

HOUSE RESEARCH

Bill Summary

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Subject: Using teachers' subject matter licensure fields, evaluation outcomes, and seniority to make unrequested leave of absence, discharge, and demotion decisions

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Overview

Requires a school board and the exclusive representative of the teachers to negotiate a plan to base unrequested leave of absence, discharge, and demotion decisions on teachers' subject matter licensure fields, their effectiveness, and their seniority beginning no later than the 2016-2017 school year.

1 Requirements. Excludes from the definition of "provisional license" the two-year limited-term license the Minnesota Board of Teaching issues to persons enrolled in an alternative teacher preparation program.

Makes this section immediately effective.

2 Probationary period. Allows a school board to renew or not renew a probationary teacher's contract consistent with a negotiated unrequested leave of absence plan.

3 Negotiated unrequested leave of absence. (a) Requires a school board and the exclusive representative of the teachers to negotiate a plan basing unrequested leave of absence decisions on teachers' subject matter licensure fields, the outcomes of prescribed teacher evaluations, from least to most effective, and least to greatest seniority within each effectiveness category. Makes the statutory unrequested leave of absence plan apply if a plan is not successfully negotiated.

(b) Declares that for purposes of placing a teacher on unrequested leave of absence or recalling a teacher from unrequested leave of absence, a school board need not reassign a teacher to accommodate the seniority claims of a less senior teacher. Defines a teacher holding a provisional license as a teacher who receives a waiver or variance to teach.

(c) Declares a teacher's effectiveness category and the underlying data generated as part of the teacher evaluation process to be private data on individuals.

(d) Allows a school board to make teachers' effectiveness categories accessible to the exclusive representative of the teachers for the purpose of verifying the order of teachers' unrequested leave of absence.

(e) Prohibits a school board from using a teacher's remuneration to make unrequested leave of absence or discharge decisions.

Makes this section effective immediately and applicable to negotiated plans agreed to after that

date.

- 4 Unrequested leave of absence.** (a) Allows school boards to place teachers on unrequested leave of absence due to district reorganization.
- (e) Declares that statutory unrequested leave of absence and related recall provisions do not require a school board to reassign a teacher to accommodate the seniority claims of a less senior teacher.
- (j) Grants an effective teacher a five-year right to reinstatement. Requires the teacher to file a written statement requesting reinstatement each year by April 1.
- (k) Limits an ineffective teacher's right to reinstatement to the following school year only. Causes the teacher's right to reinstatement to terminate if the teacher fails to file a written request for reinstatement by April 1 in that following school year.
- (n) Beginning in the 2016-2017 school year, requires a school board to place teachers on unrequested leave of absence based on subject matter licensure fields, the outcomes of prescribed teacher evaluations, from least to most effective, and least to greatest seniority within each effectiveness measure. Declares that a school board need not reassign a teacher with more seniority to a different subject matter category in order to accommodate the seniority claims of a less senior teacher. Allows a school board to decide to renew or not renew a probationary teacher's contract, as the board sees fit. Requires a school board to publish the unrequested leave of absence plan it implements under this paragraph.
- (o) Defines a teacher who holds only a provisional license as a teacher who receives a waiver or variance to teach.
- (p) Declares a teacher's effectiveness category and the underlying data generated as part of the teacher evaluation process to be private data on individuals.
- Makes this section effective immediately except that paragraph (n) is effective for the 2016-2017 school year and later.
- 5 Records relating to individual teacher; access; expungement.** Makes teacher evaluation data available to individual teachers upon request.
- 6 Probationary period; discharge or demotion.** Allows a school board to renew or not renew a probationary teachers' contract consistent with the negotiated service termination plan.
- 7 Grounds for discharge or demotion.** (a) Beginning in the 2016-2017 school year and later, requires the school board to discharge or demote a teacher based on teachers' subject matter licensure fields, the outcomes of prescribed teacher evaluations from least to most effective, and least to greatest seniority within each effectiveness measure. Prohibits using a teacher's remuneration to make discharge or demotion decisions. Requires a school board to publish the discharge and demotion plan it implements under this paragraph.
- (b) Declares a teacher's effectiveness category and the underlying data generated as part of the teacher evaluation process to be private data on individuals.
- (c) Allows a school board to make teachers' effectiveness categories accessible to the exclusive representative of the teachers for the purpose of verifying the order of teachers' discharge or demotion.
- Makes this section effective immediately and applicable to negotiated plans agreed to after that date.
- 8 Services terminated by discontinuance or lack of pupils; preference given.** (c) Declares that for purposes of placing a teacher on unrequested leave of absence or recalling a teacher from unrequested leave of absence, a school board need not reassign a teacher to accommodate the seniority claims of a less senior teacher.
- (e) Defines a teacher who holds a provisional license as a teacher who receives a waiver or variance to teach.
- Makes this section effective immediately.
- 9 Records relating to individual teacher; access; expungement.** Makes teacher evaluation data

available to individual teachers upon request.

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Teacher assignment. Requires teacher assignments in consolidated districts to be consistent with the provisions on unrequested leave of absence and teacher effectiveness measures governing teachers generally.

Makes this section effective immediately.