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State of Minnesota

H. F. No. 279

01/23/2025 Authored by Quam, Bakeberg, Sexton and Franson
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act

1.2 relating to education; modifying provisions for teachers licensed in another state

1.3 to teach in Minnesota; amending Minnesota Statutes 2024, sections 122A.185,

1.4 subdivision 1; 122A.40, subdivision 5; 122A.41, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2024, section 122A.185, subdivision 1, is amended to read:

1.7 Subdivision 1. **Tests.** (a) The board must adopt rules requiring applicants for Tier 3 and

1.8 Tier 4 licenses to pass an examination or performance assessment of general pedagogical

1.9 knowledge and examinations or assessments of licensure field specific content. An applicant

1.10 is exempt from the examination requirements if the applicant:

1.11 (1) completed a board-approved teacher preparation program;

1.12 (2) completed licensure via portfolio pursuant to section 122A.18, subdivision 10, and

1.13 the portfolio has been recommended;

1.14 (3) obtained national board certification from the National Board for Professional

1.15 Teaching Standards; or

1.16 (4) completed a state-approved teacher preparation program in another state and passed

1.17 licensure examinations in that state, if applicable. The content examination requirement

1.18 does not apply if no relevant content exam exists. A candidate who successfully completed

1.19 a teacher preparation program and passed licensure examinations in another state is not

1.20 required to pass additional similar examinations in Minnesota.

1.21 (b) All testing centers in the state must provide monthly opportunities for untimed content

1.22 and pedagogy examinations. These opportunities must be advertised on the test registration

website. The board must require the exam vendor to provide other equitable opportunities to pass exams, including: (1) waiving testing fees for test takers who qualify for federal grants; (2) providing free, multiple, full-length practice tests for each exam and free, comprehensive study guides on the test registration website; (3) making content and pedagogy exams available in languages other than English for teachers seeking licensure to teach in language immersion programs; and (4) providing free, detailed exam results analysis by test objective to assist applicants who do not pass an exam in identifying areas for improvement. Any applicant who has not passed a required exam after two attempts must be allowed to retake the exam, including new versions of the exam, without being charged an additional fee.

Sec. 2. Minnesota Statutes 2024, section 122A.40, subdivision 5, is amended to read:

Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's first teaching experience in Minnesota in a single district are deemed to be a probationary period of employment, and, the probationary period in each district in which the teacher is thereafter employed shall be one year. The school board must adopt a plan for written evaluation of teachers during the probationary period that is consistent with subdivision 8. Evaluation must occur at least three times periodically throughout each school year for a teacher performing services during that school year; the first evaluation must occur within the first 90 days of teaching service. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school must not be included in determining the number of school days on which a teacher performs services. Except as otherwise provided in paragraph (b), during the probationary period any annual contract with any teacher may or may not be renewed as the school board shall see fit. However, the board must give any such teacher whose contract it declines to renew for the following school year written notice to that effect before July 1. If the teacher requests reasons for any nonrenewal of a teaching contract, the board must 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 122A.44.

(b) A board must discharge a probationary teacher, effective immediately, upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's license has been revoked due to a conviction for child abuse or sexual abuse.

(c) A probationary teacher whose first three years of consecutive employment are interrupted for active military service and who promptly resumes teaching consistent with federal reemployment timelines for uniformed service personnel under United States Code, title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes of paragraph (a).

(d) A probationary teacher whose first three years of consecutive employment are interrupted for maternity, paternity, or medical leave and who resumes teaching within 12 months of when the leave began is considered to have a consecutive teaching experience for purposes of paragraph (a) if the probationary teacher completes a combined total of three years of teaching service immediately before and after the leave.

(e) A probationary teacher must complete at least 90 days of teaching service each year during the probationary period. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school do not count as days of teaching service under this paragraph.

(f) Notwithstanding any law to the contrary, a teacher who has taught for three consecutive years in a single school district or single charter school in Minnesota or another state must serve a probationary period of no longer than one year in a Minnesota school district.

(g) Notwithstanding any law to the contrary, a teacher with three consecutive years of teaching experience in another state who served a probationary period in another state must serve a probationary period of no longer than one year in a Minnesota school district.

Sec. 3. Minnesota Statutes 2024, section 122A.41, subdivision 2, is amended to read:

Subd. 2. **Probationary period; discharge or demotion.** (a) The first three consecutive years of a teacher's first teaching experience in Minnesota in a single district are deemed to be a probationary period of employment, and the probationary period in each district in which the teacher is thereafter employed shall be one year. The school site management team or the school board if there is no school site management team, shall adopt a plan for a written evaluation of teachers during the probationary period according to subdivisions 3 and 5. Evaluation by the peer review committee charged with evaluating probationary teachers under subdivision 3 shall occur at least three times periodically throughout each school year for a teacher performing services during that school year; the first evaluation must occur within the first 90 days of teaching service. 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

4.1 school days on which a teacher performs services. The school board may, during such
4.2 probationary period, discharge or demote a teacher for any of the causes as specified in this
4.3 code. A written statement of the cause of such discharge or demotion shall be given to the
4.4 teacher by the school board at least 30 days before such removal or demotion shall become
4.5 effective, and the teacher so notified shall have no right of appeal therefrom.

4.6 (b) A probationary teacher whose first three years of consecutive employment are
4.7 interrupted for active military service and who promptly resumes teaching consistent with
4.8 federal reemployment timelines for uniformed service personnel under United States Code,
4.9 title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes
4.10 of paragraph (a).

4.11 (c) A probationary teacher whose first three years of consecutive employment are
4.12 interrupted for maternity, paternity, or medical leave and who resumes teaching within 12
4.13 months of when the leave began is considered to have a consecutive teaching experience
4.14 for purposes of paragraph (a) if the probationary teacher completes a combined total of
4.15 three years of teaching service immediately before and after the leave.

4.16 (d) A probationary teacher must complete at least 90 days of teaching service each year
4.17 during the probationary period. Days devoted to parent-teacher conferences, teachers'
4.18 workshops, and other staff development opportunities and days on which a teacher is absent
4.19 from school do not count as days of teaching service under this paragraph.

4.20 (e) Notwithstanding any law to the contrary, a teacher who has taught for three
4.21 consecutive years in a single school district or single charter school in Minnesota or another
4.22 state must serve a probationary period of no longer than one year in a Minnesota school
4.23 district.

4.24 (f) Notwithstanding any law to the contrary, a teacher with three consecutive years of
4.25 teaching experience in another state who served a probationary period in another state must
4.26 serve a probationary period of no longer than one year in a Minnesota school district.