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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3651

02/21/2022 Authored by Quam, Gruenhagen and Erickson
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; allowing school districts to access personnel files of
1.3 prospective teachers from their employing districts; amending Minnesota Statutes
1.4 2020, sections 122A.40, by adding a subdivision; 122A.41, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2020, section 122A.40, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 3a. District access to prospective teacher's personnel file. Notwithstanding
1.9 section 13.43, a district seeking to fill a teaching position that schedules an interview with
1.10 a prospective teacher currently employed by a Minnesota school district may request from
1.11 the teacher's district access to the teacher's personnel file for inspection. The teacher's
1.12 employing district must make the contents of the teacher's personnel file available to the
1.13 hiring district for inspection and must inform the teacher that access to the teacher's personnel
1.14 file has been requested. The hiring district cannot use the contents of the teacher's personnel
1.15 file to cancel a scheduled interview with the teacher.

1.16 Sec. 2. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision to
1.17 read:

1.18 Subd. 1a. District access to prospective teacher's personnel file. Notwithstanding
1.19 section 13.43, a district seeking to fill a teaching position that schedules an interview with
1.20 a prospective teacher currently employed by a Minnesota school district may request from
1.21 the teacher's district access to the teacher's personnel file for inspection. The teacher's
1.22 employing district must make the contents of the teacher's personnel file available to the
1.23 hiring district for inspection and must inform the teacher that access to the teacher's personnel

- 2.1 file has been requested. The hiring district cannot use the contents of the teacher's personnel
- 2.2 file to cancel a scheduled interview with the teacher.