

# PELSB DRAFT 2021 LEGISLATIVE PROPOSAL

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## LAST UPDATED

November, 2020

## OF INTEREST TO

PELSB members &  
stakeholders

## PURPOSE

The purpose of this draft is to provide PELSB members initial language to discuss before voting on a 2021 legislative proposal.

## KEY POLICY UPDATES

- Increase the number of teachers on the board (122A.07)
- Expand BA exemption (122A.181 – 122A.184)
- Districts co-apply and have the option to pay for Tier 1 and permissions (122A.181)
- Increased supports for teachers holding Tier 1 and Tier 2 licenses (122A.181 and 122A.182)
- Clarify the role of Tier 2 through qualifications and renewal terms. (122A.182)
- For applicants seeking a Tier 2 license in CTE and career pathways, allow 2 years of teaching experience (122A.182)
- Unlimited renewals for Tier 2 licenses in CTE and career pathways (122A.182)
- Clarify the role of Tier 3 and Tier 4 licenses through qualifications and renewal requirements (122A.183, 122A.184, and 122A.187)
- Remove requirement to obtain a passing score on a Basic Skills Test to obtain a Tier 4 license and move requirements to pass content and pedagogy assessments to Tier 4 (122A.185)
- Allow a board-approved performance assessment, such as the edTPA, to fulfill the requirement for demonstrating pedagogical ability (122A.185)
- New statute that aligns criteria for all teacher preparation pathways (122A.092 and 122A.2451)
- Increased fees (122A.21)

**122A.04 LICENSE REQUIRED.**

Pursuant to 120A.22, subdivision 10, a teacher must hold a license or a permission aligned to the content area and scope of their assignment to provide instruction in a public school or a charter school.

**122A.06 DEFINITIONS.**

Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional employee required by law to hold a license or permission from the Professional Educator Licensing and Standards Board.

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

Subd. 6. **Shortage area.** "Shortage area" means:  
 (1) licensure fields and economic development regions reported by the ~~commissioner of education~~ Office of Higher Education or the Professional Educator Licensing and Standards Board 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,~~ the aggregate percentage of Indigenous teachers and teachers of color in the region is lower than the aggregate percentage of kindergarten through 12 Indigenous students and students of color in that region. Only individuals who close the gap between these percentages qualify as filling a shortage by this definition.

Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a program approved by the Professional Educator Licensing and Standards Board for the purpose of preparing individuals for a specific teacher licensure field in Minnesota. ~~Teacher preparation programs include traditional programs delivered by postsecondary institutions, alternative teacher preparation programs, and nonconventional teacher preparation programs.~~

Subd. 8. **Teacher preparation program provider.** "Teacher preparation program provider" or "unit" means an entity that has primary responsibility for overseeing and delivering a teacher preparation program. Teacher preparation program providers include postsecondary institutions and alternative teacher preparation providers aligned to section 122A.094.

Subd. 9. **Districts.** "District" means a public school district or charter school.

**122A.07 PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD MEMBERSHIP.**

Subdivision 1. **Appointment of members.** The Professional Educator Licensing and Standards Board consists of ~~11~~ 13 members appointed by the governor, with the advice and consent of the senate. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09. ~~No member may be reappointed for more than one additional term.~~ A member must not serve more than two consecutive terms.

Subd. 2. **Eligibility; board composition.** Each ~~nominee~~ appointee, other than a public nominee, must be selected on the basis of professional experience and knowledge of teacher education, accreditation, and licensure. The board must be composed of:

(1) ~~six~~ eight teachers who are currently teaching in a Minnesota school ~~or who were teaching at the time of the appointment~~, have at least five years of teaching experience, and ~~were~~ are not serving in ~~an administrative function at a school district or school when appointed~~ a position requiring an administrative license, pursuant to section 122A.14. The ~~six~~ eight teachers must include the following:

- (i) one teacher in a charter school;
- (ii) one teacher from a school located in the seven-county metropolitan area, as defined in section 473.121, subdivision 2;
- (iii) one teacher from a school located outside the seven-county metropolitan area;
- (iv) one teacher from a related service category licensed by the board;
- (v) one special education teacher; and
- (vi) ~~one teacher from a teacher preparation program~~ three teachers licensed in licensure areas that represent current or emerging trends in education;

~~(iv)~~ (2) one ~~teacher from~~ educator currently teaching in a Minnesota-approved teacher preparation program;

~~(2)~~ (3) one superintendent ~~that alternates, alternating~~ each term between a superintendent from a school district in the seven-county metropolitan area, as defined in section 473.121, subdivision 2, and a superintendent from a school district outside the metropolitan area;

(4) one school district human resources director;

~~(4)~~ (5) one ~~educator administrator of a cooperative unit under section 123A.24, subdivision 2, and~~ who oversees a special education program and who works closely with a cooperative unit under section 123A.24, subdivision 2;

~~(5)~~ (6) one principal ~~that alternates, alternating~~ each term between an elementary and a secondary school principal; and

~~(6)~~ (7) one member of the public that may be a current or former school board member.

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

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

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

## 122A.09 DUTIES

Subd. 4. **(a) Licensing.** The Professional Educator Licensing and Standards Board must license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2. The board must not delegate its authority to make all licensing decisions with respect to candidates for teacher licensure. The board must evaluate candidates for compliance with statutory or rule requirements for licensure and develop licensure verification requirements.

**(b) Teacher Preparation.** The Professional Educator Licensing and Standards Board must approve teacher preparation providers seeking to prepare candidates for teacher licensure in Minnesota.

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

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Subd. 9. **Professional Educator Licensing and Standards Board must adopt and revise rules.**

(a) The Professional Educator Licensing and Standards Board must adopt and revise rules subject to the provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185, 122A.187, 122A.188, 122A.19, 122A.20, 122A.21, 122A.23, 122A.2451, 122A.26, 122A.28, and 122A.29.

(b) The board must adopt and revise rules relating to fields of licensure and grade levels that a licensed teacher may teach, 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 without change to the teacher's license tier level.

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

(d) If a rule adopted by the board is in conflict with a 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.

(e) 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 under section 14.131.

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

Subd. 10. **Permissions.** (a) Notwithstanding subdivision 9 and sections 14.055 and 14.056, the Professional Educator Licensing and Standards Board may grant waivers to its rules upon

application by a school district or a charter school for purposes of implementing experimental programs in learning or management.

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

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

(d) A candidate that has obtained career and technical education certification may apply for a Tier 1 license under section 122A.181. Consistent with section 136F.361, the Professional Educator Licensing and Standards 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, allowing such candidates to meet certification and licensure standards that demonstrate their content knowledge, classroom experience, and pedagogical practices and their qualifications based on a combination of occupational testing, professional certification or licensure, and long-standing work experience.

### 122A.091 REPORTS.

Subdivision 1. **Teacher and administrator preparation and performance data; report.**

(a) The Professional Educator Licensing and Standards Board and the Board of School Administrators, in cooperation with board-~~adopted~~ approved teacher or administrator preparation programs, annually must collect and report summary data on teacher and administrator preparation and performance outcomes, consistent with this subdivision. The Professional Educator Licensing and Standards Board and the Board of School Administrators annually by ~~June 1~~ July 1 must update and post the reported summary preparation and performance data on teachers and administrators from the preceding school years on their respective websites. ~~a website hosted jointly by the boards.~~

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

~~(1) student entrance requirements for each Professional Educator Licensing and Standards Board approved program, including grade point average for enrolling students in the preceding year;~~  
~~(2) the average board-adopted skills examination or ACT or SAT scores of students entering the program in the preceding year;~~

~~(3) (1) summary data on faculty all full-time, part-time, and adjunct teacher educator qualifications, including at least the content areas of faculty teacher educator undergraduate and graduate degrees and their years of experience either as kindergarten birth through grade 12 classroom teachers or school administrators;~~

~~(4) the average time resident and nonresident program graduates in the preceding year needed to complete the program;~~

~~(2) the current number and percentage of enrolled candidates who entered the program through a transfer pathway disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;~~

~~(5) (3) the current number and percentage of students program completers by program who graduated, received a standard Minnesota teaching license, and Tier 3 or Tier 4 license disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;~~

~~(4) the current number and percentage of program completers who entered the program through a transfer pathway and received a Tier 3 or Tier 4 license disaggregated by race, except when~~

disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(5) the current number and percentage of program completers who were hired to teach full time in their licensure field in a Minnesota district or school in the preceding year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

(6) the current number and percentage of program completers who entered the program through a transfer pathway and who were hired to teach full time in their licensure field in a Minnesota district or school in the preceding year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;

~~(6) the number of content area credits and other credits by undergraduate program that students in the preceding school year needed to complete to graduate;~~

~~(7) (7) students' candidates' pass rates on skills pedagogy and subject matter exams required for graduation in each program and licensure area for program completers in the preceding school year;~~

~~(8) (8) survey results measuring student how prepared the program completer felt during their first year of teaching and graduate satisfaction with the program in the preceding school year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual;~~

~~(9) (9) survey results from a standard measure of the satisfaction of school principals or supervising teachers supervisors on how prepared they felt their first-year teachers were with the student teachers assigned to a school or supervising teacher in the preceding school year; and~~

(10) the number and percentage of program completers who met or exceed the state threshold score on the board-adopted teacher performance assessment edTPA.

~~(10) information under subdivision 3, paragraphs (a) and (b).~~

Program reporting must be consistent with subdivision 2.

(c) Publicly reported summary data on administrator preparation programs approved by the Board of School Administrators must include:

(1) summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and the years of experience either as kindergarten through grade 12 classroom teachers or school administrators;

(2) the average time program graduates in the preceding year needed to complete the program;

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

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

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

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

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

**Subd. 2. Teacher preparation program reporting.** (a) By December 31, 2018, and annually thereafter, the Professional Educator Licensing and Standards Board shall report and publish on its website the cumulative summary results of at least three consecutive years of data reported to the

board under subdivision 1, paragraph (b). Where the data are sufficient to yield statistically reliable information and the results would not reveal personally identifiable information about an individual teacher, the board shall report the data by teacher preparation program.

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

- (1) the total number of teacher candidates during the most recent school year taking a board-adopted skills examination;
- (2) the number who achieve a qualifying score on the examination;
- (3) the number who do not achieve a qualifying score on the examination; and
- (4) the number of the candidates who have not passed a content or pedagogy exam.

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

~~Subd. 3. **School district reports.** (a) School districts annually by October 1 must report to the Professional Educator Licensing and Standards Board the following information for all teachers 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 teacher on the summative evaluation under section 122A.40, subdivision 8, or 122A.41, subdivision 5;~~
- ~~(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 licensure.~~

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

- ~~(1) the licensure areas in which the probationary teacher taught; and~~
- ~~(2) the teacher preparation program preparing the teacher in the teacher's primary areas of instruction and licensure.~~

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

- ~~(1) the effectiveness category or rating of the principal or assistant principal on the summative evaluation under section 123B.147, subdivision 3; and~~
- ~~(2) the principal preparation program providing instruction to the principal or assistant principal.~~

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

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~~Subd. 6. **Implementation report.** By January 1, 2019, the Professional Educator Licensing and Standards Board must prepare a report to the legislature on the implementation of the teacher licensure system established under sections 122A.18 to 122A.184. The report must include the number of applicants for licensure in each tier, the number of applications granted and denied,~~

summary data on the reasons applications were denied, and the status of the board's rulemaking process for all licensure-related rules.

## **122A.092 TEACHER PREPARATION PROGRAMS**

Subdivision 1. **Rules.** The board must adopt rules to approve teacher preparation programs, including alternative teacher preparation programs under section [122A.2451](#), nonconventional programs, and Montessori teacher training programs.

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

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

(2) the program provides a student teaching program;

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

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

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

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

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

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

Subd. 5. **Reading strategies.** (a) A teacher preparation provider approved by the Professional Educator Licensing and Standards Board to prepare persons for classroom teacher licensure must include in its teacher preparation programs research-based best practices in reading, consistent with section [122A.06, subdivision 4](#), that enable the licensure candidate to teach reading in the candidate's content areas. Teacher candidates must be instructed in using students' native languages as a resource in creating effective differentiated instructional strategies for English learners developing literacy skills. A teacher preparation provider also must prepare early childhood and elementary teacher candidates for Tier 3 and Tier 4 teaching

licenses under sections [122A.183](#) and [122A.184](#), respectively, for the portion of the examination under section [122A.185, subdivision 1](#), paragraph (c), covering assessment of reading instruction.

(b) Board-approved teacher preparation programs for teachers of elementary education must require instruction in applying comprehensive, scientifically based or evidence-based, and structured reading instruction programs that:

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

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

(c) Board-approved teacher preparation programs for teachers of elementary education, early childhood education, special education, and reading intervention must include instruction on dyslexia, as defined in section [125A.01, subdivision 2](#). Teacher preparation programs may consult with the Department of Education, including the dyslexia specialist under section [120B.122](#), to develop instruction under this paragraph. Instruction on dyslexia must be modeled on practice standards of the International Dyslexia Association, and must address:

- (1) the nature and symptoms of dyslexia;
- (2) resources available for students who show characteristics of dyslexia;
- (3) evidence-based instructional strategies for students who show characteristics of dyslexia, including the structured literacy approach; and
- (4) outcomes of intervention and lack of intervention for students who show characteristics of dyslexia.

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

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

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

- (1) ongoing mentorship;
- (2) coaching;
- (3) assessment;
- (4) help to prepare a professional development plan; and
- (5) structured learning experiences.

**Subd. 8. Existing programs.** The approval of teacher preparation programs approved by the Board of Teaching before July 1, 2018, must remain in effect unless and until the Professional Educator Licensing and Standards Board denies approval or reapproves the program.

## **122A.094 TEACHER PREPARATION PROVIDERS.**

**Subdivision 1. Purpose.** Teacher preparation providers must be approved by the Minnesota Professional Education Licensing and Standards Board to prepare candidates for teacher licensure in Minnesota. To provide alternative pathways towards Minnesota teacher licensure outside of the traditional means, improve ethnic and cultural diversity in the classroom, and to close the

achievement gap, the Professional Educator Licensing and Standards Board must approve qualified teacher preparation providers and programs under this section that are a means to acquire a Tier 2 license under section 122A.182 and prepare for acquiring a Tier 3 license under section 122A.183.

Subd. 2. **Rules.** The board must adopt and revise rules to approve teacher preparation programs, including alternative teacher preparation programs, and two-year transfer pre-education programs.

Subd. 3. **Eligibility.** The following organizations are eligible to seek approval to be a teacher preparation provider:

- (1) Minnesota institutions of higher education;
- (2) School districts;
- (3) Charter schools; and
- (4) Nonprofit corporations organized under chapter 317A for an education related-purpose.

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

- (1) has evidence and history of fiscal solvency, capacity, and operation;
- (2) has evidence of necessary infrastructure to provide accurate, timely, and secure data for the purposes of admission, candidate monitoring, testing, and program completion requirements;
- (3) has policies and procedures in place ensuring the security of candidate records under the federal Family Educational Rights and Privacy Act;
- (4) has developed a research-based, results-oriented curriculum that focuses on the skills teachers need in order to be effective;
- (5) provides a clinical experience that meets criteria set in rule for initial and additional licensure programs;
- (6) includes a common core of teaching knowledge and skills. The Professional Educator Licensing and Standards Board must adopt and revise rule to maintain a common core of teaching knowledge and skills;
- (7) includes instruction on the knowledge and skills needed to provide appropriate instruction to English learners to support and accelerate their academic literacy, including oral academic language and achievement in content areas in a regular classroom setting; and
- (8) includes culturally competent training in instructional strategies consistent with section 120B.30, subdivision 1, paragraph (q) and Minnesota Rule 8710.0310, part D.

Subd. 5. **Program approval.** The board must adopt and revise rule outlining the criteria by which programs offered by approved providers may be approved. If the board determines that a teacher preparation provider or licensure program fails to meet or is deficient in any of the requirements in rule, it may suspend or revoke the approval of the provider or program after it notifies the provider of the deficiencies and gives the provider an opportunity to remedy the deficiencies.

Subd. 6. **Specialized credentials.** The board may adopt and revise rules creating flexible, specialized teaching licenses, credentials, and other endorsement forms.

Subd. 7. **Teacher educators.**

- (a) The board must adopt and revise rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary and secondary teaching environments.
- (b) The board must adopt and revise rules for the qualifications for teacher educators. The board must use nontraditional criteria to determine qualifications of teacher educators, including permitting instructors to hold a baccalaureate degree only. Nontraditional criteria may include previous work experiences, teaching experiences, educator

evaluations, industry-recognized certifications, and other essentially equivalent demonstrations.

Subd. 8 **Student teaching program.** A teacher preparation program may provide a year-long student teaching program that combines clinical opportunities with academic coursework and in-depth student teaching experiences to offer students:

- (1) ongoing mentorship;
- (2) coaching;
- (3) assessment;
- (4) help to prepare a professional development plan; and
- (5) structured learning experiences.

Subd. 9. **Reports.** (a) The Professional Educator Licensing and Standards Board shall report annually to the education committees of the legislature on the performance of teacher candidates.

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

## **122A.15 TEACHERS, SUPERVISORY AND SUPPORT PERSONNEL, DEFINITIONS, LICENSURE.**

Subdivision 1. **Teachers.** The term "teachers" for the purpose of licensure, means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including superintendents, principals, supervisors, secondary vocational and other classroom teachers, librarians, school counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and school speech-language pathologists therapists. This language does not apply to 122A.05 through 122A.093.

## **122A.16 QUALIFIED TEACHER DEFINED.**

A qualified teacher is one holding a valid license or permission, under this chapter, to perform the particular service for which the teacher is employed in a public school.

## **122A.18 BOARD TO ISSUE LICENSES.**

Subd. 2b. **Reading specialist licensure.** The Professional Educator Licensing and Standards Board must adopt rules providing for reading teacher licensure.

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Subd. 7a. **Permission to substitute teach.** The Professional Educator Licensing and Standards Board must issue licenses to substitute teach to applicants who meet the qualifications prescribed in this subdivision and in Minnesota Rules.

(a) The Professional Educator Licensing and Standards Board may issue a short-call substitute teaching license to an applicant ~~allow a person~~ who otherwise qualifies for a Tier 1 license in accordance with section 122A.181, subdivision 2, or is enrolled in and making satisfactory progress in a ~~board-state-approved~~ teacher program and who has successfully completed student teaching to ~~be employed as a short-call substitute teacher.~~

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

(1) was a qualified teacher under section 122A.16 while holding a Tier 3 or Tier 4 teaching license issued by the board, under sections 122A.183 and 122A.184, respectively, and receives a retirement annuity from the Teachers Retirement Association or the St. Paul Teachers Retirement

Fund Association;

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

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

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

(i) a Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, and must again complete ~~continuing education clock hours~~ renewal requirements pursuant to 122A.187 one school year after receiving the Tier 3 or Tier 4 teaching license; or

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

~~Subd. 7c. **Temporary military license.** The Professional Educator Licensing and Standards Board shall establish a temporary license in accordance with section 197.4552 for teaching. The fee for a temporary license under this subdivision shall be \$57. The board must provide candidates for a license under this subdivision with information regarding the tiered licensure system provided in sections 122A.18 to 122A.184.~~

Subd. 8. **Background checks studies.** (a) The Professional Educator Licensing and Standards Board and the Board of School Administrators must ~~obtain~~ initiate a criminal history background ~~check study~~ study on all first-time ~~teaching~~ applicants for educator licenses under their jurisdiction. Applicants must include with their licensure applications:

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

(2) payment to conduct the background check. The Professional Educator Licensing and Standards Board must deposit payments received under this subdivision in an account in the special revenue fund. Amounts in the account are annually appropriated to the Professional Educator Licensing and Standards Board to pay for the costs of background checks on applicants for licensure.

(b) The background check for all first-time teaching applicants for licenses must include a review of information from the Bureau of Criminal Apprehension, including criminal history data as defined in section 13.87, and must also include a review of the national criminal records repository. The superintendent of the Bureau of Criminal Apprehension is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall recover the cost to the bureau of a background check through the fee charged to the applicant under paragraph (a).

(c) The Professional Educator Licensing and Standards Board and the Board of School Administrators ~~must contract with~~ may initiate criminal background studies through the commissioner of human services in accordance with section 245C.031 to conduct background checks and obtain background check data required under this chapter.

Subd. 10. **Licensure via portfolio.** (a) The Professional Educator Licensing and Standards Board must adopt and revise rules establishing a process for an eligible ~~candidate~~ applicant to obtain ~~any teacher an initial Tier 3 license under subdivision 1,~~ to a Tier 3 or Tier 4 license via portfolio. The portfolio licensure application process must be consistent with the requirements in this subdivision.

(b) ~~A candidate~~ An applicant for an initial Tier 3 license via portfolio must submit to the board one portfolio demonstrating pedagogical competence and one portfolio demonstrating content competence.

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

(d) The board must notify ~~a candidate~~ an applicant who submits a portfolio under paragraph (b) or (c) within ~~90~~ 120 calendar days after the portfolio is received whether or not the portfolio is approved. If the portfolio is not approved, the board must ~~immediately~~ inform the ~~candidate~~ applicant how to revise the portfolio to successfully demonstrate the requisite competence. The ~~candidate~~ applicant may resubmit a revised portfolio at any time within two years and the board must approve or disapprove the revised portfolio within ~~60~~ 90 calendar days of receiving it.

(e) ~~A candidate~~ An applicant must pay a fee for a portfolio in accordance with section 122A.21, subdivision 4.

### 122A.181 TIER 1 LICENSE.

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

- (1) the application has been submitted jointly by the applicant and the district;
- (2) the application has been paid for by the district or the applicant;
- (3) ~~the candidate applicant~~ meets the professional requirement in subdivision 2;
- (2) (4) the district or charter school affirms that the candidate applicant has the necessary skills and knowledge to teach in the specified content area; and
- (3) (5) the district or charter school demonstrates that a criminal background check under section 122A.18, subdivision 8, has been completed on the candidate applicant; and
- (ii) (6) the district or charter school has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position.

Subd. 2. **Professional requirements.** (a) ~~A candidate~~ An applicant for a Tier 1 license must have a bachelor's degree to teach a class or course, unless specifically exempt by state statute or rule outside a career and technical education or career pathways course of study.

(i) ~~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:~~

- (1) an associate's degree;
- (2) a professional certification; or
- (3) five years of relevant work experience.

Subd. 2a. Exemptions from a bachelor's degree. (a) The following applicants for a Tier 1 license are exempt from the requirement to hold a bachelor's degree in subdivision 2:

(1) An applicant for a Tier 1 license to teach career and technical education or career pathways courses of study if the applicant has:

- (i) an associate's degree;
- (ii) a professional certification; or
- (iii) five years of relevant work experience.

(2) An applicant for a Tier 1 license to teach World Languages and Culture pursuant to 8710.4950 if the applicant is a native speaker of the language.

(3) An applicant for a Tier 1 license in the performing or visual arts pursuant to 8710.4300 (Dance and Theater), 8710.4310 (Dance), 8710.4320 (Theater), 8710.4650 (Vocal Music and Instrumental Music), and 8710.4900 (Visual Arts), if the applicant has at least five years of relevant

work experience.

(4) An applicant for a Tier 1 license that is enrolled in a state-approved teacher preparation program classified as a residency model aligned to the scope and field of the assignment. The residency program must lead to a bachelor's degree unless the program is aligned to one of the licensure areas outlined in this subdivision.

(b) The Professional Educator Licensing and Standards Board must adopt and revise rules regarding the qualifications and determinations for applicants exempt from paragraph (a).

Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license may be renewed subject to paragraphs (b) and (c). ~~The board may submit written comments to the district or charter school that requested the renewal regarding the candidate.~~

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

(1) 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

~~(2) the teacher holding the Tier 1 license took a content examination in accordance with section 122A.185 and submitted the examination 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; and~~

~~(3) the teacher holding the Tier 1 license participated in cultural competency training consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board approving the request for the initial Tier 1 license.~~

(3) the district demonstrates professional development opportunities and other supports provided to move the teacher from a Tier 1 license to a higher tier.

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

(c) A Tier 1 license must not be renewed 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 (1) a class or course in a career and technical education or career pathway course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may be renewed without limitation.~~

Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must accept and review applications for a Tier 1 teaching license beginning July 1 of the school year for which the license is requested, unless permitted by the board to accept and review applications earlier. ~~and must issue or deny the Tier 1 teaching license within 30 days of receiving the completed application.~~

...

Subd. 6. **Mentorship and evaluation.** (a) ~~A teacher holding a Tier 1 license must participate in the employing district or charter school's mentorship program and professional development. A~~ district that hires a Tier 1 teacher must provide mentorship aligned to board-adopted criteria and professional development opportunities to that teacher.

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

## 122A.182 TIER 2 LICENSE.

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

(1) the candidate meets the educational or professional requirements in paragraph (b) or (c); the application has been submitted jointly by the applicant and the district;

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

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

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

(5) the applicant:

(i) has a master's degree in the specified content area;

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

(iii) for a license to teach career and technical education and career pathways, has completed two years of field-specific teaching experience on a Tier 1 license and completed training in classroom management, cultural competency, and teacher ethics.

~~the candidate:-~~

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

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

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

~~(3) the district or charter school demonstrates that a criminal background check under section 122A.18, subdivision 8, has been completed on the candidate.~~

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

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

~~(1) an associate's degree;~~

~~(2) a professional certification; or~~

~~(3) five years of relevant work experience.~~

Subd. 2. **Exemptions from a bachelor's degree.** (a) The following applicants for a Tier 2 license are exempt from the requirement to hold a bachelor's degree in subdivision 1 (a):

(1) An applicant for a Tier 2 license to teach career and technical education or career pathways course of study when the applicant has:

(i) an associate's degree;

(ii) a professional certification; or

(iii) five years of relevant work experience;

(2) An applicant for a Tier 2 license to teach World Languages and Culture pursuant to 8710.4950 when the applicant is a native speaker of the language.

(3) An applicant for a Tier 2 license in the performing or visual arts pursuant to 8710.4300 (Dance and Theater), 8710.4310 (Dance), 8710.4320 (Theater), 8710.4650 (Vocal Music and Instrumental Music), and 8710.4900 (Visual Arts), when the applicant has at least five years of relevant work experience.

(b) The Professional Educator Licensing and Standards Board must adopt and revise rules regarding the qualifications and determinations for applicants exempt from the requirement to hold a bachelor's degree in subdivision 1 (a).

**Coursework.** ~~(a) A candidate for a Tier 2 license must meet the coursework requirement by demonstrating completion of two of the following:-~~

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

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

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

~~(4) a passing score on the pedagogy and content exams set forth in section 122A.185;~~

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

~~(b) For purposes of paragraph (a), "upper division" means classes normally taken at the junior or senior level of college which require substantial knowledge and skill in the field. Candidates must identify the upper division credits that fulfill the requirement in paragraph (a), clause (1).~~

Subd. 3 **Term of license and renewal.** (a) The Professional Educator Licensing and Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license may be renewed ~~three~~ two times. The board must adopt rules establishing good cause justifications for additional renewals after the initial license has been renewed two times.

(b) A teacher holding a Tier 2 license in career and technical education or career pathways course of study may receive unlimited renewals.

(c) Before a Tier 2 license is renewed for the first time, a teacher holding a Tier 2 license must participate in cultural competency training consistent with section 120B.30, subdivision 1, paragraph (q) and the district demonstrates professional development opportunities and other supports provided to move the teacher to a higher tier.

~~The board must issue rules setting forth the conditions for additional renewals after the initial license has been renewed three times.~~

Subd. 4. **Application.** The Professional Educator Licensing and Standards Board must accept and review applications for a Tier 2 teaching license beginning July 1 of the school year for which the license is requested, unless permitted by the board to accept and review applications earlier, and must issue or deny the Tier 2 teaching license within 30 days of receiving the completed application.

...

Subd. 7. **Mentorship and evaluation.** ~~(a) A teacher holding a Tier 2 license must participate in the employing district or charter school's mentorship and evaluation program, including an individual growth and development plan that includes cultural competency under section 120B.30, subdivision 1, paragraph (q). A district that hires a teacher holding a Tier 2 license must provide~~ mentorship aligned to board-adopted criteria to that teacher and professional development opportunities.

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

### 122A.183 TIER 3 LICENSE.

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

~~(1) (a) the candidate~~ (a) the applicant for a Tier 3 license must have a bachelor's degree to teach a class or course, unless specifically exempt by state statute or rule; and meets the educational or professional requirements in paragraphs (b) and (c);

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

~~(3) (b) the candidate applicant has completed the coursework required under subdivision 2.~~

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

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

~~(1) an associate's degree;~~

~~(2) a professional certification; or~~

~~(3) five years of relevant work experience.~~

~~In consultation with the governor's Workforce Development Board established under section 116L.665, the board must establish a list of qualifying certifications, and may add additional professional certifications in consultation with school administrators, teachers, and other stakeholders.~~

Subd. 2. **Coursework.** ~~A candidate~~ An applicant for a Tier 3 license must meet the coursework requirement by demonstrating one of the following:

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

(2) completion of 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~~ an applicant that has two years of field-specific teaching experience;

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

(4) a professional teaching license from another state, evidence that the ~~candidate's~~ applicant's license is in good standing, and two years of field-specific teaching experience; ~~or~~

~~(5) 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 pursuant to section 122A.40, subdivision 8, or section 122A.41, subdivision 5~~

**Subd. 2a. Exemptions from a bachelor's degree.**

(a) The following applicants for a Tier 3 license are exempt from the requirement to hold a bachelor's degree in subdivision 1:

(1) An applicant for a Tier 3 license to teach career and technical education or career pathways course of study when the applicant has:

(i) an associate's degree;

(ii) a professional certification; or

(iii) five years of relevant work experience;

(2) An applicant for a Tier 3 license to teach World Languages and Culture pursuant to 8710.4950 if the applicant is a native speaker of the language.

(3) An applicant for a Tier 3 license in the performing or visual arts pursuant to 8710.4300 (Dance and Theater), 8710.4310 (Dance), 8710.4320 (Theater), 8710.4650 (Vocal Music and Instrumental Music), and 8710.4900 (Visual Arts), if the applicant has at least five years of relevant work experience.

(b) The Professional Educator Licensing and Standards Board must adopt and revise rules regarding the qualifications and determinations for applicants exempt from subdivision 1.

Subd. 3. **Term of license and renewal.** The Professional Educator Licensing and Standards Board must issue an initial Tier 3 license for a term of three years. Before a Tier 3 is renewed for the first time, the applicant must meet initial teacher renewal requirements in 122A.187. A Tier 3 license may be renewed every three years without limitation.

#### **122A.184 TIER 4 LICENSE.**

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

(1) the ~~candidate~~ applicant meets all requirements for a Tier 3 license under section 122A.183, and has completed a teacher preparation program under section 122A.183, subdivision 2, clause (1) or (2);

(2) the ~~candidate~~ applicant has at least three years of field-specific teaching experience as teacher of record in Minnesota;

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

(4) if the applicant previously held a Tier 3 license under sections 122A.183, the applicant has completed initial teacher renewal requirement in 122A.187. 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.

Subd. 2. **Term of license and renewal.** The Professional Educator Licensing and Standards Board must issue an initial Tier 4 license for a term of five years. A Tier 4 license may be renewed every five years without limitation if the applicant meets the continuing teacher renewal requirements in 122A.187.

Subd. 3. **Mentorship and evaluation.** ~~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.~~

#### **122A.185 TEACHER LICENSURE ASSESSMENT.**

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

~~(b) The board must adopt and revise rules requiring candidates applicants for Tier 3 and Tier 4 licenses to pass an examination or performance assessment of general pedagogical knowledge and examinations of licensure field specific content, including an examination taken in another state. The content examination requirement does not apply if no relevant content exam exists.~~

~~(c) Candidates Applicants for initial Tier 3 and Tier 4 licenses to teach elementary students must pass test items assessing the candidates' applicants' knowledge, skill, and ability in~~

comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, knowledge and understanding of the foundations of reading development, development of reading comprehension and reading assessment and instruction, and the ability to integrate that knowledge and understanding into instruction strategies under section 122A.06, subdivision 4.

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

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Subd. 4. **Remedial assistance.**(a) A board-approved teacher preparation program must make available upon request remedial assistance that includes a formal diagnostic component to persons enrolled in their ~~institution~~ teacher preparation program who did not achieve a qualifying score on a board-adopted skills examination, including those for whom English is a second language. The teacher preparation programs must make available assistance in the specific academic areas of candidates' deficiency. Teacher preparation providers must report annually on supports provided, number of candidates supported, and demographic data of those candidates.

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

#### **122A.187 EXPIRATION AND RENEWAL.**

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

...

Subd. 3. **Professional growth.**(a) Applicants for license renewal for a Tier 3 or Tier 4 license under sections 122A.183 and 122A.184, respectively, who have been employed as a teacher during the renewal period of the expiring license, as a condition of license renewal, must present to

their local continuing education and relicensure committee or other local relicensure committee evidence of work that demonstrates professional reflection and growth in best teaching practices, ~~including among other things, cultural competence in accordance with section 120B.30, subdivision 1, paragraph (q), and practices in meeting the varied needs of English learners, from young children to adults under section 124D.59, subdivisions 2 and 2a. A teacher may satisfy the requirements of this paragraph by submitting the teacher's most recent summative evaluation or improvement plan under section 122A.40, subdivision 8, or 122A.41, subdivision 5.~~

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

(c) The board may adopt and revise rule setting criteria for initial Tier 3 license renewal requirements that must be completed before a teacher may move to a Tier 4 license:

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

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

Subd. 6. **Mental illness/health.** The Professional Educator Licensing and Standards Board must adopt and revise rules that require all licensed teachers renewing a Tier 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include in the renewal requirements at least one hour of suicide prevention best practices in each licensure renewal period based on nationally recognized evidence-based programs and practices, among the continuing education credits required to renew a license under this subdivision, and further preparation, first, in understanding the key warning signs of early-onset mental illness in children and adolescents and then, during subsequent licensure renewal periods, preparation may include providing a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' roles in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

Subd. 7. **Cultural competency.** The Professional Educator Licensing and Standards Board must adopt and revise rules that require all licensed teachers renewing a Tier 3 or Tier 4 license under sections 122A.183 and 122A.184, respectively, to include cultural competency training.

Subd. 8. **Meeting needs of multilingual learners.** The Professional Educator Licensing and Standards Board must adopt and revise rules requiring all licensed teachers renewing a Tier 3 or Tier 4 license under 122A.183 and 122A.184, respectively, to include a training on meeting the varied needs of multilingual learners, from young children to adults under section 124D.59, subdivisions 2 and 2a.

Subd. 9. **Mandatory renewal requirements.** The board must adopt and revise rules setting forth standards that meet all mandatory renewal requirements. All trainings meeting the renewal requirements for subdivisions 4 through 8 must align to board adopted criteria. Any training provided outside of a district, charter school, cooperative unit, or state agency must be approved by PELSB to be accepted to meet this renewal requirement

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

### **Subd. 4. Teacher preparation programs.**

(a) For the purpose of licensing bilingual and English as a second language teachers, the board may approve teacher preparation programs at colleges or universities designed for their training.

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

## **122A.21 TEACHERS' AND ADMINISTRATORS' LICENSES; FEES.**

Subdivision 1. Licensure and permission applications. Each applicant submitting an application to the Professional Educator Licensing and Standards Board to issue, renew, or extend a teaching license or permission, including applications for licensure via portfolio under subdivision 4, must include a processing fee of ~~\$57~~ \$85. The processing fee for a teacher's license or permission and for the licenses of supervisory personnel must be paid to the executive ~~secretary~~ director of the appropriate board and deposited in the state treasury. The fees as set by the board are nonrefundable for applicants not qualifying for a license. However, the commissioner of management and budget must refund a fee in any case in which the applicant already holds a valid unexpired license. The board may waive or reduce fees for applicants who apply at the same time for more than one license.

...

Subd. 4. Licensure via portfolio. ~~A candidate-~~ An applicant must pay to the Professional Educator Licensing and Standards Board a ~~\$300~~ \$900 fee for ~~the first~~ a pedagogical portfolio submitted for review and a ~~\$200~~ \$600 fee for ~~any portfolio submitted subsequently~~ each content portfolios. The Professional Educator Licensing and Standards Board executive ~~secretary~~ director must deposit the fee in the education licensure portfolio account in the special revenue fund. The fees are nonrefundable for applicants not qualifying for a license. The Professional Educator Licensing and Standards Board may waive or reduce fees for ~~candidates~~ applicants based on financial need.

## **122A.23 APPLICANTS TRAINED IN OTHER STATES.**

~~Subd. 3. Teacher licensure agreements with adjoining states.~~ (a) Notwithstanding any other law to the contrary, the Professional Educator Licensing and Standards Board must enter into a

~~National Association of State Directors of Teacher Education and Certification (NASDTEC) interstate agreement and other interstate agreements for teacher licensure to allow fully certified teachers from adjoining states to transfer their certification to Minnesota. The board must enter into these interstate agreements only after determining that the rigor of the teacher licensure or certification requirements in the adjoining state is commensurate with the rigor of Minnesota's teacher licensure requirements. The board may limit an interstate agreement to particular content fields or grade levels based on established priorities or identified shortages. This subdivision does not apply to out-of-state applicants holding only a provisional teaching license.~~

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

**~~122A.2451 ALTERNATIVE TEACHER PREPARATION PROVIDERS AND PROGRAMS.~~**  
**~~Subdivision 1. Definitions.~~**

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

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

~~Subd. 2. **Purpose.** To provide alternative pathways towards Minnesota teacher licensure outside of the traditional means, improve ethnic and cultural diversity in the classroom, and to close the achievement gap, the Professional Educator Licensing and Standards Board must approve qualified teacher preparation providers and programs under this section that are a means to acquire a Tier 2 license under section 122A.182 and prepare for acquiring a Tier 3 license under section 122A.183.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~Subd. 8. **Candidate program completion; teacher licensure.** (a) A candidate that completes an approved program must apply for a license under the tiered licensure system according to sections 122A.181 to 122A.184.~~

~~(b) A person who successfully completes another state's alternative teacher preparation licensure program may apply to the Professional Educator Licensing and Standards Board for a Tier 3 license under section 122A.183.~~

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

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

## **122A.635 COLLABORATIVE URBAN AND GREATER MINNESOTA EDUCATORS OF COLOR GRANT PROGRAM.**

Subd. 3. **Grant program administration.** The Professional Educator Licensing and Standards Board may enter into an interagency agreement with the Office of Higher Education. The agreement may include a transfer of funds to the Office of Higher Education to help establish and administer the competitive grant process. The board must award grants to institutions located in various economic development regions throughout the state, but must not predetermine the number of institutions to be awarded grants under this section or set a limit for the amount that any one institution may receive as part of the competitive grant application process. All grants must be awarded by August 15 of the fiscal year in which the grants are to be used ~~except that, for initial competitive grants awarded for fiscal year 2020, grants must be awarded by September 15.~~ Grants awarded after fiscal year 2021 will be awarded for a two-year grant period. An institution that receives a grant under this section may use the grant funds over a two- to four-year period to support teacher candidates.

Subd. 4. **Report.** (a) By ~~January 15~~ June 30 of each year, an institution awarded a grant under this section must prepare for the legislature and the board a detailed report regarding the expenditure of grant funds, including the amounts used to recruit, retain, and induct teacher candidates of color or who are American Indian. The report must include the total number of teacher candidates of color, disaggregated by race or ethnic group, who are recruited to the institution, are newly admitted to the licensure program, are enrolled in the licensure program, have completed student teaching, have graduated, are licensed, and are newly employed as Minnesota teachers in their licensure field. A grant recipient must report the total number of teacher candidates of color or who are American Indian at each stage from recruitment to licensed teaching as a percentage of total candidates seeking the same licensure at the institution.

(b) By September 1 of each year, ~~the~~ board must post a report on its website summarizing the activities and outcomes of grant recipients and results that promote sharing of effective practices among grant recipients.

#### **122A.70 TEACHER MENTORSHIP AND RETENTION OF EFFECTIVE TEACHERS.**

Subd. 5a. **Grant program administration.** The Professional Educator Licensing and Standards Board may enter into an interagency agreement with the Office of Higher Education or the Department of Education. The agreement may include a transfer of funds to the Office of Higher Education or the Department of Education to help administer the competitive grant process.