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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **1415**

02/21/2019 Authored by Youakim, Christensen, Moller, Kunesh-Podein, Mariani and others
The bill was read for the first time and referred to the Committee on Education Policy
03/07/2019 Adoption of Report: Amended and re-referred to the Committee on Government Operations

1.1 A bill for an act

1.2 relating to education; modifying teacher licensure requirements; modifying

1.3 Professional Educator Licensing and Standards Board composition; modifying

1.4 background check requirements; authorizing rulemaking; making technical changes;

1.5 amending Minnesota Statutes 2018, sections 122A.06, subdivisions 2, 5, 7, 8;

1.6 122A.07, subdivisions 1, 2, 2a, 4a, by adding a subdivision; 122A.09, subdivision

1.7 9; 122A.091, subdivision 1; 122A.092, subdivisions 5, 6; 122A.17; 122A.175,

1.8 subdivision 2; 122A.18, subdivisions 7c, 8, 10; 122A.182, subdivision 1; 122A.185,

1.9 subdivision 1; 122A.187, subdivision 3, by adding a subdivision; 122A.19,

1.10 subdivision 4; 122A.21; proposing coding for new law in Minnesota Statutes,

1.11 chapter 245C; repealing Laws 2017, First Special Session chapter 5, article 11,

1.12 section 6.

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

1.14 Section 1. Minnesota Statutes 2018, section 122A.06, subdivision 2, is amended to read:

1.15 Subd. 2. **Teacher.** "Teacher" means a classroom teacher or other similar professional

1.16 employee required to hold a license or permission from the Professional Educator Licensing

1.17 and Standards Board.

1.18 Sec. 2. Minnesota Statutes 2018, section 122A.06, subdivision 5, is amended to read:

1.19 Subd. 5. **Field.** A "field," "licensure area," or "subject area" means the content area in

1.20 which a teacher may become licensed to teach.

1.21 Sec. 3. Minnesota Statutes 2018, section 122A.06, subdivision 7, is amended to read:

1.22 Subd. 7. **Teacher preparation program.** "Teacher preparation program" means a

1.23 program approved by the Professional Educator Licensing and Standards Board for the

1.24 purpose of preparing individuals for a specific teacher licensure field in Minnesota. ~~Teacher~~

2.1 ~~preparation programs include traditional programs delivered by postsecondary institutions;~~
2.2 ~~alternative teacher preparation programs, and nonconventional teacher preparation programs.~~

2.3 Sec. 4. Minnesota Statutes 2018, section 122A.06, subdivision 8, is amended to read:

2.4 Subd. 8. **Teacher preparation program provider.** "Teacher preparation program
2.5 provider" or "unit" means an entity that has primary responsibility for overseeing and
2.6 delivering a teacher preparation program. Teacher preparation program providers include
2.7 postsecondary institutions and alternative teacher preparation providers aligned to section
2.8 122A.2451.

2.9 Sec. 5. Minnesota Statutes 2018, section 122A.07, subdivision 1, is amended to read:

2.10 Subdivision 1. **Appointment of members.** The Professional Educator Licensing and
2.11 Standards Board consists of ~~14~~ 14 members appointed by the governor, with the advice and
2.12 consent of the senate. Membership terms, compensation of members, removal of members,
2.13 the filling of membership vacancies, and fiscal year and reporting requirements are as
2.14 provided in sections 214.07 to 214.09. No member may be reappointed for more than one
2.15 additional term.

2.16 Sec. 6. Minnesota Statutes 2018, section 122A.07, subdivision 2, is amended to read:

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

2.20 (1) ~~six~~ eight teachers who are currently teaching in a Minnesota school or who were
2.21 teaching at the time of the appointment, have at least five years of teaching experience, and
2.22 were not serving in an administrative function at a school district or school when appointed.

2.23 The ~~six~~ eight teachers must include the following:

2.24 (i) one teacher in a charter school;

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

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

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

2.29 (v) one special education teacher; and

2.30 (vi) three teachers that represent current or emerging trends in education;

3.1 ~~(vi)~~ (2) one teacher ~~from~~ educator currently teaching in a Minnesota-approved teacher
 3.2 preparation program; who has previously taught for at least five years in a birth through
 3.3 grade 12 setting;

3.4 ~~(2)~~ (3) one superintendent that alternates each term between a superintendent from the
 3.5 seven-county metropolitan area, as defined in section 473.121, subdivision 2, and a
 3.6 superintendent from outside the metropolitan area;

3.7 ~~(3)~~ (4) one school district human resources director;

3.8 ~~(4)~~ (5) one administrator of a cooperative unit under section 123A.24, subdivision 2,
 3.9 who oversees a special education program and who has previously taught for at least five
 3.10 years in a birth through grade 12 setting;

3.11 ~~(5)~~ (6) one principal that alternates each term between an elementary and a secondary
 3.12 school principal; and

3.13 ~~(6)~~ (7) one member of the public that may be a current or former school board member.

3.14 Sec. 7. Minnesota Statutes 2018, section 122A.07, subdivision 2a, is amended to read:

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

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

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

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

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

3.22 ~~(b) Members of the Board of Teaching as of January 1, 2017, are ineligible for first~~
 3.23 ~~appointments to the Professional Educator Licensing and Standards Board for four years~~
 3.24 ~~from September 1, 2017, except that two members of the Board of Teaching as of January~~
 3.25 ~~1, 2017, are eligible for appointment under paragraph (a), clause (1).~~

3.26 Sec. 8. Minnesota Statutes 2018, section 122A.07, subdivision 4a, is amended to read:

3.27 Subd. 4a. **Administration.** (a) The executive director of the board shall be the chief
 3.28 administrative officer for the board but shall not be a member of the board. The executive
 3.29 director shall maintain the records of the board, account for all fees received by the board,

4.1 supervise and direct employees servicing the board, and perform other services as directed
4.2 by the board.

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

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

4.11 Sec. 9. Minnesota Statutes 2018, section 122A.07, is amended by adding a subdivision to
4.12 read:

4.13 Subd. 6. **Public employer compensation reduction prohibited.** The public employer
4.14 of a member shall not reduce the member's compensation or benefits for the member's
4.15 absence from employment when engaging in the business of the board.

4.16 Sec. 10. Minnesota Statutes 2018, section 122A.09, subdivision 9, is amended to read:

4.17 Subd. 9. **Professional Educator Licensing and Standards Board must adopt rules.** (a)
4.18 The Professional Educator Licensing and Standards Board must adopt rules subject to the
4.19 provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092,
4.20 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185,
4.21 122A.187, 122A.188, 122A.20, 122A.21, 122A.23, 122A.2451, 122A.26, 122A.28, and
4.22 122A.29.

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

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

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

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

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

5.2 Sec. 11. Minnesota Statutes 2018, section 122A.091, subdivision 1, is amended to read:

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

5.4 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of
5.5 School Administrators, in cooperation with board-adopted teacher or administrator
5.6 preparation programs, annually must collect and report summary data on teacher and
5.7 administrator preparation and performance outcomes, consistent with this subdivision. The
5.8 Professional Educator Licensing and Standards Board and the Board of School Administrators
5.9 annually by June 1 must update and post the reported summary preparation and performance
5.10 data on teachers and administrators from the preceding school years on a website hosted
5.11 jointly by the boards.

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

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

5.16 (2) the average board-adopted skills examination or ACT or SAT scores of students
5.17 entering the program in the preceding year;

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

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

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

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

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

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

6.5 (9) a standard measure of the satisfaction of school principals or supervising teachers
6.6 with the ~~student teachers~~ program completer assigned to a school or supervising teacher;
6.7 and

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

6.9 Program reporting must be consistent with subdivision 2.

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

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

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

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

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

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

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

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

7.1 Sec. 12. Minnesota Statutes 2018, section 122A.092, subdivision 5, is amended to read:

7.2 Subd. 5. **Reading strategies.** (a) All ~~colleges and universities~~ preparation providers
7.3 approved by the Professional Educator Licensing and Standards Board to prepare persons
7.4 for classroom teacher licensure must include in their teacher preparation programs
7.5 research-based best practices in reading, consistent with section 122A.06, subdivision 4,
7.6 that enables the licensure candidate to teach reading in the candidate's content areas. Teacher
7.7 candidates must be instructed in using students' native languages as a resource in creating
7.8 effective differentiated instructional strategies for English learners developing literacy skills.
7.9 These colleges and universities also must prepare early childhood and elementary teacher
7.10 candidates for Tier 3 and Tier 4 teaching licenses under sections 122A.183 and 122A.184,
7.11 respectively, for the portion of the examination under section 122A.185, subdivision 1,
7.12 paragraph (c), covering assessment of reading instruction.

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

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

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

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

7.23 Sec. 13. Minnesota Statutes 2018, section 122A.092, subdivision 6, is amended to read:

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

7.29 Sec. 14. Minnesota Statutes 2018, section 122A.17, is amended to read:

7.30 **122A.17 VALIDITY OF CERTIFICATES OR LICENSES.**

7.31 ~~(a)~~ A rule adopted by the Board of Teaching or the Professional Educator Licensing and
7.32 Standards Board must not affect the validity of certificates or licenses to teach in effect on

8.1 July 1, 1974, or the rights and privileges of the holders thereof, except that any such
8.2 certificate or license may be suspended or revoked for any of the causes and by the procedures
8.3 specified by law.

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

8.6 Sec. 15. Minnesota Statutes 2018, section 122A.175, subdivision 2, is amended to read:

8.7 Subd. 2. **Background check account.** An educator licensure background check account
8.8 is created in the special revenue fund. The ~~Department of Education, the~~ Professional
8.9 Educator Licensing and Standards Board; and the Board of School Administrators must
8.10 deposit all payments submitted by license applicants for criminal background checks
8.11 ~~conducted by the Bureau of Criminal Apprehension~~ in the educator licensure background
8.12 check account. Amounts in the account are annually appropriated to the ~~commissioner of~~
8.13 ~~education for payment to the superintendent of the Bureau of Criminal Apprehension~~
8.14 Professional Educator Licensing and Standards Board for the costs of background checks
8.15 on applicants for licensure.

8.16 Sec. 16. Minnesota Statutes 2018, section 122A.18, subdivision 7c, is amended to read:

8.17 Subd. 7c. **Temporary military license.** The Professional Educator Licensing and
8.18 Standards Board shall establish a temporary license in accordance with section 197.4552
8.19 for teaching. The fee for a temporary license under this subdivision shall be ~~\$87.90 for an~~
8.20 ~~online application or \$86.40 for a paper application~~ \$57. The board must provide candidates
8.21 for a license under this subdivision with information regarding the tiered licensure system
8.22 provided in sections 122A.18 to 122A.184.

8.23 Sec. 17. Minnesota Statutes 2018, section 122A.18, subdivision 8, is amended to read:

8.24 Subd. 8. **Background checks.** (a) The Professional Educator Licensing and Standards
8.25 Board and the Board of School Administrators must ~~request~~ obtain a criminal history
8.26 background check ~~from the superintendent of the Bureau of Criminal Apprehension~~ on all
8.27 first-time teaching applicants for licenses under their jurisdiction. Applicants must include
8.28 with their licensure applications:

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

8.30 (2) ~~a money order or cashier's check payable to the Bureau of Criminal Apprehension~~
8.31 ~~for the fee for conducting the criminal history~~ payment to conduct the background check.

9.1 (b) The ~~superintendent of~~ background check for all first-time teaching applicants for
9.2 licenses must include a review of information from the Bureau of Criminal Apprehension
9.3 ~~shall perform the background check required under paragraph (a) by retrieving,~~ including
9.4 criminal history data as defined in section 13.87 and ~~shall~~ must also ~~conduct a search~~ include
9.5 a review of the national criminal records repository. The superintendent of the Bureau of
9.6 Criminal Apprehension is authorized to exchange fingerprints with the Federal Bureau of
9.7 Investigation for purposes of the criminal history check. The superintendent shall recover
9.8 the cost to the bureau of a background check through the fee charged to the applicant under
9.9 paragraph (a).

9.10 (c) The Professional Educator Licensing and Standards Board or the Board of School
9.11 Administrators may issue a license pending completion of a background check under this
9.12 subdivision, but must notify the individual and the school district or charter school employing
9.13 the individual that the individual's license may be revoked based on the result of the
9.14 background check.

9.15 (d) The Professional Educator Licensing and Standards Board may contract with the
9.16 commissioner of human services to conduct background checks and obtain background
9.17 check data required under this chapter.

9.18 Sec. 18. Minnesota Statutes 2018, section 122A.18, subdivision 10, is amended to read:

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

9.23 (b) A candidate for a Tier 3 license via portfolio must submit to the board one portfolio
9.24 demonstrating pedagogical competence and one portfolio demonstrating content competence.

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

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

10.1 (e) A candidate must pay ~~to the board a \$300 fee for the first portfolio submitted for~~
10.2 ~~review and a \$200 fee for any portfolio submitted subsequently. The revenue generated~~
10.3 ~~from the fee must be deposited in an education licensure portfolio account in the special~~
10.4 ~~revenue fund. The fees are nonrefundable for applicants not qualifying for a license. The~~
10.5 ~~board may waive or reduce fees for candidates based on financial need. a fee for a portfolio~~
10.6 in accordance with section 122A.21, subdivision 4.

10.7 Sec. 19. Minnesota Statutes 2018, section 122A.182, subdivision 1, is amended to read:

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

10.11 (1) the candidate meets the educational or professional requirements in paragraph (b)
10.12 or (c);

10.13 (2) the candidate:

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

10.15 (ii) is enrolled in a Minnesota-approved teacher preparation program or a state-approved
10.16 teacher preparation program if no licensure program exists in Minnesota; or

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

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

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

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

10.25 (1) an associate's degree;

10.26 (2) a professional certification; or

10.27 (3) five years of relevant work experience.

10.28 Sec. 20. Minnesota Statutes 2018, section 122A.185, subdivision 1, is amended to read:

10.29 Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board
10.30 must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted

11.1 examination of skills in reading, writing, and mathematics before being granted a Tier 4
11.2 teaching license under section 122A.184 to provide direct instruction to pupils in elementary,
11.3 secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier
11.4 3 license to provide direct instruction to pupils in elementary, secondary, or special education
11.5 programs if candidates meet the other requirements in section 122A.181, 122A.182, or
11.6 122A.183, respectively.

11.7 (b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to
11.8 pass an examination or performance assessment of general pedagogical knowledge and
11.9 examinations of licensure field specific content. The content examination requirement does
11.10 not apply if no relevant content exam exists.

11.11 (c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must
11.12 pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,
11.13 scientifically based reading instruction under section 122A.06, subdivision 4, knowledge
11.14 and understanding of the foundations of reading development, development of reading
11.15 comprehension and reading assessment and instruction, and the ability to integrate that
11.16 knowledge and understanding into instruction strategies under section 122A.06, subdivision
11.17 4.

11.18 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills
11.19 examination does not apply to nonnative English speakers, as verified by qualified Minnesota
11.20 school district personnel or Minnesota higher education faculty, who, after meeting the
11.21 content and pedagogy requirements under this subdivision, apply for a teaching license to
11.22 provide direct instruction in their native language or world language instruction under section
11.23 120B.022, subdivision 1.

11.24 Sec. 21. Minnesota Statutes 2018, section 122A.187, subdivision 3, is amended to read:

11.25 Subd. 3. **Professional growth.** (a) Applicants for license renewal for a Tier 3 or Tier 4
11.26 license under sections 122A.183 and 122A.184, respectively, who have been employed as
11.27 a teacher during the renewal period of the expiring license, as a condition of license renewal,
11.28 must present to their local continuing education and relicensure committee or other local
11.29 relicensure committee evidence of work that demonstrates professional reflection and growth
11.30 in best teaching practices, ~~including among other things, cultural competence in accordance~~
11.31 ~~with section 120B.30, subdivision 1, paragraph (q), and practices in meeting the varied~~
11.32 ~~needs of English learners, from young children to adults under section 124D.59, subdivisions~~
11.33 ~~2 and 2a.~~ A teacher may satisfy the requirements of this paragraph by submitting the teacher's

12.1 most recent summative evaluation or improvement plan under section 122A.40, subdivision
12.2 8, or 122A.41, subdivision 5.

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

12.5 Sec. 22. Minnesota Statutes 2018, section 122A.187, is amended by adding a subdivision
12.6 to read:

12.7 Subd. 7. Cultural competency training. The Professional Educator Licensing and
12.8 Standards Board must adopt rules that require all licensed teachers who are renewing a Tier
12.9 3 or Tier 4 teaching license under sections 122A.183 and 122A.184, respectively, to include
12.10 in the renewal requirements cultural competency training and meeting the varied needs of
12.11 English learners from young children to adults under section 124D.59, subdivisions 2 and
12.12 2a.

12.13 Sec. 23. Minnesota Statutes 2018, section 122A.19, subdivision 4, is amended to read:

12.14 Subd. 4. **Teacher preparation programs.** (a) For the purpose of licensing bilingual
12.15 and English as a second language teachers, the board may approve teacher preparation
12.16 programs at colleges or universities designed for their training.

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

12.25 Sec. 24. Minnesota Statutes 2018, section 122A.21, is amended to read:

12.26 **122A.21 TEACHERS' AND ADMINISTRATORS' LICENSES; FEES.**

12.27 Subdivision 1. **Licensure applications.** Each applicant submitting an application to the
12.28 Professional Educator Licensing and Standards Board to issue, renew, or extend a teaching
12.29 license, including applications for licensure via portfolio under subdivision 2~~4~~, must include
12.30 a processing fee of \$57. The processing fee for a teacher's license and for the licenses of
12.31 supervisory personnel must be paid to the executive secretary of the appropriate board and
12.32 deposited in the educator licensure account in the special revenue fund. The fees as set by

13.1 the board are nonrefundable for applicants not qualifying for a license. However, the
13.2 commissioner of management and budget must refund a fee in any case in which the applicant
13.3 already holds a valid unexpired license. The board may waive or reduce fees for applicants
13.4 who apply at the same time for more than one license.

13.5 Subd. 3. **Annual appropriations.** (a) The amounts collected under subdivision ~~2~~ 4 and
13.6 deposited in the educator licensure account in the special revenue fund are annually
13.7 appropriated to the Professional Educator Licensing and Standards Board.

13.8 (b) The appropriations in paragraph (a) must be reduced by the amount of any money
13.9 specifically appropriated for the same purposes in any year from any state fund.

13.10 Subd. 4. **Licensure via portfolio.** A candidate must pay to the Professional Educator
13.11 Licensing and Standards Board a \$300 fee for the first portfolio submitted for review and
13.12 a \$200 fee for any portfolio submitted thereafter. The Professional Educator Licensing and
13.13 Standards Board executive secretary must deposit the fee in the educator licensure account
13.14 in the special revenue fund. The fees are nonrefundable for applicants who do not qualify
13.15 for a license. The Professional Educator Licensing and Standards Board may waive or
13.16 reduce fees for candidates based on financial need.

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

13.18 Sec. 25. **[245C.125] BACKGROUND STUDY; PROFESSIONAL EDUCATOR**
13.19 **LICENSING AND STANDARDS BOARD.**

13.20 The commissioner may contract with the Professional Educator Licensing and Standards
13.21 Board to conduct background studies and obtain background study data as required under
13.22 this chapter and chapter 122A. When required in chapter 122A, the commissioner must
13.23 conduct a national criminal history record check.

13.24 Sec. 26. **REPEALER.**

13.25 Laws 2017, First Special Session chapter 5, article 11, section 6, is repealed.

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

Laws 2017, First Special Session chapter 5, article 11, section 6

Sec. 6. Minnesota Statutes 2016, section 122A.21, subdivision 2, is amended to read:

Subd. 2. **Licensure via portfolio.** (a) An eligible candidate may use licensure via portfolio to obtain a professional five-year teaching license or to add a licensure field, consistent with applicable Board of Teaching licensure rules.

(b) A candidate for a professional five-year teaching license must submit to the Educator Licensing Division at the department one portfolio demonstrating pedagogical competence and one portfolio demonstrating content competence.

(c) A candidate seeking to add a licensure field must submit to the Educator Licensing Division at the department one portfolio demonstrating content competence.

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

(e) A candidate must pay to the executive secretary of the Board of Teaching a \$300 fee for the first portfolio submitted for review and a \$200 fee for any portfolio submitted subsequently. ~~The revenue generated from Board of Teaching executive secretary must deposit the fee must be deposited in an education the educator licensure portfolio account in the special revenue fund.~~ The fees set by the Board of Teaching are nonrefundable for applicants not qualifying for a license. The Board of Teaching may waive or reduce fees for candidates based on financial need.

EFFECTIVE DATE. This section is effective July 1, 2019.