

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 1282

(SENATE AUTHORS: DAHLE, Saxhaug and Stumpf)

DATE	D-PG	OFFICIAL STATUS
03/11/2013	778	Introduction and first reading Referred to Education
04/02/2013	1672	Withdrawn and re-referred to Finance

1.1 A bill for an act
 1.2 relating to education; providing for a national board certification grant program
 1.3 for teachers and principals; appropriating money; amending Minnesota Statutes
 1.4 2012, sections 122A.18, subdivision 4; 122A.40, subdivision 8; 122A.41,
 1.5 subdivision 5; 122A.60, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2012, section 122A.18, subdivision 4, is amended to read:

1.8 Subd. 4. **Expiration and renewal.** (a) Each license the Department of Education
 1.9 issues through its licensing section must bear the date of issue. Licenses must expire
 1.10 and be renewed according to the respective rules the Board of Teaching, the Board
 1.11 of School Administrators, or the commissioner of education adopts. Requirements for
 1.12 renewing a license must include showing satisfactory evidence of successful teaching or
 1.13 administrative experience for at least one school year during the period covered by the
 1.14 license in grades or subjects for which the license is valid or completing such additional
 1.15 preparation as the Board of Teaching prescribes. The Board of School Administrators
 1.16 shall establish requirements for renewing the licenses of supervisory personnel except
 1.17 athletic coaches. The State Board of Teaching shall establish requirements for renewing
 1.18 the licenses of athletic coaches.

1.19 (b) Relicensure applicants who have been employed as a teacher during the renewal
 1.20 period of their expiring license, as a condition of relicensure, must present to their local
 1.21 continuing education and relicensure committee or other local relicensure committee
 1.22 evidence of work that demonstrates professional reflection and growth in best teaching
 1.23 practices. The applicant must include a reflective statement of professional accomplishment
 1.24 and the applicant's own assessment of professional growth showing evidence of:

1.25 (1) support for student learning;

2.1 (2) use of best practices techniques and their applications to student learning;

2.2 (3) collaborative work with colleagues that includes examples of collegiality such as
2.3 attested-to committee work, collaborative staff development programs, and professional
2.4 learning community work; or

2.5 (4) continual professional development that may include (i) job-embedded or other
2.6 ongoing formal professional learning or (ii) for teachers employed for only part of the
2.7 renewal period of their expiring license, other similar professional development efforts
2.8 made during the relicensure period.

2.9 The Board of Teaching must ensure that its teacher relicensing requirements also include
2.10 this paragraph.

2.11 (c) The Board of Teaching shall ~~offer alternative~~ grant continuing relicensure ~~options~~
2.12 ~~for~~ to teachers who are accepted into and complete the National Board for Professional
2.13 Teaching Standards certification process, and ~~offer additional~~ grant continuing relicensure
2.14 ~~options for~~ to teachers who earn National Board for Professional Teaching Standards
2.15 certification. Continuing relicensure requirements for teachers who do not maintain
2.16 National Board for Professional Teaching Standards certification are those the board
2.17 prescribes, consistent with this section.

2.18 Sec. 2. Minnesota Statutes 2012, section 122A.40, subdivision 8, is amended to read:

2.19 Subd. 8. **Development, evaluation, and peer coaching for continuing contract**
2.20 **teachers.** (a) To improve student learning and success, a school board and an exclusive
2.21 representative of the teachers in the district, consistent with paragraph (b), may develop
2.22 a teacher evaluation and peer review process for probationary and continuing contract
2.23 teachers through joint agreement. If a school board and the exclusive representative of the
2.24 teachers do not agree to an annual teacher evaluation and peer review process, then the
2.25 school board and the exclusive representative of the teachers must implement the plan
2.26 for evaluation and review under paragraph (c). The process must include having trained
2.27 observers serve as peer coaches or having teachers participate in professional learning
2.28 communities, consistent with paragraph (b).

2.29 (b) To develop, improve, and support qualified teachers and effective teaching
2.30 practices and improve student learning and success, the annual evaluation process for
2.31 teachers:

2.32 (1) must, for probationary teachers, provide for all evaluations required under
2.33 subdivision 5;

2.34 (2) must establish a three-year professional review cycle for each teacher that
2.35 includes an individual growth and development plan, a peer review process, the

3.1 opportunity to participate in a professional learning community under paragraph (a), and
3.2 at least one summative evaluation performed by a qualified and trained evaluator such as a
3.3 school administrator. For the years when a tenured teacher is not evaluated by a qualified
3.4 and trained evaluator, the teacher must be evaluated by a peer review;

3.5 (3) must be based on professional teaching standards established in rule;

3.6 (4) must coordinate staff development activities under sections 122A.60 and
3.7 122A.61 with this evaluation process and teachers' evaluation outcomes;

3.8 (5) may provide time during the school day and school year for peer coaching and
3.9 teacher collaboration;

3.10 (6) may include mentoring and induction programs;

3.11 (7) must include an option for teachers to develop and present a portfolio
3.12 demonstrating evidence of reflection and professional growth, consistent with section
3.13 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
3.14 based on student work samples and examples of teachers' work, which may include video
3.15 among other activities for the summative evaluation;

3.16 (8) must use an agreed upon teacher value-added assessment model for the grade
3.17 levels and subject areas for which value-added data are available and establish state
3.18 or local measures of student growth for the grade levels and subject areas for which
3.19 value-added data are not available as a basis for 35 percent of teacher evaluation results;

3.20 (9) must use longitudinal data on student engagement and connection, and other
3.21 student outcome measures explicitly aligned with the elements of curriculum for which
3.22 teachers are responsible;

3.23 (10) must require qualified and trained evaluators such as school administrators to
3.24 perform summative evaluations;

3.25 (11) must give teachers not meeting professional teaching standards under clauses
3.26 (3) through (10) support to improve through a teacher improvement process that includes
3.27 established goals and timelines; and

3.28 (12) must discipline a teacher for not making adequate progress in the teacher
3.29 improvement process under clause (11) that may include a last chance warning,
3.30 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
3.31 other discipline a school administrator determines is appropriate.

3.32 Data on individual teachers generated under this subdivision are personnel data
3.33 under section 13.43.

3.34 (c) The department, in consultation with parents who may represent parent
3.35 organizations and teacher and administrator representatives appointed by their respective
3.36 organizations, representing the Board of Teaching, the Minnesota Association of School

4.1 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
4.2 and Secondary Principals Associations, Education Minnesota, and representatives of
4.3 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
4.4 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
4.5 in teacher evaluation, must create and publish a teacher evaluation process that complies
4.6 with the requirements in paragraph (b) and applies to all teachers under this section and
4.7 section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher
4.8 evaluation and peer review process. The teacher evaluation process created under this
4.9 subdivision does not create additional due process rights for probationary teachers under
4.10 subdivision 5.

4.11 (d) A teacher who has earned National Board for Professional Teaching Standards
4.12 certification is not required to be evaluated annually under paragraph (b).

4.13 Sec. 3. Minnesota Statutes 2012, section 122A.41, subdivision 5, is amended to read:

4.14 Subd. 5. **Development, evaluation, and peer coaching for continuing contract**
4.15 **teachers.** (a) To improve student learning and success, a school board and an exclusive
4.16 representative of the teachers in the district, consistent with paragraph (b), may develop an
4.17 annual teacher evaluation and peer review process for probationary and nonprobationary
4.18 teachers through joint agreement. If a school board and the exclusive representative of
4.19 the teachers in the district do not agree to an annual teacher evaluation and peer review
4.20 process, then the school board and the exclusive representative of the teachers must
4.21 implement the plan for evaluation and review developed under paragraph (c). The process
4.22 must include having trained observers serve as peer coaches or having teachers participate
4.23 in professional learning communities, consistent with paragraph (b).

4.24 (b) To develop, improve, and support qualified teachers and effective teaching
4.25 practices and improve student learning and success, the annual evaluation process for
4.26 teachers:

4.27 (1) must, for probationary teachers, provide for all evaluations required under
4.28 subdivision 2;

4.29 (2) must establish a three-year professional review cycle for each teacher that
4.30 includes an individual growth and development plan, a peer review process, the
4.31 opportunity to participate in a professional learning community under paragraph (a), and
4.32 at least one summative evaluation performed by a qualified and trained evaluator such
4.33 as a school administrator;

4.34 (3) must be based on professional teaching standards established in rule;

5.1 (4) must coordinate staff development activities under sections 122A.60 and
5.2 122A.61 with this evaluation process and teachers' evaluation outcomes;

5.3 (5) may provide time during the school day and school year for peer coaching and
5.4 teacher collaboration;

5.5 (6) may include mentoring and induction programs;

5.6 (7) must include an option for teachers to develop and present a portfolio
5.7 demonstrating evidence of reflection and professional growth, consistent with section
5.8 122A.18, subdivision 4, paragraph (b), and include teachers' own performance assessment
5.9 based on student work samples and examples of teachers' work, which may include video
5.10 among other activities for the summative evaluation;

5.11 (8) must use an agreed upon teacher value-added assessment model for the grade
5.12 levels and subject areas for which value-added data are available and establish state
5.13 or local measures of student growth for the grade levels and subject areas for which
5.14 value-added data are not available as a basis for 35 percent of teacher evaluation results;

5.15 (9) must use longitudinal data on student engagement and connection and other
5.16 student outcome measures explicitly aligned with the elements of curriculum for which
5.17 teachers are responsible;

5.18 (10) must require qualified and trained evaluators such as school administrators to
5.19 perform summative evaluations;

5.20 (11) must give teachers not meeting professional teaching standards under clauses
5.21 (3) through (10) support to improve through a teacher improvement process that includes
5.22 established goals and timelines; and

5.23 (12) must discipline a teacher for not making adequate progress in the teacher
5.24 improvement process under clause (11) that may include a last chance warning,
5.25 termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or
5.26 other discipline a school administrator determines is appropriate.

5.27 Data on individual teachers generated under this subdivision are personnel data
5.28 under section 13.43.

5.29 (c) The department, in consultation with parents who may represent parent
5.30 organizations and teacher and administrator representatives appointed by their respective
5.31 organizations, representing the Board of Teaching, the Minnesota Association of School
5.32 Administrators, the Minnesota School Boards Association, the Minnesota Elementary
5.33 and Secondary Principals Associations, Education Minnesota, and representatives of
5.34 the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota
5.35 Chamber of Commerce, and Minnesota postsecondary institutions with research expertise
5.36 in teacher evaluation, must create and publish a teacher evaluation process that complies

6.1 with the requirements in paragraph (b) and applies to all teachers under this section and
6.2 section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher
6.3 evaluation and peer review process. The teacher evaluation process created under this
6.4 subdivision does not create additional due process rights for probationary teachers under
6.5 subdivision 2.

6.6 (d) A teacher who has earned National Board for Professional Teaching Standards
6.7 certification is not required to be evaluated annually under paragraph (b).

6.8 Sec. 4. Minnesota Statutes 2012, section 122A.60, is amended by adding a subdivision
6.9 to read:

6.10 Subd. 2a. **Staff development waiver.** The staff development requirements are
6.11 waived for candidates for National Board for Professional Teaching Standards certification
6.12 during the time period that they are working toward completing the certification process.

6.13 Sec. 5. **NATIONAL BOARD CERTIFICATION GRANT PROGRAM.**

6.14 Subdivision 1. **Establishment.** A national board certification grant program is
6.15 established to provide additional professional development opportunities for teachers and
6.16 principals employed by school districts that do not participate in the alternative teacher
6.17 professional pay system under Minnesota Statutes, section 122A.414.

6.18 Subd. 2. **Grant awards.** (a) The commissioner may award a grant of \$2,500 for one
6.19 teacher in each grade level or \$2,500 for one principal in a school to obtain certification
6.20 from the National Board for Professional Teaching Standards. The number of teachers
6.21 in a school receiving a grant award must not exceed 15 percent of the licensed teachers
6.22 employed in the school. In order to receive a grant, the teacher or principal must meet all
6.23 the requirements for application for national board certification. A school may apply for
6.24 the grant in the form and manner prescribed by the commissioner on behalf of the teacher
6.25 and principal candidates for board certification.

6.26 (b) The commissioner may award an additional grant of \$500 for each teacher or
6.27 principal after achievement of board certification. The grant award must be used for
6.28 expenses related to mentoring other candidates for national board certification employed
6.29 by the same school district. Teachers and principals who have obtained board certification
6.30 under this grant program must assist other teachers and principals serving in their
6.31 employing district in completing the national board certification process. The school
6.32 district must provide other resources including, but not limited to, release time, use of
6.33 equipment, help with videotaping, and coaching.

7.1 Subd. 3. **Principal and teacher evaluation systems.** A school district that
7.2 participates in the grant program in this section must use the national board certification
7.3 process as part of the required principal evaluation under Minnesota Statutes, section
7.4 123B.147, and the teacher evaluation under Minnesota Statutes, sections 122A.40,
7.5 subdivision 8, and 122A.41, subdivision 5, for the candidates pursuing national board
7.6 certification.

7.7 Subd. 4. **Grant funds.** (a) The commissioner must use unallocated funds
7.8 appropriated from the general fund for alternative compensation revenue under Minnesota
7.9 Statutes, section 122A.415, for the grant awards under subdivision 2.

7.10 (b) The commissioner may use funds, other than those in paragraph (a), to encourage
7.11 research-based teacher evaluation strategies and techniques that effectively work to
7.12 improve teaching and learning.

7.13 **EFFECTIVE DATE.** This section is effective for fiscal years 2014 and 2015.