

1.1 **Professional Educator Licensing and Standards Board**

1.2 **Adopted Permanent Rules Relating to Issuance, Renewal, and Validity of Teaching**
1.3 **Licenses; Tiered Licensure; Licensure Via Portfolio; and Technical Changes to**
1.4 **Teaching Licenses**

1.5 **8710.0310 DEFINITIONS AND GENERAL RULES FOR TEACHING LICENSES.**

1.6 Subpart 1. **Definitions.**

1.7 A. For the purposes of parts 8710.0310 to 8710.0330, the terms in this subpart
1.8 have the meanings given them.

1.9 B. "Assignment" means the course or courses taught in a school for which students
1.10 are granted credit.

1.11 C. "Board" means the Professional Educator Licensing and Standards Board.

1.12 D. "Cultural competency training" means a training program that promotes
1.13 self-reflection and discussion including but not limited to all of the following topics: racial,
1.14 cultural, and socioeconomic groups; American Indian and Alaskan native students; religion;
1.15 systemic racism; gender identity, including transgender students; sexual orientation; language
1.16 diversity; and individuals with disabilities and mental health concerns. Training programs
1.17 must be designed to deepen teachers' understanding of their own frames of reference, the
1.18 potential bias in these frames, and their impact on expectations for and relationships with
1.19 students, students' families, and the school communities, consistent with ~~Interstate Teacher~~
1.20 ~~Assessment and Support Consortium (InTASC) standards~~ part 8710.2000, subpart 4, and
1.21 Minnesota Statutes, section 120B.30, subdivision 1, paragraph (q).

1.22 E. "District" means a school district or a charter school.

1.23 F. "Field-specific methods" means differentiated instructional strategies targeting
1.24 content and pedagogy for a singular licensure area to enable student learning.

2.1 G. ~~"Good cause" means an applicant is unable to meet the requirements of a higher~~
2.2 ~~licensure tier due to the lack of a reasonable path to a higher licensure tier or the path to a~~
2.3 ~~higher licensure tier causes an undue burden on the applicant, as approved or denied by the~~
2.4 ~~board.~~ "Good cause" means: (1) the applicant is unable to meet the requirements of a higher
2.5 licensure tier due to a lack of a board-approved teacher preparation program in the licensure
2.6 area; (2) the position is a full-time equivalency of 0.1 or less; or (3) the applicant
2.7 demonstrates to the board barriers to reaching a higher licensure tier. Barriers may include
2.8 but are not limited to financial burdens to obtaining a higher tiered license, inability to pass
2.9 licensure exams, or lack of geographic proximity to teacher preparation.

2.10 H. "Innovative program" means a school within a district that is either a
2.11 state-approved area learning center or alternative learning program or provides a school
2.12 board resolution designating the school as an innovative program, including the reason for
2.13 the designation.

2.14 I. "Licensure area" or "licensure field" means the content taught for which standards
2.15 have been adopted in Minnesota Rules.

2.16 J. "Mentorship program" means a program that meets the following criteria:

2.17 (1) a yearlong collaborative relationship with an experienced Tier 3 or 4
2.18 mentor teacher who is not currently on an improvement plan and voluntarily agrees to
2.19 mentor the mentee teacher;

2.20 (2) the mentor has access to resources or training, develops common
2.21 expectations for the mentorship experience, and encourages the mentee to select areas for
2.22 growth over the course of the year;

2.23 (3) consists of sessions no less than once per month that focus on building a
2.24 collaborative relationship with a focus on the exchange of knowledge, skills, and experiences,
2.25 including the needs and questions of the mentee; and

- 3.1 (4) the sessions include discussion of:
- 3.2 (a) effective strategies to engage students;
- 3.3 (b) classroom management strategies that reflect an understanding of
- 3.4 the stages of child development;
- 3.5 (c) the educational rights of students and their diverse needs and
- 3.6 experiences;
- 3.7 (d) school policies and practices, including appropriate boundaries and
- 3.8 data privacy; and
- 3.9 (e) how student learning data can be used to improve classroom planning
- 3.10 and instruction.

3.11 J. K. "Professional license from another state" means a teaching license from a

3.12 state other than Minnesota that allows the individual to be a teacher of record based on

3.13 completion of a state-approved conventional, nonconventional, or alternative teacher

3.14 preparation program from another state or licensure via a portfolio process in another state

3.15 aligned to part 8710.0330 and Minnesota Statutes, section 122A.18, subdivision 10. A

3.16 professional license from another state does not include:

- 3.17 (1) a license issued requiring only passage of teacher licensure exams;
- 3.18 (2) a license issued requiring only experience in a classroom;
- 3.19 (3) a license issued on an emergency basis;
- 3.20 (4) a substitute teaching license;
- 3.21 (5) a license that does not require a successfully completed field experience
- 3.22 in the scope and content of the license; or
- 3.23 (6) a nonpublic school license.

4.1 ~~K. L.~~ "Related services professional" means a teacher who holds a license issued
4.2 by the board consistent with Minnesota Statutes, section 122A.06, subdivision 2, and who
4.3 meets the requirements for a license issued pursuant to parts 8710.6000 to 8710.6400.

4.4 ~~L. M.~~ "Student teaching" means a minimum of 12 weeks full time, or the
4.5 equivalent, when an individual enrolled in a teacher preparation program assumes teacher
4.6 responsibilities while working with a cooperating teacher who holds a Tier 3 or 4 license
4.7 or a professional license from another state in the subject area and a provider supervisor to
4.8 practice and demonstrate the necessary development of the individual's knowledge, skills,
4.9 and dispositions to become a teacher. A student teaching experience includes observation,
4.10 feedback, and evaluation from the cooperating teacher and provider supervisor.

4.11 ~~M. N.~~ "Teacher of record" means an individual who is responsible for the planning,
4.12 instruction, and assessment of students in a classroom and authorized to grant students credit
4.13 for meeting standards attributed to the content taught, or is part of a co-teaching assignment
4.14 and has shared responsibility for planning, instruction, and assessment of students in a
4.15 classroom.

4.16 ~~N. O.~~ "Teacher preparation program" means a program approved by the board or
4.17 the state where the program resides that trains candidates in educational pedagogy and
4.18 content-specific pedagogy for any subset of the scope of licensure for students from birth
4.19 to 21 years of age.

4.20 ~~O. P.~~ "Teaching license" or "teacher license" means a license that permits an
4.21 individual to be teacher of record. This includes Tier 1, Tier 2, Tier 3, and Tier 4 licenses
4.22 issued under parts 8710.0311 to 8710.0314.

4.23 Subp. 2. **Teaching licenses, in general.**

4.24 A. Teaching licenses must be granted by the board to applicants who meet all
4.25 requirements of applicable statutes and rules.

5.1 B. An applicant must qualify separately for each licensure area for which an
5.2 application is made.

5.3 C. A license becomes valid on the date issued by the board and expires on June
5.4 30 of the expiration year. A Tier 1 or Tier 2 license, out-of-field permission, or innovative
5.5 program permission can be used until September 1 after the date of expiration if the
5.6 placement is in a summer school program at the district aligned to the license or is part of
5.7 a year-round school at the district aligned to the licensure area.

5.8 D. The board must request a criminal history background check be performed by
5.9 the Bureau of Criminal Apprehension consistent with Minnesota Statutes, section 122A.18,
5.10 subdivision 8, upon an individual applying for a teaching license or substitute license for
5.11 the first time. Upon renewal of a teaching license or substitute license, the board must
5.12 perform a new background check on the license holder that includes a review for national
5.13 arrests, charges, and convictions if a background check has not been completed on the
5.14 license holder within the last five years.

5.15 E. All applicants for licensure and license renewals are subject to a conduct review
5.16 performed by the board. The board may refuse to issue a license or deny a license renewal
5.17 based on the results of the conduct review. An applicant who is denied a license or license
5.18 renewal as a result of the conduct review may appeal the board's decision pursuant to subpart
5.19 6.

5.20 Subp. 3. **Addition to a Tier 3 or 4 license.** When a licensure area is added to a Tier
5.21 3 or 4 license issued under parts 8710.0313 and 8710.0314, the expiration date is the date
5.22 previously established for the Tier 3 or 4 license in effect.

5.23 Subp. 4. **Movement between tiers.** Teachers may apply to obtain a license in a higher
5.24 licensure tier at any time after the requirements for the higher tier have been met. The teacher
5.25 must be granted the license under a higher tier upon review and approval by the board
5.26 pursuant to the rules established for the license sought. ~~Applicants may obtain a license in~~

6.1 ~~a lower licensure tier only if they hold a Tier 2 license in one licensure field and a district~~
6.2 ~~requests to hire the applicant for a different licensure field in which the applicant does not~~
6.3 ~~meet the requirements for a Tier 2 license. A teacher may simultaneously hold a Tier 1 and~~
6.4 ~~a Tier 2 license under this subpart.~~

6.5 Subp. 5. **Multiple expiration dates.** If a license holder has completed and verified
6.6 the renewal requirements for a currently held Tier 3 or 4 license issued under parts 8710.0313
6.7 and 8710.0314, the license holder may renew a currently held Tier 3 or 4 license up to one
6.8 year before the expiration date for the purpose of consolidating multiple expiration dates
6.9 of any Tier 3 or 4 licenses held into one expiration date. The consolidation of multiple
6.10 expiration dates must be consolidated within a single tier.

6.11 Subp. 6. **Appeal.** An applicant who is denied a teaching license by the board or who
6.12 is issued a license under a different licensure tier than what was sought may appeal the
6.13 board's decision under part 8710.0900 and Minnesota Statutes, chapter 14, and section
6.14 122A.188.

6.15 Subp. 7. **Licenses issued in error.** A license issued in error to a person who does not
6.16 qualify for the license must be corrected without charge to the license holder, and the
6.17 corrections must be made without a hearing under part 8710.0900 and Minnesota Statutes,
6.18 chapter 14. A license issued in error is not valid.

6.19 Subp. 8. **Report.** The board must issue an annual report by September 1 that
6.20 summarizes the previous fiscal year's Tier 1, 2, 3, and 4 licenses and out-of-field and
6.21 innovative program permissions, organized by licensure field, race and ethnicity, and district.

6.22 ~~Subp. 9. **Fees.** An applicant must pay an application fee for the review of the license~~
6.23 ~~pursuant to Minnesota Statutes, section 122A.21. A district must pay an application fee for~~
6.24 ~~the review of a permission as set by the board.~~

7.1 **8710.0311 TIER 1 LICENSE.**

7.2 Subpart 1. **Purpose.** If a district is unable to fill an open position with a teacher holding
7.3 a Tier 2, 3, or 4 license, a Tier 1 license must be issued, consistent with this part, to an
7.4 applicant who does not hold a Tier 2, 3, or 4 license on behalf of a district request except
7.5 as provided in part 8710.0310, subpart 4. A Tier 1 license authorizes the license holder to
7.6 teach within the requesting district and the specific licensure field in the application.

7.7 Subp. 2. **Requirements.** The board must issue a Tier 1 license to an applicant upon
7.8 request by the designated administrator of the hiring district. The applicant must initiate the
7.9 application process and meet the requirements of this subpart.

7.10 A. The applicant must:

7.11 (1) hold the minimum of a bachelor's degree from a college or university
7.12 located in the United States that is regionally accredited by the Higher Learning Commission
7.13 or by the regional association for accreditation of colleges and secondary schools, as verified
7.14 by a college transcript;

7.15 (2) hold a credential from outside the United States that is equivalent to a
7.16 bachelor's degree, as verified by a credential evaluation completed by a credential evaluator
7.17 approved by the National Association of Credential Evaluation Services or other
7.18 board-approved credential evaluation service; or

7.19 (3) for applicants in career and technical education fields and career pathway
7.20 courses of study, have one of the following:

7.21 (a) five years of relevant work experience aligned to the assignment;

7.22 (b) an associate's degree aligned to the assignment; or

7.23 (c) a professional certification aligned to the assignment from an approved
7.24 certifying organization.

8.1 B. The hiring district must show:

8.2 (1) the position was posted for at least 15 days on the board-approved
8.3 statewide job board; and

8.4 (2) one of the following:

8.5 (a) no individual who holds a Tier 2, 3, or 4 licensed individuals license
8.6 for the assignment applied for the position;

8.7 (b) no individual who holds a Tier 2, 3, or 4 licensed applicants license
8.8 for the assignment accepted the position; or

8.9 (c) all Tier 2, 3, or 4 licensed applicants had a record of disciplinary
8.10 action with the board. for each Tier 2, 3, or 4 licensed applicant that may have accepted the
8.11 position, one of the following:

8.12 i. the applicant is not fluent in the language required for the position;

8.13 ii. the applicant was unwilling to abide by or unable to apply the
8.14 pedagogical model of the district or school;

8.15 iii. the applicant had disciplinary action with the board or final
8.16 disciplinary action in a district;

8.17 iv. the applicant was unwilling to abide by culturally responsive
8.18 teaching principles; or

8.19 v. the applicant had references that indicated an unwillingness or
8.20 ineligibility to rehire the applicant, including in the applying district.

8.21 If the hiring district cannot meet the requirements of item B, the district must provide
8.22 justification to be reviewed by the board for approval or denial. The justification must
8.23 include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure

9.1 by a district to provide justification constitutes grounds for the board to deny a request for
9.2 a Tier 1 license, at the sole discretion of the board.

9.3 C. The hiring district must affirm the applicant:

9.4 (1) will participate in a mentorship program ~~aligned to board-adopted criteria;~~

9.5 (2) will participate in an evaluation aligned to the district's teacher
9.6 development and evaluation model under Minnesota Statutes, section 122A.40, subdivision
9.7 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another
9.8 identified district-aligned evaluation; and

9.9 (3) has the necessary skills and knowledge to teach in the content field aligned
9.10 to the assignment.

9.11 D. A committee of board staff designated by the board must review applications
9.12 that meet board criteria ~~for~~ to fill an emergency placement position under this subpart ~~within~~
9.13 ~~two business days. The committee may immediately issue an interim permission for a~~
9.14 ~~qualified Tier 1 license based on board-adopted minimum qualifications criteria pending~~
9.15 ~~review by the board. The interim permission expires at the first possible review by the full~~
9.16 ~~board. The board must review applications after the position has been posted on the~~
9.17 ~~board-approved statewide job board for 15 days. An emergency position is any position~~
9.18 ~~opened due to exigent circumstances, including but not limited to an unexpected resignation,~~
9.19 ~~leave of absence, or death of a position holder, in which the position starts within five days~~
9.20 ~~of the emergency request; the district has no reasonable alternative to fill the position; the~~
9.21 ~~applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota~~
9.22 ~~Statutes, section 122A.181, subdivision 2; and the district has completed a background~~
9.23 ~~check pursuant to Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an~~
9.24 ~~emergency position are met, the committee must issue an interim permission within three~~
9.25 ~~business days of receipt of the request that expires upon any of the following, whichever~~
9.26 ~~occurs first:~~

- 10.1 (1) the district hires a Tier 2, 3, or 4 licensed teacher;
 10.2 (2) the applicant is issued a short-call substitute license;
 10.3 (3) the district submits a completed Tier 1 application that is denied or
 10.4 accepted by the board; or
 10.5 (4) 30 days after issuance.

10.6 Subp. 3. **Duration.** A Tier 1 license is valid for up to one year and expires on June
 10.7 30 of the expiration year. A Tier 1 license may be used until September 1 after the date of
 10.8 expiration if the placement is in a summer school program at the district aligned to the
 10.9 license or is part of a year-round school at the district aligned to the licensure area.

10.10 Subp. 4. **First renewal.** To renew a Tier 1 license for the first time, the applicant must
 10.11 initiate the renewal application process, and the hiring district must meet the requirements
 10.12 of this subpart.

10.13 A. The hiring district must show that the position was posted for at least 60 days
 10.14 on the board-approved statewide job board. If an applicant accepts the position but later
 10.15 turns it down, the hiring district must repost the position for 15 days.

10.16 B. The hiring district must show one of the following:

10.17 (1) no individual who holds a Tier 2, 3, or 4 licensed individuals license for
 10.18 the assignment applied for the position;

10.19 (2) no individual who holds a Tier 2, 3, or 4 licensed applicants license for
 10.20 the assignment accepted the position; or

10.21 (3) all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action
 10.22 with the board. for each Tier 2, 3, or 4 licensed applicant that may have accepted the position,
 10.23 one of the following:

10.24 (a) the applicant is not fluent in the language required for the position;

11.1 (b) the applicant was unwilling to abide by or unable to apply the
11.2 pedagogical model of the district or school;

11.3 (c) the applicant had disciplinary action with the board or final
11.4 disciplinary action in a district;

11.5 (d) the applicant was unwilling to abide by culturally responsive teaching
11.6 principles; or

11.7 (e) the applicant had references that indicated an unwillingness or
11.8 ineligibility to rehire the applicant, including in the applying district.

11.9 If the hiring district cannot meet the requirements of items A and B, the district must provide
11.10 justification to be reviewed by the board for approval or denial. The justification must
11.11 include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure
11.12 by a district to provide justification constitutes grounds for the board to deny a request for
11.13 a Tier 1 renewal, at the sole discretion of the board.

11.14 C. The applicant must show the applicant attempted the board-approved content
11.15 examination aligned to the assignment, if applicable, during the academic year in which the
11.16 applicant held a Tier 1 license. Any licensure area that does not have a board-approved
11.17 content examination is exempt from this requirement.

11.18 D. The hiring district must show the applicant participated in:

11.19 (1) cultural competency training ~~aligned to board-adopted criteria;~~

11.20 (2) a mentorship program ~~aligned to board-adopted criteria;~~ and

11.21 (3) an evaluation aligned to the district's teacher development and evaluation
11.22 model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision
11.23 5, or if the statutory models are not practicable, to another identified district-aligned
11.24 evaluation.

12.1 E. A committee of board staff designated by the board must review applications
12.2 ~~requesting that meet board criteria to fill an emergency placements position~~ under this
12.3 subpart ~~within two business days. The committee may immediately issue a Tier 1 license~~
12.4 ~~based on board-adopted criteria pending review by the board. The board must review~~
12.5 ~~applications after the position has been posted on the board-approved statewide job board~~
12.6 ~~for 15 days. An emergency position is any position opened due to exigent circumstances,~~
12.7 ~~including but not limited to an unexpected resignation, leave of absence, or death of a~~
12.8 ~~position holder, in which the position starts within five days of the emergency request; the~~
12.9 ~~district has no reasonable alternative to fill the position; the applicant meets the professional~~
12.10 ~~qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181,~~
12.11 ~~subdivision 2; and the district has completed a background check pursuant to Minnesota~~
12.12 ~~Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met,~~
12.13 ~~the committee must issue an interim permission within three business days of receipt of the~~
12.14 ~~request that expires upon any of the following, whichever occurs first:~~

- 12.15 (1) the district hires a Tier 2, 3, or 4 licensed teacher;
12.16 (2) the applicant is issued a short-call substitute license;
12.17 (3) the district submits a completed Tier 1 application that is denied or
12.18 accepted by the board; or
12.19 (4) 30 days after issuance.

12.20 Subp. 5. **Second and third renewals.** To renew a Tier 1 license for the second or
12.21 third time, the applicant must initiate the renewal application process, and the hiring district
12.22 must meet the requirements of this subpart.

12.23 A. The hiring district must show that the position was posted for at least 60 days
12.24 on the board-approved statewide job board. If an applicant accepts the position but later
12.25 turns it down, the hiring district must repost the position for 15 days.

13.1 B. The hiring district must show one of the following:

13.2 (1) no individual who holds a Tier 2, 3, or 4 licensed individuals license for
13.3 the assignment applied for the position;

13.4 (2) no individual who holds a Tier 2, 3, or 4 licensed applicants license for
13.5 the assignment accepted the position; or

13.6 (3) all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action
13.7 with the board. for each Tier 2, 3, or 4 licensed applicant that may have accepted the position,
13.8 one of the following:

13.9 (a) the applicant is not fluent in the language required for the position;

13.10 (b) the applicant was unwilling to abide by or unable to apply the
13.11 pedagogical model of the district or school;

13.12 (c) the applicant had disciplinary action with the board or final
13.13 disciplinary action in a district;

13.14 (d) the applicant was unwilling to abide by culturally responsive teaching
13.15 principles; or

13.16 (e) the applicant had references that indicated an unwillingness or
13.17 ineligibility to rehire the applicant, including in the applying district.

13.18 If the hiring district cannot meet the requirements of items A and B, the district must provide
13.19 justification to be reviewed by the board for approval or denial. The justification must
13.20 include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure
13.21 by a district to provide justification constitutes grounds for the board to deny a request for
13.22 a Tier 1 renewal, at the sole discretion of the board.

13.23 C. The hiring district must show the applicant participated in:

13.24 (1) a mentorship program ~~aligned to board-adopted criteria;~~ and

14.1 (2) an evaluation aligned to the district's teacher development and evaluation
14.2 model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision
14.3 5, or if the statutory models are not practicable, to another identified district-aligned
14.4 evaluation.

14.5 D. A committee of board staff designated by the board must review applications
14.6 ~~requesting that meet board criteria to fill an emergency placements position~~ under this
14.7 subpart ~~within two business days. The committee may immediately issue a Tier 1 license~~
14.8 ~~based on board-adopted criteria pending review by the board. The board must review~~
14.9 ~~applications after the position has been posted on the board-approved statewide job board~~
14.10 ~~for 15 days. An emergency position is any position opened due to exigent circumstances,~~
14.11 ~~including but not limited to an unexpected resignation, leave of absence, or death of a~~
14.12 ~~position holder, in which the position starts within five days of the emergency request; the~~
14.13 ~~district has no reasonable alternative to fill the position; the applicant meets the professional~~
14.14 ~~qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181,~~
14.15 ~~subdivision 2; and the district has completed a background check pursuant to Minnesota~~
14.16 ~~Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met,~~
14.17 ~~the committee must issue an interim permission within three business days of receipt of the~~
14.18 ~~request that expires upon any of the following, whichever occurs first:~~

14.19 (1) the district hires a Tier 2, 3, or 4 licensed teacher;

14.20 (2) the applicant is issued a short-call substitute license;

14.21 (3) the district submits a completed Tier 1 application that is denied or
14.22 accepted by the board; or

14.23 (4) 30 days after issuance.

15.1 Subp. 6. **Additional renewals.** To renew a Tier 1 license more than three times, the
15.2 applicant must initiate the renewal application process, and the hiring district must meet
15.3 the requirements of this subpart.

15.4 A. The hiring district must show that the position was posted for at least 60 days
15.5 on the board-approved statewide job board. If an applicant accepts the position but later
15.6 turns it down, the hiring district must repost the position for 15 days.

15.7 B. The hiring district must show one of the following:

15.8 (1) no individual who holds a Tier 2, 3, or 4 licensed individuals license for
15.9 the assignment applied for the position;

15.10 (2) no individual who holds a Tier 2, 3, or 4 licensed applicants license for
15.11 the assignment accepted the position; or

15.12 (3) all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action
15.13 with the board. for each Tier 2, 3, or 4 licensed applicant that may have accepted the position,
15.14 one of the following:

15.15 (a) the applicant is not fluent in the language required for the position:

15.16 (b) the applicant was unwilling to abide by or unable to apply the
15.17 pedagogical model of the district or school;

15.18 (c) the applicant had disciplinary action with the board or final
15.19 disciplinary action in a district;

15.20 (d) the applicant was unwilling to abide by culturally responsive teaching
15.21 principles; or

15.22 (e) the applicant had references that indicated an unwillingness or
15.23 ineligibility to rehire the applicant, including in the applying district.

16.1 If the hiring district cannot meet the requirements of items A and B, the district must provide
16.2 justification to be reviewed by the board for approval or denial. The justification must
16.3 include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure
16.4 by a district to provide justification constitutes grounds for the board to deny a request for
16.5 a Tier 1 renewal, at the sole discretion of the board.

16.6 C. The hiring district must show one of the following:

16.7 (1) the Tier 1 teacher is teaching in a career and technical education field or
16.8 career pathway course of study; or

16.9 (2) the Tier 1 teacher is teaching in a licensure area ~~identified as a shortage~~
16.10 ~~area as defined in Minnesota Statutes, section 122A.06, subdivision 6., including licensure~~
16.11 field shortages, economic development region shortages, and regions where there is a
16.12 shortage of licensed teachers who reflect the racial or ethnic diversity of students in the
16.13 region as identified in the biennial supply and demand report under Minnesota Statutes,
16.14 section 127A.05, subdivision 6.

16.15 If the hiring district cannot meet the requirements of item C, the district must provide within
16.16 the renewal application good cause justification for why the applicant should receive
16.17 additional Tier 1 renewals. ~~The good cause justification must include why the applicant has~~
16.18 ~~not obtained a license in a higher licensure tier. Failure by a district to provide good cause~~
16.19 ~~justification constitutes grounds for the board to deny a request for additional Tier 1 renewals,~~
16.20 ~~at the sole discretion of the board. pursuant to part 8710.0310, subpart 1, item G. The renewal~~
16.21 application is reviewed pursuant to Minnesota Statutes, section 122A.181, subdivision 3.
16.22 The board must issue or deny the renewal no later than 60 days after receiving the renewal
16.23 application.

16.24 D. The hiring district must show the applicant participated in:

16.25 (1) a mentorship program ~~aligned to board-adopted criteria;~~ and

17.1 (2) an evaluation aligned to the district's teacher development and evaluation
17.2 model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision
17.3 5, or if the statutory models are not practicable, to another identified district-aligned
17.4 evaluation.

17.5 E. A committee of board staff designated by the board must review applications
17.6 ~~requesting that meet the board criteria to fill an emergency placements position~~ under this
17.7 subpart ~~within two business days. The committee may immediately issue a Tier 1 license~~
17.8 ~~based on board-adopted criteria pending review by the board. The board must review~~
17.9 ~~applications after the position has been posted on the board-approved statewide job board~~
17.10 ~~for 15 days. An emergency position is any position opened due to exigent circumstances,~~
17.11 ~~including but not limited to an unexpected resignation, leave of absence, or death of a~~
17.12 ~~position holder, in which the position starts within five days of the emergency request; the~~
17.13 ~~district has no reasonable alternative to fill the position; the applicant meets the professional~~
17.14 ~~qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181,~~
17.15 ~~subdivision 2; and the district has completed a background check pursuant to Minnesota~~
17.16 ~~Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met,~~
17.17 ~~the committee must issue an interim permission within three business days of receipt of the~~
17.18 ~~request that expires upon any of the following, whichever occurs first:~~

17.19 (1) the district hires a Tier 2, 3, or 4 licensed teacher;

17.20 (2) the applicant is issued a short-call substitute license;

17.21 (3) the district submits a completed Tier 1 application that is denied or
17.22 accepted by the board; or

17.23 (4) 30 days after issuance.

17.24 Subp. 7. **Position change.** If a Tier 1 license holder moves to another licensure area
17.25 within a district or to another district, prior to the expiration of the Tier 1 license, the license

18.1 holder must initiate a new application, including paying the application fee, and the hiring
18.2 district must meet the requirements under subpart 2 for the new position. The applicant is
18.3 not required to complete a new background check by the board. The Tier 1 license issued
18.4 by the board under this subpart is considered a new license, not a renewal under subparts
18.5 4 to 6.

18.6 **8710.0312 TIER 2 LICENSE.**

18.7 Subpart 1. **Purpose.** A Tier 2 license must be issued, consistent with this part, to an
18.8 applicant on behalf of a district request. A Tier 2 license authorizes the license holder to
18.9 teach within the requesting district and the specific licensure field in the application.

18.10 Subp. 2. **Requirements.** The board must issue a Tier 2 license to an applicant upon
18.11 request by the designated administrator of the hiring district. The applicant must initiate the
18.12 application process and must meet the requirements of this subpart.

18.13 A. The applicant must:

18.14 (1) hold the minimum of a bachelor's degree from a college or university
18.15 located in the United States that is regionally accredited by the Higher Learning Commission
18.16 or by the regional association for accreditation of colleges and secondary schools, as verified
18.17 by a college transcript;

18.18 (2) hold a credential from outside the United States that is equivalent to a
18.19 bachelor's degree, as verified by a credential evaluation completed by a credential evaluator
18.20 approved by the National Association of Credential Evaluation Services or other
18.21 board-approved credential evaluation service; or

18.22 (3) for applicants in career and technical education fields and career pathway
18.23 courses of study, have one of the following:

18.24 (a) five years of relevant work experience aligned to the assignment;

19.1 (b) an associate's degree aligned to the assignment; or

19.2 (c) a professional certification aligned to the assignment from an approved
19.3 certifying organization.

19.4 B. The applicant must:

19.5 (1) be enrolled in a board-approved teacher preparation program aligned to
19.6 the licensure field;

19.7 (2) hold a master's degree, or equivalent, aligned to the assignment from a
19.8 college or university located in the United States that is regionally accredited by the Higher
19.9 Learning Commission or by the regional association for accreditation of colleges and
19.10 secondary schools, as verified by a college transcript; or

19.11 (3) show completion of two of the following:

19.12 (a) at least eight upper division or graduate-level credits aligned to the
19.13 assignment;

19.14 (b) field-specific methods in a state-approved teacher preparation program
19.15 aligned to the assignment;

19.16 (c) at least two years of experience teaching as the teacher of record
19.17 aligned to the assignment;

19.18 (d) board-adopted pedagogy and content examinations with passing
19.19 scores aligned to the licensure area. Any licensure area that does not have a board-approved
19.20 content examination is exempt from the content examination requirement; or

19.21 (e) a state-approved teacher preparation program aligned to the licensure
19.22 area.

19.23 C. The hiring district must affirm the applicant will participate in mentorship and
19.24 evaluation aligned to the district's teacher development and evaluation model under

20.1 Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the
20.2 statutory models are not practicable, to another identified district-aligned evaluation.

20.3 Subp. 3. **Duration.** A Tier 2 license is valid for up to two years and expires on June
20.4 30 of the expiration year. A Tier 2 license may be used until September 1 after the date of
20.5 expiration if the placement is in a summer school program at the district aligned to the
20.6 license or is part of a year-round school at the district aligned to the licensure area.

20.7 Subp. 4. **First renewal.** To renew a Tier 2 license for the first time, the applicant must
20.8 initiate the renewal application process, and the requirements of this subpart must be met.

20.9 A. The hiring district must show the applicant participated in:

20.10 (1) cultural competency training ~~aligned to board-adopted criteria~~; and

20.11 (2) mentorship and evaluation aligned to the district's teacher development
20.12 and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41,
20.13 subdivision 5, or if the statutory models are not practicable, to another identified
20.14 district-aligned evaluation.

20.15 B. If the applicant holds a Tier 2 license while enrolled in a board-approved teacher
20.16 preparation program, the provider must certify that meaningful progress, as defined by the
20.17 provider, has been made toward completion of the program. If no meaningful progress has
20.18 been made, the board must deem the applicant not to be enrolled in a teacher preparation
20.19 program unless the applicant provides justification to the board for failing to make meaningful
20.20 progress.

20.21 Subp. 5. **Second and third renewals.** To renew a Tier 2 license for the second or
20.22 third time, the applicant must initiate the renewal application process, and the requirements
20.23 of this subpart must be met.

20.24 A. If the applicant holds a Tier 2 license while enrolled in a board-approved teacher
20.25 preparation program, the provider must certify that meaningful progress, as defined by the

21.1 provider, has been made toward completion of the program. If no meaningful progress has
21.2 been made, the board must deem the applicant not to be enrolled in a teacher preparation
21.3 program unless the applicant provides justification to the board for failing to make meaningful
21.4 progress.

21.5 B. The hiring district must show the applicant participated in mentorship and
21.6 evaluation aligned to the district's teacher development and evaluation model under
21.7 Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the
21.8 statutory models are not practicable, to another identified district-aligned evaluation.

21.9 Subp. 6. **Additional renewals.** To renew a Tier 2 license more than three times, the
21.10 applicant must initiate the renewal application process, and the requirements of this subpart
21.11 must be met. The hiring district must show:

21.12 A. the applicant participated in mentorship and evaluation aligned to the district's
21.13 teacher development and evaluation model under Minnesota Statutes, section 122A.40,
21.14 subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to
21.15 another identified district-aligned evaluation; and

21.16 B. within the renewal application good cause justification for why the applicant
21.17 should receive additional Tier 2 renewals. ~~The good cause justification must include why~~
21.18 ~~the applicant has not obtained a Tier 3 license. Failure by a district to provide good cause~~
21.19 ~~justification constitutes grounds for the board to deny a request for additional Tier 2 renewals,~~
21.20 ~~at the sole discretion of the board.~~ pursuant to part 8710.0310, subpart 1, item G. The renewal
21.21 application is reviewed pursuant to Minnesota Statutes, section 122A.182, subdivision 3.
21.22 The board must issue or deny the renewal no later than 60 days after receiving the renewal
21.23 application.

21.24 Subp. 7. **Position change.** If a Tier 2 license holder moves to another licensure area
21.25 within a district or to another district, prior to the expiration of the Tier 2 license, the license
21.26 holder must initiate a new application, including paying the application fee, and the hiring

22.1 district must meet the requirements under subpart 2 for the new position. The applicant is
22.2 not required to complete a new background check by the board. The Tier 2 license issued
22.3 by the board under this subpart is considered a new license, not a renewal under subparts
22.4 4 to 6.

22.5 **8710.0313 TIER 3 LICENSE.**

22.6 Subpart 1. **Purpose.** A Tier 3 license must be issued to an applicant, consistent with
22.7 this part, aligned to the scope and field of the applicant's training and experience. A Tier 3
22.8 license authorizes the license holder to teach within the specific licensure field for which
22.9 board rules exist.

22.10 Subp. 2. **Requirements.** The board must issue a Tier 3 license if the applicant meets
22.11 all of the requirements of this subpart.

22.12 A. The applicant must:

22.13 (1) hold the minimum of a bachelor's degree from a college or university
22.14 located in the United States that is regionally accredited by the Higher Learning Commission
22.15 or by the regional association for accreditation of colleges and secondary schools, as verified
22.16 by a college transcript;

22.17 (2) hold a credential from outside the United States that is equivalent to a
22.18 bachelor's degree, as verified by a credential evaluation completed by a credential evaluator
22.19 approved by the National Association of Credential Evaluation Services or other
22.20 board-approved credential evaluation service; or

22.21 (3) for applicants in career and technical education fields and career pathway
22.22 courses of study, have one of the following:

22.23 (a) five years of relevant work experience aligned to the licensure area
22.24 sought;

23.1 (b) an associate's degree aligned to the licensure area sought; or

23.2 (c) a professional certification aligned to the licensure area sought from
23.3 an approved certifying organization.

23.4 B. The applicant must obtain passing scores on the board-approved pedagogy and
23.5 content examinations aligned to the licensure area sought. Any licensure area that does not
23.6 have a board-approved content examination is exempt from the content examination
23.7 requirement.

23.8 C. The applicant must show one of the following:

23.9 (1) completion of a board-approved ~~conventional, nonconventional, or~~
23.10 ~~alternative~~ teacher preparation program aligned to the licensure area sought. The board must
23.11 accept certifications for related services professionals under parts 8710.6000 to 8710.6400
23.12 in lieu of completion of a board-approved teacher preparation program;

23.13 (2) completion of a preparation program approved in another state aligned
23.14 to the licensure area sought that included field-specific student teaching equivalent to
23.15 field-specific student teaching in Minnesota-approved teacher preparation programs. The
23.16 applicant is exempt from field-specific student teaching if the applicant has at least two
23.17 years of field-specific experience teaching as the teacher of record in the licensure area
23.18 sought;

23.19 (3) recommendation for licensure via portfolio application aligned to the
23.20 licensure area sought;

23.21 (4) holds or held a professional license from another state in good standing
23.22 aligned to the licensure area sought with at least two years of experience teaching as the
23.23 teacher of record aligned to the licensure area sought; or

23.24 (5) has at least three years of experience teaching as the teacher of record
23.25 aligned to the licensure area sought under a Tier 2 license and presents evidence of summative

24.1 teacher evaluations that did not result in placing or otherwise keeping the teacher on an
24.2 improvement process aligned to the district's teacher development and evaluation plan.

24.3 Subp. 3. **Duration.** A Tier 3 license is valid for up to three years and expires on June
24.4 30 of the expiration year.

24.5 Subp. 4. **Renewal.** A Tier 3 license may be renewed an unlimited number of times.
24.6 To renew a Tier 3 license, the applicant must complete:

24.7 A. mentorship and evaluation aligned to the district's teacher development and
24.8 evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41,
24.9 subdivision 5, ~~or if the statutory models are not practicable, to another identified~~
24.10 ~~district-aligned evaluation~~; and

24.11 B. board-approved licensure renewal requirements, including obtaining approval
24.12 from the applicant's local continuing education/relicensure committee, under parts 8710.7100
24.13 and 8710.7200 and Minnesota Statutes, section, 122A.187, subdivision 3.

24.14 Subp. 5. **Restrictions.**

24.15 A. An applicant whose content training or experience does not align to a currently
24.16 approved Minnesota license, but for which past rules have been adopted, and who meets
24.17 all other requirements of subpart 2, must be issued a Tier 3 license restricted to the scope
24.18 and licensure area of the applicant's content training or experience.

24.19 B. Applicants with content training and experience within two grade levels of a
24.20 currently approved Minnesota licensure scope must be granted the full scope of the Minnesota
24.21 license.

24.22 C. Applicants who meet the requirements of subpart 2, items A and B, from a
24.23 Montessori Accreditation Council for Teacher Education accredited training center must
24.24 be issued a Tier 3 license restricted to a Montessori setting and aligned to the scope of
24.25 training.

25.1 **8710.0314 TIER 4 LICENSE.**

25.2 Subpart 1. **Purpose.** A Tier 4 license authorizes the license holder, consistent with
25.3 this part, to teach in the field and scope aligned to the license holder's preparation. A Tier
25.4 4 license indicates the license holder has had at least three years of experience in Minnesota
25.5 within the field and scope of licensure and completed the professional development
25.6 requirements mandated by statute.

25.7 Subp. 2. **Requirements.** The board must issue a Tier 4 license if the applicant meets
25.8 all of the requirements of this subpart.

25.9 A. The applicant must:

25.10 (1) hold the minimum of a bachelor's degree from a college or university
25.11 located in the United States that is regionally accredited by the Higher Learning Commission
25.12 or by the regional association for accreditation of colleges and secondary schools, as verified
25.13 by a college transcript;

25.14 (2) hold a credential from outside the United States that is equivalent to a
25.15 bachelor's degree, as verified by a credential evaluation completed by a credential evaluator
25.16 approved by the National Association of Credential Evaluation Services or other
25.17 board-approved credential evaluation service; or

25.18 (3) for applicants in career and technical education fields and career pathway
25.19 courses of study, have one of the following:

25.20 (a) five years of relevant work experience aligned to the licensure area
25.21 sought;

25.22 (b) an associate's degree aligned to the licensure area sought; or

25.23 (c) a professional certification aligned to the licensure area sought from
25.24 an approved certifying organization.

26.1 B. The applicant must have completed one of the following:

26.2 (1) a board-approved ~~conventional, nonconventional, or alternative~~ teacher
26.3 preparation program aligned to the licensure area sought. The board must accept certifications
26.4 for related services professionals under parts 8710.6000 to 8710.6400 in lieu of completion
26.5 of a board-approved teacher preparation program; or

26.6 (2) a preparation program approved in another state aligned to the licensure
26.7 area sought that included field-specific student teaching equivalent to field-specific student
26.8 teaching in Minnesota-approved teacher preparation programs. The applicant is exempt
26.9 from field-specific student teaching if the applicant has at least two years of field-specific
26.10 experience teaching as the teacher of record.

26.11 C. The applicant must obtain passing scores on the board-approved skills,
26.12 pedagogy, and content examinations aligned to the licensure area sought. Any licensure
26.13 area that does not have a board-approved content examination is exempt from the content
26.14 examination requirement.

26.15 D. The applicant must have at least three years of experience teaching in Minnesota
26.16 as the teacher of record.

26.17 E. The applicant's most recent summative evaluation must not have resulted in
26.18 placing or otherwise keeping the teacher in an improvement process aligned to the district's
26.19 teacher development and evaluation plan.

26.20 F. The applicant must have participated in mentorship and evaluation aligned to
26.21 the district's teacher development and evaluation model under Minnesota Statutes, section
26.22 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not
26.23 practicable, to another identified district-aligned evaluation.

26.24 Subp. 3. **Adding a Tier 4 license.** To add an additional Tier 4 license, the applicant
26.25 must show evidence of meeting the requirements of subpart 2, item C, and part 8710.0313,

27.1 subpart 2, item C, subitem (1), (2), or (3), in the licensure area sought. An applicant may
27.2 add a teachers of science endorsement by meeting the requirements of part 8710.4770.

27.3 Subp. 4. **Duration.** A Tier 4 license is valid for up to five years and expires on June
27.4 30 of the expiration year.

27.5 Subp. 5. **Renewal.** A Tier 4 license may be renewed an unlimited number of times.
27.6 To renew a Tier 4 license, the applicant must complete:

27.7 A. mentorship and evaluation aligned to the district's teacher development and
27.8 evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41,
27.9 subdivision 5, ~~or if the statutory models are not practicable, to another identified~~
27.10 ~~district-aligned evaluation~~; and

27.11 B. board-approved licensure renewal requirements, including obtaining approval
27.12 from the applicant's local continuing education/relicensure committee, under parts 8710.7100
27.13 and 8710.7200 and Minnesota Statutes, section 122A.187, subdivision 3.

27.14 Subp. 6. **Restrictions.**

27.15 A. An applicant whose content training or experience does not align to a currently
27.16 approved Minnesota license, but for which past rules have been adopted, and who meets
27.17 all other requirements of this part must be issued a Tier 4 license restricted to the scope and
27.18 licensure area of the applicant's content training or experience.

27.19 B. Applicants with content training and experience within two grade levels of a
27.20 currently approved Minnesota licensure scope must be granted the full scope of the Minnesota
27.21 license.

28.1 **8710.0320 OUT-OF-FIELD PERMISSION.**

28.2 Subpart 1. **Purpose.** An out-of-field permission authorizes a teacher holding a Tier
28.3 2, 3₂ or 4 license, consistent with this part, to teach in a field not aligned with the ~~Tier 3 or~~
28.4 ~~4 license held.~~

28.5 Subp. 2. **Requirements.**

28.6 A. The board must issue an out-of-field permission upon request by the designated
28.7 administrator of the hiring district. The applicant must initiate the application process, and
28.8 the hiring district must show:

28.9 (1) the applicant holds a valid Tier 2, 3₂ or 4 license;

28.10 (2) the applicant holds a license other than for a related services professional
28.11 under parts 8710.6000 to 8710.6400;

28.12 (3) the applicant holds a bachelor's degree to receive an out-of-field permission
28.13 for any license under parts 8710.3000 to 8710.5850;

28.14 (4) the applicant approves the request; and

28.15 (5) the position was posted for at least 15 days on the board-approved
28.16 statewide job board; and

28.17 ~~(6) one of the following:~~

28.18 ~~(a) no teachers who hold Tier 3 or 4 licenses in the assignment applied~~
28.19 ~~for the position;~~

28.20 ~~(b) no teachers who hold Tier 3 or 4 licenses in the assignment accepted~~
28.21 ~~the position; or~~

28.22 ~~(c) all Tier 3 or 4 licensed teachers aligned to the assignment had a record~~
28.23 ~~of disciplinary action with the board.~~

29.1 ~~If the hiring district cannot meet the requirements of items E and F, the district must provide~~
29.2 ~~justification to be reviewed by the board for approval or denial. The justification must~~
29.3 ~~include why no Tier 3 or 4 licensed teacher aligned to the assignment was acceptable for~~
29.4 ~~the position. Failure by a district to provide justification constitutes grounds for the board~~
29.5 ~~to deny a request for an out-of-field permission, at the sole discretion of the board.~~

29.6 B. The district must show one of the following:

29.7 (1) the licensed applicant is an internal hire with one or more years of
29.8 employment within the district;

29.9 (2) the applicant has additional qualifications that align with the requirements
29.10 of the position; or

29.11 (3) one of the following:

29.12 (a) no teachers who hold a Tier 2, 3, or 4 license in the assignment applied
29.13 for the position;

29.14 (b) no teachers who hold a Tier 2, 3, or 4 license in the assignment
29.15 accepted the position; or

29.16 (c) for each teacher who holds a Tier 2, 3, or 4 license in the assignment
29.17 that may have accepted the position, one of the following:

29.18 i. the applicant is not fluent in the language required for the position;

29.19 ii. the applicant was unwilling to abide by or unable to apply the
29.20 pedagogical model of the district or school;

29.21 iii. the applicant had a disciplinary action with the board or final
29.22 disciplinary action in a district;

29.23 iv. the applicant was unwilling to abide by culturally responsive
29.24 teaching principles; or

30.1 v. the applicant had references that indicated an unwillingness or
30.2 ineligibility to rehire the applicant, including in the applying district.

30.3 B. C. An applicant who holds a Tier 2, 3₂ or 4 license in career and technical
30.4 education or career pathways fields without a baccalaureate degree may obtain an out-of-field
30.5 permission for another career and technical education or career pathways field.

30.6 C. D. A committee of board staff designated by the board must review applications
30.7 ~~requesting that meet board criteria to fill an emergency placements position~~ under this
30.8 subpart ~~within two business days. The committee may immediately issue an out-of-field~~
30.9 ~~permission based on board-adopted criteria pending review by the board. The board must~~
30.10 ~~review applications after the position has been posted on the board-approved statewide job~~
30.11 ~~board for 15 days. An emergency position is any position opened due to exigent~~
30.12 circumstances, including but not limited to an unexpected resignation, leave of absence, or
30.13 death of a position holder, in which the position starts within five days of the emergency
30.14 request; the district has no reasonable alternative to fill the position; the applicant meets the
30.15 professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section
30.16 122A.181, subdivision 2; and the district has completed a background check pursuant to
30.17 Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position
30.18 are met, the committee must issue an interim permission within three business days of
30.19 receipt of the request that expires upon any of the following, whichever occurs first:

30.20 (1) the district hires a Tier 2, 3, or 4 licensed teacher;

30.21 (2) the applicant is issued a short-call substitute license;

30.22 (3) the district submits a completed Tier 1 application that is denied or
30.23 accepted by the board; or

30.24 (4) 30 days after issuance.

31.1 Subp. 3. **Duration.** An out-of-field permission is valid for up to one year and expires
31.2 on June 30 of the expiration year.

31.3 Subp. 4. **Renewal.** An out-of-field permission may be renewed four times. To renew
31.4 an out-of-field permission, the applicant must initiate the application process, and the hiring
31.5 district must show:

31.6 A. the applicant approves the request;

31.7 B. the position was posted for at least 60 days on the board-approved statewide
31.8 job board. If an applicant accepts the position but later turns it down, the hiring district must
31.9 repost the position for 15 days; and

31.10 ~~C. one of the following:~~

31.11 ~~(1) no teachers who hold Tier 3 or 4 licenses in the assignment applied for~~
31.12 ~~the position;~~

31.13 ~~(2) no teachers who hold Tier 3 or 4 licenses in the assignment accepted the~~
31.14 ~~position; or~~

31.15 ~~(3) all Tier 3 or 4 licensed teachers aligned to the assignment had a record~~
31.16 ~~of disciplinary action with the board.~~

31.17 ~~If the hiring district cannot meet the requirements of items B and C, the district must provide~~
31.18 ~~justification to be reviewed by the board for approval or denial. The justification must~~
31.19 ~~include why no Tier 3 or 4 licensed teacher aligned to the assignment was acceptable for~~
31.20 ~~the position. Failure by a district to provide justification constitutes grounds for the board~~
31.21 ~~to deny a request for an out-of-field permission, at the sole discretion of the board.~~

31.22 C. one of the following:

31.23 (1) the licensed applicant is an internal hire with one or more years of
31.24 employment within the district;

32.1 (2) the applicant has additional qualifications that align with the requirements
 32.2 of the position; or

32.3 (3) one of the following:

32.4 (a) no teachers who hold a Tier 2, 3, or 4 license in the assignment applied
 32.5 for the position;

32.6 (b) no teachers who hold a Tier 2, 3, or 4 license in the assignment
 32.7 accepted the position; or

32.8 (c) for each teacher who holds a Tier 2, 3, or 4 license in the assignment
 32.9 that may have accepted the position, one of the following:

32.10 i. the applicant is not fluent in the language required for the position;

32.11 ii. the applicant was unwilling to abide by or unable to apply the
 32.12 pedagogical model of the district or school;

32.13 iii. the applicant had a disciplinary action with the board or final
 32.14 disciplinary action in a district;

32.15 iv. the applicant was unwilling to abide by culturally responsive
 32.16 teaching principles; or

32.17 v. the applicant had references that indicated an unwillingness or
 32.18 ineligibility to rehire the applicant, including in the applying district.

32.19 D. A committee of board staff designated by the board must review applications
 32.20 ~~requesting that meet board criteria to fill an emergency placements position~~ under this
 32.21 ~~subpart within two business days. The committee may immediately issue an out-of-field~~
 32.22 ~~permission based on board-adopted criteria pending review by the board. The board must~~
 32.23 ~~review applications after the position has been posted on the board-approved statewide job~~
 32.24 ~~board for 15 days.~~ An emergency position is any position opened due to exigent

33.1 circumstances, including but not limited to an unexpected resignation, leave of absence, or
33.2 death of a position holder, in which the position starts within five days of the emergency
33.3 request; the district has no reasonable alternative to fill the position; the applicant meets the
33.4 professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section
33.5 122A.181, subdivision 2; and the district has completed a background check pursuant to
33.6 Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position
33.7 are met, the committee must issue an interim permission within three business days of
33.8 receipt of the request that expires upon any of the following, whichever occurs first:

33.9 (1) the district hires a Tier 2, 3, or 4 licensed teacher;

33.10 (2) the applicant is issued a short-call substitute license;

33.11 (3) the district submits a completed Tier 1 application that is denied or
33.12 accepted by the board; or

33.13 (4) 30 days after issuance.

33.14 Subp. 5. **Additional renewals.** To renew an out-of-field permission more than four
33.15 times, the hiring district must provide within the renewal application good cause justification
33.16 for why the applicant should receive additional out-of-field permission renewals. ~~The good~~
33.17 ~~cause justification must include why the applicant has not obtained a Tier 3 or 4 license in~~
33.18 ~~the field for which the out-of-field permission was issued. Failure by a district to provide~~
33.19 ~~a good cause justification constitutes grounds for the board to deny a request for additional~~
33.20 ~~out-of-field permission renewals, at the sole discretion of the board. pursuant to part~~
33.21 8710.0310, subpart 1, item G. The renewal application is reviewed pursuant to Minnesota
33.22 Statutes, section 122A.181, subdivision 3. The board must issue or deny the renewal no
33.23 later than 60 days after receiving the renewal application.

34.1 **Subp. 6. Limitations and exceptions.**

34.2 A. An individual cannot hold an out-of-field permission to work in a related
34.3 services position.

34.4 B. An out-of-field permission is limited to the licensure area and the district for
34.5 which it was granted.

34.6 C. An out-of-field permission granted for a summer school only position may be
34.7 renewed an unlimited number of times.

34.8 **8710.0321 INNOVATIVE PROGRAM PERMISSION.**

34.9 Subpart 1. **Purpose.** An innovative program permission authorizes a licensed teacher,
34.10 consistent with this part, to teach multiple fields within an established innovative program.

34.11 Subp. 2. **Requirements.** The board must issue an innovative program permission
34.12 upon request by the designated administrator of the hiring district. The applicant must initiate
34.13 the application process, and the hiring district must show:

34.14 A. the applicant holds a bachelor's degree and a Tier 3 or 4 license other than for
34.15 a related services professional; and

34.16 B. the teaching assignment is within an innovative program.

34.17 Subp. 3. **Duration.** An innovative program permission is valid for up to one year and
34.18 expires on June 30 of the expiration year.

34.19 Subp. 4. **Renewal.** An innovative program permission may be renewed an unlimited
34.20 number of times.

34.21 **8710.0325 SHORT-CALL SUBSTITUTE LICENSE.**

34.22 Subpart 1. **Purpose.** A short-call substitute license authorizes the license holder to
34.23 replace the same teacher of record for no more than 15 consecutive school days.

35.1 Subp. 2. **Requirements.** The board must issue a short-call substitute license to an
35.2 applicant who meets the requirements of this subpart. The applicant must:

35.3 A. hold the minimum of a bachelor's degree from a college or university located
35.4 in the United States that is regionally accredited by the Higher Learning Commission or by
35.5 the regional association for accreditation of colleges and secondary schools, as verified by
35.6 a college transcript;

35.7 B. hold a credential from outside the United States that is equivalent to a bachelor's
35.8 degree, as verified by a credential evaluation completed by a credential evaluator approved
35.9 by the National Association of Credential Evaluation Services or other board-approved
35.10 credential evaluation service;

35.11 C. for applicants in career and technical education fields and career pathway
35.12 courses of study, have one of the following:

35.13 (1) five years of relevant work experience aligned to the assignment;

35.14 (2) an associate's degree aligned to the assignment; or

35.15 (3) a professional certification aligned to the assignment from an approved
35.16 certifying organization; or

35.17 D. be enrolled in and making meaningful progress, as defined by the provider, in
35.18 a board-approved teacher preparation program and have successfully completed student
35.19 teaching to be employed as a short-call substitute teacher.

35.20 Subp. 3. **Duration.** A short-call substitute license is valid for up to three years and
35.21 expires on June 30 of the expiration year.

35.22 Subp. 4. **Renewal.** An applicant must reapply for a short-call substitute license upon
35.23 its expiration.

36.1 **8710.0326 LIFETIME SUBSTITUTE LICENSE.**

36.2 Subpart 1. **Purpose.** A lifetime substitute license is issued, consistent with this part,
36.3 to a retired teacher and authorizes the license holder to replace a teacher of record who is
36.4 on an approved leave of absence.

36.5 Subp. 2. **Requirements.** The board must issue a lifetime substitute license to an
36.6 applicant who meets one of the following:

36.7 A. holds or held a Tier 3 or 4 license, a Minnesota five-year standard license or
36.8 its equivalent, or a professional license from another state and receives a retirement annuity
36.9 as a result of the person's teaching experience; or

36.10 B. holds or held a Tier 3 or 4 license or a Minnesota five-year standard license or
36.11 its equivalent, taught for at least three years in an accredited nonpublic school in Minnesota,
36.12 and receives a retirement annuity as a result of the person's teaching experience.

36.13 Subp. 3. **Duration.** A lifetime substitute license does not expire.

36.14 Subp. 4. **Limitations.** A teacher holding a lifetime substitute license may replace the
36.15 same teacher of record on an approved leave of absence for more than 15 consecutive school
36.16 days if the substitute teacher's previous Tier 3 or 4 license, Minnesota five-year standard
36.17 license or its equivalent, or professional license from another state is aligned to the
36.18 assignment.

36.19 **8710.0330 TEACHER LICENSURE VIA PORTFOLIO APPLICATION.**

36.20 Subpart 1. **Purpose.** An applicant who has not completed teacher preparation or is
36.21 unable to obtain a Tier 3 license through other requirements may apply for an initial Tier 3
36.22 license by submitting a pedagogy portfolio, content portfolio, and if applicable, a core skills
36.23 portfolio to the board to demonstrate the applicant has met the standards aligned to the
36.24 licensure area sought. An applicant who has completed teacher preparation in one or more
36.25 additional licensure areas may apply to add licensure areas to a current Tier 3 or 4 license

37.1 by submitting a content portfolio and if applicable, a core skills portfolio to the board to
37.2 demonstrate the applicant has met the standards aligned to the additional licensure areas
37.3 sought.

37.4 **Subp. 2. Portfolio review process.**

37.5 A. The applicant must initiate the application process by submitting a portfolio
37.6 aligned to board-adopted submission guidelines.

37.7 B. Applications for an initial Tier 3 license must include content, pedagogy, and
37.8 core skills portfolios as follows:

37.9 (1) a content portfolio that shows the content standards aligned to the licensure
37.10 area sought is required for licenses sought under parts 8710.3000 to 8710.4950, 8710.5050
37.11 to 8710.5850, and 8710.8010 to 8710.8080;

37.12 (2) a core skills in special education portfolio that shows the standards aligned
37.13 to part 8710.5000 is required for licenses sought under parts 8710.5050 to 8710.5850;

37.14 (3) a core skills in career and technical education portfolio that shows the
37.15 standards aligned to part 8710.8000 is required for licenses sought under parts 8710.8010
37.16 to 8710.8080; and

37.17 (4) a pedagogy portfolio that shows the applicant meets the standards of
37.18 effective practice under part 8710.2000 is required for all licenses sought. A board-adopted
37.19 passing score on a board-adopted teacher performance assessment aligned to the standards
37.20 of effective practice under part 8710.2000 may be submitted in lieu of a pedagogy portfolio.

37.21 Evidence that provides the necessary information required under this item includes:

37.22 (a) a transcript, syllabi of college coursework, or both;

37.23 (b) subject-specific, high-quality professional development, as defined
37.24 under the Every Student Succeeds Act;

38.1 (c) professional contributions to the field, including presentations given
38.2 to local and national education organizations, minutes of attendance in education-related
38.3 task forces or state or national committees, articles published by local or national education
38.4 publications, or other activities that demonstrate the applicant has met the standards of
38.5 effective practice and content requirements;

38.6 (d) a resume and letters of recommendation illustrating relevant work
38.7 experience aligned to the licensure area sought;

38.8 (e) classroom performance as determined by student growth on
38.9 criterion-referenced assessments;

38.10 (f) a rating of effective or higher on a teacher performance evaluation;

38.11 (g) teacher performance assessment scores;

38.12 (h) unedited video recordings of classroom instruction; or

38.13 (i) observation and evaluation feedback through mentorship, teacher
38.14 evaluation, student teaching, or other supervised classroom teaching experiences.

38.15 C. Applications to add a licensure area to a current Tier 3 or 4 license must include
38.16 a content portfolio that shows the applicant meets the content standards aligned to the
38.17 licensure area sought under parts 8710.3000 to 8710.5850 and 8710.8000.

38.18 D. A pedagogy portfolio must be reviewed by a panel of educators within 90 days
38.19 of receiving a complete pedagogy portfolio and required fees. An applicant may present
38.20 the contents of a submitted pedagogy portfolio in person to the panel on the set review date.
38.21 An applicant may choose not to present the contents of the submitted pedagogy portfolio
38.22 to the panel on the review date and thereby waives the right to defend the pedagogy portfolio
38.23 material in person. To indicate knowledge of effective teaching dispositions under the
38.24 Minnesota Code of Ethics for Teachers, the applicant must submit a completed evaluation

39.1 by the individual responsible for the mentorship or supervision of the applicant for review
39.2 by the panel of educators after completing one of the following:

39.3 (1) a ~~year-long~~ yearlong mentorship program aligned to board-adopted criteria;
39.4 or

39.5 (2) two years of experience teaching as the teacher of record in the licensure
39.6 area sought.

39.7 E. If the panel of educators under item D does not recommend an applicant for
39.8 licensure via the pedagogy portfolio, the panel must provide specific information to the
39.9 applicant on how to successfully demonstrate meeting any standard the panel determined
39.10 was not met. The applicant may submit one revised pedagogy portfolio, which must be
39.11 recommended for approval or disapproval by one member of the panel of educators within
39.12 60 days of receiving the revised submission.

39.13 F. Each content portfolio must be reviewed by two reviewers who meet
39.14 board-adopted qualifications within 90 days of receiving the completed portfolio and required
39.15 fees.

39.16 G. If the content reviewers under item F do not recommend the applicant for
39.17 licensure via the content portfolio, the reviewers must provide specific information to the
39.18 applicant on how to successfully demonstrate meeting any standard the reviewers determined
39.19 was not met. The applicant may submit one revised content portfolio, which must be
39.20 recommended for approval or disapproval by one of the content reviewers within 60 days
39.21 of receiving the revised submission.

39.22 H. An applicant who is recommended for licensure via portfolio review under
39.23 this subpart must submit an application for licensure to the board that meets the requirements
39.24 under subpart 3. The applicant must also pay an application fee.

40.1 Subp. 3. **Application requirements.** An applicant who is recommended for licensure
40.2 via portfolio review under subpart 2 must submit an application for licensure to the board
40.3 that meets the requirements of this subpart.

40.4 A. The applicant must:

40.5 (1) hold the minimum of a bachelor's degree from a college or university
40.6 located in the United States that is regionally accredited by the Higher Learning Commission
40.7 or by the regional association for accreditation of colleges and secondary schools, as verified
40.8 by a college transcript;

40.9 (2) hold a credential from outside the United States that is equivalent to a
40.10 bachelor's degree, as verified by a credential evaluation completed by a credential evaluator
40.11 approved by the National Association of Credential Evaluation Services or other
40.12 board-approved credential evaluation service; or

40.13 (3) for applicants in career and technical education fields or career pathway
40.14 courses of study, have one of the following:

40.15 (a) five years of relevant work experience aligned to the licensure area
40.16 sought;

40.17 (b) an associate's degree aligned to the licensure area sought; or

40.18 (c) a professional certification aligned to the licensure area sought from
40.19 an approved certifying organization.

40.20 B. The applicant must submit board-adopted passing scores on board-adopted
40.21 content and pedagogy exams. Any licensure area that does not have a board-approved
40.22 content examination is exempt from the content examination requirement.

41.1 C. An applicant recommended for an initial Tier 3 license by the panel of educators
41.2 under subpart 2, item D, and content reviewers under subpart 2, item F, must pass a criminal
41.3 background check.

41.4 D. An applicant recommended for the addition of a licensure area to a current
41.5 Tier 3 or 4 license by the content reviewers under subpart 2, item F, must pass a criminal
41.6 background check, if applicable.

41.7 Subp. 4. **CTE exceptions.** An applicant for any career and technical education field
41.8 under parts 8710.8010 to 8710.8080 is exempt from the criteria in subpart 3 and may apply
41.9 for an initial Tier 3 license under part 8710.0313 through portfolio review under Minnesota
41.10 Statutes, section 122A.18, subdivision 10, if the applicant completed parts 8710.2000 and
41.11 8710.8000, and meets one of the following requirements:

41.12 A. has five years of relevant work experience aligned to the licensure area sought;

41.13 B. holds an associate's degree aligned to the licensure area sought; or

41.14 C. holds a professional certification aligned to the licensure area sought from an
41.15 approved certifying organization.

41.16 Subp. 5. **Submission timelines.**

41.17 A. An applicant must submit a letter of intent to the board at least 30 days prior
41.18 to submission of a portfolio application.

41.19 B. A portfolio application prepared according to published guidelines must be
41.20 submitted between 30 days and one year after the letter of intent is received by the board.

41.21 Subp. 6. **Appeal.** An applicant who is denied an initial Tier 3 license or an addition
41.22 to a current Tier 3 or 4 license by the board under this part may appeal the board's decision
41.23 under part 8710.0900 and Minnesota Statutes, chapter 14.

42.1 **8710.4725 TEACHERS OF READING.**

42.2 *[For text of subp 1, see M.R.]*

42.3 Subp. 2. **Licensure requirements.** A candidate for licensure to teach reading to
42.4 students in kindergarten through grade 12 shall:

42.5 A. hold or qualify for a teaching license, as defined in part 8710.0310, valid for:

42.6 (1) one or more of the following student levels: elementary, middle, or
42.7 secondary;

42.8 *[For text of subitems (2) to (4), see M.R.]*

42.9 *[For text of item B, see M.R.]*

42.10 *[For text of subps 3 to 5, see M.R.]*

42.11 **8710.4925 READING LEADER.**

42.12 *[For text of subp 1, see M.R.]*

42.13 Subp. 2. **Licensure requirements.** A candidate for licensure to teach reading to
42.14 students in kindergarten through grade 12 shall:

42.15 A. hold or qualify for a teaching license, as defined in part 8710.0310, valid for:

42.16 (1) one or more of the following student levels: elementary, middle, or
42.17 secondary;

42.18 *[For text of subitems (2) to (4), see M.R.]*

42.19 *[For text of items B and C, see M.R.]*

42.20 *[For text of subps 3 to 5, see M.R.]*

42.21 **8710.6000 SPEECH-LANGUAGE PATHOLOGIST.**

42.22 *[For text of subp 1, see M.R.]*

43.1 Subp. 1a. **Exceptions.**

43.2 A. A speech-language pathologist is not required to pass content, pedagogy, or
43.3 basic skills examinations.

43.4 B. A speech-language pathologist is not eligible to hold a Tier 1 ~~or Tier 2~~ license
43.5 issued under ~~parts~~ part 8710.0311 ~~and 8710.0312~~.

43.6 Subp. 1b. **Waiver Requirements for a Tier 2 license.** ~~The hiring district may request~~
43.7 ~~from the board a waiver of subpart 1a, item B, to obtain~~ A Tier 2 license issued under part
43.8 8710.0312 ~~for~~ must be issued to a speech-language pathologist if the requirements of this
43.9 subpart are met.

43.10 A. The hiring district must:

43.11 (1) show that the position was posted for at least 15 days on the
43.12 board-approved statewide job board;

43.13 (2) show that no Tier 3 or 4 licensed speech-language pathologists applied
43.14 for the position;

43.15 (3) provide justification for why no alternative options for having a licensed
43.16 speech-language pathologist are available; and

43.17 (4) ~~provide the board with the applicant's credentials; and~~ provide supervision
43.18 by a licensed speech-language pathologist who holds a certificate of clinical competence
43.19 from the American Speech-Language-Hearing Association, and is able to communicate
43.20 with a Tier 2 licensed individual any time the individual is in direct contact with a client
43.21 where the supervision includes the following:

43.22 (a) during the first year, at least 30 percent of work includes direct,
43.23 face-to-face supervision; and

44.1 (b) during the second year, at least 20 percent of work includes direct,
44.2 face-to-face supervision.

44.3 ~~(5) detail the support and supervision the applicant will receive.~~

44.4 B. ~~The hiring district must submit its request for a waiver under this subpart at~~
44.5 ~~least two weeks prior to a regular board meeting. If a request is submitted less than two~~
44.6 ~~weeks before a regular board meeting, the request must be considered at the following~~
44.7 ~~month's regular board meeting. The board must review each request for a waiver received~~
44.8 ~~under this item at a regular board meeting and must approve or deny each request pursuant~~
44.9 ~~to board-adopted criteria. The applicant must:~~

44.10 (1) have a bachelor's degree in communication disorders or
44.11 speech-language-hearing sciences; or

44.12 (2) hold a speech-language pathologist assistant certificate and a bachelor's
44.13 degree in any field.

44.14 C. The hiring district must affirm the applicant will participate in an evaluation
44.15 aligned to the district's teacher development and evaluation model under Minnesota Statutes,
44.16 section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are
44.17 not practicable, to another identified district-aligned evaluation.

44.18 Subp. 1c. Tier 2 license duration; renewal.

44.19 A. A Tier 2 license issued under subpart 1b is valid for up to two years, expires
44.20 on June 30 of the expiration year, and may be renewed three times. For each renewal, the
44.21 hiring district must show the applicant participated in mentorship and evaluation aligned
44.22 to the district's teacher development and evaluation model under Minnesota Statutes, section
44.23 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not
44.24 practicable, to another district-aligned evaluation.

44.25 B. For the first renewal, the applicant must show:

45.1 (1) meaningful progress, as defined by the provider, has been made toward
45.2 completion of the program and a Tier 3 license. If no meaningful progress has been made,
45.3 the board must deem the applicant to not meet renewal requirements unless the applicant
45.4 provides justification to the board for failing to make meaningful progress; or

45.5 (2) the applicant applied to a speech-language pathology master's degree
45.6 program but was not accepted.

45.7 C. For the second and third renewals, the applicant must show that meaningful
45.8 progress, as defined by the provider, has been made toward completion of the program and
45.9 a Tier 3 license. If no meaningful progress has been made, the board must deem the applicant
45.10 to not meet renewal requirements unless the applicant provides justification to the board
45.11 for failing to make meaningful progress.

45.12 Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part
45.13 8710.0313 must be issued to a speech-language pathologist if the applicant:

45.14 A. has completed a master's degree in speech-language pathology from a program
45.15 accredited by the Council on Academic Affairs of the American Speech-Language-Hearing
45.16 Association;

45.17 B. holds a valid certificate of clinical competence from the American
45.18 Speech-Language-Hearing Association; or

45.19 C. holds a speech-language pathology license granted by the Minnesota Department
45.20 of Health.

45.21 Subp. 2a. **Requirements for Tier 4 license.** A Tier 4 license issued under part
45.22 8710.0314 must be issued to a speech-language pathologist if the applicant:

45.23 A. meets all requirements for a Tier 3 license under subpart 2;

46.1 B. has at least three years of experience as a speech-language pathologist in
46.2 Minnesota schools; and

46.3 C. was not placed or otherwise kept in an improvement process aligned to the
46.4 district's teacher development and evaluation plan by the applicant's most recent summative
46.5 evaluation.

46.6 Subp. 3. [Repealed, 25 SR 805]

46.7 Subp. 4. **License renewal.**

46.8 A. A speech-language pathologist license issued under this part shall be renewed
46.9 according to the rules of the Professional Educator Licensing and Standards Board governing
46.10 professional licensure.

46.11 B. The Certificate of Clinical Competence (CCC) credential from the American
46.12 Speech-Language-Hearing Association may be used in lieu of clock hours required under
46.13 part 8710.7200, subpart 2, to renew a speech-language pathologist license issued under this
46.14 part. If the CCC credential expires during the individual's renewal period, the local continuing
46.15 education/relicensure committee must prorate clock hours completed at 25 hours per year
46.16 and require completion of a prorated number of hours for the years the credential is not in
46.17 effect.

46.18 C. For an individual with a license issued prior to July 1, 1994, applying for
46.19 renewal of continuing licensure as a speech-language pathologist who does not hold a
46.20 master's degree in speech-language pathology, the applicant must earn at least 24 quarter
46.21 hours or 16 semester hours of postbaccalaureate college credit in speech-language pathology
46.22 or related special education instruction and services and comply with this subpart.

46.23 *[For text of subps 5 and 6, see M.R.]*

47.1 **8710.6100 SCHOOL NURSE.**47.2 *[For text of subp 1, see M.R.]*47.3 **Subp. 1a. Exceptions.**47.4 A. A school nurse is not required to pass content, pedagogy, or basic skills
47.5 examinations.47.6 B. A school nurse is not eligible to hold Tier 1 or Tier 2 licenses issued under
47.7 parts 8710.0311 and 8710.0312.47.8 **Subp. 2. Requirements for Tier 3 license.** A Tier 3 license issued under part
47.9 8710.0313 must be issued to a school nurse if the applicant:47.10 A. holds a baccalaureate degree in nursing from a regionally accredited college
47.11 or university;47.12 B. is currently registered in Minnesota to practice as a licensed registered nurse
47.13 under the Board of Nursing; and47.14 C. is currently registered in Minnesota as a public health nurse under the Board
47.15 of Nursing.47.16 **Subp. 2a. Requirements for Tier 4 license.** A Tier 4 license issued under part
47.17 8710.0314 must be issued to a school nurse if the applicant:

47.18 A. meets all requirements for a Tier 3 license under subpart 2;

47.19 B. has at least three years of experience as a school nurse in Minnesota; and

47.20 C. was not placed or otherwise kept in an improvement process aligned to the
47.21 district's teacher development and evaluation plan by the applicant's most recent summative
47.22 evaluation.47.23 **Subp. 3. [Repealed, 25 SR 805]**

48.1 Subp. 4. **License renewal.**

48.2 A. A school nurse license issued under this part shall be renewed according to the
48.3 rules of the Professional Educator Licensing and Standards Board governing professional
48.4 licensure.

48.5 B. Evidence of current Minnesota Board of Nursing registration as a licensed
48.6 registered nurse is required.

48.7 Subp. 5. **Maintaining board of nursing registration.** In order to retain licensure as
48.8 a school nurse, current registration as a registered nurse and registration as a public health
48.9 nurse must be maintained at all times. Lapse of this registration or licensure is grounds for
48.10 revocation of licensure as a school nurse.

48.11 Persons without baccalaureate degrees who hold valid licenses as school nurses may
48.12 continue to renew their licenses under subpart 4, provided that requirements for renewal
48.13 are met. However, if a license is allowed to lapse, persons must meet the licensure
48.14 requirements in subpart 2 or 2a in order to receive a current school nurse license.

48.15 *[For text of subp 6, see M.R.]*

48.16 **8710.6200 SCHOOL PSYCHOLOGIST.**

48.17 *[For text of subp 1, see M.R.]*

48.18 Subp. 1a. **Exceptions.**

48.19 A. A school psychologist is not required to pass content, pedagogy, or basic skills
48.20 examinations.

48.21 B. A school psychologist is not eligible to hold a Tier 1 license issued under part
48.22 8710.0311.

49.1 Subp. 1b. **Requirements for Tier 2 license.** A Tier 2 license issued under part
49.2 8710.0312 must be issued to a school psychologist if the requirements of this subpart are
49.3 met.

49.4 A. The applicant must:

49.5 (1) provide evidence that the applicant has completed a school psychology
49.6 program not accredited by the National Association of School Psychologists and does not
49.7 hold a National School Psychologist Certification; or

49.8 (2) hold a master's degree or equivalent in a school psychology program and
49.9 provide verification of completion of at least two years of preparation required for licensure
49.10 as a school psychologist. The applicant must be enrolled in a school psychology program.

49.11 B. For individuals licensed under item A, subitem (2), the school psychology
49.12 program where the applicant is enrolled must verify the applicant has completed at least
49.13 two years of preparation required for licensure as a school psychologist, affirm that the
49.14 institution will assist in designing the learning experience, and provide supervision during
49.15 the learning experience.

49.16 C. The hiring district must:

49.17 (1) request a Tier 2 license from the board;

49.18 (2) affirm the applicant will participate in an evaluation aligned to the district's
49.19 teacher development and evaluation model under Minnesota Statutes, section 122A.40,
49.20 subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to
49.21 another identified district-aligned evaluation; and

49.22 (3) if the applicant obtains a Tier 2 license pursuant to item A, subitem (2),
49.23 assign a school psychologist who holds a Tier 3 or 4 license issued under parts 8710.0313
49.24 and 8710.0314 to have direct, ~~day-to-day~~ supervision of the applicant aligned to supervision
49.25 standards identified by the National Association of School Psychologists, affirm the position

50.1 is designed to serve as a learning experience for the applicant, and affirm that the applicant
50.2 will not replace a Tier 3 or 4 licensed school psychologist.

50.3 **Subp. 1c. Tier 2 license duration; renewal.**

50.4 A. A Tier 2 license ~~issued under subpart 1b, item A, subitem (1),~~ is valid for up
50.5 to two years, expires on June 30 of the expiration year, and may be renewed three times.
50.6 For each renewal, the hiring district must show the applicant participated in mentorship and
50.7 evaluation aligned to the district's teacher development and evaluation model under
50.8 Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or if the
50.9 statutory models are not practicable, to another district-aligned evaluation.

50.10 B. If the applicant holds a Tier 2 license issued under subpart 1b, item A, subitem
50.11 (2), the provider must certify that the applicant has made meaningful progress, as defined
50.12 by the provider, toward completion of the program and a Tier 3 license. If no meaningful
50.13 progress has been made, the board must deem the applicant to not meet renewal requirements
50.14 unless the applicant provides justification to the board for failing to make meaningful
50.15 progress.

50.16 ~~B. A Tier 2 license issued under subpart 1b, item A, subitem (2), may be used~~
50.17 ~~only in the requesting district, is valid for up to two school years, and expires on the June~~
50.18 ~~30 following the date of issuance. The license may be renewed one time upon application~~
50.19 ~~to the board if the applicant must complete the equivalent of one school year of internship~~
50.20 ~~experience during the following school year.~~

50.21 **Subp. 2. Requirements for Tier 3 license.** A Tier 3 license issued under part
50.22 8710.0313 must be issued to a school psychologist if the applicant has completed a
50.23 preparation program in school psychology accredited by the National Association of School
50.24 Psychologists or holds the Nationally Certified School Psychologist (NCSP) credential from
50.25 the National Association of School Psychologists.

51.1 Subp. 2a. **Requirements for Tier 4 license.** A Tier 4 license issued under part
51.2 8710.0314 must be issued to a school psychologist if the applicant:

51.3 A. meets all requirements for a Tier 3 license issued under subpart 2;

51.4 B. has at least three years of experience working as a school psychologist in
51.5 Minnesota; and

51.6 C. was not placed or otherwise kept in an improvement process aligned to the
51.7 district's teacher development and evaluation plan by the applicant's most recent summative
51.8 evaluation.

51.9 Subp. 3. [Repealed, 25 SR 805]

51.10 Subp. 4. **Tier 3 and Tier 4 license renewal.**

51.11 A. A school psychologist license issued under subpart 2 or 2a shall be renewed
51.12 according to the rules of the Professional Educator Licensing and Standards Board governing
51.13 professional licensure.

51.14 B. The Nationally Certified School Psychologist (NCSP) credential from the
51.15 National Association of School Psychologists may be used in lieu of clock hours required
51.16 under part 8710.7200, subpart 2, to renew a school psychologist license issued under subpart
51.17 2 or 2a. If the NCSP credential expires during the license holder's renewal period, the local
51.18 continuing education/relicensure committee must prorate clock hours completed at 25 hours
51.19 per year and require completion of a prorated number of hours for the years the credential
51.20 is not in effect.

51.21 *[For text of subp 5, see M.R.]*

51.22 **8710.6300 SCHOOL SOCIAL WORKER.**

51.23 *[For text of subp 1, see M.R.]*

52.1 Subp. 1a. **Exceptions.**

52.2 A. A school social worker is not required to pass content, pedagogy, or basic skills
52.3 examinations.

52.4 B. A school social worker is not eligible to hold Tier 1 or Tier 2 licenses issued
52.5 under parts 8710.0311 and 8710.0312.

52.6 Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part
52.7 8710.0313 must be issued to a school social worker if the applicant:

52.8 A. holds a baccalaureate or master's degree; and

52.9 B. is currently licensed in Minnesota to practice as a social worker under the Board
52.10 of Social Work.

52.11 Subp. 2a. **Requirements for Tier 4 license.** A Tier 4 license issued under part
52.12 8710.0314 must be issued to a school social worker if the applicant:

52.13 A. meets all requirements for a Tier 3 license under subpart 2;

52.14 B. has at least three years of experience working as a school social worker in
52.15 Minnesota; and

52.16 C. was not placed or otherwise kept in an improvement process aligned to the
52.17 district's teacher development and evaluation plan by the applicant's most recent summative
52.18 evaluation.

52.19 Subp. 3. [Repealed, 25 SR 805]

52.20 Subp. 4. **License renewal.**

52.21 A. A school social worker license issued under this part shall be renewed according
52.22 to the rules of the Professional Educator Licensing and Standards Board governing
52.23 professional licensure.

53.1 B. Evidence of current Board of Social Work licensure is required.

53.2 *[For text of subps 5 and 6, see M.R.]*

53.3 **8710.6400 SCHOOL COUNSELOR.**

53.4 *[For text of subp 1, see M.R.]*

53.5 Subp. 1a. **Exceptions.**

53.6 A. A school counselor is not required to pass content, pedagogy, or basic skills
53.7 examinations.

53.8 B. A school counselor is not eligible to hold a Tier 1 license issued under part
53.9 8710.0311.

53.10 Subp. 1b. **Requirements for Tier 2 license.** A Tier 2 license issued under part
53.11 8710.0312 must be issued to a school counselor if the requirements of this subpart are met.

53.12 A. The applicant must:

53.13 (1) hold a master's degree in counseling; or

53.14 (2) hold a baccalaureate degree and be enrolled in an accredited school
53.15 counselor program with no less than 24 semester credit hours in school-counseling-specific
53.16 coursework or content, including introduction to the field, counseling skills, and ethical
53.17 standards and must verify to the board in writing a plan of study of full- or part-time
53.18 enrollment to achieve licensure within three years.

53.19 B. For individuals licensed under item A, subitem (2), the school counseling
53.20 program where the applicant is enrolled must:

53.21 (1) verify completion of at least 24 semester credit hours in
53.22 school-counseling-specific coursework or content, including introduction to the field,
53.23 counseling skills, and ethical standards;

- 54.1 (2) affirm that the individual is prepared for a learning experience of this
54.2 nature;
- 54.3 (3) affirm that the institution will assist in designing the learning experience;
54.4 and
- 54.5 (4) provide supervision during the learning experience.

54.6 C. The hiring district must:

- 54.7 (1) request a Tier 2 license from the board;
- 54.8 (2) affirm the applicant will participate in an evaluation aligned to the district's
54.9 teacher development and evaluation model under Minnesota Statutes, section 122A.40,
54.10 subdivision 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to
54.11 another identified district-aligned evaluation; and
- 54.12 (3) if the applicant obtains a Tier 2 license pursuant to item A, subitem (2),
54.13 assign a school counselor who holds a Tier 3 or 4 license issued under parts 8710.0313 and
54.14 8710.0314 to have direct, ~~day-to-day~~ supervision of the applicant, affirm the position is
54.15 designed to serve as a learning experience for the applicant, and affirm that the applicant
54.16 will not replace a Tier 3 or 4 licensed school counselor.

54.17 Subp. 1c. **Tier 2 license duration; renewal.**

- 54.18 A. A Tier 2 license ~~issued under subpart 1b, item A, subitem (1)~~, is valid for two
54.19 years and may be renewed three times. For each renewal, the hiring district must show the
54.20 applicant participated in mentorship and evaluation aligned to the district's teacher
54.21 development and evaluation model under Minnesota Statutes, section 122A.40, subdivision
54.22 8, or 122A.41, subdivision 5, or if the statutory models are not practicable, to another
54.23 district-aligned evaluation.

55.1 B. ~~A Tier 2 license issued under subpart 1b, item A, subitem (2), is valid for two~~
55.2 ~~years and may be renewed one time. To renew a Tier 2 license issued under subpart 1b,~~
55.3 ~~item A, subitem (2), the applicant's school counselor education program provider must~~
55.4 ~~certify that meaningful progress, as defined by the provider, has been made toward~~
55.5 ~~completion of the program. If no meaningful progress has been made, the board must deem~~
55.6 ~~the applicant not to be enrolled in a school counselor education program unless the applicant~~
55.7 ~~provides justification to the board for failing to make meaningful progress. If the applicant~~
55.8 ~~holds a Tier 2 license issued under subpart 1b, item A, subitem (2), the provider must certify~~
55.9 ~~that the applicant has made meaningful progress, as defined by the provider, toward~~
55.10 ~~completion of the program and a Tier 3 license. If no meaningful progress has been made,~~
55.11 ~~the board must deem the applicant to not meet renewal requirements unless the applicant~~
55.12 ~~provides justification to the board for failing to make meaningful progress.~~

55.13 Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part
55.14 8710.0313 must be issued to a school counselor if the applicant:

55.15 A. holds a master's degree or the equivalent in school counseling from a college
55.16 or university that is regionally accredited by the association for the accreditation of colleges
55.17 and secondary schools; and

55.18 B. shows verification of having completed a preparation program approved by
55.19 the state where the program resides or the Council for the Accreditation of Counseling and
55.20 Related Educational Services.

55.21 Subp. 2a. **Requirements for Tier 4 license.** A Tier 4 license issued under part
55.22 8710.0314 must be issued to a school counselor if the applicant:

55.23 A. meets all requirements for a Tier 3 license issued under subpart 2;

55.24 B. has at least three years of experience working as a school counselor in
55.25 Minnesota; and

56.1 C. was not placed or otherwise kept in an improvement process aligned to the
56.2 district's teacher development and evaluation plan by the applicant's most recent summative
56.3 evaluation.

56.4 *[For text of subps 3 and 4, see M.R.]*

56.5 Subp. 5. **License renewal.** A school counselor license issued under subpart 2 or 2a
56.6 shall be renewed according to the rules of the Professional Educator Licensing and Standards
56.7 Board governing professional licensure.

56.8 *[For text of subp 6, see M.R.]*

56.9 **8710.7000 DUTY OF LICENSEE TO RENEW.**

56.10 It is the responsibility of the person seeking the renewal of a Tier 3 or 4 teaching license
56.11 to comply with licensure renewal requirements in part 8710.7100 and to submit the
56.12 application, appropriate verification, and other supporting materials to the local continuing
56.13 education/relicensure committee, in accordance with procedures and due dates established
56.14 by that committee under part 8710.7200.

56.15 **8710.7100 RENEWAL OF TIER 3 OR 4 TEACHING LICENSES.**

56.16 Subpart 1. **Scope.** This part applies to persons who have held Tier 3 or 4 licenses, or
56.17 their previous equivalencies, and are seeking to renew Tier 3 or 4 licenses issued by the
56.18 Professional Educator Licensing and Standards Board under parts 8710.0313 and 8710.0314.

56.19 Subp. 1a. **Renewal.**

56.20 A. The board must renew the Tier 3 or 4 license of an applicant who is not
56.21 employed in a Minnesota public school, does not reside in Minnesota, and who has not been
56.22 employed in a position requiring Minnesota licensure at any time during the school year
56.23 immediately preceding the date of expiration, if one of the following is submitted:

57.1 (1) verification by a local continuing education/relicensure committee that
57.2 the applicant has met renewal requirements for the Tier 3 license during the three-year
57.3 period immediately preceding the application or for the Tier 4 license during the five-year
57.4 period immediately preceding the application; or

57.5 (2) evidence of meeting the requirements under part 8710.7200, subpart 2a,
57.6 and an official college transcript verifying that the applicant earned at least 12 quarter or
57.7 eight semester hours of credit, applicable to the licensure field or fields, during the three-year
57.8 period immediately preceding the application for Tier 3 licenses, or the five-year period
57.9 immediately preceding the application for Tier 4 licenses.

57.10 B. If a requirement under item A is not met, a one-year extension of the expired
57.11 Tier 3 or 4 license must be granted based on written documentation that the applicant has
57.12 been offered a position contingent upon holding a valid license. An extension under this
57.13 item expires on June 30 of the school year for which the license is issued and must not be
57.14 renewed. In order to qualify for a Tier 3 or 4 license after a one-year extension, the applicant
57.15 must provide written documentation that the renewal requirements for the Tier 3 or 4 license
57.16 under item A, subitem (1), have been met.

57.17 Subp. 2. [See repealer.]

57.18 Subp. 3. **Application and validity period.**

57.19 A. A license renewal period begins on July 1 of the year of expiration. An
57.20 application for renewal is accepted for processing by the board after January 1 of the year
57.21 of expiration.

57.22 B. A valid Tier 3 license must be renewed for a subsequent period of three years
57.23 when an applicant presents verification by the local continuing education/relicensure
57.24 committee that the applicant has, within the past three years, successfully completed at least
57.25 75 clock hours of professional development as specified in part 8710.7200.

58.1 C. A valid Tier 4 license must be renewed for a subsequent period of five years
58.2 when an applicant presents verification by the local continuing education/relicensure
58.3 committee that the applicant has, within the past five years, successfully completed at least
58.4 125 clock hours of professional development as specified in part 8710.7200.

58.5 Subp. 4. **Clock hour alternative pilot program.** In consultation with local
58.6 education/relicensure committees, the board must develop an alternative to clock hours for
58.7 meeting professional development requirements under part 8710.7200, subparts 2 and 2a.
58.8 Once the pilot program has been established, local education/relicensure committees may
58.9 pilot alternative professional development plans and determine on an individual basis whether
58.10 to accept a professional development plan as an alternative to clock hours required under
58.11 part 8710.7200, subpart 2.

58.12 **8710.7200 CLOCK HOURS; REQUIREMENTS FOR RENEWAL OF**
58.13 **PROFESSIONAL LICENSES.**

58.14 *[For text of subp 1, see M.R.]*

58.15 Subp. 2. **Renewal clock hours.** Verification by the local continuing
58.16 education/relicensure committee that the applicant has completed 75 approved clock hours
58.17 for a Tier 3 license and 125 approved clock hours for a Tier 4 license is required for renewal.
58.18 Instruction and professional development activities meet requirements to renew licenses
58.19 only if they address one or more of the standards in part 8710.2000.

58.20 Subp. 2a. **Professional development requirements.** To renew a Tier 3 or 4 license,
58.21 an applicant who has been employed as a teacher during the renewal period of the expiring
58.22 license must demonstrate the completion of requirements of this subpart to a local continuing
58.23 education/relicensure committee for verification by the Professional Educator Licensing
58.24 and Standards Board.

58.25 A. The applicant must show evidence of professional reflection and growth in
58.26 best practices ~~in~~, including but not limited to the following areas:

59.1 (1) cultural competency training ~~aligned to board-adopted criteria~~; and

59.2 (2) district-approved training in meeting the needs of English learners that
59.3 has job-embedded opportunities for learning and practice and aligns with Interstate Teacher
59.4 Assessment and Support Consortium (InTASC) standards for English learners.

59.5 An applicant may satisfy the requirements of ~~item A and~~ this subpart ~~2~~ by submitting the
59.6 teacher's most recent summative evaluation or improvement plan aligned to the district's
59.7 teacher development and evaluation process. An applicant not teaching in a Minnesota
59.8 district may work with the applicant's local continuing education/relicensure committee for
59.9 the purposes of providing evidence of renewal requirements.

59.10 B. The applicant must show evidence of professional development in the following
59.11 areas:

59.12 (1) positive behavior interventions under Minnesota Statutes, section
59.13 122A.187, subdivision 4, for Tier 3 or 4 licenses issued under parts 8710.0313 and
59.14 8710.0314, or their previous equivalencies, which expire on June 30, 2001, and thereafter;

59.15 (2) reading preparation under Minnesota Statutes, section 122A.187,
59.16 subdivision 5, for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their
59.17 previous equivalencies, which expire on June 30, 2004, and thereafter;

59.18 (3) mental illness training under Minnesota Statutes, section 122A.187,
59.19 subdivision 6, for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their
59.20 previous equivalencies, which expire on June 30, 2005, and thereafter; and

59.21 ~~(4) integrating technology effectively with student learning to increase~~
59.22 ~~engagement and student achievement for Tier 3 or 4 licenses issued under parts 8710.0313~~
59.23 ~~and 8710.0314, or their previous equivalencies, which expire on June 30, 2012, and thereafter;~~
59.24 ~~and~~

61.1 professional development plans for some or all of the clock hour requirements for renewal
61.2 of Tier 3 or 4 teaching licenses, provided that each individualized professional development
61.3 plan:

61.4 *[For text of items A to E, see M.R.]*

61.5 F. requires that each teacher's individualized professional development plan equal
61.6 or exceed 75 hours of professional development activities during the three-year period for
61.7 a Tier 3 license and 125 hours of professional development activities during the five-year
61.8 period for a Tier 4 license.

61.9 *[For text of subp 7, see M.R.]*

61.10 Subp. 8. **Period for earning clock hours.** An applicant requesting renewal of a license
61.11 to teach must earn a minimum of 75 clock hours during each three-year period preceding
61.12 application for a Tier 3 licensure renewal and 125 clock hours during each five-year period
61.13 preceding application for a Tier 4 licensure renewal. An applicant may not bank clock hours
61.14 for purposes of relicensure, but clock hours earned after an application for renewal has been
61.15 submitted may be applied to the next renewal period.

61.16 *[For text of subp 9, see M.R.]*

61.17 Subp. 10. **Renewal of license for two or more areas.** An applicant who seeks renewal
61.18 of a Tier 3 or 4 teaching license for two or more areas should allocate at least 30 clock hours
61.19 to each of the licensure areas for a total of no fewer than 75 clock hours for a Tier 3 license
61.20 and 125 clock hours for a Tier 4 license, with priority given to work in areas where the
61.21 candidate is employed during the licensure period. An applicant who holds an administrative
61.22 license or licenses may allocate clock hours for the renewal of teaching licensure under this
61.23 subpart.

61.24 *[For text of subp 11, see M.R.]*

62.1 **8710.9010 CAREER PATHWAYS TEACHER.**

62.2 Subpart 1. **Scope of practice.** A career pathways teacher is authorized to teach students
62.3 the skills and information necessary for a specific career where that career does not
62.4 necessarily require a four-year degree and in which there are not board rules in place. Such
62.5 careers include but are not limited to law enforcement, cosmetology, and park services.

62.6 Subp. 2. **Licensure requirements.** A candidate for licensure as a career pathways
62.7 teacher must meet the requirements of this subpart.

62.8 A. The applicant must have one of the following:

62.9 (1) five years of relevant work experience;

62.10 (2) at least an associate's degree aligned to the career field; or

62.11 (3) a professional certification aligned to the career field from an approved
62.12 certifying organization.

62.13 B. The applicant must demonstrate ~~to the board~~ the standards of effective practice
62.14 for licensing beginning teachers under part 8710.2000 have been met ~~through standards of~~
62.15 ~~effective practice coursework or experiences through a teacher preparation provider or~~
62.16 ~~through licensure via portfolio.~~

62.17 Subp. 3. **License issuance and renewal.** A career pathways license shall be issued
62.18 and renewed according to the rules of the Professional Educator Licensing and Standards
62.19 Board governing professional licensure.

62.20 **REPEALER.** Minnesota Rules, parts 8700.7620; 8710.0300, subparts 1, 1a, 2, 2a, 2b, 3,
62.21 5, 6, 7, 8, 9, 10, and 11; 8710.0600; 8710.1000; 8710.1050; 8710.1250; 8710.1400;
62.22 8710.1410; and 8710.7100, subpart 2, are repealed.