

S.F. No. 619 – Teachers of Color Act

Author: Senator Mary Kunesh

Prepared by: Ann Marie Lewis, Senate Counsel (651/296-5301)

Date: January 30, 2023

Section 1. Definitions. Defines “ethnic studies curriculum” as the critical and interdisciplinary study of race, ethnicity, and indigeneity with a focus on the experiences and perspectives of People of Color. Defines “antiracist” as actively working to identify and eliminate racism so that power and resources are redistributed and shared equitably among racial groups. Defines “culturally sustaining” as integrating content and practices that infuse the culture and language of Black, Indigenous, and People of Color communities who have been and continue to be harmed and erased through schooling. Defines “institutional racism” as structures, policies, and practices within and across institutions that produce outcomes that chronically favor white people and disadvantage those who are Black, Indigenous, and People of Color.

Section 2. Adopting plans and budgets. Requires a school board’s world’s best workforce plan to include: a process to assess ethnic studies curriculum needs in order to determine priorities for integrating ethnic studies into existing courses or developing new courses; strategies for improving instruction and curriculum including access to ethnic studies curriculum using culturally responsive methodologies for all learners; education effectiveness practices that ensure learning and work environments validate, affirm, embrace, and integrate cultural and community strengths for all students, families, and employees; and identify a list of suggested and required materials, resources, sample curricula, and pedagogical skills for use in kindergarten through grade 12 that accurately reflects the diversity of the state.

Effective Date: Makes the section effective for all strategic plans reviewed and updated after June 30, 2024.

Section 3. District advisory committee. Directs the district’s advisory committee to recommend to the school board strategies to ensure the curriculum is rigorous, accurate, antiracist, and culturally sustaining and strategies to ensure that curriculum and learning and work environments validate, affirm, embrace, and integrate the cultural and community strengths of all racial and ethnic groups.

Section 4. Closing Educational Opportunity Gaps Grants.

Subdivision 1. **Grant program established.** Directs the commissioner to establish a grant program to support world's best workforce strategies that improve access to ethnic studies curriculum and ensure that learning and work environments validate, affirm, embrace, and integrate the cultural and community strengths of all students, families, and employees, and retention of qualified, racially and ethnically diverse staff effective at working with diverse students.

Subd. 2. **Definitions.** Defines "antiracist" as actively working to identify and eliminate racism so that power and resources are redistributed and shared equitably among racial groups. Defines "curricular" as curriculum resources used and content taught as well as access to levels of coursework or types of learning opportunities. Defines "environmental" as relating to school climate and culture. Defines "equitable" as fairness by providing curriculum, instruction, support, and other resources for learning based on the needs of individual students and groups of students to succeed at school, instead of treating all students as the same. Defines "institutional racism" as policies and practices within and across institutions that produce outcomes that chronically favor white people and disadvantage those who are Black, Indigenous, and People of Color. Defines "opportunity gap" as the inequitable distribution of resources that impacts inequitable opportunities that contribute to or perpetuate learning gaps for certain groups of students. Defines "structural" as relating to the organization and systems of a school that have been created to manage a school.

Subd. 3. **Applications and grant awards.** Requires the commissioner to determine application procedures and deadlines and select participants in the grant program. Grant recipients must be equally distributed in number between districts in greater Minnesota and those in the Twin Cities metropolitan area.

Subd. 4. **Description.** Requires the grant program to provide funding that supports collaborative efforts to close the opportunity gap by:

- (1) ensuring school environments and curriculum validate, affirm, embrace, and integrate cultural and community strengths of students, families, and employees from all racial and ethnic backgrounds; and
- (2) addressing institutional racism with equitable school policies, structures, practices, and curricular offerings.

Subd. 5. **Report.** Requires grant recipients to annually report to the commissioner on efforts planned and implemented that engaged students, families, educators, and community members in making improvements to school climate and curriculum. Requires the commissioner to publish a report summarizing the activities of grant recipients and what was done to promote sharing of effective practices among grant recipients and potential grant applicants.

Effective Date: Makes the section effective July 1, 2023.

Section 5. Increasing Percentage of Teachers of Color and American Indian Teachers in Minnesota.

Subdivision 1. **Purpose.** States the purpose of the section as setting short-term and long-term attainment goals for increasing the percentage of teachers of color and who are American Indian teachers in Minnesota and for ensuring all students have equitable access to effective and racially and ethnically diverse teachers who reflect the diversity of students.

Subd. 2. **Equitable access to racially and ethnically diverse teachers.** Establishes a goal of increasing the percentage of teachers who are of color or who are American Indian in Minnesota by

at least two percentage points every year and to ensure all students have equitable access to effective and diverse teachers by 2040.

Subd. 3. **Rights not created.** Clarifies that attainment of the goal in subdivision 2, does not confer a right or create a claim for any person.

Subd. 4. **Reporting.** Requires the Professional Educator Licensing and Standards Board to collaborate with the Department of Education and the Office of Higher Education to publish a biennial summary report of programs that have or include an explicit purpose of instreaming the racial and ethnic diversity of the state’s teacher workforce to more reflect the diversity of the students. The report must include policy and funding recommendations related to programs to increase the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse teachers. The report must include recommendations for state policy and funding needed to achieve the goals of this section. The 2024 report must include a recommendation regarding a state advisory council should be established to address the shortage of racially and ethnically diverse teachers and what the composition and charge of such an advisory council would be, if established. The reports must be submitted to the chairs and raking minority members of the legislative committees having jurisdiction over education and higher education policy and finance.

Effective Date: Makes the section effective immediately.

Section 6. **Curriculum policy.** Requires a school board to adopt a written policy that prohibits discrimination or discipline for a teacher or principal on the basis of incorporating into curriculum contributions by persons in protected class.

Section 7. **State model policy.** Requires the commissioner to develop and maintain resources to assist a district or school in implementing strategies for creating a positive school climate and use evidence-based, social-emotional learning to prevent and reduce discrimination. Requires the commissioner to develop and adopt state-level social-emotional learning standards.

Section 8. **American Indian mascots prohibited.**

Subdivision 1. **Prohibition.** Prohibits a public school from adopting a name, symbol, or image that depicts or refers to an American Indian Tribe, individual, custom, or tradition to be used as a mascot, nickname, logo, letterhead, or team name of the district or school within the district. Provides a process for a public school to seek an exemption to this prohibition.

Subd. 2. **Definitions.** Defines “American Indian” as an individual who is:

- (1) a member of an Indian Tribe or band as defined by the Tribe or band; including
 - i. any Tribe or band terminated since 1940; and
 - ii. any Tribe or band recognized by the state in which the Tribe or band resides;
- (2) a first or second degree descendant of an individual described in clause (1);
- (3) considered by the United States Secretary of the Interior to be an American Indian for any purpose;
- (4) an Eskimo, Aleut, or other Alaskan Native; or
- (5) a member of an organized federal American Indian group that received a grant under the Indian Education Act of 1988.

Defines “district” as a school district. Defines “mascot” as any human, nonhuman animal, or object used to represent a school and its population. Defines “public school” or “school” as a public elementary, middle, high school or vocational center school or a charter school.

Section 9. **Requirements.** Requires the Professional Educator Licensing and Standards Board to issue a Tier 3 teaching license to a candidate who sufficiently demonstrates that the candidate has completed a teacher preparation program from a culturally specific Minority Serving Institution in the United States; or the candidate has completed a university teacher preparation program in another country and has taught at least two years. Requires the candidate to have completed a comparable student teaching experience.

Section 10. **Requirements.** Requires the Professional Educator Licensing and Standards Board to issue a Tier 4 teaching license to a candidate that has at least three years of teaching experience in Minnesota or another state, among other requirements.

Section 11. **Tests.** Strikes the requirement for a candidate to have a passing score on a board-adopted examination of skills in reading, writing, and mathematics in order to receive a Tier 4 teaching license. Requires a Tier 3 or Tier 4 licensure candidate to pass an examination of general pedagogical knowledge and licensure specific content if the candidate has not completed a board-approved preparation program. Allows licensure candidates prepared in another state who have satisfactorily completed a preparation program and passed licensure examinations in that state to forgo the similar examinations required in Minnesota. Requires all testing centers in the state to provide monthly opportunities for untimed content and pedagogy examinations. Requires a candidate who has not passed a required exam after two attempts to retake the exam without being charge an additional fee.

Effective Date: Makes the section effective July 1, 2023.

Section 12. **Hiring, dismissing.** Requires a school district to annually report to the Professional Educator Licensing and Standards Board; (1) all new teacher hires and terminations, including layoffs, by race and ethnicity; and (2) the reasons for all teacher resignations and requested leaves of absence.

Section 13. **Probationary period.** Limits the probationary period to no longer than one year for a teacher who has taught for three consecutive years in a single school district or charter school in Minnesota or another state.

Effective Date: Makes the section effective for collective bargaining agreements effective July 1, 2023, and later.

Section 14. **Probationary period; discharge or demotion; school districts in first class cities.** Limits the probationary period to no longer than one year for a teacher who has taught for three consecutive years in a single school district or charter school in Minnesota or another state.

Section 15. **Reporting of hires and terminations; school districts in first class cities.** Requires a school district to annually report to the Professional Educator Licensing and Standards Board; (1) all new teacher hires and terminations, including layoffs, by race and ethnicity; and (2) the reasons for all teacher resignations and requested leaves of absence.

Section 16. **Come teach in Minnesota hiring bonuses.** Allows hiring bonuses to be giving to persons from another state or country who immediately qualify for a Tier 2 or higher Minnesota teaching license. Increases the bonus amounts for a teacher who meets the eligibility requirements to a minimum of \$4,000 from \$2,500 and a maximum of \$8,000 from \$5,000. Increases the bonus

amounts for a teacher who meets the eligibility requirements and meets a licensure shortage area in the economic development region of the state where the school is located, to a minimum of \$5,000 from \$4,000 and a maximum of \$10,000 from \$8,000. Requires a teacher who receives the bonus to have a Tier 3 or Tier 4 Minnesota teaching license to qualify for the second half of the bonus. Requires the district to prorate the second half of the bonus if the eligible teacher is nonrenewed due to reasons not having to do with teaching effectiveness or misconduct. Permits the commissioner to award additional funds to participating schools to administer the program.

Effective Date: Makes the amendment to subdivision 2 (**eligibility**) effective retroactively from July 1, 2022. Makes the amendments to subdivisions 1 (**purpose**), 3 (**bonus amount**), and 4 (**administration**) effective immediately.

Section 17. **Collaborative urban and greater Minnesota educators of color grant program.**
Subdivision 1. **Establishment.** Modifies the purpose of the program to include completion of teacher preparation programs.

Subd. 2. **Competitive grants.** (a) Directs the Professional Educator Licensing and Standards Board to award collaborative urban and greater Minnesota educators of color grants to a variety of higher education institution types. An applicant must submit a plan that describes how it would use the grant funds to increase the number of teachers who are of color or who are American Indian.

Amends the priorities for awarding grants to include:

- (1) program outcomes, including graduation or program completion rates and licensure recommendation rates;
- (2) the extent to which an institution's plan is clear in describing how the institution would use grant funds for implementing explicit research-based practices to provide programmatic support to teacher candidates who are of color or who are American Indian. Permits plans for the grant funds to include:
 - i. recruiting more racially and ethnically diverse candidates for admission;
 - ii. providing differentiated advising, mentoring, or other supportive community-building activities;
 - iii. providing academic tutoring or support to help teacher candidates pass required assessments; and
 - iv. providing program staffing expenses;
- (3) an institution's plan to provide direct financial assistance as scholarships or stipends;
- (4) whether the institution has previously received a competitive grant under this section and has demonstrated positive outcomes from the use of grant funds for efforts helping teacher candidates who are of color or who are American Indian enroll in and successfully complete teacher preparation programs and be recommended for licensure;
- (5) geographic diversity among institutions. Requires the board to prioritize awarding grants to institutions outside of the Twin Cities metropolitan area whenever there is at least a 20 percent increase in the base appropriation for the grant program; and
- (6) the percentage or racially and ethnically diverse teacher candidates enrolled in the institution compared to:
 - i. the aggregate percentage of students of color and American Indian students enrolled in the institution, regardless of major; and
 - ii. the percentage of underrepresented racially and ethnically diverse teachers in the economic development region of the state where the institution is located and where a shortage of diverse teachers exists.

(b) Prohibits the board from penalizing an applicant for using grant funds only to provide direct financial support to teacher candidates if that is the institution's priority and the institution uses other resources to provide programmatic support to candidates.

(d) Requires the board to determine grant awards by multiplying the number of teacher candidates to be provided direct financial assistance by the average amount the institution proposes per candidate that is within the allowable dollar range. Allows the board to grant an institution a lower average amount per candidate and allows the institution to award less per candidate or provide financial assistance to fewer candidates within the allowable range. Permits an institution to use up to 25 percent of the awarded grant funds to provide programmatic support.

Subd. 3. Grant program administration. Directs the board to establish a standard allowable dollar range for the amount of direct financial assistance an applicant may provide to each candidate. Requires the board to collect de-identified data from institutions that received a grant during the previous grant period and calculate the average scholarship amount awarded to all candidates across all institutions using the most recent fiscal year data available. States the purpose of direct financial assistance is to assist candidates matriculating through completing licensure programs if they demonstrate financial need after considering other grants and scholarships provided.

Subd. 4. Report. (a) Amends the due date for the report from institutions to the Professional Educator Licensing and Standards Board from January 15th of each year to August 15th of each year. Requires the report to include:

- (1) total number of teacher candidates of color and American Indian teacher candidates who:
 - i. are enrolled in the institution;
 - ii. are supported by grant funds with direct financial assistance during the academic reporting year;
 - iii. are supported with other programmatic supports;
 - iv. are recruited and newly admitted to a licensure program;
 - v. are enrolled in a licensure program;
 - vi. have complete a licensure program; and
 - vii. were recommended for licensure in the field for which they were prepared;
 - (2) the total number of teacher candidates of color or American Indian teacher candidates at each stage from program admission to licensure recommendation as a percentage of all candidates seeking the same licensure at the institution; and
 - (3) a brief narrative describing the successes and challenges of efforts proposed in the grant application to support candidates with grant funds, and lessons learned for future efforts.
- (b) Requires the board to post a report on its website by November 1 of each year summarizing the activities and outcomes of grant recipients and results that promote sharing of effective practices and lessons learned among grant recipients.

Section 18. Teacher Mentorship and Retention of Effective Teachers.

Subdivision 2a. Funded work. (a) Restates the allowable uses for grant funds stricken from **Subdivision 1** which require grant funds to be used for the following:

- (1) additional stipends as incentives to mentors who are of color or who are American Indian;
- (2) financial supports for professional learning community affinity groups across schools within and between districts for educators from underrepresented racial and ethnic groups to come together throughout the school year. Defines "affinity groups" as groups of licensed and nonlicensed educators who share a common racial or ethnic identity;
- (3) programs for induction aligned with the district or school mentorship program during the first three years of teaching;

- (4) professional development focused on ways to close opportunity and achievement gaps for students of color and American Indian students; or
 - (5) for teachers of color and American Indian teachers, graduate courses toward a first master's degree in a field related to their licensure or toward an additional license.
- (b) Requires a charter school or school district that receive a grant to negotiate additional retention strategies or protection from unrequested leaves of absence in the beginning years of employment for teachers who are of color or who are American Indian.

Subd. 3. **Criteria for selection.** (b) Requires the Professional Educator Licensing and Standards Board to give priority to applications to fund programs to induct, mentor, and retain Tier 2 or Tier 3 teachers who are of color or who are American Indian, and Tier 2 or Tier 3 teachers in licensure shortage areas within the applicant's economic development region.

Subd. 5. **Program implementation.** Allows a grant recipient to use grant funds over a period of up to 24 months.

Subd. 6. **Report.** Amends the date that grant recipients must report to the board from June 30th of each year to September 30th of each year. Directs the board to publish a summary report for the public and report to the legislature by November 30th of each year.

Effective Date: Makes the section effect July 1, 2023.

Section 19. **Grow Your Own district programs.** (a) Allows a charter school, cooperative unit under **section 123A. 24, Subdivision 2**, or Head Start program under **section 119A.50**, in addition to a school district, to apply for a grant to partner with a Professional Educator Licensing and Standards Board approved teacher preparation program. Allows partnerships to include associate degree-granting institutions to support students in early childhood or education programs that have transfer agreements with board-approved preparation programs and colleges or universities.

(c) Limits the maximum amount of grants to \$850,000.

Effective Date: Makes the section effective July 1, 2024.

Section 20. **Grants for programs serving secondary school students.** Amends the subdivision to conform to the amendment to the allowable grant applicants. Limits the maximum grant award to \$500,000 for activities under this subdivision.

Section 21. **Duties; evaluation.** Amends the principal's evaluation to support and improve a principal's culturally responsive leadership practices that create inclusive and respectful teaching and learning environments.

Effective Date: Makes the section effective July 1, 2024.

Section 22. **Graduation ceremonies; Tribal regalia and objects of cultural significance.** Requires a district or charter school to allow an American Indian student to wear American Indian regalia, Tribal regalia, or object of cultural significance at graduation ceremonies.

Effective Date: Makes the section effective immediately.

Section 23. **Plan implementation; components.** (a) and (c) strikes the Achievement and Integration plan components and restates them to include strategies to validate, affirm, embrace, and

integrate cultural and community strengths of all students, families, and employees in the district's curriculum. Requires the plan to address issues of institutional racism in schools that create opportunity and achievement gaps for students, families, and staff who are of color or who are American Indian. Provides examples of institutional racism experience by students who are of color or who are American Indian.

(d) Directs school districts to use local data to develop plan components and strategies. District plans may include:

- (1) innovative and integrated prekindergarten through grade 12 learning environments that offer students school enrollment choices;
- (2) family engagement initiatives that involve families in their students' academic life and success and improve relations between home and school;
- (3) opportunities for students, families, staff, and community members who are of color or American Indian to share their experiences in the school setting with school staff and administration and to inform the development of specific proposals for making school environments more validating, affirming, embracing, and integrating of their cultural and community strengths;
- (4) professional development opportunities focused on improving the academic achievement of all students, including knowledge, skills, and dispositions needed to be antiracist and culturally sustaining, for students who are from racially and ethnically diverse backgrounds;
- (5) recruitment and retention of teachers, administrators, cultural and family liaisons, paraprofessionals, and other staff from racial, ethnic, and linguistic backgrounds represented in the student population to strengthen relationships with all students, families, and other members of the community;
- (6) collection, examination, and evaluation of academic and discipline data for institutional racism in structures, policies, and practices that result the education disparities, in order to propose antiracist changes that increase access, meaningful participation, representation, and positive outcomes for students of color and American Indian students;
- (7) increased programmatic opportunities and effective and more diverse instructors focused on rigor and college and career readiness for students who are impacted by racial, gender, linguistic, and economic disparities, including students enrolled in area learning centers or alternative learning programs, state-approved alternative programs, and contract alternative programs;
- (8) ethnic studies curriculum to provide all students with opportunities to learn about their own and others' cultures and historical experiences; or
- (9) examination and revision of district curricula in all subjects to be inclusive of diverse racial and ethnic groups while meeting state academic standards and being culturally sustaining, ensuring content being studied about any group is accurate and based in knowledge from that group.

Effective Date: Makes the section effective for all plans review and updated after enactment.

Section 24 **Appropriations; Department of Education.** Appropriates money to the Department or Education for the following programs:

- \$10,000,000 in fiscal years 2024 and 2025 for closing educational opportunity gaps grants
- \$35,000,000 in fiscal years 2024 and 2025 for Grow Your Own pathways to teacher licensure grants
- \$200,000 in fiscal year 2025 for Come Teach in Minnesota hiring bonuses
- \$750,000 in fiscal years 2024 and 2025 for American Indian teacher preparation grants

- \$500,000 in fiscal years 2024 and 2025 for “Introduction to Teaching” or “Introduction to Education” college in the schools course
- \$1,000,000 in fiscal years 2024 and 2025 for underrepresented student teacher grants
- \$3,000,000 in fiscal years 2024 and 2025 for the aspiring teacher of color scholarship pilot program
- \$10,00,000 in fiscal years 2024 and 2025 for the teacher shortage loan repayment program
- \$200,000 in fiscal years 2024 and 2025 for the Coalition to Increase Teachers of Color and American Indian Teachers

Section 25. Appropriations; Professional Educator Licensing and Standards Board.

Appropriates money to the board for the following programs:

- \$6,000,000 in fiscal years 2024 and 2025 for the collaborative urban and greater Minnesota educators of color grant program
- \$60,000 in fiscal years 2024 and 2025 for reports on increasing the percentage of teacher of color and American Indian teachers and to process reports on teacher hires and terminations
- \$3,500,000 in fiscal years 2024 and 2025 for teacher mentoring, induction, and retention program grants
- \$500,000 in fiscal years 2024 and 2025 for a teacher recruitment marketing campaign