

2010.0700 MINNESOTA STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

**Statement of Need and Reasonableness for the
Proposed Rules Governing the Licensure of
Postsecondary Vocational Technical Education
Personnel in Business and Office Occupations**

The Statutory authority for the State Board of Vocational Technical Education to promulgate these rules is contained in Minnesota Statutes section 136C.04 subs. 9, 1986.

Rules as Proposed

Minnesota Rules 3700.0300 to 3700.0340 to 3700.0350 to 3700.0375
Postsecondary Vocational licenses Business and Office Occupational Area

Authority of the State Board of Vocational Technical Education to promulgate these rules is found in Minnesota Statutes Section 136C.04 Subs. 9, (1986) Powers and Duties of the Board which states:

Licensure The State Board may promulgate rules, according to the provisions of Chapter 14, for licensure of teaching, support, and supervisory personnel in postsecondary and adult vocational education.

BACKGROUND INFORMATION

The issue of rule revision was first addressed at a meeting of the State Board for Vocational Technical Education (predecessor to the State Board of Vocational Technical Education) on Thursday, August 19, 1982 in Greenway A at the Hyatt Regency Hotel, 1300 Nicollet Mall, Minneapolis, Minnesota. One of the agenda items at that meeting was a presentation by Russell Bear, Director of East Grand Forks Area Vocational -Technical Institute and Lyle Rain, Director of Suburban Hennepin AVTI. Messrs. Rahn and Beier stated that the rules for licensure are extremely complex, re-assignments of personnel are difficult if not impossible, and substitute teachers are a problem. They requested that the then Division of Vocational-Technical Education be allowed to do a formal review of the rules.

Mr. Lou Smerling, a Board member, moved to direct the Division of Vocational-Technical Education to conduct a formal review of existing licensure rules to address but not be limited to the following issues:

1. The effects of vocational licensure within the bargaining units in K-14 districts;
2. The minimum qualifications of persons who have administrative responsibility and authority for vocational education decision making within K-14 districts

3. The growing concern regarding the complexity of administering and monitoring the licensure rules;
4. The comparative relationship of postsecondary licensure in AVTIs with the procedures used by other postsecondary institutions to assure employment of qualified professional staff;
5. The implications of licensure requirements and their relationship to the governance issue; and
6. The ability of local districts to obtain qualified licensed substitutes and replacements.

The motion was seconded and carried unanimously.

In 1983, the Legislature authorized the formation of the State Board of Vocational Technical Education as the new governing board for postsecondary vocational technical education and separated postsecondary and adult vocational technical education from secondary vocational education.

The new State Board, aware of the original request for a total review and revision of licenses for postsecondary and extension of rules through a process which involved a general advisory committee. Represented licensed postsecondary administrators, support, supervisory staff, vocational teachers and support staff, private trade schools, Board of Teaching, State Board of Education Licensure Section, State Board of Vocational Technical Education staff, and Minnesota Council of Vocational Technical Education served on the committee in an ex officio status. Notice of Intent to Solicit Outside Opinion regarding Proposed Rules Governing the Rules for Licensure of Vocational Educational Education Personnel published in the State Register Monday May 9, 1983. This committee formulated general licensure guidelines and procedures for selecting individuals to serve on specific committees. The committee has continued to review recommendations for rules.

A review of the existing rules suggested the licensure rules could be clarified for the benefit of interested parties. The majority of the issues identified were related to interpretation of the term relevant education, relevant occupational experience, and the use of charts to convey these and other requirements.

A Notice of Intent to Solicit Outside Opinion Regarding proposed Rules for Licensure of Vocational Education, Business and Office Occupations was published in the State Register Monday, March 30, 1987.

A second issue, relating to the existing licenses for instructors in the Business and Office occupational area, was that an individual holding a particular license was authorized to teach only courses in the particular program represented by the title, despite expertise and knowledge in subject matter areas which were courses in other programs offered in the AVTI system. The concern regarding restrictiveness in assignment to teach in areas where the individual is qualified has been addressed in the proposed rules by expanding the teaching authority to include courses in specified subject areas which may be taught in any programs within the AVTI.

These specified subject areas in other programs are within the knowledge and expertise which can be attributed to an individual who meets the requirements of education and/or occupational experience required in the rule under which the individual is licensed.

In the proposed rules for Business and Office licenses, the issues of clarity and interpretation related to relevant education and relevant occupational experience have been addressed by specifically identifying the subject focus and level of the education (degree or diploma) required for each license.

In the proposed rules for Business & Office licenses, the issues of clarity and interpretation related to relevant education and relevant occupational experience have been addressed by specifically identifying the subject focus and level of education (degree or diploma) required for each license.

The occupational experience requirement is specifically identified by occupational title for each license.

The issues related to complexity in interpretation of information presented in licensure charts has been corrected by the format used in writing the new rules.

An analysis of the rules follows.

BUSINESS AND OFFICE OCCUPATIONS
3700.0300 TO 3700.0340 and 3700.0350 to 3700.0375

Overview of Business and Office postsecondary occupational area licenses representing titles updated through program restructuring and identifying pre-existing titles under the restructured name. Business and Office occupational areas identify the license requirement for the following;

- 3700.0305 **ACCOUNTING INSTRUCTOR LICENSE**
to license instructors in:
 accounting clerk programs
 microcomputer accounting specialist programs
 accountant programs
 bookkeeping programs
- 3700.0310 **BOOKKEEPING INSTRUCTOR LICENSE**
to license instructors in:
 bookkeeping clerk programs
 bookkeeping programs
 accounting clerk programs
 microcomputer accounting specialist programs
- 3700.0315 **BANKING AND FINANCE OPERATIONS LICENSE**
to license instructors in:
 banking and finance operations programs
- 3700.0200 **BANKING AND FINANCE OPERATIONS/AGRICULTURE**
to license instructors in:
 banking and finance operations/agriculture programs
- 3700.0250 **BUSINESS AND ADMINISTRATIVE MANAGEMENT LICENSE**
to license instructors in:
 business and administrative management programs
 office supervision and management programs
- 3700.0330 **ADMINISTRATIVE SUPPORT LICENSE**
to license instructors in:
 receptionist programs
 clerk typist/office assistant programs
 clerical data entry programs
 word processing secretary programs
 general secretarial programs
 administrative secretarial programs
- 3700.0335 **MEDICAL SECRETARY LICENSE**
to license instructors in:
 medical secretary programs
 medical administrative secretary
 receptionist programs
 clerk typist/office assistant programs
 clerical data entry program
 word processing secretary program
 general secretary program
 administrative secretary program

- 3700.0340 **LEGAL SECRETARY LICENSE**
to license instructors in:
 legal secretary programs
 legal administrative secretary programs
 receptionist programs
 clerk typist/office assistant programs
 clerical data entry program
 word processing secretary program
 general secretary program
 administrative secretary program
- 3700.0350 **PURCHASING OR INVENTORY MANAGEMENT LICENSE**
to license instructors in:
 purchasing or inventory management programs
- 3700.0355 **TRAFFIC TRANSPORTATION MANAGEMENT**
to license instructors in:
 traffic transportation management program
- 3700.0360 **COURT REPORTING LICENSE**
to license instructors in:
 court reporting programs
- 3700.0365 **PERSONNEL ASSISTANT LICENSE**
to license instructors in:
 personnel assistant programs
 to replace the emergency uncharted license 3515.5057
- 3700.0370 **COMPUTER PROGRAMMING LICENSE**
to license instructors in:
 computer programming programs
- 3700.0375 **COMPUTER OPERATIONS LICENSE**
to license instructors in:
 computer operations programs

3700.0300 to 3700.0340 and 3700.0350 to 3700.0375 replace the chart 3515.9920 POSTSECONDARY LICENSURE CHART, BUSINESS AND OFFICE OCCUPATIONS.

BUSINESS AND OFFICE EDUCATION

Instructor: Secretarial/clerical occupations

Instructor: Specialized as identified (included but not limited to banking, accounting, data processing, practical business management)

Model office instructor manager

Word processing specialist

AND EMERGENCY UNCHARTED LICENSE

3515.5057 Personnel Assistant License

For the purpose of clarity the format is outlined as follows:

3700.0300 Licenses in the Business and Office Occupational area

Subpart 1. listed here-

Requirements for all postsecondary Vocational Instructors

Subpart 2. Recent occupational experience

recency requirements for all Business and Office Instructors

Subpart 3. Does not apply- Removes from rule the previous licensure requirements

3700.0305 to 3700.0340 and 3700.0350 to 3700.0375 specifies requirements for each individual license as follows:

- Subpart 1. May Teach - lists programs and courses which license holder may teach.
- Subpart 2. Other Requirements-refers to 3700.0100 and 3700.0300
- Subpart 3. Occupational Area Requirements - Specifies number of hours and - specific occupational areas acceptable for instructor licensure in the occupational program.
- Subpart 4. Substitutions for occupational experience - Degrees, diplomas or course work is identified which enables applicant to substitute specific educational experience for a designated number of occupational hours
- Subpart 5. Substitution for recent occupational experience- Identifies relevant current teaching experience which can substitute for a portion of the recency requirement of 3700.0300 subpart 2.

3700.0200 LICENSES IN THE BUSINESS AND OFFICE OCCUPATIONAL AREA

- Subpart 1. Listed here. Refers to general requirements to be met by all post-secondary vocational instructors. 3700.0100 references rules 3515.0100 to 3515.4400 and 3515.5000 No changes in these rules.
- Subpart 2. Recent occupational experience. This rule has been moved from 3515.0100 subpart 25 and licensure chart 3515.9920 for business and office occupations. The rule provides for an increase in recent occupational experience from "at least 500 hours within a five year period immediately preceding the date of application for licensure" to "at least 2000 hours." This increase is necessary so that individuals teaching programs are knowledgeable with regard to changes in the economy as they relate to Business and Office and the changes in technology as they relate to Business and Office. This rule is reasonable because a five year time frame is allowed to meet the requirement of one half of the one year of full time employment in occupational experience.
- Subpart 3. Does not apply. This removes from rule the chart 3515.9920 which currently is used for licensure requirements and which is replaced by the new 3700 rules.

3700.0305 to 3700.0340 and 3700.0350 to 3700.0375 ALL BUSINESS AND OFFICE LICENSES

- Subpart 1. May Teach. Subpart 1 in each of these rules is new material. Each subpart 1 was added, first to clearly identify the specific subject area which the individual is authorized to teach in other programs offered in the AVTI system. The existing licensure rules were limited to a particular Business and Office occupational area. Consequently, an individual holding a particular license was authorized to teach only a component (course) of the particular program represented by the title of the license despite expertise and knowledge in subject matter areas which were components (courses) of other programs offered in the AVTI system. The new licenses expand the teaching authority to include courses in specific subject areas which might be taught in other programs within the AVTI. These specific areas are drawn from the knowledge and expertise which can be attributed to an individual who meets the requirements of education and/or occupational experience as specified in the rule. This change is reasonable because it removes an artificial barrier and allows an individual to utilize expertise, knowledge and skills which are processed because of education and/or occupational experience in teaching.

Subpart 2. Other requirements. Subpart 2 in each of these rules refers to part 3700.0100, general requirements and part 3700.0300 requirements within the Business and Office occupational area. This part provides no new information but provides reference for the reader where the specific rule of interest does not refer to the general requirements in 3700.0100 for all instructors and specific requirements in 3700.0300 for all Business and Office area instructors.

Subpart 3. Occupational experience requirement. The occupational experience requirement identifies the job titles which will be accepted to meet the requirements. This specificity is needed to provide both the applicants and the administrator with information which will be used in making application for the license. The occupational experience requirements are reasonable because they are conceptually and functionally represented in the educational programs and in the occupations for which the programs prepare individuals.

Subpart 4. Substitution for occupational experience. This rule allows certain forms of education to be substituted for a maximum of 4000 hours of occupational experience. It is reasonable to limit the number of hours of substitution to assure strong occupational experience in the area of licensure. It is reasonable to allow some substitution of occupational hours with education because the degrees, diplomas, and course work are identified and specific to the occupational skills being taught. This rule is needed to recognize the validity of technical, skilled training in areas of education which directly apply to the knowledge base of an occupation.

Subpart 5. Substitution for recent experience. Subpart 4 in each of these rules is necessary as a means of allowing teachers to expand into new, modified or restructured programs which reflect both new content areas and existing content. The utilization of teaching experience in specified programs assure that only teaching experience which is conceptually related to the new, modified or restructured program is allowed as substitute for recent occupational experience. This recognizes specific knowledge taught in current programs as applicable to new programs which contain a major portions of the same or similar content. 500 hours of recent occupational experience is still retained for the new licensure area to assure up to date industrial exposure to the licensure area. This amount is reasonable because it can be obtained over 5 years and is only 12 1/2 weeks.

The proposed Business and Office license revisions will be implemented through existing processes and will not result in new expenditures by the school districts.