Board of Teaching

Proposed Permanent Rules Relating to Licensure of Teachers with Out-of-State Credentials and Technical Changes to Teachers Licenses

8710.0310 DEFINITIONS AND GENERAL RULES FOR TEACHING LICENSES.

Subpart 1. Definitions.

A. For the purposes of parts 8710.0310 to 8710.0330, and 8710.7620, the terms in this subpart have the meanings given them.

B. "Board" means the Professional Educator Licensing and Standards Board.

C. "Classroom teacher" or "teacher of record" means an individual responsible for the planning, instruction, and assessment of students in a classroom who is authorized to grant students credit for meeting standards attributed to the content taught. Classroom teacher or teacher of record does not include individuals licensed in related service fields. For related services, including school psychologists, school counselors, school social workers, school nurses, and speech-language pathologists, a classroom teacher or teacher of record means an individual directly responsible for student services aligned to their licensure area.

D. "Content review specialist" means an individual with teaching experience, who holds or held a license to teach, and has an advanced degree in the content area being reviewed. The individual will receive training in the licensure application review process.

E. "Cultural competency training" means a training program that promotes self-reflection and discussion on the following topics: racial, cultural, and economic groups; American Indian students; implicit bias; systemic racism; gender identity, including transgender students; sexual orientation; and individuals with disabilities. District-approved training programs must be designed to increase teachers' understanding of these topics and their ability to implement this knowledge with students, families, and the school community.

F. "District" means a school district or a charter school.
2.1 G. "Good cause" means an applicant is unable to meet the requirements of a higher licensure tier due to the lack of a reasonable path to a higher licensure tier or the path to a higher licensure tier causes an undue burden on the applicant, as approved or denied by the board.

2.5 H. "Innovative program" means a school within a district that is either a state-approved Area Learning Center or Alternative Learning Program or provides a school board resolution designating the school as an innovative program, including the reason for the designation.

2.9 I. "Long-call substitute" means a teacher who replaces the teacher of record in a classroom for no more than one academic year.

2.11 J. "Professional license from another state" means a teaching license from a state other than Minnesota that can be renewed indefinitely and allows the individual to be the teacher of record based on completion of a state-approved teacher preparation program.

2.14 K. "Qualified mentor" means the individual responsible for the mentorship who provides support and feedback to the classroom teacher or teacher candidate. A qualified mentor receives training on mentoring and has a Tier 4 license or is a licensed administrator working as a classroom teacher.

2.18 L. "Qualified supervisor" means the individual responsible for the supervision and evaluation of the classroom teacher or teacher candidate. A qualified supervisor has classroom teaching experience or is a licensed administrator and is working as a school administrator.

2.22 M. "Short-call substitute" means an individual who replaces the teacher of record in a classroom for no more than 15 consecutive school days.

2.24 N. "Student teaching" means a minimum of 12 weeks when a teacher candidate assumes teacher responsibilities while working with a cooperating teacher and provider
supervisor to practice and demonstrate a culmination of the development of the teacher
candidate's knowledge, skills, and dispositions. A student teaching experience includes
observation, feedback, and evaluation from the cooperating teacher and provider supervisor.

O. "Teacher candidate" means an individual enrolled in a teacher preparation
program.

P. "Teacher preparation program" means a program approved by the state where
the program resides that trains candidates in educational pedagogy and content-specific
pedagogy for any subset of the scope of licensure for students from birth to 21 years of age.

Q. "Professional teaching license" means any license that requires the standards
of effective practice in part 8710.2000 to be completed prior to holding the license and
permits the individual to become teacher of record. This includes Tier 3 and Tier 4 licenses
issued under parts 8710.0313 and 8710.0314.

R. "Professional related services license" means a license that permits an individual
to teach in one of the following related services with appropriate certification from the
professional board or association overseeing the profession: school psychologists, school
counselors, school social workers, school nurses, and speech and language pathologists.
This includes Tier 3 and Tier 4 licenses issued under parts 8710.0313 and 8710.0314.

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

Subp. 2. Teaching licenses, in general.

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

B. An applicant must qualify separately for each licensure area for which an
application is made and must provide evidence of satisfactory completion of a board-approved
program in the licensure area. A license becomes valid on the date issued by the board and expires on June 30 of the expiration year.

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

Subp. 4. **Movement between tiers.** Teachers may apply to obtain a license in a higher tier at any time after the requirements for that tier have been met. The teacher must be granted the license under a higher tier upon review and approval by the board pursuant to the rules established for the license sought. Applicants may obtain a license in a lower tier only if they hold a Tier 2 license in one content area and a district requests to hire the applicant for a different content area where the applicant does not meet the requirements for a Tier 2 license.

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

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

Subp. 7. **Licenses issued in error.** A license issued in error to a person who does not qualify for the license must be corrected without charge to the license holder, and the corrections must be made without a hearing under part 8710.0900 and Minnesota Statutes, chapter 14. A license issued in error is not valid.
Subp. 8. **Report.** The board must issue an annual report by September 1 that summarizes the previous fiscal year’s Tier 1, 2, 3, and 4 licenses and out-of-field and innovative program permissions, organized by licensure field and by district.

### 8710.0311 TIER 1 LICENSE.

**Subpart 1. Purpose.** Where a district is unable to fill an open position with a teacher holding a Tier 2, 3, or 4 license, a Tier 1 license must be issued, consistent with this part, to an individual who does not hold a Tier 2, 3 or 4 license. A Tier 1 license authorizes the license holder to teach within the requesting district and the specific licensure field in the application.

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

A. The application must be submitted after July 1 for that academic year, except when proof of employment is required for a visa.

B. The applicant must:

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

   2. hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the executive director of the board; or

   3. for applicants in career and technical education fields and career pathway courses of study, have one of the following:
(a) five years of relevant work experience aligned to the assignment;
(b) an associate's degree aligned to the assignment; or
(c) a professional certification aligned to the assignment from an approved certifying organization.

C. The hiring district must show:

(1) the position was posted for at least 15 days on the board-approved statewide job board; and
(2) one of the following:

(a) no Tier 2, 3, or 4 licensed individuals applied for the position;
(b) no Tier 2, 3, or 4 licensed applicants accepted the position; or
(c) all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.

If the hiring district cannot meet the requirements of this item, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide sufficient justification under this item constitutes grounds for the board to deny a request, at the sole discretion of the board, for a Tier 1 license.

D. The hiring district must affirm the applicant:

(1) will participate in a mentorship program aligned to board-adopted criteria;
(2) will participate in an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, 122A.41, subdivision 5, or another identified district-aligned evaluation; and
has the necessary skills and knowledge to teach in the content field aligned to the assignment.

E. The board must complete a criminal background check on the applicant.

Subp. 3. **Duration.** A Tier 1 license is valid for one year.

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

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

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

1. no Tier 2, 3, or 4 licensed individuals applied for the position;
2. no Tier 2, 3, or 4 licensed applicants accepted the position; or
3. all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.

If the hiring district cannot meet the requirements of this item, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide sufficient justification under this item constitutes grounds for the board to deny a request, at the sole discretion of the board, for a Tier 1 license.

C. The hiring district must show the applicant attempted the board-approved content examination aligned to the assignment during the academic year in which the applicant held a Tier 1 license. Any licensure area that does not have a board-approved content examination is exempt from this requirement.
D. The hiring district must show the applicant participated in the following:

(1) district-approved cultural competency training;

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

(3) an evaluation aligned to the district’s teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, 122A.41, subdivision 5, or to another identified district-aligned evaluation.

E. The board must complete a criminal background check on the applicant.

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

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

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

(1) no Tier 2, 3, or 4 licensed individuals applied for the position;

(2) no Tier 2, 3, or 4 licensed applicants accepted the position; or

(3) all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.

If the hiring district cannot meet the requirements of this item, the district must provide justification to be reviewed by the full board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide justification under this item constitutes grounds for the board to deny a request, at the sole discretion of the board, for a Tier 1 license.
C. The hiring district must show the applicant participated in the following:

1. a mentorship program aligned to board-adopted criteria; and
2. an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, 122A.41, subdivision 5, or to another identified district-aligned evaluation.

D. The board must complete a criminal background check on the applicant.

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

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

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

1. no Tier 2, 3, or 4 licensed individuals applied for the position;
2. no Tier 2, 3, or 4 licensed applicants accepted the position; or
3. all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.

If the hiring district cannot meet the requirements of this item, the district must provide justification to be reviewed by the full board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide justification under this item constitutes grounds for the board to deny a request, at the sole discretion of the board, for a Tier 1 license.

C. The hiring district must show one of the following:
(1) the Tier 1 teacher is teaching in a career and technical education field or career pathway course of study; or

(2) the Tier 1 teacher is teaching in a licensure area identified as a shortage area as defined in Minnesota Statutes, section 122A.06, subdivision 6.

If the hiring district cannot meet the requirements of this item, the district must provide justification to be reviewed by the full board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide justification under this item constitutes grounds for the board to deny a request, at the sole discretion of the board, for a Tier 1 license.

D. The hiring district must show the applicant participated in an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, 122A.41, subdivision 5, or to another identified district-aligned evaluation.

E. The board must complete a criminal background check on the applicant.

8710.0312 TIER 2 LICENSE.

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

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

A. The application must be submitted after July 1 for that academic year, except when proof of employment is required for a visa.

B. The applicant must:
(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as shown by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the executive director of the board;

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

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

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

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

C. The applicant must:

(1) be enrolled in a board-approved teacher preparation program aligned to the assignment;

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

(3) show completion of two of the following:

(a) at least eight upper division or graduate-level credits aligned to the assignment;
(b) field-specific methods in a state-approved teacher preparation program aligned to the assignment;

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

d) board-adopted pedagogy and content examinations with passing scores; or

e) a state-approved teacher preparation program.

D. The hiring district must affirm the applicant will participate in:

1. a mentorship program aligned to board-adopted criteria; and

2. an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, 122A.41, subdivision 5, or to another identified district-aligned evaluation.

E. The board must complete a criminal background check on the applicant.

Subp. 3. Duration. A Tier 2 license is valid for two years.

Subp. 4. First renewal. To renew a Tier 2 license for the first time, the applicant must initiate the renewal application process.

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

1. district-approved cultural competency training;

2. a mentorship program aligned to board-adopted criteria; and

3. an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, 122A.41, subdivision 5, or to another identified district-aligned evaluation.
B. If the applicant holds a Tier 2 license while enrolled in a board-approved teacher preparation program, the provider must certify that meaningful progress has been made toward completion of the program. If no meaningful progress has been made, the board must review the applicant's justification for failing to make progress.

C. The board must complete a criminal background check on the applicant.

Subp. 5. **Second and third renewal.** To renew a Tier 2 license for the second or third time, the applicant must initiate the renewal application process.

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

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

   (2) an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, 122A.41, subdivision 5, or to another identified district-aligned evaluation.

B. If the applicant holds a Tier 2 license while enrolled in a board-approved teacher preparation program, the provider must certify that meaningful progress has been made toward completion of the program. If no meaningful progress has been made, the board must review the applicant's justification for failing to make progress.

C. The board must complete a criminal background check on the applicant.

Subp. 6. **Additional renewals.** To renew a Tier 2 license more than three times, the applicant must initiate the renewal application process.

A. The hiring district must show:

   (1) the applicant participated in an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, 122A.41, subdivision 5, or to another identified district-aligned evaluation; and
(2) good cause justification for why the applicant should have additional Tier 2 renewals. The justification must include why the applicant has not obtained a Tier 3 license. Failure by a district to provide sufficient good cause under this subitem constitutes grounds for the board to deny a request, at the sole discretion of the board, for additional Tier 2 renewals.

B. If the applicant holds a Tier 2 license while enrolled in a board-approved teacher preparation program, the provider must certify that meaningful progress has been made toward completion of the program. If no meaningful progress has been made, the board must review the applicant's justification for failing to make progress.

C. The board must complete a criminal background check on the applicant.

8710.0313 TIER 3 LICENSE.

Subpart 1. Purpose. A Tier 3 license must be issued, consistent with this part, to an applicant aligned to the scope and field of the applicant's training and experience. A Tier 3 license authorizes the license holder to teach within the specific licensure field.

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

A. The applicant must:

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

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the executive director of the board; or
(3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

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

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

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

B. The applicant must obtain passing scores on the board-approved pedagogy and content examinations aligned to the assignment.

C. The applicant must show one of the following:

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

(2) completion of a board-approved Minnesota conventional, nonconventional, or alternative teacher preparation program aligned to the licensure area sought. The board must accept certifications in related services areas under parts 8710.6000 to 8710.6400 in lieu of completion of a board-approved teacher preparation program;

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

(4) possession of a valid, active professional license from another state in good standing aligned to the licensure area sought that required teacher preparation and at
least two years of experience teaching as the teacher of record aligned to the licensure area sought; or

(5) at least three years of experience teaching as the teacher of record aligned to the licensure area sought under a Tier 2 license and evidence of summative teacher evaluations that did not result in placing or otherwise keeping the teacher on an improvement process aligned to the district's teacher development and evaluation plan.

D. The board must complete a criminal background check on the applicant.

Subp. 3. **Duration.** A Tier 3 license is valid for three years.

Subp. 4. **First renewal.** A Tier 3 license may be renewed an unlimited number of times. To renew a Tier 3 license for the first time, the applicant must complete:

A. a criminal background check through the board; and

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

Upon their first renewal, applicants who obtain a Tier 3 license under subpart 2, item C, subitem (5), must demonstrate to the board they meet the standards of effective practice under part 8710.2000.

Subp. 5. **Additional renewals.** A Tier 3 license may be renewed an unlimited number of times. To renew a Tier 3 license additional times, the applicant must complete:

A. a criminal background check through the board; and

B. board-approved licensure renewal requirements and obtain approval from the applicant's local continuing education/relicensure committee under parts 8710.7100 and 8710.7200 and Minnesota Statutes, section, 122A.187, subdivision 3.
Subp. 6. Restrictions. An applicant whose content training or experience does not align to a currently approved Minnesota license, but for which past rules have been adopted, and who meets all other requirements of subpart 2, must be issued a Tier 3 license restricted to the scope and licensure area of the applicant's content training or experience. Applicants with content training or experience within two grade levels of a currently approved Minnesota licensure scope must be granted the full scope of the Minnesota license. Applicants with certification from an Association Montessori Internationale or American Montessori Society training center must be issued a restricted Montessori license.

8710.0314 Tier 4 License.

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

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

A. The applicant must:

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

2. hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the executive director of the board; or
18.1 (3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

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

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

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

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

18.9 (1) a board-approved conventional, nonconventional, or alternative teacher preparation program aligned to the licensure area sought. The board must accept certifications in related service areas under parts 8710.6000 to 8710.6400 in lieu of completion of a board-approved teacher preparation program; or

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

C. The applicant must obtain passing scores on the board-approved skills, pedagogy, and content examinations aligned to the licensure area sought.

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

E. The applicant's most recent summative evaluation must not have resulted in placing or otherwise keeping the teacher in an improvement process aligned to the district's teacher development and evaluation process.
Subp. 3. **Adding a Tier 4 license.** To add an additional Tier 4 license, the applicant must show evidence of meeting the requirements of subpart 2, item C, and part 8710.0313, subpart 2, item C, subitems (1), (2), or (3) in the licensure area sought.

Subp. 4. **Duration.** A Tier 4 license is valid for five years.

Subp. 5. **Renewal.** A Tier 4 license may be renewed an unlimited number of times.

To renew a Tier 4 license, the applicant must complete:

A. a criminal background check through the board; and

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

Subp. 6. **Restrictions.** An applicant whose content training or experience does not align to a currently approved Minnesota license, but for which past rules have been adopted, and who meets all other requirements of this part shall be issued a Tier 4 license restricted to the scope and licensure area of the applicant's content training or experience. Applicants with content training or experience within two grade levels of a currently approved Minnesota licensure scope will be granted the full scope of the Minnesota license.

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

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

Subp. 2. **Requirements.** The board must issue an out-of-field permission upon request by the designated administrator of the hiring district. The applicant must initiate the application process, and the hiring district must show:

A. the applicant holds a Tier 3 or 4 license;
B. The applicant is not a licensed classroom teacher filling a position in related services;

C. the applicant approves the request;

D. the position was posted for at least 15 days on the board-approved statewide job board; and

E. one of the following:

   (1) no Tier 3 or 4 licensed teachers aligned to the assignment applied for the position;

   (2) no Tier 3 or 4 licensed teachers aligned to the assignment accepted the position; or

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

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

**Subp. 3. Duration.** An out-of-field permission is valid for one year.

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

A. the applicant approves the request;
B. the position was posted for at least 60 days on the board-approved statewide job board; and

C. one of the following:

(1) no Tier 3 or 4 licensed teachers aligned to the assignment applied for the position;

(2) no Tier 3 or 4 licensed teachers aligned to the assignment accepted the position; or

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

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

**8710.0321 INNOVATIVE PROGRAM PERMISSION.**

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

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

A. the applicant holds a Tier 3 or 4 license; and

B. the teaching assignment is within a board-approved innovative or alternative education program.
Subp. 3. **Duration.** An innovative program permission is valid for one year.

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

**8710.0325 SHORT-CALL SUBSTITUTE LICENSE.**

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

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

A. The applicant must:

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

2. hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the executive director of the board; or

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

   a. five years of relevant work experience aligned to the assignment;

   b. an associate's degree aligned to the assignment; or

   c. a professional certification aligned to the assignment from an approved certifying organization.

B. The board must complete a criminal background check on the applicant.
Subp. 3. **Duration.** A short-call substitute license is valid for three years.

Subp. 4. **Reapplication.** An applicant must reapply for a short-call substitute license upon its expiration and must pass a criminal background check.

### 8710.0326 LIFETIME LONG-CALL SUBSTITUTE LICENSE.

Subpart 1. **Purpose.** A lifetime long-call substitute license is issued to a retired teacher and authorizes the license holder to replace the same classroom teacher for no more than one academic year.

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

A. holds or held a Tier 3 or 4 Minnesota license or an out-of-state license aligned to the assignment and receives a retirement annuity as a result of the person's teaching experience; or

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

Subp. 3. **Duration.** A lifetime long-call substitute license does not expire.

Subp. 4. **Renewal.** A lifetime long-call substitute license requires a criminal background check to be completed by the board every five years.

### 8710.0330 TEACHER LICENSURE VIA PORTFOLIO APPLICATION.

Subpart 1. **Teacher license assessment process.** A teacher qualification assessment process is established and maintained by the board for recommending and approving candidates for teacher licensure upon the candidate submitting evidence to demonstrate successful completion of all licensure standards for the licensure area sought.
Subp. 2. **Authorization.** The board may authorize its executive director to sign a recommendation for teacher licensure when the executive director confirms that candidates have demonstrated all qualifications for the licensure for which they are recommended.

Subp. 3. **Annual report.** Authorizations provided under subpart 1 or 2 must be documented through a written annual report to the board.

Subp. 4. **Licensure via portfolio review.** An eligible applicant may use licensure by portfolio to obtain an initial Tier 3 license or to add a licensure field consistent with applicable board licensure rules.

Subp. 5. **Criteria for application.** An applicant may apply for an initial license under part 8710.0313 though portfolio review under Minnesota Statutes, section 122A.21, if the applicant meets the requirements of this subpart.

A. To indicate knowledge of effective teaching dispositions under the Minnesota Code of Ethics for Teachers, the applicant must submit a completed evaluation by a qualified mentor or qualified supervisor for review by a content review specialist after completing one of the following:

1. a year-long mentorship program aligned to board-adopted criteria; or
2. two years of experience teaching as the teacher of record.

B. The applicant must:

1. hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as shown by a college transcript;
(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the executive director of the board; or

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

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

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

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

C. The applicant may use a board-adopted passing score on a board-adopted teacher performance assessment in lieu of showing the applicant has met the standards of effective practice within the pedagogy portfolio.

D. The applicant must provide documentation to show all requirements have been met for an initial license under part 8710.0313, including standards of effective practice for teachers under part 8710.2000 and specific content requirements for the licensure area being sought under parts 8710.3000 to 8710.5850 and 8710.8000. Applications for an additional license must provide documentation to show all specific content requirements for the licensure area being sought have been met under parts 8710.3000 to 8710.8000. Documents that provide the necessary information include:

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

   (2) subject-specific, high-quality professional development, as defined under the Every Student Succeeds Act;
(3) professional contributions to the field, including but not limited to, presentations given to local and national education organizations, minutes of attendance in education-related task forces or state or national committees, or articles published by local or national education publications;

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

(5) classroom performance as determined by student growth on criterion-referenced assessments;

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

(7) teacher performance assessment scores;

(8) unedited video recordings of classroom instruction; and

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

Subp. 6. CTE exceptions. An applicant for any career and technical education field under parts 8710.8010 to 8710.8080 is exempt from the criteria in subpart 5 and may apply for an initial license under part 8710.0313 through portfolio review under Minnesota Statutes, section 122A.21, if the candidate completed parts 8710.2000 and 8710.8000, and meets one of the following requirements:

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

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

C. holds a professional certification aligned to the licensure area sought from an approved certifying organization.
Subp. 7. Submission timelines.

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

B. A portfolio application prepared according to published guidelines must be submitted between 30 and 150 days after the notice of intent is received by the board.

Subp. 8. Portfolio review process.

A. Each initial license portfolio must be reviewed by a content review specialist for the pedagogy portfolio and a content review specialist for the content portfolio within 90 days of receiving both completed portfolios. A passing score on a board-adopted teacher performance assessment aligned to the standards of effective practice under part 8710.2000 can be used in place of the pedagogy portfolio.

B. Each additional license portfolio must be reviewed by a content review specialist for the content portfolio within 90 days of receiving the completed portfolio.

C. A candidate who is recommended for licensure by the content review specialist must pass a criminal background check and be approved by the executive director of the board.

D. If a candidate is not recommended for licensure by the content review specialist, the board must provide specific information to the candidate on how to revise the portfolio to successfully demonstrate the requisite competence. The candidate may submit a revised portfolio, which must be approved or disapproved by a content review specialist within 60 days of receiving the revised submission.

Subp. 9. Appeal. An applicant who is denied an initial or additional license under this part by the board may appeal the board's decision under part 8710.0900 and Minnesota Statutes, chapter 14.
8710.7000 DUTY OF LICENSEE TO RENEW.

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

8710.7100 ISSUANCE AND RENEWAL OF PROFESSIONAL Tier 3 or 4 TEACHING LICENSES.

Subpart 1. Scope. This part applies to persons who have held entrance Tier 3 or 4 licenses, or their previous equivalencies, and are seeking to obtain first professional licenses or to renew continuing or professional Tier 3 or 4 licenses issued by the Board of Teaching, except continuing licenses valid only for substitute teaching board under parts 8710.0313 and 8710.0314.

Subp. 1a. Renewal.

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

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

   (2) an official college transcript showing that the applicant earned at least 12 quarter or eight semester hours of credit, applicable to the licensure field or fields, during the three- or five-year period immediately preceding the application.
B. If a requirement under item A is not met, a one-year extension of the expired Tier 3 or 4 license must be granted based on written documentation that the applicant has been offered a position contingent upon holding a valid license. An extension under this item expires on June 30 of the school year for which the license is issued and must not be renewed. In order to qualify for a Tier 3 or 4 license after a one-year extension, the applicant must provide written documentation that the renewal requirements for the Tier 3 or 4 license under item A, subitem (1), have been met.

Subp. 2. Professional licenses to substitute teach only. An applicant who holds or has held a valid entrance, continuing, or professional license to teach issued by the Board of Teaching shall be granted a five-year license for short-call substitute teaching. This subpart also applies to an applicant who holds or has held a license to teach issued by another state if that license was issued based on completion of baccalaureate or postbaccalaureate teacher preparation programs.

Subp. 3. Renewal of professional license Application and validity period. A license renewal period begins on July 1 of the year of expiration. An application for renewal is accepted for processing by the Department of Education board after January 1 of the year of expiration. A valid professional Tier 3 license must be renewed for a subsequent period of three years and a valid Tier 4 license shall must be renewed for a subsequent period of five years when an applicant presents verification by the local continuing education/relicensure committee that the applicant has, within the past three years for a Tier 3 license and five years for a Tier 4 license, successfully completed one of the following:

A. between July 1, 2018, and June 30, 2023, at least 125 clock hours of professional development as specified in part 8710.7200, subpart 2; or

B. beginning July 1, 2018, and thereafter, a professional growth plan as specified in part 8710.7200, subpart 2a.
30.1 **8710.7200 CLOCK HOURS; REQUIREMENTS FOR RENEWAL OF PROFESSIONAL LICENSES.**

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

30.3 Subp. 2. **Renewal clock hours.** Verification by the local continuing education/relicensure committee that the applicant has completed 125 approved clock hours under this subpart is required one option for renewal until June 30, 2023. Instruction and professional development activities meet requirements to renew licenses only if they address one or more of the standards in part 8710.2000. Effective for renewal of professional Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2001, and after thereafter, applicants must include in their 125 clock hours instruction or other professional development activities which address positive behavioral intervention strategies and accommodation, modification, and adaptation of curriculum, materials, and instruction to appropriately meet the needs of varied students in achieving graduation standards. Effective for renewal of professional Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2004, and after thereafter, applicants must also include in their 125 clock hours instruction or other professional development activities which evidence further reading preparation, consistent with Minnesota Statutes, section 122A.06, subdivision 4. Effective for renewal of professional Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2005, and after thereafter, applicants must also include in their 125 clock hours instruction or other professional development activities which address further preparation in understanding the key warning signs of early-onset mental illnesses in children and adolescents which may include depressed mood, excessive fears and anxieties, changes in behavior and performance, failure to develop peer relationships, impaired concentration and thinking, suicidal gestures, the potential connection to substance use, and knowledge of steps to be taken if such warning signs are observed. Effective for renewal of professional Tier 3 or 4 licenses issued under parts 8710.0313 and
31.1 8710.0314, or their previous equivalencies, that expire on June 30, 2012, and thereafter, applicants must also include in their 125-clock hours instruction or other professional development activities that integrate technology effectively with student learning to increase engagement and student achievement.

Subp. 2a. Renewal. To renew a Tier 3 or 4 license, an applicant who has been employed as a teacher during the renewal period of the expiring license must demonstrate the completion of requirements of this subpart to a local continuing education/relicensure committee for verification by the board.

A. The applicant must show evidence of professional reflection and growth in best practices in the following areas:

(1) district-approved cultural competency training;

(2) district-approved training in meeting the needs of English learners that has job-embedded opportunities for learning and practice and aligns with InTASC standards for English learners; and

(3) at least one year of development aligned to one of the InTASC Model Core Teaching Standards and Learning Progressions for Teachers that includes time spent consulting with experts, or professional development sufficient to show learning, applying, and demonstrating growth in that area.

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

B. The applicant must show evidence of professional development in the following areas:
positive behavior interventions under Minnesota Statutes, section 122A.187, subdivision 4;

(2) reading preparation under Minnesota Statutes, section 122A.187, subdivision 5;

(3) mental illness training under Minnesota Statutes, section 122A.187, subdivision 6; and

(4) at least one hour of suicide prevention training under Minnesota Statutes, section 122A.187, subdivision 6.

Subp. 2b. Renewal extension. A local continuing education/relicensure committee may recommend an extension for a license renewal based on an emergency that prevents a teacher from completing rule requirements. The board may approve or deny the renewal extension.

Subp. 2c. Grandfather clause.

A. For teachers renewing a Tier 4 license between July 1, 2018, and June 30, 2023, the renewal application may meet the professional development requirements under subpart 2a or the clock hours requirements under subpart 2.

B. Teachers who held a five-year license in Minnesota that expired prior to July 1, 2018, may renew the license by meeting the professional development requirements under subpart 2a or the clock hours requirements effective when the license expired. A five-year license renewed under this item is converted to a Tier 4 license.

C. All renewal applications for licenses that expire on July 1, 2023, and thereafter, must meet the professional development requirements under subpart 2a.

[For text of subps 3 to 11, see M.R.]
33.1 **REPEALER.** Minnesota Rules, parts 8700.7620; 8710.0300, subparts 1, 1a, 2, 2a, 2b, 3, 5, 6, 7, 8, 9, 10, and 11; 8710.0600; 8710.1000; 8710.1050; 8710.1250; 8710.1400; and 8710.1410, are repealed.

33.4 Minnesota Rules, part 8710.7200, subpart 2, is repealed effective July 1, 2023.