

## CHAPTER 125

## TEACHERS

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**125.05 BOARD TO ISSUE LICENSES.**

Subdivision 1. **Authority to license.** (a) The board of teaching shall license teachers, as defined in section 125.03, subdivision 1, except for supervisory personnel, as defined in section 125.03, subdivision 4.

(b) The state board of education shall license supervisory personnel as defined in section 125.03, subdivision 4.

(c) The state board of technical colleges, according to section 136C.04, shall license post–secondary vocational and adult vocational teachers, support personnel, and supervisory personnel in technical colleges.

(d) Licenses under the jurisdiction of the board of teaching and the state board of education must be issued through the licensing section of the department of children, families, and learning.

*[For text of subs 1a and 1c, see M.S.1994]*

Subd. 2. **Expiration and renewal.** Each license issued through the licensing section of the department of children, families, and learning must bear the date of issue. Licenses must expire and be renewed in accordance with the respective rules adopted by the board of teaching or the state board of education. Requirements for renewal of a license must include production of satisfactory evidence of successful teaching experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or completion of such additional preparation as the board of teaching shall prescribe. Requirements for renewal of the licenses of supervisory personnel must be established by the state board of education.

*[For text of subs 3 to 6, see M.S.1994]*

Subd. 7. [Repealed, 1Sp1995 c 3 art 8 s 26]

Subd. 8. **Background checks.** (a) The board of teaching and the state board of education shall request a criminal history background check from the superintendent of the bureau of criminal apprehension on all applicants for initial licenses under their jurisdiction. An application for a license under this section must be accompanied by:

- (1) an executed criminal history consent form, including fingerprints; and
- (2) a money order or cashier's check payable to the bureau of criminal apprehension for the fee for conducting the criminal history background check.

(b) The superintendent of the bureau of criminal apprehension shall perform the background check required under paragraph (a) by retrieving criminal history data maintained in the criminal justice information system computers and shall also conduct a search of the national criminal records repository, including the criminal justice data communications network. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall recover the cost to the bureau of a background check through the fee charged to the applicant under paragraph (a).

(c) The board of teaching or the state board of education may issue a license pending completion of a background check under this subdivision, but shall notify the individual that the individual's license may be revoked based on the result of the background check.

**History:** 1995 c 212 art 4 s 64; 1995 c 226 art 3 s 6; 1Sp1995 c 3 art 16 s 13

**125.09 SUSPENSION OR REVOCATION OF LICENSES.**

Subdivision 1. **Grounds for revocation, suspension, or denial.** The board of teaching or the state board of education, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, a teacher organization, or any other interested person, which complaint shall specify the nature and character of the charges, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:

- (1) Immoral character or conduct;
- (2) Failure, without justifiable cause, to teach for the term of the teacher's contract;
- (3) Gross inefficiency or willful neglect of duty; or
- (4) Failure to meet licensure requirements; or
- (5) Fraud or misrepresentation in obtaining a license.

For purposes of this subdivision, the board of teaching is delegated the authority to suspend or revoke coaching licenses under the jurisdiction of the state board of education.

*[For text of subs 4 and 5, see M.S.1994]*

**History:** 1995 c 226 art 3 s 7

**125.12 EMPLOYMENT; CONTRACTS, TERMINATION.**

*[For text of subs 1 to 2a, see M.S.1994]*

Subd. 3. **Probationary period.** The first three consecutive years of a teacher's first teaching experience in Minnesota in a single school district shall be deemed to be a probationary period of employment, and after completion thereof, the probationary period in each school district in which the teacher is thereafter employed shall be one year. The school board shall adopt a plan for written evaluation of teachers during the probationary period. Evaluation shall occur at least three times each year for a teacher performing services on 120 or more school days, at least two times each year for a teacher performing services on 60 to 119 school days, and at least one time each year for a teacher performing services on fewer than 60 school days. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school shall not be included in determining the number of school days on which a teacher performs services. During the probationary period any annual contract with any teacher may or may not be renewed as the school board shall see fit; provided, however, that the school board shall give any such teacher whose contract it declines to renew for the following school year written notice to that effect before June 1. If the teacher requests reasons for any nonrenewal of a teaching contract, the school board shall give the teacher its reason in writing, including a statement that appropriate supervision was furnished describing the nature and the extent of such supervision furnished the teacher during the employment by the board, within ten days after receiving such request. The school board may, after a hearing held upon due notice, discharge a teacher during the probationary period for cause, effective immediately, under section 123.35, subdivision 5.

*[For text of subs 3b to 14, see M.S.1994]*

**History:** 1Sp1995 c 3 art 8 s 6

**125.138 FACULTY EXCHANGE AND TEMPORARY ASSIGNMENT PROGRAM.**

*[For text of subs 1 to 5, see M.S.1994]*

Subd. 6. [Repealed, 1Sp1995 c 3 art 7 s 6]

Subd. 7. [Repealed, 1Sp1995 c 3 art 7 s 6]

Subd. 8. [Repealed, 1Sp1995 c 3 art 7 s 6]

Subd. 9. [Repealed, 1Sp1995 c 3 art 7 s 6]

Subd. 10. [Repealed, 1Sp1995 c 3 art 7 s 6]

Subd. 11. [Repealed, 1Sp1995 c 3 art 7 s 6]

### 125.18 SABBATICAL LEAVE FOR SCHOOL TEACHERS.

Subdivision 1. A teacher who holds a license, according to this chapter, and a contract for employment by a school district or other organization providing public education may be granted a sabbatical leave by the board employing the teacher under rules promulgated by the board.

*[For text of subds 2 to 4, see M.S.1994]*

**History:** 1995 c 212 art 4 s 64

### 125.1895 SKILLED SCHOOL INTERPRETERS.

*[For text of subds 1 and 2, see M.S.1994]*

Subd. 3. **Qualified interpreters.** The department of children, families, and learning and the resource center: deaf and hard of hearing shall work with existing interpreter/transliterator training programs, other training/educational institutions, and the regional service centers to ensure that ongoing staff development training for educational interpreters/transl iterators is provided throughout the state.

Subd. 4. **Reimbursement.** For purposes of revenue under sections 124.321 and 124.322, the department of children, families, and learning shall only reimburse school districts for the services of those interpreters/transl iterators who satisfy the standards of competency under this section.

**History:** 1Sp1995 c 3 art 16 s 13

### 125.231 TEACHER MENTORSHIP.

*[For text of subd 1, see M.S.1994]*

Subd. 2. [Repealed, 1Sp1995 c 3 art 8 s 26]

*[For text of subds 3 to 7, see M.S.1994]*

### 125.241 ADMINISTRATORS ACADEMY.

*[For text of subd 1, see M.S.1994]*

Subd. 2. **Governance.** The commissioner of children, families, and learning shall appoint a 17-member committee to govern the administrators academy. Eight members must be from among administrators who are receiving or have received the services of the academy. In addition, a representative of each of the following organizations: Minnesota department of children, families, and learning, Minnesota association of school administrators, Minnesota elementary school principals, Minnesota secondary school principals, University of Minnesota, state university system, and a representative from the private colleges must be appointed by the organization each represents. Parents and teachers shall also have representation on the governing board.

**History:** 1Sp1995 c 3 art 16 s 13

### 125.53 DESIGNATED STATE OFFICIAL.

For the purposes of the agreement set forth in section 125.52, the designated state official for this state shall be the commissioner of children, families, and learning.

**History:** 1Sp1995 c 3 art 16 s 13

### 125.54 RECORD OF CONTRACTS.

Two copies of all contracts made on behalf of this state pursuant to the agreement set forth in section 125.52 shall be kept on file in the office of the commissioner of children, families, and learning.

**History:** 1Sp1995 c 3 art 16 s 13

**125.615 RETURN TO FULL-TIME WORK.**

A teacher with 20 or more years of allowable service credit under chapter 354 or 354A who was assigned to a part-time position under section 354.66 or 354A.094 after June 30, 1994, must be given the option of returning to full-time employment if the employer does not make the full employer contribution to the applicable pension fund under section 354.66, subdivision 4, or 354A.094, subdivision 4, after July 1, 1995. If an employer decides not to make the full employer contribution to the pension fund after July 1, 1995, it must notify any affected part-time teacher of this decision in writing within 30 days of the employer's decision. A teacher receiving this notice who wishes to return to work full time must notify the employer of intent to return to full-time employment within 30 days of receiving notice from the employer, and must return to full-time employment by the beginning of the next school year.

**History:** 1995 c 262 art 1 s 1

**125.62 GRANTS TO PREPARE INDIAN TEACHERS.**

Subdivision 1. **Establishment.** A grant program is established to assist American Indian people to become teachers and to provide additional education for American Indian teachers. The state board may award a joint grant to each of the following:

- (1) the Duluth campus of the University of Minnesota and independent school district No. 709, Duluth;
- (2) Bemidji state university and independent school district No. 38, Red Lake;
- (3) Moorhead state university and one of the school districts located within the White Earth reservation; and
- (4) Augsburg college, independent school district No. 625, St. Paul, and special school district No. 1, Minneapolis.

*[For text of subs 2 to 6, see M.S.1994]*

Subd. 7. **Loan forgiveness.** The loan may be forgiven if the recipient is employed as a teacher, as defined in section 125.12 or 125.17, in an eligible school or program in Minnesota. One-fourth of the principal of the outstanding loan amount shall be forgiven for each year of eligible employment, or a pro rata amount for eligible employment during part of a school year, part-time employment as a substitute teacher, or other eligible part-time teaching. Loans for \$2,500 or less may be forgiven at the rate of up to \$1,250 per year. The following schools and programs are eligible for the purposes of loan forgiveness:

- (1) a school or program operated by a school district;
- (2) a tribal contract school eligible to receive aid according to section 124.86;
- (3) a head start program;
- (4) an early childhood family education program;
- (5) a program providing educational services to children who have not entered kindergarten; or
- (6) a program providing educational enrichment services to American Indian students in grades kindergarten through 12.

If a person has an outstanding loan obtained through this program, the duty to make payments of principal and interest may be deferred during any time period the person is enrolled at least one-half time in an advanced degree program in a field that leads to employment by a school district. To defer loan obligations, the person shall provide written notification to the state board of education and the recipients of the joint grant that originally authorized the loan. Upon approval by the state board and the joint grant recipients, payments shall be deferred.

The loan forgiveness program, loan deferral, and procedures to administer the program shall be approved by the higher education services office.

*[For text of subd 8, see M.S.1994]*

**History:** 1995 c 212 art 3 s 59; 1Sp1995 c 3 art 3 s 7,8

**125.623 TEACHERS OF COLOR PROGRAM.**

*[For text of subd 1, see M.S.1994]*

**Subd. 2. Grants.** The commissioner of children, families, and learning in consultation with the desegregation/integration advisory board established in section 121.1601, subdivision 3, shall award grants for professional development programs to recruit and educate people of color in the field of education, including early childhood and parent education. Grant applicants must be a school district with a growing minority population working in collaboration with a state institution of higher education with an approved teacher licensure program or an approved early childhood or parent education licensure program.

**Subd. 3. Program requirements.** (a) A grant recipient shall recruit persons of color to be teachers in elementary, secondary, early childhood or parent education, and provide support in linking program participants with jobs in the recipient's school district.

(b) A grant recipient shall establish an advisory council composed of representatives of communities of color.

(c) A grant recipient, with the assistance of the advisory council, shall recruit high school students and other persons, including educational paraprofessionals, support them through the higher education application and admission process, advise them while enrolled and link them with support resources in the college or university and the community.

(d) A grant recipient shall award stipends to students of color enrolled in an approved licensure program to help cover the costs of tuition, student fees, supplies, and books. Stipend awards must be based on a student's financial need and students must apply for any additional financial aid they are eligible for to supplement this program. No more than ten percent of the grant may be used for costs of administering the program. Students must agree to teach in the grantee school district for at least two years after licensure. If the district has no licensed positions open, the student may teach in another district in Minnesota.

(e) The commissioner of children, families, and learning shall consider the following criteria in awarding grants:

(1) whether the program is likely to increase the recruitment and retention of students of color in teaching;

(2) whether grant recipients will recruit paraprofessionals from the district to work in its schools; and

(3) whether grant recipients will establish or have a mentoring program for students of color.

**History:** *1Sp1995 c 3 art 8 s 7; art 16 s 13*