

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2733

03/08/2016 Authored by Davnie and Bly

The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; clarifying licensing teachers trained in other states;
1.3 amending Minnesota Statutes 2014, sections 122A.09, as amended; 122A.18,
1.4 as amended; 122A.21, as amended; 122A.245, as amended; Minnesota Statutes
1.5 2015 Supplement, section 122A.23.

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

1.7 Section 1. Minnesota Statutes 2014, section 122A.09, as amended by Laws 2015,
1.8 chapter 69, article 2, section 3, and Laws 2015, First Special Session chapter 3, article 2,
1.9 sections 9 to 11, is amended to read:

1.10 **122A.09 DUTIES.**

1.11 Subdivision 1. **Code of ethics.** The Board of Teaching must develop by rule a code
1.12 of ethics covering standards of professional teaching practices, including areas of ethical
1.13 conduct and professional performance and methods of enforcement.

1.14 Subd. 2. **Advise members of profession.** The board must act in an advisory
1.15 capacity to members of the profession in matters of interpretation of the code of ethics.

1.16 Subd. 3. **Election of chair and officers.** The board shall elect a chair and such
1.17 other officers as it may deem necessary.

1.18 Subd. 4. **License and rules.** (a) The board must adopt rules to license public school
1.19 teachers and interns subject to chapter 14.

1.20 (b) The board must require all candidates for teacher licensure to demonstrate a
1.21 passing score on a board-adopted skills examination in reading, writing, and mathematics,
1.22 as a requirement for an initial teacher licensure professional one-year teaching license,
1.23 except that the board may issue up to four ~~temporary~~, initial professional one-year teaching
1.24 licenses to an otherwise qualified candidate who has not yet passed the board-adopted

skills exam. The board must require colleges and universities offering a board-approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the board-adopted skills examination, including those for whom English is a second language. The requirement to pass a board-adopted reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1. The Board of Teaching and the entity administering the content, pedagogy, and skills examinations must allow any individual who produces documentation of a disability in the form of an evaluation, 504 plan, or individual education program (IEP) to receive the same testing accommodations on the content, pedagogy, and skills examinations that the applicant received during their secondary or postsecondary education.

(c) The board must adopt rules to approve teacher preparation programs. The board, upon the request of a postsecondary student preparing for teacher licensure or a licensed graduate of a teacher preparation program, shall assist in resolving a dispute between the person and a postsecondary institution providing a teacher preparation program when the dispute involves an institution's recommendation for licensure affecting the person or the person's credentials. At the board's discretion, assistance may include the application of chapter 14.

(d) The board must provide the leadership and adopt rules for the redesign of teacher education programs to implement a research based, results-oriented curriculum that focuses on the skills teachers need in order to be effective. Among other components, teacher preparation programs may use the Minnesota State Colleges and Universities program model to provide a school-year-long student teaching program that combines clinical opportunities with academic coursework and in-depth student teaching experiences to offer students ongoing mentorship, coaching, and assessment, help to prepare a professional development plan, and structured learning experiences. The board shall implement new systems of teacher preparation program evaluation to assure program effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes. Teacher preparation programs including alternative teacher preparation programs under section 122A.245, among other programs, must include a content-specific, board-approved, performance-based assessment that measures teacher candidates in three areas: planning for instruction and assessment; engaging students and supporting learning; and assessing student learning. The board's redesign rules must include creating flexible,

specialized teaching licenses, credentials, and other endorsement forms to increase students' participation in language immersion programs, world language instruction, career development opportunities, work-based learning, early college courses and careers, career and technical programs, Montessori schools, and project and place-based learning, among other career and college ready learning offerings.

(e) The board must adopt rules requiring candidates for initial professional five-year teaching licenses to pass an examination of general pedagogical knowledge and examinations of licensure-specific teaching skills. The rules shall be effective by September 1, 2001. The rules under this paragraph also must require candidates for initial licenses to teach prekindergarten or elementary students to pass, as part of the examination of licensure-specific teaching skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, and their knowledge and understanding of the foundations of reading development, the development of reading comprehension, and reading assessment and instruction, and their ability to integrate that knowledge and understanding.

(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary or secondary teaching environment.

(g) The board must grant licenses to interns and to candidates for initial professional five-year teaching licenses based on appropriate professional competencies that are aligned with the board's licensing system and students' diverse learning needs. All teacher candidates must have preparation in English language development and content instruction for English learners in order to be able to effectively instruct the English learners in their classrooms. The board must include these licenses in a statewide differentiated licensing system that creates new leadership roles for successful experienced teachers premised on a collaborative professional culture dedicated to meeting students' diverse learning needs in the 21st century, recognizes the importance of cultural and linguistic competencies, including the ability to teach and communicate in culturally competent and aware ways, and formalizes mentoring and induction for newly licensed teachers provided through a teacher support framework.

~~(h) The board must design and implement an assessment system which requires a candidate for an initial license and first continuing license to demonstrate the abilities necessary to perform selected, representative teaching tasks at appropriate levels.~~

~~(i)~~ (h) The board must receive recommendations from local committees as established by the board for the renewal of teaching licenses. The board must require a licensed teachers teacher who are is renewing a continuing license professional five-year teaching

license to include in the renewal requirements further preparation in English language development and specially designed content instruction in English for English learners.

(j) (i) The board must grant ~~life~~ lifetime substitute licenses to those who qualify according to board requirements ~~established by the board~~, and suspend or revoke licenses ~~pursuant to~~ under sections 122A.20 and 214.10. The board must not establish any expiration date for application for ~~life~~ lifetime substitute licenses.

(k) (j) The board must adopt rules that require all licensed teachers who are renewing their ~~continuing license~~ professional five-year teaching licenses to include in their renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule.

(l) (k) In adopting rules to license public school teachers who provide health-related services for disabled children, the board shall adopt rules consistent with license or registration requirements of the commissioner of health and the health-related boards who license personnel who perform similar services outside of the school.

(m) (l) The board must adopt rules that require all licensed teachers who are renewing their ~~continuing license~~ professional five-year teaching licenses to include in their renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect until they are approved by law. Teachers who do not provide direct instruction including, at least, counselors, school psychologists, school nurses, school social workers, audiovisual directors and coordinators, and recreation personnel are exempt from this section.

(n) (m) The board must adopt rules that require all licensed teachers who are renewing their ~~continuing license~~ professional five-year teaching licenses to include in their renewal requirements further preparation, first, in understanding the key warning signs of early-onset mental illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

(o) (n) The board must adopt rules by January 1, 2016, to license applicants under sections 122A.23 and 122A.245. The rules must permit applicants to demonstrate their qualifications through the board's recognition of a teaching license from another state in a similar content field, completion of a state-approved teacher preparation program,

5.1 teaching experience as the teacher of record in a similar licensure field, depth of content
5.2 knowledge, depth of content methods or general pedagogy, subject-specific professional
5.3 development and contribution to the field, or classroom performance as determined by
5.4 documented student growth on normed assessments or documented effectiveness on
5.5 evaluations. The rules must adopt criteria for determining a "similar content field" and
5.6 "similar licensure area."

5.7 Subd. 4a. **Teacher and administrator preparation and performance data;**
5.8 **report.** (a) The Board of Teaching and the Board of School Administrators, in cooperation
5.9 with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges
5.10 and universities offering board-adopted teacher or administrator preparation programs,
5.11 annually must collect and report summary data on teacher and administrator preparation
5.12 and performance outcomes, consistent with this subdivision. The Board of Teaching
5.13 and the Board of School Administrators annually by June 1 must update and post the
5.14 reported summary preparation and performance data on teachers and administrators from
5.15 the preceding school years on a Web site hosted jointly by the boards.

5.16 (b) Publicly reported summary data on teacher preparation programs must include:
5.17 student entrance requirements for each Board of Teaching-approved program, including
5.18 grade point average for enrolling students in the preceding year; the average board-adopted
5.19 skills examination or ACT or SAT scores of students entering the program in the preceding
5.20 year; summary data on faculty qualifications, including at least the content areas of faculty
5.21 undergraduate and graduate degrees and their years of experience either as kindergarten
5.22 through grade 12 classroom teachers or school administrators; the average time resident
5.23 and nonresident program graduates in the preceding year needed to complete the program;
5.24 the current number and percent of students by program who graduated, received a standard
5.25 Minnesota teaching license, and were hired to teach full time in their licensure field in a
5.26 Minnesota district or school in the preceding year; the number of content area credits and
5.27 other credits by undergraduate program that students in the preceding school year needed
5.28 to complete to graduate; students' pass rates on skills and subject matter exams required for
5.29 graduation in each program and licensure area in the preceding school year; survey results
5.30 measuring student and graduate satisfaction with the program in the preceding school
5.31 year; a standard measure of the satisfaction of school principals or supervising teachers
5.32 with the student teachers assigned to a school or supervising teacher; and information
5.33 under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.

5.34 (c) Publicly reported summary data on administrator preparation programs
5.35 approved by the Board of School Administrators must include: summary data on faculty
5.36 qualifications, including at least the content areas of faculty undergraduate and graduate

degrees and their years of experience either as kindergarten through grade 12 classroom teachers or school administrators; the average time program graduates in the preceding year needed to complete the program; the current number and percent of students who graduated, received a standard Minnesota administrator license, and were employed as an administrator in a Minnesota school district or school in the preceding year; the number of credits by graduate program that students in the preceding school year needed to complete to graduate; survey results measuring student, graduate, and employer satisfaction with the program in the preceding school year; and information under paragraphs (f) and (g). Program reporting must be consistent with section 122A.14, subdivision 10.

(d) School districts annually by October 1 must report to the Board of Teaching the following information for all teachers who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5; the licensure area in which the teacher primarily taught during the three-year evaluation cycle; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(e) School districts annually by October 1 must report to the Board of Teaching the following information for all probationary teachers in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year: the licensure areas in which the probationary teacher taught; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

(f) School districts annually by October 1 must report to the Board of School Administrators the following information for all school principals and assistant principals who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the principal or assistant principal on the summative evaluation under section 123B.147, subdivision 3; and the principal preparation program providing instruction to the principal or assistant principal.

(g) School districts annually by October 1 must report to the Board of School Administrators all probationary school principals and assistant principals in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year.

Subd. 5. **Commissioner's representative to comment on proposed rule.** ~~Prior to the adoption by~~ Before the Board of Teaching of adopts any rule ~~which~~ that must be

submitted to public hearing, a representative of the commissioner shall appear before the Board of Teaching and at the hearing required ~~pursuant to~~ under section 14.14, subdivision 1, to comment on the cost and educational implications of that proposed rule.

Subd. 6. **Register of persons licensed.** The executive secretary of the Board of Teaching shall keep a record of the proceedings of and a register of all persons licensed pursuant to the provisions of this chapter. The register must show the name, address, license number and the renewal of the license. The board must on July 1, of each year or as soon thereafter as is practicable, compile a list of such duly licensed teachers and transmit a copy of the list to the board. A copy of the register must be available during business hours at the office of the board to any interested person.

Subd. 7. **Commissioner's assistance; board money.** The commissioner shall provide all necessary materials and assistance for the transaction of the business of the Board of Teaching and all moneys received by the Board of Teaching shall be paid into the state treasury as provided by law. The expenses of administering sections 122A.01, 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.20, 122A.21, 122A.22, 122A.23, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49, 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the Board of Teaching shall be paid for from appropriations made to the Board of Teaching.

Subd. 8. **Fraud; gross misdemeanor.** A person who claims to be a licensed teacher without a valid existing license issued by the board or any person who employs fraud or deception in applying for or securing a license is guilty of a gross misdemeanor.

Subd. 9. **Board may adopt rules.** The Board of Teaching may adopt rules subject to the provisions of chapter 14 to implement sections 122A.05 to 122A.09, 122A.16, 122A.17, 122A.18, 122A.20, 122A.21, and 122A.23.

Subd. 10. ~~**Variances**~~ **Permissions.** (a) Notwithstanding subdivision 9 and section ~~14.05, subdivision 4~~ 14.055, the Board of Teaching may grant ~~a variance~~ waivers to its rules upon application by a school district for purposes of implementing experimental programs in learning or management.

(b) To enable a school district to meet the needs of students enrolled in an alternative education program and to enable licensed teachers instructing those students to satisfy content area licensure requirements, the Board of Teaching annually may permit a licensed teacher teaching in an alternative education program to instruct students in a content area for which the teacher is not licensed, consistent with paragraph (a).

(c) A special education license ~~variance~~ permission issued by the Board of Teaching for a primary employer's low-incidence region shall be valid in all low-incidence regions.

Subd. 11. **Teacher preparation program reporting.** By December 31, 2018, and annually thereafter, the Board of Teaching shall report and publish on its Web site the cumulative summary results of at least three consecutive years of data reported to the board under subdivision 4a, paragraph (b). Where the data are sufficient to yield statistically reliable information and the results would not reveal personally identifiable information about an individual teacher, the board shall report the data by teacher preparation program.

Sec. 2. Minnesota Statutes 2014, section 122A.18, as amended by Laws 2015, First Special Session chapter 3, article 2, sections 14 and 15, is amended to read:

122A.18 BOARD TO ISSUE LICENSES.

Subdivision 1. **Authority to license.** (a) The Board of Teaching must license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2.

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

(c) Licenses under the jurisdiction of the Board of Teaching, the Board of School Administrators, and the commissioner of education must be issued through the licensing section of the department.

(d) The Board of Teaching and the Department of Education must enter into a data sharing agreement to share educational data at the E-12 level for the limited purpose of program approval and improvement for teacher education programs. The program approval process must include targeted redesign of teacher preparation programs to address identified E-12 student areas of concern.

(e) The Board of School Administrators and the Department of Education must enter into a data sharing agreement to share educational data at the E-12 level for the limited purpose of program approval and improvement for education administration programs. The program approval process must include targeted redesign of education administration preparation programs to address identified E-12 student areas of concern.

(f) For purposes of the data sharing agreements under paragraphs (d) and (e), the Board of Teaching, Board of School Administrators, and Department of Education may share private data, as defined in section 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements must not include educational data, as defined in section 13.32, subdivision 1, but may include summary data, as defined in section 13.02, subdivision 19, derived from educational data.

Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of Teaching must issue licenses under its jurisdiction to persons the board finds to be qualified and

competent for their respective positions, including those meeting the standards adopted under section 122A.09, subdivision 4, paragraph ~~(o)~~ (n).

(b) The board must require a candidate for teacher licensure to demonstrate a passing score on a board-adopted examination of skills in reading, writing, and mathematics, before being granted ~~an initial~~ a professional five-year teaching license to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special education programs, except that the board may issue up to four temporary, one-year teaching licenses to an otherwise qualified candidate who has not yet passed a board-adopted skills exam. At the request of the employing school district or charter school, the Board of Teaching may issue ~~a restricted~~ an initial professional one-year teaching license to an otherwise qualified teacher not passing or demonstrating a passing score on a board-adopted skills examination in reading, writing, and mathematics. For purposes of this section, the ~~restricted~~ initial professional one-year teaching license issued by the board is limited to the current subject or content matter the teacher is employed to teach and limited to the district or charter school requesting the ~~restricted~~ initial professional one-year teaching license. If the board denies the request, it must provide a detailed response to the school administrator as to the reasons for the denial. The board must require colleges and universities offering a board approved teacher preparation program to make available upon request remedial assistance that includes a formal diagnostic component to persons enrolled in their institution who did not achieve a qualifying score on a board-adopted skills examination, including those for whom English is a second language. The colleges and universities must make available assistance in the specific academic areas of candidates' deficiency. School districts may make available upon request similar, appropriate, and timely remedial assistance that includes a formal diagnostic component to those persons employed by the district who completed their teacher education program, who did not achieve a qualifying score on a board-adopted skills examination, and who received ~~a temporary~~ an initial professional one-year teaching license to teach in Minnesota. The Board of Teaching shall report annually to the education committees of the legislature on the total number of teacher candidates during the most recent school year taking a board-adopted skills examination, the number who achieve a qualifying score on the examination, the number who do not achieve a qualifying score on the examination, and the candidates who have not passed a content or pedagogy exam, disaggregated by categories of race, ethnicity, and eligibility for financial aid.

(c) The Board of Teaching must grant ~~continuing~~ professional five-year teaching licenses only to those persons who have met board criteria for ~~granting a continuing~~ that license, which includes passing a board-adopted skills examination in reading, writing, and

10.1 mathematics, and the exceptions in section 122A.09, subdivision 4, paragraph (b), that are
10.2 consistent with this paragraph. The requirement to pass a board-adopted reading, writing,
10.3 and mathematics skills examination, does not apply to nonnative English speakers, as
10.4 verified by qualified Minnesota school district personnel or Minnesota higher education
10.5 faculty, who, after meeting the content and pedagogy requirements under this subdivision,
10.6 apply for a professional five-year teaching license to provide direct instruction in their
10.7 native language or world language instruction under section 120B.022, subdivision 1.

10.8 (d) All colleges and universities approved by the board of teaching to prepare persons
10.9 for teacher licensure must include in their teacher preparation programs a common core
10.10 of teaching knowledge and skills to be acquired by all persons recommended for teacher
10.11 licensure. Among other requirements, teacher candidates must demonstrate the knowledge
10.12 and skills needed to provide appropriate instruction to English learners to support and
10.13 accelerate their academic literacy, including oral academic language, and achievement in
10.14 content areas in a regular classroom setting. This common core shall meet the standards
10.15 developed by the interstate new teacher assessment and support consortium in its 1992
10.16 "model standards for beginning teacher licensing and development." Amendments to
10.17 standards adopted under this paragraph are covered by chapter 14. The board of teaching
10.18 shall report annually to the education committees of the legislature on the performance
10.19 of teacher candidates on common core assessments of knowledge and skills under this
10.20 paragraph during the most recent school year.

10.21 Subd. 2a. **Reading strategies.** (a) All colleges and universities approved by the
10.22 Board of Teaching to prepare persons for classroom teacher licensure must include in
10.23 their teacher preparation programs research-based best practices in reading, consistent
10.24 with section 122A.06, subdivision 4, that enable the licensure candidate to know how to
10.25 teach reading in the candidate's content areas. Teacher candidates must be instructed
10.26 in using students' native languages as a resource in creating effective differentiated
10.27 instructional strategies for English learners developing literacy skills. These colleges and
10.28 universities also must prepare early childhood and elementary teacher candidates for ~~initial~~
10.29 professional five-year teaching licenses ~~to teach prekindergarten or elementary students~~
10.30 ~~for the assessment of reading instruction portion of the examination of licensure-specific~~
10.31 ~~teaching skills~~ under section 122A.09, subdivision 4, paragraph (e), covering assessment
10.32 of reading instruction.

10.33 (b) Board-approved teacher preparation programs for teachers of elementary
10.34 education must require instruction ~~in the application of~~ in applying comprehensive,
10.35 scientifically based, and balanced reading instruction programs that:

(1) teach students to read using foundational knowledge, practices, and strategies consistent with section 122A.06, subdivision 4, so that all students will achieve continuous progress in reading; and

(2) teach specialized instruction in reading strategies, interventions, and remediations that enable students of all ages and proficiency levels to become proficient readers.

(c) Nothing in this section limits the authority of a school district to select a school's reading program or curriculum.

Subd. 2b. **Reading specialist.** Not later than July 1, 2002, the Board of Teaching must adopt rules providing for the reading teacher licensure of teachers of reading.

Subd. 3. **Supervisory and coach qualifications; code of ethics.** The commissioner of education must issue licenses under its jurisdiction to persons the commissioner finds to be qualified and competent for their respective positions under the rules it adopts. The commissioner of education may develop, by rule, a code of ethics for supervisory personnel covering standards of professional practices, including areas of ethical conduct and professional performance and methods of enforcement.

Subd. 3a. **Technology strategies.** All colleges and universities approved by the Board of Teaching to prepare persons for classroom teacher licensure must include in their teacher preparation programs the knowledge and skills teacher candidates need to deliver digital and blended learning and curriculum and engage students with technology.

Subd. 4. **Expiration and renewal.** (a) Each license the Department of Education issues through its licensing section must bear the date of issue and the name of the state-approved teacher training provider. Licenses must expire and be renewed according to the respective rules the Board of Teaching, the Board of School Administrators, or the commissioner of education adopts. Requirements for renewing a license must include showing satisfactory evidence of successful teaching or administrative experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or completing such additional preparation as the Board of Teaching prescribes. The Board of School Administrators shall establish requirements for renewing the licenses of supervisory personnel except athletic coaches. The State Board of Teaching shall establish requirements for renewing the licenses of athletic coaches.

(b) ~~Relicensure~~ Applicants for license renewal who have been employed as a teacher during the renewal period of their expiring license, as a condition of ~~relicensure~~ license renewal, must present to their local continuing education and relicensure committee or other local relicensure committee evidence of work that demonstrates professional reflection and growth in best teaching practices, including among other things, practices in meeting the varied needs of English learners, from young children to adults under section

12.1 124D.59, subdivisions 2 and 2a. The applicant must include a reflective statement of
12.2 professional accomplishment and the applicant's own assessment of professional growth
12.3 showing evidence of:

12.4 (1) support for student learning;

12.5 (2) use of best practices techniques and their applications to student learning;

12.6 (3) collaborative work with colleagues that includes examples of collegiality such as
12.7 attested-to committee work, collaborative staff development programs, and professional
12.8 learning community work; or

12.9 (4) continual professional development that may include (i) job-embedded or other
12.10 ongoing formal professional learning or (ii) for teachers employed for only part of the
12.11 renewal period of their expiring license, other similar professional development efforts
12.12 made during the relicensure period.

12.13 The Board of Teaching must ensure that its teacher relicensing requirements also include
12.14 this paragraph.

12.15 (c) The Board of Teaching shall offer alternative ~~continuing relicensure~~ options for
12.16 license renewal for teachers who are accepted into and complete the National Board for
12.17 Professional Teaching Standards certification process, and offer additional continuing
12.18 relicensure options for teachers who earn National Board for Professional Teaching
12.19 Standards certification. Continuing relicensure requirements for teachers who do not
12.20 maintain National Board for Professional Teaching Standards certification are those the
12.21 board prescribes, consistent with this section.

12.22 ~~Subd. 4a. **Limited Provisional licenses.** The board may grant two-year provisional~~
12.23 ~~licenses to licensure candidates in a field in which they were not previously licensed or in a~~
12.24 ~~field in which a shortage of licensed teachers exists. A shortage is defined as an inadequate~~
12.25 ~~supply of licensed personnel in a given licensure area as determined by the commissioner.~~

12.26 ~~Subd. 5. **Effective date.** Nothing contained herein shall be construed as affecting~~
12.27 ~~the validity of a permanent certificate or license issued prior to July 1, 1969.~~

12.28 ~~Subd. 6. **Human relations.** The Board of Teaching and the commissioner of~~
12.29 ~~education shall accept training programs completed through Peace Corps, VISTA, or~~
12.30 ~~Teacher Corps in lieu of completion of completing the human relations component of the~~
12.31 ~~training program for purposes of issuing or renewing a teaching license in education.~~

12.32 ~~Subd. 7. **Limited provisional licenses.** The Board of Teaching may grant~~
12.33 ~~provisional licenses, which shall be valid for two years, in fields in which licenses were not~~
12.34 ~~issued previously or in fields in which a shortage of licensed teachers exists. A shortage is~~
12.35 ~~defined as a lack of or an inadequate supply of licensed personnel within a given licensure~~

~~area in a school district that has notified the Board of Teaching of the shortage and has applied to the Board of Teaching for provisional licenses for that district's licensed staff.~~

Subd. 7a. **Permission to substitute teach.** (a) The Board of Teaching may allow a person who is enrolled in and making satisfactory progress in a board-approved teacher program and who has successfully completed student teaching to be employed as a short-call substitute teacher.

(b) The Board of Teaching may issue a lifetime ~~qualified short-call~~ substitute teaching license to a person who:

(1) was a qualified teacher under section 122A.16 while holding a ~~continuing professional~~ five-year teaching license issued by the board, and receives a retirement annuity from the Teachers Retirement Association or the St. Paul Teachers Retirement Fund Association;

(2) holds an out-of-state teaching license and receives a retirement annuity as a result of the person's teaching experience; or

(3) held a ~~continuing professional~~ five-year teaching license issued by the board, taught at least three school years in an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result of the person's teaching experience.

A person holding a lifetime qualified short-call substitute teaching license is not required to complete continuing education clock hours. A person holding this license may reapply to the board for a ~~continuing professional~~ five-year teaching license and must again complete continuing education clock hours one school year after receiving the ~~continuing professional~~ five-year teaching license.

Subd. 7b. ~~Temporary limited licenses~~ **Provisional permission; personnel variances variance; emergency permission.** (a) ~~The Board of Teaching must accept applications for a temporary limited teaching license beginning July 1 of the school year for which the license is requested and must issue or deny the temporary limited teaching license within 30 days of receiving the complete application.~~ The Board of Teaching may grant a two-year provisional permission to a licensure candidate in a field in which a shortage of licensed teachers exists. A shortage is defined as an inadequate supply of licensed personnel in a given licensure area as determined by the commissioner.

(b) The board may grant a one-year personnel variance to a licensed teacher in a field in which they were not previously licensed. The Board of Teaching must accept applications for a personnel variance beginning July 1 of the school year for which the variance is requested and must issue or deny the personnel variance within 30 days of receiving the complete application.

14.1 (c) The board may grant a one-year emergency permission to a nonlicensed applicant
14.2 based on a district's satisfactory demonstration of need. The board must accept an
14.3 application for an emergency permission beginning on July 1 of the school year for which
14.4 the permission is requested and must issue or deny the emergency permission within 30
14.5 days of receiving the complete application.

14.6 Subd. 7c. **Temporary military license.** The Board of Teaching shall establish
14.7 a temporary license in accordance with section 197.4552 for teaching. The fee for a
14.8 temporary license under this subdivision shall be \$87.90 for an online application or
14.9 \$86.40 for a paper application.

14.10 Subd. 8. **Background checks.** (a) The Board of Teaching and the commissioner
14.11 of education must request a criminal history background check from the superintendent
14.12 of the Bureau of Criminal Apprehension on all first-time teaching applicants for initial
14.13 licenses under their jurisdiction. An application for a license under this section must be
14.14 accompanied by Applicants must include with their licensure applications:

14.15 (1) an executed criminal history consent form, including fingerprints; and
14.16 (2) a money order or cashier's check payable to the Bureau of Criminal Apprehension
14.17 for the fee for conducting the criminal history background check.

14.18 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the
14.19 background check required under paragraph (a) by retrieving criminal history data as
14.20 defined in section 13.87 and shall also conduct a search of the national criminal records
14.21 repository. The superintendent is authorized to exchange fingerprints with the Federal
14.22 Bureau of Investigation for purposes of the criminal history check. The superintendent
14.23 shall recover the cost to the bureau of a background check through the fee charged to
14.24 the applicant under paragraph (a).

14.25 (c) The Board of Teaching or the commissioner of education may issue a license
14.26 pending completion of a background check under this subdivision, but must notify
14.27 the individual that the individual's license may be revoked based on the result of the
14.28 background check.

14.29 Sec. 3. Minnesota Statutes 2014, section 122A.21, as amended by Laws 2015, First
14.30 Special Session chapter 3, article 2, section 17, is amended to read:

14.31 **122A.21 TEACHERS' AND ADMINISTRATORS' LICENSES; FEES.**

14.32 Subdivision 1. **Licensure applications.** Each application for the issuance, renewal,
14.33 or extension of a license to teach, including applications for licensure via portfolio under
14.34 subdivision 2, must be accompanied by a processing fee of \$57. Each application for
14.35 issuing, renewing, or extending the license of a school administrator or supervisor must

be accompanied by a processing fee in the amount set by the Board of ~~Teaching School~~
Administrators. The processing fee for a teacher's license and for the licenses of supervisory
personnel must be paid to the executive secretary of the appropriate board. The executive
secretary of the board shall deposit the fees with the commissioner of management and
budget. The fees as set by the board are nonrefundable for applicants not qualifying for a
license. However, a fee must be refunded by the commissioner of management and budget
in any case in which the applicant already holds a valid unexpired license. The board may
waive or reduce fees for applicants who apply at the same time for more than one license.

Subd. 2. **Licensure via portfolio.** (a) An eligible candidate may use licensure via
portfolio to obtain ~~an initial licensure~~ a professional five-year teaching license or to add a
licensure field, consistent with applicable Board of Teaching licensure rules.

(b) A candidate for ~~initial licensure~~ a professional five-year teaching license must
submit to the Educator Licensing Division at the department one portfolio demonstrating
pedagogical competence and one portfolio demonstrating content competence.

(c) A candidate seeking to add a licensure field must submit to the Educator
Licensing Division at the department one portfolio demonstrating content competence.

(d) The Board of Teaching must notify a candidate who submits a portfolio under
paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not
the portfolio was approved. If the portfolio was not approved, the board must immediately
inform the candidate how to revise the portfolio to successfully demonstrate the requisite
competence. The candidate may resubmit a revised portfolio at any time and the Educator
Licensing Division at the department must approve or disapprove the portfolio within
60 calendar days of receiving it.

(e) A candidate must pay to the executive secretary of the Board of Teaching a
\$300 fee for the first portfolio submitted for review and a \$200 fee for any portfolio
submitted subsequently. ~~The fees must be paid to the executive secretary of the Board of~~
~~Teaching.~~ The revenue generated from the fee must be deposited in an education licensure
portfolio account in the special revenue fund. The fees set by the Board of Teaching are
nonrefundable for applicants not qualifying for a license. The Board of Teaching may
waive or reduce fees for candidates based on financial need.

Sec. 4. Minnesota Statutes 2015 Supplement, section 122A.23, is amended to read:

122A.23 APPLICANTS TRAINED IN OTHER STATES.

Subdivision 1. **Preparation equivalency.** When a license to teach is authorized to
be issued to any holder of a diploma or a degree of a Minnesota state university, or of the
University of Minnesota, or of a liberal arts university, or a technical training institution,

such license may also, in the discretion of the Board of Teaching ~~or the commissioner of education, whichever has jurisdiction~~, be issued to any holder of a diploma or a degree of a teacher training institution of equivalent rank and standing of any other state. The diploma or degree must be granted by virtue of completing coursework in teacher preparation as preliminary to the granting of a diploma or a degree of the same rank and class. For purposes of granting a Minnesota teaching license to a person who receives a diploma or degree from a state-accredited, out-of-state teacher training program leading to licensure, the Board of Teaching must establish criteria and streamlined policies and procedures by January 1, 2016, to recognize the experience and professional credentials of the person holding the out-of-state diploma or degree and allow that person to demonstrate to the board the person's qualifications for receiving a Minnesota teaching license based on performance measures the board adopts by January 1, 2016, under this section.

Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a professional five-year teaching license or a temporary initial professional one-year teaching license under paragraphs (c) to (f) to an applicant who holds at least a baccalaureate degree from a regionally accredited college or university and holds or held an out-of-state teaching license that requires the applicant to successfully complete a teacher preparation program approved by the issuing state, which includes either (1) field-specific teaching methods, student teaching, or equivalent experience, or (2) at least two years of teaching experience as the teacher of record in a similar licensure field area.

(b) The Board of Teaching may issue a standard professional five-year teaching license on the basis of teaching experience and examination requirements only.

(c) The Board of Teaching must issue a professional five-year teaching license to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach a similar content field and grade levels if the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, and either (i) has completed field-specific teaching methods, student teaching, or equivalent experience, or (ii) has at least two years of teaching experience as the teacher of record in a similar licensure field area.

(d) The Board of Teaching, consistent with board rules and paragraph (i), must issue up to four ~~one-year temporary~~ initial professional one-year teaching licenses to an applicant who holds or held an out-of-state teaching license to teach a similar ~~content field~~ licensure area and grade levels, where the scope of the out-of-state license is no more

than two grade levels less than a similar Minnesota license, but has not successfully completed all exams and human relations preparation components required by the Board of Teaching. The board must issue a professional five-year teaching license to an applicant who successfully completes the requirements under this paragraph.

(e) The Board of Teaching, consistent with board rules, must issue up to four initial professional one-year temporary teaching licenses to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach a similar ~~content field~~ licensure area and grade levels, where the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, but has not completed field-specific teaching methods or student teaching or equivalent experience.

The applicant ~~may~~ must complete field-specific teaching methods ~~and student teaching or equivalent experience~~ by successfully participating in a one-year school district mentorship program consistent with board-adopted standards of effective practice and Minnesota graduation requirements. If no school district mentorship program is available, the applicant must complete field-specific teaching methods coursework while serving as a teacher of record and providing classroom instruction in the applicant's field of licensure. The board must issue a professional five-year teaching license to an applicant who successfully completes the requirements under this paragraph.

~~(f) The Board of Teaching must issue a restricted teaching license for only in the content field or grade levels specified in the out-of-state license to an applicant who:~~

~~(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and~~

~~(2) holds or held an out-of-state teaching license where the out-of-state license is more limited in the content field or grade levels than a similar Minnesota license.~~

(f) The Board of Teaching must issue to an applicant with an out-of-state teaching license up to four initial professional one-year teaching licenses that are restricted in content or grade levels specified in the out-of-state license if the applicant's out-of-state teaching license is more limited than a similar Minnesota license in content field or grade levels. The Board of Teaching must issue a professional five-year teaching license to an applicant who successfully completes all exams and human relations preparation components required by the Board of Teaching. Any content or grade level restriction placed on a license under this paragraph remains in effect.

(g) The Board of Teaching may issue a two-year ~~limited~~ provisional ~~license~~ permission to an applicant under this subdivision to teach in a shortage area, consistent with section 122A.18, subdivision 4a.

(h) The Board of Teaching may issue a license under this subdivision if the applicant has attained the additional degrees, credentials, or licenses required in a particular licensure field and the applicant can demonstrate competency by obtaining qualifying scores on the board-adopted skills examination in reading, writing, and mathematics, and on applicable board-adopted rigorous content area and pedagogy examinations under section 122A.09, subdivision 4, paragraphs (a) and (e).

(i) The Board of Teaching must require an applicant for a professional five-year teaching license or a ~~temporary~~ an initial professional one-year teaching license under this subdivision to pass a board-adopted skills examination in reading, writing, and mathematics before the board issues the license unless, notwithstanding other provisions of this subdivision, an applicable board-approved National Association of State Directors of Teacher Education and Certification interstate ~~reciprocity~~ agreement exists to allow fully certified teachers from other states to transfer their certification to Minnesota.

Subd. 3. **Teacher licensure agreements with adjoining states.** (a) Notwithstanding any other law to the contrary, the Board of Teaching must enter into a National Association of State Directors of Teacher Education and Certification (NASDTEC) interstate agreement and other interstate agreements for teacher licensure to allow fully certified teachers from adjoining states to transfer their certification to Minnesota. The board must enter into these interstate agreements only after determining that the rigor of the teacher licensure or certification requirements in the adjoining state is commensurate with the rigor of Minnesota's teacher licensure requirements. The board may limit an interstate agreement to particular content fields or grade levels based on established priorities or identified shortages. This subdivision does not apply to out-of-state applicants holding only a provisional teaching license.

(b) The Board of Teaching must work with designated authorities in adjoining states to establish interstate teacher licensure agreements under this section.

Sec. 5. Minnesota Statutes 2014, section 122A.245, as amended by Laws 2015, First Special Session chapter 3, article 2, sections 19 to 21, is amended to read:

**122A.245 ALTERNATIVE TEACHER PREPARATION PROGRAM AND
~~LIMITED-TERM~~ INTERN TEACHER LICENSE.**

Subdivision 1. **Requirements.** (a) To improve academic excellence, improve ethnic and cultural diversity in the classroom, and close the academic achievement gap, the

Board of Teaching must approve qualified teacher preparation programs under this section that are a means to acquire a two-year ~~limited-term~~ intern teacher license, which the board may renew one time for an additional one-year term, and to prepare for acquiring a ~~standard~~ professional five-year license. The following entities are eligible to participate under this section:

(1) a school district, charter school, or nonprofit corporation organized under chapter 317A for an education-related purpose that forms a partnership with a college or university that has a board-approved alternative teacher preparation program; or

(2) a school district or charter school, after consulting with a college or university with a board-approved teacher preparation program, that forms a partnership with a nonprofit corporation organized under chapter 317A for an education-related purpose that has a board-approved teacher preparation program.

(b) Before becoming a teacher of record, a candidate must:

(1) have a bachelor's degree with a 3.0 or higher grade point average unless the board waives the grade point average requirement based on board-adopted criteria adopted by January 1, 2016;

(2) demonstrate a passing score on a board-adopted reading, writing, and mathematics skills examination under section 122A.09, subdivision 4, paragraph (b); and

(3) obtain qualifying scores on applicable board-approved rigorous content area and pedagogy examinations under section 122A.09, subdivision 4, paragraph (e).

(c) The Board of Teaching must issue a two-year ~~limited-term~~ intern teacher license to a person who enrolls in an alternative teacher preparation program.

Subd. 2. **Characteristics.** An alternative teacher preparation program under this section must include:

(1) a minimum 200-hour instructional phase that provides intensive preparation and student teaching before the teacher candidate assumes classroom responsibilities;

(2) a research-based and results-oriented approach focused on best teaching practices to increase student proficiency and growth measured against state academic standards;

(3) strategies to combine pedagogy and best teaching practices to better inform teacher candidates' classroom instruction;

(4) assessment, supervision, and evaluation of teacher candidates to determine their specific needs throughout the program and to support their efforts to successfully complete the program;

(5) intensive, ongoing, and multiyear professional learning opportunities that accelerate teacher candidates' professional growth, support student learning, and provide a

20.1 workplace orientation, professional staff development, and mentoring and peer review
20.2 focused on standards of professional practice and continuous professional growth; and
20.3 (6) a requirement that teacher candidates demonstrate to the local site team under
20.4 subdivision 5 satisfactory progress toward acquiring ~~a standard license~~ professional
20.5 five-year teaching licenses from the Board of Teaching.

20.6 Subd. 3. **Program approval; disapproval.** (a) The Board of Teaching must approve
20.7 alternative teacher preparation programs under this section based on board-adopted
20.8 criteria that reflect best practices for alternative teacher preparation programs, consistent
20.9 with this section.

20.10 (b) The board must permit teacher candidates to demonstrate mastery of pedagogy
20.11 and content standards in school-based settings and through other nontraditional means.
20.12 "Nontraditional means" must include a portfolio of previous experiences, teaching
20.13 experience, educator evaluations, certifications marking the completion of education
20.14 training programs, and essentially equivalent demonstrations.

20.15 (c) The board ~~must~~ may use nontraditional criteria to determine the qualifications of
20.16 program instructors.

20.17 (d) The board may permit instructors to hold a baccalaureate degree only.

20.18 (e) If the Board of Teaching determines that a teacher preparation program under this
20.19 section does not meet the requirements of this section, it may revoke its approval of the
20.20 program after it notifies the program provider of any deficiencies and gives the program
20.21 provider an opportunity to remedy the deficiencies.

20.22 Subd. 4. **Employment conditions.** Where applicable, teacher candidates with
20.23 ~~a limited-term~~ an intern teacher license under this section are members of the local
20.24 employee organization representing teachers and subject to the terms of the local collective
20.25 bargaining agreement between the exclusive representative of the teachers and the school
20.26 board. A collective bargaining agreement between a school board and the exclusive
20.27 representative of the teachers must not prevent or restrict or otherwise interfere with a
20.28 school district's ability to employ a teacher prepared under this section.

20.29 Subd. 5. **Approval for standard professional five-year license.** A school board
20.30 or its designee must appoint members to a local site team that includes teachers, school
20.31 administrators, and postsecondary faculty under subdivision 1, paragraph (a), clause
20.32 (1), or staff of a participating nonprofit corporation under subdivision 1, paragraph (a),
20.33 clause (2), to evaluate the performance of the teacher candidate. The evaluation must be
20.34 consistent with board-adopted performance measures, use the Minnesota state standards
20.35 of effective practice and subject matter content standards for teachers established in

21.1 Minnesota Rules, and include a report to the board recommending whether or not to issue
21.2 the teacher candidate a ~~standard~~ professional five-year teaching license.

21.3 Subd. 6. **Applicants trained in other states.** A person who successfully completes
21.4 another state's alternative teacher preparation program, consistent with section 122A.23,
21.5 ~~subdivision 1~~, may apply to the Board of Teaching for ~~a standard~~ an initial professional
21.6 one-year teaching license ~~under subdivision 7~~ or a professional five-year teaching license.

21.7 Subd. 7. **Standard Professional five-year license.** The Board of Teaching must
21.8 issue a ~~standard~~ professional five-year teaching license to an otherwise qualified teacher
21.9 candidate under this section who successfully performs throughout a program under this
21.10 section, obtains qualifying scores on applicable board-adopted rigorous skills, pedagogy,
21.11 and content area examinations under section 122A.09, subdivision 4, paragraphs (a) and
21.12 (e), and is recommended for licensure under subdivision 5 or successfully demonstrates to
21.13 the board qualifications for licensure under subdivision 6.

21.14 Subd. 8. **Highly qualified teacher.** A person holding a valid limited-term license
21.15 under this section is a highly qualified teacher and the teacher of record under section
21.16 122A.16.

21.17 Subd. 9. **Exchange of best practices.** By July 31 in an even-numbered year,
21.18 ~~a program participant and~~ approved alternative preparation program providers, the
21.19 Minnesota State Colleges and Universities, the University of Minnesota, the Minnesota
21.20 Private College Council, and the Department of Education must exchange information
21.21 about best practices and educational innovations.

21.22 Subd. 10. **Reports.** The Board of Teaching must submit an interim report on the
21.23 efficacy of this program to the policy and finance committees of the legislature with
21.24 jurisdiction over kindergarten through grade 12 education by February 15, 2013, and a
21.25 final report by February 15, 2015.