

This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **1268**

02/02/2023 Authored by Hill and Clardy
The bill was read for the first time and referred to the Committee on Education Policy
02/20/2023 Adoption of Report: Amended and re-referred to the Committee on Education Finance

1.1 A bill for an act

1.2 relating to education; making changes to teacher licensure and teacher preparation

1.3 programs; making changes to the Professional Educator Licensing and Standards

1.4 Board membership; appropriating money; amending Minnesota Statutes 2022,

1.5 sections 122A.06, subdivisions 1, 2, 5, 6, 7, 8, by adding subdivisions; 122A.07,

1.6 subdivisions 1, 2, 4, 4a, 5, 6; 122A.09, subdivisions 4, 6, 9, 10; 122A.091,

1.7 subdivisions 1, 2; 122A.15, subdivision 1; 122A.16; 122A.18, subdivisions 1, 2,

1.8 10, by adding a subdivision; 122A.181, subdivisions 1, 2, 3; 122A.182, subdivisions

1.9 1, 2; 122A.183, subdivisions 1, 2; 122A.184, subdivision 1; 122A.185, subdivisions

1.10 1, 4; 122A.187, subdivision 1; 122A.19, subdivision 4; 122A.69; proposing coding

1.11 for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes

1.12 2022, sections 122A.07, subdivision 2a; 122A.091, subdivisions 3, 6; 122A.18,

1.13 subdivision 7c; 122A.184, subdivision 3.

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

1.15 Section 1. **122A.04] LICENSE REQUIRED.**

1.16 Pursuant to section 120A.22, subdivision 10, a teacher must hold a license or a permission

1.17 aligned to the content area and scope of the teacher's assignment to provide instruction in

1.18 a public school or a charter school.

1.19 Sec. 2. Minnesota Statutes 2022, section 122A.06, subdivision 1, is amended to read:

1.20 Subdivision 1. **Scope.** For the purpose of sections ~~122A.05~~ 122A.04 to 122A.093, and

1.21 sections 122A.15 to 122A.33, the terms defined in this section have the meanings given

1.22 them, unless another meaning is clearly indicated.

2.1 Sec. 3. Minnesota Statutes 2022, section 122A.06, subdivision 2, is amended to read:

2.2 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional
2.3 employee required by law to hold a license or permission from the Professional Educator
2.4 Licensing and Standards Board.

2.5 Sec. 4. Minnesota Statutes 2022, section 122A.06, subdivision 5, is amended to read:

2.6 Subd. 5. **Field.** A "field," "licensure area," or "subject area" means the content area in
2.7 which a teacher may become licensed to teach.

2.8 Sec. 5. Minnesota Statutes 2022, section 122A.06, subdivision 6, is amended to read:

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

2.10 (1) licensure fields and economic development regions reported by the ~~commissioner~~
2.11 ~~of education~~ Office of Higher Education or the Professional Educator Licensing and
2.12 Standards Board as experiencing a teacher shortage; and

2.13 (2) economic development regions where ~~there is a shortage of licensed teachers who~~
2.14 ~~reflect the racial or ethnic diversity of students in the region.~~ the aggregate percentage of
2.15 Indigenous teachers and teachers of color in the region is lower than the aggregate percentage
2.16 of kindergarten through grade 12 Indigenous students and students of color in that region.
2.17 Only individuals who close the gap between these percentages qualify as filling a shortage
2.18 by this definition.

2.19 Sec. 6. Minnesota Statutes 2022, section 122A.06, subdivision 7, is amended to read:

2.20 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a
2.21 program approved by the Professional Educator Licensing and Standards Board for the
2.22 purpose of preparing individuals for a specific teacher licensure field in Minnesota. ~~Teacher~~
2.23 ~~preparation programs include traditional programs delivered by postsecondary institutions,~~
2.24 ~~alternative teacher preparation programs, and nonconventional teacher preparation programs.~~

2.25 Sec. 7. Minnesota Statutes 2022, section 122A.06, subdivision 8, is amended to read:

2.26 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program
2.27 provider" or "unit" means an entity that has primary responsibility for overseeing and
2.28 delivering a teacher preparation program. Teacher preparation program providers include
2.29 institutes of higher education, school districts, charter schools, or nonprofit corporations
2.30 organized under chapter 317A.

3.1 Sec. 8. Minnesota Statutes 2022, section 122A.06, is amended by adding a subdivision to
3.2 read:

3.3 Subd. 9. **District.** "District" means a public school district or charter school.

3.4 Sec. 9. Minnesota Statutes 2022, section 122A.06, is amended by adding a subdivision to
3.5 read:

3.6 Subd. 10. **Transfer pathway.** "Transfer pathway" means an established pathway to
3.7 licensure between a two-year college and a board-approved teacher preparation provider.

3.8 Sec. 10. Minnesota Statutes 2022, section 122A.07, subdivision 1, is amended to read:

3.9 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and
3.10 Standards Board consists of ~~11~~ 13 members appointed by the governor, with the advice and
3.11 consent of the senate. Membership terms, ~~compensation of members~~, removal of members,
3.12 the filling of membership vacancies, and fiscal year and reporting requirements are as
3.13 provided in sections 214.07 to 214.09. No member may be reappointed for more than one
3.14 additional term.

3.15 Sec. 11. Minnesota Statutes 2022, section 122A.07, subdivision 2, is amended to read:

3.16 Subd. 2. **Eligibility; board composition.** Each ~~nominee~~ appointee, other than a public
3.17 nominee, must be selected on the basis of professional experience and knowledge of teacher
3.18 education, accreditation, and licensure. The board must be composed of:

3.19 (1) ~~six~~ seven teachers who are currently teaching in a Minnesota school ~~or who were~~
3.20 ~~teaching at the time of the appointment~~, have at least five years of teaching experience, and
3.21 ~~were~~ are not serving in an administrative function at a school district or school when
3.22 ~~appointed~~ a position requiring an administrative license, pursuant to section 122A.14. The
3.23 ~~six~~ seven teachers must include the following:

3.24 (i) one teacher in a charter school;

3.25 (ii) ~~one teacher~~ two teachers from a school located in the seven-county metropolitan
3.26 area, as defined in section 473.121, subdivision 2;

3.27 (iii) ~~one teacher~~ two teachers from a school located outside the seven-county metropolitan
3.28 area;

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

3.30 (v) one special education teacher; ~~and~~

- 4.1 ~~(vi) one teacher from a teacher preparation program;~~
- 4.2 (2) two teachers currently teaching in a board-approved teacher preparation program;
- 4.3 ~~(2)~~ (3) one superintendent that alternates, alternating each term between a superintendent
- 4.4 from a school district in the seven-county metropolitan area, as defined in section 473.121,
- 4.5 subdivision 2, and a superintendent from a school district outside the metropolitan area;
- 4.6 ~~(3) one school district human resources director;~~
- 4.7 (4) one administrator of a cooperative unit under section 123A.24, subdivision 2, educator
- 4.8 who oversees a special education program and who works closely with a cooperative unit
- 4.9 under section 123A.24, subdivision 2;
- 4.10 ~~(5) one principal that alternates, alternating~~ each term between an elementary and a
- 4.11 secondary school principal; and
- 4.12 ~~(6) one member of the public that may be a current or former school board member.~~

4.13 Sec. 12. Minnesota Statutes 2022, section 122A.07, subdivision 4, is amended to read:

4.14 Subd. 4. **Terms, compensation; removal; vacancies.** (a) The review and processing

4.15 of complaints; the setting of fees; the selection and duties of an executive director to serve

4.16 the board; and other provisions relating to board operations not provided in this chapter are

4.17 as provided in chapter 214. Membership terms, except as provided in subdivision 2a,

4.18 ~~compensation of members,~~ removal of members, the filling of membership vacancies, and

4.19 fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

4.20 (b) Board members must receive a stipend of up to \$4,800 annually, prorated monthly,

4.21 during each year of service on the board.

4.22 Sec. 13. Minnesota Statutes 2022, section 122A.07, subdivision 4a, is amended to read:

4.23 Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief

4.24 administrative officer for the board but shall not be a member of the board. The executive

4.25 director shall maintain the records of the board, account for all fees received by the board,

4.26 supervise and direct employees servicing the board, and perform other services as directed

4.27 by the board.

4.28 (b) The Department of Administration must provide administrative support in accordance

4.29 with section 16B.371. The commissioner of administration must assess the board for services

4.30 it provides under this section.

5.1 ~~(e) The Department of Education must provide suitable offices and other space to the~~
5.2 ~~board at reasonable cost until January 1, 2020. Thereafter, the board may contract with~~
5.3 ~~either the Department of Education or the Department of Administration for the provision~~
5.4 ~~of suitable offices and other space, joint conference and hearing facilities, and examination~~
5.5 ~~rooms.~~

5.6 Sec. 14. Minnesota Statutes 2022, section 122A.07, subdivision 5, is amended to read:

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

5.13 Sec. 15. Minnesota Statutes 2022, section 122A.07, subdivision 6, is amended to read:

5.14 Subd. 6. **Public employer compensation reduction prohibited.** (a) The public employer
5.15 of a member must not reduce the member's compensation or benefits because of the member's
5.16 absence from employment when engaging in the business of the board.

5.17 (b) The public employer of a member must grant the member time off to join board
5.18 meetings, committee meetings, and board retreats.

5.19 Sec. 16. Minnesota Statutes 2022, section 122A.09, subdivision 4, is amended to read:

5.20 Subd. 4. **Licensing and approval.** (a) The Professional Educator Licensing and Standards
5.21 Board must license teachers, as defined in section 122A.15, subdivision 1, except for
5.22 supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not
5.23 delegate its authority to make all licensing decisions with respect to ~~eandidates~~ applicants
5.24 for teacher licensure. The board must evaluate ~~eandidates~~ applicants for compliance with
5.25 statutory or rule requirements for licensure and develop licensure verification requirements.

5.26 (b) The Professional Educator Licensing and Standards Board must approve teacher
5.27 preparation providers seeking to prepare applicants for teacher licensure in Minnesota.

5.28 Sec. 17. Minnesota Statutes 2022, section 122A.09, subdivision 6, is amended to read:

5.29 Subd. 6. **Register of persons licensed.** ~~The executive director of the~~ Professional
5.30 Educator Licensing and Standards Board must keep a record of the proceedings of and a
5.31 register of all persons licensed pursuant to the provisions of this chapter. The register must

6.1 show the name, ~~address,~~ licenses and permissions held, including renewals, and license
6.2 ~~number and the renewal of the license. The board must on July 1, of each year or as soon~~
6.3 ~~thereafter as is practicable, compile a list of such duly licensed teachers. A copy of the~~
6.4 ~~register~~ This list must be available during business hours at the office of the board to any
6.5 ~~interested person~~ on the board's website.

6.6 Sec. 18. Minnesota Statutes 2022, section 122A.09, subdivision 9, is amended to read:

6.7 Subd. 9. **Professional Educator Licensing and Standards Board must adopt rules.** (a)
6.8 The Professional Educator Licensing and Standards Board must adopt rules subject to the
6.9 provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092,
6.10 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185,
6.11 122A.187, 122A.188, 122A.19, 122A.20, 122A.21, 122A.23, 122A.26, 122A.28, and
6.12 122A.29, and 124D.72.

6.13 (b) The board must adopt rules relating to fields of licensure and grade levels that a
6.14 licensed teacher may teach, including a process for granting permission to a licensed teacher
6.15 to teach in a field that is different from the teacher's field of licensure without change to the
6.16 teacher's license tier level.

6.17 ~~(e) The board must adopt rules relating to the grade levels that a licensed teacher may~~
6.18 ~~teach.~~

6.19 ~~(d)~~ (c) If a rule adopted by the board is in conflict with a session law or statute, the law
6.20 or statute prevails. Terms adopted in rule must be clearly defined and must not be construed
6.21 to conflict with terms adopted in statute or session law.

6.22 ~~(e)~~ (d) The board must include a description of a proposed rule's probable effect on
6.23 teacher supply and demand in the board's statement of need and reasonableness under section
6.24 14.131.

6.25 ~~(f)~~ (e) The board must adopt rules only under the specific statutory authority.

6.26 Sec. 19. Minnesota Statutes 2022, section 122A.09, subdivision 10, is amended to read:

6.27 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and
6.28 14.056, the Professional Educator Licensing and Standards Board may grant waivers to its
6.29 rules upon application by a school district or a charter school for purposes of implementing
6.30 experimental programs in learning or management.

6.31 (b) To enable a school district or a charter school to meet the needs of students enrolled
6.32 in an alternative education program and to enable licensed teachers instructing those students

7.1 to satisfy content area licensure requirements, the Professional Educator Licensing and
 7.2 Standards Board annually may permit a licensed teacher teaching in an alternative education
 7.3 program to instruct students in a content area for which the teacher is not licensed, consistent
 7.4 with paragraph (a).

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

7.8 (d) ~~A candidate~~ An applicant that has obtained career and technical education certification
 7.9 may apply for a Tier 1 license under section 122A.181. Consistent with section 136F.361,
 7.10 the Professional Educator Licensing and Standards Board must strongly encourage approved
 7.11 ~~college or university-based~~ teacher preparation programs throughout Minnesota to develop
 7.12 alternative pathways for certifying and licensing high school career and technical education
 7.13 instructors and teachers, allowing such ~~candidates~~ applicants to meet certification and
 7.14 licensure standards that demonstrate their content knowledge, classroom experience, and
 7.15 pedagogical practices and their qualifications based on a combination of occupational testing,
 7.16 professional certification or licensure, and long-standing work experience.

7.17 Sec. 20. Minnesota Statutes 2022, section 122A.091, subdivision 1, is amended to read:

7.18 Subdivision 1. **Teacher and administrator preparation and performance data;**
 7.19 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of
 7.20 School Administrators, in cooperation with ~~board-adopted~~ board-approved teacher or
 7.21 administrator preparation programs, annually must collect and report summary data on
 7.22 teacher and administrator preparation and performance outcomes, consistent with this
 7.23 subdivision. The Professional Educator Licensing and Standards Board and the Board of
 7.24 School Administrators annually by ~~June~~ July 1 must update and post the reported summary
 7.25 preparation and performance data on teachers and administrators from the preceding school
 7.26 years on a ~~website hosted jointly by the boards~~ their respective websites.

7.27 (b) Publicly reported summary data on teacher preparation ~~programs~~ providers must
 7.28 include:

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

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

8.1 ~~(3)~~ (1) summary data on faculty teacher educator qualifications, ~~including at least the~~
8.2 ~~content areas of faculty undergraduate and graduate degrees~~ and their years of experience
8.3 either as kindergarten birth through grade 12 classroom teachers or school administrators;

8.4 ~~(4) the average time resident and nonresident program graduates in the preceding year~~
8.5 ~~needed to complete the program;~~

8.6 (2) the current number and percentage of enrolled candidates who entered the program
8.7 through a transfer pathway disaggregated by race, except when disaggregation would not
8.8 yield statistically reliable results or would reveal personally identifiable information about
8.9 an individual;

8.10 ~~(5)~~ (3) the current number and percentage of students program completers by program
8.11 who ~~graduated~~, received a ~~standard Minnesota teaching license~~, and Tier 3 or Tier 4 license
8.12 disaggregated by race, except when disaggregation would not yield statistically reliable
8.13 results or would reveal personally identifiable information about an individual;

8.14 (4) the current number and percentage of program completers who entered the program
8.15 through a transfer pathway and received a Tier 3 or Tier 4 license disaggregated by race,
8.16 except when disaggregation would not yield statistically reliable results or would reveal
8.17 personally identifiable information about an individual;

8.18 (5) the current number and percentage of program completers who were hired to teach
8.19 full time in their licensure field in a Minnesota district or school in the preceding year
8.20 disaggregated by race, except when disaggregation would not yield statistically reliable
8.21 results or would reveal personally identifiable information about an individual;

8.22 ~~(6) the number of content area credits and other credits by undergraduate program that~~
8.23 ~~students in the preceding school year needed to complete to graduate~~ the current number
8.24 and percentage of program completers who entered the program through a transfer pathway
8.25 and who were hired to teach full time in their licensure field in a Minnesota district or school
8.26 in the preceding year disaggregated by race, except when disaggregation would not yield
8.27 statistically reliable results or would reveal personally identifiable information about an
8.28 individual;

8.29 (7) ~~students'~~ pass rates on skills pedagogy and subject matter exams required ~~for~~
8.30 ~~graduation~~ in each ~~program and~~ licensure area for program completers in the preceding
8.31 school year;

8.32 (8) board-adopted survey results measuring ~~student and graduate satisfaction with the~~
8.33 ~~program~~ initial licensure program quality and structure in the preceding school year

9.1 disaggregated by race, except when disaggregation would not yield statistically reliable
9.2 results or would reveal personally identifiable information about an individual;

9.3 (9) ~~a standard measure of the satisfaction of~~ board-adopted survey results from school
9.4 ~~principals or supervising teachers with the student teachers assigned to a school or supervising~~
9.5 ~~teacher~~ supervisors on initial licensure program quality and structure; and

9.6 (10) ~~information under subdivision 3, paragraphs (a) and (b)~~ the number and percentage
9.7 of program completers who met or exceed the state threshold score on the board-adopted
9.8 teacher performance assessment. Program reporting must be consistent with subdivision 2.

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

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

9.14 (2) the average time program graduates in the preceding year needed to complete the
9.15 program;

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

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

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

9.27 (6) information under subdivision 3, paragraphs (c) and (d). Program reporting must be
9.28 consistent with section 122A.14, subdivision 10.

9.29 Sec. 21. Minnesota Statutes 2022, section 122A.091, subdivision 2, is amended to read:

9.30 Subd. 2. **Teacher preparation program reporting.** (a) By December 31, 2018, and
9.31 annually thereafter, the Professional Educator Licensing and Standards Board shall report
9.32 and publish on its website the cumulative summary results of at least three consecutive

10.1 years of data reported to the board under subdivision 1, paragraph (b). Where the data are
10.2 sufficient to yield statistically reliable information and the results would not reveal personally
10.3 identifiable information about an individual teacher, the board shall report the data by teacher
10.4 preparation program.

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

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

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

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

10.12 (4) the number of candidates who have not passed a content or pedagogy exam.

10.13 The information reported under this paragraph must be disaggregated by categories of race,
10.14 ethnicity, and, if applicable, eligibility for financial aid. The report must be submitted in
10.15 accordance with section 3.195.

10.16 Sec. 22. Minnesota Statutes 2022, section 122A.15, subdivision 1, is amended to read:

10.17 Subdivision 1. **Teachers.** The term "teachers" for the purpose of licensure, means all
10.18 persons employed in a public school or education district or by a service cooperative as
10.19 members of the instructional, supervisory, and support staff including superintendents,
10.20 principals, supervisors, secondary vocational and other classroom teachers, librarians, school
10.21 counselors, school psychologists, school nurses, school social workers, audio-visual directors
10.22 and coordinators, recreation personnel, media generalists, media supervisors, and ~~speech~~
10.23 therapists school speech-language pathologists. This definition does not apply to sections
10.24 122A.05 to 122A.093.

10.25 Sec. 23. Minnesota Statutes 2022, section 122A.16, is amended to read:

10.26 **122A.16 QUALIFIED TEACHER DEFINED.**

10.27 A qualified teacher is one holding a valid license; or permission under this chapter; to
10.28 perform the particular service for which the teacher is employed in a public school.

11.1 Sec. 24. Minnesota Statutes 2022, section 122A.18, subdivision 1, is amended to read:

11.2 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and
11.3 Standards Board must issue the following teacher licenses to ~~candidates~~ applicants who
11.4 meet the qualifications prescribed by this chapter:

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

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

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

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

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

11.11 (c) The Professional Educator Licensing and Standards Board and the Department of
11.12 Education must enter into a data sharing agreement to share:

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

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

11.19 (d) The Board of School Administrators and the Department of Education must enter
11.20 into a data sharing agreement to share educational data at the E-12 level for the limited
11.21 purpose of program approval and improvement for education administration programs. The
11.22 program approval process must include targeted redesign of education administration
11.23 preparation programs to address identified E-12 student areas of concern.

11.24 (e) For purposes of the data sharing agreements under paragraphs (c) and (d), the
11.25 Professional Educator Licensing and Standards Board, Board of School Administrators,
11.26 and Department of Education may share private data, as defined in section 13.02, subdivision
11.27 12, on teachers and school administrators. The data sharing agreements must not include
11.28 educational data, as defined in section 13.32, subdivision 1, but may include summary data,
11.29 as defined in section 13.02, subdivision 19, derived from educational data.

12.1 Sec. 25. Minnesota Statutes 2022, section 122A.18, subdivision 2, is amended to read:

12.2 Subd. 2. **Support personnel qualifications.** The Professional Educator Licensing and
12.3 Standards Board must issue licenses and credentials under its jurisdiction to persons the
12.4 board finds to be qualified and competent for support personnel positions in accordance
12.5 with section ~~120B.36~~ 120B.363.

12.6 Sec. 26. Minnesota Statutes 2022, section 122A.18, subdivision 10, is amended to read:

12.7 Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards
12.8 Board must adopt rules establishing a process for an eligible ~~candidate~~ applicant to obtain
12.9 ~~any teacher~~ an initial Tier 3 license under subdivision 1, or to add a licensure field, to a Tier
12.10 3 or Tier 4 license via portfolio. The portfolio licensure application process must be consistent
12.11 with the requirements in this subdivision.

12.12 (b) ~~A candidate~~ An applicant for a an initial Tier 3 license via portfolio must submit to
12.13 the board one portfolio demonstrating pedagogical competence and one portfolio
12.14 demonstrating content competence.

12.15 (c) ~~A candidate~~ An applicant seeking to add a licensure field via portfolio must submit
12.16 to the board one portfolio demonstrating content competence for each licensure field the
12.17 candidate seeks to add.

12.18 (d) The board must notify a ~~candidate~~ an applicant who submits a portfolio under
12.19 paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not
12.20 the portfolio is approved. If the portfolio is not approved, the board must ~~immediately~~ inform
12.21 the ~~candidate~~ applicant how to revise the portfolio to successfully demonstrate the requisite
12.22 competence. The ~~candidate~~ applicant may resubmit a revised portfolio at any time and the
12.23 board must approve or disapprove the revised portfolio within 60 calendar days of receiving
12.24 it.

12.25 (e) ~~A candidate~~ An applicant must pay a fee for a portfolio in accordance with section
12.26 122A.21, subdivision 4.

12.27 Sec. 27. Minnesota Statutes 2022, section 122A.18, is amended by adding a subdivision
12.28 to read:

12.29 Subd. 11. **Staff Automated Reporting.** The Professional Educator Licensing and
12.30 Standards Board shall collect data on educators' employment and assignments from all
12.31 public school districts and charter schools. The report may include data on educators'
12.32 demographics and licensure.

13.1 Sec. 28. Minnesota Statutes 2022, section 122A.181, subdivision 1, is amended to read:

13.2 Subdivision 1. **Application requirements.** The Professional Educator Licensing and
 13.3 Standards Board must approve ~~a request from a district or charter school to issue a Tier 1~~
 13.4 ~~license in a specified content area to a candidate~~ an application for a Tier 1 license in a
 13.5 specified content area if:

13.6 (1) the application has been submitted jointly by the applicant and the district;

13.7 (2) the application has been paid for by the district or the applicant;

13.8 ~~(1)~~ (3) the ~~candidate~~ applicant meets the professional requirement in subdivision 2;

13.9 ~~(2)~~ (4) the district or charter school affirms that the ~~candidate~~ applicant has the necessary
 13.10 skills and knowledge to teach in the specified content area; ~~and~~

13.11 ~~(3)~~ (5) the district or charter school demonstrates that: ~~(i)~~ a criminal background check
 13.12 under section 122A.18, subdivision 8, has been completed on the ~~candidate~~ applicant; and

13.13 ~~(ii)~~ (6) the district or charter school has posted the teacher position but was unable to
 13.14 hire an acceptable teacher with a Tier 2, 3, or 4 license for the position.

13.15 Sec. 29. Minnesota Statutes 2022, section 122A.181, subdivision 2, is amended to read:

13.16 Subd. 2. **Professional requirements.** (a) ~~A candidate~~ An applicant for a Tier 1 license
 13.17 must have a bachelor's degree to teach a class or course outside a career and technical
 13.18 education or career pathways course of study.

13.19 (b) ~~A candidate~~ An applicant for a Tier 1 license must have one of the following
 13.20 credentials in a relevant content area to teach a class in a career and technical education or
 13.21 career pathways course of study:

13.22 (1) an associate's degree;

13.23 (2) a professional certification; or

13.24 (3) five years of relevant work experience.

13.25 Sec. 30. Minnesota Statutes 2022, section 122A.181, subdivision 3, is amended to read:

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

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

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

14.6 (2) the teacher holding the Tier 1 license took a content examination in accordance with
14.7 section 122A.185 and submitted the examination results to the teacher's employing district
14.8 or charter school within one year of the board approving the request for the initial Tier 1
14.9 license;

14.10 (3) the teacher holding the Tier 1 license participated in cultural competency training
14.11 consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board
14.12 approving the request for the initial Tier 1 license; and

14.13 (4) the teacher holding the Tier 1 license met the mental illness training renewal
14.14 requirement under section 122A.187, subdivision 6.

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

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

14.22 Sec. 31. Minnesota Statutes 2022, section 122A.182, subdivision 1, is amended to read:

14.23 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards
14.24 Board must approve ~~a request from a district or charter school to issue~~ an application for a
14.25 Tier 2 license in a specified content area ~~to a candidate~~ if:

14.26 (1) the application has been submitted jointly by the applicant and the district;

14.27 ~~(+)~~ (2) the candidate applicant meets the educational or professional requirements in
14.28 paragraph (b) or (c);

14.29 ~~(2)~~ (3) the candidate applicant:

14.30 (i) has completed the coursework required under subdivision 2;

14.31 (ii) is enrolled in a Minnesota-approved teacher preparation program; or

15.1 (iii) has a master's degree in the specified content area; and

15.2 ~~(3)~~ (4) the district or charter school demonstrates that a criminal background check under
15.3 section 122A.18, subdivision 8, has been completed on the ~~candidate~~ applicant.

15.4 (b) ~~A candidate~~ An applicant for a Tier 2 license must have a bachelor's degree to teach
15.5 a class outside a career and technical education or career pathways course of study.

15.6 (c) ~~A candidate~~ An applicant for a Tier 2 license must have one of the following
15.7 credentials in a relevant content area to teach a class or course in a career and technical
15.8 education or career pathways course of study:

15.9 (1) an associate's degree;

15.10 (2) a professional certification; or

15.11 (3) five years of relevant work experience.

15.12 Sec. 32. Minnesota Statutes 2022, section 122A.182, subdivision 2, is amended to read:

15.13 Subd. 2. **Coursework.** (a) ~~A candidate~~ An applicant for a Tier 2 license must meet the
15.14 coursework requirement by demonstrating completion of two of the following:

15.15 (1) at least eight upper division or graduate-level credits in the relevant content area;

15.16 (2) field-specific methods of training, including coursework;

15.17 (3) at least two years of teaching experience in a similar content area in any state, as
15.18 determined by the board;

15.19 (4) a passing score on the pedagogy and content exams under section 122A.185; or

15.20 (5) completion of a state-approved teacher preparation program.

15.21 (b) For purposes of paragraph (a), "upper division" means classes normally taken at the
15.22 junior or senior level of college which require substantial knowledge and skill in the field.

15.23 ~~Candidates~~ An applicant must identify the upper division credits that fulfill the requirement
15.24 in paragraph (a), clause (1).

15.25 Sec. 33. Minnesota Statutes 2022, section 122A.183, subdivision 1, is amended to read:

15.26 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards
15.27 Board must issue a Tier 3 license to ~~a candidate~~ an applicant who provides information
15.28 sufficient to demonstrate all of the following:

16.1 (1) the ~~candidate~~ applicant meets the educational or professional requirements in
16.2 paragraphs (b) and (c);

16.3 (2) the ~~candidate~~ applicant has obtained a passing score on the required licensure exams
16.4 under section 122A.185; and

16.5 (3) the ~~candidate~~ applicant has completed the coursework required under subdivision 2.

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

16.8 (c) ~~A candidate~~ An applicant for a Tier 3 license must have one of the following
16.9 credentials in a relevant content area to teach a class or course in a career and technical
16.10 education or career pathways course of study:

16.11 (1) an associate's degree;

16.12 (2) a professional certification; or

16.13 (3) five years of relevant work experience.

16.14 In consultation with the governor's Workforce Development Board established under section
16.15 116L.665, the board must establish a list of qualifying certifications, and may add additional
16.16 professional certifications in consultation with school administrators, teachers, and other
16.17 stakeholders.

16.18 Sec. 34. Minnesota Statutes 2022, section 122A.183, subdivision 2, is amended to read:

16.19 Subd. 2. **Coursework.** ~~A candidate~~ An applicant for a Tier 3 license must meet the
16.20 coursework requirement by demonstrating one of the following:

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

16.22 (2) completion of a state-approved teacher preparation program that includes field-specific
16.23 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher
16.24 preparation programs. The field-specific student teaching requirement does not apply to a
16.25 ~~candidate~~ an applicant that has two years of teaching experience;

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

16.27 (4) a professional teaching license from another state, evidence that the ~~candidate's~~
16.28 applicant's license is in good standing, and two years of teaching experience; or

16.29 (5) three years of teaching experience under a Tier 2 license and evidence of summative
16.30 teacher evaluations that did not result in placing or otherwise keeping the teacher on an

17.1 improvement process pursuant to section 122A.40, subdivision 8, or section 122A.41,
17.2 subdivision 5.

17.3 Sec. 35. Minnesota Statutes 2022, section 122A.184, subdivision 1, is amended to read:

17.4 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards
17.5 Board must issue a Tier 4 license to a ~~candidate~~ an applicant who provides information
17.6 sufficient to demonstrate all of the following:

17.7 (1) the ~~candidate~~ applicant meets all requirements for a Tier 3 license under section
17.8 122A.183, and has completed a teacher preparation program under section 122A.183,
17.9 subdivision 2, clause (1) or (2);

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

17.11 (3) the ~~candidate~~ applicant has obtained a passing score on all required licensure exams
17.12 under section 122A.185; and

17.13 (4) the ~~candidate's~~ applicant's most recent summative teacher evaluation did not result
17.14 in placing or otherwise keeping the teacher in an improvement process pursuant to section
17.15 122A.40, subdivision 8, or 122A.41, subdivision 5.

17.16 Sec. 36. Minnesota Statutes 2022, section 122A.185, subdivision 1, is amended to read:

17.17 Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board
17.18 must adopt rules requiring a ~~candidate~~ an applicant to demonstrate a passing score on a
17.19 board-adopted examination of skills in reading, writing, and mathematics before being
17.20 granted a Tier 4 teaching license under section 122A.184 to provide direct instruction to
17.21 pupils in elementary, secondary, or special education programs. ~~Candidates~~ Applicants may
17.22 obtain a Tier 1, Tier 2, or Tier 3 license to provide direct instruction to pupils in elementary,
17.23 secondary, or special education programs if ~~candidates~~ applicants meet the other requirements
17.24 in section 122A.181, 122A.182, or 122A.183, respectively.

17.25 (b) The board must adopt rules requiring ~~candidates~~ applicants for Tier 3 and Tier 4
17.26 licenses to pass an examination of general pedagogical knowledge and examinations of
17.27 licensure field specific content. The content examination requirement does not apply if no
17.28 relevant content exam exists.

17.29 (c) ~~Candidates~~ Applicants for initial Tier 3 and Tier 4 licenses to teach elementary
17.30 students must pass test items assessing the ~~candidates'~~ applicants' knowledge, skill, and
17.31 ability in comprehensive, scientifically based reading instruction under section 122A.06,
17.32 subdivision 4, knowledge and understanding of the foundations of reading development,

18.1 development of reading comprehension and reading assessment and instruction, and the
18.2 ability to integrate that knowledge and understanding into instruction strategies under section
18.3 122A.06, subdivision 4.

18.4 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills
18.5 examination does not apply to nonnative English speakers, as verified by qualified Minnesota
18.6 school district personnel or Minnesota higher education faculty, who, after meeting the
18.7 content and pedagogy requirements under this subdivision, apply for a teaching license to
18.8 provide direct instruction in their native language or world language instruction under section
18.9 120B.022, subdivision 1.

18.10 Sec. 37. Minnesota Statutes 2022, section 122A.185, subdivision 4, is amended to read:

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

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

18.23 Sec. 38. Minnesota Statutes 2022, section 122A.187, subdivision 1, is amended to read:

18.24 Subdivision 1. **License form requirements.** Each license issued under this chapter must
18.25 bear the date of issue and the name of the state-approved teacher training provider or
18.26 alternative teaching program, as applicable. Licenses must expire and be renewed according
18.27 to rules adopted by the Professional Educator Licensing and Standards Board or the Board
18.28 of School Administrators. ~~The rules adopted by the Professional Educator Licensing and~~
18.29 ~~Standards Board for renewing a Tier 3 or Tier 4 license under sections 122A.183 and~~
18.30 ~~122A.184, respectively, must include showing satisfactory evidence of successful teaching~~
18.31 ~~or administrative experience for at least one school year during the period covered by the~~
18.32 ~~license in grades or subjects for which the license is valid or completing such additional~~
18.33 ~~preparation as required under this section, or as the Professional Educator Licensing and~~

19.1 ~~Standards Board prescribes.~~ The Board of School Administrators shall establish requirements
19.2 for renewing the licenses of supervisory personnel except athletic coaches. ~~The Professional~~
19.3 ~~Educator Licensing and Standards Board shall establish requirements for renewing the~~
19.4 ~~licenses of athletic coaches.~~

19.5 Sec. 39. Minnesota Statutes 2022, section 122A.19, subdivision 4, is amended to read:

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

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

19.17 Sec. 40. Minnesota Statutes 2022, section 122A.69, is amended to read:

19.18 **122A.69 PRACTICE OR STUDENT TEACHERS.**

19.19 The Professional Educator Licensing and Standards Board may, by agreements with
19.20 teacher preparation institutions, arrange for classroom experience in the district for practice
19.21 or student teachers ~~who have completed at least two years of~~ in an approved teacher
19.22 preparation program. Such practice and student teachers must be appropriately supervised
19.23 by a fully qualified teacher under rules adopted by the board. A practice or student teacher
19.24 must be placed with a cooperating licensed teacher who has at least three years of teaching
19.25 experience and is not in the improvement process under section 122A.40, subdivision 8,
19.26 paragraph (b), clause (12), or 122A.41, subdivision 5, paragraph (b), clause (12). Practice
19.27 and student teachers are employees of the school district in which they are rendering services
19.28 for purposes of workers' compensation; liability insurance, if provided for other district
19.29 employees under section 123B.23; and legal counsel under section 123B.25.

20.1 Sec. 41. **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**
 20.2 **MEMBERSHIP.**

20.3 By July 15, 2023, the governor must nominate members to the Professional Educator
 20.4 Licensing and Standards Board to ensure the board consists of 13 members. Notwithstanding
 20.5 any law to the contrary, the term of the school district human resources director serving on
 20.6 the board as of March 1, 2023, ends December 31, 2023. By January 1, 2024, the governor
 20.7 must nominate a member to the board to ensure the board consists of the 13 members
 20.8 required under Minnesota Statutes, section 122A.07, subdivision 2.

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

20.10 Sec. 42. **APPROPRIATIONS; PROFESSIONAL EDUCATOR LICENSING AND**
 20.11 **STANDARDS BOARD.**

20.12 (a) The sums indicated in this section are appropriated from the general fund to the
 20.13 Professional Educator Licensing and Standards Board for the fiscal years designated:

20.14 \$ 2024

20.15 \$ 2025

20.16 (b) Of these amounts, \$62,400 in fiscal year 2024 and \$62,400 in fiscal year 2025 are
 20.17 for board member stipends under Minnesota Statutes, section 122A.07.

20.18 (c) Any balance in the first year does not cancel but is available in the second year.

20.19 (d) The base for fiscal year 2026 and later is \$.....

20.20 Sec. 43. **REPEALER.**

20.21 Minnesota Statutes 2022, sections 122A.07, subdivision 2a; 122A.091, subdivisions 3
 20.22 and 6; 122A.18, subdivision 7c; and 122A.184, subdivision 3, are repealed.

122A.07 PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD MEMBERSHIP.

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 September 1, 2017, except that two members of the Board of Teaching as of January 1, 2017, are eligible for appointment under paragraph (a), clause (1).

122A.091 REPORTS.

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.

(c) School districts annually by October 1 must report to the Board of School Administrators the following information for all school principals and assistant principals 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 principal or assistant principal on the summative evaluation under section 123B.147, subdivision 3; and

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

(d) School districts annually by October 1 must report to the Board of School Administrators all probationary school principals and assistant principals 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.

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

122A.18 BOARD TO ISSUE LICENSES.

Subd. 7c. **Temporary military license.** The Professional Educator Licensing and Standards Board shall establish a temporary license in accordance with section 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$57. The board must provide candidates

APPENDIX
Repealed Minnesota Statutes: H1268-1

for a license under this subdivision with information regarding the tiered licensure system provided in sections 122A.18 to 122A.184.

122A.184 TIER 4 LICENSE.

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