



MSBA Hot Topics

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Welcome



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This presentation and corresponding materials are for information and educational use only. This presentation provides general statements from federal law, Minnesota law, and agency guidance. The presentation does not include all legal considerations that may arise in a particular situation and the law is constantly evolving. Schools should consult with their attorney for specific legal advice, information, or individualized inquiries. If you have any questions about this presentation or the corresponding materials, please contact MSBA.

Agenda

- Negotiations
- Legislative
- Reminders and more

Negotiations

Are YOU done?

- Approximately 2 / 3 have settled
- Data Hub
 - Complete settlement survey

The screenshot displays the Minnesota School Boards Association (MSBA) website. A red horizontal bar at the top contains the text "Impact of the 20". Below this, the MSBA logo is visible on the left. The navigation menu includes "Membership", "Workshops & Events", "Resource Library" (highlighted in red), "Services", "Capitol", and "Publication". The "Resource Library" section is expanded, showing a green header with an open book icon and the text "Resource Library". Below this, a list of items is shown: "Board Development", "District Operations", "Elections", "Human Resources", "School Law", "Data Hub", "Meeting Management", and "Impact of the 2023 Legislative Session". A red box highlights the "2023-2025 Teacher Settlement Information" section, which contains two links: "Report 2023-25 Teacher Settlement Data" and "Review 2023-25 Teacher Settlement Data". Two red arrows point from the text above to these links and the "Data Hub" link in the navigation menu.

Impact of the 20

msba MINNESOTA SCHOOL BOARDS ASSOCIATION

Membership Workshops & Events **Resource Library** Services Capitol Publication

Board Development School Law Policies
District Operations Data Hub Webinars
Elections Meeting Management Student Board
Human Resources Impact of the 2023 Legislative Session

2023-2025 Teacher Settlement Information
[Report 2023-25 Teacher Settlement Data](#)
[Review 2023-25 Teacher Settlement Data](#)

Resource Library

Negotiations

Are you still negotiating?



- Data Hub
 - Review submitted data
- Communications resource
 - MSBA Teacher Negotiation Communications Toolkit

Human Resources

Administrators ▼

Non-licensed Employees ▼

Superintendent ▼

Teachers ▼

2019-21 Teacher Settlement Spreadsheet

2021-23 Teacher Settlement Spreadsheet

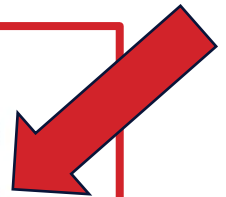
Considerations for Hiring a Retiree

MSBA Teacher Negotiation Communications Toolkit

2023-2025 Teacher Settlement Information

[Report 2023-25 Teacher Settlement Data](#)

[Review 2023-25 Teacher Settlement Data](#)



Negotiations

Are you still negotiating?

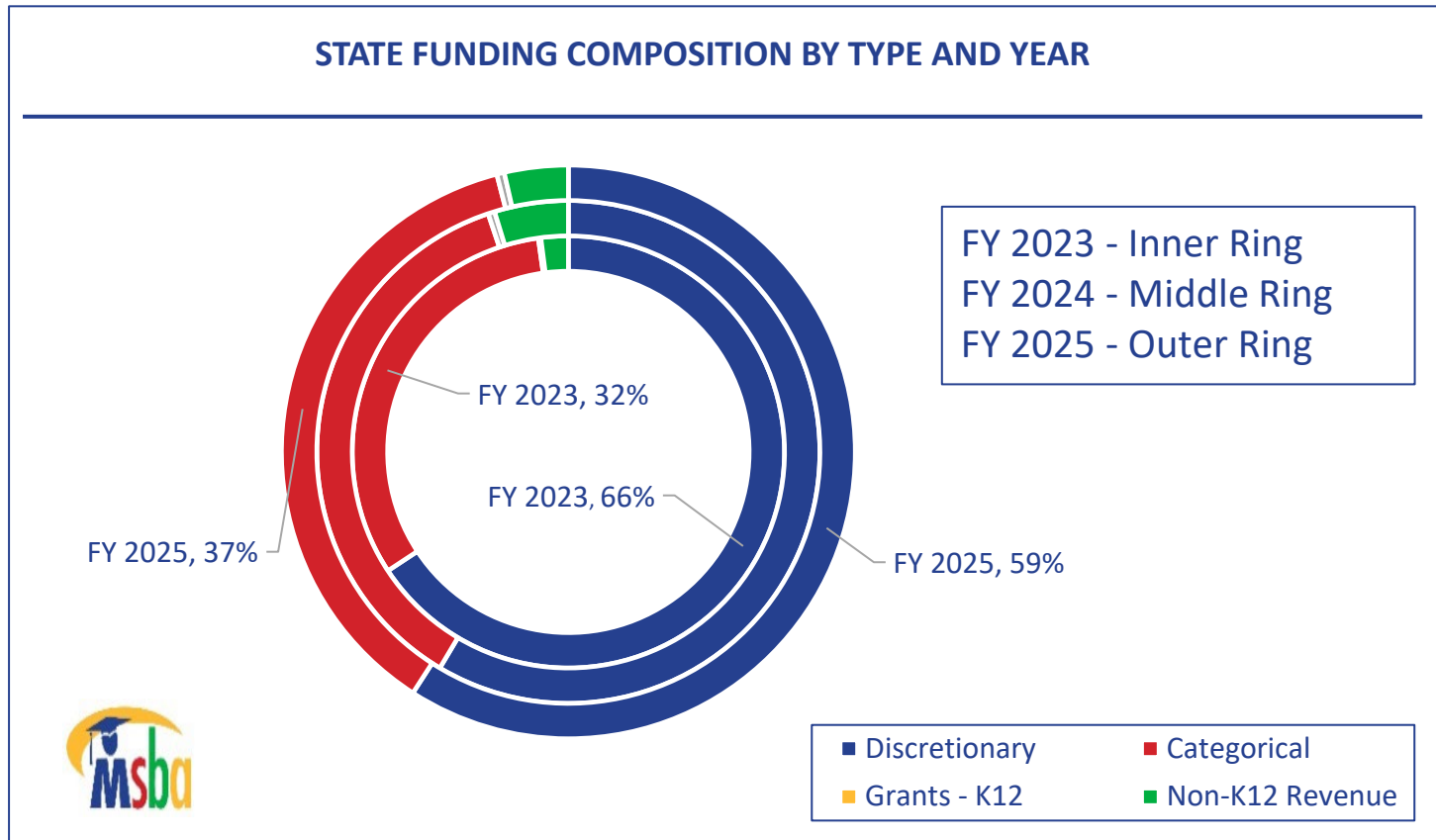
- Topics
 - Wages
 - Earned sick and safe time
 - Sick leave pools / banks?
 - Paid family leave in 2026?
 - Unrequested leave of absence
 - ECFE / ABE
 - Look ahead to other early learning teachers in 2028

Agenda

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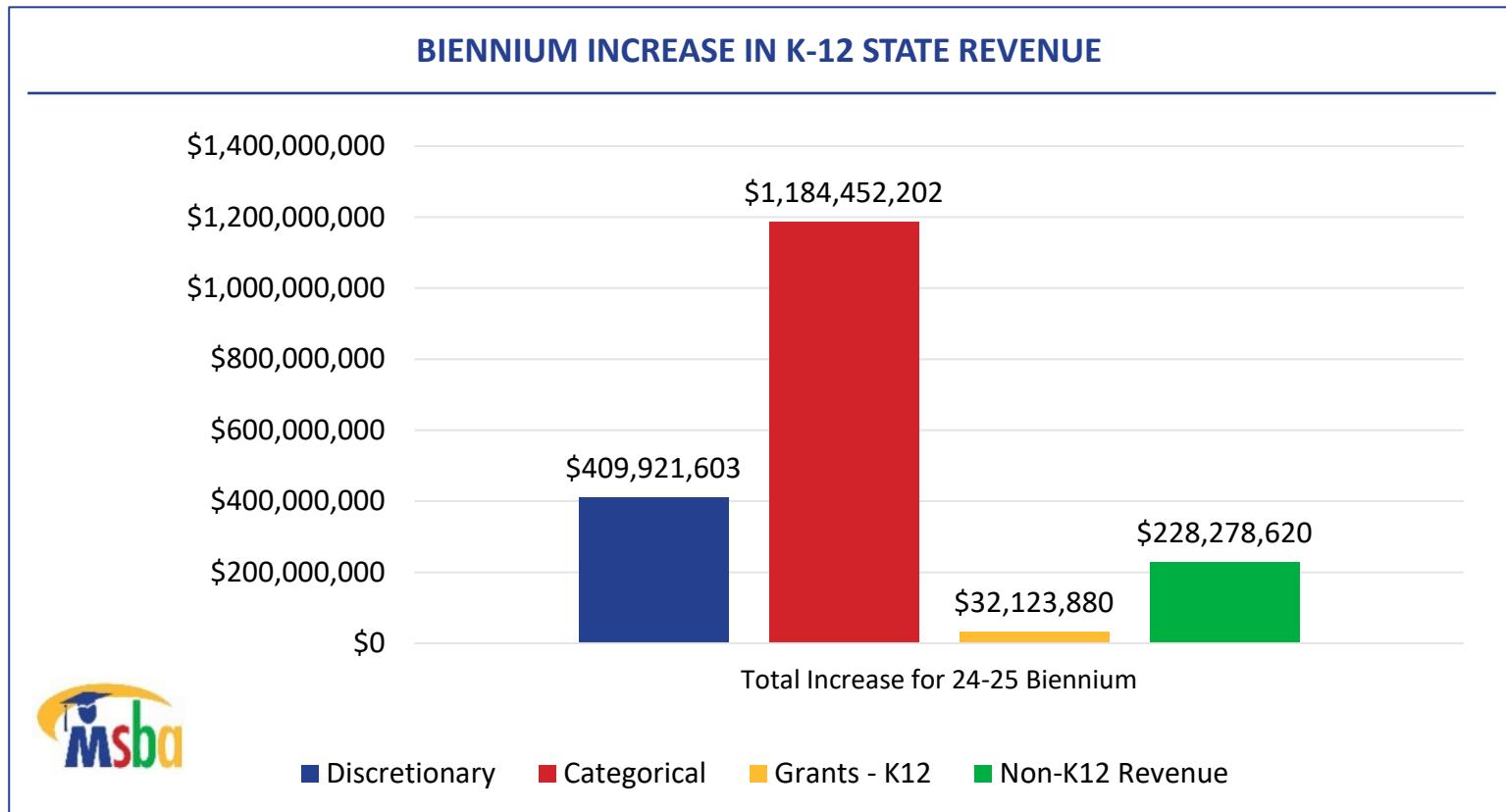
Legislative: 2023 Data

2023 K-12 State Revenue Analysis



Legislative: 2023 Data

2023 K-12 State Revenue Analysis



Legislative: 2024 Session

MSBA Legislative Dashboard

MSBA MINNESOTA SCHOOL BOARDS ASSOCIATION
Where School Boards Learn to Lead

Welcome to the MSBA Government Relations Dashboard where you will find important information relevant to the

Services At the Capitol Political

Stay Connected
MSBA Government Relations Dashboard
(log-in required)

MSBA 2024 Legislative Platform

Bill Introductions - Education Bills and Other Bills Impacting Education

- HF 4484-4588 and SF 4464-4602, March 7, 2024
- HF 4588-4484 and SF 4602-4464, March 4, 2024
- HF 4425-4483 and SF 4315-4463, February 29, 2024
- HF 4328-4424, February 28, 2024
- HF 4321-4327, SF 4461-4314, February 28, 2024

Upcoming Education Committee Hearings

Committee Hearings for the Week of March 11 - March 14
Meetings can be streamed online - Please go to [Multimedia webpage](#) for times and channels.
If you would like to testify or would like more information, please contact Kim Lewis (klewis@mmsba.org)

Monday, March 11, 2024
10:30 AM Ways and Means
Location: Room 200
Chair: Rep. Liz Olson

Total Bills Introduced vs. Education Bills

The purple represents the almost 2500 bills introduced as of March 8th. The green represents the 206 bills referred to education committees in the House and Senate.

65

Meetings with Legislators

Legislative: 2024 Session

Bills to watch...

- ESST
- Unemployment during labor disputes
- Extension of TRA earnings limits exemption
- Student support services
- LTFM
- Read Act
- Book banning
- Health standards
- Cell phone policy
- School board elections
- Open meeting law

Agenda

- Negotiations
- Legislative
- Reminders and more

Probationary Period

- Initial probationary period?

Subd. 5. Probationary period. (a) The first three consecutive years of a teacher's first teaching experience in Minnesota in a single district are deemed to be a probationary period of employment.....

**(f) Notwithstanding any law to the contrary, a teacher who has taught for three consecutive years in a single school district or single charter school in Minnesota or another state must serve a probationary period of no longer than one year in a Minnesota school district.*

- Subsequent probationary period?

...and, the probationary period in each district in which the teacher is thereafter employed shall be one year.

- 2023 – 2024?

Applicable statutes:

[MS 122A.40, Subd. 5](#)

[MS 122A.41, Subd. 2](#)

Probationary Period / ULA

NEW this year!

- Prior experience in...
 - a charter school
 - an out-of-state school
- ECFE/ ABE (placement and seniority)
 - Now eligible for continuing contract status.
 - Don't forget to do evaluations!
- “Teaching days” reduced from 120 to 90 days

Applicable statutes:

[MS 122A.40, Subd. 5](#)

[MS 122A.41, Subd. 2](#)

ULA / Nonrenewal

Teachers ▾

2019-21 Teacher Settlement Spreadsheet

2021-23 Teacher Settlement Spreadsheet

2023 Legislative Guide - Continuing Contract Resource

2023 Legislative Guide - Expanded Teacher Definition within PELRA - BMS

2023 Legislative Guide - PELRA and Continuing Contract Visual

2023 Legislative Guide - Teachers Probationary Period Chart

2023 Open Position Survey – Teachers and Paraprofessionals

Considerations for Hiring a Retiree

MSBA Teacher Negotiation Communications Toolkit

Model ECFE-ABE Teacher Master Agreement Language - Updated 9/12/23

Model Preschool, School Readiness, School Readiness Plus, and Prekindergarten Instructor Master Agreement Language - Updated 9/12/23

Model Substitute Teacher Contract_Disclaimer

Model Teacher Master Agreement_Updated 9/25/23

Model Tier 1 Teacher Contract_Disclaimer

Model Tier 1 and Tier 2 Licensed Teacher Master Agreement Language - Updated 9/12/23

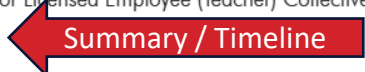
Model Tier 3 Teacher Contract_Disclaimer

Model Tier 4 Teacher Contract_Disclaimer

Reduction of Teaching Staff - ULA Forms and Checklists_Disclaimer

Scope of Negotiable Items for Licensed Employee (Teacher) Collective Bargaining Agreements_Disclaimer

ULA Q and A



**Resource
Library**

**Human
Resources**

Teachers



Dates with Restrictions

Resource Library

Meeting Management

General Information



Applicable statutes:
[MS 645.44](#)
[MS 120A.42](#)
[MS 10.55](#)



Dates with Meeting Restrictions 2024-2025

January 1, 2024	New Year's Day Holiday	No school, no meetings
January 15, 2024	Martin Luther King, Jr.'s Birthday Observed *	No meetings
February 19, 2024	Presidents' Day *	No meetings
February 27, 2024	Precinct Caucus Day	No meetings or activities after 6:00 p.m.
March 5, 2024	Presidential Nomination Primary	No meetings or activities 6:00 p.m. - 8:00 p.m.
March 12, 2024	Township Election Day (if applicable)	No meetings or activities 6:00 p.m. - 8:00 p.m.
May 27, 2024	Memorial Day	No school, no meetings
June 19, 2024	Juneteenth ^	No school, no meetings
July 4, 2024	Independence Day	No school, no meetings
August 13, 2024	Primary Election Day	No meetings or activities 6:00 p.m. - 8:00 p.m.
September 2, 2024	Labor Day	No school, no meetings
October 14, 2024	Indigenous Peoples Day (Optional Holiday) ^^	No meetings if this is a school district holiday
November 5, 2024	Election Day	No meetings or activities 6:00 p.m. - 8:00 p.m.
November 11, 2024	Veterans Day	No meetings



Earned sick and safe time (ESST)

- January 1, 2024
 - Option A --- all ESST
 - Option B --- 2 buckets
 - Option C --- PTO
- What is your ...
 - ..ESST year?
 - ..process to designate a person?
- **Legislative changes?**
 - Bereavement
 - Other illness and injury leave

Applicable statutes:

MS 181.9445 - 181.9448

Earned sick and safe time (ESST)

- e-Learning days
 - e-Learning days are paid under MS 120A.414, Subd. 6

Subd. 6. Other school personnel.

A school district or charter school that declares an e-learning day must continue to pay the full wages for scheduled work hours and benefits of all school employees for the duration of the e-learning period. During the e-learning period, school employees must be allowed to work from home to the extent practicable, be assigned to work in an alternative location, or be retained on an on-call basis for any potential need.

- Can employees use ESST?

MS 181.9447, Subd. 1(4) allows employees to use ESST for:

(4) closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency;

- If alternative work is assigned, what is the “workplace”?

Earned sick and safe time (ESST)

- Snow days

- e-Learning days are paid under MS 120A.414, Subd. 6

*Subd. 6. **school personnel.***

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- What if the snow day is made up?

Options for teachers

- Considerations for Hiring a TRA Annuitant
 - \$46,000 maximum is paused through June 30, 2024
 - Possible 3-year extension?

CONSIDERATIONS FOR HIRING A RETIREE

Common questions when hiring teachers who are receiving pension payments from the Teachers Retirement Association (TRA)

	Age 62 or more	Age 61 or less
TRA: Earnings Limitation		
When does the \$46,000 earnings limitation apply? <i>*See note.</i>	The earnings limitation applies until the teacher reaches the age of 62 as defined by the Social Security Administration.	
<p>Additional details from TRA's website: <i>*See note.</i></p> <p>TRA retirees may return to work in a TRA-covered position and earn up to the earnings limitation without reducing their TRA pension benefit.</p> <ul style="list-style-type: none"> Any non-TRA covered employment is not subject to an earnings limitation. The earnings limitation is applied to salary earned on a fiscal year basis (July 1 to June 30). If you are under normal retirement age for the entire fiscal year, as defined, the earnings limitation is \$46,000. If you are under normal retirement age and are retired for only a portion of the fiscal year, the earnings limitation will be prorated (\$46,000 x number of months retired during the fiscal year ÷ number of months in the fiscal year). If you are a Minnesota State retiree on the Annuitant Employment Program, the earnings limitation is \$46,000 for the entire fiscal year. It is not prorated for the first year of retirement or for the second year of retirement. 		
What happens if the annuitant exceeds the \$46,000 earnings limitation? <i>*See note.</i>	If the earnings limit is exceeded on a fiscal year basis, the limit will be withheld beginning on the first day of the fiscal year. The money is deposited into an Earnings Limitation Summary. If the limit is exceeded, the annuitant can request a summary, the earnings are deferred, not forfeited.	
<p><i>* Note: Legislation passed in 2022 permits retired teachers who resume teaching at the Center for Arts Education to teach without application of an earnings limitation through June 30, 2024. The earnings limit resumes for wages earned beginning on July 1, 2024.</i></p>		

	Age 62 or more	Age 61 or less
TRA: Return to Work Agreement		
Does the retiree need to submit a "Return to Work Agreement" to TRA?	Yes; a "Return to Work Agreement" is required if you have a written or oral agreement in place before retiring. If no written or oral agreement is in place before retiring, no "Return to Work Agreement" is required.	No; a retiree must be 62 when retiring to have this agreement in place. <small>Source: https://minnesotatra.org/retirees/post-retirement-work-agreement/</small>
Waiting Period / Break in Service		
Can the School Board have a conversation with the retiree before their retirement date about the possibility of hiring them back?	Yes; if an agreement is made, a "Return to Work Agreement" is required.	No; no written or oral agreement can be in place before the retirement effective date. Can you ask someone if they would be interested? Yes; however, you cannot discuss the details of an agreement.
Can the School Board act on hiring the retiree before the effective date of their retirement?	Yes; if an agreement is made, a "Return to Work Agreement" is required.	No; no written or oral agreement can be in place before the retirement effective date.
Is there a waiting period (or break in service requirement) between the effective date of retirement and the date a School Board takes action to rehire the retiree?	No; the School Board may rehire a retiree before his/her retirement effective date.	Not applicable; No written or oral agreement can be in place before the retirement effective date. The School Board may discuss the possibility of hiring back the annuitant after retirement.



Options for teachers

- TRA Part-Time Teaching Program
 - Part-time teaching program : Teachers Retirement Association (TRA) (minnesotatra.org)

Example

- Teacher A is a 1.0 FTE in 2023-2024 at a salary of \$70,000.
- The school district and Teacher A agree to a 0.50 FTE for 2024-2025.
- Teacher A and the district contribute to TRA based on the \$35,000 0.50 salary.

Option 1:

Teacher A contributes the TRA employee and employer contributions on the unearned amount of \$35,000.

Option 2:

Teacher A contributes the TRA employee portion on the \$35,000; the school district contributes the employer portion (or some portion of it).

Donations

- Can school boards accept donations?
 - Yes! MS 123B.02, Subd. 6
- Must the school board approve all donations?
 - Yes! Donations must be approved by resolution adopted by a two-thirds majority of the school board. MS 465.03
- Consent agenda?
- Designation?
- Receipts?
- Can a school board member ---- donate their time?

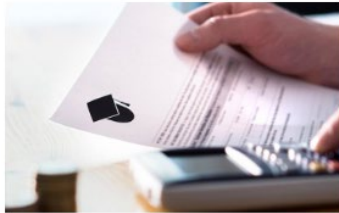
Insurance Renewals

- Expect...
 - Premium increases
 - Deductible increases
 - Roof coverage terms and conditions changes
 - Workers' compensation experience "mod" changes
- Prepare ...
 - Review workers' compensation claims for patterns
 - Review list of facilities projects to be sure agent knows of any changes



3rd Thursday Webinars

MSBA Third Thursday Webinar Series



[March 21, 2024: The Budget: School Leader Panel Discussion](#)

The Budget: School Leader Panel Discussion (recorded March 21, 2024) Synopsis: MSBA partnered with members of the Minnesota Association of...



[February 15, 2024: Alphabet Soup — ULA, ESST, and Other FAQs](#)

Alphabet Soup — ULA, ESST, and Other FAQs (recorded February 15, 2024) Synopsis: MSBA staff present on a variety of...



[December 14, 2023: The Organizational Meeting](#)

"The Organizational Meeting" webinar (recorded Thursday, December 14, 2023) Minnesota school boards must hold an organizational meeting "on the first Monday...



[November 16, 2023: Navigating Negotiations: November Update](#)

"Navigating Negotiations: November Update" webinar (recorded Thursday, November 16, 2023) MSBA staff provided an update on the status of labor...



[October 19, 2023: Getting Ready for the Election — and After the Election](#)

"Getting Ready for the Election — and After the Election" webinar (recorded Thursday, October 19, 2023) MSBA will keep school...



[September 21, 2023: Where are We Going and What Will We Find?](#)

"Where are We Going and What Will We Find?" webinar (recorded Thursday, September 21, 2023) Peter Leatherman of the Morris...



[August 31, 2023: What is Earned Sick and Safe Time?](#)



[August 17, 2023: Minnesota State Demographics](#)



[July 27, 2023: Legislative School Finance Changes](#)



Questions



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