Office of the Revisor of Statutes
Administrative Rules

TITLE: Adopted Permanent Rules Relating to Issuance, Renewal, and Validity of Teaching Licenses; Tiered Licensure; Licensure Via Portfolio; and Technical Changes to Teaching Licenses

AGENCY: Professional Educator Licensing and Standards Board

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Professional Educator Licensing and Standards Board

Adopted Permanent Rules Relating to Issuance, Renewal, and Validity of Teaching Licenses; Tiered Licensure; Licensure Via Portfolio; and Technical Changes to Teaching Licenses

8710.0310 DEFINITIONS AND GENERAL RULES FOR TEACHING LICENSES.

Subpart 1. **Definitions.**

A. For the purposes of parts 8710.0310 to 8710.0330, the terms in this subpart have the meanings given them.

B. "Assignment" means the course or courses taught in a school for which students are granted credit.

C. "Board" means the Professional Educator Licensing and Standards Board.

D. "Cultural competency training" means a training program that promotes self-reflection and discussion including but not limited to all of the following topics: racial, cultural, and socioeconomic groups; American Indian and Alaskan native students; religion; systemic racism; gender identity, including transgender students; sexual orientation; language diversity; and individuals with disabilities and mental health concerns. Training programs must be designed to deepen teachers' understanding of their own frames of reference, the potential bias in these frames, and their impact on expectations for and relationships with students, students' families, and the school communities, consistent with ~~Interstate Teacher Assessment and Support Consortium (InTASC) standards~~ part 8710.2000, subpart 4, and Minnesota Statutes, section 120B.30, subdivision 1, paragraph (q).

E. "District" means a school district or a charter school.

F. "Field-specific methods" means differentiated instructional strategies targeting content and pedagogy for a singular licensure area to enable student learning.

G. ~~"Good cause" means an applicant is unable to meet the requirements of a higher licensure tier due to the lack of a reasonable path to a higher licensure tier or the path to a higher licensure tier causes an undue burden on the applicant, as approved or denied by the board.~~ "Good cause" means:

(1) the applicant is unable to meet the requirements of a higher licensure tier due to a lack of a board-approved teacher preparation program in the licensure area;

(2) the position is a full-time equivalency of 0.1 or less; or

(3) the applicant demonstrates to the board barriers to reaching a higher licensure tier. Barriers may include but are not limited to financial burdens to obtaining a higher tiered license, inability to pass licensure exams, or lack of geographic proximity to teacher preparation.

H. "Innovative program" means a school within a district that is either a state-approved area learning center or alternative learning program or provides a school board resolution designating the school as an innovative program, including the reason for the designation.

I. "Licensure area" or "licensure field" means the content taught for which standards have been adopted in Minnesota Rules.

J. "Mentorship program" means a program that meets the following criteria:

(1) a yearlong collaborative relationship with an experienced Tier 3 or 4 mentor teacher who is not currently on an improvement plan and voluntarily agrees to mentor the mentee teacher;

(2) the mentor has access to resources or training, develops common expectations for the mentorship experience, and encourages the mentee to select areas for growth over the course of the year;

(3) consists of sessions no less than once per month that focus on building a collaborative relationship with a focus on the exchange of knowledge, skills, and experiences, including the needs and questions of the mentee; and

(4) the sessions include discussion of:

(a) effective strategies to engage students;

(b) classroom management strategies that reflect an understanding of the stages of child development;

(c) the educational rights of students and their diverse needs and experiences;

(d) school policies and practices, including appropriate boundaries and data privacy; and

(e) how student learning data can be used to improve classroom planning and instruction.

~~J.~~ K. "Professional license from another state" means a professional teaching license ~~from a state other than Minnesota that allows the individual to be a teacher of record based on completion of a state-approved conventional, nonconventional, or alternative teacher preparation program from another state or licensure via a portfolio process in another state aligned to part 8710.0330 and Minnesota Statutes, section 122A.18, subdivision 10.~~ issued by the responsible state agency of another state and required by the law of that state for an individual to teach in a public school, but does not include an emergency, temporary, or substitute teaching license.

~~K.~~ L. "Related services professional" means a teacher who holds a license issued by the board consistent with Minnesota Statutes, section 122A.06, subdivision 2, and who meets the requirements for a license issued pursuant to parts 8710.6000 to 8710.6400.

~~L.~~ M. "Student teaching" means a minimum of 12 weeks full time, or the equivalent, when an individual enrolled in a teacher preparation program assumes teacher responsibilities while working with a cooperating teacher who holds a Tier 3 or 4 license or a professional license from another state in the subject area and a provider supervisor to practice and demonstrate the necessary development of the individual's knowledge, skills, and dispositions to become a teacher. A student teaching experience includes observation, feedback, and evaluation from the cooperating teacher and provider supervisor.

~~M.~~ N. "Teacher of record" means an individual who is responsible for the planning, instruction, and assessment of students in a classroom and authorized to grant students credit for meeting standards attributed to the content taught, or is part of a co-teaching assignment and has shared responsibility for planning, instruction, and assessment of students in a classroom.

~~N.~~ O. "Teacher preparation program" means a program approved by the board or the state where the program resides that trains candidates in educational pedagogy and content-specific pedagogy for any subset of the scope of licensure for students from birth to 21 years of age.

~~O.~~ P. "Teaching license" or "teacher license" means a license that permits an individual to be teacher of record. This includes Tier 1, Tier 2, Tier 3, and Tier 4 licenses issued under parts 8710.0311 to 8710.0314.

Subp. 2. **Teaching licenses, in general.**

A. Teaching licenses must be granted by the board to applicants who meet all requirements of applicable statutes and rules.

B. An applicant must qualify separately for each licensure area for which an application is made.

C. A license becomes valid on the date issued by the board and expires on June 30 of the expiration year. A Tier 1 or Tier 2 license, out-of-field permission, or innovative program permission can be used until September 1 after the date of expiration if the placement is in a summer school program at the district aligned to the license or is part of a year-round school at the district aligned to the licensure area.

D. The board must request a criminal history background check be performed by the Bureau of Criminal Apprehension consistent with Minnesota Statutes, section 122A.18, subdivision 8, upon an individual applying for a teaching license or substitute license for the first time. Upon renewal of a teaching license or substitute license, the board must perform a new background check on the license holder that includes a review for national arrests, charges, and convictions if a background check has not been completed on the license holder within the last five years.

E. All applicants for licensure and license renewals are subject to a conduct review performed by the board. The board may refuse to issue a license or deny a license renewal based on the results of the conduct review. An applicant who is denied a license or license renewal as a result of the conduct review may appeal the board's decision pursuant to subpart 6.

Subp. 3. **Addition to a Tier 3 or 4 license.** When a licensure area is added to a Tier 3 or 4 license issued under parts 8710.0313 and 8710.0314, the expiration date is the date previously established for the Tier 3 or 4 license in effect.

Subp. 4. **Movement between tiers.** Teachers may apply to obtain a license in a higher licensure tier at any time after the requirements for the higher tier have been met. The teacher must be granted the license under a higher tier upon review and approval by the board pursuant to the rules established for the license sought. ~~Applicants may obtain a license in a lower licensure tier only if they hold a Tier 2 license in one licensure field and a district requests to hire the applicant for a different licensure field in which the applicant does not~~

~~meet the requirements for a Tier 2 license. A teacher may simultaneously hold a Tier 1 and a Tier 2 license under this subpart.~~

Subp. 5. **Multiple expiration dates.** If a license holder has completed and verified the renewal requirements for a currently held Tier 3 or 4 license issued under parts 8710.0313 and 8710.0314, the license holder may renew a currently held Tier 3 or 4 license up to one year before the expiration date for the purpose of consolidating multiple expiration dates of any Tier 3 or 4 licenses held into one expiration date. The consolidation of multiple expiration dates must be consolidated within a single tier.

Subp. 6. **Appeal.** An applicant who is denied a teaching license by the board or who is issued a license under a different licensure tier than what was sought may appeal the board's decision under part 8710.0900 and Minnesota Statutes, chapter 14, and section 122A.188.

Subp. 7. **Licenses issued in error.** A license issued in error to a person who does not qualify for the license must be corrected without charge to the license holder, and the corrections must be made without a hearing under part 8710.0900 and Minnesota Statutes, chapter 14. A license issued in error is not valid.

Subp. 8. **Report.** The board must issue an annual report by September 1 that summarizes the previous fiscal year's Tier 1, 2, 3, and 4 licenses and out-of-field and innovative program permissions, organized by licensure field, race and ethnicity, and district.

~~Subp. 9. **Fees.** An applicant must pay an application fee for the review of the license pursuant to Minnesota Statutes, section 122A.21. A district must pay an application fee for the review of a permission as set by the board.~~

8710.0311 TIER 1 LICENSE.

Subpart 1. **Purpose.** If a district is unable to fill an open position with a teacher holding a Tier 2, 3, or 4 license, a Tier 1 license must be issued, consistent with this part, to an

applicant who does not hold a Tier 2, 3, or 4 license on behalf of a district request except as provided in part 8710.0310, subpart 4. A Tier 1 license authorizes the license holder to teach within the requesting district and the specific licensure field in the application.

Subp. 2. **Requirements.** The board must issue a Tier 1 license to an applicant upon request by the designated administrator of the hiring district. The applicant must initiate the application process and meet the requirements of this subpart.

A. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as verified by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as verified by a credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service; or

(3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the assignment;

(b) an associate's degree aligned to the assignment; or

(c) a professional certification aligned to the assignment from an approved certifying organization.

B. The hiring district must show:

(1) the position was posted for at least 15 days on the board-approved statewide job board; and

(2) a Tier 1 license for this applicant is warranted for this assignment because one of the following:

(a) no individual who holds a Tier 2, 3, or 4 ~~licensed individuals~~ license for the assignment applied for the position;

(b) no individual who holds a Tier 2, 3, or 4 ~~licensed applicants~~ license for the assignment accepted the position; or

(c) ~~all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.~~ for each individual who holds a Tier 2, 3, or 4 license that may have accepted the assignment, the individual was unacceptable for the assignment because one or more of the following:

i. the individual was not fluent in the language required for the assignment;

ii. the individual was unwilling to abide by or unable to apply the pedagogical model of the district or school;

iii. the individual had disciplinary action with the board or final disciplinary action in a district;

iv. the individual was unwilling to abide by culturally responsive teaching principles; or

v. the individual had references that indicated an unwillingness or ineligibility to rehire the individual, including in the applying district.

~~If the hiring district cannot meet the requirements of item B, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure~~

~~by a district to provide justification constitutes grounds for the board to deny a request for a Tier 1 license, at the sole discretion of the board.~~

C. The hiring district must affirm the applicant:

(1) will participate in a mentorship program ~~aligned to board-adopted criteria~~;

(2) will participate in an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation; and

(3) has the necessary skills and knowledge to teach in the content field aligned to the assignment.

D. A committee of board staff designated by the board must review applications that meet board criteria ~~for~~ to fill an emergency ~~placement~~ position under this subpart ~~within two business days. The committee may immediately issue an interim permission for a qualified Tier 1 license based on board-adopted minimum qualifications criteria pending review by the board. The interim permission expires at the first possible review by the full board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days~~. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

(1) the district hires a Tier 2, 3, or 4 licensed teacher;

(2) the applicant is issued a short-call substitute license;

(3) the district submits a completed Tier 1 application that is denied or accepted by the board; or

(4) 30 days after issuance.

Subp. 3. **Duration.** A Tier 1 license is valid for up to one year and expires on June 30 of the expiration year. A Tier 1 license may be used until September 1 after the date of expiration if the placement is in a summer school program at the district aligned to the license or is part of a year-round school at the district aligned to the licensure area.

Subp. 4. **First renewal.** To renew a Tier 1 license for the first time, the applicant must initiate the renewal application process, and the hiring district must meet the requirements of this subpart.

A. The hiring district must show that the position was posted for at least 60 days on the board-approved statewide job board. If an applicant accepts the position but later turns it down, the hiring district must repost the position for 15 days.

B. The hiring district must show one of the following:

(1) no individual who holds a Tier 2, 3, or 4 ~~licensed individuals~~ license for the assignment applied for the position;

(2) no individual who holds a Tier 2, 3, or 4 ~~licensed applicants~~ license for the assignment accepted the position; or

(3) ~~all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.~~ for each individual who holds a Tier 2, 3, or 4 license that may have accepted the assignment, the individual was unacceptable for the assignment because one or more of the following:

(a) the individual was not fluent in the language required for the assignment;

(b) the individual was unwilling to abide by or unable to apply the pedagogical model of the district or school;

(c) the individual had disciplinary action with the board or final disciplinary action in a district;

(d) the individual was unwilling to abide by culturally responsive teaching principles; or

(e) the individual had references that indicated an unwillingness or ineligibility to rehire the individual, including in the applying district.

~~If the hiring district cannot meet the requirements of items A and B, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for a Tier 1 renewal, at the sole discretion of the board.~~

C. The applicant must show the applicant attempted the board-approved content examination aligned to the assignment, if applicable, during the academic year in which the applicant held a Tier 1 license. Any licensure area that does not have a board-approved content examination is exempt from this requirement.

D. The hiring district must show the applicant participated in:

(1) cultural competency training ~~aligned to board-adopted criteria~~;

(2) a mentorship program ~~aligned to board-adopted criteria~~; and

(3) an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision

5, or if the statutory models are not practicable, to another identified district-aligned evaluation.

E. A committee of board staff designated by the board must review applications ~~requesting~~ that meet board criteria to fill an emergency ~~placements~~ position under this subpart ~~within two business days. The committee may immediately issue a Tier 1 license based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days~~. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

(1) the district hires a Tier 2, 3, or 4 licensed teacher;

(2) the applicant is issued a short-call substitute license;

(3) the district submits a completed Tier 1 application that is denied or accepted by the board; or

(4) 30 days after issuance.

Subp. 5. **Second and third renewals.** To renew a Tier 1 license for the second or third time, the applicant must initiate the renewal application process, and the hiring district must meet the requirements of this subpart.

A. The hiring district must show that the position was posted for at least 60 days on the board-approved statewide job board. If an applicant accepts the position but later turns it down, the hiring district must repost the position for 15 days.

B. The hiring district must show one of the following:

(1) no individual who holds a Tier 2, 3, or 4 ~~licensed individuals~~ license for the assignment applied for the position;

(2) no individual who holds a Tier 2, 3, or 4 ~~licensed applicants~~ license for the assignment accepted the position; or

(3) ~~all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.~~ for each individual who holds a Tier 2, 3, or 4 license that may have accepted the assignment, the individual was unacceptable for the assignment because one or more of the following:

(a) the individual was not fluent in the language required for the assignment;

(b) the individual was unwilling to abide by or unable to apply the pedagogical model of the district or school;

(c) the individual had disciplinary action with the board or final disciplinary action in a district;

(d) the individual was unwilling to abide by culturally responsive teaching principles; or

(e) the individual had references that indicated an unwillingness or ineligibility to rehire the individual, including in the applying district.

~~If the hiring district cannot meet the requirements of items A and B, the district must provide justification to be reviewed by the board for approval or denial. The justification must~~

~~include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for a Tier 1 renewal, at the sole discretion of the board.~~

C. The hiring district must show the applicant participated in:

(1) a mentorship program ~~aligned to board-adopted criteria~~; and

(2) an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation.

D. A committee of board staff designated by the board must review applications ~~requesting~~ that meet board criteria to fill an emergency ~~placements~~ position under this subpart ~~within two business days. The committee may immediately issue a Tier 1 license based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days~~. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

(1) the district hires a Tier 2, 3, or 4 licensed teacher;

(2) the applicant is issued a short-call substitute license;

(3) the district submits a completed Tier 1 application that is denied or accepted by the board; or

(4) 30 days after issuance.

Subp. 6. **Additional renewals.** To renew a Tier 1 license more than three times, the applicant must initiate the renewal application process, and the hiring district must meet the requirements of this subpart.

A. The hiring district must show that the position was posted for at least 60 days on the board-approved statewide job board. If an applicant accepts the position but later turns it down, the hiring district must repost the position for 15 days.

B. The hiring district must show one of the following:

(1) no individual who holds a Tier 2, 3, or 4 ~~licensed individuals~~ license for the assignment applied for the position;

(2) no individual who holds a Tier 2, 3, or 4 ~~licensed applicants~~ license for the assignment accepted the position; or

(3) ~~all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.~~ for each individual who holds a Tier 2, 3, or 4 license that may have accepted the assignment, the individual was unacceptable for the assignment because one or more of the following:

(a) the individual was not fluent in the language required for the assignment;

(b) the individual was unwilling to abide by or unable to apply the pedagogical model of the district or school;

(c) the individual had disciplinary action with the board or final disciplinary action in a district;

(d) the individual was unwilling to abide by culturally responsive teaching principles; or

(e) the individual had references that indicated an unwillingness or ineligibility to rehire the individual, including in the applying district.

~~If the hiring district cannot meet the requirements of items A and B, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for a Tier 1 renewal, at the sole discretion of the board.~~

C. The hiring district must show one of the following:

(1) the Tier 1 teacher is teaching in a career and technical education field or career pathway course of study; or

(2) the Tier 1 teacher is teaching in a licensure area ~~identified as a shortage area as defined in Minnesota Statutes, section 122A.06, subdivision 6.~~, including licensure field shortages, economic development region shortages, and regions where there is a shortage of licensed teachers who reflect the racial or ethnic diversity of students in the region as identified in the biennial supply and demand report under Minnesota Statutes, section 127A.05, subdivision 6.

If the hiring district cannot meet the requirements of item C, the district must provide within the renewal application good cause justification for why the applicant should receive additional Tier 1 renewals. ~~The good cause justification must include why the applicant has not obtained a license in a higher licensure tier. Failure by a district to provide good cause justification constitutes grounds for the board to deny a request for additional Tier 1 renewals, at the sole discretion of the board.~~ pursuant to part 8710.0310, subpart 1, item G. The renewal application is reviewed pursuant to Minnesota Statutes, section 122A.181, subdivision 3.

The board must issue or deny the renewal no later than 60 days after receiving the renewal application.

D. The hiring district must show the applicant participated in:

(1) a mentorship program ~~aligned to board-adopted criteria~~; and

(2) an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation.

E. A committee of board staff designated by the board must review applications ~~requesting~~ that meet the board criteria to fill an emergency ~~placements~~ position under this subpart ~~within two business days. The committee may immediately issue a Tier 1 license based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days~~. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

(1) the district hires a Tier 2, 3, or 4 licensed teacher;

(2) the applicant is issued a short-call substitute license;

(3) the district submits a completed Tier 1 application that is denied or accepted by the board; or

(4) 30 days after issuance.

Subp. 7. **Position change.** If a Tier 1 license holder moves to another licensure area within a district or to another district, prior to the expiration of the Tier 1 license, the license holder must initiate a new application, including paying the application fee, and the hiring district must meet the requirements under subpart 2 for the new position. The applicant is not required to complete a new background check by the board. The Tier 1 license issued by the board under this subpart is considered a new license, not a renewal under subparts 4 to 6.

8710.0312 TIER 2 LICENSE.

Subpart 1. **Purpose.** A Tier 2 license must be issued, consistent with this part, to an applicant on behalf of a district request. A Tier 2 license authorizes the license holder to teach within the requesting district and the specific licensure field in the application.

Subp. 2. **Requirements.** The board must issue a Tier 2 license to an applicant upon request by the designated administrator of the hiring district. The applicant must initiate the application process and must meet the requirements of this subpart.

A. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as verified by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as verified by a credential evaluation completed by a credential evaluator

approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service; or

(3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the assignment;

(b) an associate's degree aligned to the assignment; or

(c) a professional certification aligned to the assignment from an approved certifying organization.

B. The applicant must:

(1) be enrolled in a board-approved teacher preparation program aligned to the licensure field;

(2) hold a master's degree, or equivalent, aligned to the assignment from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as verified by a college transcript; or

(3) show completion of two of the following:

(a) at least eight upper division or graduate-level credits aligned to the assignment;

(b) field-specific methods in a state-approved teacher preparation program aligned to the assignment;

(c) at least two years of experience teaching as the teacher of record aligned to the assignment;

(d) board-adopted pedagogy and content examinations with passing scores aligned to the licensure area. Any licensure area that does not have a board-approved content examination is exempt from the content examination requirement; or

(e) a state-approved teacher preparation program aligned to the licensure area.

C. The hiring district must affirm the applicant will participate in mentorship and evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation.

Subp. 3. **Duration.** A Tier 2 license is valid for up to two years and expires on June 30 of the expiration year. A Tier 2 license may be used until September 1 after the date of expiration if the placement is in a summer school program at the district aligned to the license or is part of a year-round school at the district aligned to the licensure area.

Subp. 4. **First renewal.** To renew a Tier 2 license for the first time, the applicant must initiate the renewal application process, and the requirements of this subpart must be met.

A. The hiring district must show the applicant participated in:

(1) cultural competency training ~~aligned to board-adopted criteria~~; and

(2) mentorship and evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation.

B. If the applicant holds a Tier 2 license while enrolled in a board-approved teacher preparation program, the provider must certify that meaningful progress, as defined by the provider, has been made toward completion of the program. If no meaningful progress has been made, the board must deem the applicant not to be enrolled in a teacher preparation

program unless the applicant provides justification to the board for failing to make meaningful progress.

Subp. 5. **Second and third renewals.** To renew a Tier 2 license for the second or third time, the applicant must initiate the renewal application process, and the requirements of this subpart must be met.

A. If the applicant holds a Tier 2 license while enrolled in a board-approved teacher preparation program, the provider must certify that meaningful progress, as defined by the provider, has been made toward completion of the program. If no meaningful progress has been made, the board must deem the applicant not to be enrolled in a teacher preparation program unless the applicant provides justification to the board for failing to make meaningful progress.

B. The hiring district must show the applicant participated in mentorship and evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation.

Subp. 6. **Additional renewals.** To renew a Tier 2 license more than three times, the applicant must initiate the renewal application process, and the requirements of this subpart must be met. The hiring district must show:

A. the applicant participated in mentorship and evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation; and

B. within the renewal application good cause justification for why the applicant should receive additional Tier 2 renewals. ~~The good cause justification must include why the applicant has not obtained a Tier 3 license. Failure by a district to provide good cause~~

~~justification constitutes grounds for the board to deny a request for additional Tier 2 renewals, at the sole discretion of the board.~~ pursuant to part 8710.0310, subpart 1, item G. The renewal application is reviewed pursuant to Minnesota Statutes, section 122A.182, subdivision 3. The board must issue or deny the renewal no later than 60 days after receiving the renewal application.

Subp. 7. **Position change.** If a Tier 2 license holder moves to another licensure area within a district or to another district, prior to the expiration of the Tier 2 license, the license holder must initiate a new application, including paying the application fee, and the hiring district must meet the requirements under subpart 2 for the new position. The applicant is not required to complete a new background check by the board. The Tier 2 license issued by the board under this subpart is considered a new license, not a renewal under subparts 4 to 6.

8710.0313 TIER 3 LICENSE.

Subpart 1. **Purpose.** A Tier 3 license must be issued to an applicant, consistent with this part, aligned to the scope and field of the applicant's training and experience. A Tier 3 license authorizes the license holder to teach within the specific licensure field for which board rules exist.

Subp. 2. **Requirements.** The board must issue a Tier 3 license if the applicant meets all of the requirements of this subpart.

A. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as verified by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as verified by a credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service; or

(3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the licensure area sought;

(b) an associate's degree aligned to the licensure area sought; or

(c) a professional certification aligned to the licensure area sought from an approved certifying organization.

B. The applicant must obtain passing scores on the board-approved pedagogy and content examinations aligned to the licensure area sought. Any licensure area that does not have a board-approved content examination is exempt from the content examination requirement.

C. The applicant must show one of the following:

(1) completion of a board-approved ~~conventional, nonconventional, or alternative~~ teacher preparation program aligned to the licensure area sought. The board must accept certifications for related services professionals under parts 8710.6000 to 8710.6400 in lieu of completion of a board-approved teacher preparation program;

(2) completion of a preparation program approved in another state aligned to the licensure area sought that included field-specific student teaching equivalent to field-specific student teaching in Minnesota-approved teacher preparation programs. The applicant is exempt from field-specific student teaching if the applicant has at least two

years of field-specific experience teaching as the teacher of record in the licensure area sought;

(3) recommendation for licensure via portfolio application aligned to the licensure area sought;

(4) holds or held a professional license from another state in good standing aligned to the licensure area sought with at least two years of experience teaching as the teacher of record aligned to the licensure area sought; or

(5) has at least three years of experience teaching as the teacher of record aligned to the licensure area sought under a Tier 2 license and presents evidence of summative teacher evaluations that did not result in placing or otherwise keeping the teacher on an improvement process aligned to the district's teacher development and evaluation plan.

Subp. 3. **Duration.** A Tier 3 license is valid for up to three years and expires on June 30 of the expiration year.

Subp. 4. **Renewal.** A Tier 3 license may be renewed an unlimited number of times. To renew a Tier 3 license, the applicant must complete:

A. mentorship and evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5~~, or if the statutory models are not practicable, to another identified district-aligned evaluation~~; and

B. board-approved licensure renewal requirements, including obtaining approval from the applicant's local continuing education/relicensure committee, under parts 8710.7100 and 8710.7200 and Minnesota Statutes, section, 122A.187, subdivision 3.

Subp. 5. **Restrictions.**

A. An applicant whose content training or experience does not align to a currently approved Minnesota license, but for which past rules have been adopted, and who meets all other requirements of subpart 2, must be issued a Tier 3 license restricted to the scope and licensure area of the applicant's content training or experience.

B. Applicants with content training and experience within two grade levels of a currently approved Minnesota licensure scope must be granted the full scope of the Minnesota license.

C. Applicants who meet the requirements of subpart 2, items A and B, from a Montessori Accreditation Council for Teacher Education accredited training center must be issued a Tier 3 license restricted to a Montessori setting and aligned to the scope of training.

8710.0314 TIER 4 LICENSE.

Subpart 1. **Purpose.** A Tier 4 license authorizes the license holder, consistent with this part, to teach in the field and scope aligned to the license holder's preparation. A Tier 4 license indicates the license holder has had at least three years of experience in Minnesota within the field and scope of licensure and completed the professional development requirements mandated by statute.

Subp. 2. **Requirements.** The board must issue a Tier 4 license if the applicant meets all of the requirements of this subpart.

A. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as verified by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as verified by a credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service; or

(3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the licensure area sought;

(b) an associate's degree aligned to the licensure area sought; or

(c) a professional certification aligned to the licensure area sought from an approved certifying organization.

B. The applicant must have completed one of the following:

(1) a board-approved ~~conventional, nonconventional, or alternative~~ teacher preparation program aligned to the licensure area sought. The board must accept certifications for related services professionals under parts 8710.6000 to 8710.6400 in lieu of completion of a board-approved teacher preparation program; or

(2) a preparation program approved in another state aligned to the licensure area sought that included field-specific student teaching equivalent to field-specific student teaching in Minnesota-approved teacher preparation programs. The applicant is exempt from field-specific student teaching if the applicant has at least two years of field-specific experience teaching as the teacher of record.

C. The applicant must obtain passing scores on the board-approved skills, pedagogy, and content examinations aligned to the licensure area sought. Any licensure area that does not have a board-approved content examination is exempt from the content examination requirement.

D. The applicant must have at least three years of experience teaching in Minnesota as the teacher of record.

E. The applicant's most recent summative evaluation must not have resulted in placing or otherwise keeping the teacher in an improvement process aligned to the district's teacher development and evaluation plan.

F. The applicant must have participated in mentorship and evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation.

Subp. 3. **Adding a Tier 4 license.** To add an additional Tier 4 license, the applicant must show evidence of meeting the requirements of subpart 2, item C, and part 8710.0313, subpart 2, item C, subitem (1), (2), or (3), in the licensure area sought. An applicant may add a teachers of science endorsement by meeting the requirements of part 8710.4770.

Subp. 4. **Duration.** A Tier 4 license is valid for up to five years and expires on June 30 of the expiration year.

Subp. 5. **Renewal.** A Tier 4 license may be renewed an unlimited number of times. To renew a Tier 4 license, the applicant must complete:

A. mentorship and evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5~~, or if the statutory models are not practicable, to another identified district-aligned evaluation~~; and

B. board-approved licensure renewal requirements, including obtaining approval from the applicant's local continuing education/relicensure committee, under parts 8710.7100 and 8710.7200 and Minnesota Statutes, section 122A.187, subdivision 3.

Subp. 6. **Restrictions.**

A. An applicant whose content training or experience does not align to a currently approved Minnesota license, but for which past rules have been adopted, and who meets all other requirements of this part must be issued a Tier 4 license restricted to the scope and licensure area of the applicant's content training or experience.

B. Applicants with content training and experience within two grade levels of a currently approved Minnesota licensure scope must be granted the full scope of the Minnesota license.

8710.0320 OUT-OF-FIELD PERMISSION.

Subpart 1. **Purpose.** An out-of-field permission authorizes a teacher holding a Tier 2, 3, or 4 license, consistent with this part, to teach in a field not aligned with the ~~Tier 3 or~~ 4 license held.

Subp. 2. **Requirements.**

A. The board must issue an out-of-field permission upon request by the designated administrator of the hiring district. The applicant must initiate the application process, and the hiring district must show:

(1) the applicant holds a valid Tier 2, 3, or 4 license;

(2) the applicant holds a license other than for a related services professional under parts 8710.6000 to 8710.6400;

(3) the applicant holds a bachelor's degree to receive an out-of-field permission for any license under parts 8710.3000 to 8710.5850;

(4) the applicant approves the request; and

(5) the position was posted for at least 15 days on the board-approved statewide job board; ~~and~~.

~~(6) one of the following:~~

~~(a) no teachers who hold Tier 3 or 4 licenses in the assignment applied for the position;~~

~~(b) no teachers who hold Tier 3 or 4 licenses in the assignment accepted the position; or~~

~~(c) all Tier 3 or 4 licensed teachers aligned to the assignment had a record of disciplinary action with the board.~~

~~If the hiring district cannot meet the requirements of items E and F, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 3 or 4 licensed teacher aligned to the assignment was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for an out-of-field permission, at the sole discretion of the board.~~

B. The district must show one of the following:

(1) the licensed applicant is an internal hire with one or more years of employment within the district;

(2) the applicant has additional qualifications that align with the requirements of the position; or

(3) one of the following:

(a) no teachers who hold a Tier 2, 3, or 4 license in the assignment applied for the position;

(b) no teachers who hold a Tier 2, 3, or 4 license in the assignment accepted the position; or

(c) for each teacher who holds a Tier 2, 3, or 4 license in the assignment that may have accepted the position, one of the following:

i. the applicant is not fluent in the language required for the position;

ii. the applicant was unwilling to abide by or unable to apply the pedagogical model of the district or school;

iii. the applicant had a disciplinary action with the board or final disciplinary action in a district;

iv. the applicant was unwilling to abide by culturally responsive teaching principles; or

v. the applicant had references that indicated an unwillingness or ineligibility to rehire the applicant, including in the applying district.

~~B.~~ C. An applicant who holds a Tier 2, 3, or 4 license in career and technical education or career pathways fields without a baccalaureate degree may obtain an out-of-field permission for another career and technical education or career pathways field.

~~C.~~ D. A committee of board staff designated by the board must review applications ~~requesting~~ that meet board criteria to fill an emergency ~~placements~~ position under this subpart ~~within two business days. The committee may immediately issue an out-of-field permission based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days~~. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position

are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

(1) the district hires a Tier 2, 3, or 4 licensed teacher;

(2) the applicant is issued a short-call substitute license;

(3) the district submits a completed Tier 1 application that is denied or accepted by the board; or

(4) 30 days after issuance.

Subp. 3. **Duration.** An out-of-field permission is valid for up to one year and expires on June 30 of the expiration year.

Subp. 4. **Renewal.** An out-of-field permission may be renewed four times. To renew an out-of-field permission, the applicant must initiate the application process, and the hiring district must show:

A. the applicant approves the request;

B. the position was posted for at least 60 days on the board-approved statewide job board. If an applicant accepts the position but later turns it down, the hiring district must repost the position for 15 days; and

~~C. one of the following:~~

~~(1) no teachers who hold Tier 3 or 4 licenses in the assignment applied for the position;~~

~~(2) no teachers who hold Tier 3 or 4 licenses in the assignment accepted the position; or~~

~~(3) all Tier 3 or 4 licensed teachers aligned to the assignment had a record of disciplinary action with the board.~~

~~If the hiring district cannot meet the requirements of items B and C, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 3 or 4 licensed teacher aligned to the assignment was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for an out-of-field permission, at the sole discretion of the board.~~

C. one of the following:

(1) the licensed applicant is an internal hire with one or more years of employment within the district;

(2) the applicant has additional qualifications that align with the requirements of the position; or

(3) one of the following:

(a) no teachers who hold a Tier 2, 3, or 4 license in the assignment applied for the position;

(b) no teachers who hold a Tier 2, 3, or 4 license in the assignment accepted the position; or

(c) for each teacher who holds a Tier 2, 3, or 4 license in the assignment that may have accepted the position, one of the following:

i. the applicant is not fluent in the language required for the position;

ii. the applicant was unwilling to abide by or unable to apply the pedagogical model of the district or school;

iii. the applicant had a disciplinary action with the board or final disciplinary action in a district;

iv. the applicant was unwilling to abide by culturally responsive teaching principles; or

v. the applicant had references that indicated an unwillingness or ineligibility to rehire the applicant, including in the applying district.

D. A committee of board staff designated by the board must review applications ~~requesting~~ that meet board criteria to fill an emergency ~~placements~~ position under this subpart ~~within two business days. The committee may immediately issue an out-of-field permission based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days~~. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

(1) the district hires a Tier 2, 3, or 4 licensed teacher;

(2) the applicant is issued a short-call substitute license;

(3) the district submits a completed Tier 1 application that is denied or accepted by the board; or

(4) 30 days after issuance.

Subp. 5. **Additional renewals.** To renew an out-of-field permission more than four times, the hiring district must provide within the renewal application good cause justification for why the applicant should receive additional out-of-field permission renewals. ~~The good cause justification must include why the applicant has not obtained a Tier 3 or 4 license in~~

~~the field for which the out-of-field permission was issued. Failure by a district to provide a good cause justification constitutes grounds for the board to deny a request for additional out-of-field permission renewals, at the sole discretion of the board.~~ pursuant to part 8710.0310, subpart 1, item G. The renewal application is reviewed pursuant to Minnesota Statutes, section 122A.181, subdivision 3. The board must issue or deny the renewal no later than 60 days after receiving the renewal application.

Subp. 6. **Limitations and exceptions.**

A. An individual cannot hold an out-of-field permission to work in a related services position.

B. An out-of-field permission is limited to the licensure area and the district for which it was granted.

C. An out-of-field permission granted for a summer school only position may be renewed an unlimited number of times.

8710.0321 INNOVATIVE PROGRAM PERMISSION.

Subpart 1. **Purpose.** An innovative program permission authorizes a licensed teacher, consistent with this part, to teach multiple fields within an established innovative program.

Subp. 2. **Requirements.** The board must issue an innovative program permission upon request by the designated administrator of the hiring district. The applicant must initiate the application process, and the hiring district must show:

A. the applicant holds a bachelor's degree and a Tier 3 or 4 license other than for a related services professional; and

B. the teaching assignment is within an innovative program.

Subp. 3. **Duration.** An innovative program permission is valid for up to one year and expires on June 30 of the expiration year.

Subp. 4. **Renewal.** An innovative program permission may be renewed an unlimited number of times.

8710.0325 SHORT-CALL SUBSTITUTE LICENSE.

Subpart 1. **Purpose.** A short-call substitute license authorizes the license holder to replace the same teacher of record for no more than 15 consecutive school days.

Subp. 2. **Requirements.** The board must issue a short-call substitute license to an applicant who meets the requirements of this subpart. The applicant must:

A. hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as verified by a college transcript;

B. hold a credential from outside the United States that is equivalent to a bachelor's degree, as verified by a credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service;

C. for applicants in career and technical education fields and career pathway courses of study, have one of the following:

(1) five years of relevant work experience aligned to the assignment;

(2) an associate's degree aligned to the assignment; or

(3) a professional certification aligned to the assignment from an approved certifying organization; or

D. be enrolled in and making meaningful progress, as defined by the provider, in a board-approved teacher preparation program and have successfully completed student teaching to be employed as a short-call substitute teacher.

Subp. 3. **Duration.** A short-call substitute license is valid for up to three years and expires on June 30 of the expiration year.

Subp. 4. **Renewal.** An applicant must reapply for a short-call substitute license upon its expiration.

8710.0326 LIFETIME SUBSTITUTE LICENSE.

Subpart 1. **Purpose.** A lifetime substitute license is issued, consistent with this part, to a retired teacher and authorizes the license holder to replace a teacher of record who is on an approved leave of absence.

Subp. 2. **Requirements.** The board must issue a lifetime substitute license to an applicant who meets one of the following:

A. holds or held a Tier 3 or 4 license, a Minnesota five-year standard license or its equivalent, or a professional license from another state and receives a retirement annuity as a result of the person's teaching experience; or

B. holds or held a Tier 3 or 4 license or a Minnesota five-year standard license or its equivalent, taught for at least three years in an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result of the person's teaching experience.

Subp. 3. **Duration.** A lifetime substitute license does not expire.

Subp. 4. **Limitations.** A teacher holding a lifetime substitute license may replace the same teacher of record on an approved leave of absence for more than 15 consecutive school days if the substitute teacher's previous Tier 3 or 4 license, Minnesota five-year standard license or its equivalent, or professional license from another state is aligned to the assignment.

8710.0330 TEACHER LICENSURE VIA PORTFOLIO APPLICATION.

Subpart 1. **Purpose.** An applicant who has not completed teacher preparation or is unable to obtain a Tier 3 license through other requirements may apply for an initial Tier 3 license by submitting a pedagogy portfolio, content portfolio, and if applicable, a core skills portfolio to the board to demonstrate the applicant has met the standards aligned to the licensure area sought. An applicant who has completed teacher preparation in one or more additional licensure areas may apply to add licensure areas to a current Tier 3 or 4 license by submitting a content portfolio and if applicable, a core skills portfolio to the board to demonstrate the applicant has met the standards aligned to the additional licensure areas sought.

Subp. 2. **Portfolio review process.**

A. The applicant must initiate the application process by submitting a portfolio aligned to board-adopted submission guidelines.

B. Applications for an initial Tier 3 license must include content, pedagogy, and core skills portfolios as follows:

(1) a content portfolio that shows the content standards aligned to the licensure area sought is required for licenses sought under parts 8710.3000 to 8710.4950, 8710.5050 to 8710.5850, and 8710.8010 to 8710.8080;

(2) a core skills in special education portfolio that shows the standards aligned to part 8710.5000 is required for licenses sought under parts 8710.5050 to 8710.5850;

(3) a core skills in career and technical education portfolio that shows the standards aligned to part 8710.8000 is required for licenses sought under parts 8710.8010 to 8710.8080; and

(4) a pedagogy portfolio that shows the applicant meets the standards of effective practice under part 8710.2000 is required for all licenses sought. A board-adopted

passing score on a board-adopted teacher performance assessment aligned to the standards of effective practice under part 8710.2000 may be submitted in lieu of a pedagogy portfolio. Evidence that provides the necessary information required under this item includes:

(a) a transcript, syllabi of college coursework, or both;

(b) subject-specific, high-quality professional development, as defined under the Every Student Succeeds Act;

(c) professional contributions to the field, including presentations given to local and national education organizations, minutes of attendance in education-related task forces or state or national committees, articles published by local or national education publications, or other activities that demonstrate the applicant has met the standards of effective practice and content requirements;

(d) a resume and letters of recommendation illustrating relevant work experience aligned to the licensure area sought;

(e) classroom performance as determined by student growth on criterion-referenced assessments;

(f) a rating of effective or higher on a teacher performance evaluation;

(g) teacher performance assessment scores;

(h) unedited video recordings of classroom instruction; or

(i) observation and evaluation feedback through mentorship, teacher evaluation, student teaching, or other supervised classroom teaching experiences.

C. Applications to add a licensure area to a current Tier 3 or 4 license must include a content portfolio that shows the applicant meets the content standards aligned to the licensure area sought under parts 8710.3000 to 8710.5850 and 8710.8000.

D. A pedagogy portfolio must be reviewed by a panel of educators within 90 days of receiving a complete pedagogy portfolio and required fees. An applicant may present the contents of a submitted pedagogy portfolio in person to the panel on the set review date. An applicant may choose not to present the contents of the submitted pedagogy portfolio to the panel on the review date and thereby waives the right to defend the pedagogy portfolio material in person. To indicate knowledge of effective teaching dispositions under the Minnesota Code of Ethics for Teachers, the applicant must submit a completed evaluation by the individual responsible for the mentorship or supervision of the applicant for review by the panel of educators after completing one of the following:

(1) a ~~year-long~~ yearlong mentorship program aligned to board-adopted criteria; or

(2) two years of experience teaching as the teacher of record in the licensure area sought.

E. If the panel of educators under item D does not recommend an applicant for licensure via the pedagogy portfolio, the panel must provide specific information to the applicant on how to successfully demonstrate meeting any standard the panel determined was not met. The applicant may submit one revised pedagogy portfolio, which must be recommended for approval or disapproval by one member of the panel of educators within 60 days of receiving the revised submission.

F. Each content portfolio must be reviewed by two reviewers who meet board-adopted qualifications within 90 days of receiving the completed portfolio and required fees.

G. If the content reviewers under item F do not recommend the applicant for licensure via the content portfolio, the reviewers must provide specific information to the applicant on how to successfully demonstrate meeting any standard the reviewers determined was not met. The applicant may submit one revised content portfolio, which must be

recommended for approval or disapproval by one of the content reviewers within 60 days of receiving the revised submission.

H. An applicant who is recommended for licensure via portfolio review under this subpart must submit an application for licensure to the board that meets the requirements under subpart 3. The applicant must also pay an application fee.

Subp. 3. **Application requirements.** An applicant who is recommended for licensure via portfolio review under subpart 2 must submit an application for licensure to the board that meets the requirements of this subpart.

A. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as verified by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as verified by a credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service; or

(3) for applicants in career and technical education fields or career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the licensure area sought;

(b) an associate's degree aligned to the licensure area sought; or

(c) a professional certification aligned to the licensure area sought from an approved certifying organization.

B. The applicant must submit board-adopted passing scores on board-adopted content and pedagogy exams. Any licensure area that does not have a board-approved content examination is exempt from the content examination requirement.

C. An applicant recommended for an initial Tier 3 license by the panel of educators under subpart 2, item D, and content reviewers under subpart 2, item F, must pass a criminal background check.

D. An applicant recommended for the addition of a licensure area to a current Tier 3 or 4 license by the content reviewers under subpart 2, item F, must pass a criminal background check, if applicable.

Subp. 4. **CTE exceptions.** An applicant for any career and technical education field under parts 8710.8010 to 8710.8080 is exempt from the criteria in subpart 3 and may apply for an initial Tier 3 license under part 8710.0313 through portfolio review under Minnesota Statutes, section 122A.18, subdivision 10, if the applicant completed parts 8710.2000 and 8710.8000, and meets one of the following requirements:

A. has five years of relevant work experience aligned to the licensure area sought;

B. holds an associate's degree aligned to the licensure area sought; or

C. holds a professional certification aligned to the licensure area sought from an approved certifying organization.

Subp. 5. **Submission timelines.**

A. An applicant must submit a letter of intent to the board at least 30 days prior to submission of a portfolio application.

B. A portfolio application prepared according to published guidelines must be submitted between 30 days and one year after the letter of intent is received by the board.

Subp. 6. **Appeal.** An applicant who is denied an initial Tier 3 license or an addition to a current Tier 3 or 4 license by the board under this part may appeal the board's decision under part 8710.0900 and Minnesota Statutes, chapter 14.

8710.4725 TEACHERS OF READING.

[For text of subp 1, see M.R.]

Subp. 2. **Licensure requirements.** A candidate for licensure to teach reading to students in kindergarten through grade 12 shall:

A. hold or qualify for a teaching license, as defined in part 8710.0310, valid for:

(1) one or more of the following student levels: elementary, middle, or secondary;

[For text of subitems (2) to (4), see M.R.]

[For text of item B, see M.R.]

[For text of subps 3 to 5, see M.R.]

8710.4925 READING LEADER.

[For text of subp 1, see M.R.]

Subp. 2. **Licensure requirements.** A candidate for licensure to teach reading to students in kindergarten through grade 12 shall:

A. hold or qualify for a teaching license, as defined in part 8710.0310, valid for:

(1) one or more of the following student levels: elementary, middle, or secondary;

[For text of subitems (2) to (4), see M.R.]

[For text of items B and C, see M.R.]

[For text of subps 3 to 5, see M.R.]

8710.6000 SPEECH-LANGUAGE PATHOLOGIST.

[For text of subp 1, see M.R.]

Subp. 1a. **Exceptions.**

A. A speech-language pathologist is not required to pass content, pedagogy, or basic skills examinations.

B. A speech-language pathologist is not eligible to hold a Tier 1 ~~or Tier 2~~ license issued under ~~parts~~ part 8710.0311 ~~and 8710.0312~~.

Subp. 1b. ~~Waiver~~ **Requirements for a Tier 2 license.** ~~The hiring district may request from the board a waiver of subpart 1a, item B, to obtain~~ A Tier 2 license issued under part 8710.0312 ~~for~~ must be issued to a speech-language pathologist if the requirements of this subpart are met.

A. The hiring district must:

(1) show that the position was posted for at least 15 days on the board-approved statewide job board;

(2) show that no Tier 3 or 4 licensed speech-language pathologists applied for the position;

(3) provide justification for why no alternative options for having a licensed speech-language pathologist are available; and

(4) ~~provide the board with the applicant's credentials; and~~ provide supervision by a licensed speech-language pathologist who holds a certificate of clinical competence from the American Speech-Language-Hearing Association, and is able to communicate with a Tier 2 licensed individual any time the individual is in direct contact with a client where the supervision includes the following:

(a) during the first year, at least 30 percent of work includes direct, face-to-face supervision; and

(b) during the second year, at least 20 percent of work includes direct, face-to-face supervision.

~~(5) detail the support and supervision the applicant will receive.~~

B. ~~The hiring district must submit its request for a waiver under this subpart at least two weeks prior to a regular board meeting. If a request is submitted less than two weeks before a regular board meeting, the request must be considered at the following month's regular board meeting. The board must review each request for a waiver received under this item at a regular board meeting and must approve or deny each request pursuant to board-adopted criteria.~~ The applicant must:

(1) have a bachelor's degree in communication disorders or speech-language-hearing sciences; or

(2) hold a speech-language pathologist assistant certificate and a bachelor's degree in any field.

C. The hiring district must affirm the applicant will participate in an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation.

Subp. 1c. **Tier 2 license duration; renewal.**

A. A Tier 2 license issued under subpart 1b is valid for up to two years, expires on June 30 of the expiration year, and may be renewed three times. For each renewal, the hiring district must show the applicant participated in mentorship and evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section

122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another district-aligned evaluation.

B. For the first renewal, the applicant must show:

(1) meaningful progress, as defined by the provider, has been made toward completion of the program and a Tier 3 license. If no meaningful progress has been made, the board must deem the applicant to not meet renewal requirements unless the applicant provides justification to the board for failing to make meaningful progress; or

(2) the applicant applied to a speech-language pathology master's degree program but was not accepted.

C. For the second and third renewals, the applicant must show that meaningful progress, as defined by the provider, has been made toward completion of the program and a Tier 3 license. If no meaningful progress has been made, the board must deem the applicant to not meet renewal requirements unless the applicant provides justification to the board for failing to make meaningful progress.

Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part 8710.0313 must be issued to a speech-language pathologist if the applicant:

A. has completed a master's degree in speech-language pathology from a program accredited by the Council on Academic Affairs of the American Speech-Language-Hearing Association;

B. holds a valid certificate of clinical competence from the American Speech-Language-Hearing Association; or

C. holds a speech-language pathology license granted by the Minnesota Department of Health.

Subp. 2a. **Requirements for Tier 4 license.** A Tier 4 license issued under part 8710.0314 must be issued to a speech-language pathologist if the applicant:

A. meets all requirements for a Tier 3 license under subpart 2;

B. has at least three years of experience as a speech-language pathologist in Minnesota schools; and

C. was not placed or otherwise kept in an improvement process aligned to the district's teacher development and evaluation plan by the applicant's most recent summative evaluation.

Subp. 3. [Repealed, 25 SR 805]

Subp. 4. **License renewal.**

A. A speech-language pathologist license issued under this part shall be renewed according to the rules of the Professional Educator Licensing and Standards Board governing professional licensure.

B. The Certificate of Clinical Competence (CCC) credential from the American Speech-Language-Hearing Association may be used in lieu of clock hours required under part 8710.7200, subpart 2, to renew a speech-language pathologist license issued under this part. If the CCC credential expires during the individual's renewal period, the local continuing education/relicensure committee must prorate clock hours completed at 25 hours per year and require completion of a prorated number of hours for the years the credential is not in effect.

C. For an individual with a license issued prior to July 1, 1994, applying for renewal of continuing licensure as a speech-language pathologist who does not hold a master's degree in speech-language pathology, the applicant must earn at least 24 quarter hours or 16 semester hours of postbaccalaureate college credit in speech-language pathology or related special education instruction and services and comply with this subpart.

[For text of subps 5 and 6, see M.R.]

8710.6100 SCHOOL NURSE.

[For text of subp 1, see M.R.]

Subp. 1a. **Exceptions.**

A. A school nurse is not required to pass content, pedagogy, or basic skills examinations.

B. A school nurse is not eligible to hold Tier 1 or Tier 2 licenses issued under parts 8710.0311 and 8710.0312.

Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part 8710.0313 must be issued to a school nurse if the applicant:

A. holds a baccalaureate degree in nursing from a regionally accredited college or university;

B. is currently registered in Minnesota to practice as a licensed registered nurse under the Board of Nursing; and

C. is currently registered in Minnesota as a public health nurse under the Board of Nursing.

Subp. 2a. **Requirements for Tier 4 license.** A Tier 4 license issued under part 8710.0314 must be issued to a school nurse if the applicant:

A. meets all requirements for a Tier 3 license under subpart 2;

B. has at least three years of experience as a school nurse in Minnesota; and

C. was not placed or otherwise kept in an improvement process aligned to the district's teacher development and evaluation plan by the applicant's most recent summative evaluation.

Subp. 3. [Repealed, 25 SR 805]

Subp. 4. **License renewal.**

A. A school nurse license issued under this part shall be renewed according to the rules of the Professional Educator Licensing and Standards Board governing professional licensure.

B. Evidence of current Minnesota Board of Nursing registration as a licensed registered nurse is required.

Subp. 5. **Maintaining board of nursing registration.** In order to retain licensure as a school nurse, current registration as a registered nurse and registration as a public health nurse must be maintained at all times. Lapse of this registration or licensure is grounds for revocation of licensure as a school nurse.

Persons without baccalaureate degrees who hold valid licenses as school nurses may continue to renew their licenses under subpart 4, provided that requirements for renewal are met. However, if a license is allowed to lapse, persons must meet the licensure requirements in subpart 2 or 2a in order to receive a current school nurse license.

[For text of subp 6, see M.R.]

8710.6200 SCHOOL PSYCHOLOGIST.

[For text of subp 1, see M.R.]

Subp. 1a. **Exceptions.**

A. A school psychologist is not required to pass content, pedagogy, or basic skills examinations.

B. A school psychologist is not eligible to hold a Tier 1 license issued under part 8710.0311.

Subp. 1b. **Requirements for Tier 2 license.** A Tier 2 license issued under part 8710.0312 must be issued to a school psychologist if the requirements of this subpart are met.

A. The applicant must:

(1) provide evidence that the applicant has completed a school psychology program not accredited by the National Association of School Psychologists and does not hold a National School Psychologist Certification; or

(2) hold a master's degree or equivalent in a school psychology program and provide verification of completion of at least two years of preparation required for licensure as a school psychologist. The applicant must be enrolled in a school psychology program.

B. For individuals licensed under item A, subitem (2), the school psychology program where the applicant is enrolled must verify the applicant has completed at least two years of preparation required for licensure as a school psychologist, affirm that the institution will assist in designing the learning experience, and provide supervision during the learning experience.

C. The hiring district must:

(1) request a Tier 2 license from the board;

(2) affirm the applicant will participate in an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation; and

(3) if the applicant obtains a Tier 2 license pursuant to item A, subitem (2), assign a school psychologist who holds a Tier 3 or 4 license issued under parts 8710.0313 and 8710.0314 to have direct~~, day-to-day~~ supervision of the applicant aligned to supervision standards identified by the National Association of School Psychologists, affirm the position

is designed to serve as a learning experience for the applicant, and affirm that the applicant will not replace a Tier 3 or 4 licensed school psychologist.

Subp. 1c. **Tier 2 license duration; renewal.**

A. A Tier 2 license ~~issued under subpart 1b, item A, subitem (1),~~ is valid for up to two years, expires on June 30 of the expiration year, and may be renewed three times. For each renewal, the hiring district must show the applicant participated in mentorship and evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another district-aligned evaluation.

B. If the applicant holds a Tier 2 license issued under subpart 1b, item A, subitem (2), the provider must certify that the applicant has made meaningful progress, as defined by the provider, toward completion of the program and a Tier 3 license. If no meaningful progress has been made, the board must deem the applicant to not meet renewal requirements unless the applicant provides justification to the board for failing to make meaningful progress.

~~B. A Tier 2 license issued under subpart 1b, item A, subitem (2), may be used only in the requesting district, is valid for up to two school years, and expires on the June 30 following the date of issuance. The license may be renewed one time upon application to the board if the applicant must complete the equivalent of one school year of internship experience during the following school year.~~

Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part 8710.0313 must be issued to a school psychologist if the applicant has completed a preparation program in school psychology accredited by the National Association of School Psychologists or holds the Nationally Certified School Psychologist (NCSP) credential from the National Association of School Psychologists.

Subp. 2a. **Requirements for Tier 4 license.** A Tier 4 license issued under part 8710.0314 must be issued to a school psychologist if the applicant:

A. meets all requirements for a Tier 3 license issued under subpart 2;

B. has at least three years of experience working as a school psychologist in Minnesota; and

C. was not placed or otherwise kept in an improvement process aligned to the district's teacher development and evaluation plan by the applicant's most recent summative evaluation.

Subp. 3. [Repealed, 25 SR 805]

Subp. 4. **Tier 3 and Tier 4 license renewal.**

A. A school psychologist license issued under subpart 2 or 2a shall be renewed according to the rules of the Professional Educator Licensing and Standards Board governing professional licensure.

B. The Nationally Certified School Psychologist (NCSP) credential from the National Association of School Psychologists may be used in lieu of clock hours required under part 8710.7200, subpart 2, to renew a school psychologist license issued under subpart 2 or 2a. If the NCSP credential expires during the license holder's renewal period, the local continuing education/relicensure committee must prorate clock hours completed at 25 hours per year and require completion of a prorated number of hours for the years the credential is not in effect.

[For text of subp 5, see M.R.]

8710.6300 SCHOOL SOCIAL WORKER.

[For text of subp 1, see M.R.]

Subp. 1a. **Exceptions.**

A. A school social worker is not required to pass content, pedagogy, or basic skills examinations.

B. A school social worker is not eligible to hold Tier 1 or Tier 2 licenses issued under parts 8710.0311 and 8710.0312.

Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part 8710.0313 must be issued to a school social worker if the applicant:

A. holds a baccalaureate or master's degree; and

B. is currently licensed in Minnesota to practice as a social worker under the Board of Social Work.

Subp. 2a. **Requirements for Tier 4 license.** A Tier 4 license issued under part 8710.0314 must be issued to a school social worker if the applicant:

A. meets all requirements for a Tier 3 license under subpart 2;

B. has at least three years of experience working as a school social worker in Minnesota; and

C. was not placed or otherwise kept in an improvement process aligned to the district's teacher development and evaluation plan by the applicant's most recent summative evaluation.

Subp. 3. [Repealed, 25 SR 805]

Subp. 4. **License renewal.**

A. A school social worker license issued under this part shall be renewed according to the rules of the Professional Educator Licensing and Standards Board governing professional licensure.

B. Evidence of current Board of Social Work licensure is required.

[For text of subps 5 and 6, see M.R.]

8710.6400 SCHOOL COUNSELOR.

[For text of subp 1, see M.R.]

Subp. 1a. **Exceptions.**

A. A school counselor is not required to pass content, pedagogy, or basic skills examinations.

B. A school counselor is not eligible to hold a Tier 1 license issued under part 8710.0311.

Subp. 1b. **Requirements for Tier 2 license.** A Tier 2 license issued under part 8710.0312 must be issued to a school counselor if the requirements of this subpart are met.

A. The applicant must:

(1) hold a master's degree in counseling; or

(2) hold a baccalaureate degree and be enrolled in an accredited school counselor program with no less than 24 semester credit hours in school-counseling-specific coursework or content, including introduction to the field, counseling skills, and ethical standards and must verify to the board in writing a plan of study of full- or part-time enrollment to achieve licensure within three years.

B. For individuals licensed under item A, subitem (2), the school counseling program where the applicant is enrolled must:

(1) verify completion of at least 24 semester credit hours in school-counseling-specific coursework or content, including introduction to the field, counseling skills, and ethical standards;

(2) affirm that the individual is prepared for a learning experience of this nature;

(3) affirm that the institution will assist in designing the learning experience; and

(4) provide supervision during the learning experience.

C. The hiring district must:

(1) request a Tier 2 license from the board;

(2) affirm the applicant will participate in an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another identified district-aligned evaluation; and

(3) if the applicant obtains a Tier 2 license pursuant to item A, subitem (2), assign a school counselor who holds a Tier 3 or 4 license issued under parts 8710.0313 and 8710.0314 to have direct~~, day-to-day~~ supervision of the applicant, affirm the position is designed to serve as a learning experience for the applicant, and affirm that the applicant will not replace a Tier 3 or 4 licensed school counselor.

Subp. 1c. **Tier 2 license duration; renewal.**

A. A Tier 2 license ~~issued under subpart 1b, item A, subitem (1),~~ is valid for two years and may be renewed three times. For each renewal, the hiring district must show the applicant participated in mentorship and evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another district-aligned evaluation.

B. ~~A Tier 2 license issued under subpart 1b, item A, subitem (2), is valid for two years and may be renewed one time. To renew a Tier 2 license issued under subpart 1b, item A, subitem (2), the applicant's school counselor education program provider must certify that meaningful progress, as defined by the provider, has been made toward completion of the program. If no meaningful progress has been made, the board must deem the applicant not to be enrolled in a school counselor education program unless the applicant provides justification to the board for failing to make meaningful progress.~~ If the applicant holds a Tier 2 license issued under subpart 1b, item A, subitem (2), the provider must certify that the applicant has made meaningful progress, as defined by the provider, toward completion of the program and a Tier 3 license. If no meaningful progress has been made, the board must deem the applicant to not meet renewal requirements unless the applicant provides justification to the board for failing to make meaningful progress.

Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part 8710.0313 must be issued to a school counselor if the applicant:

A. holds a master's degree or the equivalent in school counseling from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools; and

B. shows verification of having completed a preparation program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational Services.

Subp. 2a. **Requirements for Tier 4 license.** A Tier 4 license issued under part 8710.0314 must be issued to a school counselor if the applicant:

A. meets all requirements for a Tier 3 license issued under subpart 2;

B. has at least three years of experience working as a school counselor in Minnesota; and

C. was not placed or otherwise kept in an improvement process aligned to the district's teacher development and evaluation plan by the applicant's most recent summative evaluation.

[For text of subps 3 and 4, see M.R.]

Subp. 5. **License renewal.** A school counselor license issued under subpart 2 or 2a shall be renewed according to the rules of the Professional Educator Licensing and Standards Board governing professional licensure.

[For text of subp 6, see M.R.]

8710.7000 DUTY OF LICENSEE TO RENEW.

It is the responsibility of the person seeking the renewal of a Tier 3 or 4 teaching license to comply with licensure renewal requirements in part 8710.7100 and to submit the application, appropriate verification, and other supporting materials to the local continuing education/relicensure committee, in accordance with procedures and due dates established by that committee under part 8710.7200.

8710.7100 RENEWAL OF TIER 3 OR 4 TEACHING LICENSES.

Subpart 1. **Scope.** This part applies to persons who have held Tier 3 or 4 licenses, or their previous equivalencies, and are seeking to renew Tier 3 or 4 licenses issued by the Professional Educator Licensing and Standards Board under parts 8710.0313 and 8710.0314.

Subp. 1a. **Renewal.**

A. The board must renew the Tier 3 or 4 license of an applicant who is not employed in a Minnesota public school, does not reside in Minnesota, and who has not been employed in a position requiring Minnesota licensure at any time during the school year immediately preceding the date of expiration, if one of the following is submitted:

(1) verification by a local continuing education/relicensure committee that the applicant has met renewal requirements for the Tier 3 license during the three-year period immediately preceding the application or for the Tier 4 license during the five-year period immediately preceding the application; or

(2) evidence of meeting the requirements under part 8710.7200, subpart 2a, and an official college transcript verifying that the applicant earned at least 12 quarter or eight semester hours of credit, applicable to the licensure field or fields, during the three-year period immediately preceding the application for Tier 3 licenses, or the five-year period immediately preceding the application for Tier 4 licenses.

B. If a requirement under item A is not met, a one-year extension of the expired Tier 3 or 4 license must be granted based on written documentation that the applicant has been offered a position contingent upon holding a valid license. An extension under this item expires on June 30 of the school year for which the license is issued and must not be renewed. In order to qualify for a Tier 3 or 4 license after a one-year extension, the applicant must provide written documentation that the renewal requirements for the Tier 3 or 4 license under item A, subitem (1), have been met.

Subp. 2. [See repealer.]

Subp. 3. **Application and validity period.**

A. A license renewal period begins on July 1 of the year of expiration. An application for renewal is accepted for processing by the board after January 1 of the year of expiration.

B. A valid Tier 3 license must be renewed for a subsequent period of three years when an applicant presents verification by the local continuing education/relicensure committee that the applicant has, within the past three years, successfully completed at least 75 clock hours of professional development as specified in part 8710.7200.

C. A valid Tier 4 license must be renewed for a subsequent period of five years when an applicant presents verification by the local continuing education/relicensure committee that the applicant has, within the past five years, successfully completed at least 125 clock hours of professional development as specified in part 8710.7200.

Subp. 4. **Clock hour alternative pilot program.** In consultation with local education/relicensure committees, the board must develop an alternative to clock hours for meeting professional development requirements under part 8710.7200, subparts 2 and 2a. Once the pilot program has been established, local education/relicensure committees may pilot alternative professional development plans and determine on an individual basis whether to accept a professional development plan as an alternative to clock hours required under part 8710.7200, subpart 2.

8710.7200 CLOCK HOURS; REQUIREMENTS FOR RENEWAL OF PROFESSIONAL LICENSES.

[For text of subp 1, see M.R.]

Subp. 2. **Renewal clock hours.** Verification by the local continuing education/relicensure committee that the applicant has completed 75 approved clock hours for a Tier 3 license and 125 approved clock hours for a Tier 4 license is required for renewal. Instruction and professional development activities meet requirements to renew licenses only if they address one or more of the standards in part 8710.2000.

Subp. 2a. **Professional development requirements.** To renew a Tier 3 or 4 license, an applicant who has been employed as a teacher during the renewal period of the expiring license must demonstrate the completion of requirements of this subpart to a local continuing education/relicensure committee for verification by the Professional Educator Licensing and Standards Board.

A. The applicant must show evidence of professional reflection and growth in best practices ~~in~~, including but not limited to the following areas:

(1) cultural competency training ~~aligned to board-adopted criteria~~; and

(2) district-approved training in meeting the needs of English learners that has job-embedded opportunities for learning and practice and aligns with Interstate Teacher Assessment and Support Consortium (InTASC) standards for English learners.

An applicant may satisfy the requirements of ~~item A and~~ this subpart ~~2~~ by submitting the teacher's most recent summative evaluation or improvement plan aligned to the district's teacher development and evaluation process. An applicant not teaching in a Minnesota district may work with the applicant's local continuing education/relicensure committee for the purposes of providing evidence of renewal requirements.

B. The applicant must show evidence of professional development in the following areas:

(1) positive behavior interventions under Minnesota Statutes, section 122A.187, subdivision 4, for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2001, and thereafter;

(2) reading preparation under Minnesota Statutes, section 122A.187, subdivision 5, for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2004, and thereafter;

(3) mental illness training under Minnesota Statutes, section 122A.187, subdivision 6, for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2005, and thereafter; and

~~(4) integrating technology effectively with student learning to increase engagement and student achievement for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2012, and thereafter;~~ ~~and~~

~~(5)~~ (4) at least one hour of suicide prevention training under Minnesota Statutes, section 122A.187, subdivision 6, for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2016, and thereafter.

Subp. 2b. **Renewal emergency extension.** If an emergency prevents an applicant from completing rule requirements to renew a license, the applicant may submit an application to the Professional Educator Licensing and Standards Board for an emergency extension of time to renew the license. Within 30 days of receiving the application, the board must determine whether an extension of time should be granted based on documentation of the emergency.

[For text of subps 3 and 4, see M.R.]

Subp. 5. **Exception for national board certification.** A local continuing education committee shall accept verification that a teacher is actively engaged in and making progress toward National Board of Professional Standards Certification or other national professional teaching certification approved by the Professional Educator Licensing and Standards Board at the time of renewal as equivalent to fulfilling all clock hour requirements for Tier 3 or 4 license renewal. A local continuing education committee shall accept verification that a teacher has earned National Board or other approved certification as equivalent to all clock hour requirements during the life of the certificate. If the certificate expires during the applicable renewal period, the local committee shall prorate hours completed under this exception and require completion of a prorated number of clock hours for the years the certificate is not in effect.

Subp. 6. **Exception for local option.** The Professional Educator Licensing and Standards Board shall approve requests submitted by local committees that, through their school district master contracts or other official agreements between the local school board and its teachers, wish to substitute development and implementation of individualized

professional development plans for some or all of the clock hour requirements for renewal of Tier 3 or 4 teaching licenses, provided that each individualized professional development plan:

[For text of items A to E, see M.R.]

F. requires that each teacher's individualized professional development plan equal or exceed 75 hours of professional development activities during the three-year period for a Tier 3 license and 125 hours of professional development activities during the five-year period for a Tier 4 license.

[For text of subp 7, see M.R.]

Subp. 8. **Period for earning clock hours.** An applicant requesting renewal of a license to teach must earn a minimum of 75 clock hours during each three-year period preceding application for a Tier 3 licensure renewal and 125 clock hours during each five-year period preceding application for a Tier 4 licensure renewal. An applicant may not bank clock hours for purposes of relicensure, but clock hours earned after an application for renewal has been submitted may be applied to the next renewal period.

[For text of subp 9, see M.R.]

Subp. 10. **Renewal of license for two or more areas.** An applicant who seeks renewal of a Tier 3 or 4 teaching license for two or more areas should allocate at least 30 clock hours to each of the licensure areas for a total of no fewer than 75 clock hours for a Tier 3 license and 125 clock hours for a Tier 4 license, with priority given to work in areas where the candidate is employed during the licensure period. An applicant who holds an administrative license or licenses may allocate clock hours for the renewal of teaching licensure under this subpart.

[For text of subp 11, see M.R.]

8710.9010 CAREER PATHWAYS TEACHER.

Subpart 1. **Scope of practice.** A career pathways teacher is authorized to teach students the skills and information necessary for a specific career where that career does not necessarily require a four-year degree and in which there are not board rules in place. Such careers include but are not limited to law enforcement, cosmetology, and park services.

Subp. 2. **Licensure requirements.** A candidate for licensure as a career pathways teacher must meet the requirements of this subpart.

A. The applicant must have one of the following:

(1) five years of relevant work experience;

(2) at least an associate's degree aligned to the career field; or

(3) a professional certification aligned to the career field from an approved certifying organization.

B. The applicant must demonstrate ~~to the board~~ the standards of effective practice for licensing beginning teachers under part 8710.2000 have been met ~~through standards of effective practice coursework or experiences through a teacher preparation provider or through licensure via portfolio~~.

Subp. 3. **License issuance and renewal.** A career pathways license shall be issued and renewed according to the rules of the Professional Educator Licensing and Standards Board governing professional licensure.

REPEALER. Minnesota Rules, parts 8700.7620; 8710.0300, subparts 1, 1a, 2, 2a, 2b, 3, 5, 6, 7, 8, 9, 10, and 11; 8710.0600; 8710.1000; 8710.1050; 8710.1250; 8710.1400; 8710.1410; and 8710.7100, subpart 2, are repealed.

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October 15, 2018

VIA EMAIL ONLY
Nancy Breems
Secretary of State, Elections Division
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100 Rev Dr Martin Luther King Jr Blvd
St. Paul, Minnesota 55155-1299
official.documents@state.mn.us

Re: ***In the Matter of the Proposed Rules of the Professional Educator Licensing and Standards Board Governing the Issuance, Renewal, and Validity of Teaching Licenses***
OAH 82-9021-35209; Revisor R-4534

Dear Ms. Breems:

Enclosed for filing is an electronic copy of the above-entitled adopted rules.

Please send the agency copy of the rules to:

Alex Liuzzi
Executive Director
Minnesota Professional Educator Licensing and Standards Board
1500 W Hwy 36
Roseville, MN 55113

If you have any questions regarding this matter, please contact Katie Lin at (651) 361-7911, katie.lin@state.mn.us or facsimile at (651) 539-0310.

Sincerely,

/s/ Lisa Armstrong

LISA ARMSTRONG
Legal Assistant

Enclosures
cc: Alex Liuzzi (via email)