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State of Minnesota

HOUSE OF REPRESENTATIVES

SECOND SPECIAL SESSION

H. F. No. **23**

07/13/2020 Authored by Kunes-Podein and Bernardy
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act

1.2 relating to education; strengthening the Increase Teachers of Color Act; seeking

1.3 to increase the percentage of teachers of color and American Indian teachers in

1.4 Minnesota; requiring reports; appropriating money; amending Minnesota Statutes

1.5 2018, sections 120B.11, subdivisions 2, 3; 122A.185, subdivision 1; 124D.861,

1.6 subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 120B;

1.7 122A.

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

1.9 Section 1. Minnesota Statutes 2018, section 120B.11, subdivision 2, is amended to read:

1.10 Subd. 2. **Adopting plans and budgets.** A school board, at a public meeting, ~~shall~~ must

1.11 adopt a comprehensive, long-term strategic plan to support and improve teaching and

1.12 learning that is aligned with creating the world's best workforce and includes:

1.13 (1) clearly defined district and school site goals and benchmarks for instruction and

1.14 student achievement for all student subgroups identified in section 120B.35, subdivision 3,

1.15 paragraph (b), clause (2);

1.16 (2) a process to assess and evaluate each student's progress toward meeting state and

1.17 local academic standards, assess and identify students to participate in gifted and talented

1.18 programs and accelerate their instruction, and adopt early-admission procedures consistent

1.19 with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit

1.20 of student and school success and curriculum affecting students' progress and growth toward

1.21 career and college readiness and leading to the world's best workforce;

1.22 (3) a system to periodically review and evaluate the effectiveness of all instruction and

1.23 curriculum, taking into account strategies and best practices, student outcomes, school

1.24 principal evaluations under section 123B.147, subdivision 3, students' access to effective

teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(4) strategies for improving instruction, curriculum, and student achievement, including:

(i) the English and, where practicable, the native language development and the academic achievement of English learners; and

(ii) for all learners, access to culturally relevant or ethnic studies curriculum using culturally responsive methodologies;

(5) a process to examine the equitable distribution of teachers and strategies to ensure children from low-income and minority children families, families of color, and American Indian families are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

(6) education effectiveness practices that integrate high-quality instruction; rigorous curriculum; technology; inclusive and respectful learning and work environments for all students, families, and employees; and a collaborative professional culture that ~~develops~~ and supports retains qualified, racially and ethnically diverse staff effective at working with diverse students while developing and supporting teacher quality, performance, and effectiveness; and

(7) an annual budget for continuing to implement the district plan.

EFFECTIVE DATE. This section is effective for all strategic plans reviewed and updated after the day of final enactment.

Sec. 2. Minnesota Statutes 2018, section 120B.11, subdivision 3, is amended to read:

Subd. 3. **District advisory committee.** Each school board ~~shall~~ must establish an advisory committee to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards, consistent with subdivision 2. A district advisory committee, to the extent possible, ~~shall~~ must reflect the diversity of the district and its school sites, include teachers, parents, support staff, students, and other community residents, and provide translation to the extent appropriate and practicable. The district advisory committee ~~shall~~ must pursue community support to accelerate the academic and native literacy and achievement of English learners with varied needs, from young children to adults, consistent with section 124D.59, subdivisions 2 and 2a. The district may establish site teams as subcommittees of the district advisory committee

under subdivision 4. The district advisory committee ~~shall~~ must recommend to the school board: rigorous academic standards; student achievement goals and measures consistent with subdivision 1a and sections 120B.022, subdivisions 1a and 1b, and 120B.35; district assessments; means to improve students' equitable access to effective and more diverse teachers; strategies to ensure the curriculum and learning and work environments are inclusive and respectful toward all racial and ethnic groups; and program evaluations. School sites may expand upon district evaluations of instruction, curriculum, assessments, or programs. Whenever possible, parents and other community residents ~~shall~~ must comprise at least two-thirds of advisory committee members.

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

Sec. 3. [120B.117] INCREASING THE PERCENTAGE OF TEACHERS OF COLOR AND AMERICAN INDIAN TEACHERS IN MINNESOTA.

Subdivision 1. Purpose. This section sets short-term and long-term state goals for increasing the percentage of teachers of color and American Indian teachers in Minnesota, and for ensuring all students have equitable access to effective and racially and ethnically diverse teachers who reflect the diversity of students. The goals and report required under this section are also important for meeting state goals for the world's best workforce under section 120B.11, achievement and integration under section 124D.861, and higher education attainment under section 135A.012, all of which have been established to close persistent opportunity and achievement gaps that limit students' success in school and life and impede the state's economic growth.

Subd. 2. Equitable access to racially and ethnically diverse teachers. The percentage of teachers who are of color or American Indian in Minnesota should increase at least two percentage points per year to have a teaching workforce that more closely reflects the state's increasingly diverse student population and ensure all students have equitable access to effective and diverse teachers by 2040.

Subd. 3. Rights not created. The attainment goal in this section is not to the exclusion of any other goals and does not confer a right or create a claim for any person.

Subd. 4. Reporting. (a) Beginning in 2020 and every even-numbered year thereafter, the Professional Educator Licensing and Standards Board must collaborate with the Department of Education and the Office of Higher Education to publish a summary report of the aggregate outcomes and effectiveness of each of the programs they administer and any other programs receiving state appropriations that have or include an explicit purpose of increasing the racial and ethnic diversity of the state's teacher workforce to more closely

reflect the diversity of students. The board must submit the report to the chairs and ranking minority members of the legislative committees having jurisdiction over kindergarten through grade 12 education. The board must submit the report in accordance with section 3.195.

(b) The report must include programs under sections 122A.2451, 122A.63, 122A.635, 122A.685, 122A.70, 124D.09, 124D.861, 136A.1274, 136A.1275, and 136A.1791, along with any other programs or initiatives that receive state appropriations to address the shortage of teachers of color and American Indian teachers. The board must report on the effectiveness of state-funded programs to increase the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse teachers and the state's progress toward meeting or exceeding the goals of this section. The report must also include recommendations for state policy and funding needed to achieve the goals of this section, as well as plans for sharing the report and activities of grant recipients, and opportunities among grant recipients of various programs to share effective practices with each other. The 2020 report must include a recommendation of whether a state advisory council should be established to address the shortage of racially and ethnically diverse teachers and what the composition and charge of such an advisory council would be if established.

(c) The board must consult with the state Indian Affairs Council under section 3.922 and ethnic councils under section 15.0145 along with other community and stakeholder groups, including secondary school students and teacher candidates who are of color or American Indian, in developing the report. By November 1 of each even-numbered year, the board must submit the report to the chairs and ranking minority members of the legislative committees with jurisdiction over education and higher education policy and finance. The report must be submitted in accordance with section 3.195 and available to the public on the board's website.

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

Sec. 4. Minnesota Statutes 2018, section 122A.185, subdivision 1, is amended to read:

Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted examination of skills in reading, writing, and mathematics before being granted a Tier 4 teaching license under section 122A.184 to provide direct instruction to pupils in elementary, secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier 3 license to provide direct instruction to pupils in elementary, secondary, or special education

5.1 programs if candidates meet the other requirements in section 122A.181, 122A.182, or
5.2 122A.183, respectively.

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

5.7 (c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must
5.8 pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,
5.9 scientifically based reading instruction under section 122A.06, subdivision 4, knowledge
5.10 and understanding of the foundations of reading development, development of reading
5.11 comprehension and reading assessment and instruction, and the ability to integrate that
5.12 knowledge and understanding into instruction strategies under section 122A.06, subdivision
5.13 4.

5.14 (d) All testing centers in the state must provide monthly opportunities for untimed
5.15 content, pedagogy, and skills examinations and these opportunities must be advertised on
5.16 the test registration website. The board must require the exam vendor to provide other
5.17 equitable opportunities to pass exams, including waiving testing fees for test takers who
5.18 qualify for federal grants; providing free, multiple, full-length practice tests for each exam
5.19 and free, comprehensive study guides on the test registration website; making content and
5.20 pedagogy exams available in languages other than English for teachers seeking licensure
5.21 to teach in language immersion programs; and providing free, detailed exam results analysis
5.22 by test objective to assist candidates who do not pass an exam in identifying areas for
5.23 improvement. Any candidate who has not passed a required exam after two attempts must
5.24 be allowed to retake the exam, including new versions of the exam, without being charged
5.25 an additional fee.

5.26 ~~(d)~~ (e) The requirement to pass a board-adopted reading, writing, and mathematics skills
5.27 examination does not apply to nonnative English speakers, as verified by qualified Minnesota
5.28 school district personnel or Minnesota higher education faculty, who, after meeting the
5.29 content and pedagogy requirements under this subdivision, apply for a teaching license to
5.30 provide direct instruction in their native language or world language instruction under section
5.31 120B.022, subdivision 1.

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

6.1 Sec. 5. **[122A.685] GRANTS FOR GROW YOUR OWN PROGRAMS.**

6.2 Subdivision 1. **Establishment.** The commissioner of education must award grants for
6.3 the three types of Grow Your Own programs established under this section in order to
6.4 develop a teaching workforce that more closely reflects the state's increasingly diverse
6.5 student population and ensure all students have equitable access to effective and diverse
6.6 teachers.

6.7 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
6.8 meanings given.

6.9 (b) "Eligible district" means a school district, charter school, or cooperative unit under
6.10 section 123A.24, subdivision 2.

6.11 (c) "Grow Your Own program" means a program established by an eligible district in
6.12 partnership with a Professional Educator Licensing and Standards Board-approved teacher
6.13 preparation program provider, or by a Head Start program under section 119A.50, to provide
6.14 a pathway for candidates to enter the teaching profession and teach at any level from early
6.15 childhood to secondary school.

6.16 (d) "Residency program" means a Professional Educator Licensing and Standards
6.17 Board-approved teacher preparation program established by an eligible district and a
6.18 board-approved teacher preparation program provider that uses a cohort-based model and
6.19 includes a yearlong clinical experience integrating coursework and student teaching.

6.20 (e) "Resident" means a teacher candidate participating in a residency program.

6.21 Subd. 3. **Grants to residency programs.** (a) An eligible district may apply for grants
6.22 to develop, maintain, or expand effective residency programs. A residency program must
6.23 pair a resident with a teacher of record who must hold a Tier 3 or 4 license. The residency
6.24 program must provide the teacher of record with ongoing professional development in
6.25 co-teaching, mentoring, and coaching skills and must ensure that the resident and teacher
6.26 of record co-teach and participate in required teacher professional development activities
6.27 for at least 80 percent of the contracted week for a full academic year.

6.28 (b) A grant recipient must use at least 80 percent of grant funds to provide tuition
6.29 scholarships or stipends to enable employees or community members seeking a teaching
6.30 license, who are of color or American Indian, to participate in a residency program. A grant
6.31 recipient may request permission from the commissioner to use the remaining grant funds
6.32 to provide tuition scholarships to employees who are not persons of color or American

7.1 Indian and who seek to teach in a licensure area in which the eligible district has a shortage
7.2 of Tier 3 or 4 licensed teachers.

7.3 (c) An eligible district using grant funds under this subdivision to provide financial
7.4 support to teacher candidates may require a commitment from a candidate to teach in the
7.5 eligible district for a reasonable amount of time not to exceed five years.

7.6 Subd. 4. **Grants for programs serving adults.** (a) An eligible district or Head Start
7.7 program under section 119A.50 may apply for grants to provide financial assistance,
7.8 mentoring, and other experiences to support persons of color or American Indian persons
7.9 to become licensed teachers or preschool teachers.

7.10 (b) An eligible district or Head Start program must use grant funds awarded under this
7.11 subdivision for:

7.12 (1) tuition scholarships or stipends to eligible Tier 2 licensed teachers, education
7.13 assistants, cultural liaisons, or other nonlicensed employees who are of color or American
7.14 Indian and are enrolled in undergraduate or graduate-level coursework that is part of a
7.15 board-approved teacher preparation program leading to a Tier 3 teacher license;

7.16 (2) developing and implementing pathway programs with local community-based
7.17 organizations led by and for communities of color or American Indian communities that
7.18 provide stipends or tuition scholarships to parents and community members who are of
7.19 color or American Indian to change careers and obtain a Tier 3 license or other credential
7.20 needed to teach in a Head Start program; or

7.21 (3) collaborating with a board-approved teacher preparation program provided by a
7.22 postsecondary institution to develop and implement innovative teacher preparation programs
7.23 that lead to Tier 2 or Tier 3 licensure, involve more intensive and extensive clinical
7.24 experiences with more professional coaching or mentorship than are typically required in
7.25 traditional college or university campus-based teacher preparation programs, provide
7.26 candidates with support that is responsive to the unique needs of candidates who are of
7.27 color or American Indian, and have more than half of their candidates identify as persons
7.28 of color or American Indian.

7.29 (c) An eligible district or Head Start program providing financial assistance to individuals
7.30 under this subdivision may require a commitment from candidates to teach in the eligible
7.31 school or Head Start program for a reasonable amount of time not to exceed five years.

7.32 Subd. 5. **Grants for programs serving secondary school students.** (a) In addition to
7.33 grants for developing and offering dual-credit postsecondary course options in schools for

"Introduction to Teaching" or "Introduction to Education" courses under section 124D.09, subdivision 10, a school district or charter school may apply for grants under this section to offer other innovative programs that encourage secondary school students, especially students of color and American Indian students, to pursue teaching. To be eligible for a grant under this subdivision, a school district or charter school must ensure that the aggregate percentage of secondary school students of color and American Indian students participating in the program is equal to or greater than the aggregate percentage of students of color and American Indian students in the school district or charter school.

(b) A grant recipient must use grant funds awarded under this subdivision for:

(1) supporting future teacher clubs or service-learning opportunities that provide middle and high-school students who are of color or American Indian to have experiential learning supporting the success of younger students or peers and to increase students' interest in pursuing a teaching career;

(2) providing direct support, including wrap-around services, for students who are of color or American Indian to enroll and be successful in postsecondary enrollment options courses under section 124D.09 that would meet degree requirements for teacher licensure; or

(3) offering scholarships to graduating high school students who are of color or American Indian to enroll in board-approved undergraduate teacher preparation programs at a college or university in Minnesota.

Subd. 6. **Grant procedure.** (a) An eligible district or Head Start program must apply for a grant under this section in the form and manner specified by the commissioner. The commissioner must give priority to eligible districts or Head Start programs with the highest total number or percentage of students who are of color or American Indian.

(b) For the 2021-2022 school year and later, grant applications for new and existing programs must be received by the commissioner no later than January 15 of the year prior to the school year in which the grant will be used. The commissioner must review all applications and notify grant recipients by March 15 or as soon as practicable of the anticipated amount awarded. If the commissioner determines that sufficient funding is unavailable for the grants, the commissioner must notify grant applicants by June 30 or as soon as practicable that there are insufficient funds.

Subd. 7. **Account established.** A Grow Your Own program account is created in the special revenue fund for depositing money appropriated to or received by the department for Grow Your Own programs. Money deposited in the account is appropriated to the

commissioner, does not cancel, and is continuously available for grants under this section.

Grant recipients may apply to use grant money over a period of up to 24 months.

Subd. 8. **Report.** Grant recipients must annually report to the commissioner in the form and manner determined by the commissioner on their activities under this section, including the number of participants, the percentage of participants who are of color or American Indian, and an assessment of program effectiveness, including participant feedback, areas for improvement, the percentage of participants continuing to pursue teacher licensure, and where applicable, the number of participants hired in the school or district as teachers after completing preparation programs. The commissioner must publish a report for the public that summarizes the activities and outcomes of grant recipients and what was done to promote sharing of effective practices among grant recipients and potential grant applicants.

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 6. Minnesota Statutes 2018, section 124D.861, subdivision 2, is amended to read:

Subd. 2. **Plan implementation; components.** (a) The school board of each eligible district must formally develop and implement a long-term plan under this section. The plan must be incorporated into the district's comprehensive strategic plan under section 120B.11. ~~Plan components may include: innovative and integrated prekindergarten through grade 12 learning environments that offer students school enrollment choices; family engagement initiatives that involve families in their students' academic life and success; professional development opportunities for teachers and administrators focused on improving the academic achievement of all students, including teachers and administrators who are members of populations underrepresented among the licensed teachers or administrators in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school; increased programmatic opportunities and effective and more diverse instructors focused on rigor and college and career readiness for underserved students, including students enrolled in alternative learning centers under section 123A.05, public alternative programs under section 126C.05, subdivision 15, and contract alternative programs under section 124D.69, among other underserved students; or recruitment and retention of teachers and administrators with diverse racial and ethnic backgrounds.~~

(b) The plan must contain goals for:

(1) reducing the disparities in academic achievement and in equitable access to effective and more diverse teachers among all students and specific categories of students under

10.1 section 120B.35, subdivision 3, paragraph (b), excluding the student categories of gender,
10.2 disability, and English learners; and

10.3 (2) increasing racial and economic diversity and integration in schools and districts.

10.4 (c) The plan must include strategies to make schools' curriculum and learning and work
10.5 environments more inclusive and respectful of students' racial and ethnic diversity and to
10.6 address issues of structural inequities in schools that create opportunity and achievement
10.7 gaps for students, families, and staff who are of color or American Indian. Examples of
10.8 possible structural inequities include policies and practices that unintentionally result in
10.9 disparate discipline referrals and suspension, inequitable access to advanced coursework,
10.10 overrepresentation in lower-level coursework, inequitable participation in cocurricular
10.11 activities, inequitable parent involvement, and lack of access to racially and ethnically
10.12 diverse teachers.

10.13 (d) School districts must use local data, to the extent practicable, to develop plan
10.14 components and strategies. Plans may include:

10.15 (1) innovative and integrated prekindergarten through grade 12 learning environments
10.16 that offer students school enrollment choices;

10.17 (2) family engagement initiatives that involve families in their students' academic life
10.18 and success and improve relations between home and school;

10.19 (3) opportunities for students, families, staff, and community members who are of color
10.20 or American Indian to share their experiences in the school setting with school staff and
10.21 administration and to inform development of specific proposals for making school
10.22 environments more inclusive and respectful toward all students, families, and staff;

10.23 (4) professional development opportunities for teachers and administrators focused on
10.24 improving the academic achievement of all students, including knowledge, skills, and
10.25 dispositions needed to be culturally responsive and to successfully serve students who are
10.26 from racially and ethnically diverse backgrounds;

10.27 (5) recruitment and retention of teachers, administrators, cultural and family liaisons,
10.28 paraprofessionals, and other nonlicensed staff from racial, ethnic, and linguistic backgrounds
10.29 represented in the student population to strengthen relationships with all students, families,
10.30 and other members of the community;

10.31 (6) examination of academic and discipline data, institutional policies and practices that
10.32 result in opportunity and achievement disparities between racial and ethnic groups, and

11.1 changes that increase access, meaningful participation, representation, and positive outcomes
 11.2 for students of color and American Indian students;

11.3 (7) increased programmatic opportunities and effective and more diverse instructors
 11.4 focused on rigor and college and career readiness for underserved students, including students
 11.5 enrolled in alternative learning centers under section 123A.05, public alternative programs
 11.6 under section 126C.05, subdivision 15, and contract alternative programs under section
 11.7 124D.69, among other underserved students;

11.8 (8) ethnic studies course offerings to provide all students with opportunities to learn
 11.9 about their own and others' cultures and historical experiences; or

11.10 (9) examination and revision of curricula in various subjects to be culturally relevant
 11.11 and inclusive of diverse racial and ethnic groups while meeting state academic standards.

11.12 ~~(b)~~ (e) Among other requirements, an eligible district must implement effective,
 11.13 research-based interventions that include formative assessment practices to reduce the
 11.14 disparities in student academic performance among the specific categories of students as
 11.15 measured by student progress and growth on state reading and math assessments and as
 11.16 aligned with section 120B.11.

11.17 ~~(e)~~ (f) Eligible districts must create efficiencies and eliminate duplicative programs and
 11.18 services under this section, which may include forming collaborations or a single,
 11.19 seven-county metropolitan areawide partnership of eligible districts for this purpose.

11.20 **EFFECTIVE DATE.** This section is effective for all plans reviewed and updated after
 11.21 the day following final enactment.

11.22 Sec. 7. **APPROPRIATIONS.**

11.23 **Subdivision 1. Department of Education.** The sums indicated in this section are
 11.24 appropriated from the general fund to the Department of Education for the fiscal year
 11.25 designated.

11.26 **Subd. 2. Collaborative urban and greater Minnesota educators of color grants.** (a)
 11.27 For transfer to the Professional Educator Licensing and Standards Board for collaborative
 11.28 urban and greater Minnesota educators of color competitive grants under Minnesota Statutes,
 11.29 section 122A.635:

11.30 \$ 2021

11.31 (b) Any balance does not cancel but is available in the following fiscal year.

11.32 (c) This is a onetime appropriation in addition to any prior appropriated funds.

12.1 Subd. 3. **Grow Your Own pathways to teacher licensure grants.** (a) For grants to
12.2 develop or expand Grow Your Own new teacher programs:

12.3 \$ 2021

12.4 (b) Any balance does not cancel but is available in the following fiscal year.

12.5 (c) This is a onetime appropriation in addition to any prior appropriated funds.

12.6 Subd. 4. **Mentoring, induction, and retention incentive program grants for teachers**
12.7 **of color.** (a) For transfer to the Professional Educator Licensing and Standards Board for
12.8 the development and expansion of mentoring, induction, and retention programs designed
12.9 for teachers of color or American Indian teachers under Minnesota Statutes, section 122A.70:

12.10 \$ 2021

12.11 (b) Any balance does not cancel but is available in the following fiscal year.

12.12 (c) This is a onetime appropriation in addition to any prior appropriated funds.

12.13 Subd. 5. **Reports on increasing percentage of teachers of color and American Indian**
12.14 **teachers.** For transfer to the Professional Educator Licensing and Standards Board for a
12.15 report on the efforts and impact of all state-funded programs to increase the percentage of
12.16 teachers of color and American Indian teachers in Minnesota schools developed in
12.17 consultation with the Department of Education, Office of Higher Education, grant recipients,
12.18 and stakeholders.

12.19 \$ 15,000 2021

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