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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4361

02/28/2024 Authored by Hill, Pryor and Clardy
The bill was read for the first time and referred to the Committee on Education Policy
03/07/2024 Adoption of Report: Re-referred to the Committee on Education Finance

1.1 A bill for an act
1.2 relating to education; modifying provisions for teacher licensure; requiring reports;
1.3 amending Minnesota Statutes 2022, sections 122A.091, subdivision 5; 122A.181,
1.4 by adding a subdivision; 122A.182, by adding a subdivision; 122A.185, subdivision
1.5 3; 122A.20, by adding a subdivision; Minnesota Statutes 2023 Supplement, sections
1.6 120B.117, subdivision 4; 122A.18, subdivision 1; 122A.181, subdivision 2;
1.7 122A.183, subdivision 2; 122A.184, subdivision 1; 122A.185, subdivision 1;
1.8 122A.40, subdivision 8; 122A.41, subdivision 5; 122A.631, subdivisions 2, 4;
1.9 122A.70, subdivision 2; Laws 2023, chapter 55, article 5, section 65, subdivision
1.10 7; repealing Minnesota Statutes 2022, section 122A.2451, subdivision 9; Minnesota
1.11 Statutes 2023 Supplement, section 122A.185, subdivision 4.

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

1.13 Section 1. Minnesota Statutes 2023 Supplement, section 120B.117, subdivision 4, is
1.14 amended to read:

1.15 Subd. 4. Reporting. Beginning in 2024 and every even-numbered year thereafter, The
1.16 Professional Educator Licensing and Standards Board must collaborate with the Department
1.17 of Education and the Office of Higher Education to publish a summary report of each of
1.18 the programs they administer and any other programs receiving state appropriations that
1.19 have or include an explicit purpose of increasing the racial and ethnic diversity of the state's
1.20 teacher workforce to more closely reflect the diversity of students. The report must include
1.21 programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09,
1.22 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or
1.23 initiatives that receive state appropriations to address the shortage of teachers of color and
1.24 American Indian teachers. The board must, in coordination with the Office of Higher
1.25 Education and Department of Education, provide policy and funding recommendations
1.26 related to state-funded programs to increase the recruitment, preparation, licensing, hiring,

2.1 and retention of racially and ethnically diverse teachers and the state's progress toward
 2.2 meeting or exceeding the goals of this section. The report must include recommendations
 2.3 for state policy and funding needed to achieve the goals of this section, plans for sharing
 2.4 the report and activities of grant recipients, and opportunities among grant recipients of
 2.5 various programs to share effective practices with each other. The 2024 initial report must
 2.6 also include a recommendation of whether a state advisory council should be established
 2.7 to address the shortage of racially and ethnically diverse teachers and what the composition
 2.8 and charge of such an advisory council would be if established. The board must consult
 2.9 with the Indian Affairs Council and other ethnic councils along with other community
 2.10 partners, including students of color and American Indian students, in developing the report.
 2.11 ~~By November 3 of each odd-numbered year,~~ The board must submit the report to the chairs
 2.12 and ranking minority members of the legislative committees with jurisdiction over education
 2.13 and higher education policy and finance by November 3, 2025, and each odd-numbered
 2.14 year thereafter. The report must be available to the public on the board's website.

2.15 Sec. 2. Minnesota Statutes 2022, section 122A.091, subdivision 5, is amended to read:

2.16 Subd. 5. ~~Survey of districts~~ **Supply and demand report.** ~~(a)~~ The Professional Educator
 2.17 Licensing and Standards Board must ~~survey the state's school districts and teacher preparation~~
 2.18 ~~programs and~~ submit a report to the education committees of the legislature by February 1,
 2.19 ~~2019, and each odd-numbered~~ November 1, 2025, and each odd-numbered year thereafter,
 2.20 on the status of teacher early supply and demand of teachers. The report must be made
 2.21 available on the board's website. The report must include data regarding:

2.22 (1) retirement patterns, the access to effective and more diverse teachers who reflect the
 2.23 students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district
 2.24 or school;

2.25 (2) teacher licensure;

2.26 (3) teacher diversity, including whether the state's teacher workforce reflects the diversity
 2.27 of the state's student population;

2.28 (4) the teacher shortage, and the substitute teacher shortage, including patterns and
 2.29 shortages in licensure field areas and the economic development regions of the state;

2.30 (5) survey data from school districts and teacher preparation programs; and

2.31 ~~(b) The report must also include:~~

2.32 ~~(1) aggregate data on teachers' self-reported race and ethnicity;~~

3.1 ~~(2) data on how~~ (6) whether districts are making progress in hiring teachers and substitute
 3.2 teachers in the areas of shortage; ~~and.~~

3.3 ~~(3) a five-year projection of teacher demand for each district, taking into account the~~
 3.4 ~~students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll~~
 3.5 ~~in the district during that five-year period.~~

3.6 Sec. 3. Minnesota Statutes 2023 Supplement, section 122A.18, subdivision 1, is amended
 3.7 to read:

3.8 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and
 3.9 Standards Board must issue the following teacher licenses to applicants who meet the
 3.10 qualifications prescribed by this chapter:

3.11 (1) Tier 1 license under section 122A.181;

3.12 (2) Tier 2 license under section 122A.182;

3.13 (3) Tier 3 license under section 122A.183; and

3.14 (4) Tier 4 license under section 122A.184.

3.15 (b) The Board of School Administrators must license supervisory personnel as defined
 3.16 in section 122A.15, subdivision 2, except for athletic coaches.

3.17 (c) The Board of School Administrators is responsible for issuing licenses under its
 3.18 jurisdiction after June 30, 2025.

3.19 ~~(e)~~ (d) The Professional Educator Licensing and Standards Board and the Department
 3.20 of Education must enter into a data sharing agreement to share:

3.21 (1) educational data at the E-12 level for the limited purpose of program approval and
 3.22 improvement for teacher education programs. The program approval process must include
 3.23 targeted redesign of teacher preparation programs to address identified E-12 student areas
 3.24 of concern; and

3.25 (2) data in the staff automated reporting system for the limited purpose of managing and
 3.26 processing funding to school districts and other entities. The board has authority to collect
 3.27 nonlicensed staff data on behalf of the Department of Education, which is responsible for
 3.28 managing said data.

3.29 ~~(d)~~ (e) The Board of School Administrators and the Department of Education must enter
 3.30 into a data sharing agreement to share educational data at the E-12 level for the limited
 3.31 purpose of program approval and improvement for education administration programs. The

4.1 program approval process must include targeted redesign of education administration
4.2 preparation programs to address identified E-12 student areas of concern.

4.3 ~~(e)~~ (f) For purposes of the data sharing agreements under paragraphs (c) and (d), the
4.4 Professional Educator Licensing and Standards Board, Board of School Administrators,
4.5 and Department of Education may share private data, as defined in section 13.02, subdivision
4.6 12, on teachers and school administrators. The data sharing agreements must not include
4.7 educational data, as defined in section 13.32, subdivision 1, but may include summary data,
4.8 as defined in section 13.02, subdivision 19, derived from educational data.

4.9 Sec. 4. Minnesota Statutes 2022, section 122A.181, is amended by adding a subdivision
4.10 to read:

4.11 Subd. 1a. **Special education requirements.** The Professional Educator Licensing and
4.12 Standards Board must approve an application for a Tier 1 license in a special education
4.13 field if:

4.14 (1) the application meets all the requirements under subdivision 1;

4.15 (2) the applicant receives high-quality professional development that is sustained,
4.16 intensive, and classroom-focused in order to have a positive and lasting impact on classroom
4.17 instruction, before and while teaching;

4.18 (3) the applicant participates in a program of intensive supervision that consists of
4.19 structured guidance and regular ongoing support for teachers or a teacher mentoring program;

4.20 (4) the applicant assumes the functions as a teacher only for a specified period of time
4.21 not to exceed three years; and

4.22 (5) the applicant demonstrates satisfactory progress toward professional licensure.

4.23 Sec. 5. Minnesota Statutes 2023 Supplement, section 122A.181, subdivision 2, is amended
4.24 to read:

4.25 Subd. 2. **Professional requirements.** (a) An applicant for a Tier 1 license described in
4.26 subdivision 1 or 1a must have a bachelor's degree to teach a class or course outside a career
4.27 and technical education or career pathways course of study, unless the applicant meets an
4.28 exemption identified in subdivision 2a.

4.29 ~~(b) An applicant for a Tier 1 license must have one of the following credentials in a~~
4.30 ~~relevant content area to teach a class in a career and technical education or career pathways~~
4.31 ~~course of study:~~

- 5.1 ~~(1) an associate's degree;~~
 5.2 ~~(2) a professional certification; or~~
 5.3 ~~(3) five years of relevant work experience.~~

5.4 Sec. 6. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision
 5.5 to read:

5.6 Subd. 1a. **Special education requirements.** The Professional Educator Licensing and
 5.7 Standards Board must approve an application for a Tier 2 license in a special education
 5.8 field if:

5.9 (1) the application meets all the requirements under subdivision 1;

5.10 (2) the applicant receives high-quality professional development that is sustained,
 5.11 intensive, and classroom-focused in order to have a positive and lasting impact on classroom
 5.12 instruction, before and while teaching;

5.13 (3) the applicant participates in a program of intensive supervision that consists of
 5.14 structured guidance and regular ongoing support for teachers or a teacher mentoring program;
 5.15 and

5.16 (4) the applicant demonstrates satisfactory progress toward professional licensure.

5.17 Sec. 7. Minnesota Statutes 2023 Supplement, section 122A.183, subdivision 2, is amended
 5.18 to read:

5.19 Subd. 2. **Coursework.** An applicant for a Tier 3 license must meet the coursework
 5.20 requirement by demonstrating one of the following:

5.21 (1) completion of a Minnesota-approved teacher preparation program;

5.22 (2) completion of a state-approved teacher preparation program that includes field-specific
 5.23 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher
 5.24 preparation programs. The field-specific student teaching requirement does not apply to an
 5.25 applicant that has two years of field-specific teaching experience;

5.26 (3) ~~submission of a content-specific~~ a recommendation for licensure through the licensure
 5.27 via portfolio process;

5.28 (4) a professional teaching license from another state, evidence that the applicant's license
 5.29 is in good standing, and two years of field-specific teaching experience; or

6.1 (5) three years of teaching experience under a Tier 2 license and evidence of summative
 6.2 teacher evaluations that did not result in placing or otherwise keeping the teacher on an
 6.3 improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision
 6.4 5.

6.5 Sec. 8. Minnesota Statutes 2023 Supplement, section 122A.184, subdivision 1, is amended
 6.6 to read:

6.7 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards
 6.8 Board must issue a Tier 4 license to an applicant who provides information sufficient to
 6.9 demonstrate all of the following:

6.10 (1) the applicant meets all requirements for a Tier 3 license under section 122A.183,
 6.11 and (i) has completed a teacher preparation program under section 122A.183, subdivision
 6.12 2, clause (1) or (2), (ii) obtained licensure through the licensure via portfolio process under
 6.13 section 122A.183, subdivision 2, clause (3), or (iii) holds national board certification from
 6.14 the National Board for Professional Teaching Standards;

6.15 (2) the applicant has at least three years of field-specific teaching experience as a teacher
 6.16 of record;

6.17 (3) the applicant has obtained a passing score on all required licensure exams under
 6.18 section 122A.185; and

6.19 (4) if the applicant previously held a Tier 3 license under section 122A.183, the applicant
 6.20 has completed the renewal requirements in section 122A.187.

6.21 Sec. 9. Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 1, is amended
 6.22 to read:

6.23 Subdivision 1. **Tests.** (a) The board must adopt rules requiring applicants for Tier 3 and
 6.24 Tier 4 licenses to pass an examination or performance assessment of general pedagogical
 6.25 knowledge and examinations or assessments of licensure field specific content. An applicant
 6.26 is exempt from the examination requirements if the applicant ~~completed~~:

6.27 (1) completed a board-approved teacher preparation program;

6.28 (2) completed licensure via portfolio pursuant to section 122A.18, subdivision 10, and
 6.29 the portfolio has been ~~approved~~ recommended; ~~or~~

6.30 (3) obtained national board certification from the National Board for Professional
 6.31 Teaching Standards; or

7.1 ~~(3)~~ (4) completed a state-approved teacher preparation program in another state and
 7.2 passed licensure examinations in that state, if applicable. The content examination
 7.3 requirement does not apply if no relevant content exam exists.

7.4 (b) All testing centers in the state must provide monthly opportunities for untimed content
 7.5 and pedagogy examinations. These opportunities must be advertised on the test registration
 7.6 website. The board must require the exam vendor to provide other equitable opportunities
 7.7 to pass exams, including: (1) waiving testing fees for test takers who qualify for federal
 7.8 grants; (2) providing free, multiple, full-length practice tests for each exam and free,
 7.9 comprehensive study guides on the test registration website; (3) making content and pedagogy
 7.10 exams available in languages other than English for teachers seeking licensure to teach in
 7.11 language immersion programs; and (4) providing free, detailed exam results analysis by
 7.12 test objective to assist applicants who do not pass an exam in identifying areas for
 7.13 improvement. Any applicant who has not passed a required exam after two attempts must
 7.14 be allowed to retake the exam, including new versions of the exam, without being charged
 7.15 an additional fee.

7.16 Sec. 10. Minnesota Statutes 2022, section 122A.185, subdivision 3, is amended to read:

7.17 Subd. 3. **Testing accommodations.** The board and the entity administering the content,
 7.18 and pedagogy,~~and skills~~ examinations must allow any individual who produces
 7.19 documentation of a disability in the form of an evaluation, 504 plan, or individual education
 7.20 program (IEP) to receive the same testing accommodations on the content, and pedagogy,
 7.21 ~~and skills~~ examinations that the applicant received during the applicant's secondary or
 7.22 postsecondary education.

7.23 Sec. 11. Minnesota Statutes 2022, section 122A.20, is amended by adding a subdivision
 7.24 to read:

7.25 Subd. 4. **Prohibition on teaching assignment.** A school district or charter school may
 7.26 not place a teacher in a teaching assignment if the teacher has been criminally charged in
 7.27 state or federal court with any of the offenses listed in subdivision 1, paragraph (b), or is
 7.28 charged with any other offense not listed in this section that requires the person to register
 7.29 as a predatory offender under section 243.166, or a crime under a similar law of another
 7.30 state or the United States.

8.1 Sec. 12. Minnesota Statutes 2023 Supplement, section 122A.40, subdivision 8, is amended
8.2 to read:

8.3 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
8.4 **teachers.** (a) To improve student learning and success, a school board and an exclusive
8.5 representative of the teachers in the district, consistent with paragraph (b), may develop a
8.6 teacher evaluation and peer review process for probationary and continuing contract teachers
8.7 through joint agreement. If a school board and the exclusive representative of the teachers
8.8 do not agree to an annual teacher evaluation and peer review process, then the school board
8.9 and the exclusive representative of the teachers must implement the state teacher evaluation
8.10 plan under paragraph (c). The process must include having trained observers serve as peer
8.11 coaches or having teachers participate in professional learning communities, consistent with
8.12 paragraph (b).

8.13 (b) To develop, improve, and support qualified teachers and effective teaching practices,
8.14 improve student learning and success, and provide all enrolled students in a district or school
8.15 with improved and equitable access to more effective and diverse teachers, the annual
8.16 evaluation process for teachers:

8.17 (1) must, for probationary teachers, provide for all evaluations required under subdivision
8.18 5;

8.19 (2) must establish a three-year professional review cycle for each teacher that includes
8.20 an individual growth and development plan, a peer review process, and at least one
8.21 summative evaluation performed by a qualified and trained evaluator such as a school
8.22 administrator. For the years when a tenured teacher is not evaluated by a qualified and
8.23 trained evaluator, the teacher must be evaluated by a peer review;

8.24 (3) must include a rubric of performance standards for teacher practice that: (i) is based
8.25 ~~on professional teaching standards established in rule~~ the standards of effective practice in
8.26 Minnesota Rules, part 8710.2000; (ii) includes culturally responsive methodologies; and
8.27 (iii) provides common descriptions of effectiveness using at least three levels of performance;

8.28 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
8.29 with this evaluation process and teachers' evaluation outcomes;

8.30 (5) may provide time during the school day and school year for peer coaching and teacher
8.31 collaboration;

8.32 (6) may include job-embedded learning opportunities such as professional learning
8.33 communities;

9.1 (7) may include mentoring and induction programs for teachers, including teachers who
9.2 are members of populations underrepresented among the licensed teachers in the district or
9.3 school and who reflect the diversity of students under section 120B.35, subdivision 3,
9.4 paragraph (b), clause (2), who are enrolled in the district or school;

9.5 (8) must include an option for teachers to develop and present a portfolio demonstrating
9.6 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
9.7 3, and include teachers' own performance assessment based on student work samples and
9.8 examples of teachers' work, which may include video among other activities for the
9.9 summative evaluation;

9.10 (9) must use data from valid and reliable assessments aligned to state and local academic
9.11 standards and must use state and local measures of student growth and literacy that may
9.12 include value-added models or student learning goals to determine 35 percent of teacher
9.13 evaluation results;

9.14 (10) must use longitudinal data on student engagement and connection, and other student
9.15 outcome measures explicitly aligned with the elements of curriculum for which teachers
9.16 are responsible, including academic literacy, oral academic language, and achievement of
9.17 content areas of English learners;

9.18 (11) must require qualified and trained evaluators such as school administrators to
9.19 perform summative evaluations and ensure school districts and charter schools provide for
9.20 effective evaluator training specific to teacher development and evaluation;

9.21 (12) must give teachers not meeting professional teaching standards under clauses (3)
9.22 to (11) support to improve through a teacher improvement process that includes established
9.23 goals and timelines; and

9.24 (13) must discipline a teacher for not making adequate progress in the teacher
9.25 improvement process under clause (12) that may include a last chance warning, termination,
9.26 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
9.27 a school administrator determines is appropriate.

9.28 Data on individual teachers generated under this subdivision are personnel data under
9.29 section 13.43. The observation and interview notes of peer coaches may only be disclosed
9.30 to other school officials with the consent of the teacher being coached.

9.31 (c) The department, in consultation with parents who may represent parent organizations
9.32 and teacher and administrator representatives appointed by their respective organizations,
9.33 representing the Professional Educator Licensing and Standards Board, the Minnesota

10.1 Association of School Administrators, the Minnesota School Boards Association, the
 10.2 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
 10.3 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
 10.4 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
 10.5 research expertise in teacher evaluation, must create and publish a teacher evaluation process
 10.6 that complies with the requirements in paragraph (b) and applies to all teachers under this
 10.7 section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual
 10.8 teacher evaluation and peer review process. The teacher evaluation process created under
 10.9 this subdivision does not create additional due process rights for probationary teachers under
 10.10 subdivision 5.

10.11 (d) Consistent with the measures of teacher effectiveness under this subdivision:

10.12 (1) for students in kindergarten through grade 4, a school administrator must not place
 10.13 or approve the placement of a student in the classroom of a teacher who is in the improvement
 10.14 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
 10.15 in the prior year, that student was in the classroom of a teacher who received discipline
 10.16 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
 10.17 grade; and

10.18 (2) for students in grades 5 through 12, a school administrator must not place or approve
 10.19 the placement of a student in the classroom of a teacher who is in the improvement process
 10.20 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
 10.21 prior year, that student was in the classroom of a teacher who received discipline pursuant
 10.22 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
 10.23 and grade.

10.24 All data created and used under this paragraph retains its classification under chapter 13.

10.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

10.26 Sec. 13. Minnesota Statutes 2023 Supplement, section 122A.41, subdivision 5, is amended
 10.27 to read:

10.28 **Subd. 5. Development, evaluation, and peer coaching for continuing contract**
 10.29 **teachers.** (a) To improve student learning and success, a school board and an exclusive
 10.30 representative of the teachers in the district, consistent with paragraph (b), may develop an
 10.31 annual teacher evaluation and peer review process for probationary and nonprobationary
 10.32 teachers through joint agreement. If a school board and the exclusive representative of the
 10.33 teachers in the district do not agree to an annual teacher evaluation and peer review process,

11.1 then the school board and the exclusive representative of the teachers must implement the
11.2 state teacher evaluation plan developed under paragraph (c). The process must include
11.3 having trained observers serve as peer coaches or having teachers participate in professional
11.4 learning communities, consistent with paragraph (b).

11.5 (b) To develop, improve, and support qualified teachers and effective teaching practices
11.6 and improve student learning and success, and provide all enrolled students in a district or
11.7 school with improved and equitable access to more effective and diverse teachers, the annual
11.8 evaluation process for teachers:

11.9 (1) must, for probationary teachers, provide for all evaluations required under subdivision
11.10 2;

11.11 (2) must establish a three-year professional review cycle for each teacher that includes
11.12 an individual growth and development plan, a peer review process, and at least one
11.13 summative evaluation performed by a qualified and trained evaluator such as a school
11.14 administrator;

11.15 (3) must include a rubric of performance standards for teacher practice that: (i) is based
11.16 on ~~professional teaching standards established in rule~~ the standards of effective practice in
11.17 Minnesota Rules, part 8710.2000; (ii) includes culturally responsive methodologies; and
11.18 (iii) provides common descriptions of effectiveness using at least three levels of performance;

11.19 (4) must coordinate staff development activities under sections 122A.60 and 122A.61
11.20 with this evaluation process and teachers' evaluation outcomes;

11.21 (5) may provide time during the school day and school year for peer coaching and teacher
11.22 collaboration;

11.23 (6) may include job-embedded learning opportunities such as professional learning
11.24 communities;

11.25 (7) may include mentoring and induction programs for teachers, including teachers who
11.26 are members of populations underrepresented among the licensed teachers in the district or
11.27 school and who reflect the diversity of students under section 120B.35, subdivision 3,
11.28 paragraph (b), clause (2), who are enrolled in the district or school;

11.29 (8) must include an option for teachers to develop and present a portfolio demonstrating
11.30 evidence of reflection and professional growth, consistent with section 122A.187, subdivision
11.31 3, and include teachers' own performance assessment based on student work samples and
11.32 examples of teachers' work, which may include video among other activities for the
11.33 summative evaluation;

12.1 (9) must use data from valid and reliable assessments aligned to state and local academic
12.2 standards and must use state and local measures of student growth and literacy that may
12.3 include value-added models or student learning goals to determine 35 percent of teacher
12.4 evaluation results;

12.5 (10) must use longitudinal data on student engagement and connection and other student
12.6 outcome measures explicitly aligned with the elements of curriculum for which teachers
12.7 are responsible, including academic literacy, oral academic language, and achievement of
12.8 English learners;

12.9 (11) must require qualified and trained evaluators such as school administrators to
12.10 perform summative evaluations and ensure school districts and charter schools provide for
12.11 effective evaluator training specific to teacher development and evaluation;

12.12 (12) must give teachers not meeting professional teaching standards under clauses (3)
12.13 to (11) support to improve through a teacher improvement process that includes established
12.14 goals and timelines; and

12.15 (13) must discipline a teacher for not making adequate progress in the teacher
12.16 improvement process under clause (12) that may include a last chance warning, termination,
12.17 discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline
12.18 a school administrator determines is appropriate.

12.19 Data on individual teachers generated under this subdivision are personnel data under
12.20 section 13.43. The observation and interview notes of peer coaches may only be disclosed
12.21 to other school officials with the consent of the teacher being coached.

12.22 (c) The department, in consultation with parents who may represent parent organizations
12.23 and teacher and administrator representatives appointed by their respective organizations,
12.24 representing the Professional Educator Licensing and Standards Board, the Minnesota
12.25 Association of School Administrators, the Minnesota School Boards Association, the
12.26 Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and
12.27 representatives of the Minnesota Assessment Group, the Minnesota Business Partnership,
12.28 the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with
12.29 research expertise in teacher evaluation, must create and publish a teacher evaluation process
12.30 that complies with the requirements in paragraph (b) and applies to all teachers under this
12.31 section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual
12.32 teacher evaluation and peer review process. The teacher evaluation process created under
12.33 this subdivision does not create additional due process rights for probationary teachers under
12.34 subdivision 2.

13.1 (d) Consistent with the measures of teacher effectiveness under this subdivision:

13.2 (1) for students in kindergarten through grade 4, a school administrator must not place
 13.3 or approve the placement of a student in the classroom of a teacher who is in the improvement
 13.4 process referenced in paragraph (b), clause (12), or has not had a summative evaluation if,
 13.5 in the prior year, that student was in the classroom of a teacher who received discipline
 13.6 pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that
 13.7 grade; and

13.8 (2) for students in grades 5 through 12, a school administrator must not place or approve
 13.9 the placement of a student in the classroom of a teacher who is in the improvement process
 13.10 referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the
 13.11 prior year, that student was in the classroom of a teacher who received discipline pursuant
 13.12 to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area
 13.13 and grade.

13.14 All data created and used under this paragraph retains its classification under chapter 13.

13.15 **EFFECTIVE DATE.** This section is effective July 1, 2025.

13.16 Sec. 14. Minnesota Statutes 2023 Supplement, section 122A.631, subdivision 2, is amended
 13.17 to read:

13.18 Subd. 2. **Definition.** "Heritage language and culture ~~teachers~~ teacher" means ~~teachers a~~
 13.19 teacher with a familial connection to a their community's language and culture, who use is
 13.20 proficient in the language and engaged in the culture, and uses this connection to support
 13.21 students as they learn academic content ~~or,~~ become proficient in the language, and engage
 13.22 with the culture of that particular community. For the purposes of this section, a heritage
 13.23 language and culture teacher of American Sign Language is a teacher with a childhood
 13.24 connection to American Sign Language and whose primary language is American Sign
 13.25 Language.

13.26 Sec. 15. Minnesota Statutes 2023 Supplement, section 122A.631, subdivision 4, is amended
 13.27 to read:

13.28 Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The
 13.29 Professional Educator Licensing and Standards Board shall develop a program to support
 13.30 initial and additional licensure for heritage language and culture teachers, prioritizing the
 13.31 participation of heritage language and culture teachers whose own heritage language is
 13.32 within the top languages spoken by Minnesota students, as indicated by the Department of

14.1 Education report on primary home languages, and for which there is a licensure scarcity.

14.2 The program must include:

14.3 (1) a yearlong mentorship program;

14.4 (2) monthly meetings where applicants receive guidance on completing the portfolio
14.5 process from a portfolio liaison, dedicated specifically to facilitating this program;

14.6 (3) a stipend to cover substitute teachers when meetings take place during the school
14.7 day;

14.8 (4) a waiver for all portfolio and licensure testing fees; and

14.9 (5) a portfolio review committee created by the board.

14.10 (b) For applicants seeking an initial license in a world language and culture, the applicant
14.11 must demonstrate meeting the standards of effective practice in Minnesota Rules, part
14.12 8710.2000, and content-specific pedagogical standards in Minnesota Rules, part 8710.4950,
14.13 through the portfolio process.

14.14 (c) For applicants seeking a dual license, the applicant must demonstrate meeting the
14.15 standards of effective practice in Minnesota Rules, part 8710.2000, content-specific
14.16 pedagogical standards in Minnesota Rules, part 8710.4950, and all standards for the chosen
14.17 dual license through the portfolio process.

14.18 (d) For applicants seeking an additional license in a world language and culture, the
14.19 applicant must demonstrate meeting the content-specific pedagogical standards in Minnesota
14.20 Rules, part 8710.4950.

14.21 Sec. 16. Minnesota Statutes 2023 Supplement, section 122A.70, subdivision 2, is amended
14.22 to read:

14.23 Subd. 2. **Board grants.** The Professional Educator Licensing and Standards Board must
14.24 make grant application forms available to sites interested in developing, sustaining, or
14.25 expanding a mentorship program. A school district or group of school districts, a Tribal
14.26 contract school or group of schools, a coalition of districts, teachers, and teacher education
14.27 institutions, a school or coalition of schools, or a coalition of teachers may apply for a
14.28 program grant. A higher education institution or nonprofit organization may partner with a
14.29 grant applicant but is not eligible as a sole applicant for grant funds. The Professional
14.30 Educator Licensing and Standards Board, in consultation with the teacher mentoring task
14.31 force, must approve or disapprove the applications. To the extent possible, the approved
14.32 applications must reflect effective mentoring, professional development, and retention

15.1 components, and be geographically distributed throughout the state. The Professional
 15.2 Educator Licensing and Standards Board must encourage the selected sites to consider the
 15.3 use of its assessment procedures.

15.4 Sec. 17. Laws 2023, chapter 55, article 5, section 65, subdivision 7, is amended to read:

15.5 Subd. 7. **Pathway preparation grants.** (a) For grants to support teachers holding a Tier
 15.6 1 or Tier 2 license and seeking a Tier 3 or Tier 4 license:

15.7 \$ 400,000 2024

15.8 \$ 400,000 2025

15.9 (b) The following are eligible for grants under this subdivision:

15.10 (1) school districts;

15.11 (2) charter schools;

15.12 (3) service cooperatives; and

15.13 (4) partnerships between one or more teacher preparation providers, school districts, or
 15.14 charter schools.

15.15 (c) Grant funds must be used to support teachers holding a Tier 1 or Tier 2 license and
 15.16 seeking a Tier 3 or Tier 4 license through completion of a teacher preparation program or
 15.17 the licensure via portfolio process. A grant recipient must provide teachers holding a Tier
 15.18 1 or Tier 2 license with professional development, mentorship, and coursework aligned to
 15.19 state standards for teacher licensure.

15.20 (d) The Professional Educator Licensing and Standards Board may collaborate with the
 15.21 Department of Education and the Office of Higher Education to administer the grant program.

15.22 (e) The board may retain up to three percent of the appropriation amount to monitor and
 15.23 administer the grant.

15.24 Sec. 18. **REPEALER.**

15.25 (a) Minnesota Statutes 2022, section 122A.2451, subdivision 9, is repealed.

15.26 (b) Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 4, is repealed.

122A.185 TEACHER LICENSURE ASSESSMENT.

Subd. 4. **Remedial assistance.** School districts may make available upon request appropriate and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who did not achieve a qualifying score on a board-adopted skills examination, and who received a Tier 1, Tier 2, or Tier 3 license under section 122A.181, 122A.182, or 122A.183, respectively, to teach in Minnesota.

122A.2451 ALTERNATIVE TEACHER PREPARATION PROVIDERS AND PROGRAMS.

Subd. 9. **Reports.** (a) An approved alternative teacher preparation provider must report to the Professional Educator Licensing and Standards Board on items that are defined in statute regarding program candidates, completion, and effectiveness or other items that are required under section 122A.09.

(b) The Professional Educator Licensing and Standards Board must submit a biennial report on the alternative teacher preparation program and providers to legislative committees having jurisdiction over kindergarten through grade 12 education policy and finance by January 15 of each odd-numbered year.