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State of Minnesota

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**HOUSE OF REPRESENTATIVES**

NINETIETH SESSION

**H. F. No. 140**

- 01/11/2017 Authored by Erickson, Bennett, Ward, Haley, Wills and others  
The bill was read for the first time and referred to the Committee on Education Innovation Policy
- 02/23/2017 Adoption of Report: Amended and re-referred to the Committee on Government Operations and Elections Policy
- 03/01/2017 Adoption of Report: Amended and re-referred to the Committee on Public Safety and Security Policy and Finance
- 03/06/2017 Adoption of Report: Amended and re-referred to the Committee on Education Finance
- 03/13/2017 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 03/23/2017 Adoption of Report: Placed on the General Register as Amended  
Read for the Second Time
- 04/03/2017 Calendar for the Day, Amended  
Read Third Time as Amended  
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments
- 04/24/2017 Returned to the House as Amended by the Senate  
Refused to concur and a Conference Committee was appointed
- 05/16/2017 Read Third Time as Amended by Conference and repassed by the House
- 05/17/2017 Read Third Time as Amended by Conference and repassed by the Senate  
Presented to Governor
- 05/18/2017 Governor Veto

A bill for an act

1.1 relating to education; restructuring Minnesota's teacher licensing system;  
 1.2 establishing the Professional Educator Licensing and Standards Board; transferring  
 1.3 all teacher licensing and support personnel licensing and credentialing authority  
 1.4 to the Professional Educator Licensing and Standards Board; providing for  
 1.5 rulemaking; requiring a report; amending Minnesota Statutes 2016, sections  
 1.6 120B.363, subdivision 1; 122A.06; 122A.07; 122A.08; 122A.09, subdivisions 1,  
 1.7 2, 3, 4, 4a, 6, 7, 9, 10; 122A.17; 122A.18, subdivisions 1, 2, 2b, 7a, 7c, 8, by adding  
 1.8 a subdivision; 122A.19; 122A.20; 122A.22; 122A.23, subdivision 3; 122A.26,  
 1.9 subdivision 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454,  
 1.10 subdivision 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05,  
 1.11 subdivision 6; 136A.1791, subdivision 1; 214.04, subdivision 1; 214.045; proposing  
 1.12 coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota  
 1.13 Statutes 2016, sections 122A.09, subdivisions 5, 8, 11; 122A.14, subdivision 5;  
 1.14 122A.162; 122A.163; 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, 7b; 122A.21,  
 1.15 subdivision 2; 122A.23, subdivisions 1, 2; 122A.245; 122A.25.

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

**ARTICLE 1**

**PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**

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

**122A.06 DEFINITIONS.**

1.22 Subdivision 1. **Scope.** For the purpose of sections 122A.05 to ~~122A.09~~ 122A.093, the  
 1.23 terms defined in this section have the meanings given them, unless another meaning is  
 1.24 clearly indicated.

1.25 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional  
 1.26 employee required to hold a license from the Professional Educator Licensing and Standards  
 1.27 Board of Teaching.

2.1 Subd. 3. **Board.** "Board" means the Professional Educator Licensing and Standards  
2.2 Board of Teaching.

2.3 Subd. 4. **Comprehensive, scientifically based reading instruction.** (a) "Comprehensive,  
2.4 scientifically based reading instruction" includes a program or collection of instructional  
2.5 practices that is based on valid, replicable evidence showing that when these programs or  
2.6 practices are used, students can be expected to achieve, at a minimum, satisfactory reading  
2.7 progress. The program or collection of practices must include, at a minimum, effective,  
2.8 balanced instruction in all five areas of reading: phonemic awareness, phonics, fluency,  
2.9 vocabulary development, and reading comprehension.

2.10 Comprehensive, scientifically based reading instruction also includes and integrates  
2.11 instructional strategies for continuously assessing, evaluating, and communicating the  
2.12 student's reading progress and needs in order to design and implement ongoing interventions  
2.13 so that students of all ages and proficiency levels can read and comprehend text, write, and  
2.14 apply higher level thinking skills. For English learners developing literacy skills, districts  
2.15 are encouraged to use strategies that teach reading and writing in the students' native language  
2.16 and English at the same time.

2.17 (b) "Fluency" is the ability of students to read text with speed, accuracy, and proper  
2.18 expression.

2.19 (c) "Phonemic awareness" is the ability of students to notice, think about, and manipulate  
2.20 individual sounds in spoken syllables and words.

2.21 (d) "Phonics" is the understanding that there are systematic and predictable relationships  
2.22 between written letters and spoken words. Phonics instruction is a way of teaching reading  
2.23 that stresses learning how letters correspond to sounds and how to apply this knowledge in  
2.24 reading and spelling.

2.25 (e) "Reading comprehension" is an active process that requires intentional thinking  
2.26 during which meaning is constructed through interactions between text and reader.  
2.27 Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and  
2.28 implementing specific cognitive strategies to help beginning readers derive meaning through  
2.29 intentional, problem-solving thinking processes.

2.30 (f) "Vocabulary development" is the process of teaching vocabulary both directly and  
2.31 indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich  
2.32 contexts, incidental learning, and use of computer technology enhance the acquiring of  
2.33 vocabulary.

3.1 (g) Nothing in this subdivision limits the authority of a school district to select a school's  
3.2 reading program or curriculum.

3.3 Subd. 5. **Field.** A "field" or "subject area" means the content area in which a teacher  
3.4 may become licensed to teach.

3.5 Subd. 6. **Shortage area.** "Shortage area" means:

3.6 (1) licensure fields and economic development regions reported by the commissioner  
3.7 of education or the Professional Educator Licensing and Standards Board as experiencing  
3.8 a teacher shortage; and

3.9 (2) economic development regions where there is a shortage of licensed teachers who  
3.10 reflect the racial or ethnic diversity of students in the region.

3.11 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a  
3.12 program approved by the Professional Educator Licensing and Standards Board for the  
3.13 purpose of preparing individuals for a specific teacher licensure field in Minnesota. Teacher  
3.14 preparation programs include traditional programs delivered by postsecondary institutions,  
3.15 alternative teacher preparation programs, and nonconventional teacher preparation programs.

3.16 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program  
3.17 provider" or "unit" means an entity that has primary responsibility for overseeing and  
3.18 delivering a teacher preparation program.

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

3.20 Sec. 2. Minnesota Statutes 2016, section 122A.07, is amended to read:

3.21 **122A.07 BOARD OF TEACHING PROFESSIONAL EDUCATOR LICENSING**  
3.22 **AND STANDARDS BOARD MEMBERSHIP.**

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

3.29 Subd. 2. **Eligibility; board composition.** ~~Except for the representatives of higher~~  
3.30 ~~education and the public, to be eligible for appointment to the Board of Teaching a person~~  
3.31 ~~must be a teacher currently teaching in a Minnesota school and fully licensed for the position~~  
3.32 ~~held and have at least five years teaching experience in Minnesota, including the two years~~

4.1 ~~immediately preceding nomination and appointment.~~ Each nominee, other than a public  
4.2 nominee, must be selected on the basis of professional experience and knowledge of teacher  
4.3 education, accreditation, and licensure. The board must be composed of:

4.4 (1) six teachers who are currently teaching in a Minnesota school or who were teaching  
4.5 at the time of the appointment ~~and who do not qualify under clause (2) or (3), at least four~~  
4.6 ~~of whom must be teaching in a public school;~~ have at least five years of teaching experience,  
4.7 and were not serving in an administrative function at a school district or school when  
4.8 appointed. The six teachers must include the following:

4.9 (i) one teacher in a charter school;

4.10 (ii) one teacher from the seven-county metropolitan area, as defined in section 473.121,  
4.11 subdivision 2;

4.12 (iii) one teacher from outside the seven-county metropolitan area;

4.13 (iv) one teacher from a related service category licensed by the board;

4.14 (v) one special education teacher; and

4.15 (vi) one teacher from a teacher preparation program;

4.16 (2) ~~one higher education representative, who must be a faculty member preparing teachers~~  
4.17 one superintendent that alternates each term between a superintendent from the seven-county  
4.18 metropolitan area, as defined in section 473.121, subdivision 2, and a superintendent from  
4.19 outside the metropolitan area;

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

4.21 (4) ~~three members of the public, two of whom must be present or former members of~~  
4.22 ~~school boards~~ one administrator of a cooperative unit under section 123A.24, subdivision  
4.23 2, who oversees a special education program;

4.24 (5) one principal that alternates each term between an elementary and a secondary school  
4.25 principal; and

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

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

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

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

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

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

5.3 (b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first  
5.4 appointments to the Professional Educator Licensing and Standards Board for four years  
5.5 from the effective date of this section, except that two members of the Board of Teaching  
5.6 as of January 1, 2017, are eligible for appointment under paragraph (a), clause (1).

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

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

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

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

5.26 (c) The Department of Education must provide suitable offices and other space to the  
5.27 board at reasonable cost until January 1, 2020. Thereafter, the board may contract with  
5.28 either the Department of Education or the Department of Administration for the provision  
5.29 of suitable offices and other space, joint conference and hearing facilities, and examination  
5.30 rooms.

5.31 Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional  
5.32 Educator Licensing and Standards Board may reimburse local school districts for the costs  
5.33 of substitute teachers employed when regular teachers are providing professional assistance

6.1 to the state by serving on the board or on a committee or task force appointed by the board  
6.2 and charged to make recommendations concerning standards for teacher licensure in this  
6.3 state.

6.4 **EFFECTIVE DATE.** This section is effective September 1, 2017.

6.5 Sec. 3. Minnesota Statutes 2016, section 122A.08, is amended to read:

6.6 **122A.08 MEETINGS.**

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

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

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

6.17 Sec. 4. Minnesota Statutes 2016, section 122A.09, subdivision 1, is amended to read:

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

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

6.23 Sec. 5. Minnesota Statutes 2016, section 122A.09, subdivision 2, is amended to read:

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

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

7.1 Sec. 6. Minnesota Statutes 2016, section 122A.09, subdivision 3, is amended to read:

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

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

7.5 Sec. 7. Minnesota Statutes 2016, section 122A.09, subdivision 4, is amended to read:

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

7.13 ~~(b) The board must require all candidates for teacher licensure to demonstrate a passing~~  
7.14 ~~score on a board-adopted skills examination in reading, writing, and mathematics, as a~~  
7.15 ~~requirement for an initial professional five-year teaching license, except that the board may~~  
7.16 ~~issue up to four initial professional one-year teaching licenses to an otherwise qualified~~  
7.17 ~~candidate who has not yet passed the board-adopted skills exam. The board must require~~  
7.18 ~~colleges and universities offering a board-approved teacher preparation program to provide~~  
7.19 ~~remedial assistance to persons who did not achieve a qualifying score on the board-adopted~~  
7.20 ~~skills examination, including those for whom English is a second language. The requirement~~  
7.21 ~~to pass a board-adopted reading, writing, and mathematics skills examination does not apply~~  
7.22 ~~to nonnative English speakers, as verified by qualified Minnesota school district personnel~~  
7.23 ~~or Minnesota higher education faculty, who, after meeting the content and pedagogy~~  
7.24 ~~requirements under this subdivision, apply for a teaching license to provide direct instruction~~  
7.25 ~~in their native language or world language instruction under section 120B.022, subdivision~~  
7.26 ~~1. The Board of Teaching and the entity administering the content, pedagogy, and skills~~  
7.27 ~~examinations must allow any individual who produces documentation of a disability in the~~  
7.28 ~~form of an evaluation, 504 plan, or individual education program (IEP) to receive the same~~  
7.29 ~~testing accommodations on the content, pedagogy, and skills examinations that the applicant~~  
7.30 ~~received during their secondary or postsecondary education.~~

7.31 ~~(c) The board must adopt rules to approve teacher preparation programs. The board,~~  
7.32 ~~upon the request of a postsecondary student preparing for teacher licensure or a licensed~~  
7.33 ~~graduate of a teacher preparation program, shall assist in resolving a dispute between the~~  
7.34 ~~person and a postsecondary institution providing a teacher preparation program when the~~

8.1 ~~dispute involves an institution's recommendation for licensure affecting the person or the~~  
8.2 ~~person's credentials. At the board's discretion, assistance may include the application of~~  
8.3 ~~chapter 14.~~

8.4 ~~(d) The board must provide the leadership and adopt rules for the redesign of teacher~~  
8.5 ~~education programs to implement a research based, results-oriented curriculum that focuses~~  
8.6 ~~on the skills teachers need in order to be effective. Among other components, teacher~~  
8.7 ~~preparation programs may use the Minnesota State Colleges and Universities program model~~  
8.8 ~~to provide a school-year-long student teaching program that combines clinical opportunities~~  
8.9 ~~with academic coursework and in-depth student teaching experiences to offer students~~  
8.10 ~~ongoing mentorship, coaching, and assessment, help to prepare a professional development~~  
8.11 ~~plan, and structured learning experiences. The board shall implement new systems of teacher~~  
8.12 ~~preparation program evaluation to assure program effectiveness based on proficiency of~~  
8.13 ~~graduates in demonstrating attainment of program outcomes. Teacher preparation programs~~  
8.14 ~~including alternative teacher preparation programs under section 122A.245, among other~~  
8.15 ~~programs, must include a content-specific, board-approved, performance-based assessment~~  
8.16 ~~that measures teacher candidates in three areas: planning for instruction and assessment;~~  
8.17 ~~engaging students and supporting learning; and assessing student learning. The board's~~  
8.18 ~~redesign rules must include creating flexible, specialized teaching licenses, credentials, and~~  
8.19 ~~other endorsement forms to increase students' participation in language immersion programs,~~  
8.20 ~~world language instruction, career development opportunities, work-based learning, early~~  
8.21 ~~college courses and careers, career and technical programs, Montessori schools, and project~~  
8.22 ~~and place-based learning, among other career and college ready learning offerings.~~

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

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



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

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

9.15 ~~(i) The board must receive recommendations from local committees as established by~~  
9.16 ~~the board for the renewal of teaching licenses. The board must require a licensed teacher~~  
9.17 ~~who is renewing a professional five-year teaching license to include in the renewal~~  
9.18 ~~requirements further preparation in English language development and specially designed~~  
9.19 ~~content instruction in English for English learners.~~

9.20 ~~(j) The board must grant life licenses to those who qualify according to requirements~~  
9.21 ~~established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and~~  
9.22 ~~214.10. The board must not establish any expiration date for application for life licenses.~~

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

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

9.32 ~~(m) The board must adopt rules that require all licensed teachers who are renewing their~~  
9.33 ~~professional five-year teaching licenses to include in their renewal requirements further~~  
9.34 ~~reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take~~

10.1 ~~effect until they are approved by law. Teachers who do not provide direct instruction~~  
10.2 ~~including, at least, counselors, school psychologists, school nurses, school social workers,~~  
10.3 ~~audiovisual directors and coordinators, and recreation personnel are exempt from this section.~~

10.4 (n) ~~The board must adopt rules that require all licensed teachers who are renewing their~~  
10.5 ~~professional five-year teaching licenses to include in their renewal requirements at least~~  
10.6 ~~one hour of suicide prevention best practices in each licensure renewal period that are based~~  
10.7 ~~on nationally recognized evidence-based programs and practices, among the continuing~~  
10.8 ~~education credits required to renew a license under this paragraph, and further preparation,~~  
10.9 ~~first, in understanding the key warning signs of early-onset mental illness in children and~~  
10.10 ~~adolescents and then, during subsequent licensure renewal periods, preparation may include~~  
10.11 ~~providing a more in-depth understanding of students' mental illness trauma, accommodations~~  
10.12 ~~for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol~~  
10.13 ~~Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive~~  
10.14 ~~procedures, and de-escalation methods, among other similar topics.~~

10.15 (o) ~~The board must adopt rules by January 1, 2016, to license applicants under sections~~  
10.16 ~~122A.23 and 122A.245. The rules must permit applicants to demonstrate their qualifications~~  
10.17 ~~through the board's recognition of a teaching license from another state in a similar content~~  
10.18 ~~field, completion of a state-approved teacher preparation program, teaching experience as~~  
10.19 ~~the teacher of record in a similar licensure field, depth of content knowledge, depth of~~  
10.20 ~~content methods or general pedagogy, subject-specific professional development and~~  
10.21 ~~contribution to the field, or classroom performance as determined by documented student~~  
10.22 ~~growth on normed assessments or documented effectiveness on evaluations. The rules must~~  
10.23 ~~adopt criteria for determining a "similar content field" and "similar licensure area."~~

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

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

10.26 Subd. 4a. ~~Teacher and administrator preparation and performance data; report~~  
10.27 **Reports.** (a) ~~The Board of Teaching and the Board of School Administrators, in cooperation~~  
10.28 ~~with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges~~  
10.29 ~~and universities offering board-adopted teacher or administrator preparation programs,~~  
10.30 ~~annually must collect and report summary data on teacher and administrator preparation~~  
10.31 ~~and performance outcomes, consistent with this subdivision. The Board of Teaching and~~  
10.32 ~~the Board of School Administrators annually by June 1 must update and post the reported~~  
10.33 ~~summary preparation and performance data on teachers and administrators from the preceding~~

11.1 school years on a Web site hosted jointly by the boards. The Professional Educator Licensing  
11.2 and Standards Board must provide reports in accordance with section 122A.091.

11.3 ~~(b) Publicly reported summary data on teacher preparation programs must include:~~  
11.4 ~~student entrance requirements for each Board of Teaching approved program, including~~  
11.5 ~~grade point average for enrolling students in the preceding year; the average board-adopted~~  
11.6 ~~skills examination or ACT or SAT scores of students entering the program in the preceding~~  
11.7 ~~year; summary data on faculty qualifications, including at least the content areas of faculty~~  
11.8 ~~undergraduate and graduate degrees and their years of experience either as kindergarten~~  
11.9 ~~through grade 12 classroom teachers or school administrators; the average time resident~~  
11.10 ~~and nonresident program graduates in the preceding year needed to complete the program;~~  
11.11 ~~the current number and percent of students by program who graduated, received a standard~~  
11.12 ~~Minnesota teaching license, and were hired to teach full time in their licensure field in a~~  
11.13 ~~Minnesota district or school in the preceding year; the number of content area credits and~~  
11.14 ~~other credits by undergraduate program that students in the preceding school year needed~~  
11.15 ~~to complete to graduate; students' pass rates on skills and subject matter exams required for~~  
11.16 ~~graduation in each program and licensure area in the preceding school year; survey results~~  
11.17 ~~measuring student and graduate satisfaction with the program in the preceding school year;~~  
11.18 ~~a standard measure of the satisfaction of school principals or supervising teachers with the~~  
11.19 ~~student teachers assigned to a school or supervising teacher; and information under~~  
11.20 ~~paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.~~

11.21 ~~(c) Publicly reported summary data on administrator preparation programs approved by~~  
11.22 ~~the Board of School Administrators must include: summary data on faculty qualifications,~~  
11.23 ~~including at least the content areas of faculty undergraduate and graduate degrees and their~~  
11.24 ~~years of experience either as kindergarten through grade 12 classroom teachers or school~~  
11.25 ~~administrators; the average time program graduates in the preceding year needed to complete~~  
11.26 ~~the program; the current number and percent of students who graduated, received a standard~~  
11.27 ~~Minnesota administrator license, and were employed as an administrator in a Minnesota~~  
11.28 ~~school district or school in the preceding year; the number of credits by graduate program~~  
11.29 ~~that students in the preceding school year needed to complete to graduate; survey results~~  
11.30 ~~measuring student, graduate, and employer satisfaction with the program in the preceding~~  
11.31 ~~school year; and information under paragraphs (f) and (g). Program reporting must be~~  
11.32 ~~consistent with section 122A.14, subdivision 10.~~

11.33 ~~(d) School districts annually by October 1 must report to the Board of Teaching the~~  
11.34 ~~following information for all teachers who finished the probationary period and accepted~~  
11.35 ~~a continuing contract position with the district from September 1 of the previous year through~~

12.1 ~~August 31 of the current year: the effectiveness category or rating of the teacher on the~~  
 12.2 ~~summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5;~~  
 12.3 ~~the licensure area in which the teacher primarily taught during the three-year evaluation~~  
 12.4 ~~cycle; and the teacher preparation program preparing the teacher in the teacher's primary~~  
 12.5 ~~areas of instruction and licensure.~~

12.6 ~~(e) School districts annually by October 1 must report to the Board of Teaching the~~  
 12.7 ~~following information for all probationary teachers in the district who were released or~~  
 12.8 ~~whose contracts were not renewed from September 1 of the previous year through August~~  
 12.9 ~~31 of the current year: the licensure areas in which the probationary teacher taught; and the~~  
 12.10 ~~teacher preparation program preparing the teacher in the teacher's primary areas of instruction~~  
 12.11 ~~and licensure.~~

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

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

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

12.24 Sec. 9. Minnesota Statutes 2016, section 122A.09, subdivision 6, is amended to read:

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

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

13.1 Sec. 10. Minnesota Statutes 2016, section 122A.09, subdivision 7, is amended to read:

13.2 Subd. 7. ~~Commissioner's assistance;~~ **Professional Educator Licensing and Standards**  
 13.3 **Board money.** ~~The commissioner shall provide all necessary materials and assistance for~~  
 13.4 ~~the transaction of the business of the Board of Teaching and~~ All moneys received by the  
 13.5 Professional Educator Licensing and Standards Board of Teaching shall be paid into the  
 13.6 state treasury as provided by law. The expenses of administering sections 120B.363, 122A.01,  
 13.7 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183,  
 13.8 122A.184, 122A.185, 122A.186, 122A.187, 122A.188, 122A.20, 122A.21, 122A.22,  
 13.9 122A.23, 122A.2451, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49,  
 13.10 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the Professional  
 13.11 Educator Licensing and Standards Board of Teaching shall be paid for from appropriations  
 13.12 made to the Professional Educator Licensing and Standards Board of Teaching.

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

13.14 Sec. 11. Minnesota Statutes 2016, section 122A.09, subdivision 9, is amended to read:

13.15 Subd. 9. **Professional Educator Licensing and Standards Board may must adopt**  
 13.16 **rules.** (a) The Professional Educator Licensing and Standards Board of Teaching may must  
 13.17 adopt rules subject to the provisions of chapter 14 to implement sections 120B.363, 122A.05  
 13.18 to 122A.09, 122A.092, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183,  
 13.19 122A.184, 122A.185, 122A.186, 122A.187, 122A.188, 122A.20, 122A.21, and 122A.23,  
 13.20 122A.26, 122A.28, and 122A.29.

13.21 (b) The board must adopt rules relating to fields of licensure, including a process for  
 13.22 granting permission to a licensed teacher to teach in a field that is different from the teacher's  
 13.23 field of licensure without change to the teacher's license tier level.

13.24 (c) The board must adopt rules relating to the grade levels that a licensed teacher may  
 13.25 teach.

13.26 (d) If a rule adopted by the board is in conflict with a session law or statute, the law or  
 13.27 statute prevails. Terms adopted in rule must be clearly defined and must not be construed  
 13.28 to conflict with terms adopted in statute or session law.

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

13.31 (f) The board must adopt rules only under the specific statutory authority.

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

14.1 Sec. 12. Minnesota Statutes 2016, section 122A.09, subdivision 10, is amended to read:

14.2 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and  
14.3 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant  
14.4 waivers to its rules upon application by a school district or a charter school for purposes of  
14.5 implementing experimental programs in learning or management.

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

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

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

14.21 (e) ~~The Board of Teaching may grant a one-year waiver, renewable two times, to allow~~  
14.22 ~~individuals who hold a bachelor's degree from an accredited postsecondary institution,~~  
14.23 ~~demonstrate occupational competency based on at least three years of full-time work~~  
14.24 ~~experience in business or industry, and enroll and make satisfactory progress in an alternative~~  
14.25 ~~preparation program leading to certification as a career and technical education instructor~~  
14.26 ~~to teach career and technical education courses offered by a school district or charter school.~~  
14.27 A candidate that has obtained career and technical education certification may apply for a  
14.28 Tier 1 license under section 122A.181. Consistent with ~~this paragraph~~ and section 136F.361,  
14.29 the Professional Educator Licensing and Standards Board of Teaching must strongly  
14.30 encourage approved college or university-based teacher preparation programs ~~and institutions~~  
14.31 throughout Minnesota to develop alternative pathways for certifying and licensing high  
14.32 school career and technical education instructors and teachers, allowing such candidates to  
14.33 meet certification and licensure standards that demonstrate their content knowledge,  
14.34 classroom experience, and pedagogical practices and their qualifications based on a

15.1 combination of occupational testing, professional certification or licensure, and long-standing  
15.2 work experience.

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

15.4 Sec. 13. **[122A.091] REPORTS.**

15.5 Subdivision 1. **Teacher and administrator preparation and performance data;**  
15.6 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of  
15.7 School Administrators, in cooperation with board-adopted teacher or administrator  
15.8 preparation programs, annually must collect and report summary data on teacher and  
15.9 administrator preparation and performance outcomes, consistent with this subdivision. The  
15.10 Professional Educator Licensing and Standards Board and the Board of School Administrators  
15.11 annually by June 1 must update and post the reported summary preparation and performance  
15.12 data on teachers and administrators from the preceding school years on a Web site hosted  
15.13 jointly by the boards.

15.14 (b) Publicly reported summary data on teacher preparation programs must include:

15.15 (1) student entrance requirements for each Professional Educator Licensing and Standards  
15.16 Board-approved program, including grade point average for enrolling students in the  
15.17 preceding year;

15.18 (2) the average board-adopted skills examination or ACT or SAT scores of students  
15.19 entering the program in the preceding year;

15.20 (3) summary data on faculty qualifications, including at least the content areas of faculty  
15.21 undergraduate and graduate degrees and their years of experience either as kindergarten  
15.22 through grade 12 classroom teachers or school administrators;

15.23 (4) the average time resident and nonresident program graduates in the preceding year  
15.24 needed to complete the program;

15.25 (5) the current number and percentage of students by program who graduated, received  
15.26 a standard Minnesota teaching license, and were hired to teach full time in their licensure  
15.27 field in a Minnesota district or school in the preceding year disaggregated by race, except  
15.28 when disaggregation would not yield statistically reliable results or would reveal personally  
15.29 identifiable information about an individual;

15.30 (6) the number of content area credits and other credits by undergraduate program that  
15.31 students in the preceding school year needed to complete to graduate;

16.1 (7) students' pass rates on skills and subject matter exams required for graduation in  
16.2 each program and licensure area in the preceding school year;

16.3 (8) survey results measuring student and graduate satisfaction with the program in the  
16.4 preceding school year disaggregated by race, except when disaggregation would not yield  
16.5 statistically reliable results or would reveal personally identifiable information about an  
16.6 individual;

16.7 (9) a standard measure of the satisfaction of school principals or supervising teachers  
16.8 with the student teachers assigned to a school or supervising teacher; and

16.9 (10) information under subdivision 3, paragraphs (a) and (b).

16.10 Program reporting must be consistent with subdivision 2.

16.11 (c) Publicly reported summary data on administrator preparation programs approved by  
16.12 the Board of School Administrators must include:

16.13 (1) summary data on faculty qualifications, including at least the content areas of faculty  
16.14 undergraduate and graduate degrees and the years of experience either as kindergarten  
16.15 through grade 12 classroom teachers or school administrators;

16.16 (2) the average time program graduates in the preceding year needed to complete the  
16.17 program;

16.18 (3) the current number and percentage of students who graduated, received a standard  
16.19 Minnesota administrator license, and were employed as an administrator in a Minnesota  
16.20 school district or school in the preceding year disaggregated by race, except when  
16.21 disaggregation would not yield statistically reliable results or would reveal personally  
16.22 identifiable information about an individual;

16.23 (4) the number of credits by graduate program that students in the preceding school year  
16.24 needed to complete to graduate;

16.25 (5) survey results measuring student, graduate, and employer satisfaction with the  
16.26 program in the preceding school year disaggregated by race, except when disaggregation  
16.27 would not yield statistically reliable results or would reveal personally identifiable  
16.28 information about an individual; and

16.29 (6) information under subdivision 3, paragraphs (c) and (d).

16.30 Program reporting must be consistent with section 122A.14, subdivision 10.

16.31 Subd. 2. **Teacher preparation program reporting.** (a) By December 31, 2018, and  
16.32 annually thereafter, the Professional Educator Licensing and Standards Board shall report



17.1 and publish on its Web site the cumulative summary results of at least three consecutive  
17.2 years of data reported to the board under subdivision 1, paragraph (b). Where the data are  
17.3 sufficient to yield statistically reliable information and the results would not reveal personally  
17.4 identifiable information about an individual teacher, the board shall report the data by teacher  
17.5 preparation program.

17.6 (b) The Professional Educator Licensing and Standards Board must report annually to  
17.7 the chairs and ranking minority members of the legislative committees with jurisdiction  
17.8 over kindergarten through grade 12 education, the following information:

17.9 (1) the total number of teacher candidates during the most recent school year taking a  
17.10 board-adopted skills examination;

17.11 (2) the number who achieve a qualifying score on the examination;

17.12 (3) the number who do not achieve a qualifying score on the examination; and

17.13 (4) the candidates who have not passed a content or pedagogy exam.

17.14 The information reported under this paragraph must be disaggregated by categories of race,  
17.15 ethnicity, and eligibility for financial aid. The report must be submitted in accordance with  
17.16 section 3.195.

17.17 Subd. 3. **School district reports.** (a) School districts annually by October 1 must report  
17.18 to the Professional Educator Licensing and Standards Board the following information for  
17.19 all teachers who finished the probationary period and accepted a continuing contract position  
17.20 with the district from September 1 of the previous year through August 31 of the current  
17.21 year:

17.22 (1) the effectiveness category or rating of the teacher on the summative evaluation under  
17.23 section 122A.40, subdivision 8, or 122A.41, subdivision 5;

17.24 (2) the licensure area in which the teacher primarily taught during the three-year  
17.25 evaluation cycle; and

17.26 (3) the teacher preparation program preparing the teacher in the teacher's primary areas  
17.27 of instruction and licensure.

17.28 (b) School districts annually by October 1 must report to the Professional Educator  
17.29 Licensing and Standards Board the following information for all probationary teachers in  
17.30 the district who were released or whose contracts were not renewed from September 1 of  
17.31 the previous year through August 31 of the current year:

17.32 (1) the licensure areas in which the probationary teacher taught; and

18.1 (2) the teacher preparation program preparing the teacher in the teacher's primary areas  
18.2 of instruction and licensure.

18.3 (c) School districts annually by October 1 must report to the Board of School  
18.4 Administrators the following information for all school principals and assistant principals  
18.5 who finished the probationary period and accepted a continuing contract position with the  
18.6 district from September 1 of the previous year through August 31 of the current year:

18.7 (1) the effectiveness category or rating of the principal or assistant principal on the  
18.8 summative evaluation under section 123B.147, subdivision 3; and

18.9 (2) the principal preparation program providing instruction to the principal or assistant  
18.10 principal.

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

18.15 Subd. 4. **State reports.** The Professional Educator Licensing and Standards Board must  
18.16 prepare reports in accordance with section 214.07.

18.17 Subd. 5. **Survey of districts.** (a) The Professional Educator Licensing and Standards  
18.18 Board must survey the state's school districts and teacher preparation programs and report  
18.19 to the education committees of the legislature by February 1, 2019, and each odd-numbered  
18.20 year thereafter, on the status of teacher early retirement patterns, the access to effective and  
18.21 more diverse teachers who reflect the students under section 120B.35, subdivision 3,  
18.22 paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the  
18.23 substitute teacher shortage, including patterns and shortages in licensure field areas and the  
18.24 economic development regions of the state.

18.25 (b) The report must also include:

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

18.27 (2) data on how districts are making progress in hiring teachers and substitute teachers  
18.28 in the areas of shortage; and

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

19.1 Subd. 6. **Implementation report.** By January 1, 2019, the Professional Educator  
19.2 Licensing and Standards Board must prepare a report to the legislature on the implementation  
19.3 of the teacher licensure system established under sections 122A.18 to 122A.184. The report  
19.4 must include the number of applicants for licensure in each tier, the number of applications  
19.5 granted and denied, summary data on the reasons applications were denied, and the status  
19.6 of the board's rulemaking process for all licensure related rules.

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

19.8 Sec. 14. **[122A.092] TEACHER PREPARATION PROGRAMS.**

19.9 Subdivision 1. **Rules.** The board must adopt rules to approve teacher preparation  
19.10 programs, including alternative teacher preparation programs under section 122A.2451,  
19.11 nonconventional programs, and Montessori teacher training programs.

19.12 Subd. 2. **Requirements for board approval.** Teacher preparation programs must  
19.13 demonstrate the following to obtain board approval:

19.14 (1) the program has implemented a research-based, results-oriented curriculum that  
19.15 focuses on the skills teachers need in order to be effective;

19.16 (2) the program provides a student teaching program;

19.17 (3) the program demonstrates effectiveness based on proficiency of graduates in  
19.18 demonstrating attainment of program outcomes;

19.19 (4) the program includes a common core of teaching knowledge and skills. This common  
19.20 core shall meet the standards developed by the Interstate New Teacher Assessment and  
19.21 Support Consortium in its 1992 model standards for beginning teacher licensing and  
19.22 development. Amendments to standards adopted under this clause are subject to chapter  
19.23 14. The Professional Educator Licensing and Standards Board shall report annually to the  
19.24 education committees of the legislature on the performance of teacher candidates on common  
19.25 core assessments of knowledge and skills under this clause during the most recent school  
19.26 year;

19.27 (5) the program includes instruction on the knowledge and skills needed to provide  
19.28 appropriate instruction to English learners to support and accelerate their academic literacy,  
19.29 including oral academic language and achievement in content areas in a regular classroom  
19.30 setting; and

19.31 (6) the program includes culturally competent training in instructional strategies consistent  
19.32 with section 120B.30, subdivision 1, paragraph (q).

20.1 Subd. 3. **Specialized credentials.** The board must adopt rules creating flexible,  
20.2 specialized teaching licenses, credentials, and other endorsement forms to increase students'  
20.3 participation in language immersion programs, world language instruction, career  
20.4 development opportunities, work-based learning, early college courses and careers, career  
20.5 and technical programs, Montessori schools, and project- and place-based learning, among  
20.6 other career and college readiness learning offerings.

20.7 Subd. 4. **Teacher educators.** The board must adopt rules requiring teacher educators  
20.8 to work directly with elementary or secondary school teachers in elementary or secondary  
20.9 schools to obtain periodic exposure to the elementary and secondary teaching environments.

20.10 Subd. 5. **Reading strategies.** (a) All colleges and universities approved by the  
20.11 Professional Educator Licensing and Standards Board to prepare persons for classroom  
20.12 teacher licensure must include in their teacher preparation programs research-based best  
20.13 practices in reading, consistent with section 122A.06, subdivision 4, that enables the licensure  
20.14 candidate to teach reading in the candidate's content areas. Teacher candidates must be  
20.15 instructed in using students' native languages as a resource in creating effective differentiated  
20.16 instructional strategies for English learners developing literacy skills. These colleges and  
20.17 universities also must prepare early childhood and elementary teacher candidates for Tier  
20.18 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively, for the  
20.19 portion of the examination under section 122A.185, subdivision 1, paragraph (c), covering  
20.20 assessment of reading instruction.

20.21 (b) Board-approved teacher preparation programs for teachers of elementary education  
20.22 must require instruction in applying comprehensive, scientifically based, and balanced  
20.23 reading instruction programs that:

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

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

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

20.31 Subd. 6. **Technology strategies.** All colleges and universities approved by the  
20.32 Professional Educator Licensing and Standards Board to prepare persons for classroom  
20.33 teacher licensure must include in their teacher preparation programs the knowledge and

21.1 skills teacher candidates need to engage students with technology and deliver digital and  
21.2 blended learning and curriculum.

21.3 Subd. 7. **Student teaching program.** A teacher preparation program may provide a  
21.4 year-long student teaching program that combines clinical opportunities with academic  
21.5 coursework and in-depth student teaching experiences to offer students:

21.6 (1) ongoing mentorship;

21.7 (2) coaching;

21.8 (3) assessment;

21.9 (4) help to prepare a professional development plan; and

21.10 (5) structured learning experiences.

21.11 Subd. 8. **Existing programs.** The approval of teacher preparation programs approved  
21.12 by the Board of Teaching before the effective date of this section must remain in effect  
21.13 unless and until the Professional Educator Licensing and Standards Board denies approval  
21.14 or reapproves the program.

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

21.16 **Sec. 15. [122A.093] FRAUD; GROSS MISDEMEANOR.**

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

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

21.21 Sec. 16. Minnesota Statutes 2016, section 122A.22, is amended to read:

21.22 **122A.22 DISTRICT VERIFICATION OF TEACHER LICENSES.**

21.23 No person shall be accounted a qualified teacher until the school district or charter school  
21.24 contracting with the person for teaching services verifies through the Minnesota education  
21.25 licensing system available on the ~~department~~ Professional Educator Licensing and Standards  
21.26 Board Web site that the person is a qualified teacher, consistent with sections 122A.16 and  
21.27 122A.44, subdivision 1.

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

22.1 Sec. 17. Minnesota Statutes 2016, section 127A.05, subdivision 6, is amended to read:

22.2 Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's  
22.3 school districts and teacher preparation programs and report to the education committees  
22.4 of the legislature by February 1 of each odd-numbered year until 2018 on the status of  
22.5 teacher early retirement patterns, the access to effective and more diverse teachers who  
22.6 reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled  
22.7 in a district or school, the teacher shortage, and the substitute teacher shortage, including  
22.8 patterns and shortages in subject areas and the economic development regions of the state.  
22.9 The report must also include: aggregate data on teachers' self-reported race and ethnicity;  
22.10 data on how districts are making progress in hiring teachers and substitutes in the areas of  
22.11 shortage; and a five-year projection of teacher demand for each district, taking into account  
22.12 the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to  
22.13 enroll in the district during that five-year period.

22.14 Sec. 18. Minnesota Statutes 2016, section 214.04, subdivision 1, is amended to read:

22.15 Subdivision 1. **Services provided.** The commissioner ~~of education with respect to the~~  
22.16 ~~Board of Teaching; the commissioner~~ of public safety with respect to the Board of Private  
22.17 Detective and Protective Agent Services; the Board of Peace Officer Standards and Training;  
22.18 and the commissioner of revenue with respect to the Board of Assessors, shall provide  
22.19 suitable offices and other space, joint conference and hearing facilities, examination rooms,  
22.20 and the following administrative support services: purchasing service, accounting service,  
22.21 advisory personnel services, consulting services relating to evaluation procedures and  
22.22 techniques, data processing, duplicating, mailing services, automated printing of license  
22.23 renewals, and such other similar services of a housekeeping nature as are generally available  
22.24 to other agencies of state government. Investigative services shall be provided the boards  
22.25 by employees of the Office of Attorney General. The commissioner of health with respect  
22.26 to the health-related licensing boards shall provide mailing and office supply services and  
22.27 may provide other facilities and services listed in this subdivision at a central location upon  
22.28 request of the health-related licensing boards. The commissioner of commerce with respect  
22.29 to the remaining non-health-related licensing boards shall provide the above facilities and  
22.30 services at a central location for the remaining non-health-related licensing boards. The  
22.31 legal and investigative services for the boards shall be provided by employees of the attorney  
22.32 general assigned to the departments servicing the boards. Notwithstanding the foregoing,  
22.33 the attorney general shall not be precluded by this section from assigning other attorneys  
22.34 to service a board if necessary in order to insure competent and consistent legal

23.1 representation. Persons providing legal and investigative services shall to the extent  
23.2 practicable provide the services on a regular basis to the same board or boards.

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

23.4 Sec. 19. Minnesota Statutes 2016, section 214.045, is amended to read:

23.5 **214.045 COORDINATION WITH PROFESSIONAL EDUCATOR LICENSING**  
23.6 **AND STANDARDS BOARD OF TEACHING.**

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

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

23.12 Sec. 20. **TRANSFER OF POWERS.**

23.13 (a) The creation of the Professional Educator Licensing and Standards Board shall be  
23.14 considered a transfer by law of the responsibilities of the Board of Teaching and the  
23.15 Minnesota Department of Education with respect to licensure and credentialing of teachers  
23.16 and school personnel to the Professional Educator Licensing and Standards Board for  
23.17 purposes of Minnesota Statutes, section 15.039. All classified and unclassified positions  
23.18 associated with the responsibilities being transferred to the Professional Educator Licensing  
23.19 and Standards Board are transferred with their incumbents to the new agency pursuant to  
23.20 Minnesota Statutes, section 15.039, subdivision 7, except as otherwise provided in Minnesota  
23.21 Statutes, section 122A.07.

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

23.25 (c) The responsibilities of the Minnesota Department of Education with respect to the  
23.26 survey of districts under section 127A.05, subdivision 6, and the staff automated reporting  
23.27 (STAR) system, are transferred by law to the Professional Educator Licensing and Standards  
23.28 Board for purposes of section 15.039.

23.29 (d) The Professional Educator Licensing and Standards Board must review all rules  
23.30 adopted by the Board of Teaching and amend or repeal rules not consistent with statute.  
23.31 The Professional Educator Licensing and Standards Board must review all teacher preparation

24.1 programs approved by the Board of Teaching to determine whether the approved programs  
24.2 meet the needs of schools in Minnesota.

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

24.4 Sec. 21. **FIRST APPOINTMENTS TO THE PROFESSIONAL EDUCATOR**  
24.5 **LICENSING AND STANDARDS BOARD.**

24.6 (a) The governor shall make appointments to the Professional Educator Licensing and  
24.7 Standards Board by September 1, 2017, for terms that begin January 1, 2018. The governor  
24.8 shall designate one member of the board to convene the first meeting by February 1, 2018,  
24.9 and to act as chair until the board elects a chair at its first meeting. The first superintendent  
24.10 appointed under Minnesota Statutes, section 122A.07, subdivision 2, clause (2), must be  
24.11 from outside the metropolitan area. The governor is encouraged to consider eligible  
24.12 candidates that have previously served on the Board of Teaching for appointment to the  
24.13 Professional Educator Licensing and Standards Board.

24.14 (b) The terms of the first members appointed to the board do not count towards the term  
24.15 limit under Minnesota Statutes, section 122A.07, subdivision 1, if the term expires before  
24.16 2022.

24.17 (c) Beginning October 2, 2017, the board members appointed by the governor under  
24.18 paragraph (a) may informally organize and prepare for their terms. The appointee representing  
24.19 the superintendent member must convene the first transition meeting. At the first meeting,  
24.20 the appointees must select a chairperson to lead the transition meetings. Between October  
24.21 2, 2017, and January 1, 2018, the board members must begin the selection process for the  
24.22 executive director under Minnesota Statutes, section 122A.08, subdivision 2. The board  
24.23 members' transition meetings are subject to the Open Meeting Law under Minnesota Statutes,  
24.24 chapter 13D.

24.25 Sec. 22. **REVISOR INSTRUCTION.**

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

24.30 Sec. 23. **REPEALER.**

24.31 Minnesota Statutes 2016, section 122A.09, subdivisions 5, 8, and 11, are repealed.



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

25.2 **ARTICLE 2**

25.3 **LICENSURE**

25.4 Section 1. Minnesota Statutes 2016, section 122A.17, is amended to read:

25.5 **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

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

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

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

25.14 Sec. 2. Minnesota Statutes 2016, section 122A.18, subdivision 1, is amended to read:

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

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

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

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

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

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

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

25.29 ~~(d)~~ (c) The Professional Educator Licensing and Standards Board of Teaching and the  
25.30 Department of Education must enter into a data sharing agreement to share:

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

26.5 (2) data in the staff automated reporting system for the limited purpose of managing and  
 26.6 processing funding to school districts and other entities.

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

26.12 ~~(f)~~ (e) For purposes of the data sharing agreements under paragraphs ~~(d)~~ (c) and ~~(e)~~ (d),  
 26.13 the Professional Educator Licensing and Standards Board of Teaching, Board of School  
 26.14 Administrators, and Department of Education may share private data, as defined in section  
 26.15 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements  
 26.16 must not include educational data, as defined in section 13.32, subdivision 1, but may include  
 26.17 summary data, as defined in section 13.02, subdivision 19, derived from educational data.

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

26.19 Sec. 3. Minnesota Statutes 2016, section 122A.18, subdivision 2, is amended to read:

26.20 Subd. 2. **Teacher and Support personnel qualifications.** ~~(a)~~ The Professional Educator  
 26.21 Licensing and Standards Board of Teaching must issue licenses and credentials under its  
 26.22 jurisdiction to persons the board finds to be qualified and competent for ~~their respective~~  
 26.23 ~~positions, including those meeting the standards adopted under section 122A.09, subdivision~~  
 26.24 ~~4, paragraph (n)~~ support personnel positions in accordance with section 120B.36.

26.25 ~~(b)~~ The board must require a candidate for teacher licensure to demonstrate a passing  
 26.26 score on a board-adopted examination of skills in reading, writing, and mathematics, before  
 26.27 being granted a professional five-year teaching license to provide direct instruction to pupils  
 26.28 in prekindergarten, elementary, secondary, or special education programs, except that the  
 26.29 board may issue up to four temporary, one-year teaching licenses to an otherwise qualified  
 26.30 candidate who has not yet passed a board-adopted skills exam. At the request of the  
 26.31 employing school district or charter school, the Board of Teaching may issue an initial  
 26.32 professional one-year teaching license to an otherwise qualified teacher not passing or  
 26.33 demonstrating a passing score on a board-adopted skills examination in reading, writing,

27.1 ~~and mathematics. For purposes of this section, the initial professional one-year teaching~~  
27.2 ~~license issued by the board is limited to the current subject or content matter the teacher is~~  
27.3 ~~employed to teach and limited to the district or charter school requesting the initial~~  
27.4 ~~professional one-year teaching license. If the board denies the request, it must provide a~~  
27.5 ~~detailed response to the school administrator as to the reasons for the denial. The board~~  
27.6 ~~must require colleges and universities offering a board-approved teacher preparation program~~  
27.7 ~~to make available upon request remedial assistance that includes a formal diagnostic~~  
27.8 ~~component to persons enrolled in their institution who did not achieve a qualifying score~~  
27.9 ~~on a board-adopted skills examination, including those for whom English is a second~~  
27.10 ~~language. The colleges and universities must make available assistance in the specific~~  
27.11 ~~academic areas of candidates' deficiency. School districts may make available upon request~~  
27.12 ~~similar, appropriate, and timely remedial assistance that includes a formal diagnostic~~  
27.13 ~~component to those persons employed by the district who completed their teacher education~~  
27.14 ~~program, who did not achieve a qualifying score on a board-adopted skills examination,~~  
27.15 ~~and who received an initial professional one-year teaching license to teach in Minnesota.~~  
27.16 ~~The Board of Teaching shall report annually to the education committees of the legislature~~  
27.17 ~~on the total number of teacher candidates during the most recent school year taking a~~  
27.18 ~~board-adopted skills examination, the number who achieve a qualifying score on the~~  
27.19 ~~examination, the number who do not achieve a qualifying score on the examination, and~~  
27.20 ~~the candidates who have not passed a content or pedagogy exam, disaggregated by categories~~  
27.21 ~~of race, ethnicity, and eligibility for financial aid.~~

27.22 (e) ~~The Board of Teaching must grant professional five-year teaching licenses only to~~  
27.23 ~~those persons who have met board criteria for that license, which includes passing a~~  
27.24 ~~board-adopted skills examination in reading, writing, and mathematics, and the exceptions~~  
27.25 ~~in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph.~~  
27.26 ~~The requirement to pass a board-adopted reading, writing, and mathematics skills~~  
27.27 ~~examination, does not apply to nonnative English speakers, as verified by qualified Minnesota~~  
27.28 ~~school district personnel or Minnesota higher education faculty, who, after meeting the~~  
27.29 ~~content and pedagogy requirements under this subdivision, apply for a professional five-year~~  
27.30 ~~teaching license to provide direct instruction in their native language or world language~~  
27.31 ~~instruction under section 120B.022, subdivision 1.~~

27.32 (d) ~~All colleges and universities approved by the board of teaching to prepare persons~~  
27.33 ~~for teacher licensure must include in their teacher preparation programs a common core of~~  
27.34 ~~teaching knowledge and skills to be acquired by all persons recommended for teacher~~  
27.35 ~~licensure. Among other requirements, teacher candidates must demonstrate the knowledge~~

28.1 ~~and skills needed to provide appropriate instruction to English learners to support and~~  
28.2 ~~accelerate their academic literacy, including oral academic language, and achievement in~~  
28.3 ~~content areas in a regular classroom setting. This common core shall meet the standards~~  
28.4 ~~developed by the interstate new teacher assessment and support consortium in its 1992~~  
28.5 ~~"model standards for beginning teacher licensing and development." Amendments to~~  
28.6 ~~standards adopted under this paragraph are covered by chapter 14. The board of teaching~~  
28.7 ~~shall report annually to the education committees of the legislature on the performance of~~  
28.8 ~~teacher candidates on common core assessments of knowledge and skills under this paragraph~~  
28.9 ~~during the most recent school year.~~

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

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

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

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

28.16 Sec. 5. Minnesota Statutes 2016, section 122A.18, subdivision 7a, is amended to read:

28.17 Subd. 7a. **Permission to substitute teach.** (a) The Professional Educator Licensing and  
28.18 Standards Board of Teaching may allow a person who otherwise qualifies for a Tier 1 license  
28.19 in accordance with section 122A.181, subdivision 2, or is enrolled in and making satisfactory  
28.20 progress in a board-approved teacher program and who has successfully completed student  
28.21 teaching to be employed as a short-call substitute teacher.

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

28.24 (1) was a qualified teacher under section 122A.16 while holding a ~~professional five-year~~  
28.25 Tier 3 or Tier 4 teaching license issued by the board, under sections 122A.183 and 122A.184,  
28.26 respectively, and receives a retirement annuity from the Teachers Retirement Association  
28.27 or the St. Paul Teachers Retirement Fund Association;

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

28.30 (3) held a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board,  
28.31 under sections 122A.183 and 122A.184, respectively, taught at least three school years in

29.1 an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result  
29.2 of the person's teaching experience.

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

29.6 (i) a ~~professional five-year~~ Tier 3 or Tier 4 teaching license under sections 122A.183  
29.7 and 122A.184, respectively, and must again complete continuing education clock hours one  
29.8 school year after receiving the ~~professional five-year~~ Tier 3 or Tier 4 teaching license; or

29.9 (ii) a Tier 1 license under section 122A.181, provided that the candidate has a bachelor's  
29.10 degree, an associate's degree, or an appropriate professional credential in the content area  
29.11 the candidate will teach, in accordance with section 122A.181, subdivision 2.

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

29.13 Sec. 6. Minnesota Statutes 2016, section 122A.18, subdivision 7c, is amended to read:

29.14 Subd. 7c. **Temporary military license.** The Professional Educator Licensing and  
29.15 Standards Board of Teaching shall establish a temporary license in accordance with section  
29.16 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$87.90  
29.17 for an online application or \$86.40 for a paper application. The board must provide candidates  
29.18 for a license under this subdivision with information regarding the tiered licensure system  
29.19 provided in sections 122A.18 to 122A.184.

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

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

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

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

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

29.30 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the  
29.31 background check required under paragraph (a) by retrieving criminal history data as defined

30.1 in section 13.87 and shall also conduct a search of the national criminal records repository.  
30.2 The superintendent is authorized to exchange fingerprints with the Federal Bureau of  
30.3 Investigation for purposes of the criminal history check. The superintendent shall recover  
30.4 the cost to the bureau of a background check through the fee charged to the applicant under  
30.5 paragraph (a).

30.6 (c) The Professional Educator Licensing and Standards Board of Teaching or the  
30.7 commissioner of education Board of School Administrators may issue a license pending  
30.8 completion of a background check under this subdivision, but must notify the individual  
30.9 and the school district or charter school employing the individual that the individual's license  
30.10 may be revoked based on the result of the background check.

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

30.12 Sec. 8. Minnesota Statutes 2016, section 122A.18, is amended by adding a subdivision to  
30.13 read:

30.14 Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards  
30.15 Board must adopt rules establishing a process for an eligible candidate to obtain any teacher  
30.16 license under subdivision 1, or to add a licensure field, via portfolio. The portfolio licensure  
30.17 application process must be consistent with the requirements in this subdivision.

30.18 (b) A candidate for a license must submit to the board one portfolio demonstrating  
30.19 pedagogical competence and one portfolio demonstrating content competence.

30.20 (c) A candidate seeking to add a licensure field must submit to the board one portfolio  
30.21 demonstrating content competence for each licensure field the candidate seeks to add.

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

30.28 (e) A candidate must pay to the board a \$300 fee for the first portfolio submitted for  
30.29 review and a \$200 fee for any portfolio submitted subsequently. The revenue generated  
30.30 from the fee must be deposited in an education licensure portfolio account in the special  
30.31 revenue fund. The fees are nonrefundable for applicants not qualifying for a license. The  
30.32 board may waive or reduce fees for candidates based on financial need.

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

31.1 Sec. 9. [122A.181] TIER 1 LICENSE.

31.2 Subdivision 1. **Application requirements.** The Professional Educator Licensing and  
31.3 Standards Board must approve a request from a district or charter school to issue a Tier 1  
31.4 license in a specified content area to a candidate if:

31.5 (1) the candidate meets the professional requirement in subdivision 2;

31.6 (2) the district or charter school affirms that the candidate has the necessary skills and  
31.7 knowledge to teach in the specified content area; and

31.8 (3) the district or charter school demonstrates that:

31.9 (i) a criminal background check has been completed on the candidate; and

31.10 (ii) the district or charter school has posted the teacher position but was unable to hire  
31.11 an acceptable teacher with a Tier 2, 3, or 4 license for the position.

31.12 Subd. 2. **Professional requirements.** (a) A candidate for a Tier 1 license must have a  
31.13 bachelor's degree to teach a class or course outside a career and technical education or career  
31.14 pathways course of study.

31.15 (b) A candidate for a Tier 1 license must have one of the following credentials in a  
31.16 relevant content area to teach a class in a career and technical education or career pathways  
31.17 course of study:

31.18 (1) an associate's degree;

31.19 (2) a professional certification; or

31.20 (3) five years of relevant work experience.

31.21 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and  
31.22 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license  
31.23 may be renewed subject to paragraphs (b) and (c). The board may submit written comments  
31.24 to the district or charter school that requested the renewal regarding the candidate.

31.25 (b) The Professional Educator Licensing and Standards Board must renew a Tier 1  
31.26 license if:

31.27 (1) the district or charter school requesting the renewal demonstrates that it has posted  
31.28 the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license  
31.29 for the position; and

31.30 (2) the teacher holding the Tier 1 license took a content examination in accordance with  
31.31 section 122A.185 and submitted the examination results to the teacher's employing district

32.1 or charter school within one year of the board approving the request for the initial Tier 1  
32.2 license.

32.3 The requirement in clause (2) does not apply to a teacher that teaches a class in a career and  
32.4 technical education or career pathways course of study.

32.5 (c) A Tier 1 license must not be renewed more than three times, unless the requesting  
32.6 district or charter school can show good cause for additional renewals. A Tier 1 license  
32.7 issued to teach (1) a class or course in a career and technical education or career pathway  
32.8 course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may  
32.9 be renewed without limitation.

32.10 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must  
32.11 accept applications for a Tier 1 teaching license beginning July 1 of the school year for  
32.12 which the license is requested and must issue or deny the Tier 1 teaching license within 30  
32.13 days of receiving the completed application.

32.14 Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter  
32.15 indicated on the application for the initial Tier 1 license under subdivision 1, paragraph (a),  
32.16 clause (2), and limited to the district or charter school that requested the initial Tier 1 license.

32.17 (b) A Tier 1 license does not bring an individual within the definition of a teacher for  
32.18 purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

32.19 (c) A Tier 1 license does not bring an individual within the definition of a teacher under  
32.20 section 179A.03, subdivision 18.

32.21 Subd. 6. **Mentorship and evaluation.** (a) A teacher holding a Tier 1 license must  
32.22 participate in the employing district or charter school's mentorship program.

32.23 (b) A teacher holding a Tier 1 license must participate in an evaluation aligned, to the  
32.24 extent practicable, with the evaluation under section 122A.40, subdivision 8, or 122A.41,  
32.25 subdivision 5.

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

32.27 Sec. 10. **[122A.182] TIER 2 LICENSE.**

32.28 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards  
32.29 Board must approve a request from a district or charter school to issue a Tier 2 license in a  
32.30 specified content area to a candidate if:

32.31 (1) the candidate meets the educational or professional requirements in paragraph (b)  
32.32 or (c);



- 33.1 (2) the candidate:
- 33.2 (i) has completed the coursework required under subdivision 2;
- 33.3 (ii) is enrolled in a Minnesota-approved teacher preparation program; or
- 33.4 (iii) has a master's degree in the specified content area; and
- 33.5 (3) the district or charter school demonstrates that a criminal background check has been
- 33.6 completed on the candidate.
- 33.7 (b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside
- 33.8 a career and technical education or career pathways course of study.
- 33.9 (c) A candidate for a Tier 2 license must have one of the following credentials in a
- 33.10 relevant content area to teach a class or course in a career and technical education or career
- 33.11 pathways course of study:
- 33.12 (1) an associate's degree;
- 33.13 (2) a professional certification; or
- 33.14 (3) five years of relevant work experience.
- 33.15 Subd. 2. **Coursework.** (a) A candidate for a Tier 2 license must meet the coursework
- 33.16 requirement by demonstrating completion of two of the following:
- 33.17 (1) at least eight upper division or graduate-level credits in the relevant content area;
- 33.18 (2) field-specific methods of training, including coursework;
- 33.19 (3) at least two years of teaching experience in a similar content area in any state, as
- 33.20 determined by the board;
- 33.21 (4) a passing score on the pedagogy and content exams under section 122A.185; or
- 33.22 (5) completion of a state-approved teacher preparation program.
- 33.23 (b) For purposes of paragraph (a), "upper division" means classes normally taken at the
- 33.24 junior or senior level of college which require substantial knowledge and skill in the field.
- 33.25 Candidates must identify the upper division credits that fulfill the requirement in paragraph
- 33.26 (a), clause (1).
- 33.27 Subd. 3. **Term of license.** The Professional Educator Licensing and Standards Board
- 33.28 must issue an initial Tier 2 license for a term of two years. A Tier 2 license may be renewed
- 33.29 three times. The board must issue rules setting forth the conditions for additional renewals
- 33.30 after the initial license has been renewed three times.

34.1 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must  
34.2 accept applications for a Tier 2 teaching license beginning July 1 of the school year for  
34.3 which the license is requested and must issue or deny the Tier 2 teaching license within 30  
34.4 days of receiving the completed application.

34.5 Subd. 5. **Limitations on license.** (a) A Tier 2 license is limited to the content matter  
34.6 indicated on the application for the initial Tier 2 license under subdivision 1, paragraph (a),  
34.7 and limited to the district or charter school that requested the initial Tier 2 license.

34.8 (b) A Tier 2 license shall not be construed to bring an individual within the definition  
34.9 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,  
34.10 clause (a).

34.11 Subd. 6. **Application toward probationary period.** (a) The time that a teacher works  
34.12 under a Tier 2 license must be credited towards the teacher's three-year probationary period  
34.13 under section 122A.40, subdivision 5, or 122A.41, subdivision 2.

34.14 (b) The time credited towards the probationary period under paragraph (a) must not  
34.15 exceed two years.

34.16 (c) The three years of the probationary period, including any time credited under this  
34.17 subdivision, must run consecutively, consistent with section 122A.40, subdivision 5, or  
34.18 section 122A.41, subdivision 2.

34.19 Subd. 7. **Mentorship and evaluation.** (a) A teacher holding a Tier 2 license must  
34.20 participate in the employing district or charter school's mentorship and evaluation program,  
34.21 including an individual growth and development plan.

34.22 (b) A teacher holding a Tier 2 license must participate in an evaluation aligned, to the  
34.23 extent practicable, with the evaluation under section 122A.40, subdivision 8, or section  
34.24 122A.41, subdivision 5.

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

34.26 Sec. 11. **[122A.183] TIER 3 LICENSE.**

34.27 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards  
34.28 Board must issue a Tier 3 license to a candidate who provides information sufficient to  
34.29 demonstrate all of the following:

34.30 (1) the candidate meets the educational or professional requirements in paragraphs (b)  
34.31 and (c);

35.1 (2) the candidate has obtained a passing score on the required licensure exams under  
35.2 section 122A.185; and

35.3 (3) the candidate has completed the coursework required under subdivision 2.

35.4 (b) A candidate for a Tier 3 license must have a bachelor's degree to teach a class or  
35.5 course outside a career and technical education or career pathways course of study.

35.6 (c) A candidate for a Tier 3 license must have one of the following credentials in a  
35.7 relevant content area to teach a class or course in a career and technical education or career  
35.8 pathways course of study:

35.9 (1) an associate's degree;

35.10 (2) a professional certification; or

35.11 (3) five years of relevant work experience.

35.12 In consultation with the Governor's Workforce Development Council established under  
35.13 section 116L.665, the board must establish a list of qualifying certifications, and may add  
35.14 additional professional certifications in consultation with school administrators, teachers,  
35.15 and other stakeholders.

35.16 Subd. 2. **Coursework.** A candidate for a Tier 3 license must meet the coursework  
35.17 requirement by demonstrating one of the following:

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

35.19 (2) completion of a state-approved teacher preparation program that includes field-specific  
35.20 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher  
35.21 preparation programs. The field-specific student teaching requirement does not apply to a  
35.22 candidate that has two years of teaching experience;

35.23 (3) submission of a content-specific licensure portfolio;

35.24 (4) a professional teaching license from another state, evidence that the candidate's  
35.25 license is in good standing, and two years of teaching experience;

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

35.30 (6) a passing score on all licensure examinations under section 122A.185 and five years  
35.31 of teaching experience as the teacher of record in any state.

36.1 Subd. 3. **Term of license.** The Professional Educator Licensing and Standards Board  
36.2 must issue an initial Tier 3 license for a term of three years. A Tier 3 license may be renewed  
36.3 every three years without limitation.

36.4 Subd. 4. **Mentorship and evaluation.** A teacher holding a Tier 3 license must participate  
36.5 in the employing district or charter school's mentorship and evaluation program, including  
36.6 an individual growth and development plan.

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

36.8 Sec. 12. **[122A.184] TIER 4 LICENSE.**

36.9 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards  
36.10 Board must issue a Tier 4 license to a candidate who provides information sufficient to  
36.11 demonstrate all of the following:

36.12 (1) the candidate meets all requirements for a Tier 3 license under section 122A.183,  
36.13 and has met the coursework requirements under section 122A.183, subdivision 2, clause  
36.14 (1) or (2);

36.15 (2) the candidate has at least three years of teaching experience in Minnesota;

36.16 (3) the candidate has obtained a passing score on all required licensure exams under  
36.17 section 122A.185; and

36.18 (4) the candidate's most recent summative teacher evaluation did not result in placing  
36.19 or otherwise keeping the teacher in an improvement process pursuant to section 122A.40,  
36.20 subdivision 8, or 122A.41, subdivision 5.

36.21 Subd. 2. **Term of license.** The Professional Educator Licensing and Standards Board  
36.22 must issue an initial Tier 4 license for a term of five years. A Tier 4 license may be renewed  
36.23 every five years without limitation.

36.24 Subd. 3. **Mentorship and evaluation.** A teacher holding a Tier 4 license must participate  
36.25 in the employing district or charter school's mentorship and evaluation program, including  
36.26 an individual growth and development plan.

36.27 Subd. 4. **Five-year license.** A five-year license issued by the commissioner of education  
36.28 before the effective date of this section must be treated as a Tier 4 license established under  
36.29 this section and section 122A.18. An expired five-year license issued by the commissioner  
36.30 of education before the effective date of this section fulfills the requirements of subdivision  
36.31 1 for purposes of future licensure by the Professional Educator Licensing and Standards  
36.32 Board.

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

37.2 Sec. 13. **[122A.185] TEACHER LICENSURE ASSESSMENT.**

37.3 Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board  
37.4 must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted  
37.5 examination of skills in reading, writing, and mathematics before being granted a Tier 4  
37.6 teaching license under section 122A.184 to provide direct instruction to pupils in elementary,  
37.7 secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier  
37.8 3 license to provide direct instruction to pupils in elementary, secondary, or special education  
37.9 programs if candidates meet the other requirements in section 122A.181, 122A.182, or  
37.10 122A.183, respectively.

37.11 (b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to  
37.12 pass an examination of general pedagogical knowledge and examinations of licensure field  
37.13 specific content. The content examination requirement does not apply if no relevant content  
37.14 exam exists.

37.15 (c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must  
37.16 pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,  
37.17 scientifically based reading instruction under section 122A.06, subdivision 4, knowledge  
37.18 and understanding of the foundations of reading development, development of reading  
37.19 comprehension and reading assessment and instruction, and the ability to integrate that  
37.20 knowledge and understanding into instruction strategies under section 122A.06, subdivision  
37.21 4.

37.22 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills  
37.23 examination does not apply to nonnative English speakers, as verified by qualified Minnesota  
37.24 school district personnel or Minnesota higher education faculty, who, after meeting the  
37.25 content and pedagogy requirements under this subdivision, apply for a teaching license to  
37.26 provide direct instruction in their native language or world language instruction under section  
37.27 120B.022, subdivision 1.

37.28 Subd. 2. **Passing scores.** The board must establish passing scores in all examinations  
37.29 required for licensure.

37.30 Subd. 3. **Testing accommodations.** The board and the entity administering the content,  
37.31 pedagogy, and skills examinations must allow any individual who produces documentation  
37.32 of a disability in the form of an evaluation, 504 plan, or individual education program (IEP)

38.1 to receive the same testing accommodations on the content, pedagogy, and skills examinations  
38.2 that the applicant received during the applicant's secondary or postsecondary education.

38.3 Subd. 4. **Remedial assistance.** (a) A board-approved teacher preparation program must  
38.4 make available upon request remedial assistance that includes a formal diagnostic component  
38.5 to persons enrolled in their institution who did not achieve a qualifying score on a  
38.6 board-adopted skills examination, including those for whom English is a second language.  
38.7 The teacher preparation programs must make available assistance in the specific academic  
38.8 areas of candidates' deficiency.

38.9 (b) School districts may make available upon request similar, appropriate, and timely  
38.10 remedial assistance that includes a formal diagnostic component to those persons employed  
38.11 by the district who completed their teacher education program, who did not achieve a  
38.12 qualifying score on a board-adopted skills examination, and who received a Tier 1, Tier 2,  
38.13 or Tier 3 license under sections 122A.181, 122A.182, or 122A.183, respectively, to teach  
38.14 in Minnesota.

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

38.16 Sec. 14. **[122A.187] EXPIRATION AND RENEWAL.**

38.17 Subdivision 1. **License form requirements.** Each license issued under this chapter must  
38.18 bear the date of issue and the name of the state-approved teacher training provider or  
38.19 alternative teaching program, as applicable. Licenses must expire and be renewed according  
38.20 to rules adopted by the Professional Educator Licensing and Standards Board or the Board  
38.21 of School Administrators. The rules adopted by the Professional Educator Licensing and  
38.22 Standards Board for renewing a Tier 3 or Tier 4 license under sections 122A.183 and  
38.23 122A.184, respectively, must include showing satisfactory evidence of successful teaching  
38.24 or administrative experience for at least one school year during the period covered by the  
38.25 license in grades or subjects for which the license is valid or completing such additional  
38.26 preparation as required under this section, or as the Professional Educator Licensing and  
38.27 Standards Board prescribes. The Board of School Administrators shall establish requirements  
38.28 for renewing the licenses of supervisory personnel except athletic coaches. The Professional  
38.29 Educator Licensing and Standards Board shall establish requirements for renewing the  
38.30 licenses of athletic coaches.

38.31 Subd. 2. **Local committees.** The Professional Educator Licensing and Standards Board  
38.32 must receive recommendations from local committees as established by the board for the  
38.33 renewal of teaching licenses.

39.1 Subd. 3. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4  
39.2 license under sections 122A.183 and 122A.184, respectively, who have been employed as  
39.3 a teacher during the renewal period of the expiring license, as a condition of license renewal,  
39.4 must present to their local continuing education and relicensure committee or other local  
39.5 relicensure committee evidence of work that demonstrates professional reflection and growth  
39.6 in best teaching practices, including among other things, cultural competence in accordance  
39.7 with section 120B.30, subdivision 1, paragraph (q), and practices in meeting the varied  
39.8 needs of English learners, from young children to adults under section 124D.59, subdivisions  
39.9 2 and 2a. A teacher may satisfy the requirements of this paragraph by submitting the teacher's  
39.10 most recent summative evaluation or improvement plan under section 122A.40, subdivision  
39.11 8, or 122A.41, subdivision 5.

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

39.14 Subd. 4. **Behavior interventions.** The Professional Educator Licensing and Standards  
39.15 Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier  
39.16 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the  
39.17 renewal requirements further preparation in the areas of using positive behavior interventions  
39.18 and in accommodating, modifying, and adapting curricula, materials, and strategies to  
39.19 appropriately meet the needs of individual students and ensure adequate progress toward  
39.20 the state's graduation rule.

39.21 Subd. 5. **Reading preparation.** The Professional Educator Licensing and Standards  
39.22 Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier  
39.23 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the  
39.24 renewal requirements further reading preparation, consistent with section 122A.06,  
39.25 subdivision 4. The rules do not take effect until they are approved by law. Teachers who  
39.26 do not provide direct instruction including, at least, counselors, school psychologists, school  
39.27 nurses, school social workers, audiovisual directors and coordinators, and recreation  
39.28 personnel are exempt from this section.

39.29 Subd. 6. **Mental illness.** The Professional Educator Licensing and Standards Board must  
39.30 adopt rules that require all licensed teachers renewing a Tier 3 or Tier 4 teaching license  
39.31 under sections 122A.183 and 122A.184, respectively, to include in the renewal requirements  
39.32 at least one hour of suicide prevention best practices in each licensure renewal period based  
39.33 on nationally recognized evidence-based programs and practices, among the continuing  
39.34 education credits required to renew a license under this subdivision, and further preparation,  
39.35 first, in understanding the key warning signs of early-onset mental illness in children and

40.1 adolescents and then, during subsequent licensure renewal periods, preparation may include  
40.2 providing a more in-depth understanding of students' mental illness trauma, accommodations  
40.3 for students' mental illness, parents' roles in addressing students' mental illness, Fetal Alcohol  
40.4 Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive  
40.5 procedures, and de-escalation methods, among other similar topics.

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

40.7 Sec. 15. **[122A.188] LICENSURE DENIAL; APPEAL.**

40.8 Subdivision 1. **Denial letter.** (a) The Professional Educator Licensing and Standards  
40.9 Board must inform a candidate within 30 days of receiving a completed application whether  
40.10 the candidate's application for an initial teaching license or renewal of license has been  
40.11 approved or denied. A completed application must include all supporting information and  
40.12 the results of the background check or conduct determination by the board. When an  
40.13 application is denied, the notification letter must inform the candidate of the process for  
40.14 seeking review of the denial and of the appeals process provided in this section, including  
40.15 all deadlines for seeking review of the denial decision and filing an appeal. The notification  
40.16 letter must identify each licensure requirement the candidate failed to meet.

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

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

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

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



41.1 Sec. 16. Minnesota Statutes 2016, section 122A.19, is amended to read:

41.2 **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS;**  
41.3 **LICENSES.**

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

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

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

41.12 (3) meet all other requirements for a teaching license provided in sections 122A.18 to  
41.13 122A.184.

41.14 Subd. 2. **Persons holding general teaching licenses.** The board may license a person  
41.15 who holds a ~~general~~ teaching license in any tier under sections 122A.181 to 122A.184,  
41.16 respectively, and who presents the board with satisfactory evidence of competence and  
41.17 communicative skills in a language other than English under this section.

41.18 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual  
41.19 and English as a second language teachers, the board may approve programs at colleges or  
41.20 universities designed for their training. ~~These~~

41.21 (b) Programs that prepare English as a second language teachers must provide instruction  
41.22 in implementing research-based practices designed specifically for English learners. The  
41.23 programs must focus on developing English learners' academic language proficiency in  
41.24 English, including oral academic language, giving English learners meaningful access to  
41.25 the full school curriculum, developing culturally relevant teaching practices appropriate for  
41.26 immigrant students, and providing more intensive instruction and resources to English  
41.27 learners with lower levels of academic English proficiency and varied needs, consistent  
41.28 with section 124D.59, subdivisions 2 and 2a.

41.29 Subd. 5. **Persons eligible for employment.** Any person licensed under this section is  
41.30 eligible for employment by a school board as a teacher in a bilingual education or English  
41.31 as a second language program in which the language for which the person is licensed is  
41.32 taught or used as a medium of instruction. A board may prescribe only those additional

42.1 qualifications for teachers licensed under this section that are approved by the board of  
42.2 teaching.

42.3 Subd. 6. **Affirmative efforts in hiring.** In hiring for all bilingual education program  
42.4 positions, districts must give preference to and make affirmative efforts to seek, recruit, and  
42.5 employ persons who (1) are native speakers of the language which is the medium of  
42.6 instruction in the bilingual education program or share a native language with the majority  
42.7 of their students, and (2) share the culture of the English learners enrolled in the program.  
42.8 The district shall provide procedures for involving the parent advisory committees in  
42.9 designing the procedures for recruiting, screening, and selecting applicants. This section  
42.10 must not be construed to limit the school board's authority to hire and discharge personnel.

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

42.12 Sec. 17. Minnesota Statutes 2016, section 122A.20, is amended to read:

42.13 **122A.20 SUSPENSION OR REVOCATION OF LICENSES.**

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

42.20 (1) immoral character or conduct;

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

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

42.23 (4) failure to meet licensure requirements; or

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

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

42.26 (b) The Professional Educator Licensing and Standards Board of Teaching or Board of  
42.27 School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse  
42.28 to issue, refuse to renew, or automatically revoke a teacher's license to teach without the  
42.29 right to a hearing upon receiving a certified copy of a conviction showing that the teacher  
42.30 has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first  
42.31 degree under section 609.322, subdivision 1, sex trafficking in the second degree under  
42.32 section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage

43.1 in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342,  
43.2 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation  
43.3 of children to engage in sexual conduct or communication of sexually explicit materials to  
43.4 children under section 609.352, interference with privacy under section 609.746 or stalking  
43.5 under section 609.749 and the victim was a minor, using minors in a sexual performance  
43.6 under section 617.246, possessing pornographic works involving a minor under section  
43.7 617.247, or any other offense not listed in this paragraph that requires the person to register  
43.8 as a predatory offender under section 243.166, or a crime under a similar law of another  
43.9 state or the United States. The board shall send notice of this licensing action to the district  
43.10 in which the teacher is currently employed.

43.11 (c) A person whose license to teach has been revoked, not issued, or not renewed under  
43.12 paragraph (b), may petition the board to reconsider the licensing action if the person's  
43.13 conviction for child abuse or sexual abuse is reversed by a final decision of the Court of  
43.14 Appeals or the Supreme Court or if the person has received a pardon for the offense. The  
43.15 petitioner shall attach a certified copy of the appellate court's final decision or the pardon  
43.16 to the petition. Upon receiving the petition and its attachment, the board shall schedule and  
43.17 hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the  
43.18 petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal  
43.19 of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified  
43.20 from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing  
43.21 action. If the board finds that the petitioner is not disqualified from teaching under paragraph  
43.22 (a), clause (1), it shall reverse its previous licensing action.

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

43.25 Subd. 2. **Mandatory reporting.** (a) A school board must report to the Professional  
43.26 Educator Licensing and Standards Board of Teaching, the Board of School Administrators,  
43.27 or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has  
43.28 jurisdiction over the teacher's or administrator's license, when its teacher or administrator  
43.29 is discharged or resigns from employment after a charge is filed with the school board under  
43.30 section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed  
43.31 that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses  
43.32 (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation  
43.33 is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41,  
43.34 subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator  
43.35 is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a),

44.1 clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate  
44.2 licensing board within ten days after the discharge, suspension, or resignation has occurred.  
44.3 The licensing board to which the report is made must investigate the report for violation of  
44.4 subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding  
44.5 any provision in chapter 13 or any law to the contrary, upon written request from the licensing  
44.6 board having jurisdiction over the license, a board or school superintendent shall provide  
44.7 the licensing board with information about the teacher or administrator from the district's  
44.8 files, any termination or disciplinary proceeding, any settlement or compromise, or any  
44.9 investigative file. Upon written request from the appropriate licensing board, a board or  
44.10 school superintendent may, at the discretion of the board or school superintendent, solicit  
44.11 the written consent of a student and the student's parent to provide the licensing board with  
44.12 information that may aid the licensing board in its investigation and license proceedings.  
44.13 The licensing board's request need not identify a student or parent by name. The consent  
44.14 of the student and the student's parent must meet the requirements of chapter 13 and Code  
44.15 of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent  
44.16 form to the district. Any data transmitted to any board under this section is private data  
44.17 under section 13.02, subdivision 12, notwithstanding any other classification of the data  
44.18 when it was in the possession of any other agency.

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

44.28 (c) The Professional Educator Licensing and Standards Board and Board of School  
44.29 Administrators must report to the appropriate law enforcement authorities a revocation,  
44.30 suspension, or agreement involving a loss of license, relating to a teacher or administrator's  
44.31 inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement  
44.32 authority" means a police department, county sheriff, or tribal police department. A report  
44.33 by the Professional Educator Licensing and Standards Board to appropriate law enforcement  
44.34 authorities does not diminish, modify, or otherwise affect the responsibilities of a school  
44.35 board or any person mandated to report abuse under section 626.556.

45.1 Subd. 3. **Immunity from liability.** A school board, its members in their official capacity,  
45.2 and employees of the district run by the board are immune from civil or criminal liability  
45.3 for reporting or cooperating as required under subdivision 2, if their actions required under  
45.4 subdivision 2 are done in good faith and with due care.

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

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

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

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

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

45.22 Sec. 19. **[122A.2451] ALTERNATIVE TEACHER PREPARATION PROVIDERS**  
45.23 **AND PROGRAMS.**

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

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

45.29 Subd. 2. **Purpose.** To provide alternative pathways towards Minnesota teacher licensure  
45.30 outside of the traditional means, improve ethnic and cultural diversity in the classroom, and  
45.31 to close the achievement gap, the Professional Educator Licensing and Standards Board  
45.32 must approve qualified teacher preparation providers and programs under this section that

46.1 are a means to acquire a Tier 2 license under section 122A.181 and prepare for acquiring a  
46.2 Tier 3 license under section 122A.181.

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

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

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

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

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

46.16 (4) has the instructional capacity or ability to obtain the instructional capacity to provide  
46.17 an adequate instructional phase under subdivision 5.

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

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

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

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

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

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

47.1 orientation, professional staff development, mentoring and peer review, focused on standards  
47.2 of professional practice and continuous professional growth; and

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

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

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

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

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

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

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

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

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

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

48.2 Subd. 2. **Exceptions.** A person who teaches in a community education program which  
48.3 qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements  
48.4 as a teacher. A person who teaches in an early childhood and family education program  
48.5 which is offered through a community education program and which qualifies for community  
48.6 education aid pursuant to section 124D.20 or early childhood and family education aid  
48.7 pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A  
48.8 person who teaches in a community education course which is offered for credit for  
48.9 graduation to persons under 18 years of age shall continue to meet licensure requirements  
48.10 as a teacher. A person who teaches a driver training course which is offered through a  
48.11 community education program to persons under 18 years of age shall be licensed by the  
48.12 Professional Educator Licensing and Standards Board of Teaching or be subject to section  
48.13 171.35. A license which is required for an instructor in a community education program  
48.14 pursuant to this subdivision shall not be construed to bring an individual within the definition  
48.15 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,  
48.16 clause (a).

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

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

48.19 **122A.28 TEACHERS OF DEAF AND HARD-OF-HEARING STUDENTS;**  
48.20 **LICENSURE REQUIREMENTS.**

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

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

48.27 (b) Among other relicensure requirements, each teacher under this section must complete  
48.28 30 continuing education clock hours on hearing loss topics, including American Sign  
48.29 Language, American Sign Language linguistics, or deaf culture, in each licensure renewal  
48.30 period.

48.31 Subd. 2. **Licensure for teaching oral/aural deaf education programs.** (a) The  
48.32 Professional Educator Licensing and Standards Board of Teaching shall adopt a separate  
48.33 licensure rule for a candidate for a license or an applicant for a continuing license to teach



49.1 in oral/aural deaf education programs or to provide services, including itinerant oral/aural  
49.2 deaf education services, to deaf and hard-of-hearing students in prekindergarten through  
49.3 grade 12.

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

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

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

49.17 (e) Requirements for teachers of oral/aural deaf education shall include appropriate  
49.18 continuing education requirements for renewing this licensure.

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

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

49.21 **122A.29 TEACHERS OF BLIND AND VISUALLY IMPAIRED STUDENTS;**  
49.22 **LICENSURE REQUIREMENTS.**

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

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

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

49.30 **122A.30 EXEMPTION FOR CAREER AND TECHNICAL EDUCATION**  
49.31 **INSTRUCTORS.**

50.1 (a) Notwithstanding section 122A.15, subdivision 1, and upon approval of the local  
50.2 employer school board, a person who teaches in a part-time vocational or career and technical  
50.3 education program is exempt from a license requirement. Nothing in this section shall  
50.4 exclude licensed career and technical educators from the definition of "teacher" in section  
50.5 122A.40, 122A.41, or 179A.03.

50.6 (b) This section expires June 30, 2020. After this section expires, persons who teach in  
50.7 a part-time vocational or career and technical education program may apply for a teaching  
50.8 license provided in sections 122A.18 to 122A.184.

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

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

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

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

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

50.17 Subd. 12. **Compliance with rules.** Aid must be paid under this section only for services  
50.18 rendered or for costs incurred in career and technical education programs approved by the  
50.19 commissioner and operated in accordance with rules promulgated by the commissioner.  
50.20 This aid shall be paid only for services rendered and for costs incurred by essential, licensed  
50.21 personnel who meet the requirements for licensure pursuant to the rules of the ~~Minnesota~~  
50.22 Professional Educator Licensing and Standards Board of Teaching. Licensed personnel  
50.23 means persons holding a valid career and technical license issued by the ~~commissioner~~  
50.24 Professional Educator Licensing and Standards Board under section 122A.30. If an average  
50.25 of five or fewer secondary full-time equivalent students are enrolled per teacher in an  
50.26 approved postsecondary program at Intermediate District No. 287, 916, or 917, licensed  
50.27 personnel means persons holding a valid vocational license issued by the commissioner or  
50.28 the Board of Trustees of the Minnesota State Colleges and Universities. Notwithstanding  
50.29 section 127A.42, the commissioner may modify or withdraw the program or aid approval  
50.30 and withhold aid under this section without proceeding under section 127A.42 at any time.  
50.31 To do so, the commissioner must determine that the program does not comply with rules  
50.32 of the Department of Education or that any facts concerning the program or its budget differ  
50.33 from the facts in the district's approved application.

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

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

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

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

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

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

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

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

51.20 Subd. 6. **Persons eligible for employment; exemptions.** Any person licensed under  
51.21 this section shall be eligible for employment by a school board or a participating school as  
51.22 a teacher in an American Indian education program in which the American Indian language  
51.23 or culture in which the person is licensed is taught. A school district or participating school  
51.24 may prescribe only those additional qualifications for teachers licensed under this section  
51.25 as are approved by the Professional Educator Licensing and Standards Board of Teaching.  
51.26 Any school board or participating school upon request may be exempted from the licensure  
51.27 requirements of this section in the hiring of one or more American Indian language and  
51.28 culture education teachers for any school year in which compliance would, in the opinion  
51.29 of the ~~commissioner~~ Professional Educator Licensing and Standards Board, create a hardship  
51.30 in the securing of the teachers.

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

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

52.2 Subd. 2. **Teacher standards.** A teacher ~~or administrator~~ at the academies is subject to  
52.3 the licensure standards of the Professional Educator Licensing and Standards Board of  
52.4 Teaching or the commissioner of education. An administrator at the academies is subject  
52.5 to the licensure standards of the Board of School Administrators.

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

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

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

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

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

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

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

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

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

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

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

53.1 Sec. 31. **RULE CHANGE; ACADEMIC AND BEHAVIORAL STRATEGIST**  
53.2 **LICENSURE.**

53.3 No later than September 1, 2017, the Board of Teaching must amend Minnesota Rules,  
53.4 part 8710.5050, subpart 4, so that academic and behavioral strategist continuing licenses  
53.5 under that part may be issued and renewed according to rules of the Board of Teaching  
53.6 governing continuing licenses and without requiring the candidate to hold or be recommended  
53.7 for licensure in any other licensure field. The board shall use the good cause exemption  
53.8 under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under  
53.9 this section, and Minnesota Statutes, section 14.386, does not apply except as provided in  
53.10 Minnesota Statutes, section 14.388.

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

53.12 Sec. 32. **LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.**

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

53.16 Subd. 2. **Two-year license.** A two-year license issued by the commissioner of education  
53.17 before the effective date of this section must be treated as a Tier 2 license established under  
53.18 Minnesota Statutes, sections 122A.18 and 122A.182.

53.19 Subd. 3. **Five-year license.** A five-year license must be treated in accordance with  
53.20 Minnesota Statutes, section 122A.184, subdivision 4.

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

53.22 Sec. 33. **PERMISSIONS, WAIVERS, EXCEPTIONS, AND VARIANCES.**

53.23 The Professional Educator Licensing and Standards Board may grant an extension of  
53.24 up to one year for a permission, waiver, variance, or temporary limited license in effect on  
53.25 January 1, 2018.

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

53.27 Sec. 34. **TEACHERS OF ENGLISH AS A SECOND LANGUAGE.**

53.28 (a) Notwithstanding the teacher's field of licensure, a teacher may provide content  
53.29 instruction in a district or charter school until the end of the 2018-2019 school year if the  
53.30 teacher:

54.1 (1) held a kindergarten through grade 12 English as a second language (ESL) license  
54.2 during the 2016-2017 school year;

54.3 (2) provided content instruction as a highly qualified teacher under the No Child Left  
54.4 Behind Act to English language learners, as defined under Minnesota Statutes, section  
54.5 124D.59; and

54.6 (3) taught in a classroom where both state content standards and English language  
54.7 development standards were satisfied.

54.8 (b) For the 2019-2020 school year and later, a teacher with an ESL license must meet  
54.9 all applicable licensing requirements in chapter 122A and rules adopted by the Professional  
54.10 Educator Licensing and Standards Board.

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

54.12 Sec. 35. **REPEALER.**

54.13 Minnesota Statutes 2016, sections 122A.14, subdivision 5; 122A.162; 122A.163;  
54.14 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, and 7b; 122A.21, subdivision 2; 122A.23,  
54.15 subdivisions 1 and 2; 122A.245; and 122A.25, are repealed.

### 54.16 **ARTICLE 3**

#### 54.17 **NONTEACHER CREDENTIALING**

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

54.19 Subdivision 1. **Rulemaking.** The Professional Educator Licensing and Standards Board  
54.20 ~~of Teaching~~ must adopt rules to implement a statewide credential for education  
54.21 paraprofessionals who assist a licensed teacher in providing student instruction. Any  
54.22 paraprofessional holding this credential or working in a local school district after meeting  
54.23 a state-approved local assessment is considered to be highly qualified under federal law.  
54.24 Under this subdivision, the Professional Educator Licensing and Standards Board ~~of~~  
54.25 ~~Teaching~~, in consultation with the commissioner, must adopt qualitative criteria for approving  
54.26 local assessments that include an evaluation of a paraprofessional's knowledge of reading,  
54.27 writing, and math and the paraprofessional's ability to assist in the instruction of reading,  
54.28 writing, and math. The commissioner must approve or disapprove local assessments using  
54.29 these criteria. The commissioner must make the criteria available to the public.

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

APPENDIX  
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**122A.09 DUTIES.**

Subd. 5. **Commissioner's representative to comment on proposed rule.** Before the Board of Teaching adopts any rule that must be submitted to public hearing, a representative of the commissioner shall appear before the Board of Teaching and at the hearing required under section 14.14, subdivision 1, to comment on the cost and educational implications of that proposed rule.

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

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

**122A.14 DUTIES OF BOARD OF SCHOOL ADMINISTRATORS.**

Subd. 5. **Commissioner's representative to comment on proposed rule.** Before adopting any rule that must be submitted to public hearing, a representative of the commissioner of education shall appear before the board and at any hearing required under section 14.14, subdivision 1, to comment on the cost and educational implications of the proposed rule.

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

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

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

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

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

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



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of professional practices, including areas of ethical conduct and professional performance and methods of enforcement.

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

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

(b) 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. 6. **Human relations.** The Board of Teaching shall accept training programs completed through Peace Corps, VISTA, or Teacher Corps in lieu of completing the human relations component of the training program for purposes of issuing or renewing a teaching license.

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

Subd. 7b. **Temporary limited licenses; personnel variances.** (a) The Board of Teaching must accept applications for a temporary limited teaching license beginning July 1 of the school year for which the license is requested and must issue or deny the temporary limited teaching license within 30 days of receiving the complete application.

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(b) The Board of Teaching must accept applications for a personnel variance beginning July 1 of the school year for which the variance is requested and must issue or deny the personnel variance within 30 days of receiving the complete application.

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

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

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

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

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

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

### **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.

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(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 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:

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(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

(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.

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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.

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.