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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1203

02/02/2023 Authored by Hill
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; modifying membership of the Professional Educator Licensing
1.3 and Standards Board; appropriating money; amending Minnesota Statutes 2022,
1.4 section 122A.07.

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

1.6 Section 1. Minnesota Statutes 2022, section 122A.07, is amended to read:

1.7 122A.07 PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD
1.8 MEMBERSHIP.

1.9 Subdivision 1. Appointment of members. The Professional Educator Licensing and
1.10 Standards Board consists of ~~4~~ 13 members appointed by the governor, with the advice and
1.11 consent of the senate. Membership terms, ~~compensation of members~~, removal of members,
1.12 the filling of membership vacancies, and fiscal year and reporting requirements are as
1.13 provided in sections 214.07 to 214.09. No member may be reappointed for more than one
1.14 additional term.

1.15 Subd. 2. Eligibility; board composition. Each nominee, other than a public nominee,
1.16 must be selected on the basis of professional experience and knowledge of teacher education,
1.17 accreditation, and licensure. The board must be composed of:

1.18 (1) ~~six~~ ten teachers who are currently teaching in a Minnesota school or who were
1.19 teaching at the time of the appointment, have at least five years of teaching experience, and
1.20 were not serving in an administrative function at a school district or school when appointed.

1.21 The ~~six~~ ten teachers must include the following:

1.22 (i) one teacher in a charter school;

2.1 (ii) ~~one teacher~~ two teachers from the seven-county metropolitan area, as defined in
2.2 section 473.121, subdivision 2;

2.3 (iii) ~~one teacher~~ two teachers from outside the seven-county metropolitan area;

2.4 (iv) ~~one teacher~~ two teachers from a related service category licensed by the board, each
2.5 from a different service category;

2.6 (v) one special education teacher; and

2.7 (vi) ~~one teacher~~ two teachers from a teacher preparation program;

2.8 ~~(2) one superintendent that alternates each term between a superintendent from the~~
2.9 ~~seven-county metropolitan area, as defined in section 473.121, subdivision 2, and a~~
2.10 ~~superintendent from outside the metropolitan area;~~

2.11 ~~(3) one school district human resources director;~~

2.12 ~~(4) (2) one administrator of a cooperative unit under section 123A.24, subdivision 2,~~
2.13 ~~who oversees a special education program;~~

2.14 ~~(5) (3) one principal that alternates each term between an elementary and a secondary~~
2.15 ~~school principal; and~~

2.16 ~~(6) (4) one member of the public that may be a current or former school board member.~~

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

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

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

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

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

2.24 (b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first
2.25 appointments to the Professional Educator Licensing and Standards Board for four years
2.26 from September 1, 2017, except that two members of the Board of Teaching as of January
2.27 1, 2017, are eligible for appointment under paragraph (a), clause (1).

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

3.1 Subd. 4. **Terms, compensation; removal; vacancies.** (a) The review and processing
 3.2 of complaints; the setting of fees; the selection and duties of an executive director to serve
 3.3 the board; and other provisions relating to board operations not provided in this chapter are
 3.4 as provided in chapter 214. Membership terms, except as provided in subdivision 2a,
 3.5 ~~compensation of members~~, removal of members, the filling of membership vacancies, and
 3.6 fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

3.7 (b) Board members may receive a stipend of up to \$4,800 annually, prorated per month,
 3.8 during each year of service on the board.

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

3.14 (b) The Department of Administration must provide administrative support in accordance
 3.15 with section 16B.371. The commissioner of administration must assess the board for services
 3.16 it provides under this section.

3.17 ~~(c) The Department of Education must provide suitable offices and other space to the~~
 3.18 ~~board at reasonable cost until January 1, 2020. Thereafter, the board may contract with~~
 3.19 either the Department of Education or the Department of Administration for the provision
 3.20 of suitable offices and other space, joint conference and hearing facilities, and examination
 3.21 rooms.

3.22 Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional
 3.23 Educator Licensing and Standards Board ~~may~~ must reimburse local school districts for the
 3.24 costs of substitute teachers employed when regular teachers are providing professional
 3.25 assistance to the state by serving on the board or on a committee or task force appointed by
 3.26 the board and charged to make recommendations concerning standards for teacher licensure
 3.27 in this state.

3.28 Subd. 6. **Public employer compensation reduction prohibited.** (a) The public employer
 3.29 of a member must not reduce the member's compensation or benefits because of the member's
 3.30 absence from employment when engaging in the business of the board.

3.31 (b) The public employer of a member must grant the member time off to join board
 3.32 meetings, committee meetings, and board retreats.

3.33 **EFFECTIVE DATE.** This section is effective July 1, 2023.

4.1 Sec. 2. **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**
 4.2 **MEMBERSHIP.**

4.3 Notwithstanding any law to the contrary, the terms of the superintendent and school
 4.4 district human resources director on the Professional Educator Licensing and Standards
 4.5 Board expire on July 1, 2023. The governor must nominate members to the Professional
 4.6 Educator Licensing and Standards Board to ensure the board consists of the 13 members
 4.7 required under Minnesota Statutes, section 122A.07, by July 15, 2023.

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

4.9 Sec. 3. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
 4.10 **STANDARDS BOARD.**

4.11 (a) The sums indicated in this section are appropriated from the general fund to the
 4.12 Professional Educator Licensing and Standards Board for the fiscal years designated:

4.13 \$ 2024

4.14 \$ 2025

4.15 (b) Of these amounts, \$62,400 in fiscal year 2024 and \$62,400 in fiscal year 2025 are
 4.16 for board member stipends under Minnesota Statutes, section 122A.07.

4.17 (c) Any balance in the first year does not cancel but is available in the second year.

4.18 (d) The base for fiscal year 2026 and later is \$.....