

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 40

(SENATE AUTHORS: OLSON, Bonoff, Nelson and Harrington)

DATE	D-PG	OFFICIAL STATUS
01/13/2011	50	Introduction and first reading Referred to Education
01/27/2011	83a	Comm report: To pass as amended and re-refer to Finance
02/02/2011	140a	Comm report: To pass as amended
	154	Second reading
02/03/2011	176	Special Order
	177	Third reading Passed
02/14/2011	236	Returned from House with amendment
	236	Laid on table
02/28/2011	314	Taken from table Senate not concur, conference committee of 3 requested Senate conferees Olson; Bonoff; Nelson
03/03/2011	319	House conferees Garofalo; Erickson; Mariani
	333c	Conference committee report, delete everything Senate adopted CC report and repassed bill
	339	Third reading
03/07/2011	420	House adopted SCC report and repassed bill Presentment date 03/04/11
03/10/2011	454	Governor's action Approval 03/07/11
03/14/2011	490	Secretary of State Chapter 5 03/07/11 Effective date Sec. 1 03/08/11; Sec. 2, 3, 5 08/01/11; Sec. 4 2011-2012 school year and after See also HF1381, Art. 2, Sec. 16, 45 (vetoed)

A bill for an act

1.1 relating to education; amending teacher licensure provisions; establishing
1.2 an alternative teacher preparation program and limited-term teacher license;
1.3 requiring reports; amending Minnesota Statutes 2010, sections 122A.09,
1.4 subdivision 4; 122A.16; 122A.23, subdivision 1; proposing coding for new
1.5 law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2010,
1.6 section 122A.24.
1.7

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

1.9 Section 1. Minnesota Statutes 2010, section 122A.09, subdivision 4, is amended to
1.10 read:

1.11 Subd. 4. **License and rules.** (a) The board must adopt rules to license public school
1.12 teachers and interns subject to chapter 14.

1.13 (b) The board must adopt rules requiring a person to successfully complete a skills
1.14 examination in reading, writing, and mathematics as a requirement for initial teacher
1.15 licensure. Such rules must require college and universities offering a board-approved
1.16 teacher preparation program to provide remedial assistance to persons who did not
1.17 achieve a qualifying score on the skills examination, including those for whom English is
1.18 a second language.

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

2.1 (d) The board must provide the leadership and ~~shall~~ adopt rules for the redesign of
2.2 teacher education programs to implement a research based, results-oriented curriculum
2.3 that focuses on the skills teachers need in order to be effective. The board shall implement
2.4 new systems of teacher preparation program evaluation to assure program effectiveness
2.5 based on proficiency of graduates in demonstrating attainment of program outcomes.

2.6 Teacher preparation programs including alternative teacher preparation programs
2.7 under section 122A.245, among other programs, must include a content-specific,
2.8 board-approved, performance-based assessment that measures teacher candidates in three
2.9 areas: planning for instruction and assessment; engaging students and supporting learning;
2.10 and assessing student learning.

2.11 (e) The board must adopt rules requiring candidates for initial licenses to successfully
2.12 complete an examination of general pedagogical knowledge and examinations of
2.13 licensure-specific teaching skills. The rules shall be effective by September 1, 2001.

2.14 The rules under this paragraph also must require candidates for initial licenses to teach
2.15 prekindergarten or elementary students to successfully complete, as part of the examination
2.16 of licensure-specific teaching skills, test items assessing the candidates' knowledge,
2.17 skill, and ability in comprehensive, scientifically based reading instruction under section
2.18 122A.06, subdivision 4, and their knowledge and understanding of the foundations of
2.19 reading development, the development of reading comprehension, and reading assessment
2.20 and instruction, and their ability to integrate that knowledge and understanding.

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

2.24 (g) The board must grant licenses to interns and to candidates for initial licenses.

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

2.28 (i) The board must receive recommendations from local committees as established
2.29 by the board for the renewal of teaching licenses.

2.30 (j) The board must grant life licenses to those who qualify according to requirements
2.31 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
2.32 214.10. The board must not establish any expiration date for application for life licenses.

2.33 (k) The board must adopt rules that require all licensed teachers who are renewing
2.34 their continuing license to include in their renewal requirements further preparation in
2.35 the areas of using positive behavior interventions and in accommodating, modifying, and

3.1 adapting curricula, materials, and strategies to appropriately meet the needs of individual
3.2 students and ensure adequate progress toward the state's graduation rule.

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

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

3.13 (n) The board must adopt rules that require all licensed teachers who are renewing
3.14 their continuing license to include in their renewal requirements further preparation
3.15 in understanding the key warning signs of early-onset mental illness in children and
3.16 adolescents.

3.17 **EFFECTIVE DATE.** This section is effective the day following final enactment
3.18 and applies to individuals who complete a teacher preparation program by the end of the
3.19 2013-2014 school year or later.

3.20 Sec. 2. Minnesota Statutes 2010, section 122A.16, is amended to read:

3.21 **122A.16 HIGHLY QUALIFIED TEACHER DEFINED.**

3.22 (a) A qualified teacher is one holding a valid license, under this chapter, to perform
3.23 the particular service for which the teacher is employed in a public school.

3.24 (b) For the purposes of the federal No Child Left Behind Act, a highly qualified
3.25 teacher is one who holds a valid license under this chapter, including under section
3.26 122A.245, among other sections, to perform the particular service for which the teacher is
3.27 employed in a public school or who meets the requirements of a highly objective uniform
3.28 state standard of evaluation (HOUSSE).

3.29 All Minnesota teachers teaching in a core academic subject area, as defined by the
3.30 federal No Child Left Behind Act, in which they are not fully licensed may complete the
3.31 following HOUSSE process in the core subject area for which the teacher is requesting
3.32 highly qualified status by completing an application, in the form and manner described by
3.33 the commissioner, that includes:

S.F. No. 40, 3rd Engrossment - 87th Legislative Session (2011-2012) [S0040-3]

4.1 (1) documentation of student achievement as evidenced by norm-referenced test
4.2 results that are objective and psychometrically valid and reliable;

4.3 (2) evidence of local, state, or national activities, recognition, or awards for
4.4 professional contribution to achievement;

4.5 (3) description of teaching experience in the teachers' core subject area in a public
4.6 school under a waiver, variance, limited license or other exception; nonpublic school; and
4.7 postsecondary institution;

4.8 (4) test results from the Praxis II content test;

4.9 (5) evidence of advanced certification from the National Board for Professional
4.10 Teaching Standards;

4.11 (6) evidence of the successful completion of course work or pedagogy courses; and

4.12 (7) evidence of the successful completion of high quality professional development
4.13 activities.

4.14 Districts must assign a school administrator to serve as a HOUSSE reviewer to
4.15 meet with teachers under this paragraph and, where appropriate, certify the teachers'
4.16 applications. Teachers satisfy the definition of highly qualified when the teachers receive
4.17 at least 100 of the total number of points used to measure the teachers' content expertise
4.18 under clauses (1) to (7). Teachers may acquire up to 50 points only in any one clause (1)
4.19 to (7). Teachers may use the HOUSSE process to satisfy the definition of highly qualified
4.20 for more than one subject area.

4.21 (c) Achievement of the HOUSSE criteria is not equivalent to a license. A teacher
4.22 must obtain permission from the Board of Teaching in order to teach in a public school.

4.23 Sec. 3. Minnesota Statutes 2010, section 122A.23, subdivision 1, is amended to read:

4.24 Subdivision 1. **Preparation equivalency.** When a license to teach is authorized to
4.25 be issued to any holder of a diploma or a degree of a Minnesota state university, or of the
4.26 University of Minnesota, or of a liberal arts university, or a technical training institution,
4.27 such license may also, in the discretion of the Board of Teaching or the commissioner of
4.28 education, whichever has jurisdiction, be issued to any holder of a diploma or a degree
4.29 of a teacher training institution of equivalent rank and standing of any other state. The
4.30 diploma or degree must be granted by virtue of ~~the completion of~~ completing a course in
4.31 teacher preparation essentially equivalent in content to that required by such Minnesota
4.32 state university or the University of Minnesota or a liberal arts university in Minnesota
4.33 or a technical training institution as preliminary to the granting of a diploma or a degree
4.34 of the same rank and class. For purposes of granting a Minnesota teaching license to a
4.35 person who receives a diploma or degree from a state-accredited, out-of-state teacher

5.1 training program leading to licensure, the Board of Teaching must establish criteria and
5.2 streamlined procedures to recognize the experience and professional credentials of the
5.3 person holding the out-of-state diploma or degree and allow that person to demonstrate to
5.4 the board the person's qualifications for receiving a Minnesota teaching license based on
5.5 performance measures the board adopts under this section.

5.6 Sec. 4. **[122A.245] ALTERNATIVE TEACHER PREPARATION PROGRAM**
5.7 **AND LIMITED-TERM TEACHER LICENSE.**

5.8 Subdivision 1. **Requirements.** (a) To improve academic excellence, improve ethnic
5.9 and cultural diversity in the classroom, and close the academic achievement gap, the
5.10 Board of Teaching must approve qualified teacher preparation programs under this section
5.11 that are a means to acquire a two-year limited-term license, which the board may renew
5.12 one time for an additional one-year term, and to prepare for acquiring a standard license.
5.13 The following entities are eligible to participate under this section:

5.14 (1) a school district or charter school that forms a partnership with a college or
5.15 university that has a board-approved alternative teacher preparation program; or

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

5.20 (b) Before participating in this program, a candidate must:

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

5.23 (2) pass the reading, writing, and mathematics skills examination under section
5.24 122A.09, subdivision 4, paragraph (b); and

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

5.27 (c) The Board of Teaching must issue a two-year limited-term license to a person
5.28 who enrolls in an alternative teacher preparation program.

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

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

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

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

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

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

6.10 (6) a requirement that teacher candidates demonstrate to the local site team under
6.11 subdivision 5 satisfactory progress toward acquiring a standard license from the Board of
6.12 Teaching.

6.13 Subd. 3. **Program approval; disapproval.** (a) The Board of Teaching must approve
6.14 alternative teacher preparation programs under this section based on board-adopted criteria
6.15 that reflect best practices for alternative teacher preparation programs, consistent with this
6.16 section. The board must permit teacher candidates to demonstrate mastery of pedagogy
6.17 and content standards in school-based settings and through other nontraditional means.

6.18 (b) If the Board of Teaching determines that a teacher preparation program under
6.19 this section does not meet the requirements of this section, it may revoke its approval
6.20 of the program after it notifies the program provider of any deficiencies and gives the
6.21 program provider an opportunity to remedy the deficiencies.

6.22 Subd. 4. **Employment conditions.** Where applicable, teacher candidates with a
6.23 limited-term license under this section are members of the local employee organization
6.24 representing teachers and subject to the terms of the local collective bargaining agreement
6.25 between the exclusive representative of the teachers and the school board. A collective
6.26 bargaining agreement between a school board and the exclusive representative of the
6.27 teachers must not prevent or restrict or otherwise interfere with a school district's ability to
6.28 employ a teacher prepared under this section.

6.29 Subd. 5. **Approval for standard license.** A school board or its designee must
6.30 appoint members to a local site team that includes teachers, school administrators,
6.31 and postsecondary faculty under subdivision 1, paragraph (a), clause (1), or staff of a
6.32 participating nonprofit corporation under subdivision 1, paragraph (a), clause (2), to
6.33 evaluate the performance of the teacher candidate. The evaluation must be consistent with
6.34 board-adopted performance measures, use the Minnesota state standards of effective
6.35 practice and subject matter content standards for teachers established in Minnesota Rules,

7.1 and include a report to the board recommending whether or not to issue the teacher
7.2 candidate a standard license.

7.3 Subd. 6. **Applicants trained in other states.** A person who successfully completes
7.4 another state's alternative teacher preparation program, consistent with section 122A.23,
7.5 subdivision 1, may apply to the Board of Teaching for a standard license under subdivision
7.6 7.

7.7 Subd. 7. **Standard license.** The Board of Teaching must issue a standard
7.8 license to an otherwise qualified teacher candidate under this section who successfully
7.9 performs throughout a program under this section, successfully completes all required
7.10 skills, pedagogy, and content area examinations under section 122A.09, subdivision
7.11 4, paragraphs (a) and (e), and is recommended for licensure under subdivision 5 or
7.12 successfully demonstrates to the board qualifications for licensure under subdivision 6.

7.13 Subd. 8. **Highly qualified teacher.** A person holding a valid limited-term license
7.14 under this section is a highly qualified teacher and the teacher of record under section
7.15 122A.16.

7.16 Subd. 9. **Exchange of best practices.** By July 31 in an even-numbered year, a
7.17 program participant and the Minnesota State Colleges and Universities, the University of
7.18 Minnesota, the Minnesota Private College Council, and the Department of Education must
7.19 exchange information about best practices and educational innovations.

7.20 Subd. 10. **Reports.** The Board of Teaching must submit an interim report on the
7.21 efficacy of this program to the policy and finance committees of the legislature with
7.22 jurisdiction over kindergarten through grade 12 education by February 15, 2013, and a
7.23 final report by February 15, 2015.

7.24 **EFFECTIVE DATE.** This section is effective for the 2011-2012 school year and
7.25 later.

7.26 **Sec. 5. REPEALER.**

7.27 Minnesota Statutes 2010, section 122A.24, is repealed.

7.28 **EFFECTIVE DATE.** This section is effective August 1, 2011.