

**MACTE End-of-Session Legislative Update**  
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I have been waiting to send a final update on the outcomes of the 2017 legislative session until things were actually final. However, since I know many of you have questions about how teacher preparation and licensure will be affected by statutory changes and since it appears that it may be some time yet before we have the full, final picture regarding the E-12 bill, I thought I should let you know where things stand at this time.

As I suspect you are aware, the legislature was unable to complete its work by the constitutionally required adjournment date of May 22. This resulted in a short special session that began immediately following the regular session and continued until the completion of all bills by Friday, May 25. Governor Dayton subsequently signed all of the budget bills, but with one wrinkle that has left several issues, including teacher licensure, somewhat unsettled. He chose to line item veto all funding for the legislature in order to seek the re-opening of five key policy issues addressed within the omnibus budget bills, one of which was teacher licensure. Legislative leaders have decided to challenge the constitutionality of that step. Since the language giving him line item veto authority is silent on any appropriations that may not be line item vetoed, this non-lawyer doesn't understand how his action could be considered unconstitutional but I can claim no relevant expertise in this matter! In any case, the matter will likely head to court and I suspect the issue will be given an expedited hearing in order to move as quickly as possible toward resolution. Stay tuned for further developments, which will certainly be widely reported.

Turning now to the bill that did pass, House File 2 (with each new session, bills are given new numbers, so the previous HF 890, which had been amended to include HF 140, became HF 2). Provisions of primary interest to MACTE members can be found in Articles 2, 3, and 12 of the bill. Most of these changed little during the special session negotiations compared to what was previously reported to you. **In Article 2**, provisions include funding for Grow-Your-Own and paraprofessional pathways to licensure program funding, alternative teacher preparation program grants, teacher shortage loan forgiveness, student teacher shortage grants, expanded CUE grants, American Indian Preparation Grants, and African American Registry funding. There is also language of possible interest regarding CTE (innovative CTE delivery and a rural CTE consortium), positive behavior intervention and support, and potential uses of Q-Comp funding for hiring bonuses in shortage areas and for first year teachers based on their student teaching performance, as well as funding to establish a statewide partnership to offer continuing education credits to allow eligible concurrent enrollment teachers to attain sufficient graduate credits to qualify to teach CE courses.

**Article 3 contains the licensure language, including the new four-tier licensure system described on pages 92-99.** The issue here that seems to be of primary

concern to the governor is the possibility that a teacher with a baccalaureate degree but no preparation could have a Tier 1 license indefinitely renewed if a district requests it (although there is some language that is technically limiting, the inclusion of geographic areas of shortage makes the scope virtually statewide, and language stating that a district can hire someone under Tier 1 if it has “posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license” is a far cry from earlier language allowing it only when a candidate with a Tier 2, 3 or 4 licensure could not be found). In the special session negotiations, one improvement was made regarding tiered licensure, which was the removal of passing scores on licensure tests as potentially a sole means of qualifying for a Tier 3 license for someone holding a baccalaureate degree. I encourage you to review the full language regarding the tiered licensure system to fully understand what is and isn’t required at each level.

**Regarding testing (pages 99-100)**, the basic skills test will now be required only to achieve a Tier 4 license for teaching in elementary, secondary, and special education. There is language that I believe is new requiring all candidates for tier 3 and 4 licenses to pass test items in scientifically-based reading as well as in content and pedagogy. License renewal requirements include positive behavior interventions, reading preparation, and mental illness (pages 101-102).

Language has been included in Article 3 (pages 107-110) outlining the process for approval of alternative teacher preparation program providers and then of alternative teacher preparation programs, and these programs will have to meet the same reporting requirements as traditional programs. There is also a requirement that the new board submit a biannual report to the legislature on alternative providers.

Finally, the new board is directed to conduct a special education license review regarding cross-categorical licenses and to amend its rules by 9.1.17 allowing ABS licenses to be renewed (both on page 115).

**Article 12 contains all of the provisions for the new Professional Educators Licensing and Standards Board**, which will assume the roles and responsibilities currently assigned to the licensure division of MDE and the BOT. The new board will be comprised of eleven members, including five E-12 teachers (1 each charter school, metro, non-metro, related service category, and special education) and one teacher preparation program “teacher” (which they count as one of the six teacher members, which is obviously a departure from past practice, and we did try to help them understand that those who teach in higher education institutions are referred to as faculty, not teachers); one superintendent (alternating between metro and non-metro); one district human resources director; one administrator of a cooperative unit who oversees special education; one principal (alternating between elementary and secondary); and one public member who may be a current or former school board member. Appointments are to be made by the governor by 9.1.17 for terms beginning on 1.1.18; terms will be staggered; and two current

members appointed before 1.1.17 are eligible for appointment (and I'm told that since at least one current member of the board was appointed after January 1 of this year, this means that up to three current members could be reappointed).

**Language in Article 12 also addresses performance data reporting on teacher and administrative preparation programs and requirements for teacher preparation program approval (pages 184-188).** I have not reviewed the current language regarding teacher education program approval against the old to determine the extent to which language about required standards may have been changed. Such a review is particularly challenging since they had to delete all of the old language to move it into this article, so everything here appears to be new even when it is existing language. I believe it is possible that some specific requirements that have been added over the years and which might well not be addressed in other states' standards have been removed, consistent with OLA report recommendations. I will be consulting with BOT staff and others to determine if this is, in fact, the case. You will find the current language on pages 188-190.

In conclusion, there is a great deal of detail in Articles 2, 3, and 12 of likely interest to, and potentially with impact on, your programs, so I encourage you to look up the full bill on the legislative website so that you can find and read those items about which you want to know more. As a reminder, you can find this bill by going to the legislative website at [leg.state.mn.us](http://leg.state.mn.us) and searching as follows:

- (1) Under Bill Search & Status (in the middle of the page), select Search House Bills.
- (2) Under Search by Bill Numbers, enter HF 2.
- (3) Click on Bill Status, then on Version List.
- (4) You will want to read the version listed as First Engrossment, dated 5.31.17.

Happy reading! And, in case you were wondering, the legislature has announced that they will convene the 2018 session on Tuesday, February 20.