

Education Minnesota comments on Governance/Tiered Licensure proposals:

Senate DFL Plan:

Governance – We support the proposed make-up of a Professional Educator Standards Board with an active-educator majority. We think a combined Board would be positive because it would require educator and administrators to work together on licensing standards and educator preparation program requirements. A merged board could still have separate educator- and administrator-only committees for consideration of educator and administrator ethics and discipline matters.

Tiered licensure –We appreciate the clarity of requirements for each level of licensure. This will be helpful to school districts as well as current and potential educators in being able to look at the statute or rule and know exactly what they need to reach each level of licensure.

Tiers One and Two – We support how the different categories are defined. We feel it provides a clear distinction between non-licensed community experts and emergency hires, but recognizing the importance in Tier Two of being enrolled in a teacher preparation program and working towards full licensure. We also think that person with a Tier One license needs to meet the minimum requirements specified in this proposal, including a bachelor’s degree.

Tiers Two/Four mentorship programs – We agree that new educators should have access to high-quality mentorship opportunities, but we have concerns about what the mentorship programs will look like, and we are particularly concerned about how they will be funded. We would prefer the language state that the programs are “locally developed by administrators and teachers, and funded by the state.” We need to ensure that state funding is adequate and ongoing to support these mentorship programs. Currently, there is not adequate funding for TDE plans mandated by the Legislature.

Tier Five – We have questions about what the “board-approved teacher leader certification” would be defined. We support the “teacher leader” concept that the Board of Teaching proposed, and would hope this would be similar in nature. We believe that service as a peer evaluator or department head should be recognized as one means of earning a Tier Five License. We also think there should be a minimum number of years as an educator or in a leadership role before reaching this level.

Senate Republican Plan:

Governance – We have major concerns about a structure that does not include an independent professional standards board for educators. We believe educators are professionals who can and should set the standards for their profession – a board that governs members of a profession must be led by the individuals currently working in that profession. This is what happens with almost every other professional licensing board in the state. (See attachment.)

As we all know, Minnesota schools are facing a growing teacher shortage. Licensure is often cited (with little, if any, empirical evidence) as a reason for these shortages, but the reality is that we currently have over 140,000 licensed educators in this state and only 58,000 working in our schools. We know from research that morale problems and efforts to limit teacher voice in their profession are some of the primary factors driving talented educators out of this profession. Whether intentional or not, the

elimination of an educator-led standards board would send a message to educators that the Legislature does not value their professionalism or experience. We urge Republican education leaders to preserve an independent licensure board led by professional educators.

We also believe that this plan, as proposed, poses significant separation of powers problems by requiring legislative approval of rule changes promulgated by an executive agency. Senate counsel commented on this problem at the Sept. 29 task force meeting.

Tiered licensure – We would not support any linkage to being tenure-eligible in any type of licensure system or process. The Office of the Legislative Auditor, both in its March 2016 report and its testimony at every hearing about its findings and recommendations, has not proposed or even mentioned linking an educator’s professional license to his or her tenure status. Bringing this up at this time only serves to politicize the very important work of the Licensing Task Force, and is looking to solve a problem that does not exist.

We do not support the criteria under the “Master Teacher” category that ties this category of license to teacher development and evaluation (TDE). This proposal undermines the whole purpose of TDE, which is to encourage and support our teachers in their professional development. Local joint committees have worked hard to develop and implement local plans with continual growth in mind, not standards to meet state licensure. There other issues with this proposal as well. First, the current TDE statute does not include a definition of “effective.” Under TDE, a teacher is either meeting or not meeting professional teaching standards that is outlined in each district’s TDE plan. Teachers not meeting the standards are placed on an improvement plan. Secondly, there are many teachers who are currently serving in multiple roles outside of a classroom, such as administrators, those that are taking a leave of absence, and those that have left the profession but are retaining their teacher license.

House Republican Plan:

Governance – We do not support consolidating teacher licensure functions into the Minnesota Department of Education. This proposal goes against the main recommendation of the OLA Report, which was to consolidate licensing under the Board of Teaching. As stated earlier, eliminating the Board of Teaching tells educators – the majority of whom are highly educated women – that they do not deserve to have the same role in their profession that individuals in almost every other profession have in this state. (See attachment.)

It is hard to understand why licensing has been proposed to be moved under the Department of Education when the Department’s own representatives testified to supporting the consolidation of these functions under the Board of Teaching. Putting MDE in charge of all licensing functions and licensure-related rulemaking also removes the knowledge and practical insights that come from having people who are continuing to work in the classroom making the best decisions for their profession.

Tiered licensure - For all the reasons stated above regarding the Senate Republican plan, we do not support tying licensure requirements to TDE, as this plan does in Tier Four.

Attachment- Statutory Requirements for the Composition of Licensing Boards in Minnesota

Board of Teaching: § 122A.07. 11 members

- 7 teachers
 - 6 classroom teachers (4 of whom must be HS teachers)
 - 1 higher education faculty member preparing teachers
- 1 school administrator
- 3 public members¹

Board of Chiropractic Examiners: § 148.03. 7 members

- 5 resident chiropractors
- 2 public members

Board of Nursing: § 148.181. 16 members

- 12 nurses (8 registered nurses and 4 licensed practical nurses)
- 4 public members

Board of Optometry: § 148.52. 7 members

- 5 licensed optometrists
- 2 public members

Board of Physical Therapy: § 148.67. 11 members

- 8 professional members (5 physical therapists, 2 physical therapist assistants, and one licensed and registered doctor)
- 3 public members

Board of Psychology: § 148.90. 11 members

- 8 psychologists (with variety of requirements for licensure and advanced degrees)
- 3 public members

Board of Social Work: § 148E.025. 15 members

- 10 licensed social workers
- 5 public members

Board of Law Examiners: § 481.01

- 3-7 members (variable), all attorneys

Board of Medical Practice: § 147.01. 16 members

- 11 doctors (10 M.D., 1 D.O.)
- 5 public members

Board of Dentistry: § 150A.02. 9 members

- 7 professionals (5 dentists; 1 dental assistant; 1 dental hygienist)
- 2 public members

Board of Marriage and Family Therapy: § 148B.30. 7 members

- 5 professionals (4 licensed practicing marriage & family therapists; 1 researcher/teacher of marriage and family therapy)
- 2 public members

¹ § 214.02 defines “public members” as those who are not and have never have been members of the profession being regulated

Board of Behavioral Health and Therapy: § 148B.51. 13 members

- 10 professionals (5 professional counselors; 5 alcohol and drug counselors)
- 3 public members

Board of School Administrators: § 122A.12. 10 members

- 7 administrators
 - 1 elementary principal
 - 1 secondary principal
 - 1 higher ed faculty member in an educational administration program
 - 1 higher ed administrator for an educational administration program
 - 1 school superintendent
 - 1 community education director
 - 1 special education director
- 1 classroom teacher
- 2 public members (one must be former school board member)

Board of Pharmacy: § 151.02. 9 members

- 6 pharmacists
- 3 public members

Board of Podiatric Medicine: § 153.02. 7 total members

- 5 podiatrists
- 2 public members

State Board of Veterinary Medicine: §156.01. 7 total members

- 5 veterinarians
- 2 public members

**Board of Architecture, Engineering, Land Surveying, Landscape Architecture & Interior Design:
§ 326.04. 21 total members**

- 16 professional members (3 architects; 5 engineers; 2 landscape architects; 2 land surveyors; 2 interior designers; 2 geoscientists)
- 5 public members

State Board of Accountancy: § 326A.02. 9 total members

- 7 CPAs
- 2 public members