

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 3004

(SENATE AUTHORS: CWODZINSKI)

DATE
02/10/2022

D-PG

Introduction and first reading
Referred to Education Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to education; modifying substitute teacher provisions; requiring school
1.3 buildings to employ a substitute teacher; appropriating money; amending Minnesota
1.4 Statutes 2020, section 122A.44, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2020, section 122A.44, subdivision 2, is amended to read:

1.7 Subd. 2. **Hiring substitute teachers.** (a) The board must not hire a substitute teacher
1.8 except:

1.9 (1) For a duration of time of less than one school year to replace a regular teacher who
1.10 is absent; or

1.11 (2) For a duration of time equal to or greater than one school year to replace a regular
1.12 teacher on a leave of absence.

1.13 (b) If a substitute teacher is hired pursuant to paragraph (a), clause (2), each full school
1.14 year during which the teacher is employed by a district pursuant to that clause shall be
1.15 deemed one year of the teacher's probationary period of employment pursuant to either
1.16 section 122A.40, subdivision 5, or 122A.41, subdivision 2. The teacher shall be eligible for
1.17 continuing contract status pursuant to section 122A.40, subdivision 7, or tenure status
1.18 pursuant to section 122A.41, subdivision 4, after completion of the applicable probationary
1.19 period.

1.20 (c) Every school building must employ one full-time equivalent substitute teacher for
1.21 every 35 teachers or full-time equivalent fraction thereof.

2.1 (d) Substitute teacher pay must be equal to or greater than 90 percent of the starting
2.2 salary for licensed teachers in the school district.

2.3 (e) If the school building substitute teacher is unavailable for a classroom, supervisory
2.4 personnel must be assigned to perform substitute teaching prior to reassigning a licensed
2.5 teacher as a substitute classroom teacher. In the event that a licensed teacher serves as a
2.6 substitute classroom teacher during their designated preparation time, that teacher must
2.7 receive pay for the classroom period spent substitute teaching that is not less than twice the
2.8 hourly rate of pay for that teacher, in addition to any preparation time required. Payment
2.9 must be made no later than the following pay period.

2.10 (f) Notwithstanding any law to the contrary, supervisory personnel under section 122A.15,
2.11 subdivision 2, including athletic coaches, must serve as a substitute teacher no less than
2.12 twice per school year.

2.13 **Sec. 2. APPROPRIATION**

2.14 Subdivision 1. **Department of Education.** The sums indicated in this section are
2.15 appropriated from the general fund to the Department of Education for the fiscal years
2.16 designated.

2.17 Subd. 2. **School building substitute teachers.** To provide school building full-time
2.18 equivalent substitute teacher revenue under Minnesota Statutes, section 122A.44, subdivision
2.19 2, paragraph (d).

2.20 \$ 2022

2.21 \$ 2023