



2017 Teacher Licensure Conference Committee Agreement

Issue	Conference Committee Agreement
Overview	The proposal transfers all teacher licensing governance from the Minnesota Department of Education (MDE) and Board of Teaching to a new board, the Professional Educator Licensing and Standards Board (PELSB). No significant changes have been proposed to the Board of School Administrators (BOSA) but background checks are now in their jurisdiction with PELSB. The bill also creates a tiered licensure system with four tiers.
Teacher Licensure Governance	
Definitions	Adds definitions and references to PELSB for teacher, field/subject area, teacher shortage, teacher preparation program, and teacher preparation program provider in statute. Of note, shortage is defined as 1) licensure fields and economic development regions reported by the commissioner of education or the PELSB as experiencing a teacher shortage; and 2) economic development regions where there is a shortage of licensed teachers who reflect the racial or ethnic diversity of students in the region.
PELSB Membership	<ul style="list-style-type: none"> -11 members appointed by the Governor with the advice and consent of the Senate (current process and number). -One member from board-approved teacher preparation program. -Six teachers. Changes requirements for teachers serving on the Board. Currently, a teacher representative must be currently teaching in a Minnesota school, fully licensed, and have five years of teaching experience in Minnesota including two years immediately preceding their appointment. This proposal changes the teacher membership on PELSB to a person that must have at least five years of teaching experience, and were not serving in an administrative function at a school district or school when appointed. -Specifies that one of the six teachers serving on PELSB must be a teacher in a charter school, one teacher from the seven-county metro area, one teacher from outside the metro area, one teacher from a related service category licensed by the board, one special education teacher; and one teacher from a teacher preparation program. -One superintendent, who alternates each term between a superintendent from the seven-county metro area and a superintendent from outside the seven-county metro area. -One district human resources director. -One administrator of an intermediate school district or service cooperative. -One elementary or secondary school principal (alternate terms). -One member of the public that may be a current or former school board member. -Members shall be appointed in staggered terms (2019, 2020, 2021, and 2022).



2017 Teacher Licensure Conference Committee Agreement

Issue	Conference Committee Agreement
	<ul style="list-style-type: none">-Current members of the Board of Teaching as of January 1, 2017 are ineligible for first appointments to PELSB for four years from September 1, 2017. Except that two members of the Board of Teaching as of January 1, 2017, are eligible for appointment.-Requires PELSB to have an executive director who is not a member of the Board.-The board must review the performance of the executive director and set the salary of the executive director.
PELSB First Appointments and Transition	<ul style="list-style-type: none">-The governor shall make the appointments to PELSB by September 1, 2017 for terms that begin January 1, 2018.-The governor shall designate one member of the board to convene the first meeting by February 1, 2018, and to act as chair until the board elects a chair at its first meeting.-The first superintendent appointed must be from outside the metropolitan area. The Governor is encouraged to consider eligible candidates that have previously served on the Board of Teaching for appointment to PELSB.-Initial terms do not count towards the term limit if the term applies before 2022. <p>Beginning October 2, 2017, the board members appointed by the Governor, may informally organize and prepare for their term. The superintendent member must convene the first meeting. At the first meeting the appointees must select a chairperson to lead the transition meetings. Between October 2 and January 1, 2018, the board members must begin the selection process for the executive director. The meetings are subject to the open meeting law.</p>
PELSB Executive Director	<ul style="list-style-type: none">-The executive director of PELSB is the chief administrative officer for the board but shall not be a member of the board. <p>The executive director shall maintain the records of the board, account for all fees received by the board, supervise and direct employees servicing the board, and perform other services as directed by the board.</p>
Licensing Duties	<p>Requires PELSB to license teachers. Prohibits the Board from delegating its authority to make licensing decisions. The Board's authority to adopt teacher licensure rules is removed. The board must evaluate candidates for compliance with statutory or rule requirements for licensure and develop licensure verification requirements.</p> <p>Transfers all responsibilities for licensing and credentialing of teachers and school personnel from BOT and MDE to PELSB.</p>
PELSB	<ul style="list-style-type: none">-Requires PELSB to provide reports.



2017 Teacher Licensure Conference Committee Agreement

Issue	Conference Committee Agreement
Reports	<ul style="list-style-type: none"> -Consolidates teacher and administrator preparation and performance data-related reports. -PELSB shall report annually starting December 31, 2018, on its web page the cumulative summary results of at least three consecutive years of data reported to the board. -Requires the PELSB to survey the state’s school districts and teacher prep programs with a report to the legislature by February 1, 2019 (Teacher Supply and Demand Report that is currently produced by MDE) -Requires the PELSB to report to the legislature on the implementation of the teacher licensure system by January 1, 2019. -Transfers Staff Automated Reporting (STAR) system to PELSB.
PELSB Funding and Support	<ul style="list-style-type: none"> -Requires all money received by PELSB to be paid into the state treasury. -Appropriates funds to PELSB for teacher and support personnel licensure and credentialing activities. -Requires the Department of Administration to provide the Board with administrative support. Requires MDE to provide space and support at reasonable cost until January 1, 2020. -Eliminates the requirement that the Commissioner of Education provide the Board with offices and other space.
PELSB Rule Adoption	<ul style="list-style-type: none"> -Requires PELSB to adopt rules and adds sections of law including rules related to licensure, including a process for granting permission to a licensed teacher to teach in a field that is different from the teacher’s field of licensure, and rules related to the grade levels that a licensed teacher may teach. -If a rule adopted by the board is in conflict session law or statute, the law or statute prevails. Terms adopted in rule must be clearly defined and must not be construed to conflict with terms adopted in statute or session law. -The Board must include a description of a proposed rule’s probable effect on teacher supply and demand in the board’s statement of need and reasonableness. -The Board must adopt rules only under the specific statutory authority.
Permissions	<ul style="list-style-type: none"> -Candidates who have obtained career and technical education certification may apply for a Tier 1 license. -The Board must strongly encourage approved college or university-based teacher preparation programs throughout Minnesota to develop alternative pathways for certifying and licensing high school career and technical education instructors and teachers.
School District Reports to PELSB	<p>Current school district reports are consolidated into a new section. Current school district reports:</p> <ul style="list-style-type: none"> -Requires school districts to report to PELSB annually by October 1, information for all teachers who finished the probationary period and accepted a continuing contract position with the district from Sept. 1 of the previous year through August 31 of the current year: 1) effectiveness category or rating of the teacher on the summative evaluation; 2) the licensure area in which the teacher primarily taught during the three-year evaluation cycle; and 3) the teacher preparation program preparing the teacher in the teacher’s primary areas of instruction and



2017 Teacher Licensure Conference Committee Agreement

Issue	Conference Committee Agreement
	<p>licensure.</p> <ul style="list-style-type: none"> -Requires school districts to report to PELSB annually by October 1, information for all probationary teachers in the district who were released or whose contracts were not renewed from Sept. 1 of the previous year through August 31 of the current year: 1) the licensure area in which the teacher primarily taught; and 2) the teacher preparation program preparing the teacher in the teacher’s primary areas of instruction and licensure. -Requires school districts to report to BOSA annually by October 1, the following information for all school principals and assistant principals who finished the probationary period and accepted a continuing contract position with the district from September 1 of the previous year through August 31 of the current year: 1) the effectiveness category or rating of the principal or assistant principal on the summative evaluation; 2) the principal preparation program providing instruction to the principal or assistant principal. -Requires school districts to report to BOSA annually by October 1, all probationary school principals and assistant principals in the district who were released or whose contracts were not renewed from September 1 of the previous year through August 31.
Teacher Preparation Programs	<ul style="list-style-type: none"> Consolidates teacher preparation programs into a new section. -Requires PELSB to adopt rules to approve teacher preparation programs including alternative teacher preparation programs. -Provides requirements for program approval. Eliminates requirement for content-specific, board-approved, performance-based assessment that measures teacher candidates in three areas. -Requires PELSB to adopt specialized credentials creating flexible, specialized teaching licenses, credentials, and other endorsement forms to increase students’ participation. -Requires PELSB to adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain exposure to these teaching environments. -Requires teacher preparation programs to include instruction in reading strategies. -Requires teacher preparation programs to include instruction in using technology. -Allows programs to provide a one-year student teaching program that combines clinical opportunities with academic coursework. -Provides that programs approved by BOT before the effective date of this section must remain in effect unless and until the PELSB denies or reapproves the program.
Gross Misdemeanor	Recodifies language that makes it a gross misdemeanor to claim to be a licensed teacher without a valid license or to use fraud or deception in license application.
Licensure	



2017 Teacher Licensure Conference Committee Agreement

Issue	Conference Committee Agreement
Validity of Teacher Licenses	All teacher licenses in effect on January 1, 2018, shall remain valid for one additional year after the date the license is scheduled to expire.
Authority	PELSB is required to license teachers according to tiers. Adds to PELSB and MDE data sharing, STARS data for the purpose of managing and processing funding to school districts and other entities.
Support Personnel	Requires PELSB to issue licenses and credentials to support personnel.
Substitute Teachers	-References to five-year professional licenses have been replaced with references to Tier 3 or 4. Teachers holding lifetime short-call or long-call substitute teaching licenses may reapply for either Tier 3 or Tier 4 or a Tier 1 license provided the candidate's bachelor's degree or appropriate professional credential in the content area the candidate will teach.
Temporary Military License	Requires the Board to provide candidates for a license under this subdivision with information regarding the tiered licensure system.
Background Checks	Background checks are removed from the Commissioner of Education and added to responsibilities of BOSA. Requires notification to the individual and the school district or charter school employing the individual.
Licensure Via Portfolio	Language is recodified. PELSB must adopt a process for licensure via portfolio.
Tier 1 License	
Term	One year.
Renewal	Not more than three times, unless the requesting district or charter school can show good cause for additional renewals. A Tier 1 license issued to teach in a shortage area may be renewed without limitation.
Requirements	The Board must approve a request from a district or charter school to issue a Tier 1 license in a specified content area to a candidate if: <ol style="list-style-type: none"> 1. The candidate meets professional requirements; 2. The district or charter school affirms that the candidate has the necessary skills and knowledge to teach in the specified content area; and 3. The district or charter school demonstrates that: <ol style="list-style-type: none"> a) a criminal background check has been completed on the candidate; and



2017 Teacher Licensure Conference Committee Agreement

Issue	Conference Committee Agreement
	<p>b) the district or charter has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position.</p> <ul style="list-style-type: none"> • A candidate for a Tier 1 license must have a bachelor’s degree to teach a class outside a career and technical education or career pathways course of study. • A candidate for a Tier 1 license must have one of the following credentials in a relevant content area to teach a class in a career and technical education or career pathways course of study: <ol style="list-style-type: none"> 1) an associate’s degree in the content area; 2) a professional certification; or 3) five years of relevant work experience.
Additional Notes	<ul style="list-style-type: none"> • PELSB must renew a Tier 1 license, if • the district or charter school requesting the renewal demonstrates that it has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position; and • the teacher holding the Tier 1 license took a content examination and submitted the exam results to the teacher’s employing district or charter school within one year of the board approving the request for the initial Tier 1 license. • PELSB must accept applications for a Tier 1 license beginning July 1 of the school year for which the license is requested and must issue or deny the Tier 1 license within 30 days. • A Tier 1 license is limited to the content matter indicated on the application for the initial Tier 1 license. • A Tier 1 license does not bring an individual within the definition of a teacher. • A teacher holding a Tier 1 license must participate in the employing district or charter school’s mentorship program. • A teacher holding a Tier 1 license must participate in an evaluation aligned to the extent practicable with 122A.40, subdivision 8, or 122A.41, subdivision 5.
Tier 2 License	
Term	Two years
Renewal	Three times
Requirements	The Board must approve a request from a district or charter school to issue a Tier 2 license in a specified content area to a candidate if:



2017 Teacher Licensure Conference Committee Agreement

Issue	Conference Committee Agreement
	<ol style="list-style-type: none"> 1) The candidate meets the educational or professional requirements or 2) The candidate: <ul style="list-style-type: none"> • has completed the coursework required for a Tier 2 license; • is enrolled in a Minnesota-approved teacher preparation program; or • has a master's degree in the specified content area; and 3) The district or charter school demonstrates that a criminal background check has been completed on the candidate. <ul style="list-style-type: none"> • A candidate for a Tier 2 must have a bachelor's degree to teach a class outside a career and technical education or career pathways course of study. • A Candidate for a Tier 2 license must have one of the following credentials in a relevant content area to teach a class in a career and technical education or career pathways course of study: an associate's degree in the content area; a professional certification; or five years of relevant work experience. <p>Coursework: A candidate for a Tier 2 license must meet the coursework requirement by demonstrating completion of two of the following:</p> <ul style="list-style-type: none"> • at least eight upper division credits in the relevant content area (upper division means classes normally taken at the junior or senior level of college which require substantial knowledge and skill in the field); • field-specific methods of training, including coursework; • at least two years of teaching experience in a similar content area in any state as determined by the Board; • a passing score on the pedagogy and content exams; or • completion of a state-approved teacher preparation program.
Additional Notes	<ul style="list-style-type: none"> • PELSB must accept applications for a Tier 2 license beginning July 1 of the school year for which the license is requested and must issue or deny the Tier 2 license within 30 days. • A Tier 2 license is limited to the content matter indicated on the application for the initial Tier 2 license. • A Tier 2 license does not bring an individual within the definition of a teacher. • The time that a teacher with a Tier 2 license must be credited towards the three-year probationary period under section 122A.40, subdivision 5, or section 122A.41, subdivision 2. The time credited must not exceed two years. The three years of the probationary period, including any time credited under this section must run consecutively. • A teacher holding a Tier 2 license must participate in the employing district or charter school's mentorship program.



2017 Teacher Licensure Conference Committee Agreement

Issue	Conference Committee Agreement
	<ul style="list-style-type: none"> A teacher holding a Tier 2 license must participate in an evaluation aligned to the extent practicable with 122A.40, subdivision 8, or 122A.41, subdivision 5.
Tier 3 License	
Term	Three years
Renewal	Every three years without limitation
Requirements	<p>The Board must issue a Tier 3 license to a candidate who provides information sufficient to demonstrate all of the following:</p> <ol style="list-style-type: none"> 1) The candidate meets the educational or professional requirements; 2) the candidate has obtained a passing score on all required licensure exams; and 3) the candidate has completed the coursework required. <ul style="list-style-type: none"> A candidate for a Tier 3 must have a bachelor's degree to teach a class outside a career and technical education or career pathways course of study. A Candidate for a Tier 3 license must have one of the following credentials in a relevant content area to teach a class in a career and technical education or career pathways course of study: an associate's degree in the content area; a professional certification; or five years of relevant work experience. <p>In consultation with the Governor's Workforce Development Council, the Board must establish a list of qualifying certifications, and may add additional professional certifications in consultation with school administrators, teachers and other stakeholders.</p> <p>Coursework: A candidate for a Tier 3 license must meet the coursework requirement by demonstrating completion of one of the following:</p> <ul style="list-style-type: none"> a Minnesota-approved teacher preparation program; a state-approved teacher preparation program that includes field-specific student teaching equivalent to field-specific student teaching in Minnesota-approved teacher preparation programs. The field-specific student teaching requirement does not apply to a candidate that has two years of teaching experience; submission of a content-specific portfolio; a professional teaching license from another state, evidence that the candidate's license is in good standing, and two years of teaching experience; three years of teaching experience under a Tier 2 license, and evidence of summative teacher evaluations that did not result in placing or otherwise keeping the teacher on an improvement process; or passing a score on all licensure examinations under 122A.185 and five years of teaching experience as the teacher



2017 Teacher Licensure Conference Committee Agreement

Issue	Conference Committee Agreement
	of record in any state.
Additional Notes	<ul style="list-style-type: none"> A teacher holding a Tier 3 license must participate in the employing district or charter school's mentorship and evaluation program, including an individual growth and development plan.
Tier 4 License	
Term	Five years
Renewal	Every five years without limitation
Requirements	<p>The Board must issue a Tier 4 license to a candidate who provides information sufficient to demonstrate all of the following:</p> <ul style="list-style-type: none"> the candidate meets all the requirements for a Tier 3 license and holds a Tier 3 license and has met the coursework requirements; the candidate has at least three years of teaching experience in Minnesota; the candidate has obtained a passing score on all required licensure exams; and the candidate's most recent summative teacher evaluation did not result in placing or otherwise keeping the teacher in an improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision 5.
Additional Notes	<ul style="list-style-type: none"> A teacher holding a Tier 4 license must participate in the employing district or charter school's mentorship and evaluation program, including an individual growth and development plan.
Tiered Licensure	
Teacher Licensure Assessment	<ul style="list-style-type: none"> -Consolidates teacher licensure provisions in other statutes. -Passing score on board-adopted examination required for Tier 4 (Tier 3 removed). -Allows Tier 1, Tier 2 and Tier 3 to meet other requirements than the board-adopted examination. -The Board must adopt rules requiring candidates for Tier 3 and Tier 4 pass an examination of general pedagogical knowledge and examinations of licensure-specific teaching skills. -Specifies that the requirements for teaching elementary students as candidates for initial license under (c) are for Tier 3 and Tier 4 license candidates. -Eliminates testing requirement for prekindergarten teachers. -The requirement to pass a board-adopted reading, writing, and mathematics skills examination does not apply to nonnative English speakers, as verified by qualified Minnesota school district personnel or Minnesota higher education faculty, who after meeting the content and pedagogy requirements, apply for a teaching license to provide a direct instruction in their native language or world language.



2017 Teacher Licensure Conference Committee Agreement

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	<ul style="list-style-type: none">-Requires PELSB to establish passing scores.-Requires testing accommodations.-Requires teacher preparation programs to make available on request, remedial assistance that includes a formal diagnostic component to persons enrolled who did not receive a qualifying score on a board-adopted skills examination, including those for whom English is a second language.-School districts may make available upon request similar, appropriate and timely assistance that includes a formal diagnostic component to those persons employed by the district who completed their teacher education program, who did not receive a qualifying score on a board-adopted skills examination who received a Tier 1, Tier 2, or Tier 3 license.-Eliminates provision that the requirement to pass exams does not apply to nonnative English speakers that apply to teach their native language or a world language.
License Expiration and Renewal	Consolidates existing language. Adds to the professional growth section, that a teacher may satisfy the requirements of this section by submitting the teacher's most recent summative evaluation or improvement plan under 122A.40, subdivision 8 or 122A.41, subdivision 5.
License Denial; Appeal	<p>Establishes a process to appeal licensure denial.</p> <ul style="list-style-type: none">-PELSB must inform a candidate within 30 days of receiving a completed application whether the candidate's application has been approved or denied. The denial letter must inform the candidate of the process for seeking review of the denial and the appeals process, including deadlines, and the licensure requirements the candidate failed to meet.- A candidate may seek a review of the denial by submitting a letter to the PELSB within 30 calendar days of receipt of the denial letter. The candidate may include any documentation necessary to demonstrate that the candidate meets the licensure requirements. The Board must review the denial within 60 days of receipt of the letter seeking review. If the denial is affirmed the Board must send the candidate a letter identifying each licensure requirement that the candidate failed to meet.-A candidate whose application for license or license renewal has been denied and has sought a review, may appeal the decision by filing a written request with the PELSB within 30 days of notice that the Board has affirmed the denial of the license. The Board must then initiate a contested case under the Administrative Procedure Act.
Suspension or Revocation of Licenses	Requires both PELSB and BOSA to report suspensions, revocations, and agreements involving loss of licensure relating to sexual conduct with a minor to law enforcement authorities.



2017 Teacher Licensure Conference Committee Agreement

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Alternative Teacher Preparation Program	<p>Recodifies section with new provisions.</p> <ul style="list-style-type: none"> -Includes new definitions for provider, program and unit. -PELSB must approve qualified teacher preparation and providers to acquire a Tier 2 and prepare for acquiring a Tier 3 license. -A school district, charter school or nonprofit corporation is eligible to participate.
Alternative Teacher Preparation Approval Criteria	<p>Outlines new provider requirements and characteristics.</p>
Alternative Teacher Preparation Licensure	<p>A candidate that completes an approved program must apply for a license under the tiered licensure system according to section 122A.181.</p>
Alternative Teacher Preparation Licensure Other States	<p>A teacher candidate who has completed an alternative teacher preparation program in another state may apply for a Tier 3 teaching license.</p>
Alternative Teacher Preparation Report	<p>Requires a report by PELSB by January 15 of each odd-numbered year on the program.</p>
Exemption for Technical Education Instructors	<p>After June 30, 2020, part-time vocational or career and technical education program teachers may apply for a teacher license. Currently exempt from a teaching license.</p>
Early Childhood Family Education	<p>Eliminates language permitting a variance for licensure requirement.</p>



2017 Teacher Licensure Conference Committee Agreement

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Teachers	
Academies Teachers and administrators	Applies PELSB and BOSA standards to teachers and administrators.
Special Education License Review	PELSB must conduct a review of all the available teacher of special education licenses and determine the options for cross-categorical licenses for teachers of special education. The Board must report its findings and draft legislation to the education committees by December 14, 2018.
Academic and Behavioral Strategist Licensure	No later than September 1, 2017, the Board of Teaching must amend Minnesota Rules, part 8710.5050, subpart 4, so that the academic and behavioral strategist continuing licenses under that part may be issued and renewed according to rules of the Board of Teaching governing continuing licenses and without requiring the candidate to hold or be recommended for licensure in any other licensure field.
Permissions, Waivers, Exceptions and Variances	PELSB may grant an extension of up to one year for a permission, waiver, variance, or temporary limited license in effect on January 1, 2018.
Teacher Licenses Under Board of Teaching	-A one-year license will be treated as a Tier 1 license -A two-year license will be treated as a Tier 2 license -Removed three-year license will be treated as a Tier 3 license section. -A five-year license will be treated as a Tier 4 license
Teachers of English as a Second Language	A teacher may provide content instruction in a district or charter school until the end of the 2018-19 school year if the teacher: <ol style="list-style-type: none"> 1) held a kindergarten through grade 12 English as a second language (ESL) license during the 2016-17 school year; 2) provided content instruction as a highly qualified teacher under the No Child Left Behind Act to English language learners; and 3) taught in the classroom where both state content standards and English language development standards were satisfied. For the 2019-20 school year and later, a teacher with an ESL license must meet all applicable licensing requirements in chapter 122A and rules adopted by PELSB.