

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 2289

(SENATE AUTHORS: MAYE QUADE)

DATE
03/01/2023

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Introduction and first reading
Referred to Education Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to education; requiring early education teachers to be licensed; modifying
1.3 the definition of teacher under the Public Employment Labor Relations Act;
1.4 amending Minnesota Statutes 2022, section 179A.03, subdivision 18; proposing
1.5 coding for new law in Minnesota Statutes, chapter 122A.

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

1.7 Section 1. **122A.261] PREKINDERGARTEN, SCHOOL READINESS,**
1.8 **PRESCHOOL, AND EARLY EDUCATION PROGRAMS; LICENSURE**
1.9 **REQUIREMENT.**

1.10 Subdivision 1. **Licensure requirement.** A school district or charter school must employ
1.11 a qualified teacher, as defined in section 122A.16, to provide instruction in a preschool,
1.12 school readiness, school readiness plus, prekindergarten, or other school district or charter
1.13 school-based early education program.

1.14 Subd. 2. **Exemptions.** A person employed by a school district or charter school as a
1.15 teacher in an early education program during the 2022-2023 school year who does not have
1.16 a Minnesota teaching license is exempt from the licensure requirement under subdivision
1.17 1 until July 1, 2027, or until the teacher is able to obtain a Minnesota teaching license,
1.18 whichever occurs first. Notwithstanding this exemption from the licensure requirement,
1.19 these individuals are teachers under section 179A.03, subdivision 18.

1.20 **EFFECTIVE DATE.** This section is effective July 1, 2023.

2.1 Sec. 2. Minnesota Statutes 2022, section 179A.03, subdivision 18, is amended to read:

2.2 Subd. 18. **Teacher.** "Teacher" means any public employee other than a superintendent
2.3 or assistant superintendent, principal, assistant principal, or a supervisory or confidential
2.4 employee, employed by a school district:

2.5 (1) in a position for which the person must be licensed by the Professional Educator
2.6 Licensing and Standards Board or the commissioner of education; ~~or~~

2.7 (2) in a position as a physical therapist, occupational therapist, art therapist, music
2.8 therapist, or audiologist; or

2.9 (3) in a position providing instruction to children in a preschool, school readiness, school
2.10 readiness plus, prekindergarten, or other school district or charter school-based early
2.11 education program, except that an employee in a bargaining unit certified before January
2.12 1, 2023, may remain in a bargaining unit that does not include teachers unless an exclusive
2.13 representative files a petition for a unit clarification or to transfer exclusive representative
2.14 status.

2.15 **EFFECTIVE DATE.** This section is effective July 1, 2023.