

STATE OF MINNESOTA
BOARD OF TEACHING

STATEMENT OF NEED AND REASONABLENESS

Concerning the Proposed Adoption of Permanent Rules Relating to Education; Teacher Licensure Examinations

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

RULES AS PROPOSED

Minnesota Rules, Part 8700.0210 Examinations for Teacher Licenses

A technical amendment to subpart 1 is necessary to reference a statutory citation. Laws of Minnesota, 1992, Chapter 499, Article 8, Section 8 recodifies Minnesota Statutes, Section 125.03, subdivision 5 to Section 125.05, 1a, paragraph (b). It is reasonable to expect that the rule implementing the statutory requirement references the most current statute.

Laws of Minnesota, 1992, Chapter 499, Article 8, Section 9 added a subdivision to Minnesota Statutes, Section 125.05 to require persons to successfully complete an examination of skills in reading, writing, and mathematics before being admitted to a postsecondary teacher preparation program. Therefore, an amendment to subpart 8 of this rule is necessary to repeal the requirement that candidates for licensure must take the examinations before enrolling in upper division or graduate coursework in the teacher preparation program, but need not pass the examinations until such time as being recommended for licensure. A July 1, 1994, sunset date to repeal subpart 8 provides reasonable notice of this change, since examinations are administered five times annually in Minnesota.

Subpart 8a is necessary to implement Laws of Minnesota, 1992, Chapter 499, article 8, section 15 which amended Minnesota Statutes, Section 125.185, subdivision 4(b) to require the Board of Teaching to adopt rules to require successful completion of an examination of skills in reading, writing, and mathematics before being admitted to a teacher preparation program. A July 1, 1994, date to require successful completion of the examinations before being admitted to a postsecondary teacher preparation program provides a reasonable amount of time for candidates to have the opportunity to meet this requirement, since examinations are administered five times annually in Minnesota. Colleges and universities are currently expected to provide advisement and assistance to candidates who fail to achieve the minimum passing scores. This requirement has been transferred from subpart 8 to subpart 8a; it is reasonable to continue this expectation so that candidates who fail to achieve the minimum passing scores will have opportunities to increase their skill levels.

Minnesota Rules, Part 8750.3010 Examinations for Secondary Vocational Teacher Licenses

A technical amendment to subpart 1 is necessary to reference a statutory citation. Laws of Minnesota 1992, Chapter 499, Article 8, Section 8, recodifies Minnesota Statutes, Section 125.03, subdivision 5 to Section 125.05, 1a, paragraph (b). It is reasonable to expect that the rule implementing the statutory requirement references the most current statute.

The Legislative Commission to
Review Administrative Rules

DEC - 9 1992



Laws of Minnesota, 1992, Chapter 499, Article 8, Section 9, amended Minnesota Statutes, section 125.05 to require persons to successfully complete an examination of skills in reading, writing, and mathematics before being admitted to a postsecondary teacher preparation program. Therefore, an amendment to Subpart 2 of this rule is necessary to repeal the requirement that candidates for initial secondary vocational teaching licenses may enroll in the secondary vocational teacher education core courses before successful completion of the skills area examinations, but need not pass the examinations until such time as an entrance vocational teaching license may be granted. A July 1, 1994, sunset date to repeal subpart 2 provides reasonable notice of this change, since examinations are administered five times annually in Minnesota.

Subpart 2a is necessary to implement Laws of Minnesota, 1992, Chapter 499, Article 8, Section 15, which amended Minnesota Statutes Section 125.185, subdivision 4(b) to require the Board of Teaching to adopt rules to require successful completion of an examination of skills in reading, writing, and mathematics before being admitted to a teacher preparation program. A July 1, 1994, date to require successful completion of the examinations before being admitted to a postsecondary teacher preparation program leading to a baccalaureate or higher degree provides a reasonable amount of time for candidates to have the opportunity to meet this requirement, since examinations are administered five times annually in Minnesota. Colleges and universities are currently expected to provide advisement and assistance to candidates who fail to achieve the minimum passing scores. This requirement has been transferred from subpart 2 to subpart 2a; it is reasonable to continue this expectation so that candidates who fail to achieve the minimum passing scores will have opportunities to increase their skill levels.

Fiscal Statements

The board of Teaching estimates that the proposed rules will not require an expenditure of public monies by all local bodies of an 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.

MINNESOTA BOARD OF TEACHING

In the matter of the Proposed Adoption
of Permanent Rules of the Minnesota
Board of Teaching Relating to
Education; Teacher Licensure
Examinations

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Notice is hereby given that the State Board of Teaching intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in Minnesota Statutes, section 14.22 to 14.28. The statutory authority to adopt the rules is Minnesota Statutes, sections 125.05, subd. 1.a. and 125.185, subd. 4.(b).

All persons have 30 days, until 4:30 p.m., January 6, 1993, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rule. Each comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Judith A. Wain, Acting Executive Secretary
Minnesota Board of Teaching
608 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
612/296-2415


The proposed rules may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rules as noticed.

The rules proposed for adoption relate to amendments to existing nonvocational and secondary vocational teacher licensure rules governing examinations for teacher licensure. The proposed amendments implement a statutory requirement that candidates for licensure successfully complete the examinations before being admitted to postsecondary teacher preparation programs. The amendments propose July 1, 1994, as an effective date to implement this requirement. A free copy of the proposed rules is available upon request from Judith Wain at the address given above.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available upon request by contacting Judith Wain at the address given above.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit a written request to Judith Wain at the address given above.

November 20, 1992
Date



Judith A. Wain, Acting Executive Secretary
Minnesota Board of Teaching