

Senators Kiscaden, Kelley, Murphy, Kleis and Olson introduced--

S.F. No. 244: Referred to the Committee on Education.

1 A bill for an act

2 relating to education; providing for consecutive  
3 teaching experience for a teacher whose probationary  
4 employment is interrupted by military service;  
5 amending Minnesota Statutes 2004, section 122A.40,  
6 subdivision 5.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

8 Section 1. Minnesota Statutes 2004, section 122A.40,  
9 subdivision 5, is amended to read:

10 Subd. 5. [PROBATIONARY PERIOD.] (a) The first three  
11 consecutive years of a teacher's first teaching experience in  
12 Minnesota in a single district is deemed to be a probationary  
13 period of employment, and after completion thereof, the  
14 probationary period in each district in which the teacher is  
15 thereafter employed shall be one year. The school board must  
16 adopt a plan for written evaluation of teachers during the  
17 probationary period. Evaluation must occur at least three times  
18 each year for a teacher performing services on 120 or more  
19 school days, at least two times each year for a teacher  
20 performing services on 60 to 119 school days, and at least one  
21 time each year for a teacher performing services on fewer than  
22 60 school days. Days devoted to parent-teacher conferences,  
23 teachers' workshops, and other staff development opportunities  
24 and days on which a teacher is absent from school must not be  
25 included in determining the number of school days on which a  
26 teacher performs services. Except as otherwise provided in

1 paragraph (b), during the probationary period any annual  
 2 contract with any teacher may or may not be renewed as the  
 3 school board shall see fit. However, the board must give any  
 4 such teacher whose contract it declines to renew for the  
 5 following school year written notice to that effect before July  
 6 1. If the teacher requests reasons for any nonrenewal of a  
 7 teaching contract, the board must give the teacher its reason in  
 8 writing, including a statement that appropriate supervision was  
 9 furnished describing the nature and the extent of such  
 10 supervision furnished the teacher during the employment by the  
 11 board, within ten days after receiving such request. The school  
 12 board may, after a hearing held upon due notice, discharge a  
 13 teacher during the probationary period for cause, effective  
 14 immediately, under section 122A.44.

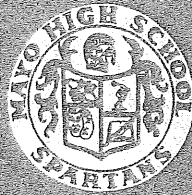
15 (b) A board must discharge a probationary teacher,  
 16 effective immediately, upon receipt of notice under section  
 17 122A.20, subdivision 1, paragraph (b), that the teacher's  
 18 license has been revoked due to a conviction for child abuse or  
 19 sexual abuse.

20 (c) A teacher whose probationary period of employment is  
 21 interrupted for active military service and who resumes teaching  
 22 at a later date shall be considered to have a consecutive  
 23 teaching experience ~~[for the period of time the teacher is~~  
 24 performing services] ~~for purposes of this subdivision.~~

① delete

② insert

*Effective Date  
 This section is effective retroactive to September 10,  
 2001.*



## Mayo High School

1420 SE 11 Avenue  
Rochester, MN 55904-5306  
(507) 285-8820 Fax (507) 285-8792

January 20, 2005

Senator Sheila Kiscaden  
District 30  
325 Capitol  
St. Paul, MN 55155

Dear Senator Kiscaden,

I am writing this letter in support of a bill that will amend teacher tenure law. The law, as written, provides that a teacher must serve 3 consecutive years in a district in order to gain tenure.

When I moved to Rochester, I already had 7 years of teaching experience (2 in Minnesota), and I had been tenured in Michigan. I understood that I would need three years in Minnesota to gain tenure here. The 2001-2002 school year was to be my second of three years. Unfortunately, September 11<sup>th</sup> happened. As a member of the United States Navy Reserve, I was mobilized by October 10, 2001. I served my country in that capacity for one year.

When I returned to my family and job after a year-long separation, I came to find out that I needed to start the tenure process all over again. This law is grossly unfair to all teachers that are members of the armed forces. As of this date, I have been teaching for 11 ½ years, including 6 ½ years in Minnesota. I am still not tenured!

Please introduce a bill that corrects this discrepancy and does not penalize teachers for their commitment to the National Guard and Reserves.

Sincerely,

A handwritten signature in black ink, appearing to read "Vince Wagner", with a long horizontal flourish extending to the right.

Vince Wagner  
Teacher  
Rochester Public Schools

Senator Kiscaden introduced--

S.F. No. 367: Referred to the Committee on Education.

1 A bill for an act

2 relating to education; requiring notice when a school  
3 or district uses certain pools for competitive high  
4 school diving; amending Minnesota Statutes 2004,  
5 section 123B.492.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

7 Section 1. Minnesota Statutes 2004, section 123B.492, is  
8 amended to read:

9 123B.492 [SUPERVISED COMPETITIVE HIGH SCHOOL DIVING.]

10 Notwithstanding Minnesota Rules, part 4717.3750, any pool  
11 built before January 1, 1987, that was used for a one-meter  
12 board high school diving program during the 2000-2001 school  
13 year may be used for supervised competitive one-meter board high  
14 school diving. Schools and school districts are strongly  
15 encouraged to use a pool for supervised competitive high school  
16 diving that meets the requirements of Minnesota Rules, part  
17 4717.3750. A school or district using a pool for  
18 supervised ~~training-practice-for~~ competitive high school  
19 diving for either training practice or competition that does not  
20 meet the requirements of Minnesota Rules, part 4717.3750, must  
21 provide appropriate notice to parents and participants as to the  
22 type of variance from Minnesota Rules and risk it may present.

# COMMITTEE REPORT - WITH AMENDMENTS

Committee on Education

S .F. No. 244

Resolution

Re-referred (from another committee)

**Amendments:**

*see attached marked up copy*

**Committee recommendation:**

And when so amended the bill do pass.

And when so amended the bill do pass and be placed on the Consent Calendar.

And when so amended the bill do pass and be re-referred to the Committee on \_\_\_\_\_

**o recommendation:** And when so amended the bill be \_\_\_\_\_ (re-referred to the Committee on \_\_\_\_\_)  
OR \_\_\_\_\_ (reported to the Senate).

2-17-05 (date of committee recommendation)

**COMMITTEE REPORT - WITHOUT AMENDMENTS**

Committee on

Education

S. F. No. 367

Resolution

Re-referred (from another committee)

**Committee recommendation:**

do pass.

do pass and be placed on the Consent Calendar.

do pass and be re-referred to the Committee on

(no recommendation) be re-referred to the Committee on

2-17-05 (date of committee recommendation)


1 Senator Kelley from the Committee on Education, to which  
2 was referred

3 S.F. No. 367: A bill for an act relating to education;  
4 requiring notice when a school or district uses certain pools  
5 for competitive high school diving; amending Minnesota Statutes  
6 2004, section 123B.492.

7 Reports the same back with the recommendation that the bill  
8 do pass and be placed on the Consent Calendar. Report adopted.

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10

  
.....  
(Committee Chair)

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February 17, 2005.....  
(Date of Committee recommendation)

1 Senator Kelley from the Committee on Education, to which  
2 was referred

3 S.F. No. 244: A bill for an act relating to education;  
4 providing for consecutive teaching experience for a teacher  
5 whose probationary employment is interrupted by military  
6 service; amending Minnesota Statutes 2004, section 122A.40,  
7 subdivision 5.

8 Reports the same back with the recommendation that the bill  
9 be amended as follows:

10 Page 2, lines 23 and 24, delete "for the period of time the  
11 teacher is performing services"

12 Page 2, after line 24, insert:

13 "[EFFECTIVE DATE.] This section is effective retroactively  
14 from September 10, 2001."

15 And when so amended the bill do pass and be placed on the  
16 Consent Calendar. Amendments adopted. Report adopted.

17 .....  
18 (Committee Chair)

19 .....  
20 February 17, 2005.....  
21 (Date of Committee recommendation)