
Tiered Licensure Implementation Report

A report submitted in accordance with Minn. Stat. § 122A.091, Subd. 6.

A. Introduction

In 2017, the state legislature established the Professional Educator Licensing and Standards Board (PELSB or Board), replacing the Board of Teaching, and created a tiered licensure scheme for licensing teachers in Minnesota. The tiered licensure scheme is a major departure from previous processes used to issue and govern Minnesota teaching licenses.

B. Implementation

Prior to the implementation of tiered licensure, an individual seeking a Minnesota license without completing full teacher preparation faced a confusing array of licensure options. Tiered licensure has simplified the licensure options and clarified qualifications in attempts to create more access to licensure and a process for increasing teacher preparation to move up the tiers.

Key Events

May 30, 2017: Legislation signed by the governor establishing PELSB and creating a tiered licensure system for licensing teachers

January 1, 2018: Board of Teaching dissolved; PELSB's authority takes effect

July 1, 2018: PELSB's authority to issue tiered licenses takes effect

June 8, 2018: PELSB holds public hearing on tiered licensure rules

October 27, 2018: Tiered licensure rules go into effect

Table: Number of license applications received and licenses issued or denied (July 1, 2018 – Dec. 14, 2018)

License Type	Applications received ¹	Licenses issued	Licenses denied
Tier 1	1,579	1,484	6 ²
Tier 2	1,513	1,444	2
Tier 3	772	723	1
Tier 4	334	305	0
Substitute (lifetime)	66	59	0 ³
Substitute (short-call)	1,262	1,181	0

Applications

To obtain a license to teach under the tiered licensure scheme, an applicant must submit an application, which indicates the individual's qualifications. Board staff review each application, which includes a Conduct Review

¹ An application where a fee is refunded is not tracked as a received application. Additionally, PELSB is in the process of reviewing over 320 applications at time, which are included in "Applications Received" column in Table 1.

² Between July 1 and Dec. 14, 2018, the full Board voted to deny 14 Tier 1 applications. However, nine applications were resubmitted with additional information that the Board requested, and the Board approved the applications. A total of five Tier 1 applications were denied after appearing before the full Board.

³ Two applications for short call substitute licenses are pending denial and are under review by the PELSB Disciplinary Committee.

Statement, initiate a background check on the applicant, and issue a license in most cases. Between July 1 and December 14, the Board received more than 4,000 applications for a tiered license.

Statue establishes specific qualifications for tier licensure. For example, the qualifications for a Tier 1 license is that the applicant hold a bachelor's degree in any field and have a pending job offer from a Minnesota school district or charter school. The higher tiers require additional and differing qualifications to obtain the license. Applicants occasionally submit an application for a license tier for which they do not meet the minimum statutory requirements. As a result, Board staff will provide guidance to applicants to determine whether the applicant qualifies for a lower tier and ask the applicants to resubmit an application for the lower tier. When an applicant does not meet the requirements for any tier, Board staff will inform the applicant and offer to reimburse the application fee. In both situations, the outcome is not considered a denial in the above table.

The number of licensure denials remains low because of the clear statutory requirements for each tier and the Board staff's advising of applicants. The Board is committed to working with individuals and districts to help license teachers. The primary source of denials comes from Board review of Tier 1 applications, specifically when the hiring school district had at least one Tier 2, 3, or 4 licensed teacher who could have been hired, but the school district offered no reasonable justification why the licensed teacher was not acceptable and therefore the Tier 1 license was necessary for the applicant. Additionally, the Board denies some license applications due to criminal background checks and a review by the Discipline Committee.

Tier 1 Licenses

The requirements to obtain a Tier 1 license are established in [Minn. Stat. § 122A.181](#). PELSB received the greatest number of applications (1,579) for Tier 1 licensure from July 1 to December 14, 2018.

Legislation in 2017 allowed the Board to extend all staffing permissions, many of which aligned to the qualifications of a Tier 1 license, for one year. The legislation allowed both school districts and individuals to have an opportunity to slowly transition to the tiered licensure system without much disruption. This transition also likely led to less need for Tier 1 and Tier 2 licensed teachers during the 2018-19 school year. The Board expects an increase in the number of Tier 1 applications for the 2019-20 school year.

Prior to the adoption of rule allowing licensed teachers to teach outside their licensure area (previously a "personnel variance"), districts and teachers needed an option to accommodate this tremendous need in the state. The board worked with stakeholders to temporarily allow a Tier 3 or 4 licensed teacher to receive a Tier 1 license to teach outside of their licensure field. After rule went into effect on October 27, 2018, licensed teachers must now apply for an Out-of-Field Permission rather than a Tier 1 license. The number of Tier 1 applications issued in 2018 include many individuals who now qualify for an Out-of-Field Permission.

Reasons for PELSB's denial of the six (6) Tier 1 applications include:

- Five (5) Tier 1 applications were denied due to a lack of qualifications necessary for the license; and
- One (1) Tier 1 license was denied by PELSB staff because foreign evaluation of credentials indicated the applicant did not hold a degree equivalent to a U.S. Bachelor's degree. The application did not appear before the full Board.

Tier 2 Licenses

The requirements to obtain a Tier 2 license are established in [Minn. Stat. § 122A.182](#). PELSB received 1,513 applications for Tier 2 licensure.

Similar to the reasons above, the Board expects Tier 2 applications to increase when the Board's one-year extension of permissions aligned to Tier 2 qualifications expires in 2019.

Reasons for PELSB's denial of the two (2) Tier 2 applications include:

- One (1) Tier 2 application was denied on the basis of the applicant's Conduct Review Statement; and
- One (1) Tier 2 application was denied on the basis that applicant had not met necessary coursework requirements to obtain the license. The applicant was issued a Tier 1 license.

Tier 3 Licenses

The requirements to obtain a Tier 3 license are established in [Minn. Stat. § 122A.183](#). PELSB received 772 applications for Tier 3 licensure.

Unlike the Tier 1 and Tier 2 licenses, the Tier 3 and Tier 4 licenses do not require an applicant to have a pending job offer prior to submitting a Tier 3 license application.

Reason for PELSB's denial of one (1) Tier 3 application includes:

- One (1) Tier 3 application was denied on the basis that applicant had not met necessary coursework requirements to obtain the license. The applicant was offered a Tier 2 license but did not have a job offer in the licensure area.

Tier 4 Licenses

The requirements to obtain a Tier 4 license are established in [Minn. Stat. § 122A.184](#). PELSB received 334 applications for Tier 4 licensure.

Prior to the establishment of tiered licensure, the most common teaching license in Minnesota was the 5-year standard license. All 5-year standard licenses were extended by one year and will convert to Tier 4 licenses by July 1, 2019. The only Tier 4 licenses issued in 2018 include expired licenses that were renewed or individuals who were adding an additional license. In these cases, their license was converted at the point of renewal or addition.

C. Tiered Licensure Rulemaking

In 2017, PELSB underwent an extensive rulemaking in order to enact rules implementing the tiered licensure scheme in Minnesota. The new rules provide guidance and clarification for teachers, related service professionals, and school districts on licensure application procedures, renewal requirements, licensure via portfolio, and many other components of the new tiered licensure scheme.

Notable Rule Provisions

State statute requires Tier 1 license applicants to apply for a license in partnership with the hiring school district. As part of the application, the hiring district must demonstrate that a Tier 1 license is warranted for this particular applicant, in part, because the district was unable to hire an “acceptable teacher” with a Tier 2, 3 or 4 license for the position. The Tier 1 licensure rules provide five different factors that districts can point to in order to describe why a Tier 2, Tier 3, or Tier 4 licensed teacher was unacceptable to fill the position, and therefore, the Tier 1 license is warranted (see [Minn. R. 8710.0311](#)).

State statute establishes several renewal requirements, which vary slightly for each tiered license. The tiered licensure rules provide additional guidance and clarification for the process of renewing a tiered license. For example:

- Under state statute, a teacher must complete cultural competency training prior to renewing their teaching license. The tiered licensure rules provide further clarification about what a cultural competency training must include (see [Minn. R. 8710.0310](#)).
- State statute requires a teacher holding a Tier 1 license to participate in the employing school district or charter school’s mentorship program. The tiered licensure rule establishes the requirements for the mentorship program (see [Minn. R. 8710.0310](#)).

The tiered licensure rules establish a short-call substitute license, which replaced the two-year and five-year substitute licenses. The short-call substitute license allows the license holder to replace the same teacher of record in a K-12 classroom for up to 15 consecutive school days. The short-call substitute license is valid for three years (see [Minn. R. 8710.0325](#)).

Stakeholder Involvement

Throughout the rulemaking process, the Board relied on the thoughtful input of stakeholders. Following the public hearing held on June 8, 2018, the Board provided significant guidance on the implementation of the proposed rules including two full day trainings in June on the rule draft and implementation of statute. Board members and staff also facilitated and/or presented at over 20 stakeholder meetings in cities and towns across the state, including Brainerd, St. Cloud, Marshall, and Duluth. Finally, when the rules went into effect, the Board members and staff continued to present on implementation of rule at over 10 stakeholder meetings and hosted two half-day trainings. Board members and staff continue to take requests moving into 2019. Many stakeholder events were made available in person, remotely, and via recording.

D. Looking ahead

The Board is focusing on a number of initiatives in 2019 to support the implementation of tiered licensure, including the development of a new online licensing system and two new rulemaking efforts. The Board is also aware of elements within tiered licensure that have had unintended consequences on licensing of teachers and have become barriers or challenges for districts, applicants, and preparation providers. The Board would welcome conversations with legislators to address these changes.

New Online System

The Board continues to work with MN.IT in converting a 40-year old multi-application licensing IT system, to a new online licensing system that streamlines the process for applicants, licensed teachers, districts, preparation providers, and board staff. This complex development requires significant work from board staff and MN.IT developers. Paper applications have been used in the interim and in the Fall of 2018, board staff began processing the paper applications into the new online system. In early 2019, the board expects to slowly roll out the ability for individuals to apply for licensure online, including platforms for districts and preparation providers to upload and submit supporting information for these applications. The board looks forward to continuing the development of this system through the next biennium to support updating applications that work within licensure, including the licensure via portfolio process, an ethics database, a state-wide job board, and improvements to the staff automated reporting system (STAR).

Status of Board’s Rulemaking Process for All Licensure-Related Rules

In September 2018, the Board opened two new rulemakings:

Revisor ID	Topic	Relevant rules
4576	Unit and program rules	Chapter 8705
4577	Licensing and academic standards	Physical education (8710.4700) Health (8710.4500) Developmental Adapted Physical Education (DAPE) (8710.5300) <i>Propose</i> the establishment of a temporary military license <i>Repeal</i> Applicants Prepared Outside of Minnesota (8710.0400) and references to “professional license” (throughout chapter 8710)

The Board anticipates the *Request for Comments* for both of these rulemakings will be published in early 2019.

For more information about the tiered licensure rulemaking, please visit [the Rulemaking page](#) on the PELSB website.