

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **2853**

February 11, 2010

Authored by Downey, Kelly, Mack, Gottwalt, Nornes and others
Read First Time and Referred to the K-12 Education Policy and Oversight

1.1 A bill for an act
1.2 relating to education; permitting nonunion teacher contracts; amending
1.3 Minnesota Statutes 2008, sections 122A.40, by adding a subdivision; 179A.03,
1.4 subdivision 2; repealing Minnesota Statutes 2008, section 179A.06, subdivision
1.5 3.

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

1.7 Section 1. Minnesota Statutes 2008, section 122A.40, is amended by adding a
1.8 subdivision to read:

1.9 Subd. 20. **Unrepresented teachers.** Notwithstanding any law to the contrary,
1.10 a school board may hire and contract with an individual teacher not represented by the
1.11 exclusive representative of the teachers of that district. If a district hires a teacher not
1.12 represented by the exclusive representative of the teachers of the district, the teacher is the
1.13 exclusive representative for purposes of chapters 120A to 129 and 179A.

1.14 Sec. 2. Minnesota Statutes 2008, section 179A.03, subdivision 2, is amended to read:

1.15 Subd. 2. **Appropriate unit.** "Appropriate unit" or "unit" means a unit of employees
1.16 determined under sections 179A.09 to 179A.11. For school districts, the term means all
1.17 the teachers in the district that choose to be represented by an employee organization
1.18 for bargaining purposes.

1.19 Sec. 3. **REPEALER.**

1.20 Minnesota Statutes 2008, section 179A.06, subdivision 3, is repealed.