

1.1 ..... moves to amend H.F. No. 1081, the delete everything amendment  
1.2 (H1081DE1), as follows:

1.3 Page 83, after line 8, insert:

1.4 "Sec. 43. [122A.411] UNREQUESTED LEAVE OF ABSENCE PROCESS.

1.5 Subdivision 1. Exemption. Notwithstanding any law to the contrary, a school district  
1.6 and the exclusive representative for teachers may agree to a process for exempting up to  
1.7 five percent of its employees from unrequested leaves of absence and nonrenewal regardless  
1.8 of probationary status or position on a seniority list, provided the teachers meet the  
1.9 requirements of this section and the exclusive representative for licensed educators provides  
1.10 written approval of the process no later than October 1 of each school year. The process  
1.11 must satisfy the requirements of subdivision 2.

1.12 Subd. 2. Process requirements. (a) The school district and exclusive representative  
1.13 must establish a committee to select educators to receive the exemption. The committee  
1.14 must have at least three district representatives, selected by the superintendent or the  
1.15 superintendent's designee, and at least three licensed educators selected by the exclusive  
1.16 representative, provided that the committee has an equal number of representatives selected  
1.17 by the superintendent and exclusive representative. School districts and exclusive  
1.18 representatives are strongly encouraged to include members of underrepresented communities  
1.19 as their committee representatives. Before beginning its work, all members of the selection  
1.20 committee must jointly complete comprehensive anti-racism training by a training provider  
1.21 approved by the Professional Educator Licensing and Standards Board.

1.22 (b) The committee may select up to five percent of the district's total licensed staff for  
1.23 an exemption as long as the educator has a cultural background that is underrepresented  
1.24 among licensed staff within the school building or district in comparison to the student  
1.25 population. "Cultural background" as used in this section, includes race, ethnicity, disability

2.1 status, and any other group that is underrepresented on staff and has experienced systemic  
2.2 barriers in education or employment opportunities. Selections must be made on the basis  
2.3 of an educator's teaching or professional performance as determined by colleagues, mentors,  
2.4 and administrators.

2.5 (c) If the committee cannot achieve consensus regarding its selections, the committee  
2.6 must vote on candidates for the exemption, with the top vote-receiving candidates receiving  
2.7 the exemption if the number of selected staff exceeds five percent of the a district's staff,  
2.8 or the percentage agreed upon by the majority vote of the selection committee.

2.9 (d) The committee must finalize decisions and notify affected staff no later than February  
2.10 1 of each school year. The exemption is only valid for the school year in which the exemption  
2.11 is granted unless renewed by the committee in a subsequent year. The committee may, in  
2.12 its discretion, give an educator a two-year exemption from non-renewal based on a majority  
2.13 vote of committee members.

2.14 Subd. 3. **Process options.** Additional clarifications or variations on this procedure,  
2.15 including specific tiers of licenses eligible for the exemption, may be negotiated between  
2.16 the exclusive representative and the district. The percentage of staff eligible for an exemption  
2.17 from nonrenewal and unrequested leave of absence may be decided annually by the  
2.18 committee by majority vote, but must not exceed five percent of the district's licensed  
2.19 educators.

2.20 Subd. 4. **Data.** All data from committee deliberations is private personnel data pursuant  
2.21 to section 13.43.

2.22 Subd. 5. **Disputes.** A dispute over violations of procedures under this section are subject  
2.23 to the grievance procedure in the applicable collective bargaining agreement."

2.24 Renumber the sections in sequence and correct internal references