
CHAPTER 632-H.F.No.1908

[Coded in Part]

An act relating to education; teachers; requiring expungement of certain material from a teacher's file; amending Minnesota Statutes 1976, Sections 125.12, Subdivision 6, and by adding a subdivision; and 125.17, Subdivision 12.

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

Section 1. Minnesota Statutes 1976, Section 125.12, Subdivision 6, is amended to read:

Subd. 6. **GROUNDS FOR TERMINATION.** A continuing contract may be terminated, effective at the close of the school year, upon any of the following grounds:

(a) Inefficiency;

(b) Neglect of duty, or persistent violation of school laws, rules, regulations, or directives;

(c) Conduct unbecoming a teacher which materially impairs his educational effectiveness;

(d) Other good and sufficient grounds rendering the teacher unfit to perform his duties.

A contract shall not be terminated upon one of the grounds specified in clauses (a), (b), (c), or (d), unless the teacher shall have failed to correct the deficiency after being given written notice of the specific items of complaint and reasonable time within which to remedy them.

All evaluations and files generated within a school district relating to each individual teacher shall be available to each individual teacher upon his written request. Effective January 1, 1976, all evaluations and files, wherever generated, relating to each individual teacher shall be available to each individual teacher upon his written request. The teacher shall have the right to reproduce any of the contents of the files at the teacher's expense and to submit for inclusion in the file written information in response to any material contained therein; provided, however, a school district may destroy such files as provided by law.

Sec. 2. Minnesota Statutes 1976, Section 125.12, is amended by adding a subdivision to read:

Subd. 14. RECORDS RELATING TO INDIVIDUAL TEACHER; ACCESS; EXPUNGEMENT. All evaluations and files generated within a school district relating to each individual teacher shall be available to each individual teacher upon his written

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request. Effective January 1, 1976, all evaluations and files, wherever generated, relating to each individual teacher shall be available to each individual teacher upon his written request. The teacher shall have the right to reproduce any of the contents of the files at the teacher's expense and to submit for inclusion in the file written information in response to any material contained therein.

A school district may destroy the files as provided by law and shall expunge from the teacher's file any material found to be false or substantially inaccurate through the grievance procedure required pursuant to section 179.70, subdivision 1, except the grievance procedure required pursuant to section 179.70, subdivision 1, shall not be available to superintendents, principals and other supervisory employees. Expungement proceedings shall be commenced within the time period provided in the collective bargaining agreement for the commencement of a grievance. If no time period is provided in the bargaining agreement, the expungement proceedings shall commence within 15 days after the teacher has knowledge of the inclusion in his file of the material he seeks to have expunged.

Sec. 3. Minnesota Statutes 1976, Section 125.17, Subdivision 12, is amended to read:

Subd. 12. **RECORDS RELATING TO INDIVIDUAL TEACHER; ACCESS; EXPUNGEMENT.** All evaluations and files generated within a school district relating to each individual teacher shall be available to each individual teacher upon his written request. Effective January 1, 1976, all evaluations and files, wherever generated, relating to each individual teacher shall be available to each individual teacher upon his written request. The teacher shall have the right to reproduce any of the contents of the files at the teacher's expense and to submit for inclusion in the file written information in response to any material contained therein; ~~provided, however,~~

A school district may destroy ~~such~~ the files as provided by law; and shall expunge from the teacher's file any material found to be false or substantially inaccurate through the grievance procedure required pursuant to section 179.70, subdivision 1, except the grievance procedure required pursuant to section 179.70, subdivision 1, shall not be available to superintendents, principals, and other supervisory employees. Expungement proceedings shall be commenced within the time period provided in the collective bargaining agreement for the commencement of a grievance. If no time period is provided in the bargaining agreement, the expungement proceedings shall commence within 15 days after the teacher has knowledge of the inclusion in his file of the material he seeks to have expunged.

Approved March 28, 1978.

CHAPTER 633-H.F.No.1910

[Not Coded]

An act relating to Itasca county; authorizing the exchange of certain riparian tax

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