

INDEPENDENT SCHOOL DISTRICT NO. 271  
Bloomington, Minnesota

**REQUEST FOR SCHOOL BOARD ACTION**

DATE OF BOARD MEETING: June 26, 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 JWB

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**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 Shelley Harris, extending her probationary period.

**RECOMMENDATION OF SUPERINTENDENT:**

Approve. 

**DETAILED BACKGROUND:**

Shelley Harris is currently employed as a probationary long call reserve teacher by the District. Said teacher will complete her probationary period June 8, 2017 and has acquired a second year long call position for the 2017-18 school year. Ms. Harris has received tenure in another district, therefore only needing one year of probation to reach tenure in District 271. In order to extend the long call position to a second year, said teacher has voluntarily agreed to extend her probationary period for the 2017-18 school year.

The purpose of the agreement is to allow said teacher to fulfill the Long Call Authorization for the 2017-18 school year, thereby waiving her right to the acquisition of continuing contract rights for that period. Under this agreement said teacher has voluntarily agreed she will not achieve a continuing contract for the 2017-18 school year. Harris also agrees she does not have continuing contract rights for the 2018-19 school year.

Administration recommends that the Board approve the Employment Agreement between the District and probationary teacher Shelley Harris.

## EMPLOYMENT AGREEMENT

WHEREAS, Shelley Harris (hereinafter referred to as "Harris") 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, Harris 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 Harris if it will result in her acquiring continuing contract rights pursuant to Minn. Stat. § 122A.40; and

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

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

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

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

WHEREAS, Harris 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 Harris 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 Harris as follows:

1. Harris 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. Harris 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.

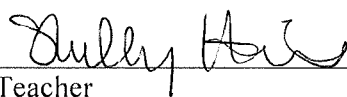
3. Harris acknowledges that there has been no coercion by the District, School Board, Superintendent or any other person, and that this choice is made voluntarily.

4. Harris 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 Harris 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. Harris 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: 6/2/17

  
Teacher

Dated: \_\_\_\_\_

\_\_\_\_\_  
School Board Chair  
Independent District No. 271  
Bloomington, MN

Dated: \_\_\_\_\_

\_\_\_\_\_  
School Board Clerk  
Independent District No. 271  
Bloomington, MN