



September 5, 2022

Administrative Law Judge James R. Mortenson
Office of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, MN 55166-0620
Via E-Comments

RE: 4615 Rulemaking Hearing

From Julie Quist, Child Protection League, Board Chair

Dear Judge Mortenson:

Thank you for this opportunity to provide written information to you and for going the extra mile to hear additional comments from the public.

On August 24th, I testified in person that the proposed *Standards of Effective Practice (SEP)* should be rejected because they are political and ideological. They are not standards for effective practice for teachers. The standards amount to a very radical curriculum. They embed a worldview the public across our state is resoundingly rejecting. The proposed standards comprise the basic tenets of cultural Marxism, dividing people into racial and gender groups, and as oppressors or the oppressed. Clearly, they should not be requirements for teachers to teach in public and private Minnesota schools.

Additionally, all three of the following concerns are pertinent to your decision to accept or reject the Standards:

- 1. The proposed new *Standards of Effective Practice* apply to teacher license renewals.**
- 2. The *Standards of Effective Practice* apply to licensing in each subject area, including ECFE and Adult Education.**
- 3. Cultural Competency is embedded throughout the Standards.**

1. The proposed new *Standards of Effective Practice* apply to teacher license renewals.

In two places, the SONAR describes the impact the proposed *Standards of Effective Practice* will have on teacher preparation providers (p. 22 and p. 87), giving the impression that the standards only apply to new licensure candidates.

Minnesota Statute [122A.40.8 \(b\)](#) states that “the annual evaluation process for teachers” “(3) **must be based on professional teaching standards established in rule.**” These **are** the *Standards of Effective Practice* which are being rewritten.

Rule 8710.0311, Tier 1 License, Subp. 4 states that a renewal must meet specific requirements. Among them are D(3) “an evaluation aligned to the district’s teacher development and evaluation model under Minnesota Statutes, section [122A.40, subd. 8.](#)” This means that the evaluation is based on the *Standards of Effective Practice*, as seen in the paragraph above.

The Rules for other Tier renewals are the same. It is a common misunderstanding that the proposed standards do not apply to renewals. State Statute clearly states that they do.

2. The *Standards of Effective Practice* apply to licensing in each subject area including ECFE and Adult Education.

The revised *Standards of Effective Practice* also specifically apply to licensing and practice for candidates for a license in every subject area (e.g. Math, Health, Physical Education, and so on), including Parent and Family Education (see 45.18-21, 46.1-4, 48.20-24, 49.13-15, 50.7-9) and Adult Education (see 51.8-11, 51.15-18, 60.23-25, 61.16-18) This means that this cultural Marxist ideology *will be incorporated into every subject area taught in every school*. This extremism is being imposed on an unwilling public by an activist administration through sheer power.

If these standards are adopted, teachers licensed in Parent and Family Education will be incorporating the radical ideology that gender is not determined by biology but is merely “assigned at birth” and “binary” sexual identity is oppressive into state pregnancy, birth, parenting, and ECFE classes. This anti-science gender theory will be imposed on families with new births and all the early childhood education programs.

3. Cultural Competency is embedded throughout the Standards.

In 2017, the Minnesota legislature passed legislation requiring candidates for teacher licensure and renewal to participate in “cultural competency training.”

The law defined its intent this way:

For purposes of statewide accountability, "cultural competence," "cultural competency," or "culturally competent" means the ability of families and educators to interact effectively with people of different cultures, native languages, and socioeconomic backgrounds.

In response to that new legislative mandate, the PELSB *adopted its own definition of cultural competency, a definition that had been specifically rejected by the legislature.*

"Cultural competency training" means a training program that promotes self-reflection and discussion including but not limited to all of the following topics: racial, cultural, and socioeconomic groups; American Indian and Alaskan native students; religion; systemic racism; gender identity, including transgender students; sexual orientation; language diversity; and individuals with disabilities and mental health concerns. Training programs must be designed to deepen teachers' understanding of their own frames of reference, the potential bias in these frames, and their impact on expectations for and relationships with students, students' families, and the school communities, consistent with part 8710.2000, 1.24 subpart 4, and Minnesota Statutes, section 120B.30, subdivision 1, paragraph (q).

When the PELSB passed its definition into Rule in 2018, legislators and the public overwhelmingly objected to that action. Both rightly questioned how an unelected board could rewrite state law, override the will of our elected Representatives and Senators and substitute its own highly charged ideological agenda and burdensome training onto every licensed public or private teacher in Minnesota. The public has come to understand what all that language means in practice.

In that hearing, the Administrative Law Judge ruled only that *the teacher training was not required to be “aligned” with the PELSB definition of cultural competency*. However, the PELSB also approves the cultural competency trainers so who can get past the PELSB gatekeepers?

We’ve received numerous complaints about the cultural competency training teachers are currently subjected to. Many teachers find the training to be deeply objectionable to their values and beliefs. Through this backdoor, PELSB has already succeeded in forcing its radical worldview on Minnesota teachers by requiring them to be continually trained in it.

R-4615, however, takes cultural competency much farther, because now teachers must not only be trained in it, but the new Standards state that they must demonstrate that they “understand,” “affirm,” “apply,” “create and adapt lesson plans,” “incorporate,” “design and deliver,” and so on.

On page 30 of the R-4615 SONAR, PELSB explains that they have removed reference to 8710.2000, subpart 4, because the cultural competency in the proposed new Rule is now “embedded throughout the proposed standards. Therefore, the reference to ‘subpart 4’ is no longer needed.” In other words, they confirm their ideological, Marxist view of cultural competency has been expanded to include everything a teacher must accept to be licensed and this had been their goal from the beginning.

We argue that these cultural competency ideologies, the definitions of which were specifically *rejected* by the legislature, are being illegitimately embedded into all public and private schools through teacher licensing requirements. This is an extreme abuse of power and usurpation of legislative authority. It is wholly objectionable and unacceptable. We urge you to reject these standards.