

1.1 moves to amend H.F. No. 3079 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2020, section 122A.06, is amended by adding a subdivision
1.4 to read:

1.5 Subd. 9. Professional license. A "professional license" means a Tier 1, Tier 2, Tier 3,
1.6 or Tier 4 teacher license issued by the Professional Educators Licensing and Standards
1.7 Board in accordance with sections 122A.18 to 122A.184.

1.8 Sec. 2. Minnesota Statutes 2020, section 122A.181, subdivision 1, is amended to read:

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

1.12 (1) the candidate meets the professional requirement in subdivision 2;

1.13 (2) the district or charter school affirms that the candidate has the necessary skills and
1.14 knowledge to teach in the specified content area; and

1.15 (3) the district or charter school demonstrates that:

1.16 ~~(i) a criminal background check under section 122A.18, subdivision 8, has been completed~~
1.17 ~~on the candidate; and~~

1.18 ~~(ii) the district or charter school has posted the teacher position but was unable to hire~~
1.19 ~~an acceptable teacher with a Tier 2, 3, or 4 license for the position.~~

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

2.1 Sec. 3. Minnesota Statutes 2020, section 122A.181, subdivision 3, is amended to read:

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

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

2.8 ~~(1) the district or charter school requesting the renewal demonstrates that it has posted~~
2.9 ~~the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license~~
2.10 ~~for the position;~~

2.11 ~~(2)~~ (1) the teacher holding the Tier 1 license took a content examination in accordance
2.12 with section 122A.185 and submitted the examination results to the teacher's employing
2.13 district or charter school within one year of the board approving the request for the initial
2.14 Tier 1 license;

2.15 ~~(3)~~ (2) the teacher holding the Tier 1 license participated in cultural competency training
2.16 consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board
2.17 approving the request for the initial Tier 1 license; and

2.18 ~~(4)~~ (3) the teacher holding the Tier 1 license met the mental illness training renewal
2.19 requirement under section 122A.187, subdivision 6.

2.20 The requirement in clause ~~(2)~~ (1) does not apply to a teacher that teaches a class in a career
2.21 and technical education or career pathways course of study.

2.22 (c) A Tier 1 license must not be renewed more than three times, unless the requesting
2.23 district or charter school can show good cause for additional renewals. A Tier 1 license
2.24 issued to teach (1) a class or course in a career and technical education or career pathway
2.25 course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may
2.26 be renewed without limitation.

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

2.28 Sec. 4. Minnesota Statutes 2020, section 122A.182, subdivision 1, is amended to read:

2.29 Subdivision 1. **Requirements.** (a) The Professional Educator Licensing and Standards
2.30 Board must ~~approve a request from a district or charter school to~~ issue a Tier 2 license in a
2.31 specified content area to a candidate if who provides information sufficient to demonstrate
2.32 all of the following:

3.1 (1) the candidate meets the educational or professional requirements in paragraph (b)
3.2 or (c); and

3.3 (2) the candidate:

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

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

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

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

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

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

3.14 (1) an associate's degree;

3.15 (2) a professional certification; or

3.16 (3) five years of relevant work experience.

3.17 Sec. 5. Minnesota Statutes 2020, section 122A.182, subdivision 5, is amended to read:

3.18 Subd. 5. **Limitations on license.** (a) A Tier 2 license is limited to the content matter
3.19 indicated on the application for the initial Tier 2 license under subdivision 1, paragraph (a);
3.20 ~~and limited to the district or charter school that requested the initial Tier 2 license.~~

3.21 (b) A Tier 2 license shall not be construed to bring an individual within the definition
3.22 of a teacher for purposes of section 122A.40, subdivision 1, or 122A.41, subdivision 1,
3.23 clause (a).

3.24 Sec. 6. Minnesota Statutes 2020, section 122A.40, subdivision 3, is amended to read:

3.25 Subd. 3. **Hiring, dismissing.** (a) School boards must hire or dismiss teachers at duly
3.26 called meetings. Where a husband and wife, brother and sister, or two brothers or sisters,
3.27 constitute a quorum, no contract employing a teacher shall be made or authorized except
3.28 upon the unanimous vote of the full board. A teacher related by blood or marriage, within
3.29 the fourth degree, computed by the civil law, to a board member shall not be employed
3.30 except by a unanimous vote of the full board. The initial employment of the teacher in the

4.1 district must be by written contract, signed by the teacher and by the chair and clerk. All
4.2 subsequent employment of the teacher in the district must be by written contract, signed by
4.3 the teacher and by the chair and clerk, except where there is a master agreement covering
4.4 the employment of the teacher. Contracts for teaching or supervision of teaching can be
4.5 made only with qualified teachers. A teacher shall not be required to reside within the
4.6 employing district as a condition to teaching employment or continued teaching employment.

4.7 (b) A school district must not give preference in the hiring or dismissal of a teacher
4.8 based on the teacher's seniority.

4.9 (c) A school district must report all new teacher hires and terminations, including layoffs,
4.10 by race and ethnicity annually to the Department of Education. The report must not include
4.11 data that would personally identify individuals.

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

4.13 Sec. 7. Minnesota Statutes 2020, section 122A.40, subdivision 10, is amended to read:

4.14 Subd. 10. **Negotiated unrequested leave of absence.** (a) The school board and the
4.15 exclusive bargaining representative of the teachers must negotiate a plan providing for
4.16 unrequested leave of absence without pay or fringe benefits for as many teachers as may
4.17 be necessary because of discontinuance of position, lack of pupils, financial limitations, or
4.18 merger of classes caused by consolidation of districts.

4.19 (b) The plan for unrequested leave of absence must not require the school board to place
4.20 teachers with a Tier 1 or Tier 2 license on unrequested leave of absence first based on their
4.21 tier of licensure.

4.22 Sec. 8. Minnesota Statutes 2020, section 122A.41, subdivision 14a, is amended to read:

4.23 Subd. 14a. **Negotiated unrequested leave of absence.** (a) The school board and the
4.24 exclusive bargaining representative of the teachers must negotiate a plan providing for
4.25 unrequested leave of absence without pay or fringe benefits for as many teachers as may
4.26 be necessary because of discontinuance of position, lack of pupils, financial limitations, or
4.27 merger of classes caused by consolidation of districts.

4.28 (b) The plan for unrequested leave of absence must not require the school board to place
4.29 teachers with a Tier 1 or Tier 2 license on unrequested leave of absence first based on their
4.30 tier of licensure.

5.1 Sec. 9. Minnesota Statutes 2020, section 122A.41, is amended by adding a subdivision to
5.2 read:

5.3 Subd. 16. **Hiring and dismissal.** (a) A school district must not give preference in the
5.4 hiring or dismissal of a teacher based on the teacher's seniority.

5.5 (b) A school district must report all new teacher hires and terminations, including layoffs,
5.6 by race and ethnicity annually to the Department of Education. The report must not include
5.7 data that would personally identify individuals.

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

5.9 Sec. 10. Minnesota Statutes 2020, section 122A.635, subdivision 1, is amended to read:

5.10 Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards
5.11 Board must award competitive grants to increase the number of teacher candidates of color
5.12 or who are American Indian, and meet the requirements for a Tier 1, 2, or 3 license under
5.13 section 122A.181, 122A.182, or 122A.183. Eligibility for a grant under this section is limited
5.14 to ~~public or private higher education institutions that offer a teacher preparation program~~
5.15 ~~approved by the Professional Educator Licensing and Standards Board~~ programs, including
5.16 alternative teacher preparation programs, located in Minnesota.

5.17 Sec. 11. Minnesota Statutes 2020, section 122A.635, subdivision 2, is amended to read:

5.18 Subd. 2. **Competitive grants.** (a) The Professional Educator Licensing and Standards
5.19 Board must award competitive grants under this section based on the following criteria:

5.20 (1) the number or percentage of teacher candidates being supported in the program who
5.21 are of color or who are American Indian;

5.22 (2) program outcomes, including graduation or program completion rates, licensure
5.23 rates, and placement rates and, for each outcome measure, the number of those teacher
5.24 candidates of color or who are American Indian; and

5.25 (3) the percent of racially and ethnically diverse teacher candidates enrolled in the
5.26 institution compared to:

5.27 (i) the total percent of students of color and American Indian students enrolled at the
5.28 institution, regardless of major; and

5.29 (ii) the percent of underrepresented racially and ethnically diverse teachers in the
5.30 economic development region of the state where the institution is located and where a
5.31 shortage of diverse teachers exists, as reported under section 122A.091, subdivision 5.

6.1 ~~(b) The board must give priority in awarding grants under this section to institutions that~~
 6.2 ~~received grants under Laws 2017, First Special Session chapter 5, article 2, section 57,~~
 6.3 ~~subdivision 27, and have demonstrated continuing success at recruiting, retaining, graduating,~~
 6.4 ~~and inducting teacher candidates of color or who are American Indian. If the board awards~~
 6.5 ~~a competitive grant based on the criteria in paragraph (a) to a program that has not previously~~
 6.6 ~~received funding, the board must thereafter give priority to the program equivalent to other~~
 6.7 ~~programs given priority under this paragraph.~~

6.8 ~~(e)~~ (b) The board must determine award amounts for maintenance and expansion of
 6.9 programs based on the number of candidates supported by an applicant program, sustaining
 6.10 support for those candidates, and funds available.

6.11 Sec. 12. Minnesota Statutes 2021 Supplement, section 122A.73, subdivision 2, is amended
 6.12 to read:

6.13 Subd. 2. **Grow Your Own district programs.** (a) A school district may apply for a
 6.14 grant for a Professional Educator Licensing and Standards Board-approved teacher
 6.15 preparation program. The grant recipient must use at least 80 percent of grant funds to
 6.16 provide tuition scholarships or stipends to enable school district employees or community
 6.17 members affiliated with a school district, who are of color or American Indian and who
 6.18 seek a teaching license, to participate in the teacher preparation program.

6.19 (b) A district may apply for a grant to provide supports to teachers with a Tier 1 or Tier
 6.20 2 license to obtain the qualifications necessary to be eligible for a higher tier license.

6.21 ~~(b)~~ (c) A district using grant funds under this subdivision to provide financial support
 6.22 to teacher candidates may require a commitment as determined by the district to teach in
 6.23 the district for a reasonable amount of time that does not exceed five years."

6.24 Amend the title accordingly