

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 735

(SENATE AUTHORS: NELSON)

DATE
01/31/2019

D-PG

Introduction and first reading
Referred to E-12 Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act

1.2 relating to education; codifying teacher code of ethics in statute and repealing code

1.3 of ethics in rule; requiring school district ethics complaints procedures; amending

1.4 Minnesota Statutes 2018, section 122A.09, subdivision 2; proposing coding for

1.5 new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2018,

1.6 section 122A.09, subdivision 1; Minnesota Rules, part 8710.2100, subparts 1, 2.

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

1.8 Section 1. **[122A.051] CODE OF ETHICS.**

1.9 Subdivision 1. **Scope.** Each teacher, upon entering the teaching profession, assumes a

1.10 number of obligations, one of which is to adhere to a set of principles that defines professional

1.11 conduct. These principles are reflected in the code of ethics, which sets forth to the education

1.12 profession and the public it serves standards of professional conduct. This code applies to

1.13 all persons licensed according to rules established by the Professional Educator Licensing

1.14 and Standards Board.

1.15 Subd. 2. **Standards of professional conduct.** (a) A teacher must provide professional

1.16 education services in a nondiscriminatory manner, including not discriminating on the basis

1.17 of political, ideological, or religious beliefs.

1.18 (b) A teacher must make a reasonable effort to protect students from conditions harmful

1.19 to health and safety.

1.20 (c) In accordance with state and federal laws, a teacher must disclose confidential

1.21 information about individuals only when a compelling professional purpose is served or

1.22 when required by law.

2.1 (d) A teacher must take reasonable disciplinary action in exercising the authority to
2.2 provide an atmosphere conducive to learning.

2.3 (e) A teacher must not use professional relationships with students, parents, and
2.4 colleagues to personal advantage.

2.5 (f) A teacher must delegate authority for teaching responsibilities only to licensed
2.6 personnel or as otherwise provided by law.

2.7 (g) A teacher must not deliberately suppress or distort subject matter.

2.8 (h) A teacher must not knowingly falsify or misrepresent records or facts relating to that
2.9 teacher's own qualifications or to other teachers' qualifications.

2.10 (i) A teacher must not knowingly make false or malicious statements about students or
2.11 colleagues.

2.12 (j) A teacher must accept a contract for a teaching position that requires licensing only
2.13 if properly or provisionally licensed for that position.

2.14 (k) A teacher must not engage in any sexual contact with a student.

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

2.16 Sec. 2. Minnesota Statutes 2018, section 122A.09, subdivision 2, is amended to read:

2.17 Subd. 2. **Advise members of profession.** (a) The Professional Educator Licensing and
2.18 Standards Board must act in an advisory capacity to members of the profession in matters
2.19 of interpretation of the code of ethics in section 122A.051.

2.20 (b) The board must develop a process for a school district to receive a written complaint
2.21 about a teacher under the code of ethics and forward the complaint to the board. A school
2.22 board must inform parents and guardians in the school district of their ability to submit a
2.23 complaint to the school board under this section.

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

2.25 Sec. 3. **REPEALER.**

2.26 (a) Minnesota Statutes 2018, section 122A.09, subdivision 1, is repealed.

2.27 (b) Minnesota Rules, part 8710.2100, subparts 1 and 2, are repealed.

APPENDIX
Repealed Minnesota Statutes: 19-0576

122A.09 DUTIES.

Subdivision 1. **Code of ethics.** The Board of Teaching must develop by rule a code of ethics covering standards of professional teaching practices, including areas of ethical conduct and professional performance and methods of enforcement.

8710.2100 CODE OF ETHICS FOR MINNESOTA TEACHERS.

Subpart 1. **Scope.** Each teacher, upon entering the teaching profession, assumes a number of obligations, one of which is to adhere to a set of principles which defines professional conduct. These principles are reflected in the following code of ethics, which sets forth to the education profession and the public it serves standards of professional conduct and procedures for implementation.

This code shall apply to all persons licensed according to rules established by the Professional Educator Licensing and Standards Board.

Subp. 2. **Standards of professional conduct.** The standards of professional conduct are as follows:

A. A teacher shall provide professional education services in a nondiscriminatory manner.

B. A teacher shall make reasonable effort to protect the student from conditions harmful to health and safety.

C. In accordance with state and federal laws, a teacher shall disclose confidential information about individuals only when a compelling professional purpose is served or when required by law.

D. A teacher shall take reasonable disciplinary action in exercising the authority to provide an atmosphere conducive to learning.

E. A teacher shall not use professional relationships with students, parents, and colleagues to private advantage.

F. A teacher shall delegate authority for teaching responsibilities only to licensed personnel.

G. A teacher shall not deliberately suppress or distort subject matter.

H. A teacher shall not knowingly falsify or misrepresent records or facts relating to that teacher's own qualifications or to other teachers' qualifications.

I. A teacher shall not knowingly make false or malicious statements about students or colleagues.

J. A teacher shall accept a contract for a teaching position that requires licensing only if properly or provisionally licensed for that position.