

H. F. No. **1079**

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.

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

Subd. 5. **Shortage.** "Shortage" means an inadequate supply of licensed personnel in a given licensure area, as identified in the most recent report submitted by the commissioner of education to the legislature under section 127A.05, subdivision 6, or the Professional Educator Licensing and Standards Board under section 122A.091, subdivision 5.

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

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

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

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

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

(1) six teachers who are currently teaching in a Minnesota school or who were teaching at the time of the appointment ~~and who do not qualify under clause (2) or (3), at least four of whom must be teaching in a public school,~~ at least one of whom must be a teacher in a charter school, and one of whom must be licensed in either a geographic or license shortage area, and none of whom may be serving in an administrative function or any position with the exclusive bargaining representative of teachers as of the effective date of this section;

(2) ~~one higher education representative, who must be a faculty member preparing teachers~~ one superintendent from the seven-county metropolitan area, as defined in section 473.121, subdivision 2;

(3) ~~one school administrator~~ superintendent from outside the seven-county metropolitan area, as defined in section 473.121, subdivision 2; and

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

(5) one secondary school principal; and

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

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

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

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

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

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

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

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

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

Subd. 4a. **Administration.** (a) The governor must appoint an executive director of the Professional Educator Licensing and Standards Board. The executive director may be removed by the governor. The board must review the performance of the executive director and set the salary of the executive director. The salary of the executive director must not exceed the limit for a position listed in section 15A.0815, subdivision 2.

(b) The executive director of the board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director shall maintain the records of the board, account for all fees received by the board, supervise and direct employees servicing the board, and perform other services as directed by the board.

(c) The Department of Administration must provide the board with the following administrative support services:

(1) purchasing services;

(2) accounting services;

(3) advisory personnel services;

(4) consulting services relating to evaluation procedures and techniques;

(5) data processing;

(6) duplicating;

(7) mailing services;

(8) automated printing of license renewals; and

(9) such other similar services of a housekeeping nature as are generally available to other agencies of state government.

(d) The Department of Education must provide suitable offices and other space to the board at no cost until January 1, 2020. Thereafter, the board may contract with either the Department of Education or the Department of Administration for the provision of suitable offices and other space, joint conference and hearing facilities, and examination rooms.

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

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

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

**122A.08 MEETINGS.**

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

Subd. 2. **Executive secretary.** The Professional Educator Licensing and Standards Board of Teaching must have an executive secretary who is in the unclassified civil service and who is not a member of the board. The executive secretary must fulfill the duties provided in section 122A.09, subdivision 6.

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

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

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

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

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

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

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

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

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

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

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

Subd. 4. **~~License and rules~~ Licensing.** (a) The Professional Educator Licensing and Standards Board must ~~adopt rules to license public school teachers and interns subject to chapter 14.~~ license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not delegate its authority to make all licensing decisions with respect to candidates for teacher

licensure. The board must evaluate candidates for compliance with statutory or rule requirements for licensure and develop licensure verification requirements.

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

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

~~(d) The board must provide the leadership and adopt rules for the redesign of teacher education programs to implement a research based, results-oriented curriculum that focuses on the skills teachers need in order to be effective. Among other components, teacher preparation programs may use the Minnesota State Colleges and Universities program model to provide a school-year-long student teaching program that combines clinical opportunities with academic coursework and in-depth student teaching experiences to offer students ongoing mentorship, coaching, and assessment, help to prepare a professional development plan, and structured learning experiences. The board shall implement new systems of teacher~~

~~preparation program evaluation to assure program effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes. Teacher preparation programs including alternative teacher preparation programs under section 122A.245, among other programs, must include a content-specific, board-approved, performance-based assessment that measures teacher candidates in three areas: planning for instruction and assessment; engaging students and supporting learning; and assessing student learning. The board's redesign rules must include creating flexible, specialized teaching licenses, credentials, and other endorsement forms to increase students' participation in language immersion programs, world language instruction, career development opportunities, work-based learning, early college courses and careers, career and technical programs, Montessori schools, and project and place-based learning, among other career and college-ready learning offerings.~~

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

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

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



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

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

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

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

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

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

~~(n) The board must adopt rules that require all licensed teachers who are renewing their professional five-year teaching licenses to include in their renewal requirements at least one hour of suicide prevention best practices in each licensure renewal period that are based on nationally recognized evidence-based programs and practices, among the continuing education credits required to renew a license under this paragraph, and further preparation, first, in understanding the key warning signs of early-onset mental illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in-depth understanding of students' mental illness trauma, accommodations~~

for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

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

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

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

Subd. 4a. **Teacher and administrator preparation and performance data; report Reports.** (a) The Board of Teaching and the Board of School Administrators, in cooperation with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges and universities offering board-adopted teacher or administrator preparation programs, annually must collect and report summary data on teacher and administrator preparation and performance outcomes, consistent with this subdivision. The Board of Teaching and the Board of School Administrators annually by June 1 must update and post the reported summary preparation and performance data on teachers and administrators from the preceding school years on a Web site hosted jointly by the boards. The Professional Educator Licensing and Standards Board must provide reports in accordance with section 122A.091.

(b) Publicly reported summary data on teacher preparation programs must include: student entrance requirements for each Board of Teaching-approved program, including grade point average for enrolling students in the preceding year; the average board-adopted skills examination or ACT or SAT scores of students entering the program in the preceding year; summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and their years of experience either as kindergarten through grade 12 classroom teachers or school administrators; the average time resident and nonresident program graduates in the preceding year needed to complete the program; the current number and percent of students by program who graduated, received a standard Minnesota teaching license, and were hired to teach full time in their licensure field in a

~~Minnesota district or school in the preceding year; the number of content area credits and other credits by undergraduate program that students in the preceding school year needed to complete to graduate; students' pass rates on skills and subject matter exams required for graduation in each program and licensure area in the preceding school year; survey results measuring student and graduate satisfaction with the program in the preceding school year; a standard measure of the satisfaction of school principals or supervising teachers with the student teachers assigned to a school or supervising teacher; and information under paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.~~

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

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

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

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

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

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

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

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

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

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

12.24 Subd. 7. ~~Commissioner's assistance;~~ **Professional Educator Licensing and Standards**  
 12.25 **Board money.** ~~The commissioner shall provide all necessary materials and assistance for~~  
 12.26 ~~the transaction of the business of the Board of Teaching and~~ All moneys received by the  
 12.27 Professional Educator Licensing and Standards Board of Teaching shall be paid into the  
 12.28 state treasury as provided by law. The expenses of administering sections 122A.01, 122A.05  
 12.29 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183,  
 12.30 122A.184, 122A.185, 122A.186, 122A.187, 122A.188, 122A.20, 122A.21, 122A.22,  
 12.31 122A.23, 122A.245, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49,  
 12.32 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the Professional

13.1 Educator Licensing and Standards Board of Teaching shall be paid for from appropriations  
13.2 made to the Professional Educator Licensing and Standards Board of Teaching.

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

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

13.5 Subd. 9. **Professional Educator Licensing and Standards Board** ~~may~~ **must** adopt  
13.6 **rules.** (a) The Professional Educator Licensing and Standards Board of Teaching ~~may~~ **must**  
13.7 adopt rules subject to the provisions of chapter 14 to implement sections 122A.05 to 122A.09,  
13.8 122A.092, 122A.16, 122A.17, 122A.18, 122A.183, 122A.184, 122A.185, 122A.186,  
13.9 122A.187, 122A.188, 122A.20, 122A.21, and 122A.23.

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

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

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

13.15 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and  
13.16 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant  
13.17 waivers to its rules upon application by a school district or a charter school for purposes of  
13.18 implementing experimental programs in learning or management.

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

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

13.28 (d) ~~The Board of Teaching may issue a one-year professional license under paragraph~~  
13.29 ~~(a), which the board may renew two times, to allow a person holding a full credential from~~  
13.30 ~~the American Montessori Society, a diploma from Association Montessori Internationale,~~  
13.31 ~~or a certificate of completion from a program accredited by the Montessori Accreditation~~

14.1 Council for Teacher Education to teach in a Montessori program operated by a school district  
14.2 or charter school.

14.3 ~~(e) The Board of Teaching may grant a one-year waiver, renewable two times, to allow~~  
14.4 ~~individuals who hold a bachelor's degree from an accredited postsecondary institution,~~  
14.5 ~~demonstrate occupational competency based on at least three years of full-time work~~  
14.6 ~~experience in business or industry, and enroll and make satisfactory progress in an alternative~~  
14.7 ~~preparation program leading to certification as a career and technical education instructor~~  
14.8 ~~to teach career and technical education courses offered by a school district or charter school.~~

14.9 A candidate that has obtained career and technical education certification may apply for a  
14.10 Tier 1 license under section 122A.181. Consistent with this paragraph and section 136F.361,  
14.11 the Professional Educator Licensing and Standards Board of Teaching must strongly  
14.12 encourage require approved college or university-based teacher preparation programs and  
14.13 institutions throughout Minnesota to develop alternative pathways for certifying and licensing  
14.14 high school career and technical education instructors and teachers, allowing such candidates  
14.15 to meet certification and licensure standards that demonstrate their content knowledge,  
14.16 classroom experience, and pedagogical practices and their qualifications based on a  
14.17 combination of occupational testing, professional certification or licensure, and long-standing  
14.18 work experience.

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

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

14.21 Subdivision 1. **Teacher and administrator preparation and performance data;**  
14.22 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of  
14.23 School Administrators, in cooperation with the Minnesota Association of Colleges of Teacher  
14.24 Education and Minnesota colleges and universities offering board-adopted teacher or  
14.25 administrator preparation programs, annually must collect and report summary data on  
14.26 teacher and administrator preparation and performance outcomes, consistent with this  
14.27 subdivision. The Professional Educator Licensing and Standards Board and the Board of  
14.28 School Administrators annually by June 1 must update and post the reported summary  
14.29 preparation and performance data on teachers and administrators from the preceding school  
14.30 years on a Web site hosted jointly by the boards.

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

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

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

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

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

15.8 (5) the current number and percent of students by program who graduated, received a  
15.9 standard Minnesota teaching license, and were hired to teach full time in their licensure  
15.10 field in a Minnesota district or school in the preceding year;

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

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

15.15 (8) survey results measuring student and graduate satisfaction with the program in the  
15.16 preceding school year;

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

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

15.20 Program reporting must be consistent with subdivision 2.

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

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

15.26 (2) the average time program graduates in the preceding year needed to complete the  
15.27 program;

15.28 (3) the current number and percent of students who graduated, received a standard  
15.29 Minnesota administrator license, and were employed as an administrator in a Minnesota  
15.30 school district or school in the preceding year;

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

(5) survey results measuring student, graduate, and employer satisfaction with the program in the preceding school year; and

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

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

Subd. 2. **Teacher preparation program reporting.** By December 31, 2018, and annually thereafter, the Professional Educator Licensing and Standards Board 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 1, 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.

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

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

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

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

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

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

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



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

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

17.7 (2) the principal preparation program providing instruction to the principal or assistant  
17.8 principal.

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

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

17.15 Subd. 5. **Survey of districts.** (a) The Professional Educator Licensing and Standards  
17.16 Board must survey the state's school districts and teacher preparation programs and report  
17.17 to the education committees of the legislature by February 1, 2021, and each odd-numbered  
17.18 year thereafter on the status of teacher early retirement patterns, the access to effective and  
17.19 more diverse teachers who reflect the students under section 120B.35, subdivision 3,  
17.20 paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the  
17.21 substitute teacher shortage, including patterns and shortages in subject areas and the economic  
17.22 development regions of the state.

17.23 (b) The report must also include:

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

17.25 (2) data on how districts are making progress in hiring teachers and substitutes in the  
17.26 areas of shortage; and

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

17.30 Subd. 6. **Implementation report.** By January 1, 2019, the Professional Educator  
17.31 Licensing and Standards Board must prepare a report to the legislature on the implementation  
17.32 of the teacher licensure system established under sections 122A.18 to 122A.184. The report  
17.33 must include the number of applicants for license in each tier, the number of applications

18.1 granted and denied, summary data on the reasons applications were denied, and the status  
18.2 of the board's rulemaking process for all licensure related rules.

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

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

18.5 Subdivision 1. **Rules.** The board must adopt rules to approve teacher preparation  
18.6 programs.

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

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

18.11 (2) the program provides a school-year-long student teaching program that combines  
18.12 clinical opportunities with academic coursework and in-depth student teaching experiences  
18.13 to offer students ongoing mentorship, coaching, and assessment, help in preparing a  
18.14 professional development plan, and structured learning experiences;

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

18.17 (4) the program must include a content-specific, board-approved, performance-based  
18.18 assessment that measures teacher candidates in three areas:

18.19 (i) planning for instruction and assessment;

18.20 (ii) engaging students and supporting learning; and

18.21 (iii) assessing student learning;

18.22 (5) the program includes a common core of teaching knowledge and skills. This common  
18.23 core shall meet the standards developed by the Interstate New Teacher Assessment and  
18.24 Support Consortium in its 1992 "Model Standards for Beginning Teacher Licensing and  
18.25 Development." Amendments to standards adopted under this clause are covered by chapter  
18.26 14. The Professional Educator Licensing and Standards Board shall report annually to the  
18.27 education committees of the legislature on the performance of teacher candidates on common  
18.28 core assessments of knowledge and skills under this clause during the most recent school  
18.29 year; and

18.30 (6) the program includes instruction on the knowledge and skills needed to provide  
18.31 appropriate instruction to English learners to support and accelerate their academic literacy,

19.1 including oral academic language and achievement in content areas in a regular classroom  
19.2 setting.

19.3 Subd. 3. **Specialized credentials.** The board must adopt rules creating flexible,  
19.4 specialized teaching licenses, credentials, and other endorsement forms to increase students'  
19.5 participation in language immersion programs, world language instruction, career  
19.6 development opportunities, work-based learning, early college courses and careers, career  
19.7 and technical programs, Montessori schools, and project- and place-based learning, among  
19.8 other career and college ready learning offerings.

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

19.12 Subd. 5. **Reading strategies.** (a) All colleges and universities approved by the  
19.13 Professional Educator Licensing and Standards Board to prepare persons for classroom  
19.14 teacher licensure must include in their teacher preparation programs research-based best  
19.15 practices in reading, consistent with section 122A.06, subdivision 4, that enables the licensure  
19.16 candidate to teach reading in the candidate's content areas. Teacher candidates must be  
19.17 instructed in using students' native languages as a resource in creating effective differentiated  
19.18 instructional strategies for English learners developing literacy skills. These colleges and  
19.19 universities also must prepare early childhood and elementary teacher candidates for Tier  
19.20 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively, for the  
19.21 portion of the examination under section 122A.185, subdivision 1, paragraph (c), covering  
19.22 assessment of reading instruction.

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

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

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

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

Subd. 6. **Technology strategies.** All colleges and universities approved by the Professional Educator Licensing and Standards Board to prepare persons for classroom teacher licensure must include in their teacher preparation programs the knowledge and skills teacher candidates need to engage students with technology and deliver digital and blended learning and curriculum.

Subd. 7. **Remain in effect.** The approval of teacher preparation programs approved by the Board of Teaching before the effective date of this section must remain in effect unless and until the Professional Educator Licensing and Standards Board denies approval or reapproves the program.

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

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

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

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

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

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

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

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

Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's school districts and teacher preparation programs and report to the education committees of the legislature by February 1 of each odd-numbered year until 2020 on the status of teacher early retirement patterns, the access to effective and more diverse teachers who reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the substitute teacher shortage, including patterns and shortages in subject areas and the economic development regions of the state. The report must also include: aggregate data on teachers' self-reported race and ethnicity;

21.1 data on how districts are making progress in hiring teachers and substitutes in the areas of  
21.2 shortage; and a five-year projection of teacher demand for each district, taking into account  
21.3 the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to  
21.4 enroll in the district during that five-year period.

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

21.6 Subdivision 1. **Services provided.** The commissioner ~~of education with respect to the~~  
21.7 ~~Board of Teaching; the commissioner~~ of public safety with respect to the Board of Private  
21.8 Detective and Protective Agent Services; the Board of Peace Officer Standards and Training;  
21.9 and the commissioner of revenue with respect to the Board of Assessors, shall provide  
21.10 suitable offices and other space, joint conference and hearing facilities, examination rooms,  
21.11 and the following administrative support services: purchasing service, accounting service,  
21.12 advisory personnel services, consulting services relating to evaluation procedures and  
21.13 techniques, data processing, duplicating, mailing services, automated printing of license  
21.14 renewals, and such other similar services of a housekeeping nature as are generally available  
21.15 to other agencies of state government. Investigative services shall be provided the boards  
21.16 by employees of the Office of Attorney General. The commissioner of health with respect  
21.17 to the health-related licensing boards shall provide mailing and office supply services and  
21.18 may provide other facilities and services listed in this subdivision at a central location upon  
21.19 request of the health-related licensing boards. The commissioner of commerce with respect  
21.20 to the remaining non-health-related licensing boards shall provide the above facilities and  
21.21 services at a central location for the remaining non-health-related licensing boards. The  
21.22 legal and investigative services for the boards shall be provided by employees of the attorney  
21.23 general assigned to the departments servicing the boards. Notwithstanding the foregoing,  
21.24 the attorney general shall not be precluded by this section from assigning other attorneys  
21.25 to service a board if necessary in order to insure competent and consistent legal  
21.26 representation. Persons providing legal and investigative services shall to the extent  
21.27 practicable provide the services on a regular basis to the same board or boards.

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

21.29 Sec. 19. Minnesota Statutes 2016, section 214.04, subdivision 3, is amended to read:

21.30 Subd. 3. **Officers; staff.** The executive director of each health-related board and the  
21.31 executive secretary of each non-health-related board shall be the chief administrative officer  
21.32 for the board but shall not be a member of the board. The executive director or executive  
21.33 secretary shall maintain the records of the board, account for all fees received by it, supervise

22.1 and direct employees servicing the board, and perform other services as directed by the  
22.2 board. The executive directors, executive secretaries, and other employees of the following  
22.3 boards shall be hired by the board, and the executive directors or executive secretaries shall  
22.4 be in the unclassified civil service, except as provided in this subdivision:

22.5 (1) Dentistry;

22.6 (2) Medical Practice;

22.7 (3) Nursing;

22.8 (4) Pharmacy;

22.9 (5) Accountancy;

22.10 (6) Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience,  
22.11 and Interior Design;

22.12 (7) Barber Examiners;

22.13 (8) Cosmetologist Examiners;

22.14 ~~(9) Teaching;~~

22.15 ~~(10)~~ (9) Peace Officer Standards and Training;

22.16 ~~(11)~~ (10) Social Work;

22.17 ~~(12)~~ (11) Marriage and Family Therapy;

22.18 ~~(13)~~ (12) Dietetics and Nutrition Practice;

22.19 ~~(14)~~ (13) Licensed Professional Counseling; and

22.20 ~~(15)~~ (14) Combative Sports Commission.

22.21 The executive directors or executive secretaries serving the boards are hired by those  
22.22 boards and are in the unclassified civil service, except for part-time executive directors or  
22.23 executive secretaries, who are not required to be in the unclassified service. Boards not  
22.24 requiring full-time executive directors or executive secretaries may employ them on a  
22.25 part-time basis. To the extent practicable, the sharing of part-time executive directors or  
22.26 executive secretaries by boards being serviced by the same department is encouraged.  
22.27 Persons providing services to those boards not listed in this subdivision, except executive  
22.28 directors or executive secretaries of the boards and employees of the attorney general, are  
22.29 classified civil service employees of the department servicing the board. To the extent  
22.30 practicable, the commissioner shall ensure that staff services are shared by the boards being

23.1 serviced by the department. If necessary, a board may hire part-time, temporary employees  
23.2 to administer and grade examinations.

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

23.4 Sec. 20. 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 September 1, 2017.

23.12 Sec. 21. **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 Professional Educator Licensing and Standards Board must review all rules  
23.26 adopted by the Board of Teaching and amend or repeal rules not consistent with statute.  
23.27 The Professional Educator Licensing and Standards Board must review all teacher preparation  
23.28 programs approved by the Board of Teaching to determine whether the approved programs  
23.29 meet the needs of schools in Minnesota.

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

24.1 Sec. 22. **APPROPRIATIONS.**

24.2 \$..... in fiscal year 2018 and \$..... in fiscal year 2019 are appropriated from the general  
24.3 fund to the Professional Educator Licensing and Standards Board for teacher licensure  
24.4 activities.

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

24.6 Sec. 23. **REVISOR INSTRUCTION.**

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

24.11 Sec. 24. **REPEALER.**

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

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

24.14 **ARTICLE 2**24.15 **LICENSURE**

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

24.17 **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

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

24.23 (b) All teacher licenses in effect on September 1, 2017, shall remain valid for one  
24.24 additional year after the date the license is scheduled to expire.

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

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

24.27 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and  
24.28 Standards Board of Teaching must license teachers, as defined in section 122A.15,  
24.29 subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision



25.1 ~~2. issue the following teacher licenses to candidates who meet the qualifications prescribed~~  
25.2 ~~by this chapter:~~

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

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

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

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

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

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

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

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

25.22 ~~(f)~~ (e) For purposes of the data sharing agreements under paragraphs ~~(d)~~ (c) and ~~(e)~~ (d),  
25.23 the Professional Educator Licensing and Standards Board of Teaching, Board of School  
25.24 Administrators, and Department of Education may share private data, as defined in section  
25.25 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements  
25.26 must not include educational data, as defined in section 13.32, subdivision 1, but may include  
25.27 summary data, as defined in section 13.02, subdivision 19, derived from educational data.

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

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

25.30 Subd. 2. **Teacher and Support personnel qualifications.** ~~(a)~~ The Professional Educator  
25.31 Licensing and Standards Board of Teaching must issue licenses and credentials under its  
25.32 jurisdiction to persons the board finds to be qualified and competent for ~~their respective~~

positions, including those meeting the standards adopted under section 122A.09, subdivision 4, paragraph (n) support personnel positions.

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

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

~~in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph.~~

~~The requirement to pass a board-adopted reading, writing, and mathematics skills~~

~~examination, does not apply to nonnative English speakers, as verified by qualified Minnesota~~

~~school district personnel or Minnesota higher education faculty, who, after meeting the~~

~~content and pedagogy requirements under this subdivision, apply for a professional five-year~~

~~teaching license to provide direct instruction in their native language or world language~~

~~instruction under section 120B.022, subdivision 1.~~

~~(d) All colleges and universities approved by the board of teaching to prepare persons~~

~~for teacher licensure must include in their teacher preparation programs a common core of~~

~~teaching knowledge and skills to be acquired by all persons recommended for teacher~~

~~licensure. Among other requirements, teacher candidates must demonstrate the knowledge~~

~~and skills needed to provide appropriate instruction to English learners to support and~~

~~accelerate their academic literacy, including oral academic language, and achievement in~~

~~content areas in a regular classroom setting. This common core shall meet the standards~~

~~developed by the interstate new teacher assessment and support consortium in its 1992~~

~~"model standards for beginning teacher licensing and development." Amendments to~~

~~standards adopted under this paragraph are covered by chapter 14. The board of teaching~~

~~shall report annually to the education committees of the legislature on the performance of~~

~~teacher candidates on common core assessments of knowledge and skills under this paragraph~~

~~during the most recent school year.~~

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

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

Subd. 2b. **Reading specialist.** ~~Not later than July 1, 2002,~~ The Professional Educator

Licensing and Standards Board of Teaching must adopt rules providing for reading teacher

licensure.

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

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

Subd. 7a. **Permission to substitute teach.** (a) The Professional Educator Licensing and

Standards Board of Teaching may allow a person who is enrolled in and making satisfactory

progress in a board-approved teacher program and who has successfully completed student

teaching to be employed as a short-call substitute teacher.

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

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

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

(3) held a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board, under sections 122A.183 and 122A.184, respectively, taught at least three school years in an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result of the person's teaching experience.

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

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

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

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

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

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

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

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

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

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

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

29.10 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the  
29.11 background check required under paragraph (a) by retrieving criminal history data as defined  
29.12 in section 13.87 and shall also conduct a search of the national criminal records repository.  
29.13 The superintendent is authorized to exchange fingerprints with the Federal Bureau of  
29.14 Investigation for purposes of the criminal history check. The superintendent shall recover  
29.15 the cost to the bureau of a background check through the fee charged to the applicant under  
29.16 paragraph (a).

29.17 (c) The Professional Educator Licensing and Standards Board of Teaching or the  
29.18 ~~commissioner of education~~ Board of School Administrators may issue a license pending  
29.19 completion of a background check under this subdivision, but must notify the individual  
29.20 that the individual's license may be revoked based on the result of the background check.  
29.21 The individual must notify the school district or charter school that employs the individual  
29.22 as a teacher that the individual's license has been revoked.

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

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

29.26 Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards  
29.27 Board must develop a process for an eligible candidate to obtain any teacher license under  
29.28 subdivision 1, or to add a licensure field, via portfolio. The portfolio licensure application  
29.29 process must be consistent with the requirements in this subdivision.

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

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

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

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

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

30.16 Sec. 9. Minnesota Statutes 2016, section 122A.18, is amended by adding a subdivision to  
30.17 read:

30.18 Subd. 11. **Rules.** The Professional Educator Licensing and Standards Board must adopt  
30.19 rules that set forth criteria for determining the following:

30.20 (1) similar appropriate credential;

30.21 (2) relevant work experience; and

30.22 (3) similar content area.

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

30.24 Sec. 10. **[122A.181] TIER 1 LICENSE.**

30.25 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards  
30.26 Board must issue a Tier 1 license to a candidate who provides information sufficient to  
30.27 demonstrate each of the following:

30.28 (1) a school district or charter school has requested that the candidate be issued a license  
30.29 to teach in a specified content area. The school district or charter school must provide the  
30.30 board with confirmation that a criminal background check has been completed for any  
30.31 candidate for whom a teaching license has been requested;

31.1 (2) the candidate has completed a bachelor's or associate's degree, or obtained a  
31.2 professional credential that the school district finds sufficient to teach in a specified content  
31.3 area; and

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

31.5 Subd. 2. **Coursework.** (a) A candidate for a Tier 1 license must meet the coursework  
31.6 requirement by demonstrating completion of one of the following:

31.7 (1) three years of relevant work experience;

31.8 (2) 2,000 hours of relevant work experience within the preceding five years;

31.9 (3) at least eight upper division credits in the relevant content area;

31.10 (4) a passing score on all required licensure exams under section 122A.185;

31.11 (5) completion of human relations coursework under section 122A.186; or

31.12 (6) experience teaching in a field for which there is no license.

31.13 (b) For purposes of paragraph (a), "upper division" means classes normally taken at the  
31.14 junior or senior level of college which require substantial knowledge and skill in the field.  
31.15 Candidates must identify the upper division credits that fulfill the requirement in paragraph  
31.16 (a), clause (3).

31.17 Subd. 3. **Term of license.** The Professional Educator Licensing and Standards Board  
31.18 must issue an initial Tier 1 license for a term of one year. A Tier 1 license may be renewed  
31.19 three times. The board must issue rules setting forth the conditions for additional renewals  
31.20 after the initial license has been renewed three times. If the board fails to issue rules providing  
31.21 conditions for additional renewals, the board must renew a Tier 1 license to a candidate that  
31.22 meets the renewal requirements provided in statute.

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

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

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

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

32.2 Sec. 11. **[122A.182] TIER 2 LICENSE.**

32.3 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards  
32.4 Board must issue a Tier 2 license to a candidate who provides information sufficient to  
32.5 demonstrate each of the following:

32.6 (1) the candidate has completed a bachelor's degree, or obtained a professional credential  
32.7 that the school district finds sufficient to teach in a specified content area; and

32.8 (2) the candidate has completed the coursework required under subdivision 2, or is  
32.9 enrolled in an approved teacher preparation program.

32.10 Subd. 2. **Coursework.** (a) A candidate for a Tier 2 license must meet the coursework  
32.11 requirement by demonstrating completion of two of the following:

32.12 (1) at least eight upper division credits in the relevant content area;

32.13 (2) field-specific methods of training;

32.14 (3) at least two years of teaching experience in a similar content area in any state;

32.15 (4) a passing score on all required licensure exams under section 122A.185;

32.16 (5) completion of human relations coursework under section 122A.186; or

32.17 (6) completion of a state-approved teacher preparation program.

32.18 (b) For purposes of paragraph (a), "upper division" means classes normally taken at the  
32.19 junior or senior level of college which require substantial knowledge and skill in the field.  
32.20 Candidates must identify the upper division credits that fulfill the requirement in paragraph  
32.21 (a), clause (1).

32.22 Subd. 3. **Term of license.** The Professional Educator Licensing and Standards Board  
32.23 must issue an initial Tier 2 license for a term of one year. A Tier 2 license may be renewed  
32.24 three times. The board must issue rules setting forth the conditions for additional renewals  
32.25 after the initial license has been renewed three times. If the board fails to issue rules providing  
32.26 conditions for additional renewals, the board must renew a Tier 2 license to a candidate that  
32.27 meets the renewal requirements provided in statute.

32.28 Subd. 4. **Limitations on license.** A Tier 2 license shall not be construed to bring an  
32.29 individual within the definition of a teacher for purposes of section 122A.40, subdivision  
32.30 1, or 122A.41, subdivision 1, clause (a).

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



33.1 Sec. 12. [122A.183] TIER 3 LICENSE.

33.2 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards  
33.3 Board must issue a Tier 3 license to a candidate who provides information sufficient to  
33.4 demonstrate all of the following:

33.5 (1) the candidate has completed a bachelor's degree or obtained a professional credential  
33.6 that the school district finds sufficient to teach in a specified content area;

33.7 (2) the candidate has obtained a passing score on all required licensure exams under  
33.8 section 122A.185;

33.9 (3) the candidate has completed human relations coursework under section 122A.186;  
33.10 and

33.11 (4) the candidate has completed the coursework required under subdivision 2.

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

33.14 (1) a Minnesota-approved teacher preparation program;

33.15 (2) a state-approved teacher preparation program that includes field-specific student  
33.16 teaching equivalent to field-specific student teaching in Minnesota-approved teacher  
33.17 preparation programs; or

33.18 (3) a content-specific licensure portfolio.

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

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

33.23 Sec. 13. [122A.184] TIER 4 LICENSE.

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

33.27 (1) the candidate meets all requirements for a Tier 3 license under section 122A.183;

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

33.29 (3) the candidate has received at least one summative teacher evaluation, rated effective  
33.30 or higher, pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision 5.

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

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

34.5 Sec. 14. **[122A.185] TEACHER LICENSURE ASSESSMENT.**

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

34.14 (b) The board must adopt rules requiring candidates to pass an examination of general  
34.15 pedagogical knowledge and examinations of licensure-specific teaching skills.

34.16 (c) Candidates for initial licenses to teach elementary students must pass test items  
34.17 assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based  
34.18 reading instruction under section 122A.06, subdivision 4, knowledge and understanding of  
34.19 the foundations of reading development, development of reading comprehension and reading  
34.20 assessment and instruction, and the ability to integrate that knowledge and understanding  
34.21 into instruction strategies under section 122A.06, subdivision 4.

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

34.24 Subd. 3. **Testing accommodations.** The board and the entity administering the content,  
34.25 pedagogy, and skills examinations must allow any individual who produces documentation  
34.26 of a disability in the form of an evaluation, 504 plan, or individual education program (IEP)  
34.27 to receive the same testing accommodations on the content, pedagogy, and skills examinations  
34.28 that the applicant received during the applicant's secondary or postsecondary education.

34.29 Subd. 4. **Remedial assistance.** (a) Colleges and universities offering a board-approved  
34.30 teacher preparation program and alternative teacher preparation programs must make  
34.31 available upon request remedial assistance that includes a formal diagnostic component to  
34.32 persons enrolled in their institution who did not achieve a qualifying score on a board-adopted  
34.33 skills examination, including those for whom English is a second language. The colleges

35.1 and universities must make available assistance in the specific academic areas of candidates'  
35.2 deficiency.

35.3 (b) School districts may make available upon request similar, appropriate, and timely  
35.4 remedial assistance that includes a formal diagnostic component to those persons employed  
35.5 by the district who completed their teacher education program, who did not achieve a  
35.6 qualifying score on a board-adopted skills examination, and who received a Tier 1 or Tier  
35.7 2 license under sections 122A.181 and 122A.182, respectively, to teach in Minnesota.

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

35.9 Sec. 15. **[122A.186] HUMAN RELATIONS.**

35.10 The Professional Educator Licensing and Standards Board must adopt rules that provide  
35.11 how a candidate may meet the human relations coursework requirement. The board shall  
35.12 accept training programs completed through Peace Corps, VISTA, or Teacher Corps in lieu  
35.13 of completing the human relations component of a teacher preparation program for purposes  
35.14 of issuing or renewing a teaching license.

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

35.16 Sec. 16. **[122A.187] EXPIRATION AND RENEWAL.**

35.17 Subdivision 1. **License form requirements.** Each license issued under this chapter must  
35.18 bear the date of issue and the name of the state-approved teacher training provider or  
35.19 alternative teaching program, as applicable. Licenses must expire and be renewed according  
35.20 to rules adopted by the Professional Educator Licensing and Standards Board or the Board  
35.21 of School Administrators. Requirements for renewing a Tier 3 or 4 license under sections  
35.22 122A.183 and 122A.184, respectively, must include showing satisfactory evidence of  
35.23 successful teaching or administrative experience for at least one school year during the  
35.24 period covered by the license in grades or subjects for which the license is valid or completing  
35.25 such additional preparation as required under this section, or as the Professional Educator  
35.26 Licensing and Standards Board prescribes. The Board of School Administrators shall  
35.27 establish requirements for renewing the licenses of supervisory personnel except athletic  
35.28 coaches. The Professional Educator Licensing and Standards Board shall establish  
35.29 requirements for renewing the licenses of athletic coaches.

35.30 Subd. 2. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4  
35.31 license under sections 122A.183 and 122A.184, respectively, who have been employed as  
35.32 a teacher during the renewal period of the expiring license, as a condition of license renewal,

must present to the Professional Educator Licensing and Standards Board 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.

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

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

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

Subd. 5. **Mental illness.** The Professional Educator Licensing and Standards Board must adopt rules that require all licensed teachers renewing a Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the renewal requirements at least one hour of suicide prevention best practices in each licensure renewal period based on nationally recognized evidence-based programs and practices, among the continuing education credits required to renew a license under this subdivision, and further preparation, first, in understanding the key warning signs of early-onset mental illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' roles in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

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

37.1       Sec. 17. **[122A.188] LICENSURE DENIAL; APPEAL.**

37.2           Subdivision 1. **Denial letter.** (a) The Professional Educator Licensing and Standards  
37.3 Board must promptly inform all candidates whether the candidate's application for an initial  
37.4 teaching license or renewal of license has been approved or denied. When an application  
37.5 is denied, the notification letter must inform the candidate of the process for seeking review  
37.6 of the denial and of the appeals process provided in this section, including all deadlines for  
37.7 seeking review of the denial decision and filing an appeal. The notification letter must  
37.8 identify each licensure requirement the candidate failed to meet.

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

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

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

37.26       Sec. 18. Minnesota Statutes 2016, section 122A.19, is amended to read:

37.27           **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS;**  
37.28 **LICENSES.**

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

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

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

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

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

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

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

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

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

39.1 Sec. 19. Minnesota Statutes 2016, section 122A.20, is amended to read:

39.2 **122A.20 SUSPENSION OR REVOCATION OF LICENSES.**

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

39.9 (1) immoral character or conduct;

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

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

39.12 (4) failure to meet licensure requirements; or

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

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

39.15 (b) The Professional Educator Licensing and Standards Board of Teaching or Board of  
39.16 School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse  
39.17 to issue, refuse to renew, or automatically revoke a teacher's license to teach without the  
39.18 right to a hearing upon receiving a certified copy of a conviction showing that the teacher  
39.19 has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first  
39.20 degree under section 609.322, subdivision 1, sex trafficking in the second degree under  
39.21 section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage  
39.22 in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342,  
39.23 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation  
39.24 of children to engage in sexual conduct or communication of sexually explicit materials to  
39.25 children under section 609.352, interference with privacy under section 609.746 or stalking  
39.26 under section 609.749 and the victim was a minor, using minors in a sexual performance  
39.27 under section 617.246, possessing pornographic works involving a minor under section  
39.28 617.247, or any other offense not listed in this paragraph that requires the person to register  
39.29 as a predatory offender under section 243.166, or a crime under a similar law of another  
39.30 state or the United States. The board shall send notice of this licensing action to the district  
39.31 in which the teacher is currently employed.

39.32 (c) A person whose license to teach has been revoked, not issued, or not renewed under  
39.33 paragraph (b), may petition the board to reconsider the licensing action if the person's

conviction for child abuse or sexual abuse is reversed by a final decision of the Court of Appeals or the Supreme Court or if the person has received a pardon for the offense. The petitioner shall attach a certified copy of the appellate court's final decision or the pardon to the petition. Upon receiving the petition and its attachment, the board shall schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing action. If the board finds that the petitioner is not disqualified from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.

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

Subd. 2. **Mandatory reporting.** A school board must report to the Professional Educator Licensing and Standards Board of Teaching, the Board of School Administrators, or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has jurisdiction over the teacher's or administrator's license, when its teacher or administrator is discharged or resigns from employment after a charge is filed with the school board under section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate licensing board within ten days after the discharge, suspension, or resignation has occurred. The licensing board to which the report is made must investigate the report for violation of subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the licensing board having jurisdiction over the license, a board or school superintendent shall provide the licensing board with information about the teacher or administrator from the district's files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file. Upon written request from the appropriate licensing board, a board or school superintendent may, at the discretion of the board or school superintendent, solicit the written consent of a student and the student's parent to provide the licensing board with information that may aid the licensing board in its investigation and license proceedings.



The licensing board's request need not identify a student or parent by name. The consent of the student and the student's parent must meet the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent form to the district. Any data transmitted to any board under this section is private data under section 13.02, subdivision 12, notwithstanding any other classification of the data when it was in the possession of any other agency.

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

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

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

Sec. 20. Minnesota Statutes 2016, section 122A.23, subdivision 3, is amended to read:

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

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

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

Sec. 21. Minnesota Statutes 2016, section 122A.245, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** (a) To improve academic excellence, improve ethnic and cultural diversity in the classroom, and close the academic achievement gap, the Professional Educator Licensing and Standards Board of Teaching must approve qualified teacher preparation programs under this section that are a means to acquire a ~~two-year preliminary Tier 2~~ teacher license under section 122A.182, ~~which the board may renew one time for an additional one-year term~~, and to prepare for acquiring a ~~professional five-year Tier 3~~ license under section 122A.183. The following entities are eligible to participate under this section:

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

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

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

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

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

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

(c) The Professional Educator Licensing and Standards Board of Teaching must issue a ~~two-year preliminary Tier 2~~ teacher license under section 122A.182 to a person who enrolls in an alternative teacher preparation program.

43.1 Sec. 22. Minnesota Statutes 2016, section 122A.245, subdivision 2, is amended to read:

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

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

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

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

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

43.13 (5) intensive, ongoing, and multiyear professional learning opportunities that accelerate  
43.14 teacher candidates' professional growth, support student learning, and provide a workplace  
43.15 orientation, professional staff development, and mentoring and peer review focused on  
43.16 standards of professional practice and continuous professional growth; and

43.17 (6) a requirement that teacher candidates demonstrate to the local site team under  
43.18 subdivision 5 satisfactory progress toward acquiring ~~professional five-year~~ a Tier 3 teaching  
43.19 ~~licenses~~ license from the Professional Educator Licensing and Standards Board of Teaching  
43.20 under section 122A.183.

43.21 Sec. 23. Minnesota Statutes 2016, section 122A.245, subdivision 3, is amended to read:

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

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

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

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

44.2 ~~(e)~~ (c) If the Professional Educator Licensing and Standards Board of Teaching determines  
44.3 that a teacher preparation program under this section does not meet the requirements of this  
44.4 section, it may revoke its approval of the program after it notifies the program provider of  
44.5 any deficiencies and gives the program provider an opportunity to remedy the deficiencies.

44.6 Sec. 24. Minnesota Statutes 2016, section 122A.245, subdivision 5, is amended to read:

44.7 Subd. 5. **Approval Application for professional five-year Tier 3 license.** ~~A school~~  
44.8 ~~board or its designee must appoint members to a local site team that includes teachers,~~  
44.9 ~~school administrators, and postsecondary faculty under subdivision 1, paragraph (a), clause~~  
44.10 ~~(1), or staff of a participating nonprofit corporation under subdivision 1, paragraph (a),~~  
44.11 ~~clause (2), to evaluate the performance of the teacher candidate. The evaluation must be~~  
44.12 ~~consistent with board-adopted performance measures, use the Minnesota state standards of~~  
44.13 ~~effective practice and subject matter content standards for teachers established in Minnesota~~  
44.14 ~~Rules, and include a report to the board recommending whether or not to issue the teacher~~  
44.15 ~~candidate a professional five-year teaching license. A teacher candidate that has completed~~  
44.16 an alternative teacher preparation program may apply for a Tier 3 teaching license under  
44.17 section 122A.183.

44.18 Sec. 25. Minnesota Statutes 2016, section 122A.245, subdivision 6, is amended to read:

44.19 Subd. 6. **Applicants trained in other states.** A person who successfully completes  
44.20 another state's alternative teacher preparation program, consistent with section 122A.23,  
44.21 may apply to the Professional Educator Licensing and Standards Board of Teaching for an  
44.22 ~~initial professional one-year teaching license or a professional five-year~~ a Tier 2 or Tier 3  
44.23 teaching license under section 122A.182 or 122A.183, respectively.

44.24 Sec. 26. Minnesota Statutes 2016, section 122A.245, subdivision 9, is amended to read:

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

Sec. 27. Minnesota Statutes 2016, section 122A.26, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**122A.30 EXEMPTION FOR TECHNICAL EDUCATION INSTRUCTORS.**

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

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

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

Sec. 31. Minnesota Statutes 2016, section 124D.13, subdivision 11, is amended to read:

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

Sec. 32. Minnesota Statutes 2016, section 124D.454, subdivision 12, is amended to read:

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

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

Sec. 33. Minnesota Statutes 2016, section 124D.75, subdivision 1, is amended to read:

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

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

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

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

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

Sec. 34. Minnesota Statutes 2016, section 124D.75, subdivision 6, is amended to read:

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

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



Sec. 35. Minnesota Statutes 2016, section 125A.67, subdivision 2, is amended to read:

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

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

Sec. 36. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

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

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

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

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

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

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

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

Sec. 37. **LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.**

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

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

50.1 Subd. 3. **Three-year license.** A three-year license issued by the commissioner of  
50.2 education before the effective date of this section must be treated as a Tier 3 license  
50.3 established under Minnesota Statutes, sections 122A.18 and 122A.183.

50.4 Subd. 4. **Five-year license.** A five-year license issued by the commissioner of education  
50.5 before the effective date of this section must be treated as a Tier 3 license established under  
50.6 Minnesota Statutes, sections 122A.18 and 122A.183.

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

50.8 Sec. 38. **REPEALER.**

50.9 Minnesota Statutes 2016, sections 122A.14, subdivision 5; 122A.162; 122A.163;  
50.10 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, and 7; 122A.21, subdivision 2; 122A.23,  
50.11 subdivisions 1 and 2; 122A.245, subdivisions 7, 8, and 10; and 122A.25, are repealed.

50.12 **ARTICLE 3**

50.13 **NONTEACHER CREDENTIALING**

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

50.15 Subdivision 1. **Rulemaking.** The Professional Educator Licensing and Standards Board  
50.16 ~~of Teaching~~ must adopt rules to implement a statewide credential for education  
50.17 paraprofessionals who assist a licensed teacher in providing student instruction. Any  
50.18 paraprofessional holding this credential or working in a local school district after meeting  
50.19 a state-approved local assessment is considered to be highly qualified under federal law.  
50.20 Under this subdivision, the Professional Educator Licensing and Standards Board ~~of~~  
50.21 ~~Teaching~~, in consultation with the commissioner, must adopt qualitative criteria for approving  
50.22 local assessments that include an evaluation of a paraprofessional's knowledge of reading,  
50.23 writing, and math and the paraprofessional's ability to assist in the instruction of reading,  
50.24 writing, and math. The commissioner must approve or disapprove local assessments using  
50.25 these criteria. The commissioner must make the criteria available to the public.

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

APPENDIX  
Article locations in 17-2815

	PROFESSIONAL EDUCATOR LICENSING AND STANDARDS	
ARTICLE 1	BOARD .....	Page.Ln 1.18
ARTICLE 2	LICENSURE .....	Page.Ln 24.14
ARTICLE 3	NONTEACHER CREDENTIALING .....	Page.Ln 50.12

**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.

**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 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.

## APPENDIX

Repealed Minnesota Statutes: 17-2815

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.

### 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

## APPENDIX

### Repealed Minnesota Statutes: 17-2815

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.

(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

## APPENDIX

### Repealed Minnesota Statutes: 17-2815

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.**

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. 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;

## APPENDIX

### Repealed Minnesota Statutes: 17-2815

- (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.