

Answers to commonly-asked questions

Some of your rights are limited because you are a probationary employee. But Minnesota law grants all teachers* certain rights.

When is a teacher entitled to a continuing contract in Minnesota?

The first three consecutive years of a teacher's first teaching experience in a single Minnesota school district are considered a probationary period. Teachers currently must work at least 120 days for a year to count toward completion of the probationary period. Days devoted to parent-teacher conferences, workshops and other staff development opportunities and days on which a teacher is absent from school do not count as days of teaching service.

A probationary teacher whose first three years are interrupted for maternity, paternity or medical leave and who resumes teaching within 12 months of when the leave began is considered to have consecutive teaching experience.

If the teacher does not receive a notice of non-renewal by July 1 of the third year, the teacher has a continuing contract with the district.

What happens if I move to a different district?

If you change school districts before you've completed three years in one district, you will then need to complete three consecutive years of teaching in the new district. If you've completed three years in one district, you will have a one-year probationary period in a subsequent district. Teachers in Minneapolis, St. Paul, Rochester and Duluth have a three-year probationary period regardless of previous service.

What does non-renewal of a contract mean?

A school board can give notice to a probationary teacher by July 1 during any of the probationary years of employment that his or her contract will be non-renewed. That means the teacher does not have a job the following year. The teacher has the right to ask for the reasons why the contract is not being renewed, and the school board must respond in writing within 10 days. You should speak to your union field representative before requesting the reason. The district can non-renew a probationary teacher for any reason, as long as it is not illegal. If you receive notice of non-renewal, do not resign! Contact your member rights advocate, building representative or local president for assistance.

Is there any other time a teacher's contract can be terminated?

Yes. Any teacher can be immediately dismissed for violations such as inefficiency, neglect of duty or conduct unbecoming a teacher. What due process rights a teacher has will depend on the grounds for dismissal and your employment status. In most situations, the teacher may request a hearing to respond to charges.



When can I resign from my teaching contract?

The Minnesota Board of Teaching can take disciplinary action against your teaching license if you fail to teach for the contract period. Probationary teachers have until July 1 (before the school year starts) to resign unilaterally. After that time, and until the school year ends, the school board must accept your resignation for you to avoid possible discipline.

What is PELRA and what does it mean to teachers?

The Public Employment Labor Relations Act (PELRA) directs that the public school district and the teachers union must negotiate wages and other terms and conditions of employment for district teachers. The result is your master agreement or contract. If you do not have a copy, contact your union or district office.

What is a grievance? How do I know if I have a grievance?

PELRA and your master agreement have provisions that allow the union to formally raise objections if you believe that a provision or portion of the contract has been misinterpreted or misapplied, or if you have been inappropriately disciplined. If you believe you have a grievance, contact your member rights advocate, building representative or local president. Do not discuss the matter with any administrator until you have consulted with the union. Be sure to act quickly; timelines may be short.

What should I do if a student is injured under my supervision?

Follow these steps:

1. Immediately seek medical attention from the school nurse or emergency personnel. Then notify administration and the parents as directed.
2. Follow the district's expectations regarding completing an incident or accident report.
3. Contact your building representative, member rights advocate, local president or your union field staff person for representation right away if you believe the incident could lead to discipline for you, a maltreatment investigation by MDE or any criminal charges.
4. Because incidents can also lead to civil lawsuits by parents, be aware that in Minnesota, the school district would also be a party to any civil lawsuit. If the incident was a result of conduct within the course and scope of your employment, the district's attorney and/or representative of the school's insurance company will represent you in meetings on the matter. Contact your union field staff if you receive notice from the district that it will not be representing you.
5. Do not discuss the incident with the media or meet with the parents or the parents' attorney without having a district representative present or district permission and direction.
6. Also, within 24 hours from the incident, complete the claim form for your liability insurance provided through your Education Minnesota membership. To get this form, contact your member rights advocate, building representative or local president, who can help you obtain it from your Education Minnesota field office.

**Early childhood family education and adult basic education teachers, physical therapists and occupational therapists, art therapists and audiologists must look to their master agreement to determine what rights they might have.*