

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1484**

March 9, 2009

Authored by Kath, Peterson, Tillberry, Fritz, Bly and others

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight

1.1 A bill for an act
1.2 relating to education; refocusing educator relicensure on performance;
1.3 implementing the legislative auditor's recommendations to the legislature for
1.4 revising Q-Comp; amending Minnesota Statutes 2008, sections 122A.18,
1.5 subdivision 4; 122A.40, subdivisions 6, 8; 122A.41, subdivisions 3, 5; 122A.413,
1.6 subdivision 2; 122A.414, subdivisions 2, 2b; 122A.60, subdivision 2.

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

1.8 Section 1. Minnesota Statutes 2008, section 122A.18, subdivision 4, is amended to
1.9 read:

1.10 Subd. 4. **Expiration and renewal.** (a) Each license the Department of Education
1.11 issues through its licensing section must bear the date of issue. Licenses must expire
1.12 and be renewed according to the respective rules the Board of Teaching, the Board
1.13 of School Administrators, or the commissioner of education adopts. Requirements for
1.14 renewing a license must include showing satisfactory evidence of successful teaching or
1.15 administrative experience for at least one school year during the period covered by the
1.16 license in grades or subjects for which the license is valid or completing such additional
1.17 preparation as the Board of Teaching prescribes. The Board of School Administrators
1.18 shall establish requirements for renewing the licenses of supervisory personnel except
1.19 athletic coaches. The State Board of Teaching shall establish requirements for renewing
1.20 the licenses of athletic coaches.

1.21 (b) Relicensure applicants, as a condition of relicensure, must present to their local
1.22 continuing education and relicensure committee evidence of work that demonstrates
1.23 professional reflection and growth in best teaching practices. The applicant must include a
1.24 reflective statement of professional accomplishment and the applicant's own assessment of
1.25 professional growth showing evidence of:

- 2.1 (1) support for student learning;
- 2.2 (2) use of best practices techniques and their applications to student learning;
- 2.3 (3) collaborative work with colleagues that includes examples of collegiality such as
- 2.4 attested-to committee work, collaborative staff development programs, and professional
- 2.5 learning community work; or
- 2.6 (4) continual professional development that may include job-embedded professional
- 2.7 learning during the relicensure period.

2.8 The evidence may include: data-based student learning; use of pedagogical

2.9 approaches in specific instructional fields; use of research-based, measurable, and

2.10 innovative practices; use of classroom action research; enhancement of best practices in

2.11 working with students with disabilities or limited English proficiency; collaborative work

2.12 with colleagues; continual professional learning; focused coaching; and observations by

2.13 trained evaluators.

2.14 ~~(b)~~ (c) The Board of Teaching shall offer alternative continuing relicensure options

2.15 for teachers who are accepted into and complete the National Board for Professional

2.16 Teaching Standards certification process, and offer additional continuing relicensure

2.17 options for teachers who earn National Board for Professional Teaching Standards

2.18 certification. Continuing relicensure requirements for teachers who do not maintain

2.19 National Board for Professional Teaching Standards certification are those the board

2.20 prescribes, consistent with this section.

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

2.22 and applies to licensees seeking relicensure beginning July 1, 2012.

2.23 Sec. 2. Minnesota Statutes 2008, section 122A.40, subdivision 6, is amended to read:

2.24 Subd. 6. **Peer review Mentoring for probationary teachers.** A school board and

2.25 an exclusive representative of the teachers in the district must develop a probationary

2.26 teacher peer review process through joint agreement. The process may include having

2.27 trained observers serve as mentors or coaches or having teachers participate in professional

2.28 learning communities.

2.29 **EFFECTIVE DATE.** This section is effective for the 2009-2010 school year and

2.30 later.

2.31 Sec. 3. Minnesota Statutes 2008, section 122A.40, subdivision 8, is amended to read:

2.32 Subd. 8. **Peer review coaching for continuing contract teachers.** A school board

2.33 and an exclusive representative of the teachers in the district shall develop a peer review

3.1 process for continuing contract teachers through joint agreement. The process may
 3.2 include having trained observers serve as peer coaches or having teachers participate in
 3.3 professional learning communities.

3.4 **EFFECTIVE DATE.** This section is effective for the 2009-2010 school year and
 3.5 later.

3.6 Sec. 4. Minnesota Statutes 2008, section 122A.41, subdivision 3, is amended to read:

3.7 Subd. 3. **Peer review Mentoring for probationary teachers.** A board and an
 3.8 exclusive representative of the teachers in the district must develop a probationary teacher
 3.9 peer review process through joint agreement. The process may include having trained
 3.10 observers serve as mentors or coaches or having teachers participate in professional
 3.11 learning communities.

3.12 **EFFECTIVE DATE.** This section is effective for the 2009-2010 school year and
 3.13 later.

3.14 Sec. 5. Minnesota Statutes 2008, section 122A.41, subdivision 5, is amended to read:

3.15 Subd. 5. **Peer review coaching for continuing contract teachers.** A school
 3.16 board and an exclusive representative of the teachers in the district must develop a peer
 3.17 review process for nonprobationary teachers through joint agreement. The process may
 3.18 include having trained observers serve as peer coaches or having teachers participate in
 3.19 professional learning communities.

3.20 **EFFECTIVE DATE.** This section is effective for the 2009-2010 school year and
 3.21 later.

3.22 Sec. 6. Minnesota Statutes 2008, section 122A.413, subdivision 2, is amended to read:

3.23 Subd. 2. **Plan components.** The educational improvement plan must be approved
 3.24 by the school board and have at least these elements:

3.25 (1) assessment and evaluation tools to measure student performance and progress;

3.26 (2) performance goals and benchmarks for improvement;

3.27 (3) measures of student attendance and completion rates;

3.28 (4) a rigorous research and practice-based professional development system, based

3.29 on national and state standards of effective teaching practice and consistent with section

3.30 122A.60, that is aligned with educational improvement; and designed to achieve ongoing

3.31 and schoolwide progress and growth in teaching ~~quality improvement, and consistent with~~

3.32 ~~clearly defined research-based standards~~ practice;

- 4.1 (5) measures of student, family, and community involvement and satisfaction;
- 4.2 (6) a data system about students and their academic progress that provides parents
- 4.3 and the public with understandable information;
- 4.4 (7) a teacher induction and mentoring program for probationary teachers that
- 4.5 provides continuous learning and sustained teacher support; and
- 4.6 (8) substantial participation by the exclusive representative of the teachers in
- 4.7 developing the plan.

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

4.9 and applies to plans developed in the 2009-2010 school year and later.

4.10 Sec. 7. Minnesota Statutes 2008, section 122A.414, subdivision 2, is amended to read:

4.11 Subd. 2. **Alternative teacher professional pay system.** (a) To participate in this

4.12 program, a school district, intermediate school district, school site, or charter school must

4.13 have an educational improvement plan under section 122A.413 and an alternative teacher

4.14 professional pay system agreement under paragraph (b). A charter school participant also

4.15 must comply with subdivision 2a.

4.16 (b) The alternative teacher professional pay system agreement must:

4.17 (1) describe how teachers can achieve career advancement and additional

4.18 compensation;

4.19 (2) describe how the school district, intermediate school district, school site, or

4.20 charter school will provide teachers with career advancement options that allow teachers

4.21 to retain primary roles in student instruction and facilitate site-focused professional

4.22 development that helps other teachers improve their skills;

4.23 (3) reform the "steps and lanes" salary schedule, prevent any teacher's compensation

4.24 paid before implementing the pay system from being reduced as a result of participating

4.25 in this system, and base at least 60 percent of any compensation increase on teacher

4.26 performance using:

4.27 (i) schoolwide student achievement gains under section 120B.35 or locally selected

4.28 standardized assessment outcomes, or both;

4.29 (ii) measures of student achievement; and

4.30 (iii) ~~an objective evaluation program~~ evidence of effective practice that includes:

4.31 (A) individual teacher evaluations aligned with the educational improvement plan

4.32 under section 122A.413 and the staff development plan under section 122A.60; and

4.33 (B) ~~objective evaluations using multiple criteria conducted by a locally selected and~~

4.34 ~~periodically trained evaluation team that understands teaching and learning~~ reflection and

4.35 growth in best teaching practices shown through support for student learning, collaborative

5.1 work with colleagues, or continual professional learning, consistent with section 122A.18,
 5.2 subdivision 4, paragraph (b), clauses (1) to (3);

5.3 (4) provide integrated ongoing site-based professional development activities to
 5.4 improve instructional skills and learning that are aligned with student needs under section
 5.5 122A.413, consistent with the staff development plan under section 122A.60 and led
 5.6 during the school day by trained teacher leaders such as master or mentor teachers or
 5.7 peer coaches;

5.8 (5) allow any teacher in a participating school district, intermediate school district,
 5.9 school site, or charter school that implements an alternative pay system to participate in
 5.10 that system without any quota or other limit; and

5.11 (6) encourage collaboration rather than competition among teachers.

5.12 **EFFECTIVE DATE.** This section is effective the day following final enactment
 5.13 and applies to all alternative teacher professional pay system agreements entered into or
 5.14 modified after that date.

5.15 Sec. 8. Minnesota Statutes 2008, section 122A.414, subdivision 2b, is amended to read:

5.16 Subd. 2b. **Approval process.** (a) Consistent with the requirements of this section
 5.17 and sections 122A.413 and 122A.415, the department must prepare and transmit to
 5.18 interested school districts, intermediate school districts, school sites, and charter schools a
 5.19 standard form for applying to participate in the alternative teacher professional pay system.
 5.20 An interested school district, intermediate school district, school site, or charter school
 5.21 must submit to the commissioner by March 1, June 1, or October 1 a completed application
 5.22 executed by the district superintendent and the exclusive bargaining representative of the
 5.23 teachers if the applicant is a school district, intermediate school district, or school site,
 5.24 or executed by the charter school board of directors if the applicant is a charter school.
 5.25 The application must include the proposed alternative teacher professional pay system
 5.26 agreement under subdivision 2. The department must ~~convene a review committee that~~
 5.27 ~~at least includes teachers and administrators~~ a completed application within 30 days of
 5.28 receiving ~~a completed application to it and~~ recommend to the commissioner whether to
 5.29 approve or disapprove the application. The commissioner must approve applications
 5.30 on a first-come, first-served basis. The applicant's alternative teacher professional pay
 5.31 system agreement must be legally binding on the applicant and the collective bargaining
 5.32 representative before the applicant receives alternative compensation revenue. The
 5.33 commissioner must approve or disapprove an application based on the requirements
 5.34 under subdivisions 2 and 2a.

6.1 (b) If the commissioner disapproves an application, the commissioner must give the
6.2 applicant timely notice of the specific reasons in detail for disapproving the application.
6.3 The applicant may revise and resubmit its application and related documents to the
6.4 commissioner within 30 days of receiving notice of the commissioner's disapproval and
6.5 the commissioner must approve or disapprove the revised application, consistent with this
6.6 subdivision. Applications that are revised and then approved are considered submitted on
6.7 the date the applicant initially submitted the application.

6.8 **EFFECTIVE DATE.** This section is effective the day following final enactment
6.9 and applies to all applications submitted after that date.

6.10 Sec. 9. Minnesota Statutes 2008, section 122A.60, subdivision 2, is amended to read:

6.11 Subd. 2. **Contents of the plan.** The plan must include the staff development
6.12 outcomes under subdivision 3, the means to achieve the outcomes, and procedures for
6.13 evaluating progress at each school site toward meeting education outcomes; consistent
6.14 with relicensure requirements under section 122A.18, subdivision 2, paragraph (b). The
6.15 plan also must:

6.16 (1) support stable and productive professional communities achieved through
6.17 ongoing and schoolwide progress and growth in teaching performance;

6.18 (2) emphasize coaching, professional learning communities, classroom action
6.19 research, and other job-embedded models;

6.20 (3) maintain a strong subject matter focus premised on students' learning goals;

6.21 (4) ensure specialized preparation and learning about issues related to teaching
6.22 students with special needs and limited English proficiency; and

6.23 (5) reinforce national and state standards of effective teaching practice.

6.24 **EFFECTIVE DATE.** This section is effective for the 2009-2010 school year and
6.25 later.