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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2281

02/27/2023 Authored by Hill, Kotyza-Witthuhn, Frazier, Clardy, Sencer-Mura and others
The bill was read for the first time and referred to the Committee on Children and Families Finance and Policy

1.1 A bill for an act
1.2 relating to education; requiring early education teachers to be licensed; modifying
1.3 the definition of teacher under the Public Employment Labor Relations Act;
1.4 amending Minnesota Statutes 2022, section 179A.03, subdivision 18; proposing
1.5 coding for new law in Minnesota Statutes, chapter 122A.

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

1.7 Section 1. 122A.261] PREKINDERGARTEN, SCHOOL READINESS,
1.8 PRESCHOOL, AND EARLY EDUCATION PROGRAMS; LICENSURE
1.9 REQUIREMENT.

1.10 Subdivision 1. Licensure requirement. A school district or charter school must employ
1.11 a qualified teacher, as defined in section 122A.16, to provide instruction in a preschool,
1.12 school readiness, school readiness plus, prekindergarten, or other school district or charter
1.13 school-based early education program.

1.14 Subd. 2. Exemptions. A person employed by a school district or charter school as a
1.15 teacher in an early education program during the 2022-2023 school year who does not have
1.16 a Minnesota teaching license is exempt from the licensure requirement under subdivision
1.17 1 until July 1, 2027, or until the teacher is able to obtain a Minnesota teaching license,
1.18 whichever occurs first. Notwithstanding this exemption from the licensure requirement,
1.19 these individuals are teachers under section 179A.03, subdivision 18.

1.20 EFFECTIVE DATE. This section is effective July 1, 2023.

2.1 Sec. 2. Minnesota Statutes 2022, section 179A.03, subdivision 18, is amended to read:

2.2 Subd. 18. **Teacher.** "Teacher" means any public employee other than a superintendent  
2.3 or assistant superintendent, principal, assistant principal, or a supervisory or confidential  
2.4 employee, employed by a school district:

2.5 (1) in a position for which the person must be licensed by the Professional Educator  
2.6 Licensing and Standards Board or the commissioner of education; ~~or~~

2.7 (2) in a position as a physical therapist, occupational therapist, art therapist, music  
2.8 therapist, or audiologist; or

2.9 (3) in a position providing instruction to children in a preschool, school readiness, school  
2.10 readiness plus, prekindergarten, or other school district or charter school-based early  
2.11 education program, except that an employee in a bargaining unit certified before January  
2.12 1, 2023, may remain in a bargaining unit that does not include teachers unless an exclusive  
2.13 representative files a petition for a unit clarification or to transfer exclusive representative  
2.14 status.

2.15 **EFFECTIVE DATE.** This section is effective July 1, 2023.