

1.1 moves to amend H.F. No. 140, the sixth engrossment, 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, is amended to read:

1.6 **122A.06 DEFINITIONS.**

1.7 Subdivision 1. **Scope.** For the purpose of sections 122A.05 to ~~122A.09~~ 122A.093, the
1.8 terms defined in this section have the meanings given them, unless another meaning is
1.9 clearly indicated.

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

1.13 Subd. 3. **Board.** "Board" means the Professional Educator Licensing and Standards
1.14 Board of Teaching.

1.15 Subd. 4. **Comprehensive, scientifically based reading instruction.** (a) "Comprehensive,
1.16 scientifically based reading instruction" includes a program or collection of instructional
1.17 practices that is based on valid, replicable evidence showing that when these programs or
1.18 practices are used, students can be expected to achieve, at a minimum, satisfactory reading
1.19 progress. The program or collection of practices must include, at a minimum, effective,
1.20 balanced instruction in all five areas of reading: phonemic awareness, phonics, fluency,
1.21 vocabulary development, and reading comprehension.

1.22 Comprehensive, scientifically based reading instruction also includes and integrates
1.23 instructional strategies for continuously assessing, evaluating, and communicating the
1.24 student's reading progress and needs in order to design and implement ongoing interventions

2.1 so that students of all ages and proficiency levels can read and comprehend text, write, and
2.2 apply higher level thinking skills. For English learners developing literacy skills, districts
2.3 are encouraged to use strategies that teach reading and writing in the students' native language
2.4 and English at the same time.

2.5 (b) "Fluency" is the ability of students to read text with speed, accuracy, and proper
2.6 expression.

2.7 (c) "Phonemic awareness" is the ability of students to notice, think about, and manipulate
2.8 individual sounds in spoken syllables and words.

2.9 (d) "Phonics" is the understanding that there are systematic and predictable relationships
2.10 between written letters and spoken words. Phonics instruction is a way of teaching reading
2.11 that stresses learning how letters correspond to sounds and how to apply this knowledge in
2.12 reading and spelling.

2.13 (e) "Reading comprehension" is an active process that requires intentional thinking
2.14 during which meaning is constructed through interactions between text and reader.
2.15 Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and
2.16 implementing specific cognitive strategies to help beginning readers derive meaning through
2.17 intentional, problem-solving thinking processes.

2.18 (f) "Vocabulary development" is the process of teaching vocabulary both directly and
2.19 indirectly, with repetition and multiple exposures to vocabulary items. Learning in rich
2.20 contexts, incidental learning, and use of computer technology enhance the acquiring of
2.21 vocabulary.

2.22 (g) Nothing in this subdivision limits the authority of a school district to select a school's
2.23 reading program or curriculum.

2.24 Subd. 5. **Field.** A "field" or "subject area" means the content area in which a teacher
2.25 may become licensed to teach.

2.26 Subd. 6. **Shortage.** "Shortage" means an inadequate supply of licensed personnel in a
2.27 given licensure area, as identified in the most recent report submitted by the commissioner
2.28 of education to the legislature under section 127A.05, subdivision 6, or the Professional
2.29 Educator Licensing and Standards Board under section 122A.091, subdivision 5.

2.30 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a
2.31 program approved by the Professional Educator Licensing and Standards Board for the
2.32 purpose of preparing individuals for a specific teacher licensure field in Minnesota. Teacher

3.1 preparation programs include traditional programs delivered by postsecondary institutions,
 3.2 alternative teacher preparation programs, and nonconventional teacher preparation programs.

3.3 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program
 3.4 provider" or "unit" means an entity that has primary responsibility for overseeing and
 3.5 delivering a teacher preparation program.

3.6 **EFFECTIVE DATE.** This section is effective January 1, 2018.

3.7 Sec. 2. Minnesota Statutes 2016, section 122A.07, is amended to read:

3.8 **122A.07 BOARD OF TEACHING PROFESSIONAL EDUCATOR LICENSING**
 3.9 **AND STANDARDS BOARD MEMBERSHIP.**

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

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

3.23 (1) six teachers who are currently teaching in a Minnesota school or who were teaching
 3.24 at the time of the appointment ~~and who do not qualify under clause (2) or (3), at least four~~
 3.25 ~~of whom must be teaching in a public school;~~ have at least five years of teaching experience,
 3.26 and were not serving in an administrative function at a school district or school when
 3.27 appointed. The six teachers must include the following:

3.28 (i) one teacher in a charter school;

3.29 (ii) one teacher from the seven-county metropolitan area, as defined in section 473.121,
 3.30 subdivision 2;

3.31 (iii) one teacher from outside the seven-county metropolitan area;

3.32 (iv) one teacher from a related service category licensed by the board;

4.1 (v) one special education teacher; and

4.2 (vi) one teacher from a teacher preparation program;

4.3 (2) one higher education representative, who must be a faculty member preparing teachers
 4.4 one superintendent that alternates each term between a superintendent from the seven-county
 4.5 metropolitan area, as defined in section 473.121, subdivision 2, and a superintendent from
 4.6 outside the metropolitan area;

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

4.8 (4) three members of the public, two of whom must be present or former members of
 4.9 school boards one administrator of an intermediate school district or service cooperative;

4.10 (5) one principal that alternates each term between an elementary and a secondary school
 4.11 principal; and

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

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

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

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

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

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

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

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

4.27 **Subd. 4. Administration, Terms, compensation; removal; vacancies.** The provision
 4.28 ~~of staff, administrative services and office space; the review and processing of complaints;~~
 4.29 ~~the setting of fees; the selection and duties of an executive secretary~~ director to serve the
 4.30 board; and other provisions relating to board operations not provided in this chapter are as
 4.31 provided in chapter 214. Membership terms, except as provided in subdivision 2a,

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

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

5.8 (b) The Department of Administration must provide administrative support in accordance
5.9 with section 16B.371. The commissioner of administration must assess the board for services
5.10 it provides under this section.

5.11 (c) The Department of Education must provide suitable offices and other space to the
5.12 board at reasonable cost until January 1, 2020. Thereafter, the board may contract with
5.13 either the Department of Education or the Department of Administration for the provision
5.14 of suitable offices and other space, joint conference and hearing facilities, and examination
5.15 rooms.

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

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

5.23 Sec. 3. Minnesota Statutes 2016, section 122A.08, is amended to read:

5.24 **122A.08 MEETINGS.**

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

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

6.1 **EFFECTIVE DATE.** This section is effective January 1, 2018.

6.2 Sec. 4. Minnesota Statutes 2016, section 122A.09, subdivision 1, is amended to read:

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

6.7 **EFFECTIVE DATE.** This section is effective January 1, 2018.

6.8 Sec. 5. Minnesota Statutes 2016, section 122A.09, subdivision 2, is amended to read:

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

6.12 **EFFECTIVE DATE.** This section is effective January 1, 2018.

6.13 Sec. 6. Minnesota Statutes 2016, section 122A.09, subdivision 3, is amended to read:

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

6.16 **EFFECTIVE DATE.** This section is effective January 1, 2018.

6.17 Sec. 7. Minnesota Statutes 2016, section 122A.09, subdivision 4, is amended to read:

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

6.25 (b) ~~The board must require all candidates for teacher licensure to demonstrate a passing~~
6.26 ~~score on a board-adopted skills examination in reading, writing, and mathematics, as a~~
6.27 ~~requirement for an initial professional five-year teaching license, except that the board may~~
6.28 ~~issue up to four initial professional one-year teaching licenses to an otherwise qualified~~
6.29 ~~candidate who has not yet passed the board-adopted skills exam. The board must require~~
6.30 ~~colleges and universities offering a board-approved teacher preparation program to provide~~

7.1 remedial assistance to persons who did not achieve a qualifying score on the board-adopted
7.2 skills examination, including those for whom English is a second language. The requirement
7.3 to pass a board-adopted reading, writing, and mathematics skills examination does not apply
7.4 to nonnative English speakers, as verified by qualified Minnesota school district personnel
7.5 or Minnesota higher education faculty, who, after meeting the content and pedagogy
7.6 requirements under this subdivision, apply for a teaching license to provide direct instruction
7.7 in their native language or world language instruction under section 120B.022, subdivision
7.8 1. The Board of Teaching and the entity administering the content, pedagogy, and skills
7.9 examinations must allow any individual who produces documentation of a disability in the
7.10 form of an evaluation, 504 plan, or individual education program (IEP) to receive the same
7.11 testing accommodations on the content, pedagogy, and skills examinations that the applicant
7.12 received during their secondary or postsecondary education.

7.13 (e) The board must adopt rules to approve teacher preparation programs. The board,
7.14 upon the request of a postsecondary student preparing for teacher licensure or a licensed
7.15 graduate of a teacher preparation program, shall assist in resolving a dispute between the
7.16 person and a postsecondary institution providing a teacher preparation program when the
7.17 dispute involves an institution's recommendation for licensure affecting the person or the
7.18 person's credentials. At the board's discretion, assistance may include the application of
7.19 chapter 14.

7.20 (d) The board must provide the leadership and adopt rules for the redesign of teacher
7.21 education programs to implement a research based, results-oriented curriculum that focuses
7.22 on the skills teachers need in order to be effective. Among other components, teacher
7.23 preparation programs may use the Minnesota State Colleges and Universities program model
7.24 to provide a school-year-long student teaching program that combines clinical opportunities
7.25 with academic coursework and in-depth student teaching experiences to offer students
7.26 ongoing mentorship, coaching, and assessment, help to prepare a professional development
7.27 plan, and structured learning experiences. The board shall implement new systems of teacher
7.28 preparation program evaluation to assure program effectiveness based on proficiency of
7.29 graduates in demonstrating attainment of program outcomes. Teacher preparation programs
7.30 including alternative teacher preparation programs under section 122A.245, among other
7.31 programs, must include a content-specific, board-approved, performance-based assessment
7.32 that measures teacher candidates in three areas: planning for instruction and assessment;
7.33 engaging students and supporting learning; and assessing student learning. The board's
7.34 redesign rules must include creating flexible, specialized teaching licenses, credentials, and
7.35 other endorsement forms to increase students' participation in language immersion programs;

8.1 world language instruction, career development opportunities, work-based learning, early
8.2 college courses and careers, career and technical programs, Montessori schools, and project
8.3 and place-based learning, among other career and college ready learning offerings.

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

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

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

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

8.31 ~~(i) The board must receive recommendations from local committees as established by~~
8.32 ~~the board for the renewal of teaching licenses. The board must require a licensed teacher~~
8.33 ~~who is renewing a professional five-year teaching license to include in the renewal~~

9.1 requirements further preparation in English language development and specially designed
9.2 content instruction in English for English learners.

9.3 ~~(j) The board must grant life licenses to those who qualify according to requirements
9.4 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
9.5 214.10. The board must not establish any expiration date for application for life licenses.~~

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

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

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

9.21 ~~(n) The board must adopt rules that require all licensed teachers who are renewing their
9.22 professional five-year teaching licenses to include in their renewal requirements at least
9.23 one hour of suicide prevention best practices in each licensure renewal period that are based
9.24 on nationally recognized evidence-based programs and practices, among the continuing
9.25 education credits required to renew a license under this paragraph, and further preparation,
9.26 first, in understanding the key warning signs of early-onset mental illness in children and
9.27 adolescents and then, during subsequent licensure renewal periods, preparation may include
9.28 providing a more in-depth understanding of students' mental illness trauma, accommodations
9.29 for students' mental illness, parents' role in addressing students' mental illness, Fetal Alcohol
9.30 Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive
9.31 procedures, and de-escalation methods, among other similar topics.~~

9.32 ~~(o) The board must adopt rules by January 1, 2016, to license applicants under sections
9.33 122A.23 and 122A.245. The rules must permit applicants to demonstrate their qualifications
9.34 through the board's recognition of a teaching license from another state in a similar content~~

10.1 field, completion of a state-approved teacher preparation program, teaching experience as
 10.2 the teacher of record in a similar licensure field, depth of content knowledge, depth of
 10.3 content methods or general pedagogy, subject-specific professional development and
 10.4 contribution to the field, or classroom performance as determined by documented student
 10.5 growth on normed assessments or documented effectiveness on evaluations. The rules must
 10.6 adopt criteria for determining a "similar content field" and "similar licensure area."

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

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

10.9 Subd. 4a. ~~Teacher and administrator preparation and performance data; report~~
 10.10 **Reports.** (a) ~~The Board of Teaching and the Board of School Administrators, in cooperation~~
 10.11 ~~with the Minnesota Association of Colleges of Teacher Education and Minnesota colleges~~
 10.12 ~~and universities offering board-adopted teacher or administrator preparation programs,~~
 10.13 ~~annually must collect and report summary data on teacher and administrator preparation~~
 10.14 ~~and performance outcomes, consistent with this subdivision. The Board of Teaching and~~
 10.15 ~~the Board of School Administrators annually by June 1 must update and post the reported~~
 10.16 ~~summary preparation and performance data on teachers and administrators from the preceding~~
 10.17 ~~school years on a Web site hosted jointly by the boards. The Professional Educator Licensing~~
 10.18 ~~and Standards Board must provide reports in accordance with section 122A.091.~~

10.19 (b) ~~Publicly reported summary data on teacher preparation programs must include:~~
 10.20 ~~student entrance requirements for each Board of Teaching-approved program, including~~
 10.21 ~~grade point average for enrolling students in the preceding year; the average board-adopted~~
 10.22 ~~skills examination or ACT or SAT scores of students entering the program in the preceding~~
 10.23 ~~year; summary data on faculty qualifications, including at least the content areas of faculty~~
 10.24 ~~undergraduate and graduate degrees and their years of experience either as kindergarten~~
 10.25 ~~through grade 12 classroom teachers or school administrators; the average time resident~~
 10.26 ~~and nonresident program graduates in the preceding year needed to complete the program;~~
 10.27 ~~the current number and percent of students by program who graduated, received a standard~~
 10.28 ~~Minnesota teaching license, and were hired to teach full time in their licensure field in a~~
 10.29 ~~Minnesota district or school in the preceding year; the number of content area credits and~~
 10.30 ~~other credits by undergraduate program that students in the preceding school year needed~~
 10.31 ~~to complete to graduate; students' pass rates on skills and subject matter exams required for~~
 10.32 ~~graduation in each program and licensure area in the preceding school year; survey results~~
 10.33 ~~measuring student and graduate satisfaction with the program in the preceding school year;~~
 10.34 ~~a standard measure of the satisfaction of school principals or supervising teachers with the~~

11.1 ~~student teachers assigned to a school or supervising teacher; and information under~~
11.2 ~~paragraphs (d) and (e). Program reporting must be consistent with subdivision 11.~~

11.3 ~~(c) Publicly reported summary data on administrator preparation programs approved by~~
11.4 ~~the Board of School Administrators must include: summary data on faculty qualifications,~~
11.5 ~~including at least the content areas of faculty undergraduate and graduate degrees and their~~
11.6 ~~years of experience either as kindergarten through grade 12 classroom teachers or school~~
11.7 ~~administrators; the average time program graduates in the preceding year needed to complete~~
11.8 ~~the program; the current number and percent of students who graduated, received a standard~~
11.9 ~~Minnesota administrator license, and were employed as an administrator in a Minnesota~~
11.10 ~~school district or school in the preceding year; the number of credits by graduate program~~
11.11 ~~that students in the preceding school year needed to complete to graduate; survey results~~
11.12 ~~measuring student, graduate, and employer satisfaction with the program in the preceding~~
11.13 ~~school year; and information under paragraphs (f) and (g). Program reporting must be~~
11.14 ~~consistent with section 122A.14, subdivision 10.~~

11.15 ~~(d) School districts annually by October 1 must report to the Board of Teaching the~~
11.16 ~~following information for all teachers who finished the probationary period and accepted~~
11.17 ~~a continuing contract position with the district from September 1 of the previous year through~~
11.18 ~~August 31 of the current year: the effectiveness category or rating of the teacher on the~~
11.19 ~~summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5;~~
11.20 ~~the licensure area in which the teacher primarily taught during the three-year evaluation~~
11.21 ~~cycle; and the teacher preparation program preparing the teacher in the teacher's primary~~
11.22 ~~areas of instruction and licensure.~~

11.23 ~~(e) School districts annually by October 1 must report to the Board of Teaching the~~
11.24 ~~following information for all probationary teachers in the district who were released or~~
11.25 ~~whose contracts were not renewed from September 1 of the previous year through August~~
11.26 ~~31 of the current year: the licensure areas in which the probationary teacher taught; and the~~
11.27 ~~teacher preparation program preparing the teacher in the teacher's primary areas of instruction~~
11.28 ~~and licensure.~~

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

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

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

12.6 Sec. 9. Minnesota Statutes 2016, section 122A.09, subdivision 6, is amended to read:

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

12.15 **EFFECTIVE DATE.** This section is effective January 1, 2018.

12.16 Sec. 10. Minnesota Statutes 2016, section 122A.09, subdivision 7, is amended to read:

12.17 Subd. 7. ~~Commissioner's assistance;~~ **Professional Educator Licensing and Standards**
 12.18 **Board money.** ~~The commissioner shall provide all necessary materials and assistance for~~
 12.19 ~~the transaction of the business of the Board of Teaching and All moneys received by the~~
 12.20 Professional Educator Licensing and Standards Board of Teaching shall be paid into the
 12.21 state treasury as provided by law. The expenses of administering sections 120B.363, 122A.01,
 12.22 122A.05 to 122A.09, 122A.15, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183,
 12.23 122A.184, 122A.185, 122A.186, 122A.187, 122A.188, 122A.20, 122A.21, 122A.22,
 12.24 122A.23, 122A.245, 122A.26, 122A.30, 122A.40, 122A.41, 122A.42, 122A.45, 122A.49,
 12.25 122A.54, 122A.55, 122A.56, 122A.57, and 122A.58 which are incurred by the Professional
 12.26 Educator Licensing and Standards Board of Teaching shall be paid for from appropriations
 12.27 made to the Professional Educator Licensing and Standards Board of Teaching.

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

12.29 Sec. 11. Minnesota Statutes 2016, section 122A.09, subdivision 9, is amended to read:

12.30 Subd. 9. **Professional Educator Licensing and Standards Board may must adopt**
 12.31 **rules.** (a) The Professional Educator Licensing and Standards Board of Teaching may must
 12.32 adopt rules subject to the provisions of chapter 14 to implement sections 120B.363, 122A.05

13.1 to 122A.09, 122A.092, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183,
 13.2 122A.184, 122A.185, 122A.186, 122A.187, 122A.188, 122A.20, 122A.21, ~~and~~ 122A.23,
 13.3 122A.26, 122A.28, and 122A.29.

13.4 (b) The board must adopt rules relating to fields of licensure, including a process for
 13.5 granting permission to a licensed teacher to teach in a field that is different from the teacher's
 13.6 field of licensure without change to the teacher's license tier level.

13.7 (c) The board must adopt rules relating to the grade levels that a licensed teacher may
 13.8 teach.

13.9 (d) If a rule adopted by the board is in conflict with a session law or statute, the law or
 13.10 statute prevails. Terms adopted in rule must be clearly defined and must not be construed
 13.11 to conflict with terms adopted in statute or session law.

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

13.14 (f) The board must adopt rules only under the specific statutory authority.

13.15 **EFFECTIVE DATE.** This section is effective January 1, 2018.

13.16 Sec. 12. Minnesota Statutes 2016, section 122A.09, subdivision 10, is amended to read:

13.17 Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and
 13.18 14.056, the Professional Educator Licensing and Standards Board of Teaching may grant
 13.19 waivers to its rules upon application by a school district or a charter school for purposes of
 13.20 implementing experimental programs in learning or management.

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

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

13.30 ~~(d) The Board of Teaching may issue a one-year professional license under paragraph~~
 13.31 ~~(a), which the board may renew two times, to allow a person holding a full credential from~~
 13.32 ~~the American Montessori Society, a diploma from Association Montessori Internationale,~~

14.1 ~~or a certificate of completion from a program accredited by the Montessori Accreditation~~
 14.2 ~~Council for Teacher Education to teach in a Montessori program operated by a school district~~
 14.3 ~~or charter school.~~

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

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

14.21 Sec. 13. **[122A.091] REPORTS.**

14.22 Subdivision 1. **Teacher and administrator preparation and performance data;**
 14.23 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of
 14.24 School Administrators, in cooperation with board-adopted teacher or administrator
 14.25 preparation programs, annually must collect and report summary data on teacher and
 14.26 administrator preparation and performance outcomes, consistent with this subdivision. The
 14.27 Professional Educator Licensing and Standards Board and the Board of School Administrators
 14.28 annually by June 1 must update and post the reported summary preparation and performance
 14.29 data on teachers and administrators from the preceding school years on a Web site hosted
 14.30 jointly by the boards.

14.31 (b) Publicly reported summary data on teacher preparation programs must include:

14.32 (1) student entrance requirements for each Professional Educator Licensing and Standards
 14.33 Board-approved program, including grade point average for enrolling students in the
 14.34 preceding year;

- 15.1 (2) the average board-adopted skills examination or ACT or SAT scores of students
15.2 entering the program in the preceding year;
- 15.3 (3) summary data on faculty qualifications, including at least the content areas of faculty
15.4 undergraduate and graduate degrees and their years of experience either as kindergarten
15.5 through grade 12 classroom teachers or school administrators;
- 15.6 (4) the average time resident and nonresident program graduates in the preceding year
15.7 needed to complete the program;
- 15.8 (5) the current number and percent of students by program who graduated, received a
15.9 standard Minnesota teaching license, and were hired to teach full time in their licensure
15.10 field in a Minnesota district or school in the preceding year disaggregated by race, except
15.11 when disaggregation would not yield statistically reliable results or would reveal personally
15.12 identifiable information about an individual;
- 15.13 (6) the number of content area credits and other credits by undergraduate program that
15.14 students in the preceding school year needed to complete to graduate;
- 15.15 (7) students' pass rates on skills and subject matter exams required for graduation in
15.16 each program and licensure area in the preceding school year;
- 15.17 (8) survey results measuring student and graduate satisfaction with the program in the
15.18 preceding school year disaggregated by race, except when disaggregation would not yield
15.19 statistically reliable results or would reveal personally identifiable information about an
15.20 individual;
- 15.21 (9) a standard measure of the satisfaction of school principals or supervising teachers
15.22 with the student teachers assigned to a school or supervising teacher; and
- 15.23 (10) information under subdivision 3, paragraphs (a) and (b).
- 15.24 Program reporting must be consistent with subdivision 2.
- 15.25 (c) Publicly reported summary data on administrator preparation programs approved by
15.26 the Board of School Administrators must include:
- 15.27 (1) summary data on faculty qualifications, including at least the content areas of faculty
15.28 undergraduate and graduate degrees and the years of experience either as kindergarten
15.29 through grade 12 classroom teachers or school administrators;
- 15.30 (2) the average time program graduates in the preceding year needed to complete the
15.31 program;

16.1 (3) the current number and percent of students who graduated, received a standard
16.2 Minnesota administrator license, and were employed as an administrator in a Minnesota
16.3 school district or school in the preceding year disaggregated by race, except when
16.4 disaggregation would not yield statistically reliable results or would reveal personally
16.5 identifiable information about an individual;

16.6 (4) the number of credits by graduate program that students in the preceding school year
16.7 needed to complete to graduate;

16.8 (5) survey results measuring student, graduate, and employer satisfaction with the
16.9 program in the preceding school year disaggregated by race, except when disaggregation
16.10 would not yield statistically reliable results or would reveal personally identifiable
16.11 information about an individual; and

16.12 (6) information under subdivision 3, paragraphs (c) and (d).

16.13 Program reporting must be consistent with section 122A.14, subdivision 10.

16.14 **Subd. 2. Teacher preparation program reporting.** (a) By December 31, 2018, and
16.15 annually thereafter, the Professional Educator Licensing and Standards Board shall report
16.16 and publish on its Web site the cumulative summary results of at least three consecutive
16.17 years of data reported to the board under subdivision 1, paragraph (b). Where the data are
16.18 sufficient to yield statistically reliable information and the results would not reveal personally
16.19 identifiable information about an individual teacher, the board shall report the data by teacher
16.20 preparation program.

16.21 (b) The Professional Educator Licensing and Standards Board must report annually to
16.22 the chairs and ranking minority members of the legislative committees with jurisdiction
16.23 over kindergarten through grade 12 education, the following information:

16.24 (1) the total number of teacher candidates during the most recent school year taking a
16.25 board-adopted skills examination;

16.26 (2) the number who achieve a qualifying score on the examination;

16.27 (3) the number who do not achieve a qualifying score on the examination; and

16.28 (4) the candidates who have not passed a content or pedagogy exam.

16.29 The information reported under this paragraph must be disaggregated by categories of race,
16.30 ethnicity, and eligibility for financial aid. The report must be submitted in accordance with
16.31 section 3.195.

17.1 Subd. 3. School district reports. (a) School districts annually by October 1 must report
17.2 to the Professional Educator Licensing and Standards Board the following information for
17.3 all teachers who finished the probationary period and accepted a continuing contract position
17.4 with the district from September 1 of the previous year through August 31 of the current
17.5 year:

17.6 (1) the effectiveness category or rating of the teacher on the summative evaluation under
17.7 section 122A.40, subdivision 8, or 122A.41, subdivision 5;

17.8 (2) the licensure area in which the teacher primarily taught during the three-year
17.9 evaluation cycle; and

17.10 (3) the teacher preparation program preparing the teacher in the teacher's primary areas
17.11 of instruction and licensure.

17.12 (b) School districts annually by October 1 must report to the Professional Educator
17.13 Licensing and Standards Board the following information for all probationary teachers in
17.14 the district who were released or whose contracts were not renewed from September 1 of
17.15 the previous year through August 31 of the current year:

17.16 (1) the licensure areas in which the probationary teacher taught; and

17.17 (2) the teacher preparation program preparing the teacher in the teacher's primary areas
17.18 of instruction and licensure.

17.19 (c) School districts annually by October 1 must report to the Board of School
17.20 Administrators the following information for all school principals and assistant principals
17.21 who finished the probationary period and accepted a continuing contract position with the
17.22 district from September 1 of the previous year through August 31 of the current year:

17.23 (1) the effectiveness category or rating of the principal or assistant principal on the
17.24 summative evaluation under section 123B.147, subdivision 3; and

17.25 (2) the principal preparation program providing instruction to the principal or assistant
17.26 principal.

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

17.31 Subd. 4. State reports. The Professional Educator Licensing and Standards Board must
17.32 prepare reports in accordance with section 214.07.

18.1 Subd. 5. Survey of districts. (a) The Professional Educator Licensing and Standards
18.2 Board must survey the state's school districts and teacher preparation programs and report
18.3 to the education committees of the legislature by February 1, 2019, and each odd-numbered
18.4 year thereafter on the status of teacher early retirement patterns, the access to effective and
18.5 more diverse teachers who reflect the students under section 120B.35, subdivision 3,
18.6 paragraph (b), clause (2), enrolled in a district or school, the teacher shortage, and the
18.7 substitute teacher shortage, including patterns and shortages in licensure field areas and the
18.8 economic development regions of the state.

18.9 (b) The report must also include:

18.10 (1) aggregate data on teachers' self-reported race and ethnicity;

18.11 (2) data on how districts are making progress in hiring teachers and substitutes in the
18.12 areas of shortage; and

18.13 (3) a five-year projection of teacher demand for each district, taking into account the
18.14 students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll
18.15 in the district during that five-year period.

18.16 Subd. 6. Implementation report. By January 1, 2019, the Professional Educator
18.17 Licensing and Standards Board must prepare a report to the legislature on the implementation
18.18 of the teacher licensure system established under sections 122A.18 to 122A.184. The report
18.19 must include the number of applicants for license in each tier, the number of applications
18.20 granted and denied, summary data on the reasons applications were denied, and the status
18.21 of the board's rulemaking process for all licensure related rules.

18.22 EFFECTIVE DATE. This section is effective January 1, 2018.

18.23 Sec. 14. [122A.092] TEACHER PREPARATION PROGRAMS.

18.24 Subdivision 1. Rules. The board must adopt rules to approve teacher preparation
18.25 programs, including alternative teacher preparation programs under section 122A.245,
18.26 nonconventional programs, and Montessori teacher training programs.

18.27 Subd. 2. Requirements for board approval. Teacher preparation programs must
18.28 demonstrate the following to obtain board approval:

18.29 (1) the program has implemented a research-based, results-oriented curriculum that
18.30 focuses on the skills teachers need in order to be effective;

18.31 (2) the program provides a student teaching program;

19.1 (3) the program demonstrates effectiveness based on proficiency of graduates in
19.2 demonstrating attainment of program outcomes;

19.3 (4) the program includes a common core of teaching knowledge and skills. This common
19.4 core shall meet the standards developed by the Interstate New Teacher Assessment and
19.5 Support Consortium in its 1992 model standards for beginning teacher licensing and
19.6 development. Amendments to standards adopted under this clause are subject to chapter
19.7 14. The Professional Educator Licensing and Standards Board shall report annually to the
19.8 education committees of the legislature on the performance of teacher candidates on common
19.9 core assessments of knowledge and skills under this clause during the most recent school
19.10 year;

19.11 (5) the program includes instruction on the knowledge and skills needed to provide
19.12 appropriate instruction to English learners to support and accelerate their academic literacy,
19.13 including oral academic language and achievement in content areas in a regular classroom
19.14 setting; and

19.15 (6) the program includes culturally competent training in instructional strategies consistent
19.16 with section 120B.30, subdivision 1, paragraph (q).

19.17 Subd. 3. **Specialized credentials.** The board must adopt rules creating flexible,
19.18 specialized teaching licenses, credentials, and other endorsement forms to increase students'
19.19 participation in language immersion programs, world language instruction, career
19.20 development opportunities, work-based learning, early college courses and careers, career
19.21 and technical programs, Montessori schools, and project- and place-based learning, among
19.22 other career and college readiness learning offerings.

19.23 Subd. 4. **Teacher educators.** The board must adopt rules requiring teacher educators
19.24 to work directly with elementary or secondary school teachers in elementary or secondary
19.25 schools to obtain periodic exposure to the elementary and secondary teaching environments.

19.26 Subd. 5. **Reading strategies.** (a) All colleges and universities approved by the
19.27 Professional Educator Licensing and Standards Board to prepare persons for classroom
19.28 teacher licensure must include in their teacher preparation programs research-based best
19.29 practices in reading, consistent with section 122A.06, subdivision 4, that enables the licensure
19.30 candidate to teach reading in the candidate's content areas. Teacher candidates must be
19.31 instructed in using students' native languages as a resource in creating effective differentiated
19.32 instructional strategies for English learners developing literacy skills. These colleges and
19.33 universities also must prepare early childhood and elementary teacher candidates for Tier
19.34 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184, respectively, for the

20.1 portion of the examination under section 122A.185, subdivision 1, paragraph (c), covering
20.2 assessment of reading instruction.

20.3 (b) Board-approved teacher preparation programs for teachers of elementary education
20.4 must require instruction in applying comprehensive, scientifically based, and balanced
20.5 reading instruction programs that:

20.6 (1) teach students to read using foundational knowledge, practices, and strategies
20.7 consistent with section 122A.06, subdivision 4, so that all students achieve continuous
20.8 progress in reading; and

20.9 (2) teach specialized instruction in reading strategies, interventions, and remediations
20.10 that enable students of all ages and proficiency levels to become proficient readers.

20.11 (c) Nothing in this section limits the authority of a school district to select a school's
20.12 reading program or curriculum.

20.13 Subd. 6. **Technology strategies.** All colleges and universities approved by the
20.14 Professional Educator Licensing and Standards Board to prepare persons for classroom
20.15 teacher licensure must include in their teacher preparation programs the knowledge and
20.16 skills teacher candidates need to engage students with technology and deliver digital and
20.17 blended learning and curriculum.

20.18 Subd. 7. **Student teaching program.** A teacher preparation program may provide a
20.19 year-long student teaching program that combines clinical opportunities with academic
20.20 coursework and in-depth student teaching experiences to offer students:

20.21 (1) ongoing mentorship;

20.22 (2) coaching;

20.23 (3) assessment;

20.24 (4) help to prepare a professional development plan; and

20.25 (5) structured learning experiences.

20.26 Subd. 8. **Remain in effect.** The approval of teacher preparation programs approved by
20.27 the Board of Teaching before the effective date of this section must remain in effect unless
20.28 and until the Professional Educator Licensing and Standards Board denies approval or
20.29 reapproves the program.

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

21.1 Sec. 15. **[122A.093] FRAUD; GROSS MISDEMEANOR.**

21.2 A person who claims to be a licensed teacher without a valid existing license by the
 21.3 board or any person who employs fraud or deception in applying for or securing a license
 21.4 is guilty of a gross misdemeanor.

21.5 **EFFECTIVE DATE.** This section is effective January 1, 2018.

21.6 Sec. 16. Minnesota Statutes 2016, section 122A.22, is amended to read:

21.7 **122A.22 DISTRICT VERIFICATION OF TEACHER LICENSES.**

21.8 No person shall be accounted a qualified teacher until the school district or charter school
 21.9 contracting with the person for teaching services verifies through the Minnesota education
 21.10 licensing system available on the ~~department~~ Professional Educator Licensing and Standards
 21.11 Board Web site that the person is a qualified teacher, consistent with sections 122A.16 and
 21.12 122A.44, subdivision 1.

21.13 **EFFECTIVE DATE.** This section is effective January 1, 2018.

21.14 Sec. 17. Minnesota Statutes 2016, section 127A.05, subdivision 6, is amended to read:

21.15 Subd. 6. **Survey of districts.** The commissioner of education shall survey the state's
 21.16 school districts and teacher preparation programs and report to the education committees
 21.17 of the legislature by February 1 of each odd-numbered year until 2018 on the status of
 21.18 teacher early retirement patterns, the access to effective and more diverse teachers who
 21.19 reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled
 21.20 in a district or school, the teacher shortage, and the substitute teacher shortage, including
 21.21 patterns and shortages in subject areas and the economic development regions of the state.
 21.22 The report must also include: aggregate data on teachers' self-reported race and ethnicity;
 21.23 data on how districts are making progress in hiring teachers and substitutes in the areas of
 21.24 shortage; and a five-year projection of teacher demand for each district, taking into account
 21.25 the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to
 21.26 enroll in the district during that five-year period.

21.27 Sec. 18. Minnesota Statutes 2016, section 214.04, subdivision 1, is amended to read:

21.28 Subdivision 1. **Services provided.** The commissioner ~~of education with respect to the~~
 21.29 ~~Board of Teaching; the commissioner~~ of public safety with respect to the Board of Private
 21.30 Detective and Protective Agent Services; the Board of Peace Officer Standards and Training;
 21.31 and the commissioner of revenue with respect to the Board of Assessors, shall provide

22.1 suitable offices and other space, joint conference and hearing facilities, examination rooms,
 22.2 and the following administrative support services: purchasing service, accounting service,
 22.3 advisory personnel services, consulting services relating to evaluation procedures and
 22.4 techniques, data processing, duplicating, mailing services, automated printing of license
 22.5 renewals, and such other similar services of a housekeeping nature as are generally available
 22.6 to other agencies of state government. Investigative services shall be provided the boards
 22.7 by employees of the Office of Attorney General. The commissioner of health with respect
 22.8 to the health-related licensing boards shall provide mailing and office supply services and
 22.9 may provide other facilities and services listed in this subdivision at a central location upon
 22.10 request of the health-related licensing boards. The commissioner of commerce with respect
 22.11 to the remaining non-health-related licensing boards shall provide the above facilities and
 22.12 services at a central location for the remaining non-health-related licensing boards. The
 22.13 legal and investigative services for the boards shall be provided by employees of the attorney
 22.14 general assigned to the departments servicing the boards. Notwithstanding the foregoing,
 22.15 the attorney general shall not be precluded by this section from assigning other attorneys
 22.16 to service a board if necessary in order to insure competent and consistent legal
 22.17 representation. Persons providing legal and investigative services shall to the extent
 22.18 practicable provide the services on a regular basis to the same board or boards.

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

22.20 Sec. 19. Minnesota Statutes 2016, section 214.045, is amended to read:

22.21 **214.045 COORDINATION WITH PROFESSIONAL EDUCATOR LICENSING**
 22.22 **AND STANDARDS BOARD OF TEACHING.**

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

22.27 **EFFECTIVE DATE.** This section is effective January 1, 2018.

22.28 Sec. 20. **TRANSFER OF POWERS.**

22.29 (a) The creation of the Professional Educator Licensing and Standards Board shall be
 22.30 considered a transfer by law of the responsibilities of the Board of Teaching and the
 22.31 Minnesota Department of Education with respect to licensure and credentialing of teachers
 22.32 and school personnel to the Professional Educator Licensing and Standards Board for
 22.33 purposes of Minnesota Statutes, section 15.039. All classified and unclassified positions

23.1 associated with the responsibilities being transferred to the Professional Educator Licensing
23.2 and Standards Board are transferred with their incumbents to the new agency pursuant to
23.3 Minnesota Statutes, section 15.039, subdivision 7, except as otherwise provided in Minnesota
23.4 Statutes, section 122A.07.

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

23.8 (c) The responsibilities of the Minnesota Department of Education with respect to the
23.9 survey of districts under section 127A.05, subdivision 6, and the staff automated reporting
23.10 (STAR) system, are transferred by law to the Professional Educator Licensing and Standards
23.11 Board for purposes of section 15.039.

23.12 (d) The Professional Educator Licensing and Standards Board must review all rules
23.13 adopted by the Board of Teaching and amend or repeal rules not consistent with statute.
23.14 The Professional Educator Licensing and Standards Board must review all teacher preparation
23.15 programs approved by the Board of Teaching to determine whether the approved programs
23.16 meet the needs of schools in Minnesota.

23.17 **EFFECTIVE DATE.** This section is effective January 1, 2018.

23.18 **Sec. 21. FIRST APPOINTMENTS TO THE PROFESSIONAL EDUCATOR**
23.19 **LICENSING AND STANDARDS BOARD.**

23.20 (a) The governor shall make appointments to the Professional Educator Licensing and
23.21 Standards Board by September 1, 2017, for terms that begin January 1, 2018. The governor
23.22 shall designate one member of the board to convene the first meeting by February 1, 2018,
23.23 and to act as chair until the board elects a chair at its first meeting. The first superintendent
23.24 appointed under Minnesota Statutes, section 122A.07, subdivision 2, clause (2), must be
23.25 from outside the metropolitan area. The governor is encouraged to consider eligible
23.26 candidates that have previously served on the Board of Teaching for appointment to the
23.27 Professional Educator Licensing and Standards Board.

23.28 (b) The terms of the first members appointed to the board do not count towards the term
23.29 limit under Minnesota Statutes, section 122A.07, subdivision 1, if the term expires before
23.30 2022.

24.1 Sec. 22. **REVISOR INSTRUCTION.**

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

24.6 Sec. 23. **REPEALER.**

24.7 Minnesota Statutes 2016, section 122A.09, subdivisions 5, 8, and 11, are repealed.

24.8 **EFFECTIVE DATE.** This section is effective January 1, 2018.

24.9 **ARTICLE 2**24.10 **LICENSURE**

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

24.12 **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

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

24.18 (b) All teacher licenses in effect on January 1, 2018, shall remain valid for one additional
24.19 year after the date the license is scheduled to expire.

24.20 **EFFECTIVE DATE.** This section is effective January 1, 2018.

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

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

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

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

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

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

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

25.4 ~~(e) Licenses under the jurisdiction of the Board of Teaching, the Board of School
25.5 Administrators, and the commissioner of education must be issued through the licensing
25.6 section of the department.~~

25.7 ~~(d)~~ (c) The Professional Educator Licensing and Standards Board of Teaching and the
25.8 Department of Education must enter into a data sharing agreement to share:

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

25.13 (2) data in the staff automated reporting system for the limited purpose of managing and
25.14 processing funding to school districts and other entities.

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

25.20 ~~(f)~~ (e) For purposes of the data sharing agreements under paragraphs ~~(d)~~ (c) and ~~(e)~~ (d),
25.21 the Professional Educator Licensing and Standards Board of Teaching, Board of School
25.22 Administrators, and Department of Education may share private data, as defined in section
25.23 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements
25.24 must not include educational data, as defined in section 13.32, subdivision 1, but may include
25.25 summary data, as defined in section 13.02, subdivision 19, derived from educational data.

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

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

25.28 Subd. 2. **Teacher and Support personnel qualifications.** (a) The Professional Educator
25.29 Licensing and Standards Board of Teaching must issue licenses and credentials under its
25.30 jurisdiction to persons the board finds to be qualified and competent for their respective
25.31 positions, including those meeting the standards adopted under section 122A.09, subdivision
25.32 4, paragraph (n) support personnel positions in accordance with section 120B.36.

26.1 ~~(b) The board must require a candidate for teacher licensure to demonstrate a passing~~
26.2 ~~score on a board-adopted examination of skills in reading, writing, and mathematics, before~~
26.3 ~~being granted a professional five-year teaching license to provide direct instruction to pupils~~
26.4 ~~in prekindergarten, elementary, secondary, or special education programs, except that the~~
26.5 ~~board may issue up to four temporary, one-year teaching licenses to an otherwise qualified~~
26.6 ~~candidate who has not yet passed a board-adopted skills exam. At the request of the~~
26.7 ~~employing school district or charter school, the Board of Teaching may issue an initial~~
26.8 ~~professional one-year teaching license to an otherwise qualified teacher not passing or~~
26.9 ~~demonstrating a passing score on a board-adopted skills examination in reading, writing,~~
26.10 ~~and mathematics. For purposes of this section, the initial professional one-year teaching~~
26.11 ~~license issued by the board is limited to the current subject or content matter the teacher is~~
26.12 ~~employed to teach and limited to the district or charter school requesting the initial~~
26.13 ~~professional one-year teaching license. If the board denies the request, it must provide a~~
26.14 ~~detailed response to the school administrator as to the reasons for the denial. The board~~
26.15 ~~must require colleges and universities offering a board-approved teacher preparation program~~
26.16 ~~to make available upon request remedial assistance that includes a formal diagnostic~~
26.17 ~~component to persons enrolled in their institution who did not achieve a qualifying score~~
26.18 ~~on a board-adopted skills examination, including those for whom English is a second~~
26.19 ~~language. The colleges and universities must make available assistance in the specific~~
26.20 ~~academic areas of candidates' deficiency. School districts may make available upon request~~
26.21 ~~similar, appropriate, and timely remedial assistance that includes a formal diagnostic~~
26.22 ~~component to those persons employed by the district who completed their teacher education~~
26.23 ~~program, who did not achieve a qualifying score on a board-adopted skills examination,~~
26.24 ~~and who received an initial professional one-year teaching license to teach in Minnesota.~~
26.25 ~~The Board of Teaching shall report annually to the education committees of the legislature~~
26.26 ~~on the total number of teacher candidates during the most recent school year taking a~~
26.27 ~~board-adopted skills examination, the number who achieve a qualifying score on the~~
26.28 ~~examination, the number who do not achieve a qualifying score on the examination, and~~
26.29 ~~the candidates who have not passed a content or pedagogy exam, disaggregated by categories~~
26.30 ~~of race, ethnicity, and eligibility for financial aid.~~

26.31 ~~(c) The Board of Teaching must grant professional five-year teaching licenses only to~~
26.32 ~~those persons who have met board criteria for that license, which includes passing a~~
26.33 ~~board-adopted skills examination in reading, writing, and mathematics, and the exceptions~~
26.34 ~~in section 122A.09, subdivision 4, paragraph (b), that are consistent with this paragraph.~~
26.35 ~~The requirement to pass a board-adopted reading, writing, and mathematics skills~~
26.36 ~~examination, does not apply to nonnative English speakers, as verified by qualified Minnesota~~

27.1 ~~school district personnel or Minnesota higher education faculty, who, after meeting the~~
 27.2 ~~content and pedagogy requirements under this subdivision, apply for a professional five-year~~
 27.3 ~~teaching license to provide direct instruction in their native language or world language~~
 27.4 ~~instruction under section 120B.022, subdivision 1.~~

27.5 ~~(d) All colleges and universities approved by the board of teaching to prepare persons~~
 27.6 ~~for teacher licensure must include in their teacher preparation programs a common core of~~
 27.7 ~~teaching knowledge and skills to be acquired by all persons recommended for teacher~~
 27.8 ~~licensure. Among other requirements, teacher candidates must demonstrate the knowledge~~
 27.9 ~~and skills needed to provide appropriate instruction to English learners to support and~~
 27.10 ~~accelerate their academic literacy, including oral academic language, and achievement in~~
 27.11 ~~content areas in a regular classroom setting. This common core shall meet the standards~~
 27.12 ~~developed by the interstate new teacher assessment and support consortium in its 1992~~
 27.13 ~~"model standards for beginning teacher licensing and development." Amendments to~~
 27.14 ~~standards adopted under this paragraph are covered by chapter 14. The board of teaching~~
 27.15 ~~shall report annually to the education committees of the legislature on the performance of~~
 27.16 ~~teacher candidates on common core assessments of knowledge and skills under this paragraph~~
 27.17 ~~during the most recent school year.~~

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

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

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

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

27.24 Sec. 5. Minnesota Statutes 2016, section 122A.18, subdivision 7a, is amended to read:

27.25 Subd. 7a. **Permission to substitute teach.** (a) The Professional Educator Licensing and
 27.26 Standards Board of Teaching may allow a person who otherwise qualifies for a Tier 1 license
 27.27 in accordance with section 122A.181, subdivision 2, or is enrolled in and making satisfactory
 27.28 progress in a board-approved teacher program and who has successfully completed student
 27.29 teaching to be employed as a short-call substitute teacher.

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

28.1 (1) was a qualified teacher under section 122A.16 while holding a ~~professional five-year~~
 28.2 Tier 3 or Tier 4 teaching license issued by the board, under sections 122A.183 and 122A.184,
 28.3 respectively, and receives a retirement annuity from the Teachers Retirement Association
 28.4 or the St. Paul Teachers Retirement Fund Association;

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

28.7 (3) held a ~~professional five-year~~ Tier 3 or Tier 4 teaching license issued by the board,
 28.8 under sections 122A.183 and 122A.184, respectively, taught at least three school years in
 28.9 an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result
 28.10 of the person's teaching experience.

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

28.14 (i) a ~~professional five-year~~ Tier 3 or Tier 4 teaching license under sections 122A.183
 28.15 and 122A.184, respectively, and must again complete continuing education clock hours one
 28.16 school year after receiving the ~~professional five-year~~ Tier 3 or Tier 4 teaching license; or

28.17 (ii) a Tier 1 license under section 122A.181, provided that the candidate has a bachelor's
 28.18 degree, an associate's degree, or an appropriate professional credential in the content area
 28.19 the candidate will teach, in accordance with section 122A.181, subdivision 2.

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

28.21 Sec. 6. Minnesota Statutes 2016, section 122A.18, subdivision 7c, is amended to read:

28.22 Subd. 7c. **Temporary military license.** The Professional Educator Licensing and
 28.23 Standards Board of Teaching shall establish a temporary license in accordance with section
 28.24 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$87.90
 28.25 for an online application or \$86.40 for a paper application. The board must provide candidates
 28.26 for a license under this subdivision with information regarding the tiered licensure system
 28.27 provided in sections 122A.18 to 122A.184.

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

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

28.30 Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards
 28.31 Board of Teaching and the commissioner of education the Board of School Administrators

29.1 must request a criminal history background check from the superintendent of the Bureau
29.2 of Criminal Apprehension on all first-time teaching applicants for licenses under their
29.3 jurisdiction. Applicants must include with their licensure applications:

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

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

29.7 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the
29.8 background check required under paragraph (a) by retrieving criminal history data as defined
29.9 in section 13.87 and shall also conduct a search of the national criminal records repository.
29.10 The superintendent is authorized to exchange fingerprints with the Federal Bureau of
29.11 Investigation for purposes of the criminal history check. The superintendent shall recover
29.12 the cost to the bureau of a background check through the fee charged to the applicant under
29.13 paragraph (a).

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

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

29.20 Sec. 8. Minnesota Statutes 2016, section 122A.18, is amended by adding a subdivision to
29.21 read:

29.22 **Subd. 10. Licensure via portfolio.** (a) The Professional Educator Licensing and Standards
29.23 Board must adopt rules establishing a process for an eligible candidate to obtain any teacher
29.24 license under subdivision 1, or to add a licensure field, via portfolio. The portfolio licensure
29.25 application process must be consistent with the requirements in this subdivision.

29.26 (b) A candidate for a license must submit to the board one portfolio demonstrating
29.27 pedagogical competence and one portfolio demonstrating content competence.

29.28 (c) A candidate seeking to add a licensure field must submit to the board one portfolio
29.29 demonstrating content competence for each licensure field the candidate seeks to add.

29.30 (d) The board must notify a candidate who submits a portfolio under paragraph (b) or
29.31 (c) within 90 calendar days after the portfolio is received whether or not the portfolio is
29.32 approved. If the portfolio is not approved, the board must immediately inform the candidate

30.1 how to revise the portfolio to successfully demonstrate the requisite competence. The
30.2 candidate may resubmit a revised portfolio at any time and the board must approve or
30.3 disapprove the revised portfolio within 60 calendar days of receiving it.

30.4 (e) A candidate must pay to the board a \$300 fee for the first portfolio submitted for
30.5 review and a \$200 fee for any portfolio submitted subsequently. The revenue generated
30.6 from the fee must be deposited in an education licensure portfolio account in the special
30.7 revenue fund. The fees are nonrefundable for applicants not qualifying for a license. The
30.8 board may waive or reduce fees for candidates based on financial need.

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

30.10 Sec. 9. **[122A.181] TIER 1 LICENSE.**

30.11 Subdivision 1. **Application requirements.** The Professional Educator Licensing and
30.12 Standards Board must approve a request from a district or charter school to issue a Tier 1
30.13 license in a specified content area to a candidate if:

30.14 (1) the candidate meets the professional requirement in subdivision 2;

30.15 (2) the district or charter school affirms that the candidate has the necessary skills and
30.16 knowledge to teach in the specified content area; and

30.17 (3) the district or charter school demonstrates that:

30.18 (i) a criminal background check has been completed on the candidate; and

30.19 (ii) the district or charter school has posted the teacher position but was unable to hire
30.20 an acceptable teacher with a Tier 2, 3, or 4 license for the position.

30.21 Subd. 2. **Professional requirements.** (a) A candidate for a Tier 1 license must have a
30.22 bachelor's degree to teach a class outside a career and technical education or career pathways
30.23 course of study.

30.24 (b) A candidate for a Tier 1 license must have one of the following credentials in a
30.25 relevant content area to teach a class in a career and technical education or career pathways
30.26 course of study:

30.27 (1) an associate's degree;

30.28 (2) a professional certification; or

30.29 (3) five years of relevant work experience.

30.30 Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and
30.31 Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license

31.1 may be renewed without limitation subject to paragraph (b). The board may submit written
31.2 comments to the district or charter school that requested the renewal regarding the candidate.

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

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

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

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

31.14 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must
31.15 accept applications for a Tier 1 teaching license beginning July 1 of the school year for
31.16 which the license is requested and must issue or deny the Tier 1 teaching license within 30
31.17 days of receiving the completed application.

31.18 Subd. 5. **Limitations on license.** (a) A Tier 1 license is limited to the content matter
31.19 indicated on the application for the initial Tier 1 license under subdivision 1, paragraph (a),
31.20 clause (2), and limited to the district or charter school that requested the initial Tier 1 license.

31.21 (b) A Tier 1 license does not bring an individual within the definition of a teacher for
31.22 purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1, clause (a).

31.23 (c) A Tier 1 license does not bring an individual within the definition of a "teacher"
31.24 under section 179A.03, subdivision 18.

31.25 Subd. 6. **Mentorship and evaluation.** (a) A teacher holding a Tier 1 license must
31.26 participate in the employing district or charter school's mentorship program.

31.27 (b) A teacher holding a Tier 1 license must participate in an evaluation aligned, to the
31.28 extent practicable, with the evaluation under section 122A.40, subdivision 8, or 122A.41,
31.29 subdivision 5.

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

32.1 Sec. 10. 122A.182] TIER 2 LICENSE.

32.2 Subdivision 1. Requirements. (a) The Professional Educator Licensing and Standards
32.3 Board must approve a request from a district or charter school to issue a Tier 2 license in a
32.4 specified content area to a candidate if:

32.5 (1) the candidate meets the educational or professional requirements in paragraph (b)
32.6 or (c);

32.7 (2) the candidate:

32.8 (i) has completed the coursework required under subdivision 2;

32.9 (ii) is enrolled in a Minnesota-approved teacher preparation program; or

32.10 (iii) has a master's degree in the specified content area; and

32.11 (3) the district or charter school demonstrates that a criminal background check has been
32.12 completed on the candidate.

32.13 (b) A candidate for a Tier 2 license must have a bachelor's degree to teach a class outside
32.14 a career and technical education or career pathways course of study.

32.15 (c) A candidate for a Tier 2 license must have one of the following credentials in a
32.16 relevant content area to teach a class in a career and technical education or career pathways
32.17 course of study:

32.18 (1) an associate's degree;

32.19 (2) a professional certification; or

32.20 (3) five years of relevant work experience.

32.21 Subd. 2. Coursework. (a) A candidate for a Tier 2 license must meet the coursework
32.22 requirement by demonstrating completion of two of the following:

32.23 (1) at least eight upper division or graduate-level credits in the relevant content area;

32.24 (2) field-specific methods of training, including coursework;

32.25 (3) at least two years of teaching experience in a similar content area in any state, as
32.26 determined by the board;

32.27 (4) a passing score on the pedagogy and content exams under section 122A.185; or

32.28 (5) completion of a state-approved teacher preparation program.

32.29 (b) For purposes of paragraph (a), "upper division" means classes normally taken at the
32.30 junior or senior level of college which require substantial knowledge and skill in the field.

33.1 Candidates must identify the upper division credits that fulfill the requirement in paragraph
33.2 (a), clause (1).

33.3 Subd. 3. **Term of license.** The Professional Educator Licensing and Standards Board
33.4 must issue an initial Tier 2 license for a term of two years. A Tier 2 license may be renewed
33.5 three times. The board must issue rules setting forth the conditions for additional renewals
33.6 after the initial license has been renewed three times.

33.7 Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must
33.8 accept applications for a Tier 2 teaching license beginning July 1 of the school year for
33.9 which the license is requested and must issue or deny the Tier 2 teaching license within 30
33.10 days of receiving the completed application.

33.11 Subd. 5. **Limitations on license.** (a) A Tier 2 license is limited to the content matter
33.12 indicated on the application for the initial Tier 2 license under subdivision 1, paragraph (a),
33.13 and limited to the district or charter school that requested the initial Tier 2 license.

33.14 (b) A Tier 2 license shall not be construed to bring an individual within the definition
33.15 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,
33.16 clause (a).

33.17 Subd. 6. **Application toward probationary period.** (a) The time that a teacher works
33.18 under a Tier 2 license must be credited towards the teacher's three-year probationary period
33.19 under section 122A.40, subdivision 5, or 122A.41, subdivision 2.

33.20 (b) The time credited towards the probationary period under paragraph (a) must not
33.21 exceed two years.

33.22 (c) The three years of the probationary period, including any time credited under this
33.23 subdivision, must run consecutively, consistent with section 122A.40, subdivision 5, or
33.24 section 122A.41, subdivision 2.

33.25 Subd. 7. **Mentorship and evaluation.** (a) A teacher holding a Tier 2 license must
33.26 participate in the employing district or charter school's mentorship and evaluation program,
33.27 including an individual growth and development plan.

33.28 (b) A teacher holding a Tier 2 license must participate in an evaluation aligned, to the
33.29 extent practicable, with the evaluation under section 122A.40, subdivision 8, or section
33.30 122A.41, subdivision 5.

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

34.1 Sec. 11. [122A.183] TIER 3 LICENSE.

34.2 Subdivision 1. Requirements. (a) The Professional Educator Licensing and Standards
34.3 Board must issue a Tier 3 license to a candidate who provides information sufficient to
34.4 demonstrate all of the following:

34.5 (1) the candidate meets the educational or professional requirements in paragraphs (b)
34.6 and (c);

34.7 (2) the candidate has obtained a passing score on the required licensure exams under
34.8 section 122A.185; and

34.9 (3) the candidate has completed the coursework required under subdivision 2.

34.10 (b) A candidate for a Tier 3 license must have a bachelor's degree to teach a class outside
34.11 a career and technical education or career pathways course of study.

34.12 (c) A candidate for a Tier 3 license must have one of the following credentials in a
34.13 relevant content area to teach a class in a career and technical education or career pathways
34.14 course of study:

34.15 (1) an associate's degree;

34.16 (2) a professional certification; or

34.17 (3) five years of relevant work experience.

34.18 In consultation with the Governor's Workforce Development Council established under
34.19 section 116L.665, the board must establish a list of qualifying certifications, and may add
34.20 additional professional certifications in consultation with school administrators, teachers,
34.21 and other stakeholders.

34.22 Subd. 2. Coursework. A candidate for a Tier 3 license must meet the coursework
34.23 requirement by demonstrating one of the following:

34.24 (1) completion of a Minnesota-approved teacher preparation program;

34.25 (2) completion of a state-approved teacher preparation program that includes field-specific
34.26 student teaching equivalent to field-specific student teaching in Minnesota-approved teacher
34.27 preparation programs. The field-specific student teaching requirement does not apply to a
34.28 candidate that has two years of teaching experience;

34.29 (3) submission of a content-specific licensure portfolio;

34.30 (4) a professional teaching license from another state, evidence that the candidate's
34.31 license is in good standing, and two years of teaching experience;

35.1 (5) three years of teaching experience under a Tier 2 license, and evidence of summative
35.2 teacher evaluations that did not result in placing or otherwise keeping the teacher on an
35.3 improvement process pursuant to section 122A.40, subdivision 8, or section 122A.41,
35.4 subdivision 5; or

35.5 (6) a passing score on all licensure examinations under section 122A.185 and five years
35.6 of teaching experience as the teacher of record in any state.

35.7 Subd. 3. **Term of license.** The Professional Educator Licensing and Standards Board
35.8 must issue an initial Tier 3 license for a term of three years. A Tier 3 license may be renewed
35.9 every three years without limitation.

35.10 Subd. 4. **Mentorship and evaluation.** A teacher holding a Tier 3 license must participate
35.11 in the employing district or charter school's mentorship and evaluation program, including
35.12 an individual growth and development plan.

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

35.14 Sec. 12. **[122A.184] TIER 4 LICENSE.**

35.15 Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards
35.16 Board must issue a Tier 4 license to a candidate who provides information sufficient to
35.17 demonstrate all of the following:

35.18 (1) the candidate meets all requirements for a Tier 3 license under section 122A.183 and
35.19 holds a Tier 3 license;

35.20 (2) the candidate has at least three years of teaching experience in Minnesota;

35.21 (3) the candidate has obtained a passing score on all required licensure exams under
35.22 section 122A.185; and

35.23 (4) the candidate's most recent summative teacher evaluation did not result in placing
35.24 or otherwise keeping the teacher in an improvement process pursuant to section 122A.40,
35.25 subdivision 8, or 122A.41, subdivision 5.

35.26 Subd. 2. **Term of license.** The Professional Educator Licensing and Standards Board
35.27 must issue an initial Tier 4 license for a term of five years. A Tier 4 license may be renewed
35.28 every five years without limitation.

35.29 Subd. 3. **Mentorship and evaluation.** A teacher holding a Tier 4 license must participate
35.30 in the employing district or charter school's mentorship and evaluation program, including
35.31 an individual growth and development plan.

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

36.2 Sec. 13. **[122A.185] TEACHER LICENSURE ASSESSMENT.**

36.3 Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board
36.4 must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted
36.5 examination of skills in reading, writing, and mathematics before being granted a Tier 4
36.6 teaching license under section 122A.184 to provide direct instruction to pupils in elementary,
36.7 secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier
36.8 3 license to provide direct instruction to pupils in elementary, secondary, or special education
36.9 programs if candidates meet the other requirements in section 122A.181, 122A.182, or
36.10 122A.183, respectively.

36.11 (b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to
36.12 pass an examination of general pedagogical knowledge and examinations of licensure field
36.13 specific content. The content examination requirement does not apply if no relevant content
36.14 exam exists.

36.15 (c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must
36.16 pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,
36.17 scientifically based reading instruction under section 122A.06, subdivision 4, knowledge
36.18 and understanding of the foundations of reading development, development of reading
36.19 comprehension and reading assessment and instruction, and the ability to integrate that
36.20 knowledge and understanding into instruction strategies under section 122A.06, subdivision
36.21 4.

36.22 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills
36.23 examination does not apply to nonnative English speakers, as verified by qualified Minnesota
36.24 school district personnel or Minnesota higher education faculty, who, after meeting the
36.25 content and pedagogy requirements under this subdivision, apply for a teaching license to
36.26 provide direct instruction in their native language or world language instruction under section
36.27 120B.022, subdivision 1.

36.28 Subd. 2. **Passing scores.** The board must establish passing scores in all examinations
36.29 required for licensure.

36.30 Subd. 3. **Testing accommodations.** The board and the entity administering the content,
36.31 pedagogy, and skills examinations must allow any individual who produces documentation
36.32 of a disability in the form of an evaluation, 504 plan, or individual education program (IEP)

37.1 to receive the same testing accommodations on the content, pedagogy, and skills examinations
37.2 that the applicant received during the applicant's secondary or postsecondary education.

37.3 Subd. 4. **Remedial assistance.** (a) A board-approved teacher preparation program must
37.4 make available upon request remedial assistance that includes a formal diagnostic component
37.5 to persons enrolled in their institution who did not achieve a qualifying score on a
37.6 board-adopted skills examination, including those for whom English is a second language.
37.7 The teacher preparation programs must make available assistance in the specific academic
37.8 areas of candidates' deficiency.

37.9 (b) School districts may make available upon request similar, appropriate, and timely
37.10 remedial assistance that includes a formal diagnostic component to those persons employed
37.11 by the district who completed their teacher education program, who did not achieve a
37.12 qualifying score on a board-adopted skills examination, and who received a Tier 1, Tier 2,
37.13 or Tier 3 license under sections 122A.181, 122A.182, or 122A.183, respectively, to teach
37.14 in Minnesota.

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

37.16 Sec. 14. **[122A.187] EXPIRATION AND RENEWAL.**

37.17 Subdivision 1. **License form requirements.** Each license issued under this chapter must
37.18 bear the date of issue and the name of the state-approved teacher training provider or
37.19 alternative teaching program, as applicable. Licenses must expire and be renewed according
37.20 to rules adopted by the Professional Educator Licensing and Standards Board or the Board
37.21 of School Administrators. Requirements for renewing a Tier 3 or Tier 4 license under
37.22 sections 122A.183 and 122A.184, respectively, must include showing satisfactory evidence
37.23 of successful teaching or administrative experience for at least one school year during the
37.24 period covered by the license in grades or subjects for which the license is valid or completing
37.25 such additional preparation as required under this section, or as the Professional Educator
37.26 Licensing and Standards Board prescribes. The Board of School Administrators shall
37.27 establish requirements for renewing the licenses of supervisory personnel except athletic
37.28 coaches. The Professional Educator Licensing and Standards Board shall establish
37.29 requirements for renewing the licenses of athletic coaches.

37.30 Subd. 2. **Local committees.** The Professional Educator Licensing and Standards Board
37.31 must receive recommendations from local committees as established by the board for the
37.32 renewal of teaching licenses.

38.1 Subd. 3. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4
38.2 license under sections 122A.183 and 122A.184, respectively, who have been employed as
38.3 a teacher during the renewal period of the expiring license, as a condition of license renewal,
38.4 must present to their local continuing education and relicensure committee or other local
38.5 relicensure committee evidence of work that demonstrates professional reflection and growth
38.6 in best teaching practices, including among other things, cultural competence in accordance
38.7 with section 120B.30, subdivision 1, paragraph (q), and practices in meeting the varied
38.8 needs of English learners, from young children to adults under section 124D.59, subdivisions
38.9 2 and 2a. A teacher may satisfy the requirements of this paragraph by submitting the teacher's
38.10 most recent summative evaluation or improvement plan under section 122A.40, subdivision
38.11 8, or 122A.41, subdivision 5.

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

38.14 Subd. 4. **Behavior interventions.** The Professional Educator Licensing and Standards
38.15 Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier
38.16 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the
38.17 renewal requirements further preparation in the areas of using positive behavior interventions
38.18 and in accommodating, modifying, and adapting curricula, materials, and strategies to
38.19 appropriately meet the needs of individual students and ensure adequate progress toward
38.20 the state's graduation rule.

38.21 Subd. 5. **Reading preparation.** The Professional Educator Licensing and Standards
38.22 Board must adopt rules that require all licensed teachers who are renewing a Tier 3 or Tier
38.23 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the
38.24 renewal requirements further reading preparation, consistent with section 122A.06,
38.25 subdivision 4. The rules do not take effect until they are approved by law. Teachers who
38.26 do not provide direct instruction including, at least, counselors, school psychologists, school
38.27 nurses, school social workers, audiovisual directors and coordinators, and recreation
38.28 personnel are exempt from this section.

38.29 Subd. 6. **Mental illness.** The Professional Educator Licensing and Standards Board must
38.30 adopt rules that require all licensed teachers renewing a Tier 3 or Tier 4 teaching license
38.31 under sections 122A.183 and 122A.184, respectively, to include in the renewal requirements
38.32 at least one hour of suicide prevention best practices in each licensure renewal period based
38.33 on nationally recognized evidence-based programs and practices, among the continuing
38.34 education credits required to renew a license under this subdivision, and further preparation,
38.35 first, in understanding the key warning signs of early-onset mental illness in children and

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

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

39.7 Sec. 15. **[122A.188] LICENSURE DENIAL; APPEAL.**

39.8 Subdivision 1. **Denial letter.** (a) The Professional Educator Licensing and Standards
39.9 Board must inform a candidate within 30 days of receiving a completed application whether
39.10 the candidate's application for an initial teaching license or renewal of license has been
39.11 approved or denied. A completed application must include all supporting information and
39.12 the results of the background check or conduct determination by the board. When an
39.13 application is denied, the notification letter must inform the candidate of the process for
39.14 seeking review of the denial and of the appeals process provided in this section, including
39.15 all deadlines for seeking review of the denial decision and filing an appeal. The notification
39.16 letter must identify each licensure requirement the candidate failed to meet.

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

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

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

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

40.1 Sec. 16. Minnesota Statutes 2016, section 122A.19, is amended to read:

40.2 **122A.19 BILINGUAL AND ENGLISH AS A SECOND LANGUAGE TEACHERS;**
40.3 **LICENSES.**

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

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

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

40.12 (3) meet all other requirements for a teaching license provided in sections 122A.18 to
40.13 122A.184.

40.14 Subd. 2. **Persons holding general teaching licenses.** The board may license a person
40.15 who holds a ~~general~~ teaching license in any tier under sections 122A.181 to 122A.184,
40.16 respectively, and who presents the board with satisfactory evidence of competence and
40.17 communicative skills in a language other than English under this section.

40.18 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual
40.19 and English as a second language teachers, the board may approve programs at colleges or
40.20 universities designed for their training. ~~These~~

40.21 (b) Programs that prepare English as a second language teachers must provide instruction
40.22 in implementing research-based practices designed specifically for English learners. The
40.23 programs must focus on developing English learners' academic language proficiency in
40.24 English, including oral academic language, giving English learners meaningful access to
40.25 the full school curriculum, developing culturally relevant teaching practices appropriate for
40.26 immigrant students, and providing more intensive instruction and resources to English
40.27 learners with lower levels of academic English proficiency and varied needs, consistent
40.28 with section 124D.59, subdivisions 2 and 2a.

40.29 Subd. 5. **Persons eligible for employment.** Any person licensed under this section is
40.30 eligible for employment by a school board as a teacher in a bilingual education or English
40.31 as a second language program in which the language for which the person is licensed is
40.32 taught or used as a medium of instruction. A board may prescribe only those additional

41.1 qualifications for teachers licensed under this section that are approved by the board of
41.2 teaching.

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

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

41.12 Sec. 17. Minnesota Statutes 2016, section 122A.20, is amended to read:

41.13 **122A.20 SUSPENSION OR REVOCATION OF LICENSES.**

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

41.20 (1) immoral character or conduct;

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

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

41.23 (4) failure to meet licensure requirements; or

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

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

41.26 (b) The Professional Educator Licensing and Standards Board of Teaching or Board of
41.27 School Administrators, whichever has jurisdiction over a teacher's licensure, shall refuse
41.28 to issue, refuse to renew, or automatically revoke a teacher's license to teach without the
41.29 right to a hearing upon receiving a certified copy of a conviction showing that the teacher
41.30 has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first
41.31 degree under section 609.322, subdivision 1, sex trafficking in the second degree under
41.32 section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage

42.1 in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342,
42.2 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation
42.3 of children to engage in sexual conduct or communication of sexually explicit materials to
42.4 children under section 609.352, interference with privacy under section 609.746 or stalking
42.5 under section 609.749 and the victim was a minor, using minors in a sexual performance
42.6 under section 617.246, possessing pornographic works involving a minor under section
42.7 617.247, or any other offense not listed in this paragraph that requires the person to register
42.8 as a predatory offender under section 243.166, or a crime under a similar law of another
42.9 state or the United States. The board shall send notice of this licensing action to the district
42.10 in which the teacher is currently employed.

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

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

42.25 Subd. 2. **Mandatory reporting.** (a) A school board must report to the Professional
42.26 Educator Licensing and Standards Board of Teaching, the Board of School Administrators,
42.27 or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has
42.28 jurisdiction over the teacher's or administrator's license, when its teacher or administrator
42.29 is discharged or resigns from employment after a charge is filed with the school board under
42.30 section 122A.41, subdivisions 6, clauses (1), (2), and (3), and 7, or after charges are filed
42.31 that are grounds for discharge under section 122A.40, subdivision 13, paragraph (a), clauses
42.32 (1) to (5), or when a teacher or administrator is suspended or resigns while an investigation
42.33 is pending under section 122A.40, subdivision 13, paragraph (a) clauses (1) to (5); 122A.41,
42.34 subdivisions 6, clauses (1), (2), and (3), and 7; or 626.556, or when a teacher or administrator
42.35 is suspended without an investigation under section 122A.41, subdivisions 6, paragraph (a),

43.1 clauses (1), (2), and (3), and 7; or 626.556. The report must be made to the appropriate
43.2 licensing board within ten days after the discharge, suspension, or resignation has occurred.
43.3 The licensing board to which the report is made must investigate the report for violation of
43.4 subdivision 1 and the reporting board must cooperate in the investigation. Notwithstanding
43.5 any provision in chapter 13 or any law to the contrary, upon written request from the licensing
43.6 board having jurisdiction over the license, a board or school superintendent shall provide
43.7 the licensing board with information about the teacher or administrator from the district's
43.8 files, any termination or disciplinary proceeding, any settlement or compromise, or any
43.9 investigative file. Upon written request from the appropriate licensing board, a board or
43.10 school superintendent may, at the discretion of the board or school superintendent, solicit
43.11 the written consent of a student and the student's parent to provide the licensing board with
43.12 information that may aid the licensing board in its investigation and license proceedings.
43.13 The licensing board's request need not identify a student or parent by name. The consent
43.14 of the student and the student's parent must meet the requirements of chapter 13 and Code
43.15 of Federal Regulations, title 34, section 99.30. The licensing board may provide a consent
43.16 form to the district. Any data transmitted to any board under this section is private data
43.17 under section 13.02, subdivision 12, notwithstanding any other classification of the data
43.18 when it was in the possession of any other agency.

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

43.28 (c) The Professional Educator Licensing and Standards Board and Board of School
43.29 Administrators must report to the appropriate law enforcement authorities a revocation,
43.30 suspension, or agreement involving a loss of license, relating to a teacher or administrator's
43.31 inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement
43.32 authority" means a police department, county sheriff, or tribal police department. A report
43.33 by the Professional Educator Licensing and Standards Board to appropriate law enforcement
43.34 authorities does not diminish, modify, or otherwise affect the responsibilities of a school
43.35 board or any person mandated to report abuse under section 626.556.

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

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

44.6 Sec. 18. Minnesota Statutes 2016, section 122A.23, subdivision 3, is amended to read:

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

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

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

44.22 Sec. 19. **[122A.2451] ALTERNATIVE TEACHER PREPARATION PROVIDERS**
 44.23 **AND PROGRAMS.**

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

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

44.29 Subd. 2. **Purpose.** To provide alternative pathways towards Minnesota teacher licensure
 44.30 outside of the traditional means, improve ethnic and cultural diversity in the classroom, and
 44.31 to close the achievement gap, the Professional Educator Licensing and Standards Board
 44.32 must approve qualified teacher preparation providers and programs under this section that

45.1 are a means to acquire a Tier 2 license under section 122A.181 and prepare for acquiring a
45.2 Tier 3 license under section 122A.181.

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

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

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

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

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

45.16 (4) has the instructional capacity or ability to obtain the instructional capacity to provide
45.17 an adequate instructional phase under subdivision 5.

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

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

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

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

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

45.31 (5) provide intensive and ongoing professional learning opportunities that accelerate
45.32 teacher candidates' professional growth, support student learning, and provide a workplace

46.1 orientation, professional staff development, mentoring and peer review, focused on standards
46.2 of professional practice and continuous professional growth; and

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

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

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

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

46.19 Subd. 8. **Candidate program completion; teacher licensure.** (a) A candidate that
46.20 completes an approved program must apply for a license under the tiered licensure system
46.21 according to section 122A.181.

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

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

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

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

47.1 Sec. 20. Minnesota Statutes 2016, section 122A.26, subdivision 2, is amended to read:

47.2 Subd. 2. **Exceptions.** A person who teaches in a community education program which
 47.3 qualifies for aid pursuant to section 124D.52 shall continue to meet licensure requirements
 47.4 as a teacher. A person who teaches in an early childhood and family education program
 47.5 which is offered through a community education program and which qualifies for community
 47.6 education aid pursuant to section 124D.20 or early childhood and family education aid
 47.7 pursuant to section 124D.135 shall continue to meet licensure requirements as a teacher. A
 47.8 person who teaches in a community education course which is offered for credit for
 47.9 graduation to persons under 18 years of age shall continue to meet licensure requirements
 47.10 as a teacher. A person who teaches a driver training course which is offered through a
 47.11 community education program to persons under 18 years of age shall be licensed by the
 47.12 Professional Educator Licensing and Standards Board of Teaching or be subject to section
 47.13 171.35. A license which is required for an instructor in a community education program
 47.14 pursuant to this subdivision shall not be construed to bring an individual within the definition
 47.15 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,
 47.16 clause (a).

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

47.18 Sec. 21. Minnesota Statutes 2016, section 122A.28, is amended to read:

47.19 **122A.28 TEACHERS OF DEAF AND HARD-OF-HEARING STUDENTS;**
 47.20 **LICENSURE REQUIREMENTS.**

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

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

47.27 (b) Among other relicensure requirements, each teacher under this section must complete
 47.28 30 continuing education clock hours on hearing loss topics, including American Sign
 47.29 Language, American Sign Language linguistics, or deaf culture, in each licensure renewal
 47.30 period.

47.31 Subd. 2. **Licensure for teaching oral/aural deaf education programs.** (a) The
 47.32 Professional Educator Licensing and Standards Board of Teaching shall adopt a separate
 47.33 licensure rule for a candidate for a license or an applicant for a continuing license to teach

48.1 in oral/aural deaf education programs or to provide services, including itinerant oral/aural
48.2 deaf education services, to deaf and hard-of-hearing students in prekindergarten through
48.3 grade 12.

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

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

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

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

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

48.20 Sec. 22. Minnesota Statutes 2016, section 122A.29, is amended to read:

48.21 **122A.29 TEACHERS OF BLIND AND VISUALLY IMPAIRED STUDENTS;**
48.22 **LICENSURE REQUIREMENTS.**

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

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

48.29 Sec. 23. Minnesota Statutes 2016, section 122A.30, is amended to read:

48.30 **122A.30 EXEMPTION FOR CAREER AND TECHNICAL EDUCATION**
48.31 **INSTRUCTORS.**

49.1 (a) Notwithstanding section 122A.15, subdivision 1, and upon approval of the local
49.2 employer school board, a person who teaches in a part-time vocational or career and technical
49.3 education program is exempt from a license requirement. Nothing in this section shall
49.4 exclude licensed career and technical educators from the definition of "teacher" in section
49.5 122A.40, 122A.41, or 179A.03.

49.6 (b) This section expires June 30, 2020. After this section expires, persons who teach in
49.7 a part-time vocational or career and technical education program may apply for a teaching
49.8 license provided in sections 122A.18 to 122A.184.

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

49.10 Sec. 24. Minnesota Statutes 2016, section 124D.13, subdivision 11, is amended to read:

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

49.15 **EFFECTIVE DATE.** This section is effective January 1, 2018.

49.16 Sec. 25. Minnesota Statutes 2016, section 124D.454, subdivision 12, is amended to read:

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

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

50.2 Sec. 26. Minnesota Statutes 2016, section 124D.75, subdivision 1, is amended to read:

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

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

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

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

50.18 **EFFECTIVE DATE.** This section is effective January 1, 2018.

50.19 Sec. 27. Minnesota Statutes 2016, section 124D.75, subdivision 6, is amended to read:

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

50.31 **EFFECTIVE DATE.** This section is effective January 1, 2018.

51.1 Sec. 28. Minnesota Statutes 2016, section 125A.67, subdivision 2, is amended to read:

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

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

51.7 Sec. 29. Minnesota Statutes 2016, section 136A.1791, subdivision 1, is amended to read:

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

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

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

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

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

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

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

51.25 Sec. 30. **TEACHER OF SPECIAL EDUCATION LICENSE REVIEW.**

51.26 The Professional Educator Licensing and Standards Board must conduct a review of all
 51.27 the available teacher of special education licenses and determine the options for
 51.28 cross-categorical licenses for teachers of special education. The board must report its findings
 51.29 and draft legislation, if needed, to the legislative committees having jurisdiction over
 51.30 kindergarten through grade 12 education by December 14, 2018.

52.1 Sec. 31. **RULE CHANGE; ACADEMIC AND BEHAVIORAL STRATEGIST**
52.2 **LICENSURE.**

52.3 No later than September 1, 2017, the Board of Teaching must amend Minnesota Rules,
52.4 part 8710.5050, subpart 4, so that academic and behavioral strategist continuing licenses
52.5 under that part may be issued and renewed according to rules of the Board of Teaching
52.6 governing continuing licenses and without requiring the candidate to hold or be recommended
52.7 for licensure in any other licensure field. The board shall use the good cause exemption
52.8 under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under
52.9 this section, and Minnesota Statutes, section 14.386, does not apply except as provided in
52.10 Minnesota Statutes, section 14.388.

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

52.12 Sec. 32. **LICENSES UNDER JURISDICTION OF THE BOARD OF TEACHING.**

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

52.16 Subd. 2. **Two-year license.** A two-year license issued by the commissioner of education
52.17 before the effective date of this section must be treated as a Tier 2 license established under
52.18 Minnesota Statutes, sections 122A.18 and 122A.182.

52.19 Subd. 3. **Five-year license.** A five-year license issued by the commissioner of education
52.20 before the effective date of this section must be treated as a Tier 4 license established under
52.21 Minnesota Statutes, sections 122A.18 and 122A.184.

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

52.23 Sec. 33. **PERMISSIONS, WAIVERS, EXCEPTIONS, AND VARIANCES.**

52.24 The Professional Educator Licensing and Standards Board may grant an extension of
52.25 up to one year for a permission, waiver, variance, or temporary limited license in effect on
52.26 January 1, 2018.

52.27 **EFFECTIVE DATE.** This section is effective January 1, 2018.

53.1 Sec. 34. **TEACHERS OF ENGLISH AS A SECOND LANGUAGE.**

53.2 (a) Notwithstanding the teacher's field of licensure, a teacher may provide content
 53.3 instruction in a district or charter school until the end of the 2018-2019 school year if the
 53.4 teacher:

53.5 (1) held a kindergarten through grade 12 English as a second language (ESL) license
 53.6 during the 2016-2017 school year;

53.7 (2) provided content instruction as a highly qualified teacher under the No Child Left
 53.8 Behind Act to English language learners, as defined under Minnesota Statutes, section
 53.9 124D.59; and

53.10 (3) taught in a classroom where both state content standards and English language
 53.11 development standards were satisfied.

53.12 (b) For the 2019-2020 school year and later, a teacher with an ESL license must meet
 53.13 all applicable licensing requirements in chapter 122A and rules adopted by the Professional
 53.14 Educator Licensing and Standards Board.

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

53.16 Sec. 35. **REPEALER.**

53.17 Minnesota Statutes 2016, sections 122A.14, subdivision 5; 122A.162; 122A.163;
 53.18 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, and 7b; 122A.21, subdivision 2; 122A.23,
 53.19 subdivisions 1 and 2; 122A.245; and 122A.25, are repealed.

53.20 **ARTICLE 3**

53.21 **NONTEACHER CREDENTIALING**

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

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

- 54.1 writing, and math. The commissioner must approve or disapprove local assessments using
- 54.2 these criteria. The commissioner must make the criteria available to the public.
- 54.3 **EFFECTIVE DATE.** This section is effective January 1, 2018."
- 54.4 Amend the title accordingly