

..... moves to amend H.F. No. 2431, the delete everything amendment (A10-2517), as follows:

Page 31, after line 23, insert:

"Sec. 18. Minnesota Statutes 2009 Supplement, section 122A.40, subdivision 8, is amended to read:

Subd. 8. **Annual evaluations and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), shall develop a an annual teacher evaluation and peer review process for continuing contract teachers through joint agreement. The peer review process may must include having trained observers serve as peer coaches or having teachers participate in professional learning communities.

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, the annual evaluation process for continuing contract teachers must:

(1) be a collaborative effort between teachers and school administrators to develop and implement a teacher evaluation process that is based on professional teaching standards and includes both formative assessments to improve instruction through identifying teachers' strengths and weaknesses and summative assessments conducted at least once every three school years and used to make personnel decisions, consistent with clause (2);

(2) coordinate staff development activities under section 122A.60 with this evaluation process and teachers' evaluation outcomes and give teachers not meeting standards of effective practice sufficient support to improve;

(3) include in-class observations by both licensed mentor teachers and school administrators who are trained evaluators, use a valid observation framework or protocol, and periodically undergo a reliability review;

(4) provide peer coaching or have teachers participate in professional learning communities, consistent with paragraph (a);

(5) require teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.18, subdivision 4, paragraph (b), using criteria developed by the board of teaching to reliably assess portfolio content, and include teachers' own performance assessment based on student work samples, student and family surveys, and videotapes of teachers' work, among other activities;

(6) demonstrate teachers' content knowledge and teaching skills; and

(7) use longitudinal data on student academic growth, student attendance, student engagement and connection, and other outcome measures as evaluation components.

EFFECTIVE DATE. This section is effective the day following final enactment and applies beginning when a district next enters into or modifies a collective bargaining agreement or by the 2011-2012 school year, whichever comes first.

Sec. 19. Minnesota Statutes 2009 Supplement, section 122A.41, subdivision 5, is amended to read:

Subd. 5. **Annual evaluations and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), must develop a an annual teacher evaluation and peer review process for nonprobationary teachers through joint agreement. The peer review process ~~may~~ must include having trained observers serve as peer coaches or having teachers participate in professional learning communities.

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, the annual evaluation process for continuing contract teachers must:

(1) be a collaborative effort between teachers and school administrators to develop and implement a teacher evaluation process that is based on professional teaching standards and includes both formative assessments to improve instruction through identifying teachers' strengths and weaknesses and summative assessments conducted at least once every three school years and used to make personnel decisions, consistent with clause (2);

(2) coordinate staff development activities under section 122A.60 with this evaluation process and teachers' evaluation outcomes and give teachers not meeting standards of effective practice sufficient support to improve;

(3) include in-class observations by both licensed mentor teachers and school administrators who are trained evaluators, use a valid observation framework or protocol, and periodically undergo a reliability review;

(4) provide peer coaching or have teachers participate in professional learning communities, consistent with paragraph (a);

(5) require teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.18, subdivision 4, paragraph (b), using criteria developed by the board of teaching to reliably assess portfolio content, and include teachers' own performance assessment based on student work samples, student and family surveys, and videotapes of teachers' work, among other activities;

(6) demonstrate teachers' content knowledge and teaching skills; and

(7) use longitudinal data on student academic growth, student attendance, student engagement and connection, and other outcome measures as evaluation components.

EFFECTIVE DATE. This section is effective the day following final enactment and applies beginning when a district next enters into or modifies a collective bargaining agreement or by the 2011-2012 school year, whichever comes first."

Page 33, after line 20, insert:

"Sec. 19. Minnesota Statutes 2009 Supplement, section 123B.143, subdivision 1, is amended to read:

Subdivision 1. **Contract; duties.** All districts maintaining a classified secondary school must employ a superintendent who shall be an ex officio nonvoting member of the school board. The authority for selection and employment of a superintendent must be vested in the board in all cases. An individual employed by a board as a superintendent shall have an initial employment contract for a period of time no longer than three years from the date of employment. Any subsequent employment contract must not exceed a period of three years. A board, at its discretion, may or may not renew an employment contract. A board must not, by action or inaction, extend the duration of an existing employment contract. Beginning 365 days prior to the expiration date of an existing employment contract, a board may negotiate and enter into a subsequent employment contract to take effect upon the expiration of the existing contract. A subsequent contract must be contingent upon the employee completing the terms of an existing contract. If a contract between a board and a superintendent is terminated prior to the date specified in the contract, the board may not enter into another superintendent contract with that same individual that has a term that extends beyond the date specified in the terminated contract.

A board may terminate a superintendent during the term of an employment contract for any of the grounds specified in section 122A.40, subdivision 9 or 13. A superintendent shall not rely upon an employment contract with a board to assert any other continuing contract rights in the position of superintendent under section 122A.40. Notwithstanding the provisions of sections 122A.40, subdivision 10 or 11, 123A.32, 123A.75, or any other law to the contrary, no individual shall have a right to employment as a superintendent based on order of employment in any district. If two or more districts enter into an agreement for the purchase or sharing of the services of a superintendent, the contracting districts have the absolute right to select one of the individuals employed to serve as superintendent in one of the contracting districts and no individual has a right to employment as the superintendent to provide all or part of the services based on order of employment in a contracting district. The superintendent of a district shall perform the following:

(1) visit and supervise the schools in the district, report and make recommendations about their condition when advisable or on request by the board;

(2) recommend to the board employment and dismissal of teachers;

(3) annually evaluate each school principal and assistant principal assigned responsibility for supervising a school building within the district, consistent with section 123B.147, subdivision 3, paragraph (b);

(4) superintend school grading practices and examinations for promotions;

~~(4)~~ (5) make reports required by the commissioner; and

~~(5)~~ (6) perform other duties prescribed by the board.

EFFECTIVE DATE. This section is effective the day following final enactment and applies beginning when a district next enters into or modifies a collective bargaining agreement or by the 2011-2012 school year, whichever comes first.

Sec. 20. Minnesota Statutes 2008, section 123B.147, subdivision 3, is amended to read:

Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative, supervisory, and instructional leadership services, under the supervision of the superintendent of schools of the district and ~~in accordance with~~ according to the policies, rules, and regulations of the school board of education, for the planning, management, operation, and evaluation of the education program of the building or buildings to which the principal is assigned.

(b) To enhance principals' leadership skills and support and improve teachers' teaching practices, the school board and the exclusive representative of the school principals of the district must negotiate a plan for an annual evaluation of the school

principals and assistant principals assigned responsibility for supervising a school building within the district. The annual evaluation process must:

(1) be designed to support and improve principals' instructional leadership defined in the plan, organizational management, and professional development, and strengthen principals' capacity in the areas of instruction, supervision, evaluation, and the development of teachers and highly effective school organizations;

(2) include formative and summative evaluations;

(3) be consistent with the principals' job description, district long-term plans and goals, and principals' own professional multi-year growth plans and goals;

(4) include on-the-job observations, team assessments and evaluations, and verbal and written feedback on performance;

(5) require feedback from teachers, support staff, students, and parents;

(6) use longitudinal data on student academic growth as an evaluation component; and

(7) be linked to professional development.

EFFECTIVE DATE. This section is effective the day following final enactment and applies beginning when a district next enters into or modifies a collective bargaining agreement or by the 2011-2012 school year, whichever comes first."

Page 41, after line 28, insert:

"Sec. 23. Minnesota Statutes 2009 Supplement, section 124D.10, subdivision 11, is amended to read:

Subd. 11. **Employment and other operating matters.** (a) A charter school must employ or contract with necessary teachers, as defined by section 122A.15, subdivision 1, who hold valid licenses to perform the particular service for which they are employed in the school. The charter school's state aid may be reduced under section 127A.43 if the school employs a teacher who is not appropriately licensed or approved by the board of teaching. The school may employ necessary employees who are not required to hold teaching licenses to perform duties other than teaching and may contract for other services. The school may discharge teachers and nonlicensed employees. The charter school board is subject to section 181.932. When offering employment to a prospective employee, a charter school must give that employee a written description of the terms and conditions of employment and the school's personnel policies. The terms and conditions of employment must include an annual teacher evaluation that is substantively consistent with section 122A.40, subdivision 8, paragraph (b).

(b) A person, without holding a valid administrator's license, may perform administrative, supervisory, or instructional leadership duties. The board of directors shall establish qualifications for persons that hold administrative, supervisory, or instructional leadership roles. The qualifications shall include at least the following areas: instruction and assessment; human resource and personnel management; financial management; legal and compliance management; effective communication; and board, authorizer, and community relationships. The board of directors shall use those qualifications as the basis for job descriptions, hiring, and performance evaluations, substantively consistent with section 123B.147, subdivision 3, paragraph (b), of those who hold administrative, supervisory, or instructional leadership roles. The board of directors and an individual who does not hold a valid administrative license and who serves in an administrative, supervisory, or instructional leadership position shall develop a professional development plan. Documentation of the implementation of the professional development plan of these persons shall be included in the school's annual report.

(c) The board of directors also shall decide matters related to the operation of the school, including budgeting, curriculum and operating procedures.

EFFECTIVE DATE. This section is effective for the 2011-2012 school year and later."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly