

## Appendix E

### VOLUNTARY PRE-KINDERGARTEN INSTRUCTORS

Section 1. Statutory Considerations: Pursuant to Minnesota Statutes, section 179A.03, subdivision 18, voluntary pre-kindergarten instructors fall within the definition of “teacher” for purposes of PERLA and are included within the teachers’ appropriate unit. However, because these instructors are not required to hold a license issued by the state department, they do not fall within the definition of a “teacher” for purposes of Minnesota Statutes, section 122A.40, subdivision 1 and, therefore, do not attain the rights to continuing contract/tenure status nor rights to bump pursuant to unrequested leave of absence (ULA).

Section 2. Probationary Period: Time spent as a voluntary pre-kindergarten instructor does not count toward the individual’s probationary period or potential future probationary period pursuant to Minnesota Statutes, sections 122A.40 and 122A.261. A voluntary pre-kindergarten instructor shall serve a probationary period of 208 working days of consecutive service in the School District, during that time the School District shall have the unqualified right to suspend without pay, discharge, or otherwise discipline the instructor. During this probationary period, the instructor shall have no recourse to the grievance procedure as far as suspension, discharge for cause, or other discipline is concerned. However, a probationary instructor shall have the right to bring a grievance regarding any other provisions of applicable sections of the Master Agreement alleged to have been violated.

Section 3. Lay Off: Voluntary Pre-Kindergarten instructors may be laid off at the School District’s discretion at any time based on the needs of the School District’s programs.

Section 4. Hours of Service, Duty Day, Duty Week, and Duty Year: The hours of service, duty day, duty week, and duty year for voluntary pre-kindergarten instructors shall be as assigned by the School District and may be modified from time to time based upon the needs of the School District’s programs. The maximum number of days shall not exceed 208 days.

Section 5. Compensation: Voluntary pre-kindergarten instructors shall be compensated pursuant to the specific salary schedule, Attachment (ATTACHMENT TITLE), or such other method as the parties may agree to in writing and shall not be entitled to compensation on the regular teacher salary schedule.

Section 6. Conference and Preparation Time: A minimum of five minutes of preparation time shall be provided for every twenty-five minutes of instruction time. Preparation time shall be provided within the work week.

Section 7. Applicable Sections of the Master Agreement: Voluntary pre-kindergarten instructors shall be covered by the following articles of the Master Agreement:

ARTICLE I, RECOGNITION,

ARTICLE II, COPIES OF RECORD,

ARTICLE III, STATUTORY RESPONSIBILITIES AND OBLIGATIONS OF THE SCHOOL DISTRICT,  
ARTICLE IV, TEACHER RIGHTS,  
ARTICLE VII, GROUP INSURANCE,  
ARTICLE VIII, LEAVES OF ABSENCE,  
ARTICLE XI, PERSONNEL FILES,  
ARTICLE XII, Sections 9 and 10, 403(b) MATCHING CONTRIBUTION PLAN,  
ARTICLE XV, GRIEVANCE PROCEDURE,  
ARTICLE XVI, PUBLICATION OF AGREEMENT,  
ARTICLE XVII, DURATION,  
APPENDIX C-3, C-4,  
APPENDIX D-3.

Section 8. Sections of the Master Agreement Not Applicable: Voluntary Pre-Kindergarten instructors shall not be eligible for the following articles of the Master Agreement:

ARTICLE V, COMPENSATION,  
ARTICLE VI, EXTRA COMPENSATION,  
ARTICLE IX, HOURS OF SERVICE,  
ARTICLE X, LENGTH OF THE SCHOOL YEAR,  
ARTICLE XIII, UNREQUESTED LEAVE OF ABSENCE (ULA) AND SENIORITY AGREEMENT,  
ARTICLE XIV, INVOLUNTARY TRANSFERS / TRANSFER REQUESTS.  
APPENDIX A, ADULT BASIC EDUCATION (ABE), EARLY CHILDHOOD AND FAMILY EDUCATION (ECFE),  
APPENDIX B, TITLE 1, SCHOOL NURSE, OCCUPATIONAL THERAPIST,  
APPENDIX C-1 AND C-2 BEA SALARY SCHEDULES,  
APPENDIX D-1, D-2.