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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3132

03/16/2016 Authored by Erickson, Bennett and Ugem

The bill was read for the first time and referred to the Committee on Education Innovation Policy

03/30/2016 Adoption of Report: Re-referred to the Committee on Education Finance

1.1 A bill for an act  
1.2 relating to education; creating the Teacher Shortage Act; appropriating money;  
1.3 amending Minnesota Statutes 2015 Supplement, sections 122A.413, subdivision  
1.4 1; 122A.415; Laws 2015, chapter 69, article 1, section 3, subdivision 28; Laws  
1.5 2015, First Special Session chapter 3, article 2, section 70, subdivisions 2, 12;  
1.6 proposing coding for new law in Minnesota Statutes, chapter 136A.

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

1.8 Section 1. CITATION.

1.9 Sections 1 to 13 may be cited as the "Teacher Shortage Act."

1.10 Sec. 2. Minnesota Statutes 2015 Supplement, section 122A.413, subdivision 1, is  
1.11 amended to read:

1.12 Subdivision 1. **Qualifying plan.** A district, intermediate school district, or a  
1.13 cooperative unit, as defined in section 123A.24, subdivision 2, may develop an educational  
1.14 improvement plan. The plan may be developed for the purpose of qualifying for:

1.15 (1) the alternative teacher professional pay system under section 122A.414; and

1.16 (2) teacher development and evaluation aid under section 122A.415.

1.17 The plan must include measures for improving school district, intermediate school  
1.18 district, cooperative, school site, teacher, principal, and individual student performance.

1.19 Sec. 3. Minnesota Statutes 2015 Supplement, section 122A.415, is amended to read:

1.20 **122A.415 TEACHER DEVELOPMENT AND EVALUATION AID;**

1.21 **ALTERNATIVE COMPENSATION REVENUE.**

1.22 Subdivision 1. **Alternative teacher compensation revenue amount.** (a) A school  
1.23 district, intermediate school district, cooperative unit as defined in section 123A.24,

2.1 subdivision 2, school site, or charter school that meets the conditions of section 122A.414  
2.2 and submits an application approved by the commissioner is eligible for alternative  
2.3 teacher compensation revenue.

2.4 (b) For school district and intermediate school district applications, the commissioner  
2.5 must consider only those applications to participate that are submitted jointly by a  
2.6 district and the exclusive representative of the teachers. The application must contain an  
2.7 alternative teacher professional pay system agreement that:

2.8 (1) implements an alternative teacher professional pay system consistent with  
2.9 section 122A.414; and

2.10 (2) is negotiated and adopted according to the Public Employment Labor Relations  
2.11 Act under chapter 179A, except that notwithstanding section 179A.20, subdivision 3, a  
2.12 district may enter into a contract for a term of two or four years.

2.13 Alternative teacher compensation revenue for a qualifying school district or site in  
2.14 which the school board and the exclusive representative of the teachers agree to place  
2.15 teachers in the district or at the site on the alternative teacher professional pay system  
2.16 equals ~~\$260~~ \$91 times the number of pupils enrolled at the district or site on October 1 of  
2.17 the previous fiscal year. Alternative teacher compensation ~~revenue aid~~ aid for a qualifying  
2.18 intermediate school district or cooperative must be calculated under subdivision 4,  
2.19 ~~paragraph (b)~~ 4a.

2.20 (c) For a newly combined or consolidated district, the revenue shall be computed  
2.21 using the sum of pupils enrolled on October 1 of the previous year in the districts entering  
2.22 into the combination or consolidation. The commissioner may adjust the revenue computed  
2.23 for a site using prior year data to reflect changes attributable to school closings, school  
2.24 openings, or grade level reconfigurations between the prior year and the current year.

2.25 (d) The revenue under this subdivision is available only to school districts,  
2.26 intermediate school districts, cooperatives, school sites, and charter schools that fully  
2.27 implement an alternative teacher professional pay system by October 1 of the current  
2.28 school year.

2.29 Subd. 1a. **Teacher development and evaluation aid.** (a) A school district, charter  
2.30 school, or other school site is eligible for teacher development and evaluation aid equal to  
2.31 the teacher development and evaluation allowance times the number of pupils enrolled at  
2.32 the district or site on October 1 of the previous fiscal year, or for a school in its first year of  
2.33 operation, October 1 of the current fiscal year.

2.34 (b) The teacher development and evaluation allowance for a school district, charter  
2.35 school, or other school site equals \$169.

3.1 (c) Teacher development and evaluation aid for an intermediate school district or  
 3.2 other cooperative unit as defined in section 123A.24, subdivision 2, must be calculated  
 3.3 under subdivision 4a.

3.4 (d) To qualify for aid under this subdivision, a school district, charter school,  
 3.5 intermediate school district or other cooperative unit, or other school site must either  
 3.6 develop an educational improvement plan under section 122A.413, implement an  
 3.7 alternative teacher professional pay system under section 122A.414, or demonstrate to the  
 3.8 commissioner's satisfaction that the aid received under this section is used for the activities  
 3.9 prescribed under section 122A.40, subdivision 8, or 122A.41, subdivision 5.

3.10 **Subd. 3. Revenue timing; applications; implementation.** (a) Districts,  
 3.11 intermediate school districts, cooperatives, school sites, or charter schools with approved  
 3.12 applications must receive alternative compensation revenue for each school year that  
 3.13 the district, intermediate school district, cooperative, school site, or charter school  
 3.14 implements an alternative teacher professional pay system under this subdivision and  
 3.15 section 122A.414. ~~A qualifying district, intermediate school district, cooperative, school~~  
 3.16 ~~site, or charter school that received alternative teacher compensation aid for the previous~~  
 3.17 ~~fiscal year must receive at least an amount of alternative teacher compensation revenue~~  
 3.18 ~~equal to the lesser of the amount it received for the previous fiscal year or the amount it~~  
 3.19 ~~qualifies for under subdivision 1 for the current fiscal year if the district, intermediate~~  
 3.20 ~~school district, cooperative, school site, or charter school submits a timely application and~~  
 3.21 ~~the commissioner determines that the district, intermediate school district, cooperative,~~  
 3.22 ~~school site, or charter school continues to implement an alternative teacher professional~~  
 3.23 ~~pay system, consistent with its application under this section.~~

3.24 (b) The commissioner shall approve applications that comply with subdivision 1,  
 3.25 and section 122A.414, subdivisions 2, paragraph (b), and 2a, if the applicant is a charter  
 3.26 school or cooperative, in the order in which they are received, select applicants that  
 3.27 qualify for this program, notify school districts, intermediate school districts, cooperatives,  
 3.28 school sites, and charter schools about the program, develop and disseminate application  
 3.29 materials, and carry out other activities needed to implement this section.

3.30 **Subd. 4. Basic Charter school alternative teacher compensation aid.** (a) The  
 3.31 ~~basic alternative teacher compensation aid for a school with a plan approved under section~~  
 3.32 ~~122A.414, subdivision 2b, equals 65 percent of the alternative teacher compensation~~  
 3.33 ~~revenue under subdivision 1. The basic alternative teacher compensation aid for a charter~~  
 3.34 ~~school with a plan approved under section 122A.414, subdivisions 2a and 2b, equals \$260~~  
 3.35 ~~\$91~~ times the number of pupils enrolled in the school on October 1 of the previous year, or  
 3.36 on October 1 of the current year for a charter school in the first year of operation, times

4.1 ~~the ratio of the sum of the alternative teacher compensation aid and alternative teacher~~  
 4.2 ~~compensation levy for all participating school districts to the maximum alternative teacher~~  
 4.3 ~~compensation revenue for those districts under subdivision 1.~~

4.4 ~~(b) Notwithstanding paragraph (a) and subdivision 1, the state total basic alternative~~  
 4.5 ~~teacher compensation aid entitlement must not exceed \$88,118,000 for fiscal year 2017~~  
 4.6 ~~and later. The commissioner must limit the amount of alternative teacher compensation~~  
 4.7 ~~aid approved under this section so as not to exceed these limits. Basic~~

4.8 Subd. 4a. **Aid for cooperative units.** (a) Alternative teacher compensation aid for  
 4.9 an intermediate district or other cooperative unit with a plan approved under section  
 4.10 122A.413 equals \$3,000 \$1,050 times the number of licensed teachers employed by the  
 4.11 intermediate district or cooperative unit on October 1 of the previous school year.

4.12 (b) Teacher development and evaluation aid for an intermediate school district or  
 4.13 other cooperative unit equals \$1,950 times the number of licensed teachers employed by the  
 4.14 intermediate school district or cooperative unit on October 1 of the previous school year.

4.15 Subd. 4b. **Principals.** (a) Alternative principal compensation aid for a school  
 4.16 district, charter school, school site, or intermediate school or cooperative unit with a plan  
 4.17 approved under section 122A.413, equals \$1,050 times the number of licensed principals  
 4.18 employed by the school district, charter school, school site, or intermediate or other  
 4.19 cooperative unit on October 1 of the previous school year.

4.20 (b) Principal development and evaluation aid for a school district, charter school,  
 4.21 school site, or intermediate school or cooperative unit equals \$1,950 times the number  
 4.22 of licensed principals employed by the school district, charter school, school site, or  
 4.23 intermediate or other cooperative unit on October 1 of the previous school year.

4.24 Subd. 5. **Alternative teacher compensation levy.** The alternative teacher  
 4.25 compensation levy for a school district, not including an intermediate district, receiving  
 4.26 basic alternative teacher compensation aid revenue under subdivision 1 equals the product  
 4.27 of (1) the difference between the district's alternative teacher compensation revenue and  
 4.28 the district's basic alternative teacher compensation aid, times (2) the lesser of one or the  
 4.29 ratio of the district's adjusted net tax capacity per adjusted pupil unit to \$6,100.

4.30 Subd. 6. **Alternative teacher compensation equalization aid.** (a) A district's  
 4.31 For a school district only, alternative teacher compensation equalization aid equals the  
 4.32 district's alternative teacher compensation revenue minus the district's basic alternative  
 4.33 teacher compensation aid minus the district's alternative teacher compensation levy. If a  
 4.34 district does not levy the entire amount permitted, the alternative teacher compensation  
 4.35 equalization aid must be reduced in proportion to the actual amount levied.

5.1 (b) A district's alternative teacher compensation aid equals the ~~sum of the~~  
 5.2 ~~district's basic alternative teacher compensation aid and the~~ district's alternative teacher  
 5.3 compensation equalization aid.

5.4 Subd. 7. **Flexibility for existing programs.** A school district or charter school with  
 5.5 an approved alternative teacher professional pay system may transfer any of the funding  
 5.6 authorized in this section between its alternative teacher professional pay program and its  
 5.7 teacher development and evaluation activities.

5.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2017  
 5.9 and later.

5.10 Sec. 4. **[136A.1275] GRANTS TO STUDENT TEACHERS IN SHORTAGE**  
 5.11 **AREAS.**

5.12 Subdivision 1. **Establishment.** The commissioner of the Office of Higher Education  
 5.13 must establish a grant program for students who are required to student teach as part of  
 5.14 their teacher preparation program.

5.15 Subd. 2. **Eligibility.** In order to receive a grant, the applicant must:

5.16 (1) be enrolled in a Minnesota teacher preparation program that would enable the  
 5.17 applicant, upon graduation, to teach in a Minnesota school district in a shortage area;

5.18 (2) agree to teach in a shortage area for at least five years after graduating from the  
 5.19 teacher preparation program; and

5.20 (3) demonstrate financial need in the form and manner prescribed by the  
 5.21 commissioner of the Office of Higher Education. "Shortage area" has the same meaning  
 5.22 given in section 122A.18, subdivision 4a.

5.23 Subd. 3. **Administration; repayment.** The office must determine the time and  
 5.24 manner of applications. The office must determine the stipend amount based on the money  
 5.25 available and the number of eligible applicants each academic year. If a stipend recipient  
 5.26 is employed in a shortage area, the recipient must remain employed in the shortage area  
 5.27 for five years or repay a portion of the amount received prorated by the number of years  
 5.28 the recipient has taught in the shortage area.

5.29 Sec. 5. Laws 2015, chapter 69, article 1, section 3, subdivision 28, is amended to read:

5.30			200,000
5.31	Subd. 28. <b>Teacher Shortage Loan Forgiveness</b>	200,000	.....

5.32 For the loan forgiveness program under  
 5.33 Minnesota Statutes, section 136A.1791.

6.1 The commissioner may use no more  
 6.2 than three percent of this appropriation  
 6.3 to administer the program under this  
 6.4 subdivision.

6.5 Sec. 6. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 2,  
 6.6 is amended to read:

6.7 Subd. 2. **Teacher development and evaluation aid; alternative compensation**  
 6.8 **aid.** For teacher development and evaluation aid and alternative teacher compensation aid  
 6.9 under Minnesota Statutes, section 122A.415, ~~subdivision 4:~~

6.10 \$ 78,331,000 ..... 2016  
 6.11 87,147,000  
 6.12 \$ ..... ..... 2017

6.13 The 2016 appropriation includes \$7,766,000 for 2015 and \$70,565,000 for 2016.

6.14 The 2017 appropriation includes \$7,840,000 for 2016 and \$79,307,000 \$..... for  
 6.15 2017.

6.16 Sec. 7. Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision  
 6.17 12, is amended to read:

6.18 Subd. 12. **Collaborative urban educator.** For the collaborative urban educator  
 6.19 grant program:

6.20 \$ 780,000 ..... 2016  
 6.21 780,000  
 6.22 \$ ..... ..... 2017

6.23 Grants shall be awarded in equal amounts: ~~\$195,000~~ \$..... each year is for the  
 6.24 Southeast Asian teacher program at Concordia University, St. Paul; ~~\$195,000~~ \$..... each  
 6.25 year is for the collaborative urban educator program at the University of St. Thomas;  
 6.26 ~~\$195,000~~ \$..... each year is for the Center for Excellence in Urban Teaching at Hamline  
 6.27 University; and ~~\$195,00~~ \$..... each year is for the East Africa Student to Teacher program  
 6.28 at Augsburg College.

6.29 Any balance in the first year does not cancel but is available in the second year.

6.30 Each institution shall prepare for the legislature, by January 15 of each year, a  
 6.31 detailed report regarding the funds used. The report must include the number of teachers  
 6.32 prepared as well as the diversity for each cohort of teachers produced.

6.33 Sec. 8. **STATEWIDE SCHOOL TEACHER AND ADMINISTRATOR JOB**  
 6.34 **BOARD.**

7.1 The Board of Teaching must contract for an electronic statewide school teacher and  
 7.2 administrator job board. The job board must allow school districts to post job openings for  
 7.3 prekindergarten through grade 12 teaching and administrative positions.

7.4 **Sec. 9. PARAPROFESSIONAL PATHWAY TO TEACHER LICENSURE.**

7.5 The commissioner of education must establish a grant program for school districts  
 7.6 to design, establish, and maintain a paraprofessional pathway to teacher licensure or a  
 7.7 grow your own new teacher program. The programs must allow a current school district  
 7.8 paraprofessional with a bachelor's degree to pursue their teaching license while still being  
 7.9 employed by the school district. A school district may apply in the form and manner  
 7.10 prescribed by the commissioner.

7.11 **Sec. 10. BOARD OF TEACHING TO AMEND SCIENCE LICENSURE RULES.**

7.12 The Board of Teaching must use the expedited rulemaking process under Minnesota  
 7.13 Statutes, section 14.389, to amend Minnesota Rules, part 8710.4750, to allow a teacher  
 7.14 holding a grade 9 through 12 science license with at least three years of experience to  
 7.15 obtain a general science teaching license for grades 5 through 8 by passing an exam.

7.16 **Sec. 11. SPECIAL EDUCATION EDUCATOR PROGRAMS REPORT.**

7.17 By December 15, 2016, the chancellor of the Minnesota State Colleges and  
 7.18 Universities must prepare and submit to the committees of the legislature having  
 7.19 jurisdiction over kindergarten through grade 12 education and higher education a report  
 7.20 on the special education educator programs available at the state colleges and universities,  
 7.21 which institutions offer the specific special education educator programs, and the number  
 7.22 of graduates over the last five years.

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

7.24 **Sec. 12. OFFICE OF HIGHER EDUCATION; APPROPRIATION.**

7.25 \$..... in fiscal year 2017 is appropriated from the general fund to the commissioner  
 7.26 of the Office of Higher Education for grants to student teachers in shortage areas under  
 7.27 Minnesota Statutes, section 136A.1275.

7.28 **Sec. 13. APPROPRIATIONS.**

8.1            Subdivision 1. **Department of Education.** The sums indicated in this section are  
 8.2 appropriated from the general fund to the Department of Education in the fiscal years  
 8.3 designated.

8.4            Subd. 2. **Statewide job board.** For transfer to the Board of Teaching for the  
 8.5 statewide school teacher and administrator job board:

8.6            \$            79,000    ..... 2017

8.7            Subd. 3. **Paraprofessional pathway to teacher licensure.** For grants to school  
 8.8 districts for grow your own new teacher programs:

8.9            \$            .....    ..... 2017