

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3638

02/23/2026 Authored by Hill, Greene, Gottfried, Clardy and Falconer
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; modifying provisions for educator licensing and standards;
1.3 modifying rulemaking authority for paraprofessional credentials; providing for
1.4 additional data sharing agreements; modifying professional development
1.5 requirements for mental health; extending an appropriation; amending Minnesota
1.6 Statutes 2024, sections 120B.363, subdivisions 1, 2; 122A.09, subdivision 9;
1.7 122A.18, subdivision 8; 122A.182, subdivision 1; 122A.187, subdivision 6;
1.8 Minnesota Statutes 2025 Supplement, sections 122A.18, subdivision 1; 122A.181,
1.9 subdivision 3; 122A.182, subdivision 3; Laws 2024, chapter 115, article 10, section
1.10 5, subdivision 2.

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

1.12 Section 1. Minnesota Statutes 2024, section 120B.363, subdivision 1, is amended to read:

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

2.1 Sec. 2. Minnesota Statutes 2024, section 120B.363, subdivision 2, is amended to read:

2.2 Subd. 2. **Training possibilities.** In adopting rules under subdivision 1, the ~~board~~
2.3 commissioner must consider including provisions that provide training in: students'
2.4 characteristics; teaching and learning environment; academic instruction skills; student
2.5 behavior; and ethical practices.

2.6 Sec. 3. Minnesota Statutes 2024, section 122A.09, subdivision 9, is amended to read:

2.7 Subd. 9. **Professional Educator Licensing and Standards Board must adopt rules.** (a)
2.8 The Professional Educator Licensing and Standards Board must adopt rules subject to the
2.9 provisions of chapter 14 to implement sections ~~120B.363~~, 122A.05 to 122A.09, 122A.092,
2.10 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185,
2.11 122A.187, 122A.188, 122A.19, 122A.20, 122A.21, 122A.23, 122A.26, 122A.28, 122A.29,
2.12 and 124D.72.

2.13 (b) The board must adopt rules relating to fields of licensure and grade levels that a
2.14 licensed teacher may teach, including a process for granting permission to a licensed teacher
2.15 to teach in a field that is different from the teacher's field of licensure without change to the
2.16 teacher's license tier level.

2.17 (c) If a rule adopted by the board is in conflict with a session law or statute, the law or
2.18 statute prevails. Terms adopted in rule must be clearly defined and must not be construed
2.19 to conflict with terms adopted in statute or session law.

2.20 (d) The board must include a description of a proposed rule's probable effect on teacher
2.21 supply and demand in the board's statement of need and reasonableness under section 14.131.

2.22 (e) The board must adopt rules only under the specific statutory authority.

2.23 Sec. 4. Minnesota Statutes 2025 Supplement, section 122A.18, subdivision 1, is amended
2.24 to read:

2.25 Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and
2.26 Standards Board must issue the following teacher licenses to applicants who meet the
2.27 qualifications prescribed by this chapter:

2.28 (1) Tier 1 license under section 122A.181;

2.29 (2) Tier 2 license under section 122A.182;

2.30 (3) Tier 3 license under section 122A.183; and

2.31 (4) Tier 4 license under section 122A.184.

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

3.3 (c) The Professional Educator Licensing and Standards Board and the Department of
3.4 Education must enter into a data sharing agreement to share:

3.5 (1) educational data at the E-12 level for the limited purpose of program approval and
3.6 improvement for teacher education programs. The program approval process must include
3.7 targeted redesign of teacher preparation programs to address identified E-12 student areas
3.8 of concern; and

3.9 (2) data in the staff automated reporting system for the limited purpose of managing and
3.10 processing funding to school districts and other entities. The board has authority to collect
3.11 and retain nonlicensed staff data on behalf of the Department of Education. The board must
3.12 share licensed and nonlicensed staff data with the department as outlined in the data sharing
3.13 agreement required under paragraph (d). The department may access and use the data as
3.14 required under federal or state law and for the purposes outlined in the data sharing
3.15 agreement.

3.16 (d) The Board of School Administrators and the Department of Education must enter
3.17 into a data sharing agreement to share educational data at the E-12 level for the limited
3.18 purpose of program approval and improvement for education administration programs. The
3.19 program approval process must include targeted redesign of education administration
3.20 preparation programs to address identified E-12 student areas of concern.

3.21 (e) The Professional Educator Licensing and Standards Board and the Board of School
3.22 Administrators must enter into a data sharing agreement to share data in the staff automated
3.23 reporting system for the limited purpose of managing and processing administrative licenses,
3.24 including overseeing ethics and compliance. The board must share licensed staff data with
3.25 the Board of School Administrators as outlined in the data sharing agreement. The Board
3.26 of School Administrators may access and use the data as required under federal or state law
3.27 and for the purposes outlined in the data sharing agreement.

3.28 ~~(e)~~ (f) For purposes of the data sharing agreements under paragraphs (c) ~~and (d)~~ to (e),
3.29 the Professional Educator Licensing and Standards Board, Board of School Administrators,
3.30 and Department of Education may share private data, as defined in section 13.02, subdivision
3.31 12, on teachers and school administrators. The data sharing agreements must not include
3.32 educational data, as defined in section 13.32, subdivision 1, but may include summary data,
3.33 as defined in section 13.02, subdivision 19, derived from educational data.

4.1 Sec. 5. Minnesota Statutes 2024, section 122A.18, subdivision 8, is amended to read:

4.2 Subd. 8. **Background studies.** (a) The Professional Educator Licensing and Standards
4.3 Board and the Board of School Administrators must initiate criminal history background
4.4 studies of all first-time applicants for educator and administrator licenses under their
4.5 jurisdiction. Applicants must include with their licensure applications:

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

4.7 (2) payment to conduct the background study. The Professional Educator Licensing and
4.8 Standards Board must deposit payments received under this subdivision in an account in
4.9 the special revenue fund. Amounts in the account are annually appropriated to the
4.10 Professional Educator Licensing and Standards Board to pay for the costs of background
4.11 studies on applicants for licensure. Any unexpended amounts from annual appropriations
4.12 for background studies may be transferred to the general fund for the board's operations.

4.13 (b) The background study for all first-time applicants for educator licenses must include
4.14 a review of information from the Bureau of Criminal Apprehension, including criminal
4.15 history data as defined in section 13.87, and must also include a review of the national
4.16 criminal records repository. The superintendent of the Bureau of Criminal Apprehension
4.17 is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes
4.18 of the criminal history check.

4.19 (c) The Professional Educator Licensing and Standards Board may initiate criminal
4.20 history background studies through the commissioner of human services according to section
4.21 245C.031 to obtain background study data required under this chapter.

4.22 Sec. 6. Minnesota Statutes 2025 Supplement, section 122A.181, subdivision 3, is amended
4.23 to read:

4.24 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and
4.25 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license
4.26 may be renewed subject to paragraphs (b) to (d).

4.27 (b) The Professional Educator Licensing and Standards Board must renew a Tier 1
4.28 license if:

4.29 (1) the district or charter school requesting the renewal demonstrates that it has posted
4.30 the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license
4.31 for the position;

5.1 (2) the teacher holding the Tier 1 license took a content examination in accordance with
 5.2 section 122A.185 and submitted the examination results to the teacher's employing district
 5.3 or charter school within one year of the board approving the request for the initial Tier 1
 5.4 license;

5.5 (3) the teacher holding the Tier 1 license participated in cultural competency training
 5.6 consistent with section 120B.30, subdivision 8, within one year of the board approving the
 5.7 request for the initial Tier 1 license; and

5.8 (4) the teacher holding the Tier 1 license met the mental ~~illness~~ health training renewal
 5.9 requirement under section 122A.187, subdivision 6.

5.10 The requirement in clause (2) does not apply to a teacher that teaches a class in a career and
 5.11 technical education or career pathways course of study.

5.12 (c) A Tier 1 license must not be renewed more than three times, unless the requesting
 5.13 district or charter school can show good cause for additional renewals. A Tier 1 license
 5.14 issued to teach (1) a class or course in a career and technical education or career pathway
 5.15 course of study, or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may
 5.16 be renewed without limitation.

5.17 (d) Starting July 1, 2027, a Tier 1 licensed early childhood education teacher, elementary
 5.18 education teacher, special education teacher who is responsible for teaching reading,
 5.19 kindergarten through grade 12 English as a second language teacher, grade 4 through 12
 5.20 classroom teacher responsible for foundational reading skills instruction, teacher who
 5.21 provides instruction to students in a state-approved alternative program, or a teacher who
 5.22 is responsible for selecting literacy curriculum materials for grades 6 through 12, must
 5.23 demonstrate progress toward meeting the evidence-based literacy training requirements of
 5.24 section 120B.123, subdivision 5a, for their second licensure renewal.

5.25 Sec. 7. Minnesota Statutes 2024, section 122A.182, subdivision 1, is amended to read:

5.26 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards
 5.27 Board must approve an application for a Tier 2 license in a specified content area if:

5.28 (1) the application has been submitted jointly by the applicant and the district;

5.29 (2) the application has been paid for by the district or the applicant;

5.30 (3) the applicant holds a bachelor's degree, unless specifically exempt by statute or rule;

5.31 (4) the district demonstrates that a criminal background check under section 122A.18,
 5.32 subdivision 8, has been completed for the applicant; and

6.1 (5) the applicant:

6.2 ~~(i) has completed a state-approved teacher preparation program;~~

6.3 ~~(ii) (i) is enrolled in a Minnesota-approved teacher preparation program; or~~

6.4 (ii) is enrolled in a Minnesota-approved teacher preparation program with equivalent
6.5 student teaching requirements; or

6.6 (iii) has a master's degree in the specified content area.

6.7 Sec. 8. Minnesota Statutes 2025 Supplement, section 122A.182, subdivision 3, is amended
6.8 to read:

6.9 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and
6.10 Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license
6.11 may be renewed three times.

6.12 (b) Before a Tier 2 license is renewed for the first time, a teacher holding a Tier 2 license
6.13 must participate in cultural competency training consistent with section 120B.30, subdivision
6.14 8, and mental ~~illness~~ health training under section 122A.187, subdivision 6.

6.15 (c) Starting July 1, 2027, a Tier 2 licensed early childhood education teacher, elementary
6.16 education teacher, special education teacher who is responsible for teaching reading,
6.17 kindergarten through grade 12 English as a second language teacher, grade 4 through 12
6.18 classroom teacher responsible for foundational reading skills instruction, teacher who
6.19 provides instruction to students in a state-approved alternative program, or a teacher who
6.20 is responsible for selecting literacy curriculum materials for grades 6 through 12, must
6.21 demonstrate that they have made progress toward completing the evidence-based literacy
6.22 training requirements of section 120B.123, subdivision 5a, for the first renewal of their
6.23 initial license.

6.24 (d) The board must issue rules setting forth the conditions for additional renewals after
6.25 the initial license has been renewed three times.

6.26 Sec. 9. Minnesota Statutes 2024, section 122A.187, subdivision 6, is amended to read:

6.27 Subd. 6. **Mental ~~illness~~ health.** The Professional Educator Licensing and Standards
6.28 Board must adopt rules that require all licensed teachers renewing a teaching license under
6.29 sections 122A.181 to 122A.184 to include in the renewal requirements ~~at least one hour of~~
6.30 ~~suicide prevention best practices training~~ focused professional development of at least five
6.31 hours in student mental health and wellness in each licensure renewal period based on

7.1 nationally recognized evidence-based programs and practices, among the continuing
 7.2 education credits required to renew a license under this subdivision. Initial training must
 7.3 include understanding the key warning signs and characteristics of early-onset mental illness
 7.4 in children and adolescents, ~~and~~ including how to address mental health concerns where a
 7.5 child may pose a threat to themselves or others. During subsequent licensure renewal periods,
 7.6 training must include a more in-depth understanding of students' mental illness trauma,
 7.7 accommodations for students' mental illness, parents' roles in addressing students' mental
 7.8 illness, Fetal Alcohol Spectrum Disorders, suicide prevention, autism, the requirements of
 7.9 section 125A.0942 governing restrictive procedures, and de-escalation methods, among
 7.10 other similar topics. This subdivision does not allow or require teachers to diagnose or create
 7.11 treatment plans for mental illness.

7.12 Sec. 10. Laws 2024, chapter 115, article 10, section 5, subdivision 2, is amended to read:

7.13 Subd. 2. **Information technology costs.** (a) For information technology costs of the
 7.14 Professional Educator Licensing and Standards Board:

7.15 \$ 2,767,000 2025

7.16 (b) This is a onetime appropriation and is available until June 30, ~~2027~~ 2029.

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