

INDEPENDENT SCHOOL DISTRICT NO. 271
Bloomington, Minnesota

REQUEST FOR SCHOOL BOARD ACTION

DATE OF BOARD MEETING: June 12, 2017

SUBJECT: Approval of Employment Agreement Extending
the Probationary Period for a Teacher


ORIGINATING DEPARTMENT: Office of Human Resources

APPROVAL OF ADMINISTRATIVE COUNCIL
MEMBER: Mary Burroughs, Executive Director, Human
Resources MB/MAH

RESOLUTION FOR BOARD TO ADOPT:

RESOLVED, that the School Board of Independent School District 271 approve the Employment Agreement between the District and probationary teacher Amy Anderson, extending her probationary period.

RECOMMENDATION OF SUPERINTENDENT:

Approve. 

DETAILED BACKGROUND:

Amy Anderson is currently a long call reserve teacher in the District. Said teacher completed her probationary period on June 8, 2017, and acquired a Long Call Contract beginning August 28, 2017 and ending June 8, 2018. Said teacher has voluntarily agreed to waive her continuing contract rights in order to fulfill a Long Call Assignment for the duration of the 2017-18 school year.

The purpose of the agreement is to allow said teacher to fulfill the Long Call Assignment for the 2017-18 school year, thereby waiving her right to the acquisition of continuing contract rights for that period. Under arbitration rulings, it has been interpreted that teachers cannot achieve a continuing contract while employed in a Long Call Reserve position. Under this agreement said teacher has voluntarily agreed she will not achieve a continuing contract during the 2017-18 school year.

Administration recommends that the Board approve the Employment Agreement between the District and probationary teacher Amy Anderson.

EMPLOYMENT AGREEMENT

WHEREAS, Amy Anderson (hereinafter referred to as “Anderson”) is employed as a probationary teacher, as defined in Minn. Stat. § 122A.40, Subd. 5, by Independent District No. 271, Bloomington, Minnesota, (hereinafter referred to as “District”); and

WHEREAS, Anderson will complete her probationary period under Minn. Stat. § 122A.40, Subd. 5, and acquire continuing contract rights unless non-renewed before July 1, 2017; and

WHEREAS, the District does not wish to continue to employ Anderson if it will result in her acquiring continuing contract rights pursuant to Minn. Stat. § 122A.40; and

WHEREAS, the District wishes to hire Anderson for the 2017-2018 school year to continue the long-call assignment from 2016-2017; and

WHEREAS, the District and Anderson wish to extend her probationary period to allow Anderson to continue in her long-call assignment; and

WHEREAS, Anderson has had the opportunity to consult with the Bloomington Federation of Teachers and her own legal counsel before signing this agreement; however, if Anderson declines to do so, Anderson is aware of the rights that Anderson is waiving herein and the consequences thereof; and

WHEREAS, both parties understand her rights and obligations under Minn. Stat. § 122A.40; and

WHEREAS, Anderson understands that the intention of this Agreement is to waive her continuing contract rights which would otherwise attach July 1, 2017 in the absence of non-renewal under the terms of Minn. Stat. § 122A.40, Subd. 5 and to obtain her consent and agreement that Anderson continue to be treated as a probationary teacher in all respects and subject to non-renewal at any time through July 1, 2018;

EMPLOYMENT AGREEMENT

NOW THEREFORE, it is hereby agreed by the District and Anderson as follows:

1. Anderson voluntarily agrees to extend her probationary period through the 2017-2018 school year, waiving her right to the acquisition of continuing contract rights in the absence of non-renewal on July 1, 2017.

2. Anderson acknowledges and agrees that the School Board may give written notice of non-renewal prior to July 1, 2018 in the event it does not wish to renew her contract for the 2018-2019 school year.

3. Anderson acknowledges that there has been no coercion by the District, School Board, Superintendent or any other person, and that this choice is made voluntarily.

4. Anderson understands that in the event the School Board does take action to non-renew her contract prior to July 1, 2018, the employment relationship shall then be terminated effective at the end of the 2017-2018 school year, and Anderson will in that event be prevented by this Agreement from claiming prior acquisition of continuing contract rights, arising from her employment relationship with the District.

5. Anderson acknowledges that by executing this Agreement that there are no mutual covenants, promises, undertakings or understandings outside of this Agreement other than those specifically set forth herein.

IN WITNESS WHEREOF, the parties have executed this Agreement as set forth above.

Dated: 5-25-2017

Amy L Anderson
Teacher

Dated: _____

School Board Chair
Independent District No. 271
Bloomington, MN

Dated: _____

School Board Clerk
Independent District No. 271
Bloomington, MN