

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 4

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DATE	D-PG	OFFICIAL STATUS
01/05/2017	38	Introduction and first reading Referred to E-12 Policy
03/01/2017	931	Authors added Housley; Dahms; Clausen
03/02/2017	996	Author added Wiger
03/06/2017	1022a	Comm report: To pass as amended and re-refer to State Government Finance and Policy and Elections
03/07/2017		Comm report: To pass as amended and re-refer to E-12 Finance

1.1 A bill for an act

1.2 relating to education; establishing the Professional Educator Licensing and

1.3 Standards Board; transferring all teacher licensing and support personnel licensing

1.4 and credentialing authority to the Professional Educator Licensing and Standards

1.5 Board; requiring a report; amending Minnesota Statutes 2016, sections 120B.363,

1.6 subdivision 1; 122A.06, subdivisions 2, 3; 122A.07; 122A.08; 122A.09,

1.7 subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10; 122A.17; 122A.18, subdivisions 1, 2, 2b, 3,

1.8 3a, 7a, 7c, 8; 122A.19; 122A.20, subdivisions 1, 2; 122A.21, subdivision 2;

1.9 122A.22; 122A.23, subdivision 3; 122A.26, subdivision 2; 122A.28; 122A.29;

1.10 122A.30; 124D.13, subdivision 11; 124D.454, subdivision 12; 124D.75,

1.11 subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6; 136A.1791,

1.12 subdivision 1; 214.04, subdivisions 1, 3; 214.045; proposing coding for new law

1.13 in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016, sections

1.14 122A.162; 122A.163; 122A.18, subdivisions 4, 4a, 7; 122A.23, subdivisions 1, 2;

1.15 122A.245; 122A.25.

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

1.17 **ARTICLE 1**

1.18 **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**

1.19 Section 1. Minnesota Statutes 2016, section 122A.06, subdivision 2, is amended to read:

1.20 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional

1.21 employee required to hold a license from the Professional Educator Licensing and Standards

1.22 Board of Teaching.

1.23 **EFFECTIVE DATE.** This section is effective September 1, 2017.

1.24 Sec. 2. Minnesota Statutes 2016, section 122A.06, subdivision 3, is amended to read:

1.25 Subd. 3. **Board.** "Board" means the Professional Educator Licensing and Standards

1.26 Board of Teaching.

2.1 **EFFECTIVE DATE.** This section is effective September 1, 2017.

2.2 Sec. 3. Minnesota Statutes 2016, section 122A.07, is amended to read:

2.3 **122A.07 BOARD OF TEACHING PROFESSIONAL EDUCATOR LICENSING**
 2.4 **AND STANDARDS BOARD MEMBERSHIP.**

2.5 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and
 2.6 Standards Board of Teaching consists of ~~11~~ nine members appointed by the governor, with
 2.7 the advice and consent of the senate. Membership terms, compensation of members, removal
 2.8 of members, the filling of membership vacancies, and fiscal year and reporting requirements
 2.9 are as provided in sections 214.07 to 214.09. No member may be reappointed for more than
 2.10 one additional term.

2.11 Subd. 2. **Eligibility; board composition.** ~~Except for the representatives of higher~~
 2.12 ~~education and the public, to be eligible for appointment to the Board of Teaching a person~~
 2.13 ~~must be a teacher currently teaching in a Minnesota school and fully licensed for the position~~
 2.14 ~~held and have at least five years teaching experience in Minnesota, including the two years~~
 2.15 ~~immediately preceding nomination and appointment.~~ Each nominee, other than a public
 2.16 nominee, must be selected on the basis of professional experience and knowledge of teacher
 2.17 education, accreditation, and licensure. The board must be composed of:

2.18 (1) ~~six~~ five teachers who are currently teaching in a Minnesota school or who were
 2.19 teaching at the time of the appointment ~~and who do not qualify under clause (2) or (3), at~~
 2.20 ~~least four of whom must be teaching in a public school,~~ at least one of whom must be a
 2.21 teacher in a charter school, one of whom must be from a related service category licensed
 2.22 by the board, and one of whom must be licensed in either a geographic or license shortage
 2.23 area, and none of whom may be serving in an administrative function at a school district or
 2.24 school as of the effective date of this section;

2.25 (2) ~~one higher education representative, who must be a faculty member preparing teachers~~
 2.26 one superintendent;

2.27 (3) one school ~~administrator~~ district human resources director; ~~and~~

2.28 (4) ~~three members of the public, two of whom must be present or former members of~~
 2.29 ~~school boards~~ one elementary or secondary school principal; ~~and~~

2.30 (5) one member of the public that may be a current or former school board member.

3.1 Subd. 2a. **First appointments.** (a) The governor shall nominate all members to the
 3.2 Professional Educator Licensing and Standards Board. The terms of the initial board members
 3.3 must be as follows:

3.4 (1) two members must be appointed for terms that expire January 1, 2019;

3.5 (2) two members must be appointed for terms that expire January 1, 2020;

3.6 (3) two members must be appointed for terms that expire January 1, 2021; and

3.7 (4) three members must be appointed for terms that expire January 1, 2022.

3.8 (b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first
 3.9 appointments to the Professional Educator Licensing and Standards Board for four years
 3.10 from the effective date of this section.

3.11 Subd. 3. **Vacant position.** With the exception of a teacher who retires from teaching
 3.12 during the course of completing a board term, the position of a member who leaves Minnesota
 3.13 or whose employment status changes to a category different from that from which appointed
 3.14 is deemed vacant.

3.15 Subd. 4. ~~**Administration; Terms, compensation; removal; vacancies.**~~ The ~~provision~~
 3.16 ~~of staff, administrative services and office space;~~ the review and processing of complaints;
 3.17 the setting of fees; the selection and duties of an executive ~~secretary~~ director to serve the
 3.18 board; and other provisions relating to board operations not provided in this chapter are as
 3.19 provided in chapter 214. Membership terms, except as provided in subdivision 2a,
 3.20 compensation of members, removal of members, the filling of membership vacancies, and
 3.21 fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

3.22 Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief
 3.23 administrative officer for the board but shall not be a member of the board. The executive
 3.24 director shall maintain the records of the board, account for all fees received by the board,
 3.25 supervise and direct employees servicing the board, and perform other services as directed
 3.26 by the board.

3.27 (b) The commissioner of administration must provide the board with administrative
 3.28 support services, according to section 16B.371.

3.29 (c) The commissioner of education must provide suitable offices and other space to the
 3.30 board at no cost until January 1, 2020. Thereafter, the board may contract with either the
 3.31 commissioner of education or the commissioner of administration for the provision of
 3.32 suitable offices and other space, joint conference and hearing facilities, and examination
 3.33 rooms.

4.1 Subd. 5. **District reimbursement for costs of substitute teachers.** The Professional
 4.2 Educator Licensing and Standards Board may reimburse local school districts for the costs
 4.3 of substitute teachers employed when regular teachers are providing professional assistance
 4.4 to the state by serving on the board or on a committee or task force appointed by the board
 4.5 and charged to make recommendations concerning standards for teacher licensure in this
 4.6 state.

4.7 **EFFECTIVE DATE.** This section is effective September 1, 2017.

4.8 Sec. 4. Minnesota Statutes 2016, section 122A.08, is amended to read:

4.9 **122A.08 MEETINGS.**

4.10 Subdivision 1. **Meetings.** The Professional Educator Licensing and Standards Board of
 4.11 Teaching must meet regularly at the times and places as the board determines. Meetings
 4.12 must be called by the chair or at the written request of any eight members.

4.13 Subd. 2. **Executive ~~secretary~~ director.** The Professional Educator Licensing and
 4.14 Standards Board of Teaching must have an executive secretary director who is in the
 4.15 unclassified civil service and who is not a member of the board. The executive director must
 4.16 fulfill the duties provided in section 122A.09, subdivision 6. The board must review the
 4.17 performance of the executive director and set the salary of the executive director, not to
 4.18 exceed the limit for a position listed in section 15A.0815, subdivision 2.

4.19 **EFFECTIVE DATE.** This section is effective September 1, 2017.

4.20 Sec. 5. Minnesota Statutes 2016, section 122A.09, subdivision 1, is amended to read:

4.21 Subdivision 1. **Code of ethics.** The Professional Educator Licensing and Standards
 4.22 Board of Teaching must develop by rule a code of ethics covering standards of professional
 4.23 teaching practices, including areas of ethical conduct and professional performance and
 4.24 methods of enforcement.

4.25 **EFFECTIVE DATE.** This section is effective July 1, 2018.

4.26 Sec. 6. Minnesota Statutes 2016, section 122A.09, subdivision 2, is amended to read:

4.27 Subd. 2. **Advise members of profession.** The Professional Educator Licensing and
 4.28 Standards Board must act in an advisory capacity to members of the profession in matters
 4.29 of interpretation of the code of ethics.

4.30 **EFFECTIVE DATE.** This section is effective July 1, 2018.

5.1 Sec. 7. Minnesota Statutes 2016, section 122A.09, subdivision 3, is amended to read:

5.2 Subd. 3. **Election of chair and officers.** The Professional Educator Licensing and
5.3 Standards Board shall elect a chair and such other officers as it may deem necessary.

5.4 **EFFECTIVE DATE.** This section is effective September 1, 2017.

5.5 Sec. 8. Minnesota Statutes 2016, section 122A.09, subdivision 4, is amended to read:

5.6 Subd. 4. ~~License and rules~~ **Licensing.** (a) The Professional Educator Licensing and
5.7 Standards Board must ~~adopt rules to license public school teachers and interns subject to~~
5.8 ~~chapter 14~~ license teachers, as defined in section 122A.15, subdivision 1, except for
5.9 supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not
5.10 delegate its authority to make all licensing decisions with respect to candidates for teacher
5.11 licensure. The board must evaluate candidates for compliance with statutory or rule
5.12 requirements for licensure and develop licensure verification requirements.

5.13 (b) The board must ~~require all candidates for teacher licensure to demonstrate~~ adopt
5.14 rules that establish a passing score on a board-adopted skills examination in reading, writing,
5.15 and mathematics, as for a requirement for an initial professional five-year Tier, 2, 3, or 4
5.16 teaching license, except that the board may issue up to four initial professional one-year
5.17 teaching licenses to an otherwise qualified candidate who has not yet passed the
5.18 ~~board-adopted skills exam.~~ The board must require colleges and universities offering a
5.19 board-approved teacher preparation program to provide remedial assistance to persons who
5.20 did not achieve a qualifying score on the board-adopted skills examination, including those
5.21 for whom English is a second language. The requirement to pass a board-adopted reading,
5.22 writing, and mathematics skills examination does not apply to nonnative English speakers,
5.23 as verified by qualified Minnesota school district personnel or Minnesota higher education
5.24 faculty, who, after meeting the content and pedagogy requirements under this subdivision,
5.25 apply for a teaching license to provide direct instruction in their native language or world
5.26 language instruction under section 120B.022, subdivision 1. The Board of Teaching and
5.27 the entity administering the content, pedagogy, and skills examinations must allow any
5.28 individual who produces documentation of a disability in the form of an evaluation, 504
5.29 plan, or individual education program (IEP) to receive the same testing accommodations
5.30 on the content, pedagogy, and skills examinations that the applicant received during their
5.31 secondary or postsecondary education.

5.32 (c) The board must adopt rules to approve teacher preparation programs, including
5.33 alternative teacher preparation programs under section 122A.245 and Montessori teacher
5.34 training programs. The board, upon the request of a postsecondary student preparing for

6.1 teacher licensure or a licensed graduate of a teacher preparation program, shall assist in
6.2 resolving a dispute between the person and a postsecondary institution providing a teacher
6.3 preparation program when the dispute involves an institution's recommendation for licensure
6.4 affecting the person or the person's credentials. At the board's discretion, assistance may
6.5 include the application of chapter 14.

6.6 (d) The board must provide the leadership and adopt rules for the redesign of teacher
6.7 education programs to implement a research based, results-oriented curriculum that focuses
6.8 on the skills teachers need in order to be effective. Among other components, teacher
6.9 preparation programs may use the Minnesota State Colleges and Universities program model
6.10 to provide a school-year-long student teaching program that combines clinical opportunities
6.11 with academic coursework and in-depth student teaching experiences to offer students
6.12 ongoing mentorship, coaching, and assessment, help to prepare a professional development
6.13 plan, and structured learning experiences. The board shall implement new systems of teacher
6.14 preparation program evaluation to assure program effectiveness based on proficiency of
6.15 graduates in demonstrating attainment of program outcomes. Teacher preparation programs
6.16 including alternative teacher preparation programs under section 122A.245, among other
6.17 programs, must include a content-specific, board-approved, performance-based assessment
6.18 that measures teacher candidates in three areas: planning for instruction and assessment;
6.19 engaging students and supporting learning; and assessing student learning. The board's
6.20 redesign rules must include creating flexible, specialized teaching licenses, credentials, and
6.21 other endorsement forms to increase students' participation in language immersion programs,
6.22 world language instruction, career development opportunities, work-based learning, early
6.23 college courses and careers, career and technical programs, Montessori schools, and project
6.24 and place-based learning, among other career and college ready learning offerings.

6.25 (e) The board must adopt rules ~~requiring candidates for professional five-year teaching~~
6.26 ~~licenses to pass~~ that establish a passing score for candidates on an examination of general
6.27 pedagogical knowledge and examinations of licensure-specific teaching skills for a Tier 2,
6.28 3, or 4 teaching license. ~~The rules shall be effective by September 1, 2001.~~ The rules under
6.29 this paragraph also must require candidates for initial licenses to teach prekindergarten or
6.30 elementary students to pass, as part of the examination of licensure-specific teaching skills,
6.31 test items assessing the candidates' knowledge, skill, and ability in comprehensive,
6.32 scientifically based reading instruction under section 122A.06, subdivision 4, and their
6.33 knowledge and understanding of the foundations of reading development, the development
6.34 of reading comprehension, and reading assessment and instruction, and their ability to
6.35 integrate that knowledge and understanding.

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

7.4 ~~(g) The board must grant licenses to interns and to candidates for professional five-year~~
 7.5 ~~teaching licenses based on appropriate professional competencies that are aligned with the~~
 7.6 ~~board's licensing system and students' diverse learning needs. All teacher Tier 3 and 4~~
 7.7 ~~candidates who are renewing their teaching licenses must have preparation experience in~~
 7.8 English language development and content instruction for English learners in order to be
 7.9 able to effectively instruct the English learners in their classrooms. ~~The board must include~~
 7.10 ~~these licenses in a statewide differentiated licensing system that creates new leadership roles~~
 7.11 ~~for successful experienced teachers premised on a collaborative professional culture dedicated~~
 7.12 ~~to meeting students' diverse learning needs in the 21st century, recognizes the importance~~
 7.13 ~~of cultural and linguistic competencies, including the ability to teach and communicate in~~
 7.14 ~~culturally competent and aware ways, and formalizes mentoring and induction for newly~~
 7.15 ~~licensed teachers provided through a teacher support framework.~~

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

7.19 (i) The board must receive recommendations from local committees as established by
 7.20 the board for the renewal of teaching licenses. The board must require a licensed teacher
 7.21 who is renewing a ~~professional five-year~~ Tier 3 or 4 teaching license to include in the renewal
 7.22 requirements further preparation in English language development and specially designed
 7.23 content instruction in English for English learners.

7.24 ~~(j) The board must grant life licenses to those who qualify according to requirements~~
 7.25 ~~established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and~~
 7.26 ~~214.10. The board must not establish any expiration date for application for life licenses.~~

7.27 ~~(k)~~ The board must adopt rules that require all licensed teachers who are renewing their
 7.28 ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal requirements
 7.29 further preparation in the areas of using positive behavior interventions and in
 7.30 accommodating, modifying, and adapting curricula, materials, and strategies to appropriately
 7.31 meet the needs of individual students and ensure adequate progress toward the state's
 7.32 graduation rule.

7.33 ~~(l)~~ (k) In adopting rules to license public school teachers who provide health-related
 7.34 services for disabled children, the board shall adopt rules consistent with license or

8.1 registration requirements of the commissioner of health and the health-related boards who
8.2 license personnel who perform similar services outside of the school.

8.3 ~~(m)~~ (l) The board must adopt rules that require all licensed teachers who are renewing
8.4 their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal
8.5 requirements further reading preparation, consistent with section 122A.06, subdivision 4.
8.6 ~~The rules do not take effect until they are approved by law.~~ Teachers who do not provide
8.7 direct instruction including, at least, counselors, school psychologists, school nurses, school
8.8 social workers, audiovisual directors and coordinators, and recreation personnel are exempt
8.9 from this section.

8.10 ~~(n)~~ (m) The board must adopt rules that require all licensed teachers who are renewing
8.11 their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal
8.12 requirements at least one hour of suicide prevention best practices in each licensure renewal
8.13 period that are based on nationally recognized evidence-based programs and practices,
8.14 among the continuing education credits required to renew a license under this paragraph,
8.15 and further preparation, first, in understanding the key warning signs of early-onset mental
8.16 illness in children and adolescents and then, during subsequent licensure renewal periods,
8.17 preparation may include providing a more in-depth understanding of students' mental illness
8.18 trauma, accommodations for students' mental illness, parents' role in addressing students'
8.19 mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section
8.20 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar
8.21 topics.

8.22 ~~(o) The board must adopt rules by January 1, 2016, to license applicants under sections~~
8.23 ~~122A.23 and 122A.245. The rules must permit applicants to demonstrate their qualifications~~
8.24 ~~through the board's recognition of a teaching license from another state in a similar content~~
8.25 ~~field, completion of a state-approved teacher preparation program, teaching experience as~~
8.26 ~~the teacher of record in a similar licensure field, depth of content knowledge, depth of~~
8.27 ~~content methods or general pedagogy, subject-specific professional development and~~
8.28 ~~contribution to the field, or classroom performance as determined by documented student~~
8.29 ~~growth on normed assessments or documented effectiveness on evaluations. The rules must~~
8.30 ~~adopt criteria for determining a "similar content field" and "similar licensure area."~~

8.31 **EFFECTIVE DATE.** This section is effective July 1, 2018.

8.32 Sec. 9. Minnesota Statutes 2016, section 122A.09, subdivision 4a, is amended to read:

8.33 Subd. 4a. **Teacher and administrator preparation and performance data; report.**

8.34 (a) The Professional Educator Licensing and Standards Board of Teaching and the Board

9.1 of School Administrators, in cooperation with the Minnesota Association of Colleges of
 9.2 Teacher Education and Minnesota colleges and universities offering board-adopted teacher
 9.3 or administrator preparation programs, annually must collect and report summary data on
 9.4 teacher and administrator preparation and performance outcomes, consistent with this
 9.5 subdivision. The Professional Educator Licensing and Standards Board of Teaching and
 9.6 the Board of School Administrators annually by June 1 must update and post the reported
 9.7 summary preparation and performance data on teachers and administrators from the preceding
 9.8 school years on a Web site hosted jointly by the boards.

9.9 (b) Publicly reported summary data on teacher preparation programs must include:
 9.10 student entrance requirements for each Professional Educator Licensing and Standards
 9.11 Board of Teaching-approved approved program, including grade point average for enrolling
 9.12 students in the preceding year; the average board-adopted skills examination or ACT or
 9.13 SAT scores of students entering the program in the preceding year; summary data on faculty
 9.14 qualifications, including at least the content areas of faculty undergraduate and graduate
 9.15 degrees and their years of experience either as kindergarten through grade 12 classroom
 9.16 teachers or school administrators; the average time resident and nonresident program
 9.17 graduates in the preceding year needed to complete the program; the current number and
 9.18 percent of students by program who graduated, received a standard Minnesota teaching
 9.19 license, and were hired to teach full time in their licensure field in a Minnesota district or
 9.20 school in the preceding year, disaggregated by race, except when disaggregation would not
 9.21 yield statistically reliable results or would reveal personally identifiable information about
 9.22 an individual; the number of content area credits and other credits by undergraduate program
 9.23 that students in the preceding school year needed to complete to graduate; students' pass
 9.24 rates on skills and subject matter exams required for graduation in each program and licensure
 9.25 area in the preceding school year; survey results measuring student and graduate satisfaction
 9.26 with the program in the preceding school year, disaggregated by race, except when
 9.27 disaggregation would not yield statistically reliable results or would reveal personally
 9.28 identifiable information about an individual; a standard measure of the satisfaction of school
 9.29 principals or supervising teachers with the student teachers assigned to a school or supervising
 9.30 teacher; and information under paragraphs (d) and (e). Program reporting must be consistent
 9.31 with subdivision 11.

9.32 (c) Publicly reported summary data on administrator preparation programs approved by
 9.33 the Board of School Administrators must include: summary data on faculty qualifications,
 9.34 including at least the content areas of faculty undergraduate and graduate degrees and their
 9.35 years of experience either as kindergarten through grade 12 classroom teachers or school

10.1 administrators; the average time program graduates in the preceding year needed to complete
 10.2 the program; the current number and percent of students who graduated, received a standard
 10.3 Minnesota administrator license, and were employed as an administrator in a Minnesota
 10.4 school district or school in the preceding year, disaggregated by race, except when
 10.5 disaggregation would not yield statistically reliable results or would reveal personally
 10.6 identifiable information about an individual; the number of credits by graduate program
 10.7 that students in the preceding school year needed to complete to graduate; survey results
 10.8 measuring student, graduate, and employer satisfaction with the program in the preceding
 10.9 school year, disaggregated by race, except when disaggregation would not yield statistically
 10.10 reliable results or would reveal personally identifiable information about an individual; and
 10.11 information under paragraphs (f) and (g). Program reporting must be consistent with section
 10.12 122A.14, subdivision 10.

10.13 (d) School districts annually by October 1 must report to the Professional Educator
 10.14 Licensing and Standards Board of Teaching the following information for all teachers who
 10.15 finished the probationary period and accepted a continuing contract position with the district
 10.16 from September 1 of the previous year through August 31 of the current year: the
 10.17 effectiveness category or rating of the teacher on the summative evaluation under section
 10.18 122A.40, subdivision 8, or 122A.41, subdivision 5; the licensure area in which the teacher
 10.19 primarily taught during the three-year evaluation cycle; and the teacher preparation program
 10.20 preparing the teacher in the teacher's primary areas of instruction and licensure.

10.21 (e) School districts annually by October 1 must report to the Professional Educator
 10.22 Licensing and Standards Board of Teaching the following information for all probationary
 10.23 teachers in the district who were released or whose contracts were not renewed from
 10.24 September 1 of the previous year through August 31 of the current year: the licensure areas
 10.25 in which the probationary teacher taught; and the teacher preparation program preparing
 10.26 the teacher in the teacher's primary areas of instruction and licensure.

10.27 (f) School districts annually by October 1 must report to the Board of School
 10.28 Administrators the following information for all school principals and assistant principals
 10.29 who finished the probationary period and accepted a continuing contract position with the
 10.30 district from September 1 of the previous year through August 31 of the current year: the
 10.31 effectiveness category or rating of the principal or assistant principal on the summative
 10.32 evaluation under section 123B.147, subdivision 3; and the principal preparation program
 10.33 providing instruction to the principal or assistant principal.

10.34 (g) School districts annually by October 1 must report to the Board of School
 10.35 Administrators all probationary school principals and assistant principals in the district who

11.1 were released or whose contracts were not renewed from September 1 of the previous year
 11.2 through August 31 of the current year.

11.3 **EFFECTIVE DATE.** This section is effective September 1, 2017.

11.4 Sec. 10. Minnesota Statutes 2016, section 122A.09, subdivision 6, is amended to read:

11.5 Subd. 6. **Register of persons licensed.** The executive ~~secretary~~ director of the
 11.6 Professional Educator Licensing and Standards Board of Teaching ~~shall~~ must keep a record
 11.7 of the proceedings of and a register of all persons licensed pursuant to the provisions of this
 11.8 chapter. The register must show the name, address, license number and the renewal of the
 11.9 license. The board must on July 1, of each year or as soon thereafter as is practicable, compile
 11.10 a list of such duly licensed teachers ~~and transmit a copy of the list to the board.~~ A copy of
 11.11 the register must be available during business hours at the office of the board to any interested
 11.12 person.

11.13 **EFFECTIVE DATE.** This section is effective September 1, 2017.

11.14 Sec. 11. Minnesota Statutes 2016, section 122A.09, subdivision 7, is amended to read:

11.15 Subd. 7. ~~Commissioner's assistance;~~ **Professional Educator Licensing and Standards**
 11.16 **Board money.** ~~The commissioner shall provide all necessary materials and assistance for~~
 11.17 ~~the transaction of the business of the Board of Teaching and~~ All moneys received by the
 11.18 Professional Educator Licensing and Standards Board of Teaching shall be paid into the
 11.19 state treasury as provided by law. The expenses of administering sections 122A.01, 122A.05
 11.20 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.187, 122A.188,
 11.21 122A.20, 122A.21, 122A.22, 122A.23, 122A.245, 122A.26, 122A.30, 122A.40, 122A.41,
 11.22 122A.42, 122A.45, 122A.49, 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which
 11.23 are incurred by the Professional Educator Licensing and Standards Board of Teaching shall
 11.24 be paid for from appropriations made to the Professional Educator Licensing and Standards
 11.25 Board of Teaching.

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

11.27 Sec. 12. Minnesota Statutes 2016, section 122A.09, subdivision 9, is amended to read:

11.28 Subd. 9. **Professional Educator Licensing and Standards Board may must adopt**
 11.29 **rules.** (a) The Professional Educator Licensing and Standards Board of Teaching may must
 11.30 adopt rules subject to the provisions of chapter 14 to implement sections 122A.05 to 122A.09,
 11.31 122A.16, 122A.17, 122A.18, 122A.187, 122A.188, 122A.20, 122A.21, and 122A.23.

12.1 (b) If a rule adopted by the board is in conflict with a session law or statute, the law or
 12.2 statute prevails. Terms adopted in rule must be clearly defined and must not be construed
 12.3 to conflict with terms adopted in statute or session law.

12.4 **EFFECTIVE DATE.** This section is effective July 1, 2018.

12.5 Sec. 13. Minnesota Statutes 2016, section 122A.09, subdivision 10, is amended to read:

12.6 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and
 12.7 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant
 12.8 waivers to its rules upon application by a school district or a charter school for purposes of
 12.9 implementing experimental programs in learning or management.

12.10 (b) To enable a school district or a charter school to meet the needs of students enrolled
 12.11 in an alternative education program and to enable licensed teachers instructing those students
 12.12 to satisfy content area licensure requirements, the Professional Educator Licensing and
 12.13 Standards Board of Teaching annually may permit a licensed teacher teaching in an
 12.14 alternative education program to instruct students in a content area for which the teacher is
 12.15 not licensed, consistent with paragraph (a).

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

12.19 ~~(d) The Board of Teaching may issue a one-year professional license under paragraph~~
 12.20 ~~(a), which the board may renew two times, to allow a person holding a full credential from~~
 12.21 ~~the American Montessori Society, a diploma from Association Montessori Internationale,~~
 12.22 ~~or a certificate of completion from a program accredited by the Montessori Accreditation~~
 12.23 ~~Council for Teacher Education to teach in a Montessori program operated by a school district~~
 12.24 ~~or charter school.~~

12.25 ~~(e) The Board of Teaching may grant a one-year waiver, renewable two times, to allow~~
 12.26 ~~individuals who hold a bachelor's degree from an accredited postsecondary institution,~~
 12.27 ~~demonstrate occupational competency based on at least three years of full-time work~~
 12.28 ~~experience in business or industry, and enroll and make satisfactory progress in an alternative~~
 12.29 ~~preparation program leading to certification as a career and technical education instructor~~
 12.30 ~~to teach career and technical education courses offered by a school district or charter school.~~
 12.31 A candidate that has obtained career and technical education certification may apply for a
 12.32 Tier 1 license under section 122A.181. Consistent with this paragraph and section 136F.361,
 12.33 the Professional Educator Licensing and Standards Board of Teaching must strongly

13.1 encourage approved college or university-based teacher preparation programs ~~and institutions~~
 13.2 throughout Minnesota to develop alternative pathways for certifying and licensing high
 13.3 school career and technical education instructors and teachers, allowing such candidates to
 13.4 meet certification and licensure standards that demonstrate their content knowledge,
 13.5 classroom experience, and pedagogical practices and their qualifications based on a
 13.6 combination of occupational testing, professional certification or licensure, and long-standing
 13.7 work experience.

13.8 **EFFECTIVE DATE.** This section is effective July 1, 2018.

13.9 Sec. 14. Minnesota Statutes 2016, section 122A.22, is amended to read:

13.10 **122A.22 DISTRICT VERIFICATION OF TEACHER LICENSES.**

13.11 No person shall be accounted a qualified teacher until the school district or charter school
 13.12 contracting with the person for teaching services verifies through the Minnesota education
 13.13 licensing system available on the ~~department~~ Professional Educator Licensing and Standards
 13.14 Board Web site that the person is a qualified teacher, consistent with sections 122A.16 and
 13.15 122A.44, subdivision 1.

13.16 **EFFECTIVE DATE.** This section is effective September 1, 2017.

13.17 Sec. 15. Minnesota Statutes 2016, section 127A.05, subdivision 6, is amended to read:

13.18 Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's
 13.19 school districts and teacher preparation programs and report to the education committees
 13.20 of the legislature by February 1 of each odd-numbered year until 2020 on the status of
 13.21 teacher early retirement patterns, the access to effective and more diverse teachers who
 13.22 reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled
 13.23 in a district or school, the teacher shortage, and the substitute teacher shortage, including
 13.24 patterns and shortages in subject areas and the economic development regions of the state.
 13.25 The report must also include: aggregate data on teachers' self-reported race and ethnicity;
 13.26 data on how districts are making progress in hiring teachers and substitutes in the areas of
 13.27 shortage; and a five-year projection of teacher demand for each district, taking into account
 13.28 the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to
 13.29 enroll in the district during that five-year period.

13.30 Sec. 16. Minnesota Statutes 2016, section 214.04, subdivision 1, is amended to read:

13.31 Subdivision 1. **Services provided.** The commissioner ~~of education with respect to the~~
 13.32 ~~Board of Teaching; the commissioner~~ of public safety with respect to the Board of Private

14.1 Detective and Protective Agent Services; the Board of Peace Officer Standards and Training;
 14.2 and the commissioner of revenue with respect to the Board of Assessors, shall provide
 14.3 suitable offices and other space, joint conference and hearing facilities, examination rooms,
 14.4 and the following administrative support services: purchasing service, accounting service,
 14.5 advisory personnel services, consulting services relating to evaluation procedures and
 14.6 techniques, data processing, duplicating, mailing services, automated printing of license
 14.7 renewals, and such other similar services of a housekeeping nature as are generally available
 14.8 to other agencies of state government. Investigative services shall be provided the boards
 14.9 by employees of the Office of Attorney General. The commissioner of health with respect
 14.10 to the health-related licensing boards shall provide mailing and office supply services and
 14.11 may provide other facilities and services listed in this subdivision at a central location upon
 14.12 request of the health-related licensing boards. The commissioner of commerce with respect
 14.13 to the remaining non-health-related licensing boards shall provide the above facilities and
 14.14 services at a central location for the remaining non-health-related licensing boards. The
 14.15 legal and investigative services for the boards shall be provided by employees of the attorney
 14.16 general assigned to the departments servicing the boards. Notwithstanding the foregoing,
 14.17 the attorney general shall not be precluded by this section from assigning other attorneys
 14.18 to service a board if necessary in order to insure competent and consistent legal
 14.19 representation. Persons providing legal and investigative services shall to the extent
 14.20 practicable provide the services on a regular basis to the same board or boards.

14.21 **EFFECTIVE DATE.** This section is effective July 1, 2018.

14.22 Sec. 17. Minnesota Statutes 2016, section 214.04, subdivision 3, is amended to read:

14.23 Subd. 3. **Officers; staff.** The executive director of each health-related board and the
 14.24 executive secretary of each non-health-related board shall be the chief administrative officer
 14.25 for the board but shall not be a member of the board. The executive director or executive
 14.26 secretary shall maintain the records of the board, account for all fees received by it, supervise
 14.27 and direct employees servicing the board, and perform other services as directed by the
 14.28 board. The executive directors, executive secretaries, and other employees of the following
 14.29 boards shall be hired by the board, and the executive directors or executive secretaries shall
 14.30 be in the unclassified civil service, except as provided in this subdivision:

14.31 (1) Dentistry;

14.32 (2) Medical Practice;

14.33 (3) Nursing;

- 15.1 (4) Pharmacy;
- 15.2 (5) Accountancy;
- 15.3 (6) Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience,
15.4 and Interior Design;
- 15.5 (7) Barber Examiners;
- 15.6 (8) Cosmetologist Examiners;
- 15.7 ~~(9) Teaching;~~
- 15.8 ~~(10)~~ (9) Peace Officer Standards and Training;
- 15.9 ~~(11)~~ (10) Social Work;
- 15.10 ~~(12)~~ (11) Marriage and Family Therapy;
- 15.11 ~~(13)~~ (12) Dietetics and Nutrition Practice;
- 15.12 ~~(14)~~ (13) Licensed Professional Counseling; and
- 15.13 ~~(15)~~ (14) Combative Sports Commission.

15.14 The executive directors or executive secretaries serving the boards are hired by those
15.15 boards and are in the unclassified civil service, except for part-time executive directors or
15.16 executive secretaries, who are not required to be in the unclassified service. Boards not
15.17 requiring full-time executive directors or executive secretaries may employ them on a
15.18 part-time basis. To the extent practicable, the sharing of part-time executive directors or
15.19 executive secretaries by boards being serviced by the same department is encouraged.

15.20 Persons providing services to those boards not listed in this subdivision, except executive
15.21 directors or executive secretaries of the boards and employees of the attorney general, are
15.22 classified civil service employees of the department servicing the board. To the extent
15.23 practicable, the commissioner shall ensure that staff services are shared by the boards being
15.24 serviced by the department. If necessary, a board may hire part-time, temporary employees
15.25 to administer and grade examinations.

15.26 **EFFECTIVE DATE.** This section is effective September 1, 2017.

15.27 Sec. 18. Minnesota Statutes 2016, section 214.045, is amended to read:

15.28 **214.045 COORDINATION WITH PROFESSIONAL EDUCATOR LICENSING**
15.29 **AND STANDARDS BOARD OF TEACHING.**

16.1 The commissioner of health and the health-related licensing boards must coordinate
16.2 with the Professional Educator Licensing and Standards Board of Teaching when modifying
16.3 licensure requirements for regulated persons in order to have consistent regulatory
16.4 requirements for personnel who perform services in schools.

16.5 **EFFECTIVE DATE.** This section is effective September 1, 2017.

16.6 Sec. 19. **TRANSFER OF POWERS.**

16.7 (a) The creation of the Professional Educator Licensing and Standards Board shall be
16.8 considered a transfer by law of the responsibilities of the Board of Teaching and the
16.9 Minnesota Department of Education with respect to licensure and credentialing of teachers
16.10 and school personnel to the Professional Educator Licensing and Standards Board for
16.11 purposes of Minnesota Statutes, section 15.039. All classified and unclassified positions
16.12 associated with the responsibilities being transferred to the Professional Educator Licensing
16.13 and Standards Board are transferred with their incumbents to the new agency pursuant to
16.14 Minnesota Statutes, section 15.039, subdivision 7, except as otherwise provided in Minnesota
16.15 Statutes, section 122A.07.

16.16 (b) The responsibilities of the Minnesota Department of Education with respect to
16.17 licensure of school administrators are transferred by law to the Board of School
16.18 Administrators for purposes of section 15.039.

16.19 (c) The Professional Educator Licensing and Standards Board must review all rules
16.20 adopted by the Board of Teaching and amend or repeal rules not consistent with statute.
16.21 The Professional Educator Licensing and Standards Board must review all teacher preparation
16.22 programs approved by the Board of Teaching to determine whether the approved programs
16.23 meet the needs of schools in Minnesota.

16.24 **EFFECTIVE DATE.** This section is effective September 1, 2017.

16.25 Sec. 20. **FIRST APPOINTMENTS TO THE PROFESSIONAL EDUCATOR**
16.26 **LICENSING AND STANDARDS BOARD.**

16.27 The governor shall make appointments to the Professional Educator Licensing and
16.28 Standards Board by September 1, 2017, for terms that begin January 1, 2018. The governor
16.29 shall designate one member of the board to convene the first meeting by February 1, 2018,
16.30 and to act as chair until the board elects a chair at its first meeting.

17.1 Sec. 21. **IMPLEMENTATION REPORT.**

17.2 By January 1, 2019, the Professional Educator Licensing and Standards Board must
 17.3 prepare a report to the legislature on the implementation of the teacher licensure system
 17.4 established under sections 122A.18 to 122A.181. The report must include the number of
 17.5 applicants for license in each tier, the number of applications granted and denied, summary
 17.6 data on the reasons applications were denied, and the status of the board's rulemaking process
 17.7 for all licensure-related rules.

17.8 **EFFECTIVE DATE.** This section is effective September 1, 2017.

17.9 Sec. 22. **REVISOR INSTRUCTION.**

17.10 In Minnesota Statutes and Minnesota Rules, the revisor of statutes shall substitute the
 17.11 term "Professional Educator Licensing and Standards Board" for "Board of Teaching"
 17.12 wherever the term refers to the powers, duties, and responsibilities of the Board of Teaching.
 17.13 The revisor shall also make grammatical changes related to the change in terms.

17.14 **ARTICLE 2**

17.15 **LICENSURE**

17.16 Section 1. Minnesota Statutes 2016, section 122A.17, is amended to read:

17.17 **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

17.18 (a) A rule adopted by the Board of Teaching or the Professional Educator Licensing and
 17.19 Standards Board must not affect the validity of certificates or licenses to teach in effect on
 17.20 July 1, 1974, or the rights and privileges of the holders thereof, except that any such
 17.21 certificate or license may be suspended or revoked for any of the causes and by the procedures
 17.22 specified by law.

17.23 (b) All teacher licenses in effect on September 1, 2017, shall remain valid for one
 17.24 additional year after the date the license is scheduled to expire.

17.25 **EFFECTIVE DATE.** This section is effective September 1, 2017.

17.26 Sec. 2. Minnesota Statutes 2016, section 122A.18, subdivision 1, is amended to read:

17.27 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and
 17.28 Standards Board of Teaching must license teachers, as defined in section 122A.15,
 17.29 subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision
 17.30 2. issue teacher licenses to candidates who meet the qualifications prescribed by this chapter.

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

18.3 ~~(c) Licenses under the jurisdiction of the Board of Teaching, the Board of School~~
18.4 ~~Administrators, and the commissioner of education must be issued through the licensing~~
18.5 ~~section of the department.~~

18.6 ~~(d)~~ (c) The Professional Educator Licensing and Standards Board of Teaching and the
18.7 Department of Education must enter into a data sharing agreement to share educational data
18.8 at the E-12 level for the limited purpose of program approval and improvement for teacher
18.9 education programs. The program approval process must include targeted redesign of teacher
18.10 preparation programs to address identified E-12 student areas of concern.

18.11 ~~(e)~~ (d) The Board of School Administrators and the Department of Education must enter
18.12 into a data sharing agreement to share educational data at the E-12 level for the limited
18.13 purpose of program approval and improvement for education administration programs. The
18.14 program approval process must include targeted redesign of education administration
18.15 preparation programs to address identified E-12 student areas of concern.

18.16 ~~(f)~~ (e) For purposes of the data sharing agreements under paragraphs ~~(d)~~ (c) and ~~(e)~~ (d),
18.17 the Professional Educator Licensing and Standards Board of Teaching, Board of School
18.18 Administrators, and Department of Education may share private data, as defined in section
18.19 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements
18.20 must not include educational data, as defined in section 13.32, subdivision 1, but may include
18.21 summary data, as defined in section 13.02, subdivision 19, derived from educational data.

18.22 **EFFECTIVE DATE.** This section is effective September 1, 2017.

18.23 Sec. 3. Minnesota Statutes 2016, section 122A.18, subdivision 2, is amended to read:

18.24 Subd. 2. **Teacher and Support personnel qualifications.** (a) The Professional Educator
18.25 Licensing and Standards Board of Teaching must issue licenses under its jurisdiction to
18.26 persons the board finds to be qualified and competent for their respective positions, including
18.27 those meeting the standards adopted under section 122A.09, subdivision 4, paragraph (n).

18.28 (b) The board must ~~require a candidate for teacher licensure to demonstrate~~ adopt rules
18.29 that establish a passing score on a board-adopted examination of skills in reading, writing,
18.30 and mathematics, ~~before being~~ for a candidate to be granted a professional five-year Tier
18.31 2, 3, or 4 teaching license to provide direct instruction to pupils in prekindergarten,
18.32 elementary, secondary, or special education programs, ~~except that the board may issue up~~
18.33 ~~to four temporary, one-year teaching licenses to an otherwise qualified candidate who has~~

19.1 ~~not yet passed a board-adopted skills exam. At the request of the employing school district~~
19.2 ~~or charter school, the Board of Teaching may issue an initial professional one-year teaching~~
19.3 ~~license to an otherwise qualified teacher not passing or demonstrating a passing score on a~~
19.4 ~~board-adopted skills examination in reading, writing, and mathematics. For purposes of this~~
19.5 ~~section, the initial professional one-year teaching license issued by the board is limited to~~
19.6 ~~the current subject or content matter the teacher is employed to teach and limited to the~~
19.7 ~~district or charter school requesting the initial professional one-year teaching license. If the~~
19.8 ~~board denies the request, it must provide a detailed response to the school administrator as~~
19.9 ~~to the reasons for the denial.~~ The board must require colleges and universities offering a
19.10 board approved teacher preparation program to make available upon request remedial
19.11 assistance that includes a formal diagnostic component to persons enrolled in their institution
19.12 who did not achieve a qualifying score on a board-adopted skills examination, including
19.13 those for whom English is a second language. The colleges and universities must make
19.14 available assistance in the specific academic areas of candidates' deficiency. School districts
19.15 may make available upon request similar, appropriate, and timely remedial assistance that
19.16 includes a formal diagnostic component to those persons employed by the district who
19.17 completed their teacher education program, who did not achieve a qualifying score on a
19.18 board-adopted skills examination, and who received an initial professional one-year teaching
19.19 license to teach in Minnesota. The board of Teaching shall report annually to the education
19.20 committees of the legislature on the total number of teacher candidates during the most
19.21 recent school year taking a board-adopted skills examination, the number who achieve a
19.22 qualifying score on the examination, the number who do not achieve a qualifying score on
19.23 the examination, and the candidates who have not passed a content or pedagogy exam,
19.24 disaggregated by categories of race, ethnicity, and eligibility for financial aid.

19.25 (c) ~~The Board of Teaching must grant professional five-year teaching licenses only to~~
19.26 ~~those persons who have met board criteria for that license, which includes passing a~~
19.27 ~~board-adopted skills examination in reading, writing, and mathematics, and the exceptions~~
19.28 ~~in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph.~~
19.29 The requirement to pass a board-adopted reading, writing, and mathematics skills
19.30 examination, does not apply to nonnative English speakers, as verified by qualified Minnesota
19.31 school district personnel or Minnesota higher education faculty, who, after meeting the
19.32 content and pedagogy requirements under this subdivision, apply for a professional five-year
19.33 teaching license to provide direct instruction in their native language or world language
19.34 instruction under section 120B.022, subdivision 1.

20.1 (d) All colleges and universities approved by the board of teaching to prepare persons
 20.2 for teacher licensure must include in their teacher preparation programs a common core of
 20.3 teaching knowledge and skills to be acquired by all persons recommended for teacher
 20.4 licensure. Among other requirements, teacher candidates must demonstrate the knowledge
 20.5 and skills needed to provide appropriate instruction to English learners to support and
 20.6 accelerate their academic literacy, including oral academic language, and achievement in
 20.7 content areas in a regular classroom setting. This common core shall meet the standards
 20.8 developed by the interstate new teacher assessment and support consortium in its 1992
 20.9 "model standards for beginning teacher licensing and development." Amendments to
 20.10 standards adopted under this paragraph are covered by chapter 14. The board of teaching
 20.11 shall report annually to the education committees of the legislature on the performance of
 20.12 teacher candidates on common core assessments of knowledge and skills under this paragraph
 20.13 during the most recent school year.

20.14 **EFFECTIVE DATE.** This section is effective July 1, 2018.

20.15 Sec. 4. Minnesota Statutes 2016, section 122A.18, subdivision 2b, is amended to read:

20.16 Subd. 2b. **Reading specialist.** ~~Not later than July 1, 2002,~~ The Professional Educator
 20.17 Licensing and Standards Board of Teaching must adopt rules providing for reading teacher
 20.18 licensure.

20.19 **EFFECTIVE DATE.** This section is effective July 1, 2018.

20.20 Sec. 5. Minnesota Statutes 2016, section 122A.18, subdivision 3, is amended to read:

20.21 Subd. 3. **Supervisory and coach qualifications; code of ethics.** The ~~commissioner of~~
 20.22 ~~education~~ Professional Educator Licensing and Standards Board must issue licenses under
 20.23 its jurisdiction to persons the ~~commissioner~~ board finds to be qualified and competent for
 20.24 their respective positions under the rules it adopts. The ~~commissioner of education~~ board
 20.25 may develop, by rule, a code of ethics for supervisory personnel covering standards of
 20.26 professional practices, including areas of ethical conduct and professional performance and
 20.27 methods of enforcement.

20.28 **EFFECTIVE DATE.** This section is effective July 1, 2018.

20.29 Sec. 6. Minnesota Statutes 2016, section 122A.18, subdivision 3a, is amended to read:

20.30 Subd. 3a. **Technology strategies.** All colleges and universities approved by the board
 20.31 of Teaching to prepare persons for classroom teacher licensure must include in their teacher

21.1 preparation programs the knowledge and skills teacher candidates need to deliver digital
21.2 and blended learning and curriculum and engage students with technology.

21.3 **EFFECTIVE DATE.** This section is effective September 1, 2017.

21.4 Sec. 7. Minnesota Statutes 2016, section 122A.18, subdivision 7a, is amended to read:

21.5 Subd. 7a. **Permission to substitute teach.** (a) The Professional Educator Licensing and
21.6 Standards Board of Teaching may allow a person who is enrolled in and making satisfactory
21.7 progress in a board-approved teacher program and who has successfully completed student
21.8 teaching to be employed as a short-call substitute teacher.

21.9 (b) The Professional Educator Licensing and Standards Board of Teaching may issue a
21.10 lifetime qualified short-call or long-call substitute teaching license to a person who:

21.11 (1) was a qualified teacher under section 122A.16 while holding a ~~professional five-year~~
21.12 Tier 3 or Tier 4 teaching license issued by the board, under section 122A.181, and receives
21.13 a retirement annuity from the Teachers Retirement Association or the St. Paul Teachers
21.14 Retirement Fund Association;

21.15 (2) holds an out-of-state teaching license and receives a retirement annuity as a result
21.16 of the person's teaching experience; or

21.17 (3) held a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board,
21.18 under section 122A.181, taught at least three school years in an accredited nonpublic school
21.19 in Minnesota, and receives a retirement annuity as a result of the person's teaching experience.

21.20 A person holding a lifetime qualified short-call or long-call substitute teaching license is
21.21 not required to complete continuing education clock hours. A person holding this license
21.22 may reapply to the board for either:

21.23 (i) a ~~professional five-year~~ Tier 3 or Tier 4 teaching license under section 122A.181,
21.24 and must again complete continuing education clock hours one school year after receiving
21.25 the ~~professional five-year~~ Tier 3 or Tier 4 teaching license; or

21.26 (ii) a Tier 1 license under section 122A.181, provided that the candidate has a bachelor's
21.27 degree, an associate's degree, or an appropriate professional credential in the content area
21.28 the candidate will teach.

21.29 **EFFECTIVE DATE.** This section is effective July 1, 2018.

22.1 Sec. 8. Minnesota Statutes 2016, section 122A.18, subdivision 7c, is amended to read:

22.2 Subd. 7c. **Temporary military license.** The Professional Educator Licensing and
 22.3 Standards Board of Teaching shall establish a temporary license in accordance with section
 22.4 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$87.90
 22.5 for an online application or \$86.40 for a paper application. The board must provide candidates
 22.6 for a license under this subdivision with information regarding the tiered licensure system
 22.7 provided in section 122A.181.

22.8 **EFFECTIVE DATE.** This section is effective July 1, 2018.

22.9 Sec. 9. Minnesota Statutes 2016, section 122A.18, subdivision 8, is amended to read:

22.10 Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards
 22.11 Board of Teaching and the commissioner of education the Board of School Administrators
 22.12 must request a criminal history background check from the superintendent of the Bureau
 22.13 of Criminal Apprehension on all first-time teaching applicants for licenses under their
 22.14 jurisdiction. Applicants must include with their licensure applications:

22.15 (1) an executed criminal history consent form, including fingerprints; and

22.16 (2) a money order or cashier's check payable to the Bureau of Criminal Apprehension
 22.17 for the fee for conducting the criminal history background check.

22.18 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the
 22.19 background check required under paragraph (a) by retrieving criminal history data as defined
 22.20 in section 13.87 and shall also conduct a search of the national criminal records repository.
 22.21 The superintendent is authorized to exchange fingerprints with the Federal Bureau of
 22.22 Investigation for purposes of the criminal history check. The superintendent shall recover
 22.23 the cost to the bureau of a background check through the fee charged to the applicant under
 22.24 paragraph (a).

22.25 (c) The Professional Educator Licensing and Standards Board of Teaching or the
 22.26 commissioner of education Board of School Administrators may issue a license pending
 22.27 completion of a background check under this subdivision, but must notify the individual
 22.28 that the individual's license may be revoked based on the result of the background check.
 22.29 The individual must notify the school district or charter school that employs the individual
 22.30 as a teacher that the individual's license has been revoked.

22.31 **EFFECTIVE DATE.** This section is effective July 1, 2018.

23.1 Sec. 10. [122A.181] TIERED LICENSURE SYSTEM.

23.2 Subdivision 1. Professional Educator Licensing and Standards Board to issue

23.3 licenses. (a) The Professional Educator Licensing and Standards Board must license teachers
 23.4 as defined in section 122A.15, subdivision 1. The tiered licensure system supersedes the
 23.5 licensure system implemented under Minnesota Statutes 2016, section 122A.18, and
 23.6 Minnesota Rules, part 8710.0300.

23.7 (b) The Professional Educator Licensing and Standards Board must issue a license to
 23.8 candidates who meet the qualifications prescribed by this chapter.

23.9 Subd. 2. Licensure tiers. The Professional Educator Licensing and Standards Board
 23.10 must issue a license to candidates who meet the qualifications for the appropriate tier
 23.11 according to the following table:

23.12	<u>License Name</u>	<u>Duration</u>	<u>Renewal</u>	<u>Qualifications</u>
23.13	<u>Tier 1 license</u>	<u>One year</u>	<u>Unlimited</u>	<u>At least one of the following:</u>
23.14				<u>(1) for a license to teach career and technical</u>
23.15				<u>education, at least one of the following:</u>
23.16				<u>(i) an associate's degree in the content area;</u>
23.17				<u>(ii) professional credential; or</u>
23.18				<u>(iii) five years of work experience in the content</u>
23.19				<u>area; or</u>
23.20				<u>(2) for a license to teach in a content area not</u>
23.21				<u>included in clause (1), a baccalaureate degree.</u>
23.22				<u>A school board must confirm to the Professional</u>
23.23				<u>Educator Licensing and Standards Board that</u>
23.24				<u>it has attempted but is unable to hire a teacher</u>
23.25				<u>with a Tier 2, 3, or 4 license for the position</u>
23.26				<u>and that the candidate has the necessary skills</u>
23.27				<u>and knowledge to teach in a specified content</u>
23.28				<u>area.</u>
23.29				<u>A candidate meeting the above qualifications</u>
23.30				<u>must be granted a Tier 1 license upon the</u>
23.31				<u>request of the employing school board or charter</u>
23.32				<u>school board.</u>
23.33				<u>Years worked with a Tier 1 license do not count</u>
23.34				<u>towards the candidate's continuing contract</u>
23.35				<u>under section 122A.40 or 122A.41.</u>
23.36				<u>Must participate in a school district's mentorship</u>
23.37				<u>and evaluation program that includes an</u>
23.38				<u>individual growth and development plan.</u>
23.39	<u>Tier 2 license</u>	<u>Two years</u>	<u>Up to two</u>	<u>Meets Tier 1 qualifications and at least one of</u>
23.40				<u>the following:</u>
23.41				<u>(1) enrolled in and making satisfactory progress</u>
23.42				<u>in a Professional Educator Licensing and</u>

24.1				<u>Standards Board approved teacher preparation</u>
24.2				<u>program;</u>
24.3				<u>(2) passing scores on all required skills, content</u>
24.4				<u>area, and pedagogy licensure exams; or</u>
24.5				<u>(3) master's degree in content area.</u>
24.6				<u>A school board must confirm that the candidate</u>
24.7				<u>has the necessary skills and knowledge to teach</u>
24.8				<u>in a specified content area.</u>
24.9				<u>Years worked with a Tier 2 license only count</u>
24.10				<u>towards the candidate's continuing contract</u>
24.11				<u>under section 122A.40 or 122A.41, if the</u>
24.12				<u>candidate subsequently obtains a Tier 3 or Tier</u>
24.13				<u>4 license.</u>
24.14				<u>Must participate in a school district's mentorship</u>
24.15				<u>and evaluation program that includes an</u>
24.16				<u>individual growth and development plan.</u>
24.17	<u>Tier 3 license</u>	<u>Three years</u>	<u>Up to three</u>	<u>Meets Tier 1 qualifications and at least one of</u>
24.18				<u>the following:</u>
24.19				<u>(1) successful completion of a Professional</u>
24.20				<u>Educator Licensing and Standards Board</u>
24.21				<u>approved teacher preparation program;</u>
24.22				<u>(2) successful completion of an out-of-state</u>
24.23				<u>teacher preparation program that includes</u>
24.24				<u>field-specific methods training and field-specific</u>
24.25				<u>student teaching;</u>
24.26				<u>(3) an out-of-state professional teaching license</u>
24.27				<u>in good standing;</u>
24.28				<u>(4) passing scores on all required skills, content</u>
24.29				<u>area, and pedagogy licensure exams; or</u>
24.30				<u>(5) National Board for Professional Teaching</u>
24.31				<u>Standards certification.</u>
24.32				<u>And meets at least one of the following criteria:</u>
24.33				<u>(1) 12 weeks of student teaching experience;</u>
24.34				<u>(2) two years of field-specific teaching</u>
24.35				<u>experience; or</u>
24.36				<u>(3) completion of a comprehensive teacher</u>
24.37				<u>mentoring program offered by a Minnesota</u>
24.38				<u>school.</u>
24.39				<u>Must participate in a school district's evaluation</u>
24.40				<u>program that includes an individual growth and</u>
24.41				<u>development plan.</u>
24.42	<u>Tier 4 license</u>	<u>Five years</u>	<u>Unlimited</u>	<u>Meets Tier 3 qualifications and the following:</u>
24.43				<u>(1) at least three years teaching experience in</u>
24.44				<u>any state; and</u>
24.45				<u>(2) passing scores on all required skills, content</u>
24.46				<u>area, and pedagogy licensure exams.</u>

25.1 Must participate in a school district's evaluation
 25.2 program that includes an individual growth and
 25.3 development plan.

25.4 Subd. 3. **Assessment alternatives.** A Tier 3 or Tier 4 teacher licensure candidate that
 25.5 fails, after two attempts, to obtain a passing score on the board-adopted skills examination
 25.6 in reading, writing, and mathematics may demonstrate to the board that they have attained
 25.7 the required skills by either of the following:

25.8 (1) completing a portfolio using board-adopted standards; or

25.9 (2) teaching for three years in a Minnesota school with at least one summative teacher
 25.10 evaluation and showing satisfactory evidence of successful teaching according to section
 25.11 122A.40, subdivision 8, or section 122A.41, subdivision 5.

25.12 **EFFECTIVE DATE.** This section is effective July 1, 2018.

25.13 Sec. 11. **[122A.187] EXPIRATION AND RENEWAL.**

25.14 Subdivision 1. **License form requirements.** Each license issued under this chapter must
 25.15 bear the date of issue and the name of the state-approved teacher training provider or
 25.16 alternative teaching program, as applicable. Licenses must expire and be renewed according
 25.17 to rules adopted by the Professional Educator Licensing and Standards Board or the Board
 25.18 of School Administrators. Requirements for renewing a Tier 3 or 4 license must include
 25.19 showing satisfactory evidence of successful teaching or administrative experience for at
 25.20 least one school year during the period covered by the license in grades or subjects for which
 25.21 the license is valid or completing such additional preparation as required under this section,
 25.22 or as the Professional Educator Licensing and Standards Board prescribes. The Board of
 25.23 School Administrators shall establish requirements for renewing the licenses of supervisory
 25.24 personnel except athletic coaches. The Professional Educator Licensing and Standards Board
 25.25 shall establish requirements for renewing the licenses of athletic coaches.

25.26 Subd. 2. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4
 25.27 license who have been employed as a teacher during the renewal period of the expiring
 25.28 license, as a condition of license renewal, must present to the Professional Educator Licensing
 25.29 and Standards Board evidence of work that demonstrates professional reflection and growth
 25.30 in best teaching practices, including among other things, practices in meeting the varied
 25.31 needs of English learners, from young children to adults under section 124D.59, subdivisions
 25.32 2 and 2a.

25.33 (b) The Professional Educator Licensing and Standards Board must ensure that its teacher
 25.34 relicensing requirements include paragraph (a).

26.1 **EFFECTIVE DATE.** This section is effective July 1, 2018.

26.2 Sec. 12. **[122A.188] LICENSURE DENIAL; APPEAL.**

26.3 Subdivision 1. **Denial letter.** (a) The Professional Educator Licensing and Standards
 26.4 Board must inform a candidate within 30 days on whether the candidate's application for
 26.5 an initial teaching license or renewal of license has been approved or denied. When an
 26.6 application is denied, the notification letter must inform the candidate of the process for
 26.7 seeking review of the denial and of the appeals process provided in this section, including
 26.8 all deadlines for seeking review of the denial decision and filing an appeal. The notification
 26.9 letter must identify each licensure requirement the candidate failed to meet.

26.10 (b) For purposes of this section, the term "denial" means denial of an initial license or
 26.11 a denial of a renewal license. Denial of an initial license includes a grant of a license that
 26.12 is a lower tier than the candidate applied for and denial of application for an additional field
 26.13 of licensure.

26.14 Subd. 2. **Review of denial.** A candidate whose license application is denied may seek
 26.15 review of the denial by submitting a letter to the Professional Educator Licensing and
 26.16 Standards Board within 30 calendar days of receipt of the denial letter. The candidate may
 26.17 include any documentation necessary to demonstrate that the candidate meets the licensure
 26.18 requirements. The board must review the denial within 60 calendar days of receipt of the
 26.19 letter seeking review. If the board affirms the denial, the board must send the candidate a
 26.20 letter identifying each licensure requirement the candidate failed to meet and informing the
 26.21 candidate of the appeal process provided under this section.

26.22 Subd. 3. **Appeal.** A candidate whose application for license or license renewal has been
 26.23 denied under subdivisions 1 and 2 may appeal the decision by filing a written request with
 26.24 the Professional Educator Licensing and Standards Board within 30 days of notice that the
 26.25 board has affirmed the denial of license. The board must then initiate a contested case under
 26.26 the Administrative Procedure Act, sections 14.001 to 14.69.

26.27 Sec. 13. Minnesota Statutes 2016, section 122A.19, is amended to read:

26.28 **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS;**
 26.29 **LICENSES.**

26.30 Subdivision 1. **Bilingual and English as a second language licenses.** The Professional
 26.31 Educator Licensing and Standards Board of Teaching, hereinafter the board, must grant

27.1 teaching licenses in bilingual education and English as a second language to persons who
 27.2 present satisfactory evidence that they:

27.3 ~~(a)~~ (1) possess competence and communicative skills in English and in another language;

27.4 ~~(b)~~ (2) possess a bachelor's degree or other academic degree approved by the board, and
 27.5 meet such requirements as to course of study and training as the board may prescribe,
 27.6 consistent with subdivision 4; and

27.7 (3) meet all other requirements for a teaching license provided in section 122A.18.

27.8 Subd. 2. **Persons holding general teaching licenses.** The board may license a person
 27.9 who holds a ~~general~~ teaching license in any tier under section 122A.181, and who presents
 27.10 the board with satisfactory evidence of competence and communicative skills in a language
 27.11 other than English under this section.

27.12 Subd. 4. **Teacher preparation programs.** For the purpose of licensing bilingual and
 27.13 English as a second language teachers, the board may approve programs at colleges or
 27.14 universities designed for their training. These programs must provide instruction in
 27.15 implementing research-based practices designed specifically for English learners. The
 27.16 programs must focus on developing English learners' academic language proficiency in
 27.17 English, including oral academic language, giving English learners meaningful access to
 27.18 the full school curriculum, developing culturally relevant teaching practices appropriate for
 27.19 immigrant students, and providing more intensive instruction and resources to English
 27.20 learners with lower levels of academic English proficiency and varied needs, consistent
 27.21 with section 124D.59, subdivisions 2 and 2a.

27.22 Subd. 5. **Persons eligible for employment.** Any person licensed under this section is
 27.23 eligible for employment by a school board as a teacher in a bilingual education or English
 27.24 as a second language program in which the language for which the person is licensed is
 27.25 taught or used as a medium of instruction. A board may prescribe only those additional
 27.26 qualifications for teachers licensed under this section that are approved by the board ~~of~~
 27.27 ~~teaching.~~

27.28 Subd. 6. **Affirmative efforts in hiring.** In hiring for all bilingual education program
 27.29 positions, districts must give preference to and make affirmative efforts to seek, recruit, and
 27.30 employ persons who (1) are native speakers of the language which is the medium of
 27.31 instruction in the bilingual education program or share a native language with the majority
 27.32 of their students, and (2) share the culture of the English learners enrolled in the program.
 27.33 The district shall provide procedures for involving the parent advisory committees in

28.1 designing the procedures for recruiting, screening, and selecting applicants. This section
 28.2 must not be construed to limit the school board's authority to hire and discharge personnel.

28.3 **EFFECTIVE DATE.** This section is effective July 1, 2018.

28.4 Sec. 14. Minnesota Statutes 2016, section 122A.20, subdivision 1, is amended to read:

28.5 Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The Professional
 28.6 Educator Licensing and Standards Board of Teaching or Board of School Administrators,
 28.7 whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the
 28.8 school board employing a teacher, a teacher organization, or any other interested person,
 28.9 refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of
 28.10 the following causes:

28.11 (1) immoral character or conduct;

28.12 (2) failure, without justifiable cause, to teach for the term of the teacher's contract;

28.13 (3) gross inefficiency or willful neglect of duty;

28.14 (4) failure to meet licensure requirements; or

28.15 (5) fraud or misrepresentation in obtaining a license.

28.16 The written complaint must specify the nature and character of the charges.

28.17 (b) The Professional Educator Licensing and Standards Board of Teaching or Board of
 28.18 School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse
 28.19 to issue, refuse to renew, or automatically revoke a teacher's license to teach without the
 28.20 right to a hearing upon receiving a certified copy of a conviction showing that the teacher
 28.21 has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first
 28.22 degree under section 609.322, subdivision 1, sex trafficking in the second degree under
 28.23 section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage
 28.24 in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342,
 28.25 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation
 28.26 of children to engage in sexual conduct or communication of sexually explicit materials to
 28.27 children under section 609.352, interference with privacy under section 609.746 or stalking
 28.28 under section 609.749 and the victim was a minor, using minors in a sexual performance
 28.29 under section 617.246, possessing pornographic works involving a minor under section
 28.30 617.247, or any other offense not listed in this paragraph that requires the person to register
 28.31 as a predatory offender under section 243.166, or a crime under a similar law of another

29.1 state or the United States. The board shall send notice of this licensing action to the district
 29.2 in which the teacher is currently employed.

29.3 (c) A person whose license to teach has been revoked, not issued, or not renewed under
 29.4 paragraph (b), may petition the board to reconsider the licensing action if the person's
 29.5 conviction for child abuse or sexual abuse is reversed by a final decision of the Court of
 29.6 Appeals or the Supreme Court or if the person has received a pardon for the offense. The
 29.7 petitioner shall attach a certified copy of the appellate court's final decision or the pardon
 29.8 to the petition. Upon receiving the petition and its attachment, the board shall schedule and
 29.9 hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the
 29.10 petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal
 29.11 of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified
 29.12 from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing
 29.13 action. If the board finds that the petitioner is not disqualified from teaching under paragraph
 29.14 (a), clause (1), it shall reverse its previous licensing action.

29.15 (d) For purposes of this subdivision, the Professional Educator Licensing and Standards
 29.16 Board of Teaching is delegated the authority to suspend or revoke coaching licenses.

29.17 **EFFECTIVE DATE.** This section is effective July 1, 2018.

29.18 Sec. 15. Minnesota Statutes 2016, section 122A.20, subdivision 2, is amended to read:

29.19 Subd. 2. **Mandatory reporting.** A school board must report to the Professional Educator
 29.20 Licensing and Standards Board of Teaching, the Board of School Administrators, or the
 29.21 Board of Trustees of the Minnesota State Colleges and Universities, whichever has
 29.22 jurisdiction over the teacher's or administrator's license, when its teacher or administrator
 29.23 is discharged or resigns from employment after a charge is filed with the school board under
 29.24 section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed
 29.25 that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses
 29.26 (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation
 29.27 is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41,
 29.28 subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator
 29.29 is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a),
 29.30 clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate
 29.31 licensing board within ten days after the discharge, suspension, or resignation has occurred.
 29.32 The licensing board to which the report is made must investigate the report for violation of
 29.33 subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding
 29.34 any provision in chapter 13 or any law to the contrary, upon written request from the licensing

30.1 board having jurisdiction over the license, a board or school superintendent shall provide
 30.2 the licensing board with information about the teacher or administrator from the district's
 30.3 files, any termination or disciplinary proceeding, any settlement or compromise, or any
 30.4 investigative file. Upon written request from the appropriate licensing board, a board or
 30.5 school superintendent may, at the discretion of the board or school superintendent, solicit
 30.6 the written consent of a student and the student's parent to provide the licensing board with
 30.7 information that may aid the licensing board in its investigation and license proceedings.
 30.8 The licensing board's request need not identify a student or parent by name. The consent
 30.9 of the student and the student's parent must meet the requirements of chapter 13 and Code
 30.10 of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent
 30.11 form to the district. Any data transmitted to any board under this section is private data
 30.12 under section 13.02, subdivision 12, notwithstanding any other classification of the data
 30.13 when it was in the possession of any other agency.

30.14 The licensing board to which a report is made must transmit to the Attorney General's
 30.15 Office any record or data it receives under this subdivision for the sole purpose of having
 30.16 the Attorney General's Office assist that board in its investigation. When the Attorney
 30.17 General's Office has informed an employee of the appropriate licensing board in writing
 30.18 that grounds exist to suspend or revoke a teacher's license to teach, that licensing board
 30.19 must consider suspending or revoking or decline to suspend or revoke the teacher's or
 30.20 administrator's license within 45 days of receiving a stipulation executed by the teacher or
 30.21 administrator under investigation or a recommendation from an administrative law judge
 30.22 that disciplinary action be taken.

30.23 **EFFECTIVE DATE.** This section is effective July 1, 2018.

30.24 Sec. 16. Minnesota Statutes 2016, section 122A.21, subdivision 2, is amended to read:

30.25 Subd. 2. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards
 30.26 Board must develop a process for an eligible candidate ~~may use licensure via portfolio~~ to
 30.27 obtain a ~~professional five-year teaching~~ any teacher license under section 122A.181, or to
 30.28 add a licensure field, ~~consistent with applicable Board of Teaching licensure rules~~ via
 30.29 portfolio.

30.30 (b) A candidate for a ~~professional five-year teaching~~ license must submit to the ~~Educator~~
 30.31 ~~Licensing Division at the department~~ board one portfolio demonstrating pedagogical
 30.32 competence and one portfolio demonstrating content competence.

31.1 (c) A candidate seeking to add a licensure field must submit to the ~~Educator Licensing~~
31.2 ~~Division at the department~~ board one portfolio demonstrating content competence for each
31.3 field the candidate seeks to add.

31.4 (d) The board ~~of Teaching~~ must notify a candidate who submits a portfolio under
31.5 paragraph (b) or (c) within 90 calendar days after the portfolio is received whether or not
31.6 the portfolio was approved. If the portfolio was not approved, the board must immediately
31.7 inform the candidate how to revise the portfolio to successfully demonstrate the requisite
31.8 competence. The candidate may resubmit a revised portfolio at any time and the ~~Educator~~
31.9 ~~Licensing Division at the department~~ board must approve or disapprove the revised portfolio
31.10 within 60 calendar days of receiving it.

31.11 (e) A candidate must pay to the executive secretary of the board ~~of Teaching~~ a \$300 fee
31.12 for the first portfolio submitted for review and a \$200 fee for any portfolio submitted
31.13 subsequently. The revenue generated from the fee must be deposited in an education licensure
31.14 portfolio account in the special revenue fund. The fees set by the board ~~of Teaching~~ are
31.15 nonrefundable for applicants not qualifying for a license. The board ~~of Teaching~~ may waive
31.16 or reduce fees for candidates based on financial need.

31.17 Sec. 17. Minnesota Statutes 2016, section 122A.23, subdivision 3, is amended to read:

31.18 Subd. 3. **Teacher licensure agreements with adjoining states.** (a) Notwithstanding
31.19 any other law to the contrary, the Professional Educator Licensing and Standards Board of
31.20 ~~Teaching~~ must enter into a National Association of State Directors of Teacher Education
31.21 and Certification (NASDTEC) interstate agreement and other interstate agreements for
31.22 teacher licensure to allow fully certified teachers from adjoining states to transfer their
31.23 certification to Minnesota. The board must enter into these interstate agreements only after
31.24 determining that the rigor of the teacher licensure or certification requirements in the
31.25 adjoining state is commensurate with the rigor of Minnesota's teacher licensure requirements.
31.26 The board may limit an interstate agreement to particular content fields or grade levels based
31.27 on established priorities or identified shortages. This subdivision does not apply to
31.28 out-of-state applicants holding only a provisional teaching license.

31.29 (b) The Professional Educator Licensing and Standards Board of Teaching must work
31.30 with designated authorities in adjoining states to establish interstate teacher licensure
31.31 agreements under this section.

31.32 **EFFECTIVE DATE.** This section is effective July 1, 2018.

32.1 Sec. 18. **[122A.2451] ALTERNATIVE TEACHER PREPARATION PROVIDERS**
 32.2 **AND PROGRAMS.**

32.3 Subdivision 1. **Definitions.** (a) "Provider" or "unit" means an eligible entity that seeks
 32.4 or has obtained approval for an alternative teacher preparation program consistent with this
 32.5 section.

32.6 (b) "Program" means content provided by a provider that leads toward licensure in a
 32.7 specific content area.

32.8 Subd. 2. **Purpose.** To provide alternative pathways towards Minnesota teacher licensure
 32.9 outside of the traditional means, improve ethnic and cultural diversity in the classroom, and
 32.10 to close the achievement gap, the Professional Educator Licensing and Standards Board
 32.11 must approve qualified teacher preparation providers and programs under this section that
 32.12 are a means to acquire a Tier 2 license under section 122A.181 and prepare for acquiring a
 32.13 Tier 3 license under section 122A.181.

32.14 Subd. 3. **Eligibility.** A school district, charter school, or nonprofit corporation organized
 32.15 under chapter 317A for an education-related purpose is eligible to participate under this
 32.16 section. An eligible entity may apply for provider and program approval simultaneously.

32.17 Subd. 4. **Provider approval.** An eligible entity must be approved as a provider before
 32.18 being approved to provide programs towards licensure. The Professional Educator Licensing
 32.19 and Standards Board must approve eligible entities under subdivision 3 that meet the
 32.20 following requirements:

32.21 (1) has evidence and history of fiscal solvency, capacity, and operation;

32.22 (2) has evidence of necessary infrastructure to provide accurate, timely, and secure data
 32.23 for the purposes of admission, candidate monitoring, testing, background checks, and license
 32.24 recommendations;

32.25 (3) has policies and procedures in place ensuring the security of candidate records under
 32.26 the federal Family Educational Rights and Privacy Act;

32.27 (4) has the instructional capacity or ability to obtain the instructional capacity to provide
 32.28 an adequate instructional phase under subdivision 5; and

32.29 (5) meets all other board-adopted rules for teacher preparation providers.

32.30 Subd. 5. **Program approval.** The board must approve programs offered by approved
 32.31 providers based on nontraditional criteria. An approved program must have the following
 32.32 characteristics:

33.1 (1) an instructional phase that provides intensive preparation and observed classroom
 33.2 experience that is commensurate with the scope of licensure standards defined under rule,
 33.3 before the teacher candidate assumes classroom responsibilities;

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

33.6 (3) a strategy to combine pedagogy and best teaching practices to better inform teacher
 33.7 candidates' classroom instruction;

33.8 (4) provide assessment, supervision, and evaluation of teacher candidates to determine
 33.9 their specific needs throughout the program, and to support efforts to successfully complete
 33.10 the program;

33.11 (5) provide intensive and ongoing professional learning opportunities that accelerate
 33.12 teacher candidates' professional growth, support student learning, and provide a workplace
 33.13 orientation, professional staff development, mentoring and peer review, focused on standards
 33.14 of professional practice and continuous professional growth; and

33.15 (6) a process to review a candidate's final proficiency of required licensure content
 33.16 standards that leads to potential candidate recommendation by the provider to the board for
 33.17 a Tier 3 teaching license under subdivision 8.

33.18 Subd. 6. **Nontraditional means; program instructors.** (a) The board must permit
 33.19 alternative teacher preparation providers and teacher candidates to demonstrate pedagogy
 33.20 and content standard proficiency in school-based programs and through other nontraditional
 33.21 means. Nontraditional means may include previous work experiences, teaching experiences,
 33.22 educator evaluations, industry-recognized certifications, and other essentially equivalent
 33.23 demonstrations.

33.24 (b) The board must use nontraditional criteria to determine qualifications of program
 33.25 instructors, including permitting instructors to hold a baccalaureate degree only.

33.26 Subd. 7. **Program disapproval, suspension.** If the board determines that a teacher
 33.27 preparation provider or licensure program fails to meet or is deficient in any of the
 33.28 requirements of subdivision 5, it may suspend or revoke the approval of the provider or
 33.29 program after it notifies the provider of the deficiencies and gives the provider an opportunity
 33.30 to remedy the deficiencies.

33.31 Subd. 8. **Candidate program completion; teacher licensure.** (a) The board must issue
 33.32 a Tier 3 license to candidates who successfully complete a licensure program with a
 33.33 recommendation from an approved alternative teacher preparation provider.

34.1 (b) The board must issue a Tier 4 license to an otherwise qualified teacher candidate
 34.2 under this section who successfully performs throughout a program under this section,
 34.3 obtains qualifying scores on applicable board-adopted licensure exams under section 122A.09
 34.4 and is recommended for licensure under paragraph (a), or successfully demonstrates to the
 34.5 board qualifications for licensure under this paragraph.

34.6 (c) A person who successfully completes another state's alternative teacher preparation
 34.7 licensure program may apply to the Professional Educator Licensing and Standards Board
 34.8 for a Tier 3 license.

34.9 Subd. 9. **Reports.** (a) An approved alternative teacher preparation provider must report
 34.10 to the Professional Educator Licensing and Standards Board on items that are defined in
 34.11 statute regarding program candidates, completion, and effectiveness or other items that are
 34.12 required under section 122A.09.

34.13 (b) The Professional Educator Licensing and Standards Board must submit a biennial
 34.14 report on the alternative teacher preparation program and providers to legislative committees
 34.15 having jurisdiction over kindergarten through grade 12 education policy and finance by
 34.16 January 15 of each odd-numbered year.

34.17 Sec. 19. Minnesota Statutes 2016, section 122A.26, subdivision 2, is amended to read:

34.18 Subd. 2. **Exceptions.** A person who teaches in a community education program which
 34.19 qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements
 34.20 as a teacher. A person who teaches in an early childhood and family education program
 34.21 which is offered through a community education program and which qualifies for community
 34.22 education aid pursuant to section 124D.20 or early childhood and family education aid
 34.23 pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A
 34.24 person who teaches in a community education course which is offered for credit for
 34.25 graduation to persons under 18 years of age shall continue to meet licensure requirements
 34.26 as a teacher. A person who teaches a driver training course which is offered through a
 34.27 community education program to persons under 18 years of age shall be licensed by the
 34.28 Professional Educator Licensing and Standards Board of Teaching or be subject to section
 34.29 171.35. A license which is required for an instructor in a community education program
 34.30 pursuant to this subdivision shall not be construed to bring an individual within the definition
 34.31 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,
 34.32 clause (a).

34.33 **EFFECTIVE DATE.** This section is effective July 1, 2018.

35.1 Sec. 20. Minnesota Statutes 2016, section 122A.28, is amended to read:

35.2 **122A.28 TEACHERS OF DEAF AND HARD-OF-HEARING STUDENTS;**
35.3 **LICENSURE REQUIREMENTS.**

35.4 Subdivision 1. **K-12 license to teach deaf and hard-of-hearing students; relicensure.**

35.5 (a) The Professional Educator Licensing and Standards Board of Teaching must review and
35.6 determine appropriate licensure requirements for a candidate for a license or an applicant
35.7 for a continuing license to teach deaf and hard-of-hearing students in prekindergarten through
35.8 grade 12. In addition to other requirements, a candidate must demonstrate the minimum
35.9 level of proficiency in American sign language as determined by the board.

35.10 (b) Among other relicensure requirements, each teacher under this section must complete
35.11 30 continuing education clock hours on hearing loss topics, including American Sign
35.12 Language, American Sign Language linguistics, or deaf culture, in each licensure renewal
35.13 period.

35.14 Subd. 2. **Licensure for teaching oral/aural deaf education programs.** (a) The
35.15 Professional Educator Licensing and Standards Board of Teaching shall adopt a separate
35.16 licensure rule for a candidate for a license or an applicant for a continuing license to teach
35.17 in oral/aural deaf education programs or to provide services, including itinerant oral/aural
35.18 deaf education services, to deaf and hard-of-hearing students in prekindergarten through
35.19 grade 12.

35.20 (b) The board shall design rule requirements for teaching oral/aural deaf education in
35.21 collaboration with representatives of parents and educators of deaf and hard-of-hearing
35.22 students, postsecondary programs preparing teachers of deaf and hard-of-hearing students,
35.23 and the Department of Education.

35.24 (c) Rule requirements for teaching oral/aural deaf education shall reflect best practice
35.25 research in oral/aural deaf education. Advanced competencies in teaching deaf and
35.26 hard-of-hearing students through oral/aural modes shall be included.

35.27 (d) Licensure requirements for teachers of oral/aural deaf education must include
35.28 minimum competency in American sign language, but are not subject to the guidelines
35.29 established in Laws 1993, chapter 224, article 3, section 32, as amended by Laws 1998,
35.30 chapter 398, article 2, section 47. The signed communication proficiency interview shall
35.31 not be required for teachers licensed to teach deaf and hard-of-hearing students through
35.32 oral/aural deaf education methods.

36.1 (e) Requirements for teachers or oral/aural deaf education shall include appropriate
36.2 continuing education requirements for renewing this licensure.

36.3 **EFFECTIVE DATE.** This section is effective July 1, 2018.

36.4 Sec. 21. Minnesota Statutes 2016, section 122A.29, is amended to read:

36.5 **122A.29 TEACHERS OF BLIND AND VISUALLY IMPAIRED STUDENTS;**
36.6 **LICENSURE REQUIREMENTS.**

36.7 Teachers licensed in the education of blind and visually impaired students must
36.8 demonstrate competence in reading and writing Braille. The Professional Educator Licensing
36.9 and Standards Board of Teaching, at such time as a valid and reliable test is available, shall
36.10 adopt a rule to assess these competencies that is consistent with the standards of the National
36.11 Library Services for the Blind and Physically Handicapped.

36.12 **EFFECTIVE DATE.** This section is effective July 1, 2018.

36.13 Sec. 22. Minnesota Statutes 2016, section 122A.30, is amended to read:

36.14 **122A.30 EXEMPTION FOR CAREER AND TECHNICAL EDUCATION**
36.15 **INSTRUCTORS.**

36.16 (a) Notwithstanding section 122A.15, subdivision 1, and upon approval of the local
36.17 employer school board, a person who teaches in a part-time vocational or career and technical
36.18 education program is exempt from a license requirement. Nothing in this section shall
36.19 exclude licensed career and technical educators from the definition of "teacher" in section
36.20 122A.40, 122A.41, or 179A.03.

36.21 (b) This section expires June 30, 2020. After this section expires, persons who teach in
36.22 a part-time vocational or career and technical education program may apply for a teaching
36.23 license provided in section 122A.18.

36.24 **EFFECTIVE DATE.** This section is effective July 1, 2018.

36.25 Sec. 23. Minnesota Statutes 2016, section 124D.13, subdivision 11, is amended to read:

36.26 Subd. 11. **Teachers.** A school board must employ necessary licensed teachers for its
36.27 early childhood family education programs. ~~The Board of Teaching, at its discretion, may~~
36.28 ~~grant an applicant a variance under this subdivision, consistent with sections 122A.09,~~
36.29 ~~subdivision 10, and 122A.25, and Board of Teaching rules.~~

36.30 **EFFECTIVE DATE.** This section is effective July 1, 2018.

37.1 Sec. 24. Minnesota Statutes 2016, section 124D.454, subdivision 12, is amended to read:

37.2 Subd. 12. **Compliance with rules.** Aid must be paid under this section only for services
 37.3 rendered or for costs incurred in career and technical education programs approved by the
 37.4 commissioner and operated in accordance with rules promulgated by the commissioner.
 37.5 This aid shall be paid only for services rendered and for costs incurred by essential, licensed
 37.6 personnel who meet the requirements for licensure pursuant to the rules of the ~~Minnesota~~
 37.7 Professional Educator Licensing and Standards Board of Teaching. Licensed personnel
 37.8 means persons holding a valid career and technical license issued by the ~~commissioner~~
 37.9 Professional Educator Licensing and Standards Board under section 122A.30. If an average
 37.10 of five or fewer secondary full-time equivalent students are enrolled per teacher in an
 37.11 approved postsecondary program at Intermediate District No. 287, 916, or 917, licensed
 37.12 personnel means persons holding a valid vocational license issued by the commissioner or
 37.13 the Board of Trustees of the Minnesota State Colleges and Universities. Notwithstanding
 37.14 section 127A.42, the commissioner may modify or withdraw the program or aid approval
 37.15 and withhold aid under this section without proceeding under section 127A.42 at any time.
 37.16 To do so, the commissioner must determine that the program does not comply with rules
 37.17 of the Department of Education or that any facts concerning the program or its budget differ
 37.18 from the facts in the district's approved application.

37.19 **EFFECTIVE DATE.** This section is effective July 1, 2018.

37.20 Sec. 25. Minnesota Statutes 2016, section 124D.75, subdivision 1, is amended to read:

37.21 Subdivision 1. **American Indian language and culture education licenses.** The
 37.22 Professional Educator Licensing and Standards Board of Teaching, in consultation with the
 37.23 Tribal Nations Education Committee, must grant initial and continuing teaching licenses
 37.24 in American Indian language and culture education that bear the same duration as other
 37.25 initial and continuing licenses. The board must grant licenses to persons who present
 37.26 satisfactory evidence that they:

37.27 (1) possess competence in an American Indian language or possess unique qualifications
 37.28 relative to or knowledge and understanding of American Indian history and culture; or

37.29 (2) possess a bachelor's degree or other academic degree approved by the board or meet
 37.30 such requirements as to course of study and training as the board may prescribe, or possess
 37.31 such relevant experience as the board may prescribe.

37.32 This evidence may be presented by affidavits, tribal resolutions, or by such other methods
 37.33 as the board may prescribe. Individuals may present applications for licensure on their own

38.1 behalf or these applications may be submitted by the superintendent or other authorized
38.2 official of a school district, participating school, or an American Indian school.

38.3 **EFFECTIVE DATE.** This section is effective September 1, 2017.

38.4 Sec. 26. Minnesota Statutes 2016, section 124D.75, subdivision 6, is amended to read:

38.5 Subd. 6. **Persons eligible for employment; exemptions.** Any person licensed under
38.6 this section shall be eligible for employment by a school board or a participating school as
38.7 a teacher in an American Indian education program in which the American Indian language
38.8 or culture in which the person is licensed is taught. A school district or participating school
38.9 may prescribe only those additional qualifications for teachers licensed under this section
38.10 as are approved by the Professional Educator Licensing and Standards Board of Teaching.
38.11 Any school board or participating school upon request may be exempted from the licensure
38.12 requirements of this section in the hiring of one or more American Indian language and
38.13 culture education teachers for any school year in which compliance would, in the opinion
38.14 of the ~~commissioner~~ Professional Educator Licensing and Standards Board, create a hardship
38.15 in the securing of the teachers.

38.16 **EFFECTIVE DATE.** This section is effective September 1, 2017.

38.17 Sec. 27. Minnesota Statutes 2016, section 125A.67, subdivision 2, is amended to read:

38.18 Subd. 2. **Teacher standards.** A teacher ~~or administrator~~ at the academies is subject to
38.19 the licensure standards of the Professional Educator Licensure and Standards Board of
38.20 ~~Teaching or the commissioner of education.~~ An administrator at the academies is subject
38.21 to the licensure standards of the Board of School Administrators.

38.22 **EFFECTIVE DATE.** This section is effective July 1, 2018.

38.23 Sec. 28. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

38.24 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given
38.25 them in this subdivision.

38.26 (b) "Qualified educational loan" means a government, commercial, or foundation loan
38.27 for actual costs paid for tuition and reasonable educational and living expenses related to a
38.28 teacher's preparation or further education.

38.29 (c) "School district" means an independent school district, special school district,
38.30 intermediate district, education district, special education cooperative, service cooperative,
38.31 a cooperative center for vocational education, or a charter school located in Minnesota.

39.1 (d) "Teacher" means an individual holding a teaching license issued by the ~~licensing~~
 39.2 ~~division in the Department of Education on behalf of the Board of Teaching Professional~~
 39.3 Educator Licensure and Standards Board who is employed by a school district to provide
 39.4 classroom instruction in a teacher shortage area.

39.5 (e) "Teacher shortage area" means the licensure fields and economic development regions
 39.6 reported by the commissioner of education as experiencing a teacher shortage.

39.7 (f) "Commissioner" means the commissioner of the Office of Higher Education unless
 39.8 indicated otherwise.

39.9 **EFFECTIVE DATE.** This section is effective July 1, 2018.

39.10 Sec. 29. **LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.**

39.11 Subdivision 1. **One-year license.** A one-year license issued by the commissioner of
 39.12 education before the effective date of this section must be treated as a Tier 1 license
 39.13 established under Minnesota Statutes, sections 122A.18 and 122A.181.

39.14 Subd. 2. **Two-year license.** A two-year license issued by the commissioner of education
 39.15 before the effective date of this section must be treated as a Tier 2 license established under
 39.16 Minnesota Statutes, sections 122A.18 and 122A.181.

39.17 Subd. 3. **Three-year license.** A three-year license issued by the commissioner of
 39.18 education before the effective date of this section must be treated as a Tier 3 license
 39.19 established under Minnesota Statutes, sections 122A.18 and 122A.181.

39.20 Subd. 4. **Five-year license.** A five-year license issued by the commissioner of education
 39.21 before the effective date of this section must be treated as a Tier 4 license established under
 39.22 Minnesota Statutes, sections 122A.18 and 122A.181.

39.23 **EFFECTIVE DATE.** This section is effective September 1, 2017.

39.24 Sec. 30. **REPEALER.**

39.25 Minnesota Statutes 2016, sections 122A.162; 122A.163; 122A.18, subdivisions 4, 4a,
 39.26 and 7; 122A.23, subdivisions 1 and 2; 122A.245; and 122A.25, are repealed.

39.27 **ARTICLE 3**

39.28 **NONTEACHER CREDENTIALING**

39.29 Section 1. Minnesota Statutes 2016, section 120B.363, subdivision 1, is amended to read:

- 40.1 Subdivision 1. **Rulemaking.** The Professional Educator Licensing and Standards Board
40.2 ~~of Teaching~~ must adopt rules to implement a statewide credential for education
40.3 paraprofessionals who assist a licensed teacher in providing student instruction. Any
40.4 paraprofessional holding this credential or working in a local school district after meeting
40.5 a state-approved local assessment is considered to be highly qualified under federal law.
40.6 Under this subdivision, the Professional Educator Licensing and Standards Board of
40.7 ~~Teaching~~, in consultation with the commissioner, must adopt qualitative criteria for approving
40.8 local assessments that include an evaluation of a paraprofessional's knowledge of reading,
40.9 writing, and math and the paraprofessional's ability to assist in the instruction of reading,
40.10 writing, and math. The commissioner must approve or disapprove local assessments using
40.11 these criteria. The commissioner must make the criteria available to the public.
- 40.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

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122A.162 LICENSURE RULES.

The commissioner may make rules relating to licensure of school personnel not licensed by the Board of Teaching or Board of School Administrators.

122A.163 TEACHER RULE VARIANCES; COMMISSIONER.

Notwithstanding any law to the contrary, and only upon receiving the agreement of the State Board of Teaching or Board of School Administrators, whichever has jurisdiction over the licensure, the commissioner of education may grant a variance to rules governing licensure of persons licensed by the Board of Teaching or Board of School Administrators, whichever has jurisdiction.

122A.18 BOARD TO ISSUE LICENSES.

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

(b) Applicants for license renewal who have been employed as a teacher during the renewal period of their expiring license, as a condition of license renewal, must present to their local continuing education and relicensure committee or other local relicensure committee evidence of work that demonstrates professional reflection and growth in best teaching practices, including among other things, practices in meeting the varied needs of English learners, from young children to adults under section 124D.59, subdivisions 2 and 2a. The applicant must include a reflective statement of professional accomplishment and the applicant's own assessment of professional growth showing evidence of:

- (1) support for student learning;
- (2) use of best practices techniques and their applications to student learning;
- (3) collaborative work with colleagues that includes examples of collegiality such as attested-to committee work, collaborative staff development programs, and professional learning community work; or
- (4) continual professional development that may include (i) job-embedded or other ongoing formal professional learning or (ii) for teachers employed for only part of the renewal period of their expiring license, other similar professional development efforts made during the relicensure period.

The Board of Teaching must ensure that its teacher relicensing requirements also include this paragraph.

(c) The Board of Teaching shall offer alternative options for license renewal for teachers who are accepted into and complete the National Board for Professional Teaching Standards certification process, and offer additional continuing relicensure options for teachers who earn National Board for Professional Teaching Standards certification. Continuing relicensure requirements for teachers who do not maintain National Board for Professional Teaching Standards certification are those the board prescribes, consistent with this section.

Subd. 4a. **Limited provisional licenses.** The board may grant two-year provisional licenses to licensure candidates in a field in which they were not previously licensed or in a field in which a shortage of licensed teachers exists. A shortage is defined as an inadequate supply of licensed personnel in a given licensure area as determined by the commissioner.

Subd. 7. **Limited provisional licenses.** The Board of Teaching may grant provisional licenses, which shall be valid for two years, in fields in which licenses were not issued previously or in fields in which a shortage of licensed teachers exists. A shortage is defined as a lack of or an inadequate supply of licensed personnel within a given licensure area in a school district that

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has notified the Board of Teaching of the shortage and has applied to the Board of Teaching for provisional licenses for that district's licensed staff.

122A.23 APPLICANTS TRAINED IN OTHER STATES.

Subdivision 1. **Preparation equivalency.** When a license to teach is authorized to be issued to any holder of a diploma or a degree of a Minnesota state university, or of the University of Minnesota, or of a liberal arts university, or a technical training institution, such license may also, in the discretion of the Board of Teaching, be issued to any holder of a diploma or a degree of a teacher training institution of equivalent rank and standing of any other state. The diploma or degree must be granted by virtue of completing coursework in teacher preparation as preliminary to the granting of a diploma or a degree of the same rank and class. For purposes of granting a Minnesota teaching license to a person who receives a diploma or degree from a state-accredited, out-of-state teacher training program leading to licensure, the Board of Teaching must establish criteria and streamlined policies and procedures by January 1, 2016, to recognize the experience and professional credentials of the person holding the out-of-state diploma or degree and allow that person to demonstrate to the board the person's qualifications for receiving a Minnesota teaching license based on performance measures the board adopts by January 1, 2016, under this section.

Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a professional five-year teaching license or an initial professional one-year teaching license under paragraphs (c) to (f) to an applicant who holds at least a baccalaureate degree from a regionally accredited college or university and holds or held an out-of-state teaching license that requires the applicant to successfully complete a teacher preparation program approved by the issuing state, which includes either (1) field-specific teaching methods, student teaching, or equivalent experience, or (2) at least two years of teaching experience as the teacher of record in a similar licensure area.

(b) The Board of Teaching may issue a professional five-year teaching license on the basis of teaching experience and examination requirements only.

(c) The Board of Teaching must issue a professional five-year teaching license to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach a similar content field and grade levels if the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, and either (i) has completed field-specific teaching methods, student teaching, or equivalent experience, or (ii) has at least two years of teaching experience as the teacher of record in a similar licensure area.

(d) The Board of Teaching, consistent with board rules and paragraph (i), must issue up to four initial professional one-year teaching licenses to an applicant who holds or held an out-of-state teaching license to teach a similar licensure area and grade levels, where the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, but has not successfully completed all exams and human relations preparation components required by the Board of Teaching. The board must issue a professional five-year teaching license to an applicant who successfully completes the requirements under this paragraph.

(e) The Board of Teaching, consistent with board rules, must issue up to four initial professional one-year teaching licenses to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach a similar licensure area and grade levels, where the scope of the out-of-state license is no more than two grade levels less than a similar Minnesota license, but has not completed field-specific teaching methods or student teaching or equivalent experience.

The applicant may complete field-specific teaching methods by successfully participating in a one-year school district mentorship program consistent with board-adopted standards of effective practice and Minnesota graduation requirements. If no school district mentorship program is available, the applicant must complete field-specific teaching methods coursework while serving as a teacher of record and providing classroom instruction in the applicant's field of licensure. The board must issue a professional five-year teaching license to an applicant who successfully completes the requirements under this paragraph.

(f) The Board of Teaching must issue to an applicant with an out-of-state teaching license up to four initial professional one-year teaching licenses that are restricted in content or grade levels specified in the out-of-state license if the applicant's out-of-state teaching license is more

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limited than a similar Minnesota license in content field or grade levels. The Board of Teaching must issue a professional five-year teaching license to an applicant who successfully completes all exams and human relations preparation components required by the Board of Teaching. Any content or grade level restriction placed on a license under this paragraph remains in effect.

(g) The Board of Teaching may issue a two-year provisional permission to an applicant under this subdivision to teach in a shortage area, consistent with section 122A.18, subdivision 4a.

(h) The Board of Teaching may issue a license under this subdivision if the applicant has attained the additional degrees, credentials, or licenses required in a particular licensure field and the applicant can demonstrate competency by obtaining qualifying scores on the board-adopted skills examination in reading, writing, and mathematics, and on applicable board-adopted rigorous content area and pedagogy examinations under section 122A.09, subdivision 4, paragraphs (a) and (e).

(i) The Board of Teaching must require an applicant for a professional five-year teaching license or an initial professional one-year teaching license under this subdivision to pass a board-adopted skills examination in reading, writing, and mathematics before the board issues the license unless, notwithstanding other provisions of this subdivision, an applicable board-approved National Association of State Directors of Teacher Education and Certification interstate agreement exists to allow fully certified teachers from other states to transfer their certification to Minnesota.

122A.245 ALTERNATIVE TEACHER PREPARATION PROGRAM AND PRELIMINARY TEACHER LICENSE.

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

(1) a school district, charter school, or nonprofit corporation organized under chapter 317A for an education-related purpose that forms a partnership with a college or university that has a board-approved alternative teacher preparation program; or

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

(b) Before becoming a teacher of record, a candidate must:

(1) have a bachelor's degree with a 3.0 or higher grade point average unless the board waives the grade point average requirement based on board-adopted criteria adopted by January 1, 2016;

(2) demonstrate a passing score on a board-adopted reading, writing, and mathematics skills examination under section 122A.09, subdivision 4, paragraph (b); and

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

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

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

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

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

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

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

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

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(6) a requirement that teacher candidates demonstrate to the local site team under subdivision 5 satisfactory progress toward acquiring professional five-year teaching licenses from the Board of Teaching.

Subd. 3. **Program approval; disapproval.** (a) The Board of Teaching must approve alternative teacher preparation programs under this section based on board-adopted criteria that reflect best practices for alternative teacher preparation programs, consistent with this section.

(b) The board must permit teacher candidates to demonstrate mastery of pedagogy and content standards in school-based settings and through other nontraditional means. "Nontraditional means" must include a portfolio of previous experiences, teaching experience, educator evaluations, certifications marking the completion of education training programs, and essentially equivalent demonstrations.

(c) The board must use nontraditional criteria to determine the qualifications of program instructors.

(d) The board may permit instructors to hold a baccalaureate degree only.

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

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

Subd. 5. **Approval for professional five-year license.** A school board or its designee must appoint members to a local site team that includes teachers, school administrators, and postsecondary faculty under subdivision 1, paragraph (a), clause (1), or staff of a participating nonprofit corporation under subdivision 1, paragraph (a), clause (2), to evaluate the performance of the teacher candidate. The evaluation must be consistent with board-adopted performance measures, use the Minnesota state standards of effective practice and subject matter content standards for teachers established in Minnesota Rules, and include a report to the board recommending whether or not to issue the teacher candidate a professional five-year teaching license.

Subd. 6. **Applicants trained in other states.** A person who successfully completes another state's alternative teacher preparation program, consistent with section 122A.23, may apply to the Board of Teaching for an initial professional one-year teaching license or a professional five-year teaching license.

Subd. 7. **Professional five-year license.** The Board of Teaching must issue a professional five-year teaching license to an otherwise qualified teacher candidate under this section who successfully performs throughout a program under this section, obtains qualifying scores on applicable board-adopted rigorous skills, pedagogy, and content area examinations under section 122A.09, subdivision 4, paragraphs (a) and (e), and is recommended for licensure under subdivision 5 or successfully demonstrates to the board qualifications for licensure under subdivision 6.

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

Subd. 9. **Exchange of best practices.** By July 31 in an even-numbered year, approved alternative preparation program providers, the Minnesota State Colleges and Universities, the University of Minnesota, the Minnesota Private College Council, and the Department of Education must exchange information about best practices and educational innovations.

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

122A.25 NONLICENSED COMMUNITY EXPERTS; VARIANCE.

Subdivision 1. **Authorization.** Notwithstanding any law or commissioner of education rule to the contrary, the Board of Teaching may allow school districts or charter schools to hire nonlicensed community experts to teach in the public schools or charter schools on a limited basis according to this section.

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Subd. 2. **Applications; criteria.** The school district or charter school shall apply to the Board of Teaching for approval to hire nonlicensed teaching personnel from the community. In approving or disapproving the application for each community expert, the board shall consider:

- (1) the qualifications of the community person whom the district or charter school proposes to employ;
- (2) the reasons for the need for a variance from the teacher licensure requirements;
- (3) the district's efforts to obtain licensed teachers, who are acceptable to the school board, for the particular course or subject area or the charter school's efforts to obtain licensed teachers for the particular course or subject area;
- (4) the amount of teaching time for which the community expert would be hired;
- (5) the extent to which the district or charter school is utilizing other nonlicensed community experts under this section;
- (6) the nature of the community expert's proposed teaching responsibility; and
- (7) the proposed level of compensation to the community expert.

Subd. 3. **Approval of plan.** The Board of Teaching shall approve or disapprove an application within 60 days of receiving it from a school district or charter school.

Subd. 4. **Background check.** A school district or charter school shall provide the Board of Teaching with confirmation that criminal background checks have been completed for all nonlicensed community experts employed by the district or charter school and approved by the Board of Teaching under this section.