

**SENATE**  
**STATE OF MINNESOTA**  
**NINETIETH SESSION**

**H.F. No. 140**

(SENATE AUTHORS: ERICKSON, Bennett, Ward, Haley, Wills, Pugh, Runbeck, Garofalo, Bahr, C., Peterson and Kiel)

DATE	D-PG	OFFICIAL STATUS
04/04/2017	3135	Received from House
	3135	Introduction and first reading
	3135	Laid on table
04/18/2017	3169	Taken from table
	3169	Second reading
		Laid on table
04/20/2017		Taken from table
	3252a	Special Order: Amended SF4
	3284	Third reading Passed
04/24/2017	3316	House not concur, conference committee of 3 requested
		House conferees Erickson; Bennett; Mariani
		Senate accedes, CC of 3 be appointed
05/16/2017	3318	Senate conferees Pratt; Housley; Kent
		House adopted HCC report and repassed bill
		Senate adopted CC report and repassed bill
		Third reading

1.1 A bill for an act

1.2 relating to education; establishing the Professional Educator Licensing and

1.3 Standards Board; transferring all teacher licensing and support personnel licensing

1.4 and credentialing authority to the Professional Educator Licensing and Standards

1.5 Board; requiring a report; amending Minnesota Statutes 2016, sections 120B.363,

1.6 subdivision 1; 122A.06, subdivisions 2, 3; 122A.07; 122A.08; 122A.09,

1.7 subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10, by adding a subdivision; 122A.17; 122A.18,

1.8 subdivisions 1, 2, 2b, 3, 3a, 7a, 7c, 8; 122A.19; 122A.20, subdivisions 1, 2;

1.9 122A.21, subdivision 2; 122A.22; 122A.23, subdivision 3; 122A.26, subdivision

1.10 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454, subdivision

1.11 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6;

1.12 136A.1791, subdivision 1; 214.04, subdivision 1; 214.045; proposing coding for

1.13 new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016,

1.14 sections 122A.162; 122A.163; 122A.18, subdivisions 4, 4a, 7; 122A.23,

1.15 subdivisions 1, 2; 122A.245; 122A.25.

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

1.17 **ARTICLE 1**

1.18 **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**

1.19 Section 1. Minnesota Statutes 2016, section 122A.06, subdivision 2, is amended to read:

1.20 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional

1.21 employee required to hold a license from the Professional Educator Licensing and Standards

1.22 Board of Teaching.

1.23 **EFFECTIVE DATE.** This section is effective January 1, 2018.

1.24 Sec. 2. Minnesota Statutes 2016, section 122A.06, subdivision 3, is amended to read:

1.25 Subd. 3. **Board.** "Board" means the Professional Educator Licensing and Standards

1.26 Board of Teaching.

2.1 **EFFECTIVE DATE.** This section is effective January 1, 2018.

2.2 Sec. 3. Minnesota Statutes 2016, section 122A.07, is amended to read:

2.3 **122A.07 BOARD OF TEACHING PROFESSIONAL EDUCATOR LICENSING**  
 2.4 **AND STANDARDS BOARD MEMBERSHIP.**

2.5 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and  
 2.6 Standards Board of Teaching consists of ~~11~~ nine members appointed by the governor, with  
 2.7 the advice and consent of the senate. Membership terms, compensation of members, removal  
 2.8 of members, the filling of membership vacancies, and fiscal year and reporting requirements  
 2.9 are as provided in sections 214.07 to 214.09. No member may be reappointed for more than  
 2.10 one additional term.

2.11 Subd. 2. **Eligibility; board composition.** ~~Except for the representatives of higher~~  
 2.12 ~~education and the public, to be eligible for appointment to the Board of Teaching a person~~  
 2.13 ~~must be a teacher currently teaching in a Minnesota school and fully licensed for the position~~  
 2.14 ~~held and have at least five years teaching experience in Minnesota, including the two years~~  
 2.15 ~~immediately preceding nomination and appointment.~~ Each nominee, other than a public  
 2.16 nominee, must be selected on the basis of professional experience and knowledge of teacher  
 2.17 education, accreditation, and licensure. The board must be composed of:

2.18 (1) ~~six~~ five teachers who are currently teaching in a Minnesota school or who were  
 2.19 teaching at the time of the appointment ~~and who do not qualify under clause (2) or (3), at~~  
 2.20 ~~least four of whom must be teaching in a public school,~~ at least one of whom must be a  
 2.21 teacher in a charter school, one of whom must be from a related service category licensed  
 2.22 by the board, and one of whom must be licensed in either a geographic or license shortage  
 2.23 area, and none of whom may be serving in an administrative function at a school district or  
 2.24 school as of the effective date of this section;

2.25 (2) ~~one higher education representative, who must be a faculty member preparing teachers~~  
 2.26 one superintendent;

2.27 (3) one school ~~administrator~~ district human resources director; ~~and~~

2.28 (4) ~~three members of the public, two of whom must be present or former members of~~  
 2.29 ~~school boards~~ one elementary or secondary school principal; ~~and~~

2.30 (5) one member of the public that may be a current or former school board member.

3.1 Subd. 2a. **First appointments.** (a) The governor shall nominate all members to the  
3.2 Professional Educator Licensing and Standards Board. The terms of the initial board members  
3.3 must be as follows:

3.4 (1) two members must be appointed for terms that expire January 1, 2019;

3.5 (2) two members must be appointed for terms that expire January 1, 2020;

3.6 (3) two members must be appointed for terms that expire January 1, 2021; and

3.7 (4) three members must be appointed for terms that expire January 1, 2022.

3.8 (b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first  
3.9 appointments to the Professional Educator Licensing and Standards Board for four years  
3.10 from the effective date of this section.

3.11 Subd. 3. **Vacant position.** With the exception of a teacher who retires from teaching  
3.12 during the course of completing a board term, the position of a member who leaves Minnesota  
3.13 or whose employment status changes to a category different from that from which appointed  
3.14 is deemed vacant.

3.15 Subd. 4. ~~**Administration; Terms, compensation; removal; vacancies.**~~ The ~~provision~~  
3.16 ~~of staff, administrative services and office space;~~ the review and processing of complaints;  
3.17 the setting of fees; the selection and duties of an executive ~~secretary~~ director to serve the  
3.18 board; and other provisions relating to board operations not provided in this chapter are as  
3.19 provided in chapter 214. Membership terms, except as provided in subdivision 2a,  
3.20 compensation of members, removal of members, the filling of membership vacancies, and  
3.21 fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

3.22 Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief  
3.23 administrative officer for the board but shall not be a member of the board. The executive  
3.24 director shall maintain the records of the board, account for all fees received by the board,  
3.25 supervise and direct employees servicing the board, and perform other services as directed  
3.26 by the board.

3.27 (b) The commissioner of administration must provide the board with administrative  
3.28 support services, according to section 16B.371.

3.29 (c) The commissioner of education must provide suitable offices and other space to the  
3.30 board at no cost until January 1, 2020. Thereafter, the board may contract with either the  
3.31 commissioner of education or the commissioner of administration for the provision of  
3.32 suitable offices and other space, joint conference and hearing facilities, and examination  
3.33 rooms.

4.1 Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional  
 4.2 Educator Licensing and Standards Board may reimburse local school districts for the costs  
 4.3 of substitute teachers employed when regular teachers are providing professional assistance  
 4.4 to the state by serving on the board or on a committee or task force appointed by the board  
 4.5 and charged to make recommendations concerning standards for teacher licensure in this  
 4.6 state.

4.7 **EFFECTIVE DATE.** This section is effective January 1, 2018.

4.8 Sec. 4. Minnesota Statutes 2016, section 122A.08, is amended to read:

4.9 **122A.08 MEETINGS.**

4.10 Subdivision 1. **Meetings.** The Professional Educator Licensing and Standards Board of  
 4.11 Teaching must meet regularly at the times and places as the board determines. Meetings  
 4.12 must be called by the chair or at the written request of any eight members.

4.13 Subd. 2. **Executive ~~secretary~~ director.** The Professional Educator Licensing and  
 4.14 Standards Board of Teaching must have an executive secretary director who is in the  
 4.15 unclassified civil service and who is not a member of the board. The executive director must  
 4.16 fulfill the duties provided in section 122A.09, subdivision 6. The board must review the  
 4.17 performance of the executive director and set the salary of the executive director, not to  
 4.18 exceed the limit for a position listed in section 15A.0815, subdivision 2.

4.19 **EFFECTIVE DATE.** This section is effective January 1, 2018.

4.20 Sec. 5. Minnesota Statutes 2016, section 122A.09, subdivision 1, is amended to read:

4.21 Subdivision 1. **Code of ethics.** The Professional Educator Licensing and Standards  
 4.22 Board of Teaching must develop by rule a code of ethics covering standards of professional  
 4.23 teaching practices, including areas of ethical conduct and professional performance and  
 4.24 methods of enforcement.

4.25 **EFFECTIVE DATE.** This section is effective July 1, 2018.

4.26 Sec. 6. Minnesota Statutes 2016, section 122A.09, subdivision 2, is amended to read:

4.27 Subd. 2. **Advise members of profession.** The Professional Educator Licensing and  
 4.28 Standards Board must act in an advisory capacity to members of the profession in matters  
 4.29 of interpretation of the code of ethics.

4.30 **EFFECTIVE DATE.** This section is effective July 1, 2018.

5.1 Sec. 7. Minnesota Statutes 2016, section 122A.09, subdivision 3, is amended to read:

5.2 Subd. 3. **Election of chair and officers.** The Professional Educator Licensing and  
5.3 Standards Board shall elect a chair and such other officers as it may deem necessary.

5.4 **EFFECTIVE DATE.** This section is effective January 1, 2018.

5.5 Sec. 8. Minnesota Statutes 2016, section 122A.09, subdivision 4, is amended to read:

5.6 Subd. 4. **~~License and rules~~ Licensing.** (a) The Professional Educator Licensing and  
5.7 Standards Board must ~~adopt rules to license public school teachers and interns subject to~~  
5.8 ~~chapter 14~~ license teachers, as defined in section 122A.15, subdivision 1, except for  
5.9 supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not  
5.10 delegate its authority to make all licensing decisions with respect to candidates for teacher  
5.11 licensure. The board must evaluate candidates for compliance with statutory or rule  
5.12 requirements for licensure and develop licensure verification requirements.

5.13 (b) The board must ~~require all candidates for teacher licensure to demonstrate~~ establish  
5.14 a passing score on a board-adopted skills examination in reading, writing, and mathematics,  
5.15 as for a requirement for an initial professional five-year Tier, 2, 3, or 4 teaching license;  
5.16 ~~except that the board may issue up to four initial professional one-year teaching licenses to~~  
5.17 ~~an otherwise qualified candidate who has not yet passed the board-adopted skills exam.~~ The  
5.18 board must require colleges and universities offering a board-approved teacher preparation  
5.19 program to provide remedial assistance to persons who did not achieve a qualifying score  
5.20 on the board-adopted skills examination, including those for whom English is a second  
5.21 language. The requirement to pass a board-adopted reading, writing, and mathematics skills  
5.22 examination does not apply to nonnative English speakers, as verified by qualified Minnesota  
5.23 school district personnel or Minnesota higher education faculty, who, after meeting the  
5.24 content and pedagogy requirements under this subdivision, apply for a teaching license to  
5.25 provide direct instruction in their native language or world language instruction under section  
5.26 120B.022, subdivision 1. The Board of Teaching and the entity administering the content,  
5.27 pedagogy, and skills examinations must allow any individual who produces documentation  
5.28 of a disability in the form of an evaluation, 504 plan, or individual education program (IEP)  
5.29 to receive the same testing accommodations on the content, pedagogy, and skills examinations  
5.30 that the applicant received during their secondary or postsecondary education.

5.31 (c) The board must adopt rules to approve teacher preparation programs, including  
5.32 alternative teacher preparation programs under section 122A.245, nonconventional programs,  
5.33 and Montessori teacher training programs. The board, upon the request of a postsecondary  
5.34 student preparing for teacher licensure or a licensed graduate of a teacher preparation

6.1 program, shall assist in resolving a dispute between the person and a postsecondary institution  
6.2 providing a teacher preparation program when the dispute involves an institution's  
6.3 recommendation for licensure affecting the person or the person's credentials. At the board's  
6.4 discretion, assistance may include the application of chapter 14.

6.5 (d) The board must provide the leadership and adopt rules for the redesign of teacher  
6.6 education programs to implement a research based, results-oriented curriculum that focuses  
6.7 on the skills teachers need in order to be effective. Among other components, teacher  
6.8 preparation programs may use the Minnesota State Colleges and Universities program model  
6.9 to provide a school-year-long student teaching program that combines clinical opportunities  
6.10 with academic coursework and in-depth student teaching experiences to offer students  
6.11 ongoing mentorship, coaching, and assessment, help to prepare a professional development  
6.12 plan, and structured learning experiences. The board shall implement new systems of teacher  
6.13 preparation program evaluation to assure program effectiveness based on proficiency of  
6.14 graduates in demonstrating attainment of program outcomes. Teacher preparation programs  
6.15 including alternative teacher preparation programs under section 122A.245, among other  
6.16 programs, must include a content-specific, board-approved, performance-based assessment  
6.17 that measures teacher candidates in three areas: planning for instruction and assessment;  
6.18 engaging students and supporting learning; and assessing student learning. The board's  
6.19 redesign rules must include creating flexible, specialized teaching licenses, credentials, and  
6.20 other endorsement forms to increase students' participation in language immersion programs,  
6.21 world language instruction, career development opportunities, work-based learning, early  
6.22 college courses and careers, career and technical programs, Montessori schools, and project  
6.23 and place-based learning, among other career and college ready learning offerings.

6.24 (e) The board must ~~adopt rules requiring candidates for professional five-year teaching~~  
6.25 ~~licenses to pass~~ establish a passing score for candidates on an examination of general  
6.26 pedagogical knowledge and examinations of licensure-specific teaching skills for a Tier 2,  
6.27 3, or 4 teaching license. ~~The rules shall be effective by September 1, 2001.~~ The rules under  
6.28 this paragraph also must require candidates for initial licenses to teach prekindergarten or  
6.29 elementary students to pass, as part of the examination of licensure-specific teaching skills,  
6.30 test items assessing the candidates' knowledge, skill, and ability in comprehensive,  
6.31 scientifically based reading instruction under section 122A.06, subdivision 4, and their  
6.32 knowledge and understanding of the foundations of reading development, the development  
6.33 of reading comprehension, and reading assessment and instruction, and their ability to  
6.34 integrate that knowledge and understanding.

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

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

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

7.18 ~~(i)~~ (h) The board must receive recommendations from local committees as established  
 7.19 by the board for the renewal of teaching licenses. The board must require a licensed teacher  
 7.20 who is renewing a ~~professional five-year~~ Tier 3 or 4 teaching license to include in the renewal  
 7.21 requirements further preparation in English language development and specially designed  
 7.22 content instruction in English for English learners.

7.23 ~~(j)~~ ~~The board must grant life licenses to those who qualify according to requirements~~  
 7.24 ~~established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and~~  
 7.25 ~~214.10. The board must not establish any expiration date for application for life licenses.~~

7.26 ~~(k)~~ (i) The board must adopt rules that require all licensed teachers who are renewing  
 7.27 their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal  
 7.28 requirements further preparation in the areas of using positive behavior interventions and  
 7.29 in accommodating, modifying, and adapting curricula, materials, and strategies to  
 7.30 appropriately meet the needs of individual students and ensure adequate progress toward  
 7.31 the state's graduation rule.

7.32 ~~(l)~~ (j) In adopting rules to license public school teachers who provide health-related  
 7.33 services for disabled children, the board shall adopt rules consistent with license or

8.1 registration requirements of the commissioner of health and the health-related boards who  
 8.2 license personnel who perform similar services outside of the school.

8.3 ~~(m)~~ (k) The board must adopt rules that require all licensed teachers who are renewing  
 8.4 their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal  
 8.5 requirements further reading preparation, consistent with section 122A.06, subdivision 4.  
 8.6 ~~The rules do not take effect until they are approved by law.~~ Teachers who do not provide  
 8.7 direct instruction including, at least, counselors, school psychologists, school nurses, school  
 8.8 social workers, audiovisual directors and coordinators, and recreation personnel are exempt  
 8.9 from this section.

8.10 ~~(n)~~ (l) The board must adopt rules that require all licensed teachers who are renewing  
 8.11 their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal  
 8.12 requirements at least one hour of suicide prevention best practices in each licensure renewal  
 8.13 period that are based on nationally recognized evidence-based programs and practices,  
 8.14 among the continuing education credits required to renew a license under this paragraph,  
 8.15 and further preparation, first, in understanding the key warning signs of early-onset mental  
 8.16 illness in children and adolescents and then, during subsequent licensure renewal periods,  
 8.17 preparation may include providing a more in-depth understanding of students' mental illness  
 8.18 trauma, accommodations for students' mental illness, parents' role in addressing students'  
 8.19 mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section  
 8.20 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar  
 8.21 topics.

8.22 ~~(o) The board must adopt rules by January 1, 2016, to license applicants under sections~~  
 8.23 ~~122A.23 and 122A.245. The rules must permit applicants to demonstrate their qualifications~~  
 8.24 ~~through the board's recognition of a teaching license from another state in a similar content~~  
 8.25 ~~field, completion of a state-approved teacher preparation program, teaching experience as~~  
 8.26 ~~the teacher of record in a similar licensure field, depth of content knowledge, depth of~~  
 8.27 ~~content methods or general pedagogy, subject-specific professional development and~~  
 8.28 ~~contribution to the field, or classroom performance as determined by documented student~~  
 8.29 ~~growth on normed assessments or documented effectiveness on evaluations. The rules must~~  
 8.30 ~~adopt criteria for determining a "similar content field" and "similar licensure area."~~

8.31 **EFFECTIVE DATE.** This section is effective July 1, 2018.

8.32 Sec. 9. Minnesota Statutes 2016, section 122A.09, subdivision 4a, is amended to read:

8.33 Subd. 4a. **Teacher and administrator preparation and performance data; report.**

8.34 (a) The Professional Educator Licensing and Standards Board of Teaching and the Board



9.1 of School Administrators, in cooperation with the Minnesota Association of Colleges of  
 9.2 Teacher Education and Minnesota colleges and universities offering board-adopted teacher  
 9.3 or administrator preparation programs, annually must collect and report summary data on  
 9.4 teacher and administrator preparation and performance outcomes, consistent with this  
 9.5 subdivision. The Professional Educator Licensing and Standards Board of Teaching and  
 9.6 the Board of School Administrators annually by June 1 must update and post the reported  
 9.7 summary preparation and performance data on teachers and administrators from the preceding  
 9.8 school years on a Web site hosted jointly by the boards.

9.9 (b) Publicly reported summary data on teacher preparation programs must include:  
 9.10 student entrance requirements for each Professional Educator Licensing and Standards  
 9.11 Board of Teaching-approved approved program, including grade point average for enrolling  
 9.12 students in the preceding year; the average board-adopted skills examination or ACT or  
 9.13 SAT scores of students entering the program in the preceding year; summary data on faculty  
 9.14 qualifications, including at least the content areas of faculty undergraduate and graduate  
 9.15 degrees and their years of experience either as kindergarten through grade 12 classroom  
 9.16 teachers or school administrators; the average time resident and nonresident program  
 9.17 graduates in the preceding year needed to complete the program; the current number and  
 9.18 percent of students by program who graduated, received a standard Minnesota teaching  
 9.19 license, and were hired to teach full time in their licensure field in a Minnesota district or  
 9.20 school in the preceding year, disaggregated by race, except when disaggregation would not  
 9.21 yield statistically reliable results or would reveal personally identifiable information about  
 9.22 an individual; the number of content area credits and other credits by undergraduate program  
 9.23 that students in the preceding school year needed to complete to graduate; students' pass  
 9.24 rates on skills and subject matter exams required for graduation in each program and licensure  
 9.25 area in the preceding school year; survey results measuring student and graduate satisfaction  
 9.26 with the program in the preceding school year, disaggregated by race, except when  
 9.27 disaggregation would not yield statistically reliable results or would reveal personally  
 9.28 identifiable information about an individual; a standard measure of the satisfaction of school  
 9.29 principals or supervising teachers with the student teachers assigned to a school or supervising  
 9.30 teacher; and information under paragraphs (d) and (e). Program reporting must be consistent  
 9.31 with subdivision 11.

9.32 (c) Publicly reported summary data on administrator preparation programs approved by  
 9.33 the Board of School Administrators must include: summary data on faculty qualifications,  
 9.34 including at least the content areas of faculty undergraduate and graduate degrees and their  
 9.35 years of experience either as kindergarten through grade 12 classroom teachers or school

10.1 administrators; the average time program graduates in the preceding year needed to complete  
 10.2 the program; the current number and percent of students who graduated, received a standard  
 10.3 Minnesota administrator license, and were employed as an administrator in a Minnesota  
 10.4 school district or school in the preceding year, disaggregated by race, except when  
 10.5 disaggregation would not yield statistically reliable results or would reveal personally  
 10.6 identifiable information about an individual; the number of credits by graduate program  
 10.7 that students in the preceding school year needed to complete to graduate; survey results  
 10.8 measuring student, graduate, and employer satisfaction with the program in the preceding  
 10.9 school year, disaggregated by race, except when disaggregation would not yield statistically  
 10.10 reliable results or would reveal personally identifiable information about an individual; and  
 10.11 information under paragraphs (f) and (g). Program reporting must be consistent with section  
 10.12 122A.14, subdivision 10.

10.13 (d) School districts annually by October 1 must report to the Professional Educator  
 10.14 Licensing and Standards Board of Teaching the following information for all teachers who  
 10.15 finished the probationary period and accepted a continuing contract position with the district  
 10.16 from September 1 of the previous year through August 31 of the current year: the  
 10.17 effectiveness category or rating of the teacher on the summative evaluation under section  
 10.18 122A.40, subdivision 8, or 122A.41, subdivision 5; the licensure area in which the teacher  
 10.19 primarily taught during the three-year evaluation cycle; and the teacher preparation program  
 10.20 preparing the teacher in the teacher's primary areas of instruction and licensure.

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

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

10.34 (g) School districts annually by October 1 must report to the Board of School  
 10.35 Administrators all probationary school principals and assistant principals in the district who

11.1 were released or whose contracts were not renewed from September 1 of the previous year  
 11.2 through August 31 of the current year.

11.3 **EFFECTIVE DATE.** This section is effective January 1, 2018.

11.4 Sec. 10. Minnesota Statutes 2016, section 122A.09, subdivision 6, is amended to read:

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

11.13 **EFFECTIVE DATE.** This section is effective January 1, 2018.

11.14 Sec. 11. Minnesota Statutes 2016, section 122A.09, subdivision 7, is amended to read:

11.15 Subd. 7. ~~Commissioner's assistance;~~ **Professional Educator Licensing and Standards**  
 11.16 **Board money.** ~~The commissioner shall provide all necessary materials and assistance for~~  
 11.17 ~~the transaction of the business of the Board of Teaching and~~ All moneys received by the  
 11.18 Professional Educator Licensing and Standards Board of Teaching shall be paid into the  
 11.19 state treasury as provided by law. The expenses of administering sections 122A.01, 122A.05  
 11.20 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.187, 122A.188,  
 11.21 122A.20, 122A.21, 122A.22, 122A.23, 122A.245, 122A.26, 122A.30, 122A.40, 122A.41,  
 11.22 122A.42, 122A.45, 122A.49, 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which  
 11.23 are incurred by the Professional Educator Licensing and Standards Board of Teaching shall  
 11.24 be paid for from appropriations made to the Professional Educator Licensing and Standards  
 11.25 Board of Teaching.

11.26 **EFFECTIVE DATE.** This section is effective January 1, 2018.

11.27 Sec. 12. Minnesota Statutes 2016, section 122A.09, subdivision 9, is amended to read:

11.28 Subd. 9. **Professional Educator Licensing and Standards Board may must adopt**  
 11.29 **rules.** (a) The Professional Educator Licensing and Standards Board of Teaching may must  
 11.30 adopt rules subject to the provisions of chapter 14 to implement sections 122A.05 to 122A.09,  
 11.31 122A.16, 122A.17, 122A.18, 122A.187, 122A.188, 122A.20, 122A.21, and 122A.23.

12.1 (b) If a rule adopted by the board is in conflict with a session law or statute, the law or  
 12.2 statute prevails. Terms adopted in rule must be clearly defined and must not be construed  
 12.3 to conflict with terms adopted in statute or session law.

12.4 (c) The board must include a description of a proposed rule's probable effect on teacher  
 12.5 supply and demand in the board's statement of need and reasonableness under section 14.131.

12.6 **EFFECTIVE DATE.** This section is effective July 1, 2018.

12.7 Sec. 13. Minnesota Statutes 2016, section 122A.09, subdivision 10, is amended to read:

12.8 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and  
 12.9 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant  
 12.10 waivers to its rules upon application by a school district or a charter school for purposes of  
 12.11 implementing experimental programs in learning or management.

12.12 (b) To enable a school district or a charter school to meet the needs of students enrolled  
 12.13 in an alternative education program and to enable licensed teachers instructing those students  
 12.14 to satisfy content area licensure requirements, the Professional Educator Licensing and  
 12.15 Standards Board of Teaching annually may permit a licensed teacher teaching in an  
 12.16 alternative education program to instruct students in a content area for which the teacher is  
 12.17 not licensed, consistent with paragraph (a).

12.18 (c) A special education license permission issued by the Professional Educator Licensing  
 12.19 and Standards Board of Teaching for a primary employer's low-incidence region is valid  
 12.20 in all low-incidence regions.

12.21 ~~(d) The Board of Teaching may issue a one-year professional license under paragraph~~  
 12.22 ~~(a), which the board may renew two times, to allow a person holding a full credential from~~  
 12.23 ~~the American Montessori Society, a diploma from Association Montessori Internationale,~~  
 12.24 ~~or a certificate of completion from a program accredited by the Montessori Accreditation~~  
 12.25 ~~Council for Teacher Education to teach in a Montessori program operated by a school district~~  
 12.26 ~~or charter school.~~

12.27 ~~(e) The Board of Teaching may grant a one-year waiver, renewable two times, to allow~~  
 12.28 ~~individuals who hold a bachelor's degree from an accredited postsecondary institution,~~  
 12.29 ~~demonstrate occupational competency based on at least three years of full-time work~~  
 12.30 ~~experience in business or industry, and enroll and make satisfactory progress in an alternative~~  
 12.31 ~~preparation program leading to certification as a career and technical education instructor~~  
 12.32 ~~to teach career and technical education courses offered by a school district or charter school.~~  
 12.33 Consistent with ~~this paragraph~~ and section 136F.361, the Professional Educator Licensing

13.1 ~~and Standards Board of Teaching~~ must strongly encourage approved college or  
 13.2 university-based teacher preparation programs ~~and institutions~~ throughout Minnesota to  
 13.3 develop alternative pathways for certifying and licensing high school career and technical  
 13.4 education instructors and teachers, allowing such candidates to meet certification and  
 13.5 licensure standards that demonstrate their content knowledge, classroom experience, and  
 13.6 pedagogical practices and their qualifications based on a combination of occupational testing,  
 13.7 professional certification or licensure, and long-standing work experience.

13.8 **EFFECTIVE DATE.** This section is effective July 1, 2018.

13.9 Sec. 14. Minnesota Statutes 2016, section 122A.22, is amended to read:

13.10 **122A.22 DISTRICT VERIFICATION OF TEACHER LICENSES.**

13.11 No person shall be accounted a qualified teacher until the school district or charter school  
 13.12 contracting with the person for teaching services verifies through the Minnesota education  
 13.13 licensing system available on the ~~department~~ Professional Educator Licensing and Standards  
 13.14 Board Web site that the person is a qualified teacher, consistent with sections 122A.16 and  
 13.15 122A.44, subdivision 1.

13.16 **EFFECTIVE DATE.** This section is effective January 1, 2018.

13.17 Sec. 15. Minnesota Statutes 2016, section 127A.05, subdivision 6, is amended to read:

13.18 Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's  
 13.19 school districts and teacher preparation programs and report to the education committees  
 13.20 of the legislature by February 1 of each odd-numbered year until 2020 on the status of  
 13.21 teacher early retirement patterns, the access to effective and more diverse teachers who  
 13.22 reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled  
 13.23 in a district or school, the teacher shortage, and the substitute teacher shortage, including  
 13.24 patterns and shortages in subject areas and the economic development regions of the state.  
 13.25 The report must also include: aggregate data on teachers' self-reported race and ethnicity;  
 13.26 data on how districts are making progress in hiring teachers and substitutes in the areas of  
 13.27 shortage; and a five-year projection of teacher demand for each district, taking into account  
 13.28 the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to  
 13.29 enroll in the district during that five-year period.

13.30 Sec. 16. Minnesota Statutes 2016, section 214.04, subdivision 1, is amended to read:

13.31 Subdivision 1. **Services provided.** The commissioner ~~of education with respect to the~~  
 13.32 ~~Board of Teaching; the commissioner~~ of public safety with respect to the Board of Private

14.1 Detective and Protective Agent Services; the Board of Peace Officer Standards and Training;  
 14.2 and the commissioner of revenue with respect to the Board of Assessors, shall provide  
 14.3 suitable offices and other space, joint conference and hearing facilities, examination rooms,  
 14.4 and the following administrative support services: purchasing service, accounting service,  
 14.5 advisory personnel services, consulting services relating to evaluation procedures and  
 14.6 techniques, data processing, duplicating, mailing services, automated printing of license  
 14.7 renewals, and such other similar services of a housekeeping nature as are generally available  
 14.8 to other agencies of state government. Investigative services shall be provided the boards  
 14.9 by employees of the Office of Attorney General. The commissioner of health with respect  
 14.10 to the health-related licensing boards shall provide mailing and office supply services and  
 14.11 may provide other facilities and services listed in this subdivision at a central location upon  
 14.12 request of the health-related licensing boards. The commissioner of commerce with respect  
 14.13 to the remaining non-health-related licensing boards shall provide the above facilities and  
 14.14 services at a central location for the remaining non-health-related licensing boards. The  
 14.15 legal and investigative services for the boards shall be provided by employees of the attorney  
 14.16 general assigned to the departments servicing the boards. Notwithstanding the foregoing,  
 14.17 the attorney general shall not be precluded by this section from assigning other attorneys  
 14.18 to service a board if necessary in order to insure competent and consistent legal  
 14.19 representation. Persons providing legal and investigative services shall to the extent  
 14.20 practicable provide the services on a regular basis to the same board or boards.

14.21 **EFFECTIVE DATE.** This section is effective July 1, 2018.

14.22 Sec. 17. Minnesota Statutes 2016, section 214.045, is amended to read:

14.23 **214.045 COORDINATION WITH PROFESSIONAL EDUCATOR LICENSING**  
 14.24 **AND STANDARDS BOARD OF TEACHING.**

14.25 The commissioner of health and the health-related licensing boards must coordinate  
 14.26 with the Professional Educator Licensing and Standards Board of Teaching when modifying  
 14.27 licensure requirements for regulated persons in order to have consistent regulatory  
 14.28 requirements for personnel who perform services in schools.

14.29 **EFFECTIVE DATE.** This section is effective January 1, 2018.

14.30 Sec. 18. **TRANSFER OF POWERS.**

14.31 (a) The creation of the Professional Educator Licensing and Standards Board shall be  
 14.32 considered a transfer by law of the responsibilities of the Board of Teaching and the  
 14.33 Minnesota Department of Education with respect to licensure and credentialing of teachers

15.1 and school personnel to the Professional Educator Licensing and Standards Board for  
 15.2 purposes of Minnesota Statutes, section 15.039. All classified and unclassified positions  
 15.3 associated with the responsibilities being transferred to the Professional Educator Licensing  
 15.4 and Standards Board are transferred with their incumbents to the new agency pursuant to  
 15.5 Minnesota Statutes, section 15.039, subdivision 7, except as otherwise provided in Minnesota  
 15.6 Statutes, section 122A.07.

15.7 (b) The responsibilities of the Minnesota Department of Education with respect to  
 15.8 licensure of school administrators are transferred by law to the Board of School  
 15.9 Administrators for purposes of section 15.039.

15.10 (c) The Professional Educator Licensing and Standards Board must review all rules  
 15.11 adopted by the Board of Teaching and amend or repeal rules not consistent with statute.  
 15.12 The Professional Educator Licensing and Standards Board must review all teacher preparation  
 15.13 programs approved by the Board of Teaching to determine whether the approved programs  
 15.14 meet the needs of schools in Minnesota.

15.15 **EFFECTIVE DATE.** This section is effective January 1, 2018.

15.16 **Sec. 19. FIRST APPOINTMENTS TO THE PROFESSIONAL EDUCATOR**  
 15.17 **LICENSING AND STANDARDS BOARD.**

15.18 The governor shall make appointments to the Professional Educator Licensing and  
 15.19 Standards Board by September 1, 2017, for terms that begin January 1, 2018. The governor  
 15.20 shall designate one member of the board to convene the first meeting by February 1, 2018,  
 15.21 and to act as chair until the board elects a chair at its first meeting.

15.22 **Sec. 20. IMPLEMENTATION REPORT.**

15.23 By January 1, 2019, the Professional Educator Licensing and Standards Board must  
 15.24 prepare a report to the legislature on the implementation of the teacher licensure system  
 15.25 established under sections 122A.18 to 122A.181. The report must include the number of  
 15.26 applicants for license in each tier, the number of applications granted and denied, summary  
 15.27 data on the reasons applications were denied, and the status of the board's rulemaking process  
 15.28 for all licensure-related rules.

15.29 **EFFECTIVE DATE.** This section is effective January 1, 2018.

16.1 Sec. 21. **REVISOR INSTRUCTION.**

16.2 In Minnesota Statutes and Minnesota Rules, the revisor of statutes shall substitute the  
 16.3 term "Professional Educator Licensing and Standards Board" for "Board of Teaching"  
 16.4 wherever the term refers to the powers, duties, and responsibilities of the Board of Teaching.  
 16.5 The revisor shall also make grammatical changes related to the change in terms.

16.6 **ARTICLE 2**

16.7 **LICENSURE**

16.8 Section 1. Minnesota Statutes 2016, section 122A.09, is amended by adding a subdivision  
 16.9 to read:

16.10 Subd. 12. **Endorsement; dual enrollment instruction.** The Board of Teaching must  
 16.11 issue an endorsement for dual enrollment instruction to a high school teacher licensed in a  
 16.12 content-specific field who successfully completes the requirements for providing dual  
 16.13 enrollment instruction in the teacher's licensure field, consistent with board-adopted  
 16.14 standards. The board must adopt standards for this endorsement in consultation with eligible  
 16.15 public postsecondary institutions participating in course agreements under section 124D.09,  
 16.16 subdivision 10. The board-adopted standards for the endorsement must allow a secondary  
 16.17 teacher that receives the endorsement to teach a dual credit course offered by any eligible  
 16.18 postsecondary institution. The endorsement means a change in the teacher's license that  
 16.19 allows the teacher to teach postsecondary college in the schools dual credit courses under  
 16.20 section 124D.09, subdivision 10, at a high school.

16.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

16.22 Sec. 2. Minnesota Statutes 2016, section 122A.17, is amended to read:

16.23 **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

16.24 (a) A rule adopted by the Board of Teaching or the Professional Educator Licensing and  
 16.25 Standards Board must not affect the validity of certificates or licenses to teach in effect on  
 16.26 July 1, 1974, or the rights and privileges of the holders thereof, except that any such  
 16.27 certificate or license may be suspended or revoked for any of the causes and by the procedures  
 16.28 specified by law.

16.29 (b) All teacher licenses in effect on January 1, 2018, shall remain valid for one additional  
 16.30 year after the date the license is scheduled to expire.

16.31 **EFFECTIVE DATE.** This section is effective January 1, 2018.



17.1 Sec. 3. Minnesota Statutes 2016, section 122A.18, subdivision 1, is amended to read:

17.2 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and  
 17.3 Standards Board of Teaching must license teachers, as defined in section 122A.15,  
 17.4 subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision  
 17.5 2. issue teacher licenses to candidates who meet the qualifications prescribed by this chapter.

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

17.8 ~~(e) Licenses under the jurisdiction of the Board of Teaching, the Board of School~~  
 17.9 ~~Administrators, and the commissioner of education must be issued through the licensing~~  
 17.10 ~~section of the department.~~

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

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

17.21 ~~(f)~~ (e) For purposes of the data sharing agreements under paragraphs ~~(d)~~ (c) and ~~(e)~~ (d),  
 17.22 the Professional Educator Licensing and Standards Board of Teaching, Board of School  
 17.23 Administrators, and Department of Education may share private data, as defined in section  
 17.24 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements  
 17.25 must not include educational data, as defined in section 13.32, subdivision 1, but may include  
 17.26 summary data, as defined in section 13.02, subdivision 19, derived from educational data.

17.27 **EFFECTIVE DATE.** This section is effective January 1, 2018.

17.28 Sec. 4. Minnesota Statutes 2016, section 122A.18, subdivision 2, is amended to read:

17.29 Subd. 2. **Teacher and Support personnel qualifications.** (a) The Professional Educator  
 17.30 Licensing and Standards Board of Teaching must issue licenses under its jurisdiction to  
 17.31 persons the board finds to be qualified and competent for their respective positions, including  
 17.32 those meeting the standards adopted under section 122A.09, subdivision 4, paragraph (n).

18.1 (b) The board must ~~require a candidate for teacher licensure to demonstrate~~ establish a  
18.2 passing score on a board-adopted examination of skills in reading, writing, and mathematics,  
18.3 ~~before being~~ for a candidate to be granted a professional five-year Tier 2, 3, or 4 teaching  
18.4 license to provide direct instruction to pupils in prekindergarten, elementary, secondary, or  
18.5 special education programs; ~~except that the board may issue up to four temporary, one-year~~  
18.6 ~~teaching licenses to an otherwise qualified candidate who has not yet passed a board-adopted~~  
18.7 ~~skills exam. At the request of the employing school district or charter school, the Board of~~  
18.8 ~~Teaching may issue an initial professional one-year teaching license to an otherwise qualified~~  
18.9 ~~teacher not passing or demonstrating a passing score on a board-adopted skills examination~~  
18.10 ~~in reading, writing, and mathematics. For purposes of this section, the initial professional~~  
18.11 ~~one-year teaching license issued by the board is limited to the current subject or content~~  
18.12 ~~matter the teacher is employed to teach and limited to the district or charter school requesting~~  
18.13 ~~the initial professional one-year teaching license. If the board denies the request, it must~~  
18.14 ~~provide a detailed response to the school administrator as to the reasons for the denial. The~~  
18.15 board must require colleges and universities offering a board approved teacher preparation  
18.16 program to make available upon request remedial assistance that includes a formal diagnostic  
18.17 component to persons enrolled in their institution who did not achieve a qualifying score  
18.18 on a board-adopted skills examination, including those for whom English is a second  
18.19 language. The colleges and universities must make available assistance in the specific  
18.20 academic areas of candidates' deficiency. School districts may make available upon request  
18.21 similar, appropriate, and timely remedial assistance that includes a formal diagnostic  
18.22 component to those persons employed by the district who completed their teacher education  
18.23 program, who did not achieve a qualifying score on a board-adopted skills examination,  
18.24 and who received an initial professional one-year teaching license to teach in Minnesota.  
18.25 The board of Teaching shall report annually to the education committees of the legislature  
18.26 on the total number of teacher candidates during the most recent school year taking a  
18.27 board-adopted skills examination, the number who achieve a qualifying score on the  
18.28 examination, the number who do not achieve a qualifying score on the examination, and  
18.29 the candidates who have not passed a content or pedagogy exam, disaggregated by categories  
18.30 of race, ethnicity, and eligibility for financial aid.

18.31 (c) ~~The Board of Teaching must grant professional five-year teaching licenses only to~~  
18.32 ~~those persons who have met board criteria for that license, which includes passing a~~  
18.33 ~~board-adopted skills examination in reading, writing, and mathematics, and the exceptions~~  
18.34 ~~in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph.~~  
18.35 The requirement to pass a board-adopted reading, writing, and mathematics skills  
18.36 examination, does not apply to nonnative English speakers, as verified by qualified Minnesota

19.1 school district personnel or Minnesota higher education faculty, who, after meeting the  
 19.2 content and pedagogy requirements under this subdivision, apply for a ~~professional five-year~~  
 19.3 teaching license to provide direct instruction in their native language or world language  
 19.4 instruction under section 120B.022, subdivision 1.

19.5 (d) All colleges and universities approved by the board ~~of teaching~~ to prepare persons  
 19.6 for teacher licensure must include in their teacher preparation programs a common core of  
 19.7 teaching knowledge and skills to be acquired by all persons recommended for teacher  
 19.8 licensure. Among other requirements, teacher candidates must demonstrate the knowledge  
 19.9 and skills needed to provide appropriate instruction to English learners to support and  
 19.10 accelerate their academic literacy, including oral academic language, and achievement in  
 19.11 content areas in a regular classroom setting. This common core shall meet the standards  
 19.12 developed by the interstate new teacher assessment and support consortium in its 1992  
 19.13 "model standards for beginning teacher licensing and development." Amendments to  
 19.14 standards adopted under this paragraph are covered by chapter 14. The board ~~of teaching~~  
 19.15 shall report annually to the education committees of the legislature on the performance of  
 19.16 teacher candidates on common core assessments of knowledge and skills under this paragraph  
 19.17 during the most recent school year.

19.18 **EFFECTIVE DATE.** This section is effective July 1, 2018.

19.19 Sec. 5. Minnesota Statutes 2016, section 122A.18, subdivision 2b, is amended to read:

19.20 Subd. 2b. **Reading specialist.** ~~Not later than July 1, 2002,~~ The Professional Educator  
 19.21 Licensing and Standards Board of Teaching must adopt rules providing for reading teacher  
 19.22 licensure.

19.23 **EFFECTIVE DATE.** This section is effective July 1, 2018.

19.24 Sec. 6. Minnesota Statutes 2016, section 122A.18, subdivision 3, is amended to read:

19.25 Subd. 3. **Supervisory and coach qualifications; code of ethics.** The ~~commissioner of~~  
 19.26 ~~education~~ Professional Educator Licensing and Standards Board must issue licenses under  
 19.27 its jurisdiction to persons the ~~commissioner~~ board finds to be qualified and competent for  
 19.28 their respective positions under the rules it adopts. The ~~commissioner of education~~ board  
 19.29 may develop, by rule, a code of ethics for supervisory personnel covering standards of  
 19.30 professional practices, including areas of ethical conduct and professional performance and  
 19.31 methods of enforcement.

19.32 **EFFECTIVE DATE.** This section is effective July 1, 2018.

20.1 Sec. 7. Minnesota Statutes 2016, section 122A.18, subdivision 3a, is amended to read:

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

20.6 **EFFECTIVE DATE.** This section is effective January 1, 2018.

20.7 Sec. 8. Minnesota Statutes 2016, section 122A.18, subdivision 7a, is amended to read:

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

20.12 (b) The Professional Educator Licensing and Standards Board of Teaching ~~of Teaching~~ may issue a  
 20.13 lifetime qualified short-call or long-call substitute teaching license to a person who:

20.14 (1) was a qualified teacher under section 122A.16 while holding a ~~professional five-year~~  
 20.15 Tier 3 or Tier 4 teaching license issued by the board, under section 122A.181, and receives  
 20.16 a retirement annuity from the Teachers Retirement Association or the St. Paul Teachers  
 20.17 Retirement Fund Association;

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

20.20 7(3) held a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board,  
 20.21 under section 122A.181, taught at least three school years in an accredited nonpublic school  
 20.22 in Minnesota, and receives a retirement annuity as a result of the person's teaching experience.

20.23 A person holding a lifetime qualified short-call or long-call substitute teaching license is  
 20.24 not required to complete continuing education clock hours. A person holding this license  
 20.25 may reapply to the board for either:

20.26 (i) a ~~professional five-year~~ Tier 3 or Tier 4 teaching license under section 122A.181,  
 20.27 and must again complete continuing education clock hours one school year after receiving  
 20.28 the ~~professional five-year~~ Tier 3 or Tier 4 teaching license; or

20.29 (ii) a Tier 1 license under section 122A.181, provided that the candidate has a bachelor's  
 20.30 degree, an associate's degree, or an appropriate professional credential in the content area  
 20.31 the candidate will teach.

20.32 **EFFECTIVE DATE.** This section is effective July 1, 2018.

21.1 Sec. 9. Minnesota Statutes 2016, section 122A.18, subdivision 7c, is amended to read:

21.2 Subd. 7c. **Temporary military license.** The Professional Educator Licensing and  
 21.3 Standards Board of Teaching shall establish a temporary license in accordance with section  
 21.4 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$87.90  
 21.5 for an online application or \$86.40 for a paper application. The board must provide candidates  
 21.6 for a license under this subdivision with information regarding the tiered licensure system  
 21.7 provided in section 122A.181.

21.8 **EFFECTIVE DATE.** This section is effective July 1, 2018.

21.9 Sec. 10. Minnesota Statutes 2016, section 122A.18, subdivision 8, is amended to read:

21.10 Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards  
 21.11 Board of Teaching and the commissioner of education the Board of School Administrators  
 21.12 must request a criminal history background check from the superintendent of the Bureau  
 21.13 of Criminal Apprehension on all first-time teaching applicants for licenses under their  
 21.14 jurisdiction. Applicants must include with their licensure applications:

21.15 (1) an executed criminal history consent form, including fingerprints; and

21.16 (2) a money order or cashier's check payable to the Bureau of Criminal Apprehension  
 21.17 for the fee for conducting the criminal history background check.

21.18 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the  
 21.19 background check required under paragraph (a) by retrieving criminal history data as defined  
 21.20 in section 13.87 and shall also conduct a search of the national criminal records repository.  
 21.21 The superintendent is authorized to exchange fingerprints with the Federal Bureau of  
 21.22 Investigation for purposes of the criminal history check. The superintendent shall recover  
 21.23 the cost to the bureau of a background check through the fee charged to the applicant under  
 21.24 paragraph (a).

21.25 (c) The Professional Educator Licensing and Standards Board of Teaching or the  
 21.26 commissioner of education Board of School Administrators may issue a license pending  
 21.27 completion of a background check under this subdivision, but must notify the individual  
 21.28 that the individual's license may be revoked based on the result of the background check.  
 21.29 The individual must notify the school district or charter school that employs the individual  
 21.30 as a teacher that the individual's license has been revoked.

21.31 **EFFECTIVE DATE.** This section is effective July 1, 2018.

22.1 Sec. 11. [122A.181] TIERED LICENSURE SYSTEM.

22.2 Subdivision 1. Professional Educator Licensing and Standards Board to issue  
 22.3 licenses. (a) The Professional Educator Licensing and Standards Board must license teachers  
 22.4 as defined in section 122A.15, subdivision 1. The tiered licensure system supersedes the  
 22.5 licensure system implemented under Minnesota Statutes 2016, section 122A.18, and  
 22.6 Minnesota Rules, part 8710.0300.

22.7 (b) The Professional Educator Licensing and Standards Board must issue a license to  
 22.8 candidates who meet the qualifications prescribed by this chapter.

22.9 Subd. 2. Licensure tiers. The Professional Educator Licensing and Standards Board  
 22.10 must issue a license to candidates who meet the qualifications for the appropriate tier  
 22.11 according to the following table:

22.12	<u>License Name</u>	<u>Duration</u>	<u>Renewal</u>	<u>Qualifications</u>
22.13	<u>Tier 1 license</u>	<u>One year</u>	<u>Unlimited</u>	<u>At least one of the following:</u>
22.14	<u>(1) for a license to teach career and technical</u>			
22.15	<u>education, at least one of the following:</u>			
22.16	<u>(i) an associate's degree in the content area;</u>			
22.17	<u>(ii) professional credential; or</u>			
22.18	<u>(iii) five years of work experience in the content</u>			
22.19	<u>area; or</u>			
22.20	<u>(2) for a license to teach in a content area not</u>			
22.21	<u>included in clause (1), a baccalaureate degree.</u>			
22.22	<u>A school board must demonstrate to the</u>			
22.23	<u>Professional Educator Licensing and Standards</u>			
22.24	<u>Board that it has posted the position for at least</u>			
22.25	<u>30 days but was unable to hire a teacher with a</u>			
22.26	<u>Tier 2, 3, or 4 license for the position and that</u>			
22.27	<u>the candidate has the necessary skills and</u>			
22.28	<u>knowledge to teach in a specified content area.</u>			
22.29	<u>A candidate meeting the above qualifications</u>			
22.30	<u>must be granted a Tier 1 license upon the</u>			
22.31	<u>request of the employing school board or charter</u>			
22.32	<u>school board.</u>			
22.33	<u>Years worked with a Tier 1 license do not count</u>			
22.34	<u>towards the candidate's continuing contract</u>			
22.35	<u>under section 122A.40 or 122A.41.</u>			
22.36	<u>Must participate in a school district's mentorship</u>			
22.37	<u>and evaluation program that includes an</u>			
22.38	<u>individual growth and development plan.</u>			
22.39	<u>Tier 2 license</u>	<u>Two years</u>	<u>Up to two</u>	<u>Meets Tier 1 qualifications and at least one of</u>
22.40	<u>the following:</u>			
22.41	<u>(1) enrolled in and making satisfactory progress</u>			
22.42	<u>in a Professional Educator Licensing and</u>			

23.1				<u>Standards Board approved teacher preparation</u>
23.2				<u>program;</u>
23.3				<u>(2) passing scores on all required skills, content</u>
23.4				<u>area, and pedagogy licensure exams; or</u>
23.5				<u>(3) master's degree in content area.</u>
23.6				<u>A school board must confirm that the candidate</u>
23.7				<u>has the necessary skills and knowledge to teach</u>
23.8				<u>in a specified content area.</u>
23.9				<u>Years worked with a Tier 2 license only count</u>
23.10				<u>towards the candidate's continuing contract</u>
23.11				<u>under section 122A.40 or 122A.41, if the</u>
23.12				<u>candidate subsequently obtains a Tier 3 or Tier</u>
23.13				<u>4 license.</u>
23.14				<u>Must participate in a school district's mentorship</u>
23.15				<u>and evaluation program that includes an</u>
23.16				<u>individual growth and development plan.</u>
23.17	<u>Tier 3 license</u>	<u>Three years</u>	<u>One</u>	<u>Meets Tier 1 qualifications and at least one of</u>
23.18				<u>the following:</u>
23.19				<u>(1) successful completion of a Professional</u>
23.20				<u>Educator Licensing and Standards Board</u>
23.21				<u>approved teacher preparation program;</u>
23.22				<u>(2) successful completion of an out-of-state</u>
23.23				<u>teacher preparation program that includes</u>
23.24				<u>field-specific methods training and field-specific</u>
23.25				<u>student teaching;</u>
23.26				<u>(3) an out-of-state professional teaching license</u>
23.27				<u>in good standing;</u>
23.28				<u>(4) passing scores on all required skills, content</u>
23.29				<u>area, and pedagogy licensure exams; or</u>
23.30				<u>(5) National Board for Professional Teaching</u>
23.31				<u>Standards certification.</u>
23.32				<u>And meets at least one of the following criteria:</u>
23.33				<u>(1) 12 weeks of student teaching experience;</u>
23.34				<u>(2) two years of field-specific teaching</u>
23.35				<u>experience; or</u>
23.36				<u>(3) completion of a comprehensive teacher</u>
23.37				<u>mentoring program offered by a Minnesota</u>
23.38				<u>school.</u>
23.39				<u>Must participate in a school district's evaluation</u>
23.40				<u>program that includes an individual growth and</u>
23.41				<u>development plan.</u>
23.42	<u>Tier 4 license</u>	<u>Five years</u>	<u>Unlimited</u>	<u>Meets Tier 3 qualifications and the following:</u>
23.43				<u>(1) at least three years teaching experience in</u>
23.44				<u>any state; and</u>
23.45				<u>(2) passing scores on all required skills, content</u>
23.46				<u>area, and pedagogy licensure exams.</u>

24.1 Must participate in a school district's evaluation  
 24.2 program that includes an individual growth and  
 24.3 development plan.

24.4 Subd. 3. **Assessment alternatives.** A Tier 3 or Tier 4 teacher licensure candidate that  
 24.5 fails, after two attempts, to obtain a passing score on the board-adopted skills examination  
 24.6 in reading, writing, and mathematics may demonstrate to the board that they have attained  
 24.7 the required skills by either of the following:

24.8 (1) completing a portfolio using board-adopted standards; or

24.9 (2) teaching for three years in a Minnesota school with at least one summative teacher  
 24.10 evaluation and showing satisfactory evidence of successful teaching according to section  
 24.11 122A.40, subdivision 8, or section 122A.41, subdivision 5.

24.12 **EFFECTIVE DATE.** This section is effective July 1, 2018.

24.13 Sec. 12. **[122A.187] EXPIRATION AND RENEWAL.**

24.14 Subdivision 1. **License form requirements.** Each license issued under this chapter must  
 24.15 bear the date of issue and the name of the state-approved teacher training provider or  
 24.16 alternative teaching program, as applicable. Licenses must expire and be renewed according  
 24.17 to rules adopted by the Professional Educator Licensing and Standards Board or the Board  
 24.18 of School Administrators. Requirements for renewing a Tier 3 or 4 license must include  
 24.19 showing satisfactory evidence of successful teaching or administrative experience for at  
 24.20 least one school year during the period covered by the license in grades or subjects for which  
 24.21 the license is valid or completing such additional preparation as required under this section,  
 24.22 or as the Professional Educator Licensing and Standards Board prescribes. The Board of  
 24.23 School Administrators shall establish requirements for renewing the licenses of supervisory  
 24.24 personnel except athletic coaches. The Professional Educator Licensing and Standards Board  
 24.25 shall establish requirements for renewing the licenses of athletic coaches.

24.26 Subd. 2. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4  
 24.27 license who have been employed as a teacher during the renewal period of the expiring  
 24.28 license, as a condition of license renewal, must present to the Professional Educator Licensing  
 24.29 and Standards Board evidence of work that demonstrates professional reflection and growth  
 24.30 in best teaching practices, including among other things, practices in meeting the varied  
 24.31 needs of English learners, from young children to adults under section 124D.59, subdivisions  
 24.32 2 and 2a.

24.33 (b) The Professional Educator Licensing and Standards Board must ensure that its teacher  
 24.34 relicensing requirements include paragraph (a).



25.1 **EFFECTIVE DATE.** This section is effective July 1, 2018.

25.2 Sec. 13. **[122A.188] LICENSURE DENIAL; APPEAL.**

25.3 Subdivision 1. **Denial letter.** (a) The Professional Educator Licensing and Standards  
 25.4 Board must inform a candidate within 30 days of receiving a completed application whether  
 25.5 the candidate's application for an initial teaching license or renewal of license has been  
 25.6 approved or denied. When an application is denied, the notification letter must inform the  
 25.7 candidate of the process for seeking review of the denial and of the appeals process provided  
 25.8 in this section, including all deadlines for seeking review of the denial decision and filing  
 25.9 an appeal. The notification letter must identify each licensure requirement the candidate  
 25.10 failed to meet.

25.11 (b) For purposes of this section, the term "denial" means denial of an initial license or  
 25.12 a denial of a renewal license. Denial of an initial license includes a grant of a license that  
 25.13 is a lower tier than the candidate applied for and denial of application for an additional field  
 25.14 of licensure.

25.15 Subd. 2. **Review of denial.** A candidate whose license application is denied may seek  
 25.16 review of the denial by submitting a letter to the Professional Educator Licensing and  
 25.17 Standards Board within 30 calendar days of receipt of the denial letter. The candidate may  
 25.18 include any documentation necessary to demonstrate that the candidate meets the licensure  
 25.19 requirements. The board must review the denial within 60 calendar days of receipt of the  
 25.20 letter seeking review. If the board affirms the denial, the board must send the candidate a  
 25.21 letter identifying each licensure requirement the candidate failed to meet and informing the  
 25.22 candidate of the appeal process provided under this section.

25.23 Subd. 3. **Appeal.** A candidate whose application for license or license renewal has been  
 25.24 denied under subdivisions 1 and 2 may appeal the decision by filing a written request with  
 25.25 the Professional Educator Licensing and Standards Board within 30 days of notice that the  
 25.26 board has affirmed the denial of license. The board must then initiate a contested case under  
 25.27 the Administrative Procedure Act, sections 14.001 to 14.69.

25.28 **EFFECTIVE DATE.** This section is effective July 1, 2018.

25.29 Sec. 14. Minnesota Statutes 2016, section 122A.19, is amended to read:

25.30 **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS;**  
 25.31 **LICENSES.**

26.1 Subdivision 1. **Bilingual and English as a second language licenses.** The Professional  
 26.2 Educator Licensing and Standards Board of Teaching, hereinafter the board, must grant  
 26.3 teaching licenses in bilingual education and English as a second language to persons who  
 26.4 present satisfactory evidence that they:

26.5 ~~(a)~~ (1) possess competence and communicative skills in English and in another language;

26.6 ~~(b)~~ (2) possess a bachelor's degree or other academic degree approved by the board, and  
 26.7 meet such requirements as to course of study and training as the board may prescribe,  
 26.8 consistent with subdivision 4; and

26.9 (3) meet all other requirements for a teaching license provided in section 122A.18.

26.10 Subd. 2. **Persons holding general teaching licenses.** The board may license a person  
 26.11 who holds a ~~general~~ teaching license in any tier under section 122A.181, and who presents  
 26.12 the board with satisfactory evidence of competence and communicative skills in a language  
 26.13 other than English under this section.

26.14 Subd. 4. **Teacher preparation programs.** For the purpose of licensing bilingual and  
 26.15 English as a second language teachers, the board may approve programs at colleges or  
 26.16 universities designed for their training. These programs must provide instruction in  
 26.17 implementing research-based practices designed specifically for English learners. The  
 26.18 programs must focus on developing English learners' academic language proficiency in  
 26.19 English, including oral academic language, giving English learners meaningful access to  
 26.20 the full school curriculum, developing culturally relevant teaching practices appropriate for  
 26.21 immigrant students, and providing more intensive instruction and resources to English  
 26.22 learners with lower levels of academic English proficiency and varied needs, consistent  
 26.23 with section 124D.59, subdivisions 2 and 2a.

26.24 Subd. 5. **Persons eligible for employment.** Any person licensed under this section is  
 26.25 eligible for employment by a school board as a teacher in a bilingual education or English  
 26.26 as a second language program in which the language for which the person is licensed is  
 26.27 taught or used as a medium of instruction. A board may prescribe only those additional  
 26.28 qualifications for teachers licensed under this section that are approved by the board ~~of~~  
 26.29 ~~teaching~~.

26.30 Subd. 6. **Affirmative efforts in hiring.** In hiring for all bilingual education program  
 26.31 positions, districts must give preference to and make affirmative efforts to seek, recruit, and  
 26.32 employ persons who (1) are native speakers of the language which is the medium of  
 26.33 instruction in the bilingual education program or share a native language with the majority  
 26.34 of their students, and (2) share the culture of the English learners enrolled in the program.

27.1 The district shall provide procedures for involving the parent advisory committees in  
 27.2 designing the procedures for recruiting, screening, and selecting applicants. This section  
 27.3 must not be construed to limit the school board's authority to hire and discharge personnel.

27.4 **EFFECTIVE DATE.** This section is effective July 1, 2018.

27.5 Sec. 15. Minnesota Statutes 2016, section 122A.20, subdivision 1, is amended to read:

27.6 Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Professional  
 27.7 Educator Licensing and Standards Board of Teaching or Board of School Administrators,  
 27.8 whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the  
 27.9 school board employing a teacher, a teacher organization, or any other interested person,  
 27.10 refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of  
 27.11 the following causes:

27.12 (1) immoral character or conduct;

27.13 (2) failure, without justifiable cause, to teach for the term of the teacher's contract;

27.14 (3) gross inefficiency or willful neglect of duty;

27.15 (4) failure to meet licensure requirements; or

27.16 (5) fraud or misrepresentation in obtaining a license.

27.17 The written complaint must specify the nature and character of the charges.

27.18 (b) The Professional Educator Licensing and Standards Board of Teaching or Board of  
 27.19 School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse  
 27.20 to issue, refuse to renew, or automatically revoke a teacher's license to teach without the  
 27.21 right to a hearing upon receiving a certified copy of a conviction showing that the teacher  
 27.22 has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first  
 27.23 degree under section 609.322, subdivision 1, sex trafficking in the second degree under  
 27.24 section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage  
 27.25 in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342,  
 27.26 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation  
 27.27 of children to engage in sexual conduct or communication of sexually explicit materials to  
 27.28 children under section 609.352, interference with privacy under section 609.746 or stalking  
 27.29 under section 609.749 and the victim was a minor, using minors in a sexual performance  
 27.30 under section 617.246, possessing pornographic works involving a minor under section  
 27.31 617.247, or any other offense not listed in this paragraph that requires the person to register  
 27.32 as a predatory offender under section 243.166, or a crime under a similar law of another

28.1 state or the United States. The board shall send notice of this licensing action to the district  
28.2 in which the teacher is currently employed.

28.3 (c) A person whose license to teach has been revoked, not issued, or not renewed under  
28.4 paragraph (b), may petition the board to reconsider the licensing action if the person's  
28.5 conviction for child abuse or sexual abuse is reversed by a final decision of the Court of  
28.6 Appeals or the Supreme Court or if the person has received a pardon for the offense. The  
28.7 petitioner shall attach a certified copy of the appellate court's final decision or the pardon  
28.8 to the petition. Upon receiving the petition and its attachment, the board shall schedule and  
28.9 hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the  
28.10 petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal  
28.11 of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified  
28.12 from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing  
28.13 action. If the board finds that the petitioner is not disqualified from teaching under paragraph  
28.14 (a), clause (1), it shall reverse its previous licensing action.

28.15 (d) For purposes of this subdivision, the Professional Educator Licensing and Standards  
28.16 Board of Teaching is delegated the authority to suspend or revoke coaching licenses.

28.17 **EFFECTIVE DATE.** This section is effective July 1, 2018.

28.18 Sec. 16. Minnesota Statutes 2016, section 122A.20, subdivision 2, is amended to read:

28.19 Subd. 2. **Mandatory reporting.** A school board must report to the Professional Educator  
28.20 Licensing and Standards Board of Teaching, the Board of School Administrators, or the  
28.21 Board of Trustees of the Minnesota State Colleges and Universities, whichever has  
28.22 jurisdiction over the teacher's or administrator's license, when its teacher or administrator  
28.23 is discharged or resigns from employment after a charge is filed with the school board under  
28.24 section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed  
28.25 that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses  
28.26 (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation  
28.27 is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41,  
28.28 subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator  
28.29 is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a),  
28.30 clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate  
28.31 licensing board within ten days after the discharge, suspension, or resignation has occurred.  
28.32 The licensing board to which the report is made must investigate the report for violation of  
28.33 subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding  
28.34 any provision in chapter 13 or any law to the contrary, upon written request from the licensing

29.1 board having jurisdiction over the license, a board or school superintendent shall provide  
 29.2 the licensing board with information about the teacher or administrator from the district's  
 29.3 files, any termination or disciplinary proceeding, any settlement or compromise, or any  
 29.4 investigative file. Upon written request from the appropriate licensing board, a board or  
 29.5 school superintendent may, at the discretion of the board or school superintendent, solicit  
 29.6 the written consent of a student and the student's parent to provide the licensing board with  
 29.7 information that may aid the licensing board in its investigation and license proceedings.  
 29.8 The licensing board's request need not identify a student or parent by name. The consent  
 29.9 of the student and the student's parent must meet the requirements of chapter 13 and Code  
 29.10 of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent  
 29.11 form to the district. Any data transmitted to any board under this section is private data  
 29.12 under section 13.02, subdivision 12, notwithstanding any other classification of the data  
 29.13 when it was in the possession of any other agency.

29.14 The licensing board to which a report is made must transmit to the Attorney General's  
 29.15 Office any record or data it receives under this subdivision for the sole purpose of having  
 29.16 the Attorney General's Office assist that board in its investigation. When the Attorney  
 29.17 General's Office has informed an employee of the appropriate licensing board in writing  
 29.18 that grounds exist to suspend or revoke a teacher's license to teach, that licensing board  
 29.19 must consider suspending or revoking or decline to suspend or revoke the teacher's or  
 29.20 administrator's license within 45 days of receiving a stipulation executed by the teacher or  
 29.21 administrator under investigation or a recommendation from an administrative law judge  
 29.22 that disciplinary action be taken.

29.23 **EFFECTIVE DATE.** This section is effective July 1, 2018.

29.24 Sec. 17. Minnesota Statutes 2016, section 122A.21, subdivision 2, is amended to read:

29.25 Subd. 2. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards  
 29.26 Board must develop a process for an eligible candidate ~~may use licensure via portfolio~~ to  
 29.27 obtain a ~~professional five-year teaching~~ any teacher license under section 122A.181, or to  
 29.28 add a licensure field, ~~consistent with applicable Board of Teaching licensure rules~~ via  
 29.29 portfolio.

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

30.1 (c) A candidate seeking to add a licensure field must submit to the ~~Educator Licensing~~  
 30.2 ~~Division at the department~~ board one portfolio demonstrating content competence for each  
 30.3 field the candidate seeks to add.

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

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

30.17 **EFFECTIVE DATE.** This section is effective January 1, 2018.

30.18 Sec. 18. Minnesota Statutes 2016, section 122A.23, subdivision 3, is amended to read:

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

30.30 (b) The Professional Educator Licensing and Standards Board of Teaching must work  
 30.31 with designated authorities in adjoining states to establish interstate teacher licensure  
 30.32 agreements under this section.

30.33 **EFFECTIVE DATE.** This section is effective July 1, 2018.

31.1 Sec. 19. [122A.2451] ALTERNATIVE TEACHER PREPARATION PROVIDERS  
 31.2 AND PROGRAMS.

31.3 Subdivision 1. **Definitions.** (a) "Provider" or "unit" means an eligible entity that seeks  
 31.4 or has obtained approval for an alternative teacher preparation program consistent with this  
 31.5 section.

31.6 (b) "Program" means content provided by a provider that leads toward licensure in a  
 31.7 specific content area.

31.8 Subd. 2. **Purpose.** To provide alternative pathways towards Minnesota teacher licensure  
 31.9 outside of the traditional means, improve ethnic and cultural diversity in the classroom, and  
 31.10 to close the achievement gap, the Professional Educator Licensing and Standards Board  
 31.11 must approve qualified teacher preparation providers and programs under this section that  
 31.12 are a means to acquire a Tier 2 license under section 122A.181 and prepare for acquiring a  
 31.13 Tier 3 license under section 122A.181.

31.14 Subd. 3. **Eligibility.** A school district, charter school, or nonprofit corporation organized  
 31.15 under chapter 317A for an education-related purpose is eligible to participate under this  
 31.16 section. An eligible entity may apply for provider and program approval simultaneously.

31.17 Subd. 4. **Provider approval.** An eligible entity must be approved as a provider before  
 31.18 being approved to provide programs towards licensure. The Professional Educator Licensing  
 31.19 and Standards Board must approve eligible entities under subdivision 3 that meet the  
 31.20 following requirements:

31.21 (1) has evidence and history of fiscal solvency, capacity, and operation;

31.22 (2) has evidence of necessary infrastructure to provide accurate, timely, and secure data  
 31.23 for the purposes of admission, candidate monitoring, testing, background checks, and license  
 31.24 recommendations;

31.25 (3) has policies and procedures in place ensuring the security of candidate records under  
 31.26 the federal Family Educational Rights and Privacy Act;

31.27 (4) has the instructional capacity or ability to obtain the instructional capacity to provide  
 31.28 an adequate instructional phase under subdivision 5; and

31.29 (5) meets all other board-adopted rules for teacher preparation providers.

31.30 Subd. 5. **Program approval.** The board must approve programs offered by approved  
 31.31 providers based on nontraditional criteria. An approved program must have the following  
 31.32 characteristics:

32.1 (1) an instructional phase that provides intensive preparation and observed classroom  
 32.2 experience that is commensurate with the scope of licensure standards defined under rule,  
 32.3 before the teacher candidate assumes classroom responsibilities;

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

32.6 (3) a strategy to combine pedagogy and best teaching practices to better inform teacher  
 32.7 candidates' classroom instruction;

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

32.11 (5) provide intensive and ongoing professional learning opportunities that accelerate  
 32.12 teacher candidates' professional growth, support student learning, and provide a workplace  
 32.13 orientation, professional staff development, mentoring and peer review, focused on standards  
 32.14 of professional practice and continuous professional growth; and

32.15 (6) a process to review a candidate's final proficiency of required licensure content  
 32.16 standards that leads to potential candidate recommendation by the provider to the board for  
 32.17 a Tier 3 teaching license under subdivision 8.

32.18 Subd. 6. **Nontraditional means; program instructors.** (a) The board must permit  
 32.19 alternative teacher preparation providers and teacher candidates to demonstrate pedagogy  
 32.20 and content standard proficiency in school-based programs and through other nontraditional  
 32.21 means. Nontraditional means may include previous work experiences, teaching experiences,  
 32.22 educator evaluations, industry-recognized certifications, and other essentially equivalent  
 32.23 demonstrations.

32.24 (b) The board must use nontraditional criteria to determine qualifications of program  
 32.25 instructors, including permitting instructors to hold a baccalaureate degree only.

32.26 Subd. 7. **Program disapproval, suspension.** If the board determines that a teacher  
 32.27 preparation provider or licensure program fails to meet or is deficient in any of the  
 32.28 requirements of subdivision 5, it may suspend or revoke the approval of the provider or  
 32.29 program after it notifies the provider of the deficiencies and gives the provider an opportunity  
 32.30 to remedy the deficiencies.

32.31 Subd. 8. **Candidate program completion; teacher licensure.** (a) A candidate that  
 32.32 completes an approved program must apply for a license under the tiered licensure system  
 32.33 according to section 122A.181.



33.1 (b) A person who successfully completes another state's alternative teacher preparation  
 33.2 licensure program may apply to the Professional Educator Licensing and Standards Board  
 33.3 for a Tier 3 license.

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

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

33.12 **EFFECTIVE DATE.** This section is effective July 1, 2018.

33.13 Sec. 20. Minnesota Statutes 2016, section 122A.26, subdivision 2, is amended to read:

33.14 Subd. 2. **Exceptions.** A person who teaches in a community education program which  
 33.15 qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements  
 33.16 as a teacher. A person who teaches in an early childhood and family education program  
 33.17 which is offered through a community education program and which qualifies for community  
 33.18 education aid pursuant to section 124D.20 or early childhood and family education aid  
 33.19 pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A  
 33.20 person who teaches in a community education course which is offered for credit for  
 33.21 graduation to persons under 18 years of age shall continue to meet licensure requirements  
 33.22 as a teacher. A person who teaches a driver training course which is offered through a  
 33.23 community education program to persons under 18 years of age shall be licensed by the  
 33.24 Professional Educator Licensing and Standards Board of Teaching or be subject to section  
 33.25 171.35. A license which is required for an instructor in a community education program  
 33.26 pursuant to this subdivision shall not be construed to bring an individual within the definition  
 33.27 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,  
 33.28 clause (a).

33.29 **EFFECTIVE DATE.** This section is effective July 1, 2018.

33.30 Sec. 21. Minnesota Statutes 2016, section 122A.28, is amended to read:

33.31 **122A.28 TEACHERS OF DEAF AND HARD-OF-HEARING STUDENTS;**  
 33.32 **LICENSURE REQUIREMENTS.**

34.1 Subdivision 1. **K-12 license to teach deaf and hard-of-hearing students; relicensure.**

34.2 (a) The Professional Educator Licensing and Standards Board of Teaching must review and  
34.3 determine appropriate licensure requirements for a candidate for a license or an applicant  
34.4 for a continuing license to teach deaf and hard-of-hearing students in prekindergarten through  
34.5 grade 12. In addition to other requirements, a candidate must demonstrate the minimum  
34.6 level of proficiency in American sign language as determined by the board.

34.7 (b) Among other relicensure requirements, each teacher under this section must complete  
34.8 30 continuing education clock hours on hearing loss topics, including American Sign  
34.9 Language, American Sign Language linguistics, or deaf culture, in each licensure renewal  
34.10 period.

34.11 Subd. 2. **Licensure for teaching oral/aural deaf education programs.** (a) The  
34.12 Professional Educator Licensing and Standards Board of Teaching shall adopt a separate  
34.13 licensure rule for a candidate for a license or an applicant for a continuing license to teach  
34.14 in oral/aural deaf education programs or to provide services, including itinerant oral/aural  
34.15 deaf education services, to deaf and hard-of-hearing students in prekindergarten through  
34.16 grade 12.

34.17 (b) The board shall design rule requirements for teaching oral/aural deaf education in  
34.18 collaboration with representatives of parents and educators of deaf and hard-of-hearing  
34.19 students, postsecondary programs preparing teachers of deaf and hard-of-hearing students,  
34.20 and the Department of Education.

34.21 (c) Rule requirements for teaching oral/aural deaf education shall reflect best practice  
34.22 research in oral/aural deaf education. Advanced competencies in teaching deaf and  
34.23 hard-of-hearing students through oral/aural modes shall be included.

34.24 (d) Licensure requirements for teachers of oral/aural deaf education must include  
34.25 minimum competency in American sign language, but are not subject to the guidelines  
34.26 established in Laws 1993, chapter 224, article 3, section 32, as amended by Laws 1998,  
34.27 chapter 398, article 2, section 47. The signed communication proficiency interview shall  
34.28 not be required for teachers licensed to teach deaf and hard-of-hearing students through  
34.29 oral/aural deaf education methods.

34.30 (e) Requirements for teachers or oral/aural deaf education shall include appropriate  
34.31 continuing education requirements for renewing this licensure.

34.32 **EFFECTIVE DATE.** This section is effective July 1, 2018.

35.1 Sec. 22. Minnesota Statutes 2016, section 122A.29, is amended to read:

35.2 **122A.29 TEACHERS OF BLIND AND VISUALLY IMPAIRED STUDENTS;**  
 35.3 **LICENSURE REQUIREMENTS.**

35.4 Teachers licensed in the education of blind and visually impaired students must  
 35.5 demonstrate competence in reading and writing Braille. The Professional Educator Licensing  
 35.6 and Standards Board of Teaching, at such time as a valid and reliable test is available, shall  
 35.7 adopt a rule to assess these competencies that is consistent with the standards of the National  
 35.8 Library Services for the Blind and Physically Handicapped.

35.9 **EFFECTIVE DATE.** This section is effective July 1, 2018.

35.10 Sec. 23. Minnesota Statutes 2016, section 122A.30, is amended to read:

35.11 **122A.30 EXEMPTION FOR CAREER AND TECHNICAL EDUCATION**  
 35.12 **INSTRUCTORS.**

35.13 (a) Notwithstanding section 122A.15, subdivision 1, and upon approval of the local  
 35.14 employer school board, a person who teaches in a part-time vocational or career and technical  
 35.15 education program is exempt from a license requirement. Nothing in this section shall  
 35.16 exclude licensed career and technical educators from the definition of "teacher" in section  
 35.17 122A.40, 122A.41, or 179A.03.

35.18 (b) This section expires June 30, 2020. After this section expires, persons who teach in  
 35.19 a part-time vocational or career and technical education program may apply for a teaching  
 35.20 license provided in section 122A.18.

35.21 **EFFECTIVE DATE.** This section is effective July 1, 2018.

35.22 Sec. 24. Minnesota Statutes 2016, section 124D.13, subdivision 11, is amended to read:

35.23 Subd. 11. **Teachers.** A school board must employ necessary licensed teachers for its  
 35.24 early childhood family education programs. ~~The Board of Teaching, at its discretion, may~~  
 35.25 ~~grant an applicant a variance under this subdivision, consistent with sections 122A.09,~~  
 35.26 ~~subdivision 10, and 122A.25, and Board of Teaching rules.~~

35.27 **EFFECTIVE DATE.** This section is effective July 1, 2018.

35.28 Sec. 25. Minnesota Statutes 2016, section 124D.454, subdivision 12, is amended to read:

35.29 Subd. 12. **Compliance with rules.** Aid must be paid under this section only for services  
 35.30 rendered or for costs incurred in career and technical education programs approved by the

36.1 commissioner and operated in accordance with rules promulgated by the commissioner.  
 36.2 This aid shall be paid only for services rendered and for costs incurred by essential, licensed  
 36.3 personnel who meet the requirements for licensure pursuant to the rules of the ~~Minnesota~~  
 36.4 Professional Educator Licensing and Standards Board of Teaching. Licensed personnel  
 36.5 means persons holding a valid career and technical license issued by the ~~commissioner~~  
 36.6 Professional Educator Licensing and Standards Board under section 122A.30. If an average  
 36.7 of five or fewer secondary full-time equivalent students are enrolled per teacher in an  
 36.8 approved postsecondary program at Intermediate District No. 287, 916, or 917, licensed  
 36.9 personnel means persons holding a valid vocational license issued by the commissioner or  
 36.10 the Board of Trustees of the Minnesota State Colleges and Universities. Notwithstanding  
 36.11 section 127A.42, the commissioner may modify or withdraw the program or aid approval  
 36.12 and withhold aid under this section without proceeding under section 127A.42 at any time.  
 36.13 To do so, the commissioner must determine that the program does not comply with rules  
 36.14 of the Department of Education or that any facts concerning the program or its budget differ  
 36.15 from the facts in the district's approved application.

36.16 **EFFECTIVE DATE.** This section is effective July 1, 2018.

36.17 Sec. 26. Minnesota Statutes 2016, section 124D.75, subdivision 1, is amended to read:

36.18 Subdivision 1. **American Indian language and culture education licenses.** The  
 36.19 Professional Educator Licensing and Standards Board of Teaching, in consultation with the  
 36.20 Tribal Nations Education Committee, must grant initial and continuing teaching licenses  
 36.21 in American Indian language and culture education that bear the same duration as other  
 36.22 initial and continuing licenses. The board must grant licenses to persons who present  
 36.23 satisfactory evidence that they:

36.24 (1) possess competence in an American Indian language or possess unique qualifications  
 36.25 relative to or knowledge and understanding of American Indian history and culture; or

36.26 (2) possess a bachelor's degree or other academic degree approved by the board or meet  
 36.27 such requirements as to course of study and training as the board may prescribe, or possess  
 36.28 such relevant experience as the board may prescribe.

36.29 This evidence may be presented by affidavits, tribal resolutions, or by such other methods  
 36.30 as the board may prescribe. Individuals may present applications for licensure on their own  
 36.31 behalf or these applications may be submitted by the superintendent or other authorized  
 36.32 official of a school district, participating school, or an American Indian school.

36.33 **EFFECTIVE DATE.** This section is effective January 1, 2018.

37.1 Sec. 27. Minnesota Statutes 2016, section 124D.75, subdivision 6, is amended to read:

37.2 Subd. 6. **Persons eligible for employment; exemptions.** Any person licensed under  
 37.3 this section shall be eligible for employment by a school board or a participating school as  
 37.4 a teacher in an American Indian education program in which the American Indian language  
 37.5 or culture in which the person is licensed is taught. A school district or participating school  
 37.6 may prescribe only those additional qualifications for teachers licensed under this section  
 37.7 as are approved by the Professional Educator Licensing and Standards Board of Teaching.  
 37.8 Any school board or participating school upon request may be exempted from the licensure  
 37.9 requirements of this section in the hiring of one or more American Indian language and  
 37.10 culture education teachers for any school year in which compliance would, in the opinion  
 37.11 of the ~~commissioner~~ Professional Educator Licensing and Standards Board, create a hardship  
 37.12 in the securing of the teachers.

37.13 **EFFECTIVE DATE.** This section is effective January 1, 2018.

37.14 Sec. 28. Minnesota Statutes 2016, section 125A.67, subdivision 2, is amended to read:

37.15 Subd. 2. **Teacher standards.** A teacher ~~or administrator~~ at the academies is subject to  
 37.16 the licensure standards of the Professional Educator Licensure and Standards Board of  
 37.17 ~~Teaching or the commissioner of education.~~ An administrator at the academies is subject  
 37.18 to the licensure standards of the Board of School Administrators.

37.19 **EFFECTIVE DATE.** This section is effective July 1, 2018.

37.20 Sec. 29. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

37.21 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given  
 37.22 them in this subdivision.

37.23 (b) "Qualified educational loan" means a government, commercial, or foundation loan  
 37.24 for actual costs paid for tuition and reasonable educational and living expenses related to a  
 37.25 teacher's preparation or further education.

37.26 (c) "School district" means an independent school district, special school district,  
 37.27 intermediate district, education district, special education cooperative, service cooperative,  
 37.28 a cooperative center for vocational education, or a charter school located in Minnesota.

37.29 (d) "Teacher" means an individual holding a teaching license issued by the ~~licensing~~  
 37.30 ~~division in the Department of Education on behalf of the Board of Teaching~~ Professional  
 37.31 Educator Licensure and Standards Board who is employed by a school district to provide  
 37.32 classroom instruction in a teacher shortage area.

38.1 (e) "Teacher shortage area" means the licensure fields and economic development regions  
38.2 reported by the commissioner of education as experiencing a teacher shortage.

38.3 (f) "Commissioner" means the commissioner of the Office of Higher Education unless  
38.4 indicated otherwise.

38.5 **EFFECTIVE DATE.** This section is effective July 1, 2018.

38.6 Sec. 30. **TEACHER OF SPECIAL EDUCATION LICENSE REVIEW.**

38.7 The Professional Educator Licensing and Standards Board must conduct a review of all  
38.8 the available teacher of special education licenses and determine the options for  
38.9 cross-categorical licenses for teachers of special education. The board must report its findings  
38.10 and draft legislation, if needed, to the legislative committees having jurisdiction over  
38.11 kindergarten through grade 12 education by December 14, 2018.

38.12 Sec. 31. **LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.**

38.13 Subdivision 1. **One-year license.** A one-year license issued by the commissioner of  
38.14 education before the effective date of this section must be treated as a Tier 1 license  
38.15 established under Minnesota Statutes, sections 122A.18 and 122A.181.

38.16 Subd. 2. **Two-year license.** A two-year license issued by the commissioner of education  
38.17 before the effective date of this section must be treated as a Tier 2 license established under  
38.18 Minnesota Statutes, sections 122A.18 and 122A.181.

38.19 Subd. 3. **Three-year license.** A three-year license issued by the commissioner of  
38.20 education before the effective date of this section must be treated as a Tier 3 license  
38.21 established under Minnesota Statutes, sections 122A.18 and 122A.181.

38.22 Subd. 4. **Five-year license.** A five-year license issued by the commissioner of education  
38.23 before the effective date of this section must be treated as a Tier 4 license established under  
38.24 Minnesota Statutes, sections 122A.18 and 122A.181.

38.25 **EFFECTIVE DATE.** This section is effective January 1, 2018.

38.26 Sec. 32. **RULE CHANGE; ACADEMIC AND BEHAVIORAL STRATEGIST**  
38.27 **LICENSURE.**

38.28 No later than September 1, 2017, the Board of Teaching must amend Minnesota Rules,  
38.29 part 8710.5050, subpart 4, so that academic and behavioral strategist continuing licenses  
38.30 under that part may be issued and renewed according to rules of the Board of Teaching

39.1 governing continuing licenses and without requiring the candidate to hold or be recommended  
 39.2 for licensure in any other licensure field. The board shall use the good cause exemption  
 39.3 under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under  
 39.4 this section, and Minnesota Statutes, section 14.386, does not apply except as provided in  
 39.5 Minnesota Statutes, section 14.388.

39.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

39.7 Sec. 33. **REPEALER.**

39.8 Minnesota Statutes 2016, sections 122A.162; 122A.163; 122A.18, subdivisions 4, 4a,  
 39.9 and 7; 122A.23, subdivisions 1 and 2; 122A.245; and 122A.25, are repealed.

### 39.10 **ARTICLE 3**

#### 39.11 **NONTEACHER CREDENTIALING**

39.12 Section 1. Minnesota Statutes 2016, section 120B.363, subdivision 1, is amended to read:

39.13 Subdivision 1. **Rulemaking.** The Professional Educator Licensing and Standards Board  
 39.14 ~~of Teaching~~ must adopt rules to implement a statewide credential for education  
 39.15 paraprofessionals who assist a licensed teacher in providing student instruction. Any  
 39.16 paraprofessional holding this credential or working in a local school district after meeting  
 39.17 a state-approved local assessment is considered to be highly qualified under federal law.  
 39.18 Under this subdivision, the Professional Educator Licensing and Standards Board ~~of~~  
 39.19 ~~Teaching~~, in consultation with the commissioner, must adopt qualitative criteria for approving  
 39.20 local assessments that include an evaluation of a paraprofessional's knowledge of reading,  
 39.21 writing, and math and the paraprofessional's ability to assist in the instruction of reading,  
 39.22 writing, and math. The commissioner must approve or disapprove local assessments using  
 39.23 these criteria. The commissioner must make the criteria available to the public.

39.24 **EFFECTIVE DATE.** This section is effective July 1, 2018.

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**122A.162 LICENSURE RULES.**

The commissioner may make rules relating to licensure of school personnel not licensed by the Board of Teaching or Board of School Administrators.

**122A.163 TEACHER RULE VARIANCES; COMMISSIONER.**

Notwithstanding any law to the contrary, and only upon receiving the agreement of the State Board of Teaching or Board of School Administrators, whichever has jurisdiction over the licensure, the commissioner of education may grant a variance to rules governing licensure of persons licensed by the Board of Teaching or Board of School Administrators, whichever has jurisdiction.

**122A.18 BOARD TO ISSUE LICENSES.**

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) Applicants for license renewal who have been employed as a teacher during the renewal period of their expiring license, as a condition of 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 124D.59, subdivisions 2 and 2a. The applicant must include a reflective statement of professional accomplishment and the applicant's own assessment of professional growth showing evidence of:

- (1) support for student learning;
- (2) use of best practices techniques and their applications to student learning;
- (3) collaborative work with colleagues that includes examples of collegiality such as attested-to committee work, collaborative staff development programs, and professional learning community work; or
- (4) continual professional development that may include (i) job-embedded or other ongoing formal professional learning or (ii) for teachers employed for only part of the renewal period of their expiring license, other similar professional development efforts made during the relicensure period.

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

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

Subd. 4a. **Limited provisional licenses.** The board may grant two-year provisional licenses to licensure candidates in a field in which they were not previously licensed or 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.

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

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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.

**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, 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 an 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 area.

(b) The Board of Teaching may issue a 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 area.

(d) The Board of Teaching, consistent with board rules and paragraph (i), must issue up to four initial professional one-year teaching licenses to an applicant who holds or held an out-of-state teaching license to teach a similar 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 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 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 complete field-specific teaching methods 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 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

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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 provisional 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 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 agreement exists to allow fully certified teachers from other states to transfer their certification to Minnesota.

**122A.245 ALTERNATIVE TEACHER PREPARATION PROGRAM AND PRELIMINARY 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 preliminary teacher license, which the board may renew one time for an additional one-year term, and to prepare for acquiring a 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 preliminary 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 workplace orientation, professional staff development, and mentoring and peer review focused on standards of professional practice and continuous professional growth; and

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(6) a requirement that teacher candidates demonstrate to the local site team under subdivision 5 satisfactory progress toward acquiring professional five-year teaching licenses from the Board of Teaching.

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

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

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

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

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

Subd. 4. **Employment conditions.** Where applicable, teacher candidates with a preliminary teacher license under this section are members of the local employee organization representing teachers and subject to the terms of the local collective bargaining agreement between the exclusive representative of the teachers and the school board. A collective bargaining agreement between a school board and the exclusive representative of the teachers must not prevent or restrict or otherwise interfere with a school district's ability to employ a teacher prepared under this section.

Subd. 5. **Approval for professional five-year license.** A school board or its designee must appoint members to a local site team that includes teachers, school administrators, and postsecondary faculty under subdivision 1, paragraph (a), clause (1), or staff of a participating nonprofit corporation under subdivision 1, paragraph (a), clause (2), to evaluate the performance of the teacher candidate. The evaluation must be consistent with board-adopted performance measures, use the Minnesota state standards of effective practice and subject matter content standards for teachers established in Minnesota Rules, and include a report to the board recommending whether or not to issue the teacher candidate a professional five-year teaching license.

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

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

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

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

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

### **122A.25 NONLICENSED COMMUNITY EXPERTS; VARIANCE.**

Subdivision 1. **Authorization.** Notwithstanding any law or commissioner of education rule to the contrary, the Board of Teaching may allow school districts or charter schools to hire nonlicensed community experts to teach in the public schools or charter schools on a limited basis according to this section.

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Subd. 2. **Applications; criteria.** The school district or charter school shall apply to the Board of Teaching for approval to hire nonlicensed teaching personnel from the community. In approving or disapproving the application for each community expert, the board shall consider:

- (1) the qualifications of the community person whom the district or charter school proposes to employ;
- (2) the reasons for the need for a variance from the teacher licensure requirements;
- (3) the district's efforts to obtain licensed teachers, who are acceptable to the school board, for the particular course or subject area or the charter school's efforts to obtain licensed teachers for the particular course or subject area;
- (4) the amount of teaching time for which the community expert would be hired;
- (5) the extent to which the district or charter school is utilizing other nonlicensed community experts under this section;
- (6) the nature of the community expert's proposed teaching responsibility; and
- (7) the proposed level of compensation to the community expert.

Subd. 3. **Approval of plan.** The Board of Teaching shall approve or disapprove an application within 60 days of receiving it from a school district or charter school.

Subd. 4. **Background check.** A school district or charter school shall provide the Board of Teaching with confirmation that criminal background checks have been completed for all nonlicensed community experts employed by the district or charter school and approved by the Board of Teaching under this section.