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Section

Article 1: Professional Educator Licensing and Standards Board

Overview

This article establishes the Professional Educator Licensing and Standards Board (PELSB) and transfers all teacher licensure responsibilities to the PELSB from the Department of Education and the Board of Teaching.

- 1 **Definitions.** Substitutes PELSB name.
 - “Field” or “subject area” means the content area in which a teacher may be licensed to teach.
 - “Shortage” means an inadequate supply of licensed teachers in a given licensure field; definition was in section 122A.18, subdivision 7.
 - “Teacher preparation program” means a program approved by the PELSB to prepare teachers for special license fields.
 - “Teacher preparation program provider” or “unit” means the entity with primary responsibility for a teacher preparation program.
- 2 **PELSB membership.**
 - Subd. 1. Appointment of members.** The PELSB consists of 11 members appointed by the governor.

Section

Subd. 2. Eligibility; board composition. Changes eligibility requirements for board membership and composition.

Subd. 2a. First appointments. Provides expiration dates for first appointment to PELSB, and ineligibility of current Board of Teaching members for first appointments.

Subd. 3. Vacant position. Defines when a position is deemed vacant.

Subd. 4. Terms, compensation; removal; vacancies. Eliminates provision of staff, administrative services, and office space from list of functions that are provided in chapter 214.

Subd. 4a. Administration. Establishes executive director appointment, removal, and duties. Requires Department of Administration to provide administrative support services. Requires Department of Education to provide offices until January 1, 2020.

Subd. 5. District reimbursement for costs of substitute teachers. Substitutes PELSB name in provision relating to reimbursing districts for cost of substitute teachers.

- 3 **Meetings.** Substitutes PELSB name, and adds language regarding duties of executive secretary.
- 4 **Code of ethics.** Substitutes PELSB name.
- 5 **Advise members of profession.** Substitutes PELSB name.
- 6 **Election of chairs and officers.** Substitutes PELSB name.
- 7 **Licensing.** Requires PELSB to license teachers. Prohibits board from delegating its authority to make licensing decisions. Eliminates board's general authority to adopt teacher licensure rules.

Language regarding approval of teacher preparation programs, license requirements, renewal, and teacher assessments is in other sections.
- 8 **Reports.** Requires PELSB to provide reports in accordance with section 122A.091.

Language specifying reports is consolidated in section 122A.091.
- 9 **Register of persons licensed.** Substitutes PELSB name.
- 10 **Board money.** Eliminates requirement that commissioner of education provide support to the board. Requires appropriations to board be used to administer section 120B.36 and sections in chapter 122A.
- 11 **Board rules.** Requires PELSB name to adopt rules to implement certain sections. Provides that law prevails over board rules. Requires board to adopt rules relating to licensure fields and grade levels that a teacher may be licensed to teach. Requires board to consider proposed rule's effect on teacher supply and demand. Clarifies that board has limited rulemaking authority.
- 12 **Permissions.** Substitutes PELSB name in provision allowing board to grant permissions, including waivers to rules for experimental programs implemented by a school district or charter school. Eliminates language regarding one-year license and one-year waiver.

Section

Provides that candidates with career and technical education certification may apply for a Tier 1 license under section 122A.181.

- 13** **Reports.** Consolidates teacher-related reports by board and other entities under section 122A.091.

Subd. 1. Teacher and administrator preparation and performance data; report. Requires PELSB and Board of School Administrators (BOSA) to collect and report teacher and administration preparation and performance data.

Subd. 2. Teacher preparation program reporting. Requires PELSB to post on its website data related to teacher preparation programs.

Subd. 3. School district reports. Requires school districts to report certain teacher data to PELSB and BOSA.

Subd. 4. State reports. Requires PELSB to prepare reports on board activities under section 214.07.

Subd. 5. Survey of districts. Requires PELSB to survey school districts and submit teacher supply and demand report starting in 2021; report is currently responsibility of Department of Education.

Subd. 6. Implementation report. Requires PELSB to report on implementation of tiered licensure system.

- 14** **Teacher preparation programs.** Consolidates requirements regarding teacher preparation program approval and other preparation program requirements.

Subd. 1. Rules. Requires PELSB to adopt rules to approve teacher preparation programs.

Subd. 2. Requirements for board approval. Provides requirements for program approval. Eliminates requirement for content-specific, board-approved, performance-based assessment that measures teacher candidates in three areas.

Subd. 3. Specialized credentials. Requires PELSB to adopt rules for specialized credentials.

Subd. 4. Teacher educators. Requires PELSB to adopt rules requiring teacher educators to work with elementary or secondary school teachers.

Subd. 5. Reading strategies. Requires teacher preparation programs to include instruction in reading strategies.

Subd. 6. Technology strategies. Requires teacher preparation programs to include instruction in using technology.

Subd. 7. Remain in effect. Provides that a program approved by the Board of Teaching is approved until PELSB denies approval or reapproves the program.

Subd. 8. Student teaching program. Allows programs to provide one-year student teaching programs.

Section

- 15** **Fraud; gross misdemeanor.** Recodifies language from section 122A.09, subdivision 8, classifying a false claim to be a licensed teacher as a gross misdemeanor.
- 16** **District verification of teacher licenses.** Substitutes PELSB name in provision requiring districts to verify teacher is qualified.
- 17** **Survey of districts.** Limits Department of Education's responsibility over teacher supply and demand report to end in 2020, when PELSB will take responsibility for report under section 122A.092, subdivision 5.
- 18** **Commissioner of education services.** Eliminates requirement that commissioner of education provide Board of Teaching offices and other space.
- 19** **Executive director and executive secretary hiring.** Removes Board of Teaching from list of boards where executive director, executive secretary, and other employees are hired by the board. Executive director is appointed as provided in section 122A.07.
- 20** **Coordination with other agencies.** Substitutes PELSB name in provision requiring agencies to coordinate regarding requirements for some school personnel.
- 21** **Transfer of powers.** Transfers responsibilities for licensure and credentialing of teachers and school personnel from Board of Teaching and Department of Education to PELSB in accordance with section 15.039. Section 15.039 provides for effect of transfers on rules, court actions, contracts, obligations, unexpended funds, personnel, and transfer of property. Requires PELSB to review Board of Teaching rules, and approved teacher preparation programs.
- 22** **Revisor instruction.** Instructs revisor to substitute PELSB name for Board of Teaching.
- 23** **Repealer.** Repeals section 122A.09, subdivisions 5, 8, and 11.
Subdivision 5 requires commissioner of education to comment on rules proposed by Board of Teaching. Subdivision 8 contains language that is recoded under section 122A.093. Subdivision 11 contains language recoded in section 122A.09, subdivision 2.

Article 2: Teacher Licensure

Overview

This article establishes a tiered licensure system, and eliminates obsolete language pertaining to previous license terms.

- 1** **Validity of certificates or licenses.** Substitutes PELSB name. Provides that licenses in effect on September 1, 2017, will be valid for one year longer than scheduled.
- 2** **Authority to license.** Requires PELSB to license teachers according to tiers in sections 122A.181 to 122A.184. Eliminates provision requiring licenses under jurisdiction of PELSB and BOSA to be issued through Department of Education. Substitutes PELSB name in provisions relating to data sharing.

Section

- 3 Support personnel qualifications.** Requires PELSB to issue licenses and credentials to support personnel. Language regarding teacher qualifications and preparation programs is recoded in other sections. Eliminates language regarding one-year license.
- 4 Reading specialist.** Substitutes PELSB name in provision regarding reading teacher licensure rules.
- 5 Permission to substitute teach.** Substitutes PELSB name. Replaces references to five-year professional licenses with references to Tier 3 or Tier 4 licenses. Allows teachers holding lifetime short-call substitute teaching licenses to apply for Tier 1 or Tier 2 licenses under certain circumstances.
- 6 Temporary military license.** Substitutes PELSB name. Requires PELSB to provide candidates for military licenses with information regarding tiered licensure system.
- 7 Background checks.** Substitutes PELSB name, and expands background check requirements to BOSA; eliminates responsibilities of commissioner of education. Requires PELSB to notify school district or charter school that license has been issued pending completion of background check.
- 8 Licensure via portfolio.** Recodes language from section 122A.09, subdivision 8; substitutes PELSB name, requires PELSB to adopt rules.
- 9 Rules.** Requires PELSB to adopt criteria for determining a similar appropriate credential, relevant work experience, and similar content area.
- 10 Tier 1 license.**
 - Subd. 1. Requirements.** Establishes general requirements for a Tier 1 license.
 - Subd. 2. Coursework.** Establishes coursework requirements for a Tier 1 license.
 - Subd. 3. Term of license.** Provides term and renewal of Tier 1 license.
 - Subd. 4. Application.** Provides application deadlines for Tier 1 license.
 - Subd. 5. Limitations on license.** Establishes limits on Tier 1 license. Provisions of sections 122A.40 and 122A.41 do not apply to teachers with Tier 1 license.
- 11 Tier 2 license.**
 - Subd. 1. Requirements.** Establishes general requirements for a Tier 2 license.
 - Subd. 2. Coursework.** Establishes coursework requirements for a Tier 2 license. Includes coursework within field-specific methods of training in clause 2.
 - Subd. 3. Term of license.** Provides term and renewal of Tier 2 license.
 - Subd. 4. Limitations on license.** Provisions of sections 122A.40 and 122A.41 do not apply to teachers with Tier 2 license.
 - Subd. 5. Application towards probationary period.** Requires time spent teaching with a Tier 2 license while in a teacher preparation program to count towards a three-year probationary period.
- 12 Tier 3 license.**

Section

Subd. 1. Requirements. Establishes general requirements for a Tier 3 license.

Subd. 2. Coursework. Establishes coursework requirements for a Tier 3 license. Allows two years of teaching experience to substitute for field-specific student teaching requirements.

Subd. 3. Term of license. Provides term and renewal of Tier 3 license.

13 Tier 4 license.

Subd. 1. Requirements. Establishes general requirements for a Tier 4 license.

Subd. 2. Term of license. Provides term and renewal of Tier 4 license.

14 Teacher licensure assessments. Consolidates teacher licensure assessment provisions that were previously at sections 122A.09 and 122A.18. Modifies prekindergarten licensing requirements, and makes technical changes. Eliminates provision that requirement to pass exams does not apply to nonnative English speakers that apply for license to teach their native language or a world language. Eliminates skills exam requirement for Tier 3 licenses.

Subd. 1. Tests. Requires Tier 4 candidates to pass skills exams. Requires Tier 3 and Tier 4 candidates to pass pedagogy and reading instruction exams. Eliminates testing requirement for prekindergarten teachers.

Subd. 2. Passing scores. Requires PELSB to establish passing scores in all required examinations.

Subd. 3. Testing accommodations. Requires testing accommodations.

Subd. 4. Remedial assistance. Requires teacher preparation programs to provide remedial assistance to candidates that have not passed required examinations. School districts may provide remedial assistance.

15 Human relations. Recodifies language previously under section 122A.18; requires PELSB rules.

16 Expiration and renewal. Consolidates language regarding expiration and renewal previously in sections 122A.09 and 122A.18; clarifies applicable tiers.

Subd. 1. License form requirements. Provides license form requirements.

Subd. 2. Professional growth. Requires teachers to show professional growth. Allows a teacher to meet requirements by submitting most recent summative evaluation or improvement plan.

Subd. 3. Behavior interventions. Requires teachers to train in behavior interventions.

Subd. 4. Reading preparation. Requires teachers to train in reading preparation.

Subd. 5. Mental illness. Requires teachers to train in suicide prevention and mental illness.

17 Licensure denial and appeal. Establishes process to appeal licensure denial.

Subd. 1. Denial letter. Requires denial letters to include certain information.

Section

Subd. 2. Review of denial. Establishes process for PELSB to review denial decisions.

Subd. 3. Appeal. Establishes appeal process under Administrative Procedure Act.

- 18 **Bilingual and English as a second language teachers.** Substitutes PELSB name, and requires teachers to meet requirements for tiered licenses. Clarifies requirements for programs that prepare English as a second language teachers.
- 19 **Suspension or revocation of licenses.** Substitutes PELSB name. Requires PELSB and BOSA to report suspensions, revocations, and agreements involving loss of license relating to sexual conduct with a minor to law enforcement authorities. Board report does not modify mandatory reporting responsibilities.
- 20 **Teacher licensure agreements with adjoining states.** Substitutes PELSB name.
- 21 **Alternative teacher preparation program requirements.** Substitutes PELSB name and clarifies application of tiered licenses. Modifies list of entities that may establish alternative teacher preparation programs and eliminates candidate requirements.
- 22 **Alternative teacher preparation program approval criteria.** Substitutes PELSB name and clarifies application of tiered licenses. Modifies program criteria, and requires board to approve programs that meet criteria.
- 23 **Alternative teacher preparation program approval, disapproval.** Substitutes PELSB name. Strikes language regarding board approval.
- 24 **Alternative teacher preparation program and licensure.** Replaces process for recommending program participants for licensure with provision that participants can apply for a Tier 3 license.
- 25 **Alternative teacher preparation programs in other states.** Substitutes PELSB name and clarifies application of tiered licenses. Strikes reference to §122A.23 (applicable subdivisions repealed).
- 26 **Alternative teacher preparation program best practices.** Substitutes PELSB name and removes postsecondary institutions' responsibility for report.
- 27 **Alternative teacher preparation program report.** Requires PELSB to report on programs.
- 28 **Community education teachers.** Substitutes PELSB name.
- 29 **Teachers of deaf and hard-of-hearing students.** Substitutes PELSB name.
- 30 **Teachers of blind and visually impaired students.** Substitutes PELSB name.
- 31 **Technical education instructions.** Provides that after June 30, 2020, part-time vocational or career and technical education program can apply for teaching license in tiered system.
- 32 **Early childhood family education teachers.** Eliminates language permitting variance for licensure requirement.
- 33 **Transition system for children with a disability.** Substitutes PELSB name.
- 34 **American Indian language and culture education licenses.** Substitutes PELSB name.

Section

- 35 American Indian language and culture education licenses and exemptions.** Substitutes PELSB name, and eliminates commissioner of education responsibility for granting exemptions.
- 36 Academies teacher standards.** Applies PELSB standards to teachers and BOSA standards to administrators.
- 37 Teacher shortage loan forgiveness program.** Substitutes PELSB name, and eliminates commissioner of education responsibility for issuing licenses in definition of “teacher.”
- 38 Licenses under jurisdiction of Board of Teaching.** Provides how licenses issued by Board of Teaching must be treated under tiered licensure system.
- Subd. 1. One-year license.** One-year licenses must be treated as Tier 1 license.
- Subd. 2. Two-year license.** Two-year license must be treated as Tier 2 license.
- Subd. 3. Three-year license.** Three-year license must be treated as Tier 3 license.
- Subd. 4. Five-year license.** Five-year license must be treated as Tier 4 license.
- 39 Permissions, waivers, exceptions, and variances.** Allows PELSB to grant a one-year extension for a permission, waiver, variance, or temporary limited license in effect on September 1, 2017.
- 40 Repealer.** Repeals the following sections:
- Section 122A.14, subdivision 5 – commissioner of education must comment on proposed BOSA rules.
 - Section 122A.162 – commissioner of education may make rules relating to school personnel not licensed by Board of Teaching or BOSA.
 - Section 122A.163 – commissioner of education may to grant variances to Board of Teaching and BOSA licensure rules.
 - Section 122A.18, subdivision 2a – recodified in section 122A.092, subdivision 5; subdivision 3 – commissioner of education must license qualified persons, and may adopt code of ethics for supervisory personnel; subdivision 3a – recodified in section 122A.092, subdivision 6; subdivision 4 – consolidated with other expiration and renewal requirements in section 122A.187; subdivision 4a – limited provisional licenses; subdivision 6 – recodified in section 122A.186; subdivision 7 – limited provisional licenses, definition of “shortage” recodified in section 122A.06, subd. 5; and subdivision 7b – temporary limited licenses and personnel variances.
 - Section 122A.21, subdivision 2 – licensure via portfolio recodified in section 122A.18, subdivision 10.
 - Section 122A.23, subdivisions 1 and 2 – applicants trained in other states.
 - Section 122A.245, subdivisions 7 and 8 – alternative teacher preparation program and preliminary teacher license.
 - 122A.25 – nonlicensed community experts.

Section

Article 3: Nonteacher Credentialing

1 **Paraprofessional credential.** Substitutes PELSB name.