

1.1 Senator moves to amend S.F. No. 4 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 **"ARTICLE 1**

1.4 **PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD**

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

1.6 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional
1.7 employee required to hold a license from the Professional Educator Licensing and Standards
1.8 Board of Teaching.

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

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

1.11 Subd. 3. **Board.** "Board" means the Professional Educator Licensing and Standards
1.12 Board of Teaching.

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

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

1.15 **122A.07 BOARD OF TEACHING PROFESSIONAL EDUCATOR LICENSING**
1.16 **AND STANDARDS BOARD MEMBERSHIP.**

1.17 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and
1.18 Standards Board of Teaching consists of ~~11~~ 9 members appointed by the governor, with the
1.19 advice and consent of the senate. Membership terms, compensation of members, removal
1.20 of members, the filling of membership vacancies, and fiscal year and reporting requirements
1.21 are as provided in sections 214.07 to 214.09. No member may be reappointed for more than
1.22 one additional term.

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

(1) ~~six~~ five teachers who are currently teaching in a Minnesota school or who were teaching at the time of the appointment ~~and who do not qualify under clause (2) or (3), at least four of whom must be teaching in a public school,~~ at least one of whom must be a teacher in a charter school, and one of whom must be licensed in either a geographic or license shortage area, and none of whom may be serving in an administrative function or any position with the exclusive bargaining representative of teachers as of the effective date of this section;

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

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

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

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

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

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

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

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

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

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

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

Subd. 4. ~~Administration, Terms, compensation; removal; vacancies.~~ ~~The provision of staff, administrative services and office space; the review and processing of complaints; the setting of fees; the selection and duties of an executive secretary~~ director to serve the board; and other provisions relating to board operations not provided in this chapter are as provided in chapter 214. Membership terms, compensation of members, removal of members,

the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09.

Subd. 4a. **Administration.** (a) The board must appoint an executive director of the Professional Educator Licensing and Standards Board. The board must review the performance of the executive director and set the salary of the executive director. The salary of the executive director must not exceed the limit for a position listed in section 15A.0815, subdivision 2.

(b) The executive director of the board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director shall maintain the records of the board, account for all fees received by the board, supervise and direct employees servicing the board, and perform other services as directed by the board.

(c) The Department of Administration must provide the board with administrative support services, according to section 16B.371.

(d) The Department of Education must provide suitable offices and other space to the board at no cost until January 1, 2020. Thereafter, the board may contract with either the Department of Education or the Department of Administration for the provision of suitable offices and other space, joint conference and hearing facilities, and examination rooms.

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

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

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

122A.08 MEETINGS.

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

Subd. 2. Executive secretary director. The Professional Educator Licensing and Standards Board of Teaching must have an executive secretary director who is in the

4.1 unclassified civil service and who is not a member of the board. The executive director must
4.2 fulfill the duties provided in section 122A.09, subdivision 6.

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

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

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

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

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

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

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

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

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

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

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

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

4.27 (b) The board must ~~require all candidates for teacher licensure to demonstrate~~ adopt
4.28 rules that establish a passing score on a board-adopted skills examination in reading, writing,
4.29 and mathematics, ~~as for a requirement for an initial professional five-year~~ Tier, 2, 3, or 4
4.30 teaching license, except that the board may issue up to four initial professional one-year

~~teaching licenses to an otherwise qualified candidate who has not yet passed the board-adopted skills exam.~~ The board must require colleges and universities offering a board-approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the board-adopted skills examination, including those for whom English is a second language. The requirement to pass a board-adopted reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who, after meeting the content and pedagogy requirements under this subdivision, apply for a teaching license to provide direct instruction in their native language or world language instruction under section 120B.022, subdivision 1. The Board of Teaching and the entity administering the content, pedagogy, and skills examinations must allow any individual who produces documentation of a disability in the form of an evaluation, 504 plan, or individual education program (IEP) to receive the same testing accommodations on the content, pedagogy, and skills examinations that the applicant received during their secondary or postsecondary education.

(c) The board must adopt rules to approve teacher preparation programs, including alternative teacher preparation programs under section 122A.245 and Montessori teacher training programs. The board, upon the request of a postsecondary student preparing for teacher licensure or a licensed graduate of a teacher preparation program, shall assist in resolving a dispute between the person and a postsecondary institution providing a teacher preparation program when the dispute involves an institution's recommendation for licensure affecting the person or the person's credentials. At the board's discretion, assistance may include the application of chapter 14.

(d) The board must provide the leadership and adopt rules for the redesign of teacher education programs to implement a research based, results-oriented curriculum that focuses on the skills teachers need in order to be effective. Among other components, teacher preparation programs may use the Minnesota State Colleges and Universities program model to provide a school-year-long student teaching program that combines clinical opportunities with academic coursework and in-depth student teaching experiences to offer students ongoing mentorship, coaching, and assessment, help to prepare a professional development plan, and structured learning experiences. The board shall implement new systems of teacher preparation program evaluation to assure program effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes. Teacher preparation programs including alternative teacher preparation programs under section 122A.245, among other programs, must include a content-specific, board-approved, performance-based assessment

that measures teacher candidates in three areas: planning for instruction and assessment; engaging students and supporting learning; and assessing student learning. The board's redesign rules must include creating flexible, specialized teaching licenses, credentials, and other endorsement forms to increase students' participation in language immersion programs, world language instruction, career development opportunities, work-based learning, early college courses and careers, career and technical programs, Montessori schools, and project and place-based learning, among other career and college ready learning offerings.

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

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

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

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

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

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

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

~~(k)~~ (k) In adopting rules to license public school teachers who provide health-related services for disabled children, the board shall adopt rules consistent with license or registration requirements of the commissioner of health and the health-related boards who license personnel who perform similar services outside of the school.

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

~~(n)~~ (m) The board must adopt rules that require all licensed teachers who are renewing their ~~professional five-year~~ Tier 3 or 4 teaching licenses to include in their renewal requirements at least one hour of suicide prevention best practices in each licensure renewal period that are based on nationally recognized evidence-based programs and practices, among the continuing education credits required to renew a license under this paragraph, and further preparation, first, in understanding the key warning signs of early-onset mental

illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

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

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

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

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

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

(b) Publicly reported summary data on teacher preparation programs must include: student entrance requirements for each Professional Educator Licensing and Standards Board of Teaching-approved approved program, including grade point average for enrolling students in the preceding year; the average board-adopted skills examination or ACT or SAT scores of students entering the program in the preceding year; summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and their years of experience either as kindergarten through grade 12 classroom

9.1 teachers or school administrators; the average time resident and nonresident program
9.2 graduates in the preceding year needed to complete the program; the current number and
9.3 percent of students by program who graduated, received a standard Minnesota teaching
9.4 license, and were hired to teach full time in their licensure field in a Minnesota district or
9.5 school in the preceding year, disaggregated by race, except when disaggregation would not
9.6 yield statistically reliable results or would reveal personally identifiable information about
9.7 an individual; the number of content area credits and other credits by undergraduate program
9.8 that students in the preceding school year needed to complete to graduate; students' pass
9.9 rates on skills and subject matter exams required for graduation in each program and licensure
9.10 area in the preceding school year; survey results measuring student and graduate satisfaction
9.11 with the program in the preceding school year, disaggregated by race, except when
9.12 disaggregation would not yield statistically reliable results or would reveal personally
9.13 identifiable information about an individual; a standard measure of the satisfaction of school
9.14 principals or supervising teachers with the student teachers assigned to a school or supervising
9.15 teacher; and information under paragraphs (d) and (e). Program reporting must be consistent
9.16 with subdivision 11.

9.17 (c) Publicly reported summary data on administrator preparation programs approved by
9.18 the Board of School Administrators must include: summary data on faculty qualifications,
9.19 including at least the content areas of faculty undergraduate and graduate degrees and their
9.20 years of experience either as kindergarten through grade 12 classroom teachers or school
9.21 administrators; the average time program graduates in the preceding year needed to complete
9.22 the program; the current number and percent of students who graduated, received a standard
9.23 Minnesota administrator license, and were employed as an administrator in a Minnesota
9.24 school district or school in the preceding year, disaggregated by race, except when
9.25 disaggregation would not yield statistically reliable results or would reveal personally
9.26 identifiable information about an individual; the number of credits by graduate program
9.27 that students in the preceding school year needed to complete to graduate; survey results
9.28 measuring student, graduate, and employer satisfaction with the program in the preceding
9.29 school year, disaggregated by race, except when disaggregation would not yield statistically
9.30 reliable results or would reveal personally identifiable information about an individual; and
9.31 information under paragraphs (f) and (g). Program reporting must be consistent with section
9.32 122A.14, subdivision 10.

9.33 (d) School districts annually by October 1 must report to the Professional Educator
9.34 Licensing and Standards Board of Teaching the following information for all teachers who
9.35 finished the probationary period and accepted a continuing contract position with the district

from September 1 of the previous year through August 31 of the current year: the effectiveness category or rating of the teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5; the licensure area in which the teacher primarily taught during the three-year evaluation cycle; and the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.

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

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

(g) School districts annually by October 1 must report to the Board of School Administrators all probationary school principals and assistant principals in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31 of the current year.

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

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

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

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

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

11.2 Subd. 7. ~~Commissioner's assistance;~~ **Professional Educator Licensing and Standards**
11.3 **Board money.** ~~The commissioner shall provide all necessary materials and assistance for~~
11.4 ~~the transaction of the business of the Board of Teaching and~~ All moneys received by the
11.5 Professional Educator Licensing and Standards Board of Teaching shall be paid into the
11.6 state treasury as provided by law. The expenses of administering sections 122A.01, 122A.05
11.7 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.187, 122A.188,
11.8 122A.20, 122A.21, 122A.22, 122A.23, 122A.245, 122A.26, 122A.30, 122A.40, 122A.41,
11.9 122A.42, 122A.45, 122A.49, 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which
11.10 are incurred by the Professional Educator Licensing and Standards Board of Teaching shall
11.11 be paid for from appropriations made to the Professional Educator Licensing and Standards
11.12 Board of Teaching.

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

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

11.15 Subd. 9. **Professional Educator Licensing and Standards Board may must adopt**
11.16 **rules.** (a) The Professional Educator Licensing and Standards Board of Teaching may must
11.17 adopt rules subject to the provisions of chapter 14 to implement sections 122A.05 to 122A.09,
11.18 122A.16, 122A.17, 122A.18, 122A.187, 122A.188, 122A.20, 122A.21, and 122A.23.

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

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

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

11.24 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and
11.25 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant
11.26 waivers to its rules upon application by a school district or a charter school for purposes of
11.27 implementing experimental programs in learning or management.

11.28 (b) To enable a school district or a charter school to meet the needs of students enrolled
11.29 in an alternative education program and to enable licensed teachers instructing those students
11.30 to satisfy content area licensure requirements, the Professional Educator Licensing and
11.31 Standards Board of Teaching annually may permit a licensed teacher teaching in an

12.1 alternative education program to instruct students in a content area for which the teacher is
12.2 not licensed, consistent with paragraph (a).

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

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

12.12 (e) ~~The Board of Teaching may grant a one-year waiver, renewable two times, to allow~~
12.13 ~~individuals who hold a bachelor's degree from an accredited postsecondary institution,~~
12.14 ~~demonstrate occupational competency based on at least three years of full-time work~~
12.15 ~~experience in business or industry, and enroll and make satisfactory progress in an alternative~~
12.16 ~~preparation program leading to certification as a career and technical education instructor~~
12.17 ~~to teach career and technical education courses offered by a school district or charter school.~~
12.18 A candidate that has obtained career and technical education certification may apply for a
12.19 Tier 1 license under section 122A.181. Consistent with this paragraph and section 136F.361,
12.20 the Professional Educator Licensing and Standards Board of Teaching must strongly
12.21 encourage approved college or university-based teacher preparation programs and institutions
12.22 throughout Minnesota to develop alternative pathways for certifying and licensing high
12.23 school career and technical education instructors and teachers, allowing such candidates to
12.24 meet certification and licensure standards that demonstrate their content knowledge,
12.25 classroom experience, and pedagogical practices and their qualifications based on a
12.26 combination of occupational testing, professional certification or licensure, and long-standing
12.27 work experience.

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

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

12.30 **122A.22 DISTRICT VERIFICATION OF TEACHER LICENSES.**

12.31 No person shall be accounted a qualified teacher until the school district or charter school
12.32 contracting with the person for teaching services verifies through the Minnesota education
12.33 licensing system available on the ~~department~~ Professional Educator Licensing and Standards

13.1 Board Web site that the person is a qualified teacher, consistent with sections 122A.16 and
13.2 122A.44, subdivision 1.

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

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

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

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

13.18 Subdivision 1. **Services provided.** ~~The commissioner of education with respect to the~~
13.19 ~~Board of Teaching; the commissioner~~ of public safety with respect to the Board of Private
13.20 Detective and Protective Agent Services; the Board of Peace Officer Standards and Training;
13.21 and the commissioner of revenue with respect to the Board of Assessors, shall provide
13.22 suitable offices and other space, joint conference and hearing facilities, examination rooms,
13.23 and the following administrative support services: purchasing service, accounting service,
13.24 advisory personnel services, consulting services relating to evaluation procedures and
13.25 techniques, data processing, duplicating, mailing services, automated printing of license
13.26 renewals, and such other similar services of a housekeeping nature as are generally available
13.27 to other agencies of state government. Investigative services shall be provided the boards
13.28 by employees of the Office of Attorney General. The commissioner of health with respect
13.29 to the health-related licensing boards shall provide mailing and office supply services and
13.30 may provide other facilities and services listed in this subdivision at a central location upon
13.31 request of the health-related licensing boards. The commissioner of commerce with respect
13.32 to the remaining non-health-related licensing boards shall provide the above facilities and
13.33 services at a central location for the remaining non-health-related licensing boards. The

14.1 legal and investigative services for the boards shall be provided by employees of the attorney
14.2 general assigned to the departments servicing the boards. Notwithstanding the foregoing,
14.3 the attorney general shall not be precluded by this section from assigning other attorneys
14.4 to service a board if necessary in order to insure competent and consistent legal
14.5 representation. Persons providing legal and investigative services shall to the extent
14.6 practicable provide the services on a regular basis to the same board or boards.

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

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

14.9 Subd. 3. **Officers; staff.** The executive director of each health-related board and the
14.10 executive secretary of each non-health-related board shall be the chief administrative officer
14.11 for the board but shall not be a member of the board. The executive director or executive
14.12 secretary shall maintain the records of the board, account for all fees received by it, supervise
14.13 and direct employees servicing the board, and perform other services as directed by the
14.14 board. The executive directors, executive secretaries, and other employees of the following
14.15 boards shall be hired by the board, and the executive directors or executive secretaries shall
14.16 be in the unclassified civil service, except as provided in this subdivision:

14.17 (1) Dentistry;

14.18 (2) Medical Practice;

14.19 (3) Nursing;

14.20 (4) Pharmacy;

14.21 (5) Accountancy;

14.22 (6) Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience,
14.23 and Interior Design;

14.24 (7) Barber Examiners;

14.25 (8) Cosmetologist Examiners;

14.26 ~~(9) Teaching;~~

14.27 ~~(10)~~ (9) Peace Officer Standards and Training;

14.28 ~~(11)~~ (10) Social Work;

14.29 ~~(12)~~ (11) Marriage and Family Therapy;

14.30 ~~(13)~~ (12) Dietetics and Nutrition Practice;

15.1 ~~(14)~~ (13) Licensed Professional Counseling; and

15.2 ~~(15)~~ (14) Combative Sports Commission.

15.3 The executive directors or executive secretaries serving the boards are hired by those
15.4 boards and are in the unclassified civil service, except for part-time executive directors or
15.5 executive secretaries, who are not required to be in the unclassified service. Boards not
15.6 requiring full-time executive directors or executive secretaries may employ them on a
15.7 part-time basis. To the extent practicable, the sharing of part-time executive directors or
15.8 executive secretaries by boards being serviced by the same department is encouraged.
15.9 Persons providing services to those boards not listed in this subdivision, except executive
15.10 directors or executive secretaries of the boards and employees of the attorney general, are
15.11 classified civil service employees of the department servicing the board. To the extent
15.12 practicable, the commissioner shall ensure that staff services are shared by the boards being
15.13 serviced by the department. If necessary, a board may hire part-time, temporary employees
15.14 to administer and grade examinations.

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

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

15.17 **214.045 COORDINATION WITH PROFESSIONAL EDUCATOR LICENSING**
15.18 **AND STANDARDS BOARD OF TEACHING.**

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

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

15.24 Sec. 19. **TRANSFER OF POWERS.**

15.25 (a) The creation of the Professional Educator Licensing and Standards Board shall be
15.26 considered a transfer by law of the responsibilities of the Board of Teaching and the
15.27 Minnesota Department of Education with respect to licensure and credentialing of teachers
15.28 and school personnel to the Professional Educator Licensing and Standards Board for
15.29 purposes of Minnesota Statutes, section 15.039. All classified and unclassified positions
15.30 associated with the responsibilities being transferred to the Professional Educator Licensing
15.31 and Standards Board are transferred with their incumbents to the new agency pursuant to

16.1 Minnesota Statutes, section 15.039, subdivision 7, except as otherwise provided in Minnesota
16.2 Statutes, section 122A.07.

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

16.6 (c) The Professional Educator Licensing and Standards Board must review all rules
16.7 adopted by the Board of Teaching and amend or repeal rules not consistent with statute.
16.8 The Professional Educator Licensing and Standards Board must review all teacher preparation
16.9 programs approved by the Board of Teaching to determine whether the approved programs
16.10 meet the needs of schools in Minnesota.

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

16.12 Sec. 20. **IMPLEMENTATION REPORT.**

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

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

16.20 Sec. 21. **REVISOR INSTRUCTION.**

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

16.25 **ARTICLE 2**

16.26 **LICENSURE**

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

16.28 **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

16.29 (a) A rule adopted by the Board of Teaching or the Professional Educator Licensing and
16.30 Standards Board must not affect the validity of certificates or licenses to teach in effect on

17.1 July 1, 1974, or the rights and privileges of the holders thereof, except that any such
17.2 certificate or license may be suspended or revoked for any of the causes and by the procedures
17.3 specified by law.

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

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

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

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

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

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

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

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

17.27 ~~(f)~~ (e) For purposes of the data sharing agreements under paragraphs ~~(d)~~ (c) and ~~(e)~~ (d),
17.28 the Professional Educator Licensing and Standards Board of Teaching, Board of School
17.29 Administrators, and Department of Education may share private data, as defined in section
17.30 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements
17.31 must not include educational data, as defined in section 13.32, subdivision 1, but may include
17.32 summary data, as defined in section 13.02, subdivision 19, derived from educational data.

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

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

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

18.7 (b) The board must ~~require a candidate for teacher licensure to demonstrate~~ adopt rules
18.8 that establish a passing score on a board-adopted examination of skills in reading, writing,
18.9 and mathematics, ~~before being~~ for a candidate to be granted a professional five-year Tier
18.10 2, 3, or 4 teaching license to provide direct instruction to pupils in prekindergarten,
18.11 elementary, secondary, or special education programs, ~~except that the board may issue up~~
18.12 ~~to four temporary, one-year teaching licenses to an otherwise qualified candidate who has~~
18.13 ~~not yet passed a board-adopted skills exam. At the request of the employing school district~~
18.14 ~~or charter school, the Board of Teaching may issue an initial professional one-year teaching~~
18.15 ~~license to an otherwise qualified teacher not passing or demonstrating a passing score on a~~
18.16 ~~board-adopted skills examination in reading, writing, and mathematics. For purposes of this~~
18.17 ~~section, the initial professional one-year teaching license issued by the board is limited to~~
18.18 ~~the current subject or content matter the teacher is employed to teach and limited to the~~
18.19 ~~district or charter school requesting the initial professional one-year teaching license. If the~~
18.20 ~~board denies the request, it must provide a detailed response to the school administrator as~~
18.21 ~~to the reasons for the denial.~~ The board must require colleges and universities offering a
18.22 board approved teacher preparation program to make available upon request remedial
18.23 assistance that includes a formal diagnostic component to persons enrolled in their institution
18.24 who did not achieve a qualifying score on a board-adopted skills examination, including
18.25 those for whom English is a second language. The colleges and universities must make
18.26 available assistance in the specific academic areas of candidates' deficiency. School districts
18.27 may make available upon request similar, appropriate, and timely remedial assistance that
18.28 includes a formal diagnostic component to those persons employed by the district who
18.29 completed their teacher education program, who did not achieve a qualifying score on a
18.30 board-adopted skills examination, and who received an initial professional one-year teaching
18.31 license to teach in Minnesota. The board of Teaching shall report annually to the education
18.32 committees of the legislature on the total number of teacher candidates during the most
18.33 recent school year taking a board-adopted skills examination, the number who achieve a
18.34 qualifying score on the examination, the number who do not achieve a qualifying score on

19.1 the examination, and the candidates who have not passed a content or pedagogy exam,
19.2 disaggregated by categories of race, ethnicity, and eligibility for financial aid.

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

19.13 ~~(d)~~ All colleges and universities approved by the board of teaching to prepare persons
19.14 for teacher licensure must include in their teacher preparation programs a common core of
19.15 teaching knowledge and skills to be acquired by all persons recommended for teacher
19.16 licensure. Among other requirements, teacher candidates must demonstrate the knowledge
19.17 and skills needed to provide appropriate instruction to English learners to support and
19.18 accelerate their academic literacy, including oral academic language, and achievement in
19.19 content areas in a regular classroom setting. This common core shall meet the standards
19.20 developed by the interstate new teacher assessment and support consortium in its 1992
19.21 "model standards for beginning teacher licensing and development." Amendments to
19.22 standards adopted under this paragraph are covered by chapter 14. The board of teaching
19.23 shall report annually to the education committees of the legislature on the performance of
19.24 teacher candidates on common core assessments of knowledge and skills under this paragraph
19.25 during the most recent school year.

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

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

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

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

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

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

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

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

20.11 Subd. 3a. **Technology strategies.** All colleges and universities approved by the board
20.12 ~~of Teaching~~ to prepare persons for classroom teacher licensure must include in their teacher
20.13 preparation programs the knowledge and skills teacher candidates need to deliver digital
20.14 and blended learning and curriculum and engage students with technology.

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

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

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

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

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

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

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

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

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

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

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

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

21.12 Subd. 7c. **Temporary military license.** The Professional Educator Licensing and
21.13 Standards Board of Teaching shall establish a temporary license in accordance with section
21.14 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$87.90
21.15 for an online application or \$86.40 for a paper application. The board must provide candidates
21.16 for a license under this subdivision with information regarding the tiered licensure system
21.17 provided in section 122A.18.

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

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

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

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

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

21.28 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the
21.29 background check required under paragraph (a) by retrieving criminal history data as defined
21.30 in section 13.87 and shall also conduct a search of the national criminal records repository.
21.31 The superintendent is authorized to exchange fingerprints with the Federal Bureau of

Investigation for purposes of the criminal history check. The superintendent shall recover the cost to the bureau of a background check through the fee charged to the applicant under paragraph (a).

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

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

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

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

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

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

<u>License Name</u>	<u>Duration</u>	<u>Renewal</u>	<u>Qualifications</u>
<u>Tier 1 license</u>	<u>One year</u>	<u>Unlimited</u>	<u>At least one of the following:</u> <u>(1) for a license to teach career and technical education, at least one of the following:</u> <u>(i) an associate's degree in the content area;</u> <u>(ii) professional credential; or</u> <u>(iii) five years of work experience in the content area; or</u> <u>(2) for a license to teach in a content area not included in clause (1), a baccalaureate degree.</u> <u>A school board must confirm that it has attempted but is unable to hire a teacher with a Tier 2, 3, or 4 license for the position and that the candidate has the necessary skills and knowledge to teach in a specified content area.</u>

23.1				<u>A candidate meeting the above qualifications must be granted a Tier 1 license upon the request of the employing school board or charter school board.</u>
23.2				
23.3				<u>Years worked with a Tier 1 license do not count towards the candidate's continuing contract under section 122A.40 or 122A.41.</u>
23.4				
23.5				<u>Must participate in a school district's mentorship and evaluation program that includes an individual growth and development plan.</u>
23.6				
23.7				
23.8				
23.9				
23.10				
23.11	<u>Tier 2 license</u>	<u>Two years</u>	<u>Up to two</u>	<u>Meets Tier 1 qualifications and at least one of the following:</u>
23.12				<u>(1) enrolled in and making satisfactory progress in a Professional Educator Licensing and Standards Board approved teacher preparation program;</u>
23.13				<u>(2) passing scores on all required skills, content area, and pedagogy licensure exams; or</u>
23.14				<u>(3) master's degree in content area.</u>
23.15				<u>A school board must confirm that the candidate has the necessary skills and knowledge to teach in a specified content area.</u>
23.16				<u>Years worked with a Tier 2 license only count towards the candidate's continuing contract under section 122A.40 or 122A.41, if the candidate subsequently obtains a Tier 3 or Tier 4 license.</u>
23.17				<u>Must participate in a school district's mentorship and evaluation program that includes an individual growth and development plan.</u>
23.18				
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23.29				
23.30				
23.31	<u>Tier 3 license</u>	<u>Three years</u>	<u>Up to three</u>	<u>Meets Tier 1 qualifications and at least one of the following:</u>
23.32				<u>(1) successful completion of a Professional Educator Licensing and Standards Board approved teacher preparation program;</u>
23.33				<u>(2) successful completion of an out-of-state teacher preparation program that includes field-specific methods training and field-specific student teaching;</u>
23.34				<u>(3) an out-of-state professional teaching license in good standing;</u>
23.35				<u>(4) passing scores on all required skills, content area, and pedagogy licensure exams; or</u>
23.36				<u>(5) National Board for Professional Teaching Standards certification.</u>
23.37				<u>And meets at least one of the following criteria:</u>
23.38				<u>(1) 12 weeks of student teaching experience;</u>
23.39				
23.40				
23.41				
23.42				
23.43				
23.44				
23.45				
23.46				
23.47				

24.1				<u>(2) two years of field-specific teaching experience; or</u>
24.2				
24.3				<u>(3) completion of a comprehensive teacher mentoring program offered by a Minnesota school.</u>
24.4				
24.5				
24.6				<u>Must participate in a school district's evaluation program that includes an individual growth and development plan.</u>
24.7				
24.8				
24.9	<u>Tier 4 license</u>	<u>Five years</u>	<u>Unlimited</u>	<u>Meets Tier 3 qualifications and the following:</u>
24.10				<u>(1) at least three years teaching experience in any state; and</u>
24.11				
24.12				<u>(2) passing scores on all required skills, content area, and pedagogy licensure exams.</u>
24.13				
24.14				<u>Must participate in a school district's evaluation program that includes an individual growth and development plan.</u>
24.15				
24.16				

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

- (1) completing a portfolio using board-adopted standards; or
- (2) teaching for three years in a Minnesota school with at least one summative teacher evaluation and showing satisfactory evidence of successful teaching according to section 122A.40, subdivision 8, or section 122A.41, subdivision 5.

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

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

Subdivision 1. **License form requirements.** Each license issued under this chapter must bear the date of issue and the name of the state-approved teacher training provider or alternative teaching program, as applicable. Licenses must expire and be renewed according to rules adopted by the Professional Educator Licensing and Standards Board or the Board of School Administrators. Requirements for renewing a Tier 3 or 4 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 required under this section, or as the Professional Educator Licensing and Standards Board prescribes. The Board of School Administrators shall establish requirements for renewing the licenses of supervisory

25.1 personnel except athletic coaches. The Professional Educator Licensing and Standards Board
25.2 shall establish requirements for renewing the licenses of athletic coaches.

25.3 Subd. 2. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4
25.4 license who have been employed as a teacher during the renewal period of the expiring
25.5 license, as a condition of license renewal, must present to the Professional Educator Licensing
25.6 and Standards Board evidence of work that demonstrates professional reflection and growth
25.7 in best teaching practices, including among other things, practices in meeting the varied
25.8 needs of English learners, from young children to adults under section 124D.59, subdivisions
25.9 2 and 2a.

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

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

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

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

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

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

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

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

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

Subdivision 1. **Bilingual and English as a second language licenses.** The Professional Educator Licensing and Standards Board of Teaching, hereinafter the board, must grant teaching licenses in bilingual education and English as a second language to persons who present satisfactory evidence that they:

- ~~(a)~~ (1) possess competence and communicative skills in English and in another language;
- ~~(b)~~ (2) possess a bachelor's degree or other academic degree approved by the board, and meet such requirements as to course of study and training as the board may prescribe, consistent with subdivision 4; and
- (3) meet all other requirements for a teaching license provided in section 122A.18.

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

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

Subd. 5. **Persons eligible for employment.** Any person licensed under this section is eligible for employment by a school board as a teacher in a bilingual education or English

as a second language program in which the language for which the person is licensed is taught or used as a medium of instruction. A board may prescribe only those additional qualifications for teachers licensed under this section that are approved by the board of teaching.

Subd. 6. **Affirmative efforts in hiring.** In hiring for all bilingual education program positions, districts must give preference to and make affirmative efforts to seek, recruit, and employ persons who (1) are native speakers of the language which is the medium of instruction in the bilingual education program or share a native language with the majority of their students, and (2) share the culture of the English learners enrolled in the program. The district shall provide procedures for involving the parent advisory committees in designing the procedures for recruiting, screening, and selecting applicants. This section must not be construed to limit the school board's authority to hire and discharge personnel.

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

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

122A.20 SUSPENSION OR REVOCATION OF LICENSES.

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

(1) immoral character or conduct;

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

(3) gross inefficiency or willful neglect of duty;

(4) failure to meet licensure requirements; or

(5) fraud or misrepresentation in obtaining a license.

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

(b) The Professional Educator Licensing and Standards Board of Teaching or Board of School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first

degree under section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation of children to engage in sexual conduct or communication of sexually explicit materials to children under section 609.352, interference with privacy under section 609.746 or stalking under section 609.749 and the victim was a minor, using minors in a sexual performance under section 617.246, possessing pornographic works involving a minor under section 617.247, or any other offense not listed in this paragraph that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States. The board shall send notice of this licensing action to the district in which the teacher is currently employed.

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

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

Subd. 2. **Mandatory reporting.** A school board must report to the Professional Educator Licensing and Standards Board of Teaching, the Board of School Administrators, or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has jurisdiction over the teacher's or administrator's license, when its teacher or administrator is discharged or resigns from employment after a charge is filed with the school board under section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41,

subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate licensing board within ten days after the discharge, suspension, or resignation has occurred. The licensing board to which the report is made must investigate the report for violation of subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the licensing board having jurisdiction over the license, a board or school superintendent shall provide the licensing board with information about the teacher or administrator from the district's files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file. Upon written request from the appropriate licensing board, a board or school superintendent may, at the discretion of the board or school superintendent, solicit the written consent of a student and the student's parent to provide the licensing board with information that may aid the licensing board in its investigation and license proceedings. The licensing board's request need not identify a student or parent by name. The consent of the student and the student's parent must meet the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent form to the district. Any data transmitted to any board under this section is private data under section 13.02, subdivision 12, notwithstanding any other classification of the data when it was in the possession of any other agency.

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

Subd. 3. **Immunity from liability.** A school board, its members in their official capacity, and employees of the district run by the board are immune from civil or criminal liability for reporting or cooperating as required under subdivision 2, if their actions required under subdivision 2 are done in good faith and with due care.

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

30.1 Sec. 15. Minnesota Statutes 2016, section 122A.21, subdivision 2, is amended to read:

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

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

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

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

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

30.26 Sec. 16. Minnesota Statutes 2016, section 122A.23, subdivision 3, is amended to read:

30.27 Subd. 3. **Teacher licensure agreements with adjoining states.** (a) Notwithstanding
30.28 any other law to the contrary, the Professional Educator Licensing and Standards Board of
30.29 ~~Teaching~~ must enter into a National Association of State Directors of Teacher Education
30.30 and Certification (NASDTEC) interstate agreement and other interstate agreements for
30.31 teacher licensure to allow fully certified teachers from adjoining states to transfer their
30.32 certification to Minnesota. The board must enter into these interstate agreements only after
30.33 determining that the rigor of the teacher licensure or certification requirements in the

adjoining state is commensurate with the rigor of Minnesota's teacher licensure requirements. The board may limit an interstate agreement to particular content fields or grade levels based on established priorities or identified shortages. This subdivision does not apply to out-of-state applicants holding only a provisional teaching license.

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

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

Sec. 17. **[122A.2451] ALTERNATIVE TEACHER PREPARATION PROVIDERS AND PROGRAMS.**

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

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

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

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

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

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

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

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

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

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

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

(1) an instructional phase that provides intensive preparation and observed classroom experience that is commensurate with the scope of licensure standards defined under rule, 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) a strategy to combine pedagogy and best teaching practices to better inform teacher candidates' classroom instruction;

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

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

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

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

(b) The board must use nontraditional criteria to determine qualifications of program instructors, including the board may permit instructors to hold a baccalaureate degree only.

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

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

(b) The board must issue a Tier 4 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 licensure exams under section 122A.09 and is recommended for licensure under paragraph (a), or successfully demonstrates to the board qualifications for licensure under this paragraph.

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

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

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

Sec. 18. Minnesota Statutes 2016, section 122A.26, subdivision 2, is amended to read:

Subd. 2. **Exceptions.** A person who teaches in a community education program which qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements as a teacher. A person who teaches in an early childhood and family education program which is offered through a community education program and which qualifies for community education aid pursuant to section 124D.20 or early childhood and family education aid pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A

person who teaches in a community education course which is offered for credit for graduation to persons under 18 years of age shall continue to meet licensure requirements as a teacher. A person who teaches a driver training course which is offered through a community education program to persons under 18 years of age shall be licensed by the Professional Educator Licensing and Standards Board of Teaching or be subject to section 171.35. A license which is required for an instructor in a community education program pursuant to this subdivision shall not be construed to bring an individual within the definition of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

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

Sec. 19. Minnesota Statutes 2016, section 122A.28, is amended to read:

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

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

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

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

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

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

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

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

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

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

Sec. 20. Minnesota Statutes 2016, section 122A.29, is amended to read:

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

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

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

Sec. 21. Minnesota Statutes 2016, section 122A.30, is amended to read:

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

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

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

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

Sec. 22. Minnesota Statutes 2016, section 124D.13, subdivision 11, is amended to read:

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

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

Sec. 23. Minnesota Statutes 2016, section 124D.454, subdivision 12, is amended to read:

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

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

Sec. 24. Minnesota Statutes 2016, section 124D.75, subdivision 1, is amended to read:

Subdivision 1. **American Indian language and culture education licenses.** The ~~Professional Educator Licensing and Standards Board of Teaching~~ Professional Educator Licensing and Standards Board of Teaching, in consultation with the

Tribal Nations Education Committee, must grant initial and continuing teaching licenses in American Indian language and culture education that bear the same duration as other initial and continuing licenses. The board must grant licenses to persons who present satisfactory evidence that they:

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

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

This evidence may be presented by affidavits, tribal resolutions, or by such other methods as the board may prescribe. Individuals may present applications for licensure on their own behalf or these applications may be submitted by the superintendent or other authorized official of a school district, participating school, or an American Indian school.

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

Sec. 25. Minnesota Statutes 2016, section 124D.75, subdivision 6, is amended to read:

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

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

Sec. 26. Minnesota Statutes 2016, section 125A.67, subdivision 2, is amended to read:

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

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

Sec. 27. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

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

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

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

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

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

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

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

Sec. 28. **LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.**

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

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

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

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

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

Sec. 29. **REPEALER.**

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

ARTICLE 3

NONTEACHER CREDENTIALING

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

Subdivision 1. **Rulemaking.** The Professional Educator Licensing and Standards Board of Teaching must adopt rules to implement a statewide credential for education paraprofessionals who assist a licensed teacher in providing student instruction. Any paraprofessional holding this credential or working in a local school district after meeting a state-approved local assessment is considered to be highly qualified under federal law. Under this subdivision, the Professional Educator Licensing and Standards Board of Teaching, in consultation with the commissioner, must adopt qualitative criteria for approving local assessments that include an evaluation of a paraprofessional's knowledge of reading, writing, and math and the paraprofessional's ability to assist in the instruction of reading, writing, and math. The commissioner must approve or disapprove local assessments using these criteria. The commissioner must make the criteria available to the public.

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

Delete the title and insert:

"A bill for an act

relating to education; establishing the Professional Educator Licensing and Standards Board; transferring all teacher licensing and support personnel licensing and credentialing authority to the Professional Educator Licensing and Standards Board; requiring a report; amending Minnesota Statutes 2016, sections 120B.363, subdivision 1; 122A.06, subdivisions 2, 3; 122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10; 122A.17; 122A.18, subdivisions 1, 2, 2b, 3, 3a, 7a, 7c, 8; 122A.19; 122A.20; 122A.21, subdivision 2; 122A.22; 122A.23, subdivision 3; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454, subdivision 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6; 136A.1791, subdivision 1; 214.04, subdivisions 1, 3; 214.045; proposing coding for new law in Minnesota Statutes, chapter 122A; ... ; repealing Minnesota Statutes 2016, sections 122A.162;

40.1 122A.163; 122A.18, subdivisions 4, 4a, 7; 122A.23, subdivisions 1, 2; 122A.245;
40.2 122A.25."