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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3952

03/05/2026 Authored by Virnig and Reyer
The bill was read for the first time and referred to the Committee on Education Policy

A bill for an act

relating to education; modifying teacher licensure provisions; modifying maltreatment reporting requirements; modifying licensing data classification; amending Minnesota Statutes 2024, sections 13.41, by adding a subdivision; 122A.20, subdivision 2; 127A.42, subdivision 2; 127A.43; 260E.12, subdivision 1; 260E.35, subdivision 5.

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

Section 1. Minnesota Statutes 2024, section 13.41, is amended by adding a subdivision to read:

Subd. 7. **Professional Educator Licensing and Standards Board.** License application denial orders issued or maintained by the Professional Educator Licensing and Standards Board pursuant to section 122A.188 or 122A.20 are classified as public data.

EFFECTIVE DATE. This section is effective July 1, 2026.

Sec. 2. Minnesota Statutes 2024, section 122A.20, subdivision 2, is amended to read:

Subd. 2. **Mandatory reporting.** (a) A school board, superintendent, charter school board, charter school executive director, or charter school authorizer must report to the Professional Educator Licensing and Standards Board, the Board of School Administrators, or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has jurisdiction over the teacher's or administrator's license, when its teacher or administrator:

(1) is discharged or suspended, retires, or resigns from employment after a charge is filed with the school board under section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7~~, or~~;

(2) is discharged or suspended, retires, resigns from employment, or whose contract is not renewed after charges are filed with the school board that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5)~~, or when a teacher or administrator~~;

(3) is suspended ~~or~~, retires, or resigns from employment while an investigation is pending under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5), or ~~chapter 260E; or~~ 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or chapter 260E; ~~or when a teacher or administrator~~

(4) is suspended or discharged, or whose contract is not renewed, without an investigation under section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7, or chapter 260E~~. The~~; or

(5) is criminally charged with any of the automatic revocation offenses enumerated in subdivision 1, paragraph (b), or any other offense not listed in this paragraph that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States.

(b) A report required under this subdivision must be made to the appropriate licensing board within ten days after the discharge, suspension, retirement, nonrenewal, or resignation from employment has occurred. The licensing board to which the report is made must investigate the report for violation of subdivision 1 and the reporting board, administrator, or authorizer must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the licensing board having jurisdiction over the license, a board, charter school, authorizer, charter school executive director, or school superintendent shall provide the licensing board with information and documentation about the teacher or administrator from the district's or teacher's employer files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file. The information the district must provide to the board includes but is not limited to any recordings, correspondence, video, investigative notes, and documentation created in connection with an alleged disciplinary employment action or investigation. Upon written request from the appropriate licensing board, a board or school superintendent may, at the discretion of the board or school superintendent, solicit the written consent of a student and the student's parent to provide the licensing board with information that may aid the licensing board in its investigation and license proceedings. The licensing board's request need not identify a student or parent by name. The consent of the student and the student's parent must meet the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent form to the district. Any data

transmitted to any board under this section is private data under section 13.02, subdivision 12, notwithstanding any other classification of the data when it was in the possession of any other agency.

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

~~(c)~~ (d) The Professional Educator Licensing and Standards Board and Board of School Administrators must report to the appropriate law enforcement authorities a revocation, suspension, or agreement involving a loss of license, relating to a teacher or administrator's inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement authority" means a police department, county sheriff, or Tribal police department. A report by the Professional Educator Licensing and Standards Board to appropriate law enforcement authorities does not diminish, modify, or otherwise affect the responsibilities of a school board or any person mandated to report abuse under chapter 260E.

Sec. 3. Minnesota Statutes 2024, section 127A.42, subdivision 2, is amended to read:

Subd. 2. **Violations of law.** The commissioner may reduce or withhold the district's state aid for any school year whenever the board of the district authorizes or permits violations of law within the district by:

(1) employing a teacher who does not hold a valid teaching license or permit in a public school;

(2) noncompliance with a mandatory rule of general application promulgated by the commissioner in accordance with statute, unless special circumstances make enforcement inequitable, impose an extraordinary hardship on the district, or the rule is contrary to the district's best interests;

(3) the district's continued performance of a contract made for the rental of rooms or buildings for school purposes or for the rental of any facility owned or operated by or under the direction of any private organization, if the contract has been disapproved, the time for

review of the determination of disapproval has expired, and no proceeding for review is pending;

(4) any practice which is a violation of sections 1 and 2 of article 13 of the Constitution of the state of Minnesota;

(5) failure to reasonably provide for a resident pupil's school attendance under Minnesota Statutes;

(6) noncompliance with state laws prohibiting discrimination because of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance or disability, as defined in sections 363A.08 to 363A.19 and 363A.28, subdivision 10; ~~or~~

(7) failure to comply with mandatory reporting requirements in section 122A.20, subdivision 2; or

~~(7)~~ (8) using funds contrary to the statutory purpose of the funds.

The reduction or withholding must be made in the amount and upon the procedure provided in this section, or, in the case of the violation stated in clause (1), upon the procedure provided in section 127A.43.

Sec. 4. Minnesota Statutes 2024, section 127A.43, is amended to read:

127A.43 DISTRICT ~~EMPLOYMENT OF UNLICENSED TEACHERS~~ NONCOMPLIANCE; AID REDUCTION.

When a district fails to comply with mandatory reporting requirements in section 122A.20 or employs one or more teachers who do not hold a valid teaching license, state aid shall be reduced in the proportion that the number of such teachers is to the total number of teachers employed by the district, multiplied by 60 percent of the basic revenue, as defined in section 126C.10, subdivision 2, of the district for the year in which the employment occurred.

Sec. 5. Minnesota Statutes 2024, section 260E.12, subdivision 1, is amended to read:

Subdivision 1. **Police department or county sheriff.** (a) The police department or the county sheriff shall immediately notify the local welfare agency or agency responsible for child protection reports under this chapter orally and in writing when a report is received.

(b) Written reports received by a police department or the county sheriff shall be forwarded immediately to the local welfare agency or the agency responsible for assessing

or investigating the report. The police department or the county sheriff may keep copies of reports received by them.

(c) The county sheriff and the head of each local welfare agency, agency responsible for child protection reports, and police department shall designate a person within the agency, department, or office who is responsible for ensuring that the notification duties of this section are carried out. If the alleged maltreatment occurs on tribal land, the local welfare agency or agency responsible for child protection reports and the local police department or county sheriff shall immediately notify the tribe's social services agency and tribal law enforcement orally and in writing when a report is received. When a police department or county determines that a child has been the subject of maltreatment by a person licensed by the Professional Educator Licensing and Standards Board or the Board of School Administrators, the department or sheriff shall, in addition to other duties under this section, immediately inform the licensing board. The county that determines the maltreatment by a licensed educator shall provide the Professional Educator Licensing and Standards Board with the copies of the maltreatment order and the underlying and unredacted investigative file maintained by the county which led to the determination of maltreatment.

(d) If a child is the victim of an alleged crime under subdivision 2, paragraph (c), the law enforcement agency shall immediately notify the local welfare agency, which shall offer appropriate social services for the purpose of safeguarding and enhancing the welfare of the maltreated child.

Sec. 6. Minnesota Statutes 2024, section 260E.35, subdivision 5, is amended to read:

Subd. 5. **Data provided to commissioner of education.** The commissioner of education must be provided with all requested data that are relevant to a report of maltreatment and are in possession of a school facility as defined in section 260E.03, subdivision 6, clause (2), when the data are requested pursuant to an assessment or investigation of a maltreatment report of a student in a school. If the commissioner of education makes a determination of maltreatment involving an individual performing work within a school facility who is licensed by a board or other agency, the commissioner shall provide to the licensing entity a copy of its offender maltreatment determination report ~~to the licensing entity with all student-identifying information removed~~ and the underlying and unredacted investigative file maintained by the commissioner that led to the offender maltreatment determination report. The offender maltreatment determination report shall include but is not limited to the following sections: report of alleged maltreatment; legal standard; investigation; summary of findings; determination; corrective action by a school; reconsideration process; and a

listing of records related to the investigation. Notwithstanding section 13.03, subdivision 4, data received by a licensing entity under this paragraph are governed by section 13.41 or other applicable law governing data of the receiving entity, except that this section applies to the classification of and access to data on the reporter of the maltreatment.