreciate the opportunity to weigh-in and share our concerns on Article 5,Section 9, subdivision 2 of HF 950.

We feel it does much more than make technical changes to the statute (M.S. 122A.26). This language would have significant budgeting and program impacts on community education and early childhood family education (ECFE).

By dividing subdivision 2, early childhood family education (ECFE) teachers and adult basic education (ABE) teachers would now be subject to the continuing contract provisions.

Our concern stems from the fact that these programs are market driven and do not have compulsory attendance requirements, which leads to unpredictable enrollment.

Without the flexibility that the current statute provides to adjust teaching loads, school districts would have to hire

ECFE/ABE teachers for the entire school year regardless of student enrollment.

Further, a change in language would have contractual, financial and program impacts in the ability for school boards and school districts to efficiently and effectively deliver the valuable opportunities for our adult learners and youngest students in our school districts.

Finally, though ECFE and ABE teachers do not meet the statutory definition of “teacher” in the continuing contract laws, they are considered teachers for the purpose of the Public Employment Labor Relations Act (PELRA). Therefore, the exclusive representative of teachers may exert its right to represent these individuals in negotiations and include them in the appropriate unit. Doing so does not give these individuals continuing contract rights. However, school districts can and should negotiate a separate article in their Master Agreements which states which portions of the Master Agreement apply to ECFE/ABE teachers and which do not. Also, a separate payment structure is usually negotiated because their employment is

market-driven and the teachers are paid a negotiated hourly rate rather than a yearly salary.

Madame chair, we appreciate you listening to our concerns and taking them into consideration. With that I will stand for any questions.