



STATE OF MINNESOTA
BOARD OF TEACHING

STATEMENT OF NEED AND REASONABLENESS

Concerning the Proposed Adoption of Rules Relating to Teacher Licenses

The statutory authority of the Board of Teaching to adopt the proposed rules is set forth in Minnesota Statutes, Sections 125.05, subd. 1 and 125.185, subd. 4.

RULES AS PROPOSED

Minnesota Rules, Part 8700.0100 How This Chapter Applies

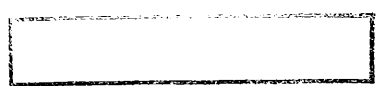
This part is needed to clarify the applicability of chapter 8700. It is reasonable to expect that the Board of Teaching will state in rule to whom this chapter applies.

Minnesota Rules, Part 8700.0200 Requirements for the Issuance and Renewal of All Licenses

Technical amendments to subparts 1, 2, and 3 of this rule are necessary to provide clarifying language regarding effective dates, expiration dates, requirements for issuance of initial licenses, exceptions to issuance of entrance licenses, and consistency with the continuing education rules. It is reasonable to expect that Board of Teaching procedures are clear and consistent regarding the issuance and renewal of licenses. Subpart 4 is necessary to state the conditions for the issuance of a provisional license. It is reasonable that the Board of Teaching be required to issue such licenses to applicants who qualify according to Board criteria. Subpart 5 is needed to provide a clear definition of a "classroom teaching license" for purposes of licensure rules that require holding such license as a prerequisite for issuance of an additional field of licensure. The intent of this prerequisite is to ensure that candidates for additional fields of licensure possess the necessary prerequisite knowledge, skills, and understandings required of a classroom teacher that have been gained through completion of a teacher education program. Not all licenses require such preparation; therefore, such licenses are not included in the definition of a "classroom teaching license." It is reasonable to expect that only those licenses that include this necessary prerequisite be defined as classroom teaching licenses to ensure that this requirement is met.

The Legislative Commission to
Review Administrative Rules

MAR 2 1991



Minnesota Rules, Part 8700.0210 Examinations for Teacher Licenses.

It is necessary to delete the effective date of this part to avoid confusion regarding its applicability. Minnesota Statutes, section 125.03 were amended in 1989 to include secondary vocational teachers in the definition of "teachers" for the purpose of licensure. However, the teacher examination requirement in Minnesota Statutes, section 125.05, subd. 1 as it applies to secondary vocational teachers is not retroactive to April 4, 1988; rather, Laws of Minnesota, 1990, chapter 562, article 8, section 40 are applicable effective April 8, 1991. In order to eliminate confusion in rule, it is reasonable to delete the effective date which applies to nonvocational licenses. It is also necessary to amend this part to provide an option for applicants who are deaf or blind to fulfill requirements of this part. It is reasonable to provide this option since the examinations have not been validated with populations who are deaf or blind. The reading and writing examinations contain some questions written in idioms and metaphors or are related to music and sounds that generally do not have meaning to many hearing impaired individuals. Alternative presentation modes are more appropriate than paper-and-pencil format for visually impaired persons; also, some of the content requires visual capability. Therefore, it is reasonable to provide appropriate options for candidates whose communication modes are other than sound or sight and who must communicate through alternative modes. It is also necessary to delete the fee amount. The only fee amounts in rule are those under the authority of the Board of Teaching and adopted through the rulemaking process. This fee, which by rule must be approved by the Board, is not set by the Board of Teaching; it is determined by the party whose examinations have been adopted. Therefore, it is reasonable that it be deleted from the rule.

Minnesota Rules, Part 8700.0300 Substitute Teachers

Technical amendments to subpart 2 are necessary to clarify the authorization, expiration, and field for the issuance of licenses as substitute teachers. It is reasonable that the Board of Teaching procedures are clear regarding the issuance and use of such licenses.

Minnesota Rules, Part 8700.0400 Procedures for the Issuance of Life Licenses

Technical amendments to this part are necessary to conform to other parts and statutes. It is necessary to delete the amount of the processing fee, since such fee is governed by part 8700.0600 Fees. Since 1983, this processing fee, as set by the Board of Teaching through the rulemaking process, has been \$40. It is also necessary to delete the sentence related to the application period, since Minnesota Statutes, Section 125.185, subd. 4 prohibit the Board of Teaching from establishing any ex-

piration date for application for life licenses. It is reasonable that Board of Teaching rules be consistent and also not in conflict with existing statutes.

Minnesota Rules, Part 8700.0500 Issuance, Renewal, and Validity of All Licenses

Technical amendments to this part are necessary to clearly define the expiration dates for licenses issued by the Board of Teaching. These technical amendments are consistent with current practice. It is reasonable to expect that expiration dates are clearly stated and that practice conforms to this part.

Minnesota Rules, Part 8700.0501 Procedures for Voluntary Surrender of Teaching Licenses

It is necessary to amend subpart 2 of this part in order to clearly state the deadline by which an applicant may revoke a request for voluntary surrender of a teaching license. It is reasonable to expect an applicant to do so by December 31 of the year in which the request was made. This provides adequate time for school districts to make decisions regarding staff assignments for the following school year. To permit applicants to withdraw a request after this date adversely impacts contractual obligations which are based upon licenses held.

Minnesota Rules, Part 8700.2000 Vocationally Licensed Teachers

This technical amendment is necessary to correct references to governance and parts. It is reasonable to expect that this part reflects current statutory authority and current references to secondary vocational education licensure rules.

Minnesota Rules, Part 8700.2500 Appeal to the Board of Teaching

A technical amendment is necessary to correct the reference to Minnesota Statutes. It is reasonable to expect that Board of Teaching rules are consistent with current statutes.

Minnesota Rules, Part 8700.2900 Elementary School Classroom Teachers, Grades 1 to 6

This technical amendment to subpart 6 is necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that Board of Teaching rules governing criteria and procedures for the issuance and renewal of continuing licenses are consistent.

Minnesota Rules, Part 8700.3200 Prekindergarten Teachers

This technical amendment to subpart 4 is necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that Board of Teaching rules governing criteria and procedures for the issuance and renewal of continuing licenses are consistent.

Minnesota Rules, Part 8700.3300 Prekindergarten Associate

This technical amendment to subpart 3 is necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that Board of Teaching rules governing criteria and procedures for the issuance and renewal of continuing licenses are consistent.

Minnesota Rules, Part 8700.3510 Secondary School Teachers and Teachers of Kindergarten to Grade 12 Subjects

This technical amendment to subpart 6 is necessary to correct the reference to statutory authority and to provide a reference for the parts governing secondary vocational licensure renewal. It is reasonable that this part reflect current statutory authority and that the appropriate citation relating to continuing education rules governing secondary vocational education be stated.

Minnesota Rules, Part 8700.3900 Social Studies in Secondary Schools

This technical amendment to subpart 6 is necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that Board of Teaching rules governing criteria and procedures for the issuance and renewal of continuing licenses are consistent.

Minnesota Rules, Part 8700.4000 World Languages and Cultures

Technical amendments to this part are necessary to delete obsolete language and to update the terminology. It is reasonable to expect that this licensure part will reflect the use of current terminology.

Minnesota Rules, Part 8700.4300 Physical Education and Health Teachers

Technical amendments to this part are necessary to correct language that had been inadvertently omitted. It is reasonable to expect that candidates for licensure in school health education based on major preparation will have preparation in physiology and anatomy since both are required as part of minor preparation. It is also reasonable to expect that candidates for licensure will have some student teaching experience at the elementary school level, since this license is a license valid to teach health education, grades K-12.

Minnesota Rules, Part 8700.4400 Teachers of Industrial Arts

This technical amendment to subpart 6 is necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that Board of Teaching rules governing the procedures and criteria for the issuance and renewal of continuing licenses are consistent.

Minnesota Rules, Part 8700.4500 Teachers of Art

This technical amendment to subpart 6 is necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that Board of Teaching rules governing the procedures and criteria for the issuance and renewal of continuing licenses are consistent.

Minnesota Rules, Part 8700.4600 Teachers of Music

Amendments to subpart 1 are necessary to state the licensure requirements for teachers of music. It is reasonable to expect that teachers of music will hold a baccalaureate degree, which is the current requirement. It is reasonable to delete the percentages allocated to the core and the specializations, since these percentages create artificial barriers between the two and provide less flexibility for institutions in the design of these preparation programs within the context of a baccalaureate degree. It is also reasonable to delete the reference to the professional education program and replace it with a reference to the requirements of part 8700.3510, which is the current part that governs the requirements for teachers of kindergarten through grade 12 subjects. It is also reasonable to delete the reference to four specializations within music and replace it with two specializations within preparation programs approved by the Board of Teaching. The four specializations were developed during a time period in which Minnesota schools were experiencing high enrollments. It was thought that schools could afford to hire teachers with limited specialties in music. However, this is not the case. School districts must hire music teachers who can teach more than one music specialty. There are artificial barriers among the four specializations. In many cases the selection of a specialty results from a decision a candidate made in elementary school. Music teachers are responsible for teaching music. The process of teaching music is similar in all areas of music. Orchestra, band, vocal, and classroom music are not so distinctly unique that the ability to teach in a particular area should be restricted to a choice the candidate made in elementary school. Therefore, this amendment provides for a change from four specializations to two specializations. These two specializations are K-12 music education with a specialization in instrumental music and K-12 music education with a specialization in vocal music. As a result, more flexibility in teaching assignment is possible.

A technical amendment in subpart 2 is necessary to reflect the change from four areas of specialization to two areas of specialization.

The amendments to subpart 3 are needed to delete the existing program requirements in four areas of specialization and replace them with program requirements that reflect the two areas of specialization and core preparation necessary for both areas of specialization. Much of the existing part has been retained in a

new format in the amendments. However, modifications have been made to reflect the emphasis on K-12 music education within two areas of specialization. The change allows instruments, such as the keyboard, guitar, or recorder, as well as the voice and orchestral instruments, to serve as the principal performing medium. The performance ability requirement has been altered to provide more flexibility in preparing for licensure in both areas of instrumental music. There is an addition of specific ability needed for teaching K-12 music education which recognizes the increasing emphasis that the education profession is placing on a breadth of music experiences at all grade levels. The improvisation requirement has been changed to provide more flexibility. A requirement in ear training skills has been added. The requirement regarding knowledge of the history of "Western" music and the musics of the "non-Western" cultures has been clarified.

Subpart 5a. has been added to provide the means by which programs are to be submitted and approved in accordance with the Board of Teaching rule governing the approval of programs. It also provides a means by which persons currently holding a license based on one of the four specializations who may wish to apply for licensure under this part may have their experience and preparation reviewed in relationship to the standards of this part to determine whether the standards of this part are met. It is reasonable that currently licensed teachers could expect that a system be available to assess their knowledge, skills, and understandings in relationship to the standards of this part. This part is reasonable because it is consistent with other Board of Teaching rules that provide such a system for assessment of currently licensed teachers.

The technical amendment to subpart 6 is necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that Board of Teaching rules governing the procedures and criteria for the issuance and renewal of continuing licenses are consistent.

The technical amendment to subpart 7 is needed to provide a reasonable period of time for institutions to redesign their music education preparation programs to meet the requirements of this part and for licensure candidates to complete such programs approved in accordance with this part. The reference to July 1, 1982 is deleted because it is obsolete language.

Minnesota Rules, Part 8700.5300 Adult Basic/Continuing Education
Subpart 3a. is needed to provide alternative qualifications for licensure as teachers of adult basic/continuing education for those persons who hold a baccalaureate degree, but do not hold an elementary or secondary classroom teaching license, which is the current prerequisite. Many persons who currently want to teach in the area of adult literacy are unable to do so since they lack an elementary or secondary teaching license. These individuals

have no intention or desire to teach in the elementary or secondary schools. This subpart will expand the pool of available literacy teachers and will recognize teaching adults as a unique skill. The requirements for licensure under this subpart are reasonable since they include the requirements currently specified for those who hold elementary or secondary teacher licensure. Since persons licensed under this subpart are not prepared as teachers prior to completing the requirements for this license, it is reasonable to expect that this preparation program also require additional understandings in the areas of adult education and adult counseling, and observation in multicultural settings, as well as practicum experience in adult basic/continuing education.

The technical amendment to subpart 6 is necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that Board of Teaching rules governing the procedures and criteria for the issuance and renewal of continuing licenses are consistent.

The technical amendment to subpart 7 is necessary because of the addition of subpart 3a at this time.

Minnesota Rules, Part 8700.6410 School Social Worker

This technical amendment is necessary to delete the requirement of field work. It is reasonable to delete this requirement, since field work is a required part of the preparation program and the options listed in this part are not necessarily comparable.

Minnesota Rules, Part 8700.7100 Media Supervisor

Technical amendments to subpart 1 are necessary to clarify the requirements for issuance of a license as a media supervisor. It is reasonable to expect that these requirements are clear. The technical amendments to subpart 4 are necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that Board of Teaching rules governing the procedures and criteria for the issuance and renewal of continuing licenses are consistent.

Minnesota Rules, Part 8700.7300 Elementary Limited Licenses

The technical amendments to this part are necessary to provide clarifying language regarding the conditions, criteria and procedures for the issuance of limited licenses. It is reasonable to expect clarity in rules governing the issuance of licenses.

Minnesota Rules, Part 8700.7400 Limited License for Secondary School

The technical amendments to this part are necessary to provide clarifying language regarding the conditions, criteria and procedures for the issuance of limited licenses. It is reasonable to expect clarity in rules governing the issuance of licenses.

Minnesota Rules, Part 8700.7800 Teachers Prepared in States Other Than Minnesota

The technical amendments to this part are necessary to provide clarifying language. It is reasonable to expect that candidates for licensure prepared in other states meet current licensure requirements in those states.

Minnesota Rules, Part 8700.8010 Qualifications for Licensure

This technical amendment is necessary to delete the requirement for work experience for school counselors. It is reasonable to delete this requirement, since the required work experience has no direct relationship to the qualifications for licensure.

Minnesota Rules, Part 8700.8020 Alternative Qualifications for Licensure; Experimental Program

This technical amendment is necessary to delete the requirement for work experience for school counselors. It is reasonable to delete this requirement, since the required work experience has no direct relationship to the qualifications for licensure.

Minnesota Rules, Part 8700.8040 Continuing Licensure

This technical amendment is necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that the Board of Teaching rules governing the issuance and renewal of continuing licenses are consistent.

Minnesota Rules, Part 8700.8110 Qualifications for Licensure

This technical amendment is necessary to delete the requirement for work experience for school counselors. It is reasonable to delete this requirement, since the required work experience has no direct relationship to the qualifications for licensure.

Minnesota Rules, Part 8700.8120 Alternative Qualifications for Licensure, Experimental Program

This technical amendment is necessary to delete the requirement for work experience for school counselors. It is reasonable to delete this requirement, since the required work experience has no direct relationship to the qualifications for licensure.

Minnesota Rules, Part 8700.8140 Continuing Licensure

This technical amendment is necessary to provide clarifying language regarding the issuance and renewal of continuing licenses. It is reasonable to expect that the Board of Teaching rules governing the issuance and renewal of continuing licenses are consistent.

Minnesota Rules, Part 8700.9010 Requirements to Obtain License

This amendment is necessary to make it clear that school nurses must complete the human relations component required of all candidates for licensure. The amendment is also necessary to provide applicants as school nurses a reasonable period of time

to complete this requirement as well as the required coursework stated in this part. Since school nurses do not complete preparation programs as teachers, in many cases they have not had the opportunity to meet these requirements within the context of their preparation programs. It is reasonable to afford a period of time for applicants as school nurses to meet the necessary requirements.

Minnesota Rules, Part 8750.0060 Secondary Vocational Needs Personnel

This amendment to subpart 6 is necessary to delete the requirement that technical tutors/supplemental support staff be licensed. These individuals function under the direct supervision of vocationally licensed teachers as supplemental support staff; therefore, requiring licensure for this position is an inappropriate requirement. School districts will continue to be reimbursed for these positions; however, licensure will no longer be required for reimbursement. This policy change is reasonable because it will more readily permit school districts to provide the paraprofessional support that technical tutors furnish to students with special needs.

Minnesota Rules, Part 8750.0082 Forms; Fees; Evaluation; and Validity

This technical amendment is needed to clarify existing language regarding the issuance of secondary vocational licenses. It is reasonable to expect that such language is clear.

Minnesota Rules, Part 8750.0240 Secondary Vocational Agriculture Teacher

It is necessary to amend subpart 2 to permit licensed secondary vocational agriculture teachers to teach in grades 7 to 9 in middle schools. It is reasonable to expect that such licenses, which are valid to teach in junior high school programs, are also valid to teach in these same grades in middle schools.

Minnesota Rules, Part 8750.0500 Secondary Consumer and Homemaking Teacher

It is necessary to amend subpart 2 to permit licensed secondary consumer and homemaking teachers to teach in grades 7 to 9 in middle schools. It is reasonable to expect that such licenses, which are valid to teach in junior high school programs, are also valid to teach in these same grades in middle schools.

Minnesota Rules, Part 8750.0520 Secondary Consumer and Homemaking/Family Life Education Teacher

It is necessary to amend subpart 2 to permit licensed secondary consumer and homemaking/family life education teachers to teach in grades 7 to 9 in middle schools. It is reasonable to expect that such licenses, which are valid to teach in junior high school programs, are also valid to teach in these same grades in middle schools. Subpart 3 is necessary to provide an opportunity

for teachers who currently hold family life education licenses to be able to renew such licenses. It is reasonable to expect these licenses to be renewed by applicants upon meeting renewal criteria, since family life education is a component of secondary consumer and homemaking programs.

Minnesota Rules, Part 8750.1000 Secondary Performing Arts Occupations Teacher

Technical amendments to this part are necessary to correct an error in the current part. The requirement of a course in marketing education methods/curriculum does not relate to performing arts occupations. It is both necessary and reasonable that the correct educational criteria are specified for this part; therefore, the requirement of the secondary vocational teacher education sequence is specified.

Minnesota Rules, Part 8750.1240 Secondary Childhood Education Aide (Support Staff).

It is necessary to delete the requirements for licensure as secondary childhood education aides. These individuals function under the direct supervision of vocationally licensed teachers as aides; therefore, requiring licensure for this position is an inappropriate requirement. School districts will continue to be reimbursed for these positions; however, licensure will no longer be required for reimbursement. This policy change is reasonable because it will more readily permit school districts to provide the paraprofessional support that early childhood education aides furnish. It is reasonable that no new licenses will be issued, since licensure is no longer required beginning in fiscal year 1991. It is also reasonable to permit aides who hold current valid licenses to continue to renew their licenses, if they so choose, upon meeting renewal criteria.

Minnesota Rules, Part 8750.1560 Secondary Support Service Facilitator

A technical amendment is necessary to correct an error in the current rule. It is reasonable that applicants for licensure as secondary support service facilitators will complete a directed independent study related to operation of support service systems.

Minnesota Rules, Part 8750.1580 Secondary Supplemental Support/Technical Tutor

This amendment is necessary to delete the requirements for licensure as secondary supplemental support/technical tutors. Part 8750.0060 deletes the requirement that such persons be licensed, since they function under the direct supervision of vocationally licensed teachers as supplemental support staff. It is reasonable that no new licenses will be issued, since licensure is no longer required beginning in fiscal year 1991. It is also

reasonable to permit secondary supplemental support/technical tutors who hold current valid licenses to continue to renew their licenses, if they so choose, upon meeting renewal criteria.

Minnesota Rules, Part 8750.1700 Secondary Employment Placement Specialist

A technical amendment is necessary to correct an error in the current rule. It is reasonable that applicants for licensure as secondary employment placement specialists will complete a directed independent study related to operation of employment placement services.

Minnesota Rules, Part 8750.1800 Secondary Auto Body Repair Occupations Teacher

Minnesota Rules, Part 8750.1820 Secondary Auto/Truck Dismantling Occupations Teacher

A technical amendment to subpart 2.C.(1) is necessary to correct an error in the current rules. It is reasonable to permit the use of additional alternate forms of occupational experience to meet the occupational experience requirement of these rules. The amendment to subpart 2.C.(2) is needed to clarify the difference between college credits or technical workshops used to obtain the degree and those which must be earned in addition to the degree. It is reasonable to expect that credits applied toward the occupational experience requirement are in addition to those used to meet the educational criteria of these licensure rules.

Minnesota Rules, Part 8750.1840 Secondary Aviation Occupations Teacher

A technical amendment to subpart 2.C.(1) is necessary to correct an error in the current rule. It is reasonable to permit the use of additional alternate forms of occupational experience to meet the occupational experience requirement of this rule. The amendment to subpart 2.C.(2) is needed to clarify the difference between college credits or technical workshops used to obtain the degree and those which must be earned in addition to the degree. It is reasonable to expect that credits applied toward the occupational experience requirement are in addition to those used to meet the educational criteria of this licensure rule. Technical amendments to subpart 3 are necessary to delete obsolete language and to update the terminology. It is reasonable to expect that the rule will reflect current terminology.

Minnesota Rules, Part 8750.1860 Secondary Broadcast/Media Occupations Teacher

Minnesota Rules, Part 8750.1880 Secondary Communications/Media Occupations Teacher

Minnesota Rules, Part 8750.1900 Secondary Construction Occupations Teacher

Minnesota Rules, Part 8750.1930 Secondary Drafting Occupations Teacher

Minnesota Rules, Part 8750.1940 Secondary Electromechanical Technology Occupations Teacher

Minnesota Rules, Part 8750.2020 Secondary Mechanical Technology Occupations Teacher

Minnesota Rules, Part 8750.2040 Secondary Metal/Material Processing Occupations Teacher

Minnesota Rules, Part 8750.2120 Secondary Vehicle Services Occupations Teacher

Amendments to the above-cited parts are necessary to provide needed flexibility in rules governing secondary trade and industrial occupations licensure. The amendment to subpart 2 is necessary to delete the requirement of conversion of single-occupation programs to clustered programs since program requirements are not governed by the Board of Teaching. It is necessary to delete the expiration date for renewal of licenses valid to teach in single-occupation programs so that applicants who hold such licenses and meet renewal criteria are permitted to continue to renew these licenses. It is reasonable that applicants are permitted to do so to enable them to continue to teach in single-occupation programs.

It is necessary to modify the criteria for conversion to cluster licenses in order to provide more flexibility in the conversion process. Subpart 2.A. provides an option for the emphasis area occupational experience requirement. It is reasonable that this option be made available so that the emphasis area occupational experience requirement is the same regardless of the educational qualifications. Subpart 2.B. permits college course work to apply toward substitution of the required occupational experience emphasis hours. The remainder of Subpart 2 in each of the above-cited parts provides additional options to convert single-occupation licenses to cluster licenses for applicants who hold valid single-occupation licenses and have been teaching in the corresponding single-occupation programs. It is reasonable that this teaching experience is recognized as valid experience toward meeting the emphasis area requirements of the cluster licenses.

Technical amendments to other subparts of the above-cited parts are necessary to correct errors in the current parts. These technical amendments are the same amendments already noted in other parts relating to secondary trade and industrial occupations licensure. They include permitting the use of additional alternate forms of occupational experience to meet the occupational experience requirements, updating of language to reflect

current industry practice and terminology, and clarification regarding the use of college credits. The technical coursework requirements have been added to part 8750.1940 to correct an error in the current part. These criteria are required for licensure, but were inadvertently omitted from the licensure requirements at the time of the last revision. Timelines for completing technical coursework are stated to clarify that such coursework may also be completed within a five year time frame prior to issuance of a continuing license.

Minnesota Rules, Part 8750.1920 Secondary Control Technology Occupations Teacher

This technical amendment is necessary to specify the timeline for completing the required technical coursework. It is reasonable to clarify this requirement to include a five year time frame prior to issuance of a continuing license.

Minnesota Rules, Part 8750.1960 Secondary Electronics Occupations Teacher

The technical amendment in subpart 1 is necessary to update the terminology of this part. It is reasonable that this part reflect the use of current terminology. The technical amendment to subpart 2.C.(1) is necessary to correct an error in the current rule. It is reasonable to permit the use of additional alternate forms of occupational experience to meet the occupational experience requirement of this rule. The amendment to subpart 2.C.(2) is necessary to clarify the difference between college credits or technical workshops which may be used to obtain the degree and those which must be earned in addition to the degree. It is reasonable to expect that credits applied toward the occupational experience requirement are in addition to those used to meet the educational criteria of this licensure rule.

Minnesota Rules, Part 8750.1980 Secondary Industrial Design Technology Occupations Teacher

This technical amendment is necessary to specify the timeline for completing the required technical coursework. It is reasonable to clarify this requirement to include a five year time frame prior to issuance of a continuing license.

Minnesota Rules, Part 8750.2000 Secondary Jewelry Goldsmithing and Silversmithing Occupations Teacher

Minnesota Rules, Part 8750.2060 Secondary Parts Sales and Service Occupations Teacher

Minnesota Rules, Part 8750.2100 Secondary Truck/Bus Driving Occupations Teacher

The technical amendment to subpart 2.C.(1) is necessary to correct an error in the current rules. It is reasonable to permit the use of additional alternate forms of occupational experience to meet the occupational experience requirement of these rules. The amendment to subpart 2.C.(2) is necessary to clarify the difference between college credits or technical workshops which may

be used to obtain the degree and those which must be earned in addition to the degree. It is reasonable to expect that credits applied toward the occupational experience requirement are in addition to those used to meet the educational criteria of these licensure rules.

Minnesota Rules, Part 8750.3010 Examinations for Secondary Vocational Teacher Licenses

This part is needed to implement Laws of Minnesota, 1990, Chapter 562, Article 8, Section 40 which require all applicants for initial secondary vocational teaching licenses to successfully complete an examination of skills in reading, writing, and mathematics, as required by Minnesota Statutes, section 125.05, subdivision 1.

Subpart 1 is needed to set forth the applicability of this part consistent with Minnesota Statutes, section 125.05, subdivision 1 and Laws of Minnesota, 1990, Chapter 562, Article 8, Section 40. Subpart 1 is also needed to set forth the applicability of the current examination system and procedures to include applicants for initial secondary vocational teaching licenses. It is reasonable that appropriate subparts of the current part applicable to initial nonvocational teaching licenses, including selection and adoption of examinations, defining successful completion, notice, licensure recommendation, administration, scoring, reporting, fees, retesting procedures, and review and modification also be applicable to applicants for initial secondary vocational teaching licenses. This insures that the same examination system and procedures will be applicable to all applicants for initial teaching licenses.

Subpart 2 is necessary to implement Minnesota Statutes, Section 125.185, subd. 4 which provides for the completion of the examination of skills in reading, writing, and mathematics before entering or during a teacher education program. It is reasonable to permit candidates to enroll in the vocational teacher education core courses before successful completion of the skills area examinations. This affords candidates who fail to achieve the minimum passing scores the time and opportunity to enhance their skills prior to completion of their professional preparation. It is also reasonable to expect that colleges and universities will provide advisement and assistance to candidates who fail to achieve the minimum passing scores and wish to secure opportunities to increase their skill levels.

Subpart 3 is necessary to accommodate applicants who use the secondary vocational teacher education sequence to meet the educational criteria requirement for licensure. It is reasonable to permit these applicants a period of time to meet the examination requirements, since they will not have had the opportunity to take the examinations as part of a teacher education program.

One year is a reasonable amount of time for these applicants to have the opportunity to meet this requirement, since examinations are administered at least four times annually.

Subpart 4 is necessary to ensure that applicants for Minnesota licensure who have completed the educational criteria of the licensure requirements in other states meet Minnesota examination requirements. It is reasonable to permit such persons a period of time to meet the examination requirements, since they will not have had the opportunity to do so prior to applying for a Minnesota teaching license. One year is a reasonable amount of time for such persons to have the opportunity to meet this requirement, since examinations are administered at least four times annually in Minnesota.

Minnesota Rules, Part 8750.3250 Entrance Licenses: Courses in Teacher Education Sequence

Minnesota Rules, Part 8750.3300 Renewal License in Teacher Education Sequence

Minnesota Rules, Part 8750.3350 First Five-Year License in Teacher Education Sequence

Minnesota Rules, Part 8750.3500 Human Relations Requirement

Minnesota Rules, Part 8750.6200 Secondary Vocational Limited License

Technical amendments to these parts are necessary to clarify requirements and terminology for the issuance and renewal of licenses. It is reasonable to expect that these requirements are clear and consistent.

Minnesota Rules, Part 8750.3450 Equivalency for Courses Outside Teacher Education Core

An amendment to subpart F. is necessary to permit an additional option for substitution of the requirement of two credits in integrating the appropriate vocational student organization into the curriculum. This substitution is reasonable because a workshop which is essentially equivalent in content to a college course will provide applicants with an additional option consisting of the same criteria to meet the requirement.

Minnesota Rules, Part 8750.3800 Procedures for Voluntary Surrender of Teaching Licenses

It is necessary to amend subpart 2 of this subpart to clearly state the deadline by which an applicant may revoke a request for voluntary surrender of a teaching license. It is reasonable to expect an applicant to do so by December 31 of the year in which the request was made. This provides adequate time for school districts to make staff assignments for the following school year. To permit applicants to withdraw a request after this date adversely impacts contractual obligations which are based upon licenses held.

Minnesota Rules, Part 8750.3810 Procedures for Revocation or Suspension of All Teaching Licenses

Minnesota Rules Part 8750.3820 Issuance or Reinstatement of a License After Revocation or Suspension

These parts are needed to establish by rule the procedures to be used by the Board of Teaching to implement the statutory authority of the Board to revoke and suspend Minnesota teaching licenses. These procedures, which apply to secondary vocational teacher licensure, are reasonable because they are consistent with those currently in Board of Teaching rules, Minnesota Rules, parts 8700.0700 and 8700.0800, that apply to nonvocational licensure. These procedures assure persons holding Minnesota secondary vocational teaching licenses that the Board of Teaching has an established process for the revocation or suspension of a license and the issuance or reinstatement of a license after revocation or suspension. The parts define the terms "revocation" and "suspension," making a distinction between these actions, as both terms are used in Minnesota Statutes. Since licenses may be revoked or suspended, and since these licenses may be one-year, entrance, or continuing licenses, these parts set forth the procedures to be used in the issuance or reinstatement of each of these types of licenses after a revocation or suspension. The Board of Teaching contends that these procedures are both needed and reasonable in order to provide consistency for the Board of Teaching in the process of acting to revoke or suspend Minnesota secondary vocational teaching licenses and issuing or reinstating such licenses after revocation or suspension.

Minnesota Rules, Part 8750.3830 Code of Ethics for Minnesota Teachers

Minnesota Statutes, Section 125.185, subdivision 4, charges the Board of Teaching to develop a code of ethics covering standards of professional teaching practices including performance and methods of enforcement. This part is needed to ensure that a code of ethics applies to all persons who hold secondary vocational licenses in education. The subparts relating to standards of professional conduct, statutory enforcement of the code, complaints handled by the board, and enforcement procedures are reasonable since they are identical to and consistent with the code of ethics applicable to nonvocational teachers as set forth in current Board of Teaching rules, part 8700.7500.

Minnesota Rules, Part 8750.3840 Appeal to the Board of Teaching

This part is necessary to provide a formal avenue of appeal for those individuals or teacher preparing institutions to appeal actions and decisions of the Board of Teaching relating to secondary vocational teaching licensure. This part is reasonable since the criteria and procedures are identical to and consistent with current Board of Teaching rules, part 8700.2500 governing appeals for nonvocational licensure.

Minnesota Rules, Part 8750.4200 Alternate Forms of Occupational Experience

A technical amendment to subpart 1 is needed to clarify the use of alternate forms of occupational experience. Amendments to rules which state criteria for conversion of licenses to teach secondary trade and industrial occupations permit the use of alternate forms of occupational experience by nonbaccalaureate applicants. It is reasonable that this part be consistent with the amendments in rules that permit the use of alternate forms of occupational experience. Technical amendments to subpart 6 more clearly define the same category of practice for technical college vocational teaching to be applied to the required 500 hours in an emphasis area. It is reasonable that such a definition be explicit and include the requirement that at least 50 percent of the program instruction be in the occupational emphasis area listed in the secondary license for which application is being made.

Minnesota Rules, Part 8750.8000 Formation of Local Vocational Relicensure Committee

A technical amendment is necessary to correct an error in the current rule. It is reasonable to permit administrators and supervisors who hold continuing teaching licenses to be able to vote in committee elections whether or not they are practicing on those licenses, since they are subject to the actions of the committee for renewal of their continuing teaching licenses.

Repealers

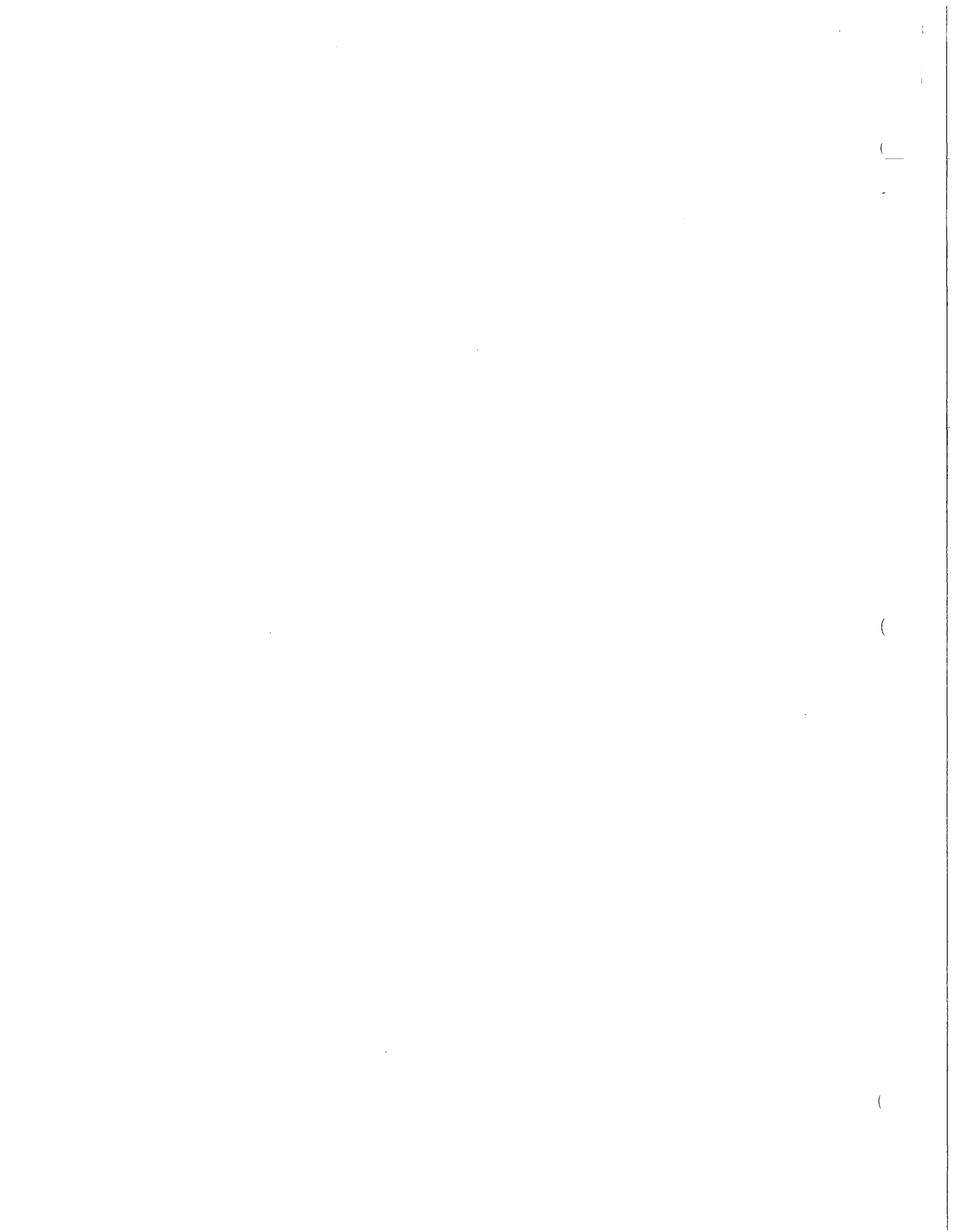
It is necessary to repeal Minnesota Rules, parts 8700.2900, subpart 5; 8700.3510, subpart 7; 8700.4000, subpart 6; 8700.4100, subpart 2; 8700.4200, subpart 2; 8700.4600, subparts 4 and 5; 8700.7300, subpart 3; and 8700.7400, subpart 2 to delete obsolete language.

FISCAL STATEMENTS

The Board of Teaching estimates that the proposed rules will not require an expenditure of public monies by all local bodies of a amount which exceeds \$100,000 in either of the two years immediately following adoption of the proposed rules.

SMALL BUSINESS

These proposed rules will not directly affect small business within the meaning of Minnesota Statutes, Section 14.115.



LCRAR



**Legislative Commission to
Review Administrative Rules**

Senator Gene Waldorf
Chair

Maryanne V. Hruby
Director

Representative Peter Rodosovich
Vice-Chair

2/4/91 S.R.

March 14, 1991

Kenneth Peatross, Executive Secretary
Minnesota Board of Teaching
608 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

Dear Mr. Peatross:

I write to request a copy of the Teaching Board's Statement of Need and Reasonableness (SONAR) for recently published rules relating to teacher licenses.

As you may know, Minnesota Statutes, sections 14.131 and 14.23 now require state agencies to provide copies of SONAR's to the LCRAR when they become available for public review.

If you have not already done so, please send a copy of the SONAR for these proposed rules to:

The Legislative Commission to Review Administrative Rules
Maryanne Hruby, Director
55 State Office Building
St. Paul, Minnesota 55155

Please contact me at 296-1143 if you have any questions.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Michele Swanson".

Michele Swanson
Commission Secretary

